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The Council of Freely Elected Heads of Government

Carter Center of Emory University

Electoral Reform in Mexico

Final Report

Based on a Delegation Visit
Sept. 6-11, 1993

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Preface

This report on the electoral reforms in Mexico was prepared for the Council of Freely Elected Heads of Goverment, an informal group of 23 current and former presidents and prime ministers from nations of the Americas. Based at The Carter Center of Emory University (CCEU), and chaired by former U.S. President Jimmy Carter, the Council is dedicated to reinforcing democracy in the Americas and strengthing inter-American cooperation.

From Sept. 6-11, 1993, a delegation composed of representatives of three members of the Council held briefings in Atlanta with me and others and meetings in Mexico to learn more about Mexico's current effort to reform its electoral laws and institutions. The delegation was led by Dr. Jennifer McCoy, Senior Research Associate at The Carter Center, and representative of former U.S. President Jimmy Carter, and it included Dr. Rodrigo Madrigal, representative of Council member and former Costa Rican President Oscar Arias; Dr. Marcelo Cavarozzi, representative of Council member and former Argentine President Raul Alfonsin; and Dr. Vikram K. Chand, a scholar of Mexico from Harvard University.

While in Mexico, the delegation met with representatives of the ruling Institutional Revolutionary Party (PRI) and the two major opposition parties, the National Action Party (PAN) and the Party of the Democratic Revolution (PRD). The delegation also met with the director-general of the Federal Election Institute (IFE) and all of the directors of IFE's specialized executive organs such as the Federal Election Registry (RFE) and the Professional Electoral Service (SPE). In addition, the delegation interviewed the leaders of Mexico's election monitoring groups, and analysts of the Mexican political scene.

The delegation's visit occurred at a critical juncture in Mexico's political history. The opposition parties believe that the rules of the political game have been manipulated to keep the ruling party, the PRI, in power. At a time when Mexico is trying to open its economy to the outside world, Mexicans, according to public opinion surveys, also want their political system to become more open and fair. The opposition realizes that the rules need to be changed **now** for the Presidential election scheduled on August 21, 1994 to be free and fair. The delegation arrived at the moment when negotiations on the electoral reforms were reaching a climax.

This report is divided into six parts. The first part describes the activities of the Council of Freely Elected Heads of Government (Council/Carter Center) in the area of democratization, including its work in Mexico. Part II describes very briefly the evolution of the Mexican political system since the Revolution of 1910. Part III summarizes the process by which Mexico enacted its electoral reform. Part IV is the literal and symbolic center of the report: it summarizes the constitutional and the electoral-process reforms and then describes the views of each of the major parties on what they wanted and how they view the result. Part V analyzes the reforms based on the Council's experience in other countries. In the final part, we offer our conclusions.

For justifiable historical reasons, Mexico, as a nation, has been acutely sensitive to any kind of interference in its internal affairs. Despite the fact that free elections are a universal right promulgated in the American Convention on Human Rights and other international treaties that Mexico has ratified, there are some in Mexico who strongly oppose international observation of their electoral process. Therefore, it was deeply gratifying to us that everyone in Mexico welcomed our delegation. The government and the major political parties were generous with their time and in providing information before, during, and after the delegation's visit.

The first draft of this report was written by Vikram Chand. I wrote the second draft and was joined by Jennifer McCoy and Vikram to edit and revise the preliminary report after discussing it with the other members of the delegation and with the assistance of Dr. David Carroll, Assistant Director of the Latin American Program. Harry Barnes of The Carter Center discussed these issues on a follow-up trip to Mexico in October. The delegation joins me in thanking Harriette Martin and Casie Hughes for their assistance and the following students for preparing the briefing book for the delegation's visit: Maria Veronica Moran, Lisa Sandblom, Jennifer Manning, Gustavo Uceda-Velez, and Ashley Leeds.

We completed the **preliminary** report on electoral reforms on Oct. 13 and submitted it to the Mexican government, the political parties, and the observer groups for comments. This **final** report is much improved because of the detailed and expert comments we received. Two criticisms by the government compelled us to do more work. First, the government insisted that the Federal Election Institute (IFE) was impartial. It urged us to review the 23 volumes of "memorias" (records) of the debate in the General Council of IFE as proof that the "independent" members were not controlled by the government. Secondly, the government said that we had given too much attention to the opposition's criticism of the registration list and too little to 19 "independent" audits of the list. We analyzed the new information and sought comments from the other parties. In a distrustful political environment, we have found that each group has a part of the truth. The search for a complete picture is not an easy task. The new data helped us to understand several issues better, but it actually substantiated our initial conclusions.

We are very pleased that our preliminary report was read so closely by the government and the political parties, and that some of our recommendations are beginning to be implemented. For example, we recommended that all the parties agree to an independent, credible, and effective audit of the national registration list, and during the first days of November 1993, the parties reached agreement in principle on doing this review. If conducted effectively, that audit could do much to build confidence in the registration list.

The purpose of the report is to analyze the electoral reforms and the state of democratization in Mexico for Council members and for interested members of the inter-American community. We aim to be fair and hope that the report offers ideas for our friends in Mexico and outside who want to reinforce democratic trends.

Dr. Robert A. Pastor
Atlanta, Georgia
November 5, 1993

Executive Summary

I. **The Council of Freely Elected Heads of Government**, an informal group of 23 leaders from throughout the Americas, is chaired by former U.S. President Jimmy Carter. It has monitored or witnessed the electoral process in Mexico and seven other countries in the Americas.

II. The Mexican political system has evolved markedly since the Revolution of 1910. The governing party—the PRI—has not lost a Presidential election, but the one in 1988 was widely viewed by Mexicans as fraudulent. Perhaps as a result, the new government introduced a major electoral reform in 1989, which created a new Election Institute (IFE) and a new registration list with photocredentials. In 1989 and 1992, an opposition party won two gubernatorial elections—the first time since the revolution—but the opposition parties have continued to dispute many state and local elections. In anticipation of the 1994 Presidential election, the three major political parties began negotiating election reforms, and these culminated with the passage of 29 constitutional amendments and 252 modifications of the electoral law in September 1993.

III. The Constitutional changes were passed by the PRI and the PAN with the required 2/3rds majority in the week of August 30, 1993. The changes to the **electoral law (COFIPE)** passed on September 15, 1993, after a vociferous congressional debate, with the PRI and PAN approving, and the PRD boycotting the debate and vote.

IV. Electoral Reform Issues

A. Constitutional Reforms

1. Expansion of the Senate. The number of senate seats was doubled so that each state and the Federal District will now have four Senators. The party winning the most votes in each state will win three seats, and the party that comes in second will gain the fourth seat.

2. Distribution of Assembly Seats. The governability clause that allowed the party winning a plurality of 35 percent or more to gain a majority in the Chamber of Deputies is repealed. The new reforms prohibit any party from holding more than 63 percent of the seats, thus precluding any party from the two-thirds majority needed to reform the Constitution on its own.

3. Presidential Eligibility. Article 82 preventing Mexican-born children of foreign parents to be president is now repealed, to take effect in the year 2000.

4. Certifying Election Results. A new Federal Electoral Tribunal is established to be final arbiter of disputes in the election of federal deputies and senators.

B. Electoral Process Issues

1. Voter Registration List. Since 1990, IFE has produced a new registration list with a photocredential that has already been distributed to over 37 million people. A sophisticated computer program has been developed to update and correct the list, erasing duplications and adding new voters. Nevertheless, concerns remain. Partial audits of the list to date have demonstrated confidence levels from a low of 65 percent (a PRD analysis) to a high of 99 percent (by firms contracted by IFE). Procedures for reviewing and correcting the registration list need to be tested. Public posting of the list by precinct (casilla) at least one month before the election is essential.

2. Vote Process and Count. Precinct officials will be selected by two successive lotteries rather than one. Election results will be available at the precinct level for the first time. Voting booths will be used instead of screens to ensure voters' privacy. Political parties will receive an official copy of the election results on the same day as the count, although the government is allowed a long time to issue results: 3 days for federal deputy races and one week for the presidential race.

3. The Federal Election Institute (IFE). The independence of the IFE from PRI influence is one of the fundamental concerns of the PAN and PRD. The new reforms will gradually reduce the government's control of IFE, but it will still retain sufficient influence—particularly in the 1994 election—to shape the result if necessary. Future directors of each of the IFE's functional areas will need to be approved by a two-thirds vote of the General Council, in which all political

parties are represented. Additionally, the government presence on the local and district councils, which determine the results of federal senate and deputy races, will be reduced. Nevertheless, the opposition parties feel the reforms did not go far enough to guarantee the independence of the IFE from PRI and government control. The impartiality of the IFE is an issue that can be tested before the 1994 elections by monitoring the decisions of the General Council, especially regarding the voter registration list, campaign financing and spending, and media access.

4. Campaign Spending Limits. The new reforms provide for campaign spending limits for the first time in Mexican electoral history. However, the legislation does not specify the formula, criteria, and limits, and the opposition parties fear that the limits will be set too high by the IFE.

5. Party Expenditures and Revenues. For the first time, political parties must submit an annual report on their income and expenditures to a Special Commission of IFE. Contributions are restricted, but with high individual limits. Failure to comply with the reporting requirements may result in loss of public financing.

6. Access to the Media. IFE will arrange for radio and television time for each of the parties to be paid by the state and additional time to be paid by the parties, but the reforms don't do anything about the bias in reporting by the major television stations.

7. Coalitions. The reforms make it much harder to form coalitions than in the past.

8. Observers. The reforms permit domestic observers, but only as individuals and under highly restrictive conditions. The status of international observers is unclear; this will make it difficult for the international community and many Mexicans to evaluate conflicting reports of election irregularities.

V. Analysis

Both the PRI and the PRD concluded that the failure to reach agreement on electoral reforms was due to the fact that the other was "not serious" about electoral reform. The PRI believes that the PRD's boycott was due to their weakness, and the PRD viewed their rival's lack of seriousness as due to the PRI's desire to control the outcome. The chasm of distrust that separates these two parties is typical of countries that have "transitional elections."

The constitutional reforms will give the opposition more representation, but with one exception, none of the constitutional reforms touch the issue of respecting the vote. Indeed, some of the reforms can be interpreted as sharing power according to a formula negotiated by parties rather than respecting the vote. A distinction is made between first-order (vital) electoral issues and second-order (desirable) issues.

VI. Conclusions

Although the electoral reforms represent positive steps, as a whole, they fall short of establishing a foundation that would give all parties and the people of Mexico confidence that a genuinely free and fair election will occur in August 1994. The growing professionalization of IFE is impressive; however, the perceptions of partiality continue to undermine its effectiveness.

Our experience leads us to conclude that for a democratic election to occur, all major parties in a country must accept the process and respect the results. Mexico has not yet reached the point where that is the case. Continuing disputes over the fairness of elections poses one challenge for the Mexican government that does not appear to be resolved by the reforms. A second challenge stems from the fact that only about one-third of the Mexican people believe, according to a survey in June 1993, that the elections in 1994 will be free. ■

I. Council/Carter Center Activities

In November 1986, the Latin American and Caribbean Program of The Carter Center of Emory University hosted a conference co-chaired by former U.S. Presidents Jimmy Carter and Gerald Ford on "Reinforcing Democracy in the Americas." The conference brought together some of the best scholars of democratization from Latin America, the United States, and Europe with 12 former and current presidents and prime ministers of the Americas and leaders from the U.S. Congress and Executive Branch. At the conclusion, the leaders met privately and decided to establish a group—the Council of Freely Elected Heads of Government—to work together to extend, deepen, and reinforce the process of democratization in the Americas. The leaders asked President Carter to chair the group, which now includes 23 leaders from the hemisphere. Based at The Carter Center, the Council's staff includes Robert Pastor as executive secretary, David Carroll, and Jennifer McCoy. All of the Council's missions abroad have had representatives from throughout the Americas. (See Appendix 1 for a description of the Council and a list of members.)

After initial statements and efforts to reinforce democracy in Argentina and Chile and express support for Haiti's elections in 1987, the first concerted effort by the Council to promote democracy involved the observation of the election in Panama in May 1989. Based on the lessons of that experience, the Council undertook far more systematic and concerted efforts to mediate elections in Nicaragua (July 1989-April 1990), Haiti (August 1990-February 1991), and Guyana (September 1990-present). In addition, it observed the elections in the Dominican Republic (May 1990), monitored the pre-electoral process in Suriname (April-May 1991), and observed the elections in Paraguay (May 1993).

During the last three years, the Council/Carter Center has begun to focus its efforts on Mexico—both on the issues related to elections and to the North American Free Trade Agreement (NAFTA). Dr. Pastor began a dialogue with Mexican leaders on these issues when he taught in Mexico in 1985-86 and was in Chihuahua during the elections in 1986. For historical reasons, many Mexicans both inside and outside the government are ambivalent or opposed to the idea of international observers, but they have nonetheless welcomed the opportunity to discuss election reform with Council representatives and staff on each of the visits, including the most recent. (See Appendix 2 for a list of the people met by the delegation in the September 1993 visit.)

Mexican leaders were invited to participate in the Council's election-monitoring missions in Haiti, Guyana, and Paraguay, and these individuals returned to play important roles strengthening domestic observer groups. In the spring of 1992, the Council/Carter Center received an invitation from eight Mexican election-observer groups to witness their observation of the elections in the states of Chihuahua and Michoacan. Council staff consulted with Council members, and Dr. Pastor visited Mexico to discuss the issue with leaders from each of the major parties and from the government. Everyone encouraged the Council to send a delegation, but officially, the government preferred not to take a position, telling Dr. Pastor: "We neither approve nor object to the Council sending a mission." The

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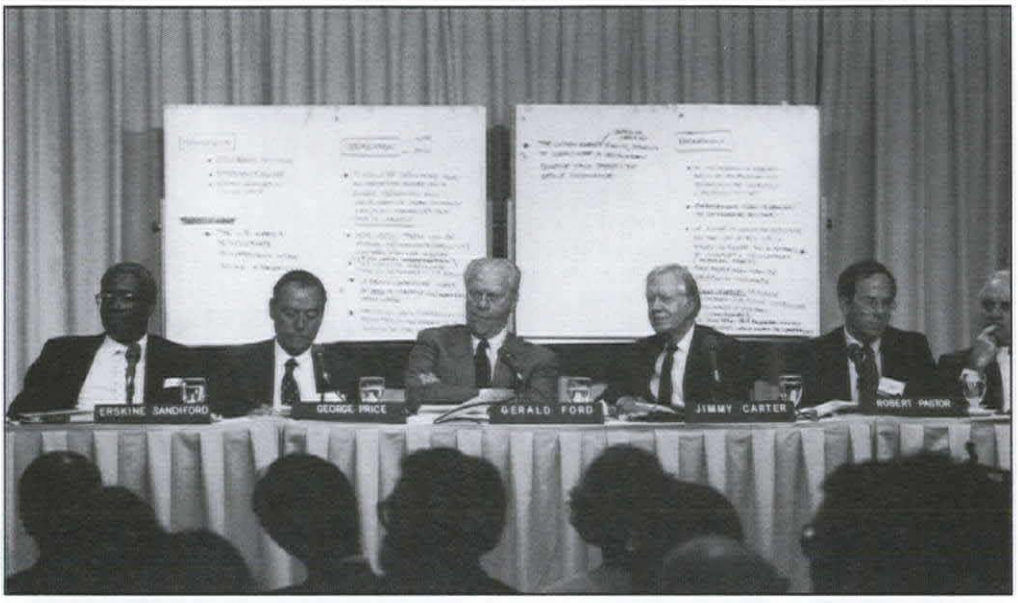

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From left, Council members Prime Minister Erskine Sandiford of Barbados, Prime Minister George Price of Belize, President Gerald Ford, President Jimmy Carter, Dr. Robert Pastor, the Council's executive director, and President Daniel Oduber during a conference on democracy at The Carter Center.

opposition parties were very supportive.

In July 1992, the Council sent a delegation that included representatives of Council members Jimmy Carter, Oscar Arias, Raul Alfonsin, and Fernando Belaunde-Terry and the Christian Democratic Party of Chile. The group introduced itself as:

> "... friends of Mexico, who are respectful of Mexican sovereignty, with no intention of interfering in Mexico's internal affairs. But we also come as friends of democracy in the hemisphere, aware that international conventions on human rights—of which Mexico is a party—declare free elections a universal right. All the people of the hemisphere have the obligation to defend each other's rights."

The terms of reference of the mission were to examine and comment on the ways in which the Mexican groups were observing the elections—**not to comment on the elections per se**. To have been able to comment on the elections, our delegation would have needed to have been much larger, been there much longer, and been given access to all of the electoral process. Therefore, at the end of the mission, the delegation issued a report that confined itself to an assessment of the work of the observer groups. The delegation did an extensive analysis of the work of the observer groups, and on the basis of a survey and numerous on-site meetings, it suggested how their work could be more effective. In the end, the report concluded:

> "The local observer groups are new and have flaws, but they are dedicated and could play a vital role in the political process if they are given the kind of support and access to the electoral process that is essential to be effective and to demonstrate their impartiality. Such a role can only succeed as civil society deepens, and the political parties increase their capacity to make the system accountable. We hope that the legal and political environment will be created to permit election observers to play this role..."

Some of the observer groups appreciated the Council's constructive and even-handed analysis; others were unhappy that the Council did not support all of their criticisms of the government and the process. This divided reaction impeded further cooperation between the observer groups and the Council.

In a spirit of reciprocity, the Council/Carter Center invited Mexican leaders—representing the observer groups and all of the political parties—to

Georgia to observe the U.S. presidential elections in November 1992. Two of the three major political parties sent representatives, as did the three largest observer groups. Unfortunately, the U.S. election coincided with President Salinas' ***Informe*** (the annual state of the nation report), and the PRI representative could not attend. The purpose of the project was to observe the U.S. electoral process and exchange information and ideas on elections in the United States and Mexico.

In a conference after the election co-chaired by President Carter and former Canadian Prime Minister Pierre Elliott Trudeau, the Mexican delegates issued their report, expressing their gratitude for the invitation. Contrasting the U.S. electoral system with Mexico's, they "were surprised at the absence of government and parties from the electoral process [and] at the degree of decentralization" in the United States. The difference was due, in the group's judgment, to the "high degree of trust in the [U.S.] system, and this trust is due to a long history of free elections, the active involvement of the media and the fear of adverse publicity, and very effective judicial remedies when irregularities occur."

The Mexicans criticized some aspects of the U.S. electoral system, especially the difficulty of registering, the absence of regulations on campaign funding, the holding of elections on a work day, and the projection of results by the media during the day of the election. The Mexicans insisted that they did not want to interfere in U.S. politics and offered "these criticisms and suggestions in the same spirit of friendship and openness with which we were invited and with a strong belief that all sides benefit from the free flow of ideas and information." Most of the Americans accepted the validity of the criticisms.

Since the 1992 elections, Council/Carter Center staff have maintained regular contact with many Mexican leaders. Numerous memoranda have been exchanged between the Council/Carter Center and Mexican groups, particularly on how to analyze electoral reforms and conduct a good observation of elections. Dr. Pastor traveled to Mexico in February 1993 and again in May 1993 and met with President Carlos Salinas and other political leaders to discuss both NAFTA and the status of electoral reforms. In May 1993, Cuauhtémoc Cárdenas, the PRD presidential candidate, and Ricardo Pascoe, the candidate's adviser, visited The Carter Center to speak with President Carter and Dr. Pastor. The delegation's visit in September 1993 is thus part of a longer project by the Council. ■

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President and Mrs. Carter accompanied a group of Mexican leaders who observed the 1992 U.S. elections. From left: Ricardo Pascoe Pierce (PRD), Cecilia Romero (PAN), President Carter, Mrs. Carter, Dr. Pastor, and Dr. Sergio Aguayo (election-monitoring group).

II. Background on the Mexican Political System

The contemporary Mexican political system emerged from the Mexican Revolution in which nearly 1 million Mexicans lost their lives. The response of Mexican leaders to the national yearning for political stability and economic growth after the devastation of the Revolution was to create a highly centralized political system marked by an extremely powerful president and a state-sponsored political party, whose function was to mobilize support for the revolutionary elite and ensure that social demands were channeled through the official party. The concentration of power in the hands of the president in Mexico City came at the expense of the legislature and the judiciary and Mexico's states and cities despite the constitution's commitment to the principles of separation of powers, federalism, and municipal autonomy.

If the Mexican political system had authoritarian features, it also possessed considerable flexibility to adapt to changing conditions. The official party itself has gone through three phases of evolution. Founded in 1929 by President Calles, the main goal of the National Revolutionary Party (PNR) was to create a centralized political party controlled by the president that could check the power of Mexico's revolutionary generals in their regional strongholds and force them to resolve their conflicts within an institutional context rather than on the battlefield. By the 1930s, the regime had entered a phase of mass mobilization and social reform.

In 1938, President Lazaro Cárdenas reorganized the PNR as the Mexican Revolutionary Party (PRM) under corporatist lines with separate sectors being created for labor, the peasantry, the military, and middle class groups. If the initial goal of the PRM was to provide a framework for the expression of popular demands, the sectoral system also functioned as an instrument of political control and electoral manipulation. The official party could rely on its control over the votes of organized labor and the peasantry to "win" elections in exchange for providing economic and political benefits to the sectors and their leaders. By 1940, the power of the military in Mexican politics had eroded so much that the military wing of the PRM was abolished. In 1946, the PRM was redefined as the Institutional Revolutionary Party (PRI), signalling a shift from the radical changes of the Cárdenas years toward political stability and economic development.

While the PRI has remained substantially the same in terms of its organizational structure since 1946, there have been numerous changes in Mexico's election laws. In 1963, the opposition gained greater access to the Chamber of Deputies. Any minority party winning 2.5 percent of the national vote would automatically win five seats in the Chamber plus an additional seat for every half percentage point up to a maximum of 20 seats. In 1973, the maximum number of party deputy seats allowed to a minority party was raised to 25. In 1977, President López Portillo, embarrassed at having had no opponent in the presidential election of 1976 and seeking to incorporate the left in the political system, expanded the number of minority party seats allocated on the basis of proportional representation to 100 and legalized a host of leftist parties. In 1987, a new election code raised the number of proportional representation seats to 200; all parties including the majority party would be entitled to share in their distribution.

The constitutional ban on re-election of the president and the mix of authoritarian control

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and political flexibility explain the longevity of Mexico's political institutions. Its political stability provided the basis for unprecedented growth, which paradoxically eroded the old system. Between 1940 and 1980, the Mexican economy grew at an average annual rate of 6 percent, and real per-capita income quadrupled. Illiteracy fell from 64 percent in 1940 to 17 percent in 1980, and the rural sector declined from 65 percent to 34 percent in 1980. The result was the emergence of an increasingly urban, literate, and middle class society marked by growing levels of civic awareness and social complexity. The economic crisis of the early 1980s, which was brought on by the collapse in oil prices and the structural problems associated with Mexico's strategy of import-substituting industrialization, unleashed social pressures for greater political participation.

Elections became the focal-point of the clash between society and the state. The Miguel De La Madrid administration (1982-88) initially recognized opposition triumphs in five state capitals in 1983 but then responded by resorting to fraud. Regional elections in the states of Nuevo Leon and Sonora in 1985 and Chihuahua in 1986 were marred by serious allegations of election fraud. In 1988, the political awakening of society, which until then had been largely limited to northern Mexico, became a national reality. The 1988 presidential elections pitted the PRI's Carlos Salinas de Gortari against the PAN's Manuel Clouthier, a fiery agricultural entrepreneur from the northern state of Sinaloa, and Cuauhtémoc Cárdenas, the son of Lazaro Cárdenas, who broke with the PRI to launch his own candidacy for the presidency under the banner of the National Democratic Front (FDN), a coalition of leftist forces.

In the end, the PRI's candidate was declared the winner with 50.74 percent of the vote, the PRI's worst showing ever in a presidential election and a 20-point erosion in its share of the vote as compared to 1982. The PRI also won only 260 of the 500 seats in the Chamber of Deputies, falling far short of the two-thirds majority needed to reform the constitution on its own and compelling the PRI to negotiate with the opposition to get its constitutional reform initiatives approved.

The 1988 presidential elections were denounced as fraudulent by both the PAN and the FDN. In order to bolster his legitimacy at home and abroad, President Salinas issued a call for dialogue with all political forces.

The 1988 presidential elections were denounced as fraudulent by both the PAN and the FDN. In order to bolster his legitimacy at home and abroad, President Salinas issued a call for dialogue with all political forces. Mr. Cárdenas rejected the call, insisting that President Salinas and his election were illegitimate. PAN leaders chose to take advantage of the opportunity to try to nudge the president down the path of democratization. The two results of this dialogue were, first, the PRI's recognition of the PAN's victories in the gubernatorial elections of the states of Baja California Norte (1989) and Chihuahua (1992) and, second, a new election code adopted in 1990.

Under the 1990 election code, the government established a new election agency (IFE) with a professional bureaucracy to manage federal elections. It created a new voter registration list and issued a more reliable voter identity card complete with a photograph. The director general of IFE would be nominated by the Minister of the Interior but would have to be approved by a two-thirds majority of IFE's General Council, where political parties are represented according to their strength. Six seats on the General Council would be held by magistrate councillors who were independent of both the government and political parties. The magistrate councillors would be nominated by the president and approved by a two-thirds vote of the Chamber of Federal Deputies. The new election code also gave political parties the right to have two (instead of one) representatives in each precinct to monitor the vote on election day. Precinct officials would be chosen by lottery from a group of all registered precinct voters. All ballots would be signed by precinct officials prior to the start of voting; sessions of the electoral councils would be public; and screens would be installed to permit privacy when voting. Violations of electoral laws

Mexican President Carlos Salinas de Gortari

Mexican Congress

including fraud would be subject to criminal prosecution. A controversial aspect of the election code was the governability clause, which allowed the party winning a plurality of at least 35 percent of the vote to automatically secure a 51 percent majority of the Chamber.

At the same time that these electoral changes were implemented, President Carlos Salinas embarked on a set of bold economic initiatives aimed at reducing and redirecting the state's intervention in the economy and liberalizing its trade and foreign investment policies. His most important proposal was to negotiate a North American Free Trade Agreement (NAFTA). This economic opening had important political consequences in reducing the instruments of state control and increasing the cost of electoral manipulation.

Despite the political changes and partly because of the new economic opening, the PRD (the successor to the FDN) protested the continued government/PRI control of IFE. Since 1988, the opposition parties sometimes accepted the results of the state and local election, but more often the PRD, the PAN, and the national observer groups complained of fraud. Finally, in November 1992 in his ***Informe***, President Salinas promised to undertake a new round of negotiations to secure electoral reforms on campaign financing, party expenditures and revenues, and access to the media. The PRD initially resisted the dialogue, but eventually, all three parties submitted proposals to reform the electoral system. Intense negotiations began in May 1993 with the expectation that they would be completed by mid-July—the end of the session of the Chamber of Deputies. The parties, however, failed to reach agreement, and President Salinas called an extraordinary session of the Congress in August. By the time the Council/Carter Center delegation arrived on Sept. 6, the negotiations on the electoral reforms were moving to their last phase. ■

From 1940, Mexico's political stability provided the basis for unprecedented economic growth and educational achievements, which paradoxically eroded the old political system. The economic crisis of the early 1980s then unleashed social pressures for greater political participation, and the economic opening of the late 1980s increased the cost of electoral manipulation.

III. The Parts and Process of Electoral Reform in Mexico, 1993

The electoral reforms can be divided between those that required changes in the Constitution and those that required new legislation. To change the Constitution, a two-thirds majority is needed in both the Chamber of Deputies and the Senate. To change Mexico's electoral law—Federal Code of Electoral Procedures and Institutions (Codigo Federal de Instituciones y Procedimientos Electorales, COFIPE)—a majority of those voting is needed. The debate on legislation is sometimes confusing. The Chamber first votes on the overall bill ("aprobacion en lo general"). If the legislation is approved in general, the legislators then proceed to debate and vote on each of the provisions in the new law. These votes are sometimes taken by the raising of hands and are not recorded. Then, the Chamber votes on the law as a package ("aprobacion en lo particular"). The measure then goes to the Senate for approval.

The constitutional changes of Mexico's recent electoral reform package were approved by the Chamber of Deputies and the Senate during the week of Aug. 30 with the PRI and the PAN voting in favor. On the legislative changes, the PRD boycotted the session because their eight-point proposal was not accepted and, in their view, little serious attention was given to making IFE genuinely independent of government/PRI control. The PRI and the PAN voted in favor of the reforms to COFIPE "in general," but after the debate over the law's specific provisions, the PAN voted against the reforms as a package on Sunday, Sept. 12th. PAN leaders blamed the PRI for breaking an agreement on the timing for choosing the members of Mexico's 300 District Councils that are responsible for judging the federal deputy elections.

The PRI then passed the law on its own, using its majority in the Chamber of Deputies. In the Senate, however, the PRI decided to accept part of the PAN's proposal, reducing the degree of state control over the District Councils before the 1994 elections. The bill was returned to the Chamber of Deputies on Sept. 15, and it passed 316-0-184. Voting for the reforms were the PRI, PAN, PARM, and PFCRN. (See the glossary for the party names.) The PRD and the PPS abstained. (The high rate of abstentions was due to the PRD boycott and the many members who had already returned home.)

The debate was solely on federal elections whereas most of the controversy in the last four years has focused on state and local elections.

The debate was solely on federal elections whereas most of the controversy in the last four years has focused on state and local elections. Formally, IFE and the federal government have no real authority over state and local elections. IFE provides the registration list and whatever technical assistance that is requested, but it does not administer those elections. Of course, the informal power of the president is vast, and most attribute the decisions to reverse disputed state and local elections to him. ■

IV. Electoral Reform Issues and Views of the Parties

Although President Salinas had initially intended to confine the debate on electoral reforms to three issues—limits on campaign spending, transparency of party funding and spending, and access to the media—the opposition compelled the PRI to address a large number of reforms. At the end, a wide swath of reforms had been approved: 29 constitutional amendments and 252 of 372 articles of COFIPE, the federal code on elections, affecting issues as wide-ranging as the date of the federal elections after 1994—from the third Sunday in August to the first Sunday in July—to doubling the size of the Senate. In the description and analysis of the reforms below, we have grouped these major changes into four constitutional reforms and nine issues related to the federal code on elections.

A. The Constitutional Reforms

1. Expansion of the Senate: The number of senate seats was doubled to a total of 128. Each of Mexico's 31 states and the Federal District will now have four instead of two senators. Of the four senators, the party winning the most votes will win three seats, and the party that comes in second will gain the fourth seat. After a transition period, all four senators will be elected at the same time in the year 2000. The opening of the Senate to minority participation will give the opposition parties a larger share of the political pie, but it may also lead to serious distortions of the popular will. For example, a party could win as few as 35 percent of the vote in a state (or the nation), but if the other parties do worse, it would have 75 percent of the Senate seats. A second-place party could win 10 percent or less but win a seat.

Views of the Parties: The PRI had initially suggested expanding the Senate to three members per state with the third seat going to the party in second place with at least 20 percent of votes. Otherwise, the third seat would automatically go to the majority party. The PAN supported the PRI's proposal but rejected the minimum threshold. The PRD wanted four senators per state with the third and fourth seats going to the parties in second and third place respectively and no minimum vote requirement. The final proposal was to have four senators per state with the fourth going to the party in second place with no minimum threshold.

The PAN has long sought greater access to the Senate and expects to benefit significantly from this reform, particularly in states where it is the governing party. The PRD, probably the weaker of the three parties in most states, viewed the outcome as a part of a strategic alliance between the PRI and the PAN aimed at dividing up the spoils and marginalizing the PRD. While not opposed to increasing minority representation in the Senate, the PRD regards the opening of the Senate as a diversion from the central issue related to the government's continued control over the election machinery.

2. Distribution of Assembly Seats—Repealing the Governability Clause and Setting New Limits: Approved in the 1990 reform, the governability clause allowed the party that won a plurality of at least 35 percent of the vote to gain 251 of the 500 seats in the Chamber of Deputies. For every percentage point that it won between 35 percent and 60 percent, the party would gain an extra two deputies. This clause was eliminated in the September 1993 reforms.

What remains is a bifurcated system in which 300 seats of the Chamber are allocated to single-member districts that use a "first-past-the-post" system; the remaining 200 seats are then divided between five sections of the country and apportioned among all parties based on their share of the popular vote for the election for deputies.

In addition, a new constitutional provision

At the end, a wide swath of reforms had been approved: 29 constitutional amendments and 252 of 372 articles of COFIPE, the federal code on elections, affecting issues as wide-ranging as the date of the federal elections to doubling the size of the Senate.

limits the maximum number of seats any single party can hold in the Chamber of Deputies to 63 percent or 315 of its 500 seats. **The point of this reform is that no single party can secure the two-thirds majority necessary to reform the constitution on its own.**

Views of the Parties: The PRD has been the strongest critic of the governability clause, which it viewed as a mechanism to keep the PRI in power by giving the party winning the plurality an absolute majority in the Chamber of Deputies. It is important to note, however, that the PRI did not benefit from the governability clause in the 1991 federal elections for deputies because it won more than 60 percent of the popular vote. Some PAN leaders have supported the governability clause as a way to promote stability, and any political party—not just the PRI—could reap its benefits. In the 1992 state elections in Chihuahua, the PAN benefited from a similar clause in the state constitution to secure an absolute majority of seats in the state Congress. Others in the PAN, however, felt that the governability clause was undemocratic by permitting overrepresentation by one party.

Both the PAN and the PRD were in favor of the new constitutional provision that limited the winning party to less than two-thirds of the Chamber of Deputies.

3. Presidential Eligibility: Article 82 of the Constitution had prevented Mexican-born children of foreign-born parents to be president. This article is now repealed, but it will not take effect until the presidential election in the year 2000.

Views of the Parties. This was one of the PAN's highest priorities because it would permit one of their popular leaders, Vicente Fox, to run for president. They were pleased with the change but disappointed that it would not apply in 1994.

4. Certifying ("Calificación") Electoral Results: In the past, the incoming members of the Chamber of Federal Deputies and the Senate constituted an Electoral College to validate their own elections. Now the IFE will validate the election of deputies and senators. The new reform establishes a Federal Electoral Tribunal **as a final arbiter of disputes** that could arise in the elections for federal deputies and senators. This Tribunal will consist of the chief justice of the Supreme Court and four members of the judiciary appointed by a two-thirds vote of the Chamber. The newly elected Chamber of Deputies will continue to form an Electoral College to validate the election of the president. Of all the constitutional reforms, this is the only one that deals directly with the electoral **process** rather than dividing the electoral **outcomes**.

Views of the Parties: The PAN believes that the demise of the old Electoral College and its replacement by the Electoral Tribunal as the final arbiter in disputes relating to federal deputy races is "the most important" constitutional reform that could permit the professionalization of the Mexican electoral system. The PRD also supports the creation of an Electoral Tribunal and the elimination of the Electoral College but is more skeptical about the extent to which the Electoral Tribunal will function as an independent organization.

B. Election-Process Issues: The COFIPE Reforms

1. The Voter Registration List—How Accurate? As a result of the 1990 reforms, the voter registration list was completely redone. A pool of 45 million eligible voters was derived from the census; 43 million citizens were contacted by IFE and asked to register; 39.5 million did so; and 36.5 million received their credentials in time to

vote in the August 1991 elections. By October 1993, there were 46.8 million people registered to vote, and 37.9 million people had their credentials. An independent audit of the national registration list done by the McKinsey and Nielson companies for the IFE in 1991 indicated that 86 percent of eligible voters were registered, 92.6 percent of those registered received their voter credential, and the list had a 97 percent confidence level.

Beginning in November 1992 in preparation for the 1994 federal elections, the government set up more than 7,000 registration offices across the country to register voters and issue photo-credentials. IFE claims it is a very secure document. If a photo is opened or altered, oxygen is supposed to be released to destroy the photo and render the credential unusable. The new credential has two holograms, one bar code, one numerical code, a fingerprint, and a signature. The government is seeking to boost registration by encouraging the use of the new photocredential as a form of national identification, and the new document is reported to be so reliable that it is accepted in banks and government offices. The government has spent about $700 million (U.S.) dollars on the program so far and expects to deliver more than 40 million cards by the 1994 election.

The new reforms give political parties guaranteed access to the original documents and photographs submitted by citizens to register. Computers have been available since Aug. 17 of this year in the federal and state units of the Federal Election Registry (RFE) to give political parties continuous access to the list. Ordinary citizens will be able to verify their inclusion on the list through computers in their district unit of the RFE.

The RFE will launch an intensive campaign between Nov. 1, 1993, and Jan. 15, 1994, to encourage the completion of voter registration and the distribution of photocredentials. The last date to register is Feb. 28. The preliminary voter registration list ("Listado Nominal de Preliminar") will then be compiled and will be posted in public places and voter registration offices by April 1, 1994. The local and district executive boards and political parties will also receive a copy, which will organize the names alphabetically by section.

A new constitutional provision limits the maximum number of seats any single party can hold in the Chamber of Deputies to 63 percent or 315 of its 500 seats. **The point of this reform is that no single party can secure the two-thirds majority necessary to reform the constitution on its own.**

Political parties will now have 30 days (April 1-30) instead of 20 to inform RFE of errors, and RFE will investigate and report corrective measures to the General Council and RFE's National Vigilance Council by May 14, 1994, at the latest. If the political parties are still unsatisfied, they have the right to appeal to the Electoral Tribunal's central court ("Sala Central"). After the Electoral Tribunal resolves the complaints, the General Council of IFE meets to declare the list as **definitive**, and it will be posted as a new list.

The director general of IFE will have the power to order an audit of the voter registration list with or without the consultation of political parties, but the government will not pay for an independent audit by political parties.

Views of the Parties: The PRD believes that important progress has been made on the padron and the credentials since 1988, but critical problems remain. In a study of the voter registration list of Mexico City, the PRD found that roughly one-third of city blocks, "manzanas" (301 of 893) where voters supposedly lived, were empty zones or consisted of factories rather than dwellings. In addition, 7.25 percent of those citizens registered to vote had addresses that did not exist. Overall, PRD leaders felt that the voter registration list in Mexico City had only a 63 percent level of reliability, which would make the list seriously flawed.

Our team reviewed the analysis in the PRD's report, but we did not have the resources or time to test the validity of the data or evaluate the

methodology. At least 13.61 percent of the problems (out of the 37 percent error) are possibly minor ones, relating to errors in the reported address of registered voters, who were located by the PRD analysts. Another 3.18 percent ("not recognized") might have been double-counted. Even if these errors are excluded, the PRD's report indicates an error rate in which roughly 20 percent of the persons named on the list could not be found because (a) they were registered in blocks or homes that did not exist, (b) their names were not recognized at the reported home, or (c) they died or had moved. An error rate of 20 percent, if validated, would be a serious cause for concern.

PRD leaders complained that changes in the voter registration list resulting from death, change of nationality, or internment from crimes were not being adequately recorded by the RFE. According to the PRD, only 15 percent of the names of 600,000 people who have died in Mexico since 1991 have been deleted from the registration list. PRD leaders also claim that there are many duplications in the list with the same person appearing more than once. They accuse the government of selectively reducing the list where the opposition is strong as in urban areas and padding it where the opposition is weak as in rural areas. The parties did not present evidence to substantiate this claim.

PRD leaders said they had received magnetic tape copies of the padron, but they were not given access to the entire database of voter information. They said that the tapes contained codes that the party was unable to decipher and that the RFE was unwilling to give them the software to do so. PRD leaders stated that it was difficult for ordinary citizens to correct errors in their registration since the RFE's registration office ("modulos") focused on registration, not correction of errors. The PRD also felt that the registration office tended to delay the delivery of credentials to opposition supporters while speeding their delivery to PRI supporters. The PRD has done general statistical analyses of the unevenness of the distribution of credentials. In earlier visits, one of us reviewed some of these studies, and they appeared reliable.

The PRD has been unable to offer detailed documentation because the RFE provides numbers rather than names of people who received their credentials. Further, these numbers correspond to electoral sections—not precincts—and electoral sections can sometimes contain more than one voting precinct, particularly in densely populated areas. (There are 56,000 electoral sections vs. 88,000 precincts, and the overlap is often quite confusing.)

The PRD also faulted the government for not providing a definitive final voter registration list ("Listado Nominal Definitiva") one month before the 1991 election and for not planning to include a photo in the final voter registration list to be compared with the photocredential during voting in 1994.

Based on the PRD's audits, Jesus Zambrano, the PRD's representative to RFE, estimates that about 10 percent of the names on the national registration list are deliberate errors that could permit the PRI to manipulate the result by up to 5 million votes.

To deal with these problems, the PRD proposed a system of "coadministration" whereby the opposition parties, the PRI, and the government would jointly manage the RFE. The PAN for its part suggested that the General Council appoint an adjunct director of RFE by a two-thirds vote to serve as ombudsman for the RFE. Both of these proposals were rejected by the PRI.

The PAN had far fewer complaints than the PRD with the voter registration list. They said that they were able to secure access to the updated preliminary lists, though with some delay, and possessed the technical but not the financial capacity to analyze it. The PAN agreed with the PRD that there was a tendency for the registration offices to issue credentials to PRI supporters faster than opposition ones. Jose Luis Luege, the PAN representative to IFE, told us that his party was worried that of the nearly 9 million people who are on the list but have not yet received their credentials, 3 to 4 million represent "problem cases," credentials that could be obtained by people with false identification cards. PAN would like the RFE to destroy these cards.

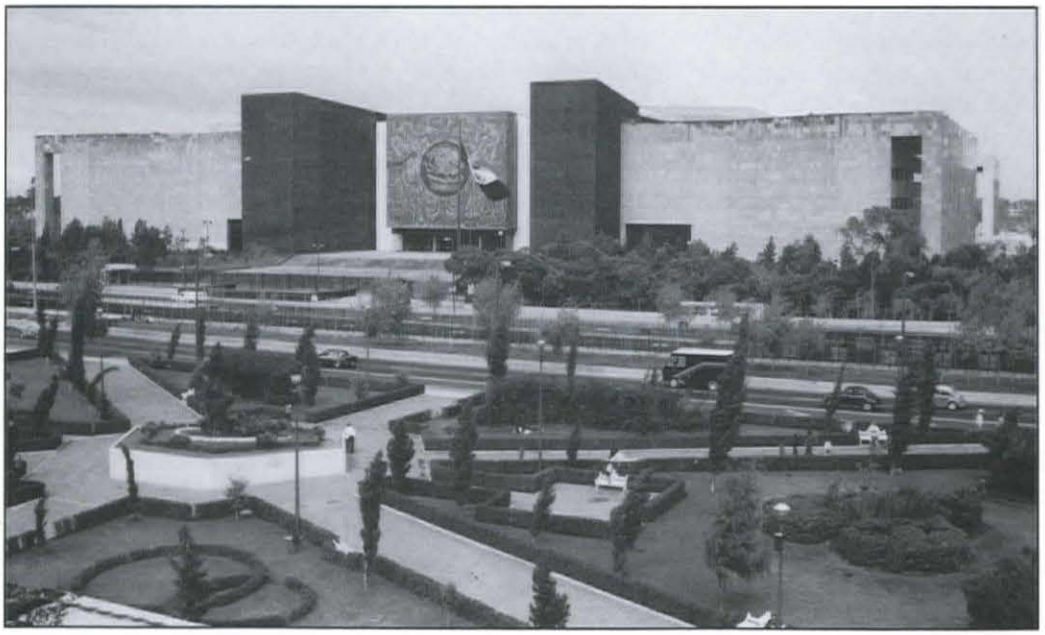
The PAN had three other concerns with regard to the voter registration list. First, the PAN wanted to secure access to the original documents submitted when citizens registered. Second, it wanted to change the law to require that the RFE guarantee political parties "perma-

nent" access to the voter registration list at the national, state, and district levels. Third, the PAN along with the PRD felt that it was necessary to include a photo of each voter in the final voter registration list. In the PAN-ruled state of Baja California Norte, photos had been added to the final voter registration list as a measure to deter fraud, and the PAN wanted this to be adopted nationally as well. Of these three objectives, the PAN secured the first two but not the third.

Our delegation met with the director general of IFE and the director of the RFE to learn their views of these issues. The director of the RFE, Carlos Almada, emphasized the challenge of developing a voter registration list in a country of Mexico's size, diversity, rural tradition, and high level of internal and external migration. Since 1990, they had already distributed more than 37 million photocredentials.

IFE claims that they have achieved a high level of reliability of the list. The RFE has commissioned a number of partial external audits, including an audit of the preliminary registration list for the 1991 federal elections done by A.C. Nielson and McKinsey, and audits of the preliminary lists in 19 states from December 1991 to September 1993. These audits, carried out by Nielson, BIMSA (Buro de Investigacion de Mercados, SA), and UNAM (National University of Mexico), showed confidence levels of 96-99 percent. In addition, IFE has done its own audits of state voter registration lists under the supervision of the local Comision de Vigilencia, which include representatives from each of the political parties.

Information provided by the IFE about the 19 cases suggests that the opposition parties played a significant role in the verification process in three ways. First, according to IFE, the opposition parties were often the first to solicit an analysis of the voter registration list in the local vigilance commissions of the state units of the RFE (Chihuahua, Morelos, Baja California Norte, and Guerrero). Second, opposition parties occasionally designed the methodology of the study (the PAN in Morelos, Guanajuato, and Baja California) and in one case actually carried out the study (the PAN in Chihuahua). Third, they sent representatives to supervise the analysis of data in the Regional Computer Centers and field studies by RFE personnel (Michoacan, Oaxaca, Tamaulipas, Nayarit, Sinaloa, Tlaxcala, Baja California Sur, Hidalgo, Quintano Roo, the PRD in San Luis Potosi). In a few well publicized cases, opposition parties refused to participate in verification processes (the PRD in Michoacan in 1992, the PRD and PAN in Mexico State in



Mexican Congress

The Mexican Congress.

1993, the PAN in San Luis Potosi in 1993).

The PAN told us that they had participated in some audits and in a recent case in Yucatan, had found a very high rate of accuracy for the padron. However, when we brought IFE's information to the attention of Jesus Zambrano, the PRD's representative, he told us unequivocally that while the PRD participated in varying degrees in a number of the audits, the PRD had **never** accepted the official results of the audits nor voted to approve them in any of the local vigilance commissions. In several cases, including in Mexico City, the PRD withdrew from the process during the field work because without complete access to the database, they did not have confidence in the method used to draw the sample or to test it in the field. Although IFE had agreed to involve the PRD in the interviewing, that was not always the case, and the PRD suspected the PRI was bribing people to give false information. Moreover, the PRD does not trust Nielson because its president was a senior official in the government until 1990.

With regard to Mexico City, IFE conducted its audit in July-August 1993, with a sample size similar to that used by the PRD. The political parties (except the PRD and PPS) participated in the design of the audit. In contrast to the PRD report, the audit found only 2.68 percent inconsistencies: .7 percent were houses that were not found, 1.1 percent were persons not known at that address, .88 percent were persons who did not live in that section. The PRD declined to endorse the report.

When requested by the PAN in the state of Mexico and the PRD in Michoacan, the RFE was able to locate the missing manzanas and addresses and to confirm additions to the list. According to Almada, the problem in the Mexico City sample was that the parties did not have the cartographic maps and certificates of visit that would have facilitated locating the addresses. He said that he would provide the maps to the parties, if asked. If the government wishes to improve the credibility of the electoral process and reduce its vulnerability to opposition criticisms, it needs to issue the final voters list well in advance of the elections, and focus on verifying the final voters list and not just the preliminary registration list.

Regarding the failure to delete the dead from the lists, we spoke with the director of the RFE and subsequently sent the director of IFE a set of questions. According to the director of IFE, they received notification from the civil registry of the deaths of 525,000 people from January 1991 to September 1993. They had deleted 79,735 (15 percent) from the list by September 1993. Their reasons for not removing the others were: (a) they lacked confirmed notification of the deaths; (b) people had moved to another state; (c) some might be abroad; and (d) data from the civil registry did not match the data in the registration documents. **Despite these explanations, we found the number of deletions to be disappointingly low.**

With regard to duplications, the director acknowledged that this could be a problem, but that the RFE has adequate systems to deal with it. Some Mexicans re-register when they move and receive two credentials when they ought to have simply filled out a change-of-address form. The RFE's claim that its central computer automatically rejects anyone with the same data and each credential contains a number indicating whether it is an original or a replacement. In addition, over ten million Mexicans lack birth certificates, and many do not know their exact date of birth. Some Mexicans could therefore register twice with the same name but a different date of birth. The RFE claims it has designed a program to detect such duplications; the computer isolates those individuals whose names appear twice and whose date of birth fall within a certain range. The program also isolates the names of individuals with similarly spelled names. Only one name and number will appear on the final voter list in such cases of duplication. This is a system that can and should be tested when the preliminary voter list is posted.

As far as corrections to the list were concerned, the director stated that the registration offices would correct errors and register changes of address. He also pointed out that the number and location of the registration offices has been determined by the RFE's Vigilance Commissions, where all political parties are represented. The preliminary list was being continually revised to reflect changes. The political parties were being

informed on a monthly basis of aggregate changes in the list, but to determine the names being added or subtracted at any one time, one would have to compare the revised list with the previous list.

According to the director, computer tapes and hard copies of the voter registration list were being provided to opposition parties at their request. (The PRD said they had not received the entire database.) In addition, political parties had access to the list by computer in the national and state offices of the RFE and technical assistance and financial support from IFE to read the lists by district.

On the issue of codes, the director stated that the codes were designed to manage information and not to make it more difficult for political parties to check the veracity of the list. The RFE was willing to decipher any of the codes that the political parties could not understand, but it was the responsibility of the political parties to obtain the software and acquire the technical skills to do so on their own.

On the issue of granting political parties access to the RFE's databank of photos and original documents of inscription, the director felt that this would constitute a violation of the privacy of Mexican citizens. But, in fact, the new reforms will permit this. He also opposed the idea of attaching a photo of each voter to the final voter registration because of the expense, the small amount of time remaining before the 1994 elections, and the fact that the method has been tried in few other places.

On the issue of co-administration, PRI leaders and government officials felt that this would lead to deadlock in the RFE and subvert the goal of professionalizing IFE and its executive organs. They also rejected the PAN's proposal that an ombudsman be created to watch over the RFE even though this could encourage professionalization.

Although not required by law, IFE is contemplating posting the definitive list by precinct (casilla) after the District Council determines the number and location of the precincts. They are also planning to publish it in the newspapers before the elections. These would be very important steps. In previous elections, the lists have been posted by sections, which do not correspond with the place that voting occurs. Thus, on the day of the election, there is often a considerable amount of confusion with voters being unable to find where they are supposed to vote. Opposition parties believe that the moving of precincts at the last minute occurs disproportionately in their strongholds. If the list is posted by precinct early, voters could learn where they will vote and make sure that their names are listed correctly.

In our preliminary report, we recommended that a final independent audit of the entire preliminary voters' list be conducted before the 1994 elections as an important confidence-building measure. The IFE director said that would be desirable, and we have just learned from the PRD representative that his party and the others have reached agreement **in principle** to conduct an independent review of both the PRD's and the IFE's analysis of the Mexico City registration list and to commission the Rosenbluth Foundation to conduct an audit of the entire national list, starting in February or March. These are very encouraging steps.

2. Voting Process and Count—How Fair?
Electoral procedures at the precinct level will be simplified with only one official document of record ("Acta"). The ballots for deputy, senator, and president are counted at each casilla. Each party signs the Acta and gets a copy. The original and the ballots are then sent to one of the 300 District Councils, where the officials add them, declare the winner for the Deputy seat, and announce the results for the District for senator and president. The District Councils will provide an official copy of the results ("Acta Distrital") to all the parties on the same day as they are announced. In addition, for the first time, the District Councils will make available the election results at the precinct level.

If the list is posted by precinct early, voters could learn where they will vote and make sure that their names are listed correctly.

We were pleased to learn that the political parties and IFE have reached agreement in principle to implement a recommendation that was in our preliminary report to conduct an independent audit of the national registration list by a contractor that would enjoy the confidence of all the political parties.

The government is not required to issue results immediately. The District Councils can take up to three days to issue the results of a federal deputy race, and IFE can take up to a week to issue the results of the presidential race. The District Councils will have the power to order the inspection of the packets containing ballots from the individual precincts in the event of suspected irregularities.

The results for the Senate race are then sent to the Local Councils (state-level), where the winner is announced. The results for the presidential race are sent to IFE where they are aggregated and announced.

Before the election, the IFE must ask an independent academic or technical institute to certify the durability of the indelible ink. Voting booths rather than screens will be installed to guarantee the privacy of the vote.

If the results of an opinion survey are published, a copy of the study must be delivered to IFE to permit an assessment of the quality of its methodology. Opinion surveys should not be conducted or published within eight days before the elections. The new legislation says nothing about the issue of quick counts, but since Actas are available to the all the parties, one would presume that they are legal.

Views of the Parties: The reforms incorporate four of the PAN's proposals regarding the voting process and the count: the selection of precinct officials by two successive lotteries rather than one; the installation of booths rather than screens at the time of voting; the obligation of the District Councils to furnish political parties with an official copy of the election results on the same day as the count; and the establishment of a single document of record to attest to the opening and closing of the precinct and the counting of votes there.

The PRD wanted to reduce the legal standards for proving election fraud on the grounds that people who commit fraud are unlikely to leave evidence to convict them. The PRD also wanted to expand the grounds for annulling an election. It also sought the right to correct and alter complaints already filed under rules that gave them just three days to collect evidence. The PRD failed to get the first two objectives; with regard to the third, the PRI agreed not to limit the time allowed to protest election results.

3. The Federal Election Institute (IFE)—How Independent? IFE is the organization charged with the management of federal elections in Mexico and furnishes the voter registration list for both federal and state elections. The crucial issue is whether IFE functions as an impartial, independent organization or is controlled by the PRI/government. The opposition has repeatedly complained that the General Council of the IFE is controlled by the government.

IFE has three types of bodies: the directorate of the General Council (Consejo General), composed of party and citizen representatives; the administrative technical body, composed of the Professional Electoral Service (SPE); and the oversight bodies, or Vigilance Commissions with party representation to monitor the development and revision of the voter registration list.

IFE is run by a director general nominated by the Minister of the Interior (Gobernación) and approved by a two-thirds vote of the General Council. The General Council has 21 members, and it makes the broad policy decisions. It is chaired by the Minister of the Interior and consists of the director general, the secretary-general, one representative each from the two largest parties in the Chamber of Deputies, one representative each from the two largest parties in the Senate, six magistrate councillors not linked to any political party, and representatives of political parties based on a formula reflecting the strength

of each party in the last federal elections for deputies. In 1993, the PRI/government had seven seats on the Council; the PAN had three; the PRD, two. Each of three small political parties had one: Popular Socialist Party (PPS), the Authentic Party of the Mexican Revolution (PARM), and the Cardenista Front for National Reconstruction Party (PFCRN).

Three other political parties did not receive 1.5 percent of the vote—the minimum level. These parties—together with the director general and the secretary-general—can participate in the discussion in the General Council, but they cannot vote.

The magistrate councillors—usually lawyers or former judges—do not represent any party. They are proposed by the president and chosen by a two-thirds vote of the Chamber of Deputies. This group was established to balance the party and government representatives with legal experts, but the opposition questions the independence of this group.

The day-to-day administrative operations of IFE are run by the General Executive Board ("Junta Ejecutiva General"), which consists of the director general, the secretary-general, and the directors of IFE's six executive organs. Under the 1990 election law, the director general had the power to appoint the directors of IFE's specialized organs responsible for compiling the voter registration list, organizing elections, supervising the professional electoral service, monitoring public campaign funding and access to free media time, and approving coalitions among parties. **Under the new reforms, the director general** will continue to nominate the heads of IFE's six specialized organs, including the Federal Election Registry (RFE), **but his future choices will have to be approved by a two-thirds vote of the General Council.** The present directors of IFE's specialized organs may remain in place through the next election. Their successors and the next secretary general will need to be confirmed by a two-thirds vote of the General Council.

IFE's subsidiary bodies organize the **federal** elections at all levels—local councils ("Consejos Locales") in Mexico's 31 states and the Federal District and district councils ("Consejos Distritales") in Mexico's 300 single-member districts. At the lowest rung of IFE are the country's 88,000 voting precincts ("casillas"). All members of the local executive boards are appointed by the director general of IFE and are normally members of the Professional Electoral Service (SPE). The opposition has long been concerned about the degree to which the PRI/government control each level.

Under the new reforms, the government presence on the local and district councils will be immediately reduced from five to two, and the number of citizen councillors will rise to nine after the 1994 elections. The rules for choosing the new local citizen councillors are the same as before. A majority of the General Council will confirm them.

In the old days, the principal level of concern about voter manipulation was at the lowest level, the precincts (casillas), where the voting occurs. In the 1990 reform, the precinct officials were chosen in an odd process. Twenty percent of those on the registration list were selected by a lottery to be trained, and from that group, the District Executive Board selected those who would actually work on election day. **The new reforms** have a double lottery, one to choose the 15 percent of voters to be trained and another to choose those who will serve as precinct functionaries. The goal of the second lottery is to eliminate the margin of discretion possessed by the District Executive Boards to choose precinct election officials. Also, precinct officials may not hold party positions or be public officials.

Views of the Parties: The PAN's initial decision to vote against COFIPE revolved around the issue of the independence of IFE. The PAN claimed that the PRI had agreed to increase the number of citizen councillors in the district councils from six to nine and reduce the government presence from five to two for the 1994 elections. When the PRI announced that it would honor this rule only in 1996, the PAN delegation decided to vote against the entire package of the COFIPE reforms. For the PAN, the independence of the District Councils was crucial because they are the ones that aggregate the count for deputies and declare the winner of each race, including the presidential winner in that district.

Under the new reforms, the director general will continue to nominate the heads of IFE's six specialized organs, including the Federal Election Registry (RFE), but his future choices will now have to be approved by a two-thirds vote of the General Council. The present directors of IFE's specialized organs may remain in place through the next election.

The PRI initially tried to delay this reform until after the 1994 election, allegedly because of the lack of time to train 900 new citizen councillors for the 300 electoral districts. The Senate then offered a compromise—accepted by the PAN—whereby the government would reduce its representation on the District Councils to two before 1994 but would not increase the number of citizen councillors to nine until after the 1994 federal elections. The PAN accepted the compromise because it felt that the new citizen councillors would not necessarily be independent of the government anyway since they would be approved by only a majority of the local councils, not the two-thirds that the PAN had wanted.

The new procedure for the appointment of the directors of IFE's specialized organs by a two-thirds vote of the General Council was one of the original demands of the PRD and the PAN. PRD leaders, however, feel that the reforms do not go far enough towards guaranteeing the independence of IFE from governmental control which they argue is designed to benefit the ruling PRI as the "party of the state." For the PRD, the independence of IFE is fundamental to ensure the rule of law and guarantee a free and fair election. The PRD would like the director general of the IFE to be appointed by the General Council from nominations made by any of its members and not by the Minister of the Interior. The PRD would also like the magistrate councillors to be proposed by the political parties rather than the president and objects to the requirement that they be lawyers since this means many would have been connected with the judicial branch of government, which the PRD feels lacks independence and excludes many good citizens. The PRD also wants all internal decisions of the General Council to be taken by a two-thirds vote rather than a 51 percent majority to permit opposition parties a greater role in Council decision-making.

The PRD is also concerned that the Professional Electoral Service (SPE) lacks objectivity since 55 percent of its body consists of individuals who were already employed by IFE prior to the creation of SPE in June 1992, and most of these were PRI supporters or public servants. The response of the director of SPE, Dr. Rubén Lara, is that the regularized SPE functionaries were carefully screened and that it is inevitable and even desirable that people interested in a job at SPE would have some background in public service. He questioned the PRD's assumption that most public servants were closet PRI-supporters who could not be trusted. For him, the creation of the SPE in 1992 was a giant step towards the professionalization of Mexico's electoral institutions and the quality of SPE was underlined by the fact that the ratio of applicants per opening was 11.5 to one.

Evaluation of Issue of IFE Independence. Technically, the PRI/government control 7 of 21 votes on the General Council, the principal decision-making body of IFE. But the PRD and PAN believe the PRI/government control a majority of the votes and perhaps a two-thirds majority (at least 14 seats) through the votes of some, or all, of the six magistrate councillors and the three smaller parties.

Seeking to determine whether there was a bias in the voting in the General Council, our delegation sought information on how the individual members have voted. Symptomatic of the political problem in Mexico was that few of our interlocutors had focused on the issue. Initially, we received anecdotal information that the magistrates had voted against a PRI proposal on only two occasions, and those cases involved the recognition of coalitions in a Senate campaign in 1991. IFE gave us a twenty-three volume set of "memorias," but frankly, we had not been able to analyze them by the time we prepared the preliminary report. Government officials were highly critical of parts of the preliminary report. They indicated that the "memorias" provided ample

For the PAN, the independence of the District Councils was crucial because they are the ones that aggregate the count for deputies and declare the winner of each race, including the presidential winner in that district.

documentation that the magistrates and the representatives of the smaller parties are independent of the govenment, and thus the idea that the PRI/government controls the IFE is erroneous.

On the other hand, Jesus Ortega, who was the PRD representative to the IFE until recently, told us that the magistrate councillors **never** supported any proposals of the PRD, and that they **never** voted against proposals of the government. Likewise, Ortega said that the smaller parties' representatives almost always supported the government's proposals in the IFE. When asked if the PRD had done any analyses of the IFE voting records to provide evidence in support of this contention, Ortega said that this was unnecessary, since this information is recorded in the offficial "actas" of the IFE, and is summarized in the IFE's "memorias." Jose Luis Luege of the PAN said essentially the same thing: that the magistrate councillors and the smaller parties voted with the PRI/government and that a study of their voting was not necessary.

We, therefore, returned to the 23 volumes to do an analysis of the voting. We found that those records only covered an eleven month period, from October 1990 to September 1991, and that they do not always indicate clearly how the individual members of the Council voted on each decision. Nonetheless, a careful review of the narrative did permit us to draw some conclusions about the positions of the magistrates and the parties. During that period, 43 decisions were approved unanimously; 31 decisons were approved by consensus, and 48 decisions were taken by majority vote with some members dissenting or abstaining.

We decided to concentrate our analysis on 13 of the most important of the 48 decisions taken by majority vote in the General Council in order to test the hypothesis as to whether the magistrate councillors and the three smaller parties voted independently of the PRI/government.

In eight of the 13 decisions, the six magistrate councillors sided with the PRI/government while at least one of the two major opposition parties voted against the decision. These issues involved the designation of the IFE's first director general and secretary general, the creation of a commission to determine the constitutionality of changes in political party platforms, the selection of citizen councillors for local councils, the extension of conditional registration status to the Revolutionary Workers Party (PRT) and the Workers Party (PT), the development of procedures to select precinct functionaries, the possible postponement of the 1991 federal elections, and the validity of the results of the 1991 elections in Mexico's five proportional representation divisions.

Only on two occasions did the six magistrate councillors as a group vote differently from the PRI. On the first occasion, they voted to authorize a coalition between the PRD and the PPS for the 1991 senate races in Mexico City and the states of Veracruz, Puebla, Chiapas, Guanajuato, Tamaulipas, Mexico, and Morelos. The magistrate councillors sided with the PRD and the three smaller parties to allow the coalition to go forward while the PAN voted against the proposal and the PRI abstained. On the second occasion relating to the registration of common candidates for senate races, the six magistrate councillors reversed themselves and withdrew their support on the ground that the PRD and PPS had not presented sufficient evidence that their platform had been approved by party members; the PRI also reversed itself and supported the common candidacies possibly because of worry about the political fall-out of not doing so. The common candidacies were approved by a vote of 11 to 7 and 2 abstentions.

The magistrate councillors split their votes on two occasions. On one occasion, Magistrate Councillor German Pérez Fernandez decided not to participate in the vote on IFE's budget because magistrate councillors draw their salary from IFE; his colleagues disagreed that there was a conflict of interest and voted for the budget. On another

occasion, the magistrate councillors split down the middle with three councillors supporting the majority's decision to deny the Mexican Green Ecology Party (PVEM) conditional registration status on the ground that it was not a political organization, and three councillors dissenting. That decision was subsequently reversed on appeal to the Federal Election Tribunal and the General Council felt compelled to vote to admit the PVEM.

Our limited survey of voting patterns in the General Council indicates that the magistrate councillors will normally support the PRI/government. On important issues, like the designation of the director-general of IFE, the validity of election results, and the selection of citizen councillors, **the magistrate councillors have unanimously voted with the PRI/government.** On only one important issue—coalitions—did they vote differently from the PRI/government and the fact that they did shows that they could potentially play an independent role in council decision-making. On less important issues like the conditional registration of a small party, the magistrate councillors have occasionally split their votes, thereby showing that they are not necessarily a monolithic bloc.

The voting behavior of the three smaller parties is something of a puzzle. Opposition parties tend to view them as instruments of the PRI. Yet, the smaller parties have shown some independence from the government in the past. In 1988, they came together to launch Cuauhtémoc Cárdenas as their candidate for the presidency with the then Socialist Workers' Party (PST) going as far as to change its name to the Party of the Cardenista Front for National Reconstruction (PFCRN). After the 1988 elections, the smaller parties returned to their traditional role as quasi-supporters of the official party. In 1991, however, the PPS formed an alliance with the PRD to run common candidates for senate races in various parts of the country. In view of the experience of 1988, the PRI knows that it cannot take the smaller parties for granted, and it has made a diligent effort to cultivate them while at the same time making it more difficult to register coalitions.

We decided to concentrate our analysis on 13 of the most important of the 48 decisions taken by majority vote in the General Council in order to test the hypothesis as to whether the magistrate councillors and the three smaller parties voted independently of the PRI/government.

On important issues, like the designation of the director-general of IFE, the validity of election results, and the selection of citizen councillors, the magistrate councillors have unanimously voted with the PRI/government. The small parties tend to vote similarly, although not on every important issue.

The fact that the three smaller parties control three of the 21 votes on the General Council makes them important players in council decision-making particularly in decisions that are taken by a two-thirds majority. In five of the 13 decisions that we studied, the three smaller parties voted with the PRI against at least one of the two major opposition parties. The five issues related to the designation of IFE's first director general and secretary general, the selection of citizen councillors for local councils, the extension of conditional registration status to the PRT, the development of procedures to select precinct functionaries, and the registration of common candidates for senate races.

In only one case—the registration of the common coalition between the PPS and the PRD—did the three small parties together vote differently from the PRI. In the remaining seven decisions, the three small parties split their vote with at least one party voting differently from the other two. The decisions in which the small parties split their votes related to the budget of

The decision to make party financing more transparent made all of the parties nervous, but in the end, the PAN pressed for this because they felt it was essential to try to curb the PRI's spending. Still, the limits on individual donations are extraordinarily high.

IFE, the creation of the commission to determine the constitutionality of changes in party platforms, conditional registration for the PVEM and the PT, the possible postponement of the 1991 federal elections, and the validity of the results of the 1991 elections in Mexico's five proportional representation divisions.

The small parties tend to support the PRI/government on important issues but far less consistently than the magistrate councillors. Their goals are maximizing their institutional and ideological influence, and the personal interests of their leaders. The small parties are willing to be wooed by all the major political parties, particularly the PRD and the PRI. In conclusion, the PRI/government can rely on the Magistrate Councillors and the small parties for support on key issues, but this may begin to change as the opposition plays a more effective monitoring role of the process.

4. Campaign Spending Limits—How Stringent? The new reforms provide for campaign spending limits for the first time in Mexican electoral history, but the formula, criteria, and the limits are not specified. The General Council of IFE is responsible for deciding all three.

Views of the Parties: The PAN and the PRD wanted to specify the criteria and the formula that the General Council should use to determine campaign spending limits, but the PRI rejected their proposals. The PAN's formula was one new peso per elector for the presidential, federal deputy, and senate races respectively or three new pesos per elector for the federal elections of 1994 for each political party. Assuming an electorate of approximately 43 million people, this would amount to 129 million new pesos per political party (U.S. $43 million). The PRD wanted a much lower limit but did not specify the precise number. Both opposition parties are worried that because of the tremendous resources available to the PRI, perhaps from public funds, they will set a very high limit (perhaps eight-10 pesos per citizen).

Besides fearing that the PRI will use government funds for campaigning, the opposition also is worried about the magnitude of **private** contributions the PRI could get. The opposition parties' fears were deepened by the famous dinner of Feb. 23, 1993 arranged by the president with 30 of the nation's most powerful businessmen in which he asked each to contribute $25 million to a trust fund for the PRI. One businessman offered more, and the total received that night was reported to be $750 million. The issue of campaign spending limits thus remains very much open.

5. Party Expenditures and Revenues—How Transparent? Parties would get their income from the following sources: (1) public financing; (2) membership fees; (3) contributions from trusts, nonprofit organizations, and unions; and (4) individual contributions. The General Council of IFE will determine the total amount of public financing in January for the 1994 elections.

This public financing will be allocated according to a dual formula in which each party gets a fixed amount and then the second, more important allocation would be made according to how well the party did in the previous federal election.

The new reforms set limits on individual contributions at 1 percent of the total of public financing for all political parties. If the total of public financing is 200 million new pesos, then the limit for individual contributions would be 2

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million new pesos (U.S. $666,667). (By law, only political parties, not candidates, can receive campaign contributions.)

Businesses are banned from financing political parties, but Mexican nonprofit organizations or unions may make contributions to political parties not to exceed 5 percent of public financing in 1994. (Again, if the total figure is 200 million new pesos, then these contributions would be limited to 10 million new pesos, U.S. $3.3 million.) Anonymous donations are permitted, but they must total less than 10 percent of public financing (20 million new pesos or U.S. $6.6 million). Contributions by churches, federal, state, or local governments to political parties are banned as are contributions by Mexicans residing or working abroad, and foreign political parties and organizations. The banning of funding by Mexicans abroad has implications for the PRD, which has support among some Mexicans in the United States and favors the right of Mexican citizens living abroad to vote in Mexican elections.

Mexican Congress

A session of the Mexican Congress.

To encourage transparency and honesty in the management of party finances, all political parties will be required to submit annually a public report to a Special Commission of the General Council of IFE on its campaign revenues and expenditures. To prepare this report, all parties will need to establish an internal organ to monitor income and expenditures. The Special Commission that will review these reports will consist of magistrate councillors designated by a majority of the General Council. The Commission can demand documents and other evidence to verify the reports. It would then present its findings for approval by a 51 percent majority of those voting of the General Council. If irregularities are detected, the General Council may recommend that the Electoral Tribunal apply penalties. If a political party fails to submit a report to the commission, it will lose its public financing.

Views of the Parties: The reforms incorporate proposals made by both the PRD and the PAN that political parties be required to submit a financial statement annually and during campaigns to a Commission of the General Council charged with monitoring political party finances. The reforms also incorporate the PAN's proposal that each political party create an internal mechanism for auditing its accounts. In addition, the PAN persuaded the PRI to ban funding from business corporations and to allow anonymous donations from individuals.

The issue of anonymous donations was important to the PAN and the PRD because their supporters are often afraid to contribute money openly to opposition parties, and both parties rely more heavily than the PRI on individual contributions made at meetings and rallies, which are hard to monitor. The PRI made an attempt to

ban raffles, a major source of funds for the PAN, but backed off after much PAN resistance. The PAN failed to persuade the PRI to scuttle its proposal that donations from "moral persons" like trade unions be allowed. The fact that government-controlled unions will still be able to donate money to the PRI was one of the reasons that the PRD cited in its decision not to support the COFIPE reforms. The PRD also wanted a higher ceiling for the amount of public financing given to political parties for "general activities" and a definition of the overall limit of private financing relative to public financing.

In fact, the decision to make party financing more transparent made all of the parties nervous, but in the end, the PAN pressed for this because they felt it was essential to try to curb the PRI's spending. Still, the limits on individual donations are extraordinarily high.

6. Access to the Media—How Equitable? IFE will arrange for the owners of radio and television stations to provide time for each of the parties to be paid by the state and additional time to be paid by the parties. The amount of free time allocated to each political party is 15 minutes a month. (Some of this will involve a special program organized by IFE.) In the event that two or more parties want to use the same spot on television or radio, the slot will be divided into two parts. The first part will be evenly allocated between the parties, and the second part will be allocated according to the electoral strength of the parties as revealed in the last federal deputy election. Radio stations and television channels can only charge parties the going commercial rate for any additional advertising.

Views of the Parties: The PAN persuaded the PRI to adopt its proposal requiring IFE to arrange for political parties to buy time on television and radio. This had been a problem because the media receive their licenses from the government and were reluctant to allow opposition parties to buy time on their stations. The PAN views this reform as important because the distribution of time and the amount of expenditures for advertising will be known from now on to the public. Also, the media must charge all parties the same rate. The other detailed proposals of both opposition parties were almost completely rejected by the PRI:

(1) The PRD and PAN proposed an increase in the amount of free time on radio and television stations, from 15 to 30 minutes a month when there are no elections, and from 30 to 60 minutes a month during the campaign. (The government would pay for the time by reducing the stations' taxes.)

(2) The PRD proposed some free time to be allocated during peak viewing hours instead of the morning when, as one PRD leader complained, only children are watching.

(3) Both the PRD and PAN proposed equal access to the free time rather than using a formula that favors the PRI.

(4) The PRD proposed a limit on the amount of time that political parties could buy to 50 percent of the "free" time available to them. The PAN proposed that private radio and television stations give opposition parties access to paid time or lose their licenses.

(5) The PRD proposed regulating state publicity during election time to ensure it is used only for essential governmental activities and not as an excuse to promote the party in power.

(6) The PRD and PAN proposed that opposition parties should gain more balanced treatment in the newscasts of the electronic media.

(7) The PAN proposed that opposition parties should gain a greater role in IFE's Office of Prerogatives and Political Parties, which handles media access.

(8) The PAN proposed that all parties be required to broadcast their platforms and principles.

None of these proposals were accepted by the PRI. The PRI felt that the opposition parties' proposals would infringe on the freedom of expression in Mexico and interfere unduly with the activities of the private electronic media. The reforms did not address issues relating to the print media where problems of access seem less severe than in the electronic media.

7. The Appeal Process—How Self-Correcting? Every election has problems whether of a technical or a political nature. When the distrust between the parties is very deep, the party out of government tends to see a political hand behind

every technical irregularity. It is important to have a process for correcting such irregularities in a manner that will give all of the parties confidence in the process. The new reforms incorporate two such correcting mechanisms: (1) for correcting the registration list; and (2) for resolving election-related disputes by the new Federal Election Tribunal. Both processes have been discussed above. How effective they will be remains to be seen.

8. Coalitions—Permitted or Discouraged? The reforms make it much harder to form coalitions than in the past. A coalition of parties seeking to capture the presidency would have to run common candidates for all federal deputy and senate races as well as nominate common candidates for the country's five proportional representation divisions. If a coalition nominates a common slate for 10 or more senate races, it will also have to nominate common candidates for all federal deputy races and the five proportional representation divisions. If a coalition nominates common candidates for 100 or more federal deputy seats, it also will have to run common candidates for all senate races and five proportional representation divisions. Coalition partners would also be required to adopt a common platform.

Views of the Parties: In 1988, a coalition of political parties launched Cuauhtémoc Cárdenas' bid for the presidency. The PRD feels that the reforms to limit coalitions are aimed at preventing them from repeating this in 1994. The PAN did not oppose the reforms on coalitions possibly because PAN leaders view the small parties as instruments of either the PRD or the PRI.

9. Domestic and International Observers—Legitimized? The reforms give "exclusive rights" to Mexican citizens to observe the "day of the election." This is the first law on election observers in Mexico. Domestic observers would have to be accredited by IFE as individuals, not as organizations, and must not have belonged to any political party in the three years prior to the election. The observers must abstain from declaring the results of the election, and their statements have no legal force. Each observer also needs to take a training course conducted by IFE. The law does not guarantee that the observers will be given access to the registration list or to other electoral information available to the parties prior to the election.

President Salinas has said that he welcomes people from other countries to look at Mexico's elections, but he rejects "the idea that any foreigner can come and decide whether the process is correct." Nonetheless, the government conveys a negative posture toward observers, causing some national observers to feel that they would pay a steep price to work with or invite international observers.

Views of the Parties: The PRD is the only party that wants domestic and international observers, but they did not participate in the debate. The PAN and the PRI are both divided on the subject, but because several of the observer groups had pressed for legalization, a provision was passed. The PAN was later critical of it, and there was no consultation with the observer groups. It is the most restrictive observer law of which we are aware. It's not even clear if the observers will have access to the count, although the specifics will be determined later by the IFE. The language of the law implies that international observers might be prohibited, but that "detail" will await a future decision or perhaps indecision. The PRI believes that the domestic observer groups are biased toward the PRD. The PAN welcomes international observers, but it is not a high priority on their agenda. President Salinas has said that he welcomes people from other countries to look at Mexico's elections, but he rejects "the idea that any foreigner can come and decide whether the process is correct." Nonetheless, the government conveys a negative posture toward observers, and some national observers feel that they would pay a steep price to work with or invite international observers. ■

V. Analysis of the Process and the Reforms

The Council/Carter Center has accumulated substantial experience in election-monitoring and mediating in "transitional" countries, which we define as those in which the major political parties have not yet established a consensus on the democratic rules of the game. In each country whose elections we have observed, the people have described their experience as unique with nothing in common with other countries. Mexicans have exhibited this feeling more assertively and more often than any other people, but the similarities between electoral problems in Mexico and those of other "transitional" countries outnumber the differences.

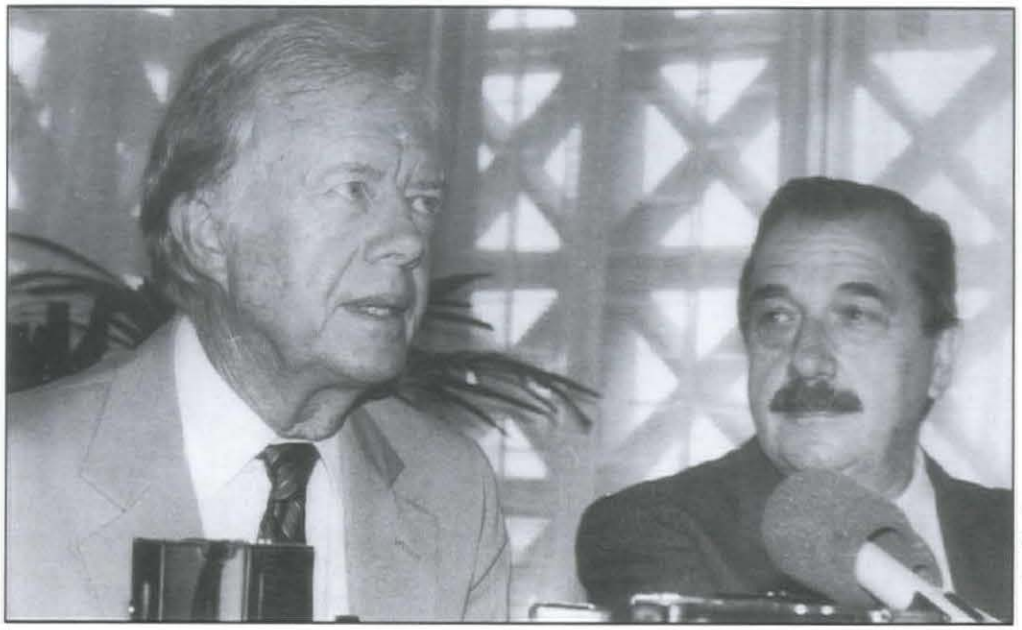
The principal element common in "transitional" countries is the difficulty or inability of leaders of different political parties to communicate their concerns effectively to each other. The opposition tends to exaggerate any irregularity in the electoral process, and they quickly conclude that the government has a conspiracy to steal the election. The governing party encourages this perception by coercive tactics, whether these are intentional or habitual. The opposition parties rarely identify their priorities with precision and their recommendations often lack specificity because they are "certain" **that the governing party is not serious** about electoral reform; therefore, why bother to be specific? Their charges are therefore vituperative and rhetorical, leading the governing party to conclude **that the opposition is not serious** about electoral reforms because the opposition knows they're weak and would lose a real election. The debate on electoral reforms therefore often is more of a shouting match than a real search for a neutral electoral process.

The perception of partiality by IFE, in our judgment, has some validity. The new reforms have reduced the PRI's control of IFE, but the reforms don't eliminate the ability of the government/PRI to shape the outcome if the need arises. Progress was made, but much remains to be done.

The "debate" between the PRI and the PRD fits this pattern snugly. Each party viewed the other as not seriously interested in electoral reform, and negotiations between the two parties on the specific issues never got very far. To the PRD, the principle issue was the independence of IFE, but that was not even on the PRI's initial agenda, and at the end of the debate, the reforms of IFE were not sufficient to persuade the PRD that it was genuinely independent. "For the PRD," Mr. Cárdenas wrote to us on Sept. 20, "the essential characteristic of an electoral system, in order that its results be credible, is that it be impartial. That impartiality is what we tried to achieve with the negotiations but failed due to a lack of disposition on the part of the PRI and the government to accept free and competitive elections."

That perception of partiality by IFE, in our judgment, has some validity. The new reforms have reduced the PRI's control of IFE, but the reforms don't eliminate the ability of the government/PRI to shape the outcome if the need arises. Progress was made, but much remains to be done. That does not mean that the complete autonomy of the IFE is a prerequisite to a fair election. We have monitored elections in which the electoral machinery was controlled by the ruling party more than is the case of Mexico. In these cases, free elections were possible because of international attention caused by the presence of distinguished international observers. As this is unlikely in Mexico, the lack of independence of IFE is a more serious problem.

Another recurring pattern of transitional elections concerns domestic observer groups. In countries that are polarized, there is little common ground, and national election observers are often perceived as partial to the opposition. This is the case in most transitional countries, and it



CCEU

Former President Carter and former Argentine President Raúl Alfonsin.

holds for Mexico. The PRI perceive most of the observer groups as partial to the PRD.

Another sign of a "transitional" election is that the issues that concern the parties are often jumbled. The opposition sees a vast bureaucracy arrayed against it and is simply uncertain as to which levers are crucial. We have developed a framework that might be useful for analyzing the electoral reforms. We suggest that they should be understood in terms of three categories: (1) constitutional issues aimed at a new formula for sharing power; (2) first-order electoral process issues that are vital to a free election; and (3) second-order electoral process issues that are desirable for a free election.

1. Constitutional Issues: Sharing Power. The expansion of the Senate, the redistribution of seats in the Chamber, the change in the rules on who can run for president, and the creation of a new Federal Electoral Tribunal are important reforms. The first two probably will permit more representation by the opposition in Congress, and that will mean that the Congress may begin to act as an autonomous institution, questioning the president and holding him accountable. The last one provides an important avenue of appeal and dispute resolution determining the winners of the legislative races.

The most important point, however, of these reforms is that, except for the last one, they do not relate specifically to the **electoral process** or to the right to vote. Indeed, these reforms imply a very different political model—one in which the distribution of the seats of power are negotiated by party leaders regardless of the views of the electorate. Increasing opposition representation by a pre-set constitutional formula represents one political path for Mexico, but it is not democracy in the sense that it is used in Latin America and the Caribbean and the United States—as a system of government in which **the people** choose their leaders at regular intervals in an environment of full and fair participation. A power-sharing arrangement is a collusive device among parties to avoid the uncertainty of the ballot box. Rather than a road to democracy, it may be a roadblock.

The PRI and PRD each believe that the other is not seriously interested in a free election, and some in the PAN believe that both perceptions are accurate.

2. First-Order Electoral Issues. In our experience, we have found that a meaningful election is not possible unless: (1) the political parties have had a chance to communicate their message to the people; (2) eligible voters have an opportunity to register and cast their vote in a secret ballot (this implies a good registration list, but what is essential is that a registration list not be politically biased); (3) the count has to be fair and accurate; (4) opposition poll-watchers and independent monitors should have complete access to every stage of the vote and count; and (5) effective power must be transferred to the winner.

The critical issues in Mexico relate to the voter registration list and the voting process and count, and that is why we have placed those issues first in our analysis. The 1990 electoral reforms represented real progress toward compiling a good list and identification card and a clean count, but the system still had important problems. Regrettably, the 1993 reforms did not resolve all of these problems. Remaining doubts about the list and the process for correcting it can only be alleviated by credible, consensual actions by the IFE.

Important, positive steps have been taken to clean the counting process. The access by opposition party poll-watchers is especially helpful in this regard as is the new Federal Election Tribunal to resolve disputes. Regrettably, excessive restrictions have been placed on domestic observers and international observers, and thus that avenue for verifying the count may not be available.

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The process of correcting the list remains to be tested, and there are no guarantees that citizens will have a chance to check their names on precinct lists one month before the election.

3. Second-Order Electoral Issues. At a second level, to have a good election, it is important to have: (1) a fair, but not necessarily equal, distribution of campaign resources; (2) equitable access to the media; (3) an agreed-upon formula for distributing state resources to the parties in a transparent way; and (4) an independent and impartial election administration.

These issues were at the center of the debate on electoral reforms in Mexico. Because of the overwhelming power of the state and the ruling party, the opposition parties have felt that they do not stand a chance of competing unless they can find ways to separate the party from the state. **For that reason, these second-order issues assumed much greater importance in Mexico than they would in another transitional country.** Without a national consensus, the partiality of IFE becomes almost a first-order issue, certainly in the minds of some in the opposition. In each of these areas, some progress was made but not enough to give all the opposition parties a sense of confidence that the vote will be fair, and they could win. ■

VI. Conclusions

A consensus seems to be emerging in Mexico that elections have to be made free and fair. Public opinion surveys in Mexico suggest that the people want serious electoral reforms and, to his credit, President Salinas moved this process forward in his 1990 reform and in proposing three important reforms in his ***Informe*** of November 1992. The two main opposition parties understood that deeper and wider reforms than President Salinas envisaged were essential, and they pressed the PRI until the debate from July to September 1993 grew as wide as the problem. The PRI proved to be responsive to many of the demands, enough to attract the reluctant support of the PAN, but not enough to coax the PRD toward accepting the new rules. Nonetheless, the debate itself and the results were serious steps toward political liberalization.

We were favorably impressed by the growing professionalization of election officials. It is unfortunate that this fact has not attracted greater recognition, but the problem is that IFE is widely perceived as being directed by the highest levels of the government. The departure of the last director general to become the PRI candidate for governor and his replacement by the undersecretary for political affairs of the Ministry of Interior were two events that gave substance to that perception.

In the view of one of the members of our delegation, the PAN saw the reforms as a glass that was half-full; the PRD, as a glass that was half-empty. That insight helps one to realize that something important has occurred. Both opposition parties agree that progress was made. The PAN preferred to be hopeful that the new reforms represented an incremental improvement on the past and a step toward democracy. In their letter to us, the PAN concluded that the changes were good but "not sufficient to permit one to affirm that the electoral laws are now complete and definitive documents of democracy." The PRD decided that the gap between unfair and free elections remained too large to permit them to vote for the reforms.

What remains to be done?

On the Registration List: The audits that have already been done for IFE should be analyzed thoroughly by the opposition and the local observer groups. We also intend to do a more rigorous analysis than time and resources permitted for this report, and we would welcome the opportunity to do it with the observer groups. The agreement to commission the Rosenbluth Foundation to do an audit of the national registration list needs to be implemented in a way that gives confidence in the list to all the parties and the people. IFE is required to distribute the definitive registration list by section to the political parties one month before the election. This is inadequate. In the past, people have been confused as to the location of their voting precinct (casilla), which in some cases was moved the day of the election from where people thought it would be. The best way to avoid this problem would be to do as the director-general of IFE informally told us he is contemplating: to post the definitive registration list at each precinct (casilla) at least one month before the election.

On the Independence of IFE: We believe that the degree of government control has been reduced and will be reduced even more after the election in 1994. Nonetheless, for the 1994 election, it appears that the PRI/government can still exert substantial influence if not control over key decisions. There is still time to replace some of the key IFE officials with others who enjoy the confidence of all the parties. A second avenue to keep the system honest and accountable is for the opposition parties and the local observers to keep track of key votes in the General Council. If a united opposition is repeatedly outvoted by a PRI/

government majority, then the Mexican public and the international community will conclude that the institution and the process is biased.

On the Limits to Campaign Spending: The decision by IFE to set the limit will be very important. One hopes that the ceiling will be close to what the opposition parties requested.

On the Annual Report on Party Income and Expenditures: This is an important advance, but it will pose numerous problems for the magistrate councillors, who are lawyers and not creative accountants, to be able to assess the sources and uses of the money. In particular, it will be very important to prevent the use of state funds to help the governing party.

On Media Access: IFE will have to be sensitive and effective regarding all dimensions of this issue—the allocation of public time, the distribution of commercials, and bias in reporting. The parties and the domestic observers should monitor both the media and IFE's actions.

On Monitoring the Elections: It is essential that all the political parties train sufficient numbers of poll-watchers to permit them to cover the entire nation. The law on observers should be modified to give domestic observers, as organizations, full access to every stage of the electoral process and to welcome international observers as a legitimate part of the process.

While positive, the electoral reforms taken as a group fall short of establishing a foundation that would give all parties and all the people of Mexico confidence that a genuinely free and fair election would occur in August 1994. **The principal problem is simply that a consensus was not reached among the major parties.** The PRD raised some legitimate concerns, particularly over the degree of independence of the election machinery.

We will not comment as to whether those concerns justified abstention from the vote on the reforms, nor will we say whether elections will be free or fair. That is a judgment that only the Mexican people can make. But our experience leads us to conclude that for a democratic election to occur, all major parties in a country must accept the process and respect the results. Mexico has not yet reached the point where that is the case. We make that point without pointing fingers or assigning blame to any party. It is just another indication of the chasm of distrust that separates the PRI from the PRD—a chasm that we witnessed in Nicaragua, Guyana, and Paraguay. In those cases, international observers helped bridge the chasm and permitted all parties to respect the results. Mexico has chosen a different path.

In a polarized environment where domestic observers are not trusted by one side or the other, and where international monitors are not allowed, the international community will find it difficult to evaluate the inevitable disputes that arise before, during, and after the election.

Where will the Mexican political system go from here? That is not clear. Recent protests after the state elections in Nayarit suggest that major problems remain.

There are two roads available to Mexico. One leads to a new formula for dividing power between the political parties. This is the traditional road in Mexico. Another road leads toward full respect for the secret vote and acceptance of the uncertain outcome that is a part of the democratic process. It is possible that the two roads could converge; incremental reforms could open Mexican politics to the point that no party can undertake electoral fraud without being detected. Or the parties could continue to strike deals that make the ballot box something less than the arbiter that one expects from a democracy.

The ultimate judges of the electoral reforms and the political system in Mexico are Mexicans.

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Surveys in Mexico indicated that 75 percent of the people believed that the 1988 elections were fraudulent. In March 1993, a survey showed that 41 percent believed that the election in 1994 would be dirty. In June 1993, a survey indicated that only 34 percent of the Mexican people felt the 1994 election would be clean. The public's confidence in elections has increased since 1988, but a plurality continue to view the system as neither free nor fair. Only the Mexican government can change that perception and persuade the people of Mexico that their vote counts. Regrettably, there is still a long way to go. ■

Appendices

The Council of Freely Elected Heads of Government

The Council of Freely Elected Heads of Government is an informal group of 23 current and former heads of government from throughout the Americas. The Council was established in November 1986 at a meeting chaired by former U.S. Presidents Jimmy Carter and Gerald Ford on "Reinforcing Democracy in the Americas" at The Carter Center. The Council's goals are to reinforce democracy in the Americas, promote multilateral efforts to resolve conflict in the hemisphere, and to advance regional economic cooperation.

The Council has been a pioneer in mediating and observing elections. It has observed elections in Panama (1989), Nicaragua (1989-1990), the Dominican Republic (1990), Haiti (1987, 1990), Guyana (1990-1992) and Paraguay (1993). In addition, the Council has a long-standing project in Mexico. In July 1992, four presidents of the Council sent representatives to witness the observation of elections in two states in Mexico; in November 1992, the Council invited a representative group of Mexicans to observe the U.S. presidential election; and in September 1993, a Council group visited Mexico to analyze the new Mexican electoral reforms. The elections in Nicaragua and Haiti were the first free elections accepted by all parties in the nations' histories, and in Guyana, the first such elections in 28 years.

The Council is based at the Latin American and Caribbean Program of The Carter Center of Emory University. Dr. Robert Pastor, fellow at The Carter Center, is executive secretary of the Council, and Dr. David Carroll is his deputy.

COUNCIL OF FREELY ELECTED HEADS OF GOVERNMENT

Jimmy Carter, former U.S. President, and Chairman of the Council
George Price, former Prime Minister of Belize, and Vice-Chairman

John Compton, Prime Minister of St. Lucia (1987-present)
Luis Alberto Lacalle, President of Uruguay (1989-present)
P.J. Patterson, Prime Minister of Jamaica (1992-present)
Erskine Sandiford, Prime Minister of Barbados (1987-present)
Jean-Bertrand Aristide, President of Haiti (1991-present)

Raúl Alfonsín, former Argentine President (1983-1989)
Oscar Arias Sánchez, former Costa Rican President (1986-1990)
Rodrigo Carazo, former Costa Rican President (1978-1982)
Nicolas Ardito-Barletta, former Panamanian President (1984-1985)
Fernando Belaunde Terry, former Peruvian President (1963-1968, 1980-1985)
Rafael Caldera, former Venezuelan President (1969-1974)
Carlos Andrés Pérez, former Venezuelan President (1974-1979, 1989-1993)
Vinicio Cerezo, former Guatemalan President (1986-1990)
Gerald Ford, former U.S. President (1974-1977)
Osvaldo Hurtado, former Ecuadoran President (1981-1984)
Michael Manley, former Jamaican Prime Minister (1972-1980, 1988-1992)
Edward Seaga, former Jamaican Prime Minister (1980-1988)
Alfonso López Michelsen, former Colombian President (1974-1978)
Julio Maria Sanguinetti, former Uruguayan President (1985-1989)
Pierre Trudeau, former Canadian Prime Minister (1968-1979)
Joseph Clark, former Canadian Prime Minister (1979-1980)

Appendix 2

List of Persons Met by the Delegation

Mexican Civic Monitoring Groups

Sergio Aguayo, Mexican Academy for Human Rights
Adolfo Aguilar Zinser, ACUDE
Enrique Calderon, Rosenblueth Foundation
Julio Faesler, Council for Democracy
Eduardo Mendoza, Higher Institute for Democratic Culture
Ignacio Muriel, Council for Democracy
Francisco Plancarte, Integral Human Development Organization

Party of the Democratic Revolution (PRD)

Amalia Garcia, Secretary of International Relations
Javier González, Secretary of Electoral Action
Jorge Martínez, Coordinator of Electoral Action
Porfirio Muñoz Ledo, President of the PRD
Jesus Zambrano, PRD Representative to the Federal Election Registry

National Action Party (PAN)

Felipe Calderon Hinojosa, Secretary General of the PAN
Rodolfo Elizondo Torres, Secretary of Relations
Antonio Lozano, PAN Representative to IFE
José Luis Luege Tamargo, PAN Representative to IFE
Cecilia Romero Castillo, Adjunct Secretary General

Institutional Revolutionary Party (PRI)

Agustín Basave Benítez, President of the Commission of Border Matters of the Federal Chamber of Deputies
Rodolfo Becerril Straffon, Secretary of the Grand Commission and President of the Commission of Foreign Relations of the Federal Chamber of Deputies
Blanca Ruth Esponda, Regional Coordinator of the National Executive Committee of the PRI and federal deputy
Roberta Lajous, Secretary of International Relations
Guadalupe Pacheco, Assistant Secretary of International Relations
Jesús Pérez Piñon, Assistant Secretary of Electoral Planning
Salvador Roche, PRI Representative to the IFE

Federal Election Institute (IFE)

Arturo Nuñez Jiménez, Director General of IFE
Carlos F. Almada, Executive Director of the Federal Election Registry
Manuel Barquin, Magisterial Councillor
Javier Barreiro, Federal Electoral Tribunal
Manuel Carrillo Poblano, Coordinator of International Relations

(IFE continued)

Rubén Lara León, Executive Director of the Professional Electoral Service
Germán Perez Hernandez, Magisterial Councillor
Jesus Orozeo, Federal Electoral Tribunal
Alfredo Salgado Loyo, Executive Director of the Directorate of Prerogatives and Political Parties
Antonio Santiago Becerra, Executive Director of the Directorate of Electoral Training and Civic Education
Felipe Solís Acero, Executive Director of the Directorate of Electoral Organization

The Presidency

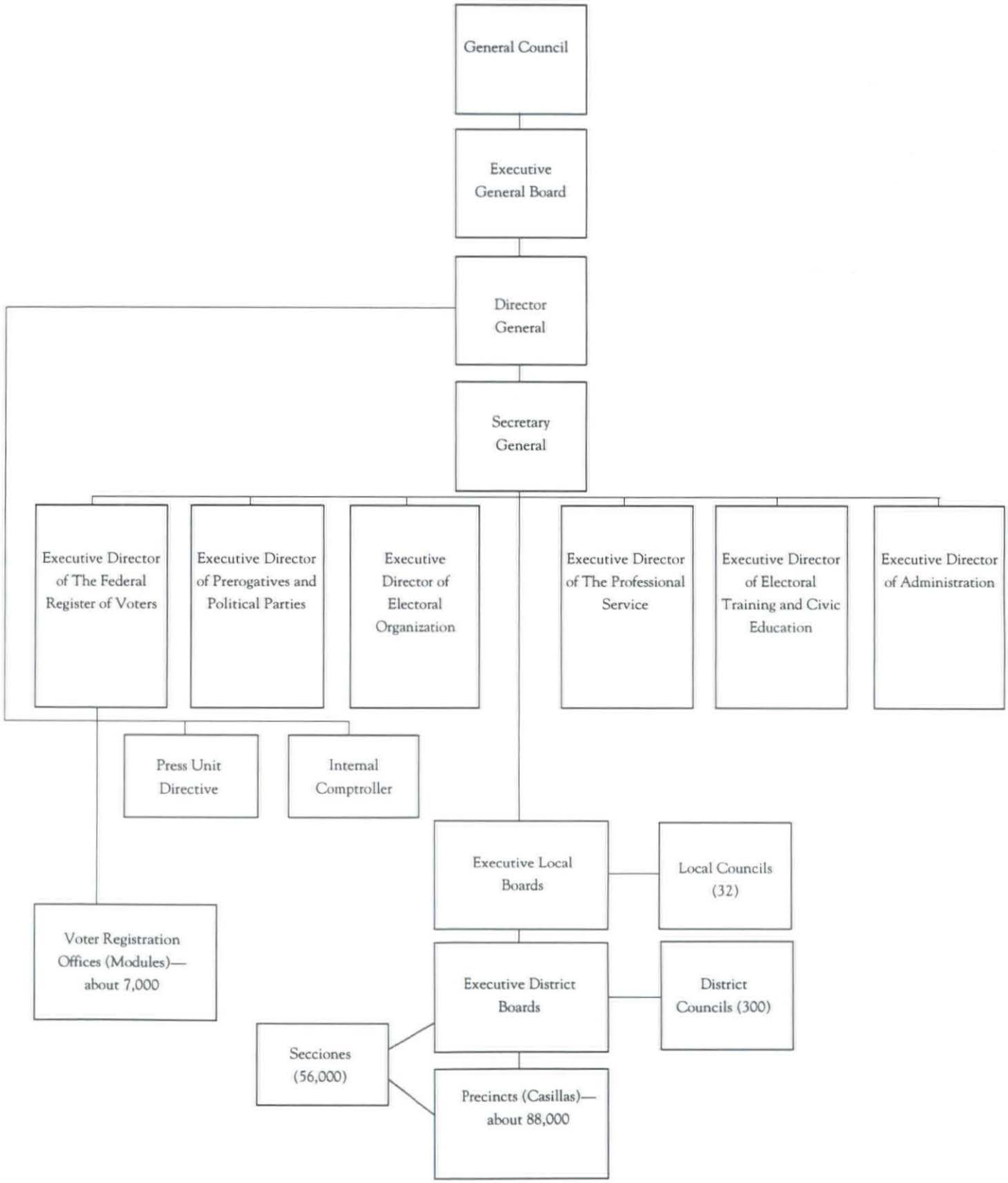
Ulises Beltran, Technical Advisor to President Carlos Salinas de Gortari

Independent Analysts

Jorge G. Castañeda
José Woldemberg

Appendix 3

Organization of Federal Election Institute (IFE)



Appendix 4

Glossary

Acta de casilla	Official document of record at precinct level containing vote count results and comments.
Acta Distrital	Official document of record certifying the aggregated election results from the precincts in a federal deputy single-member district and issued by the district council.
Aprobacion en lo general	The first phase of parliamentary approval where legislators vote on the new law in general without considering its specific provisions.
Aprobacion el lo particular	The second phase of parliamentary approval where legislators debate and vote on each particular provision of the new law and conclude by holding a vote on the legislation as a package.
Casilla	Voting precinct. There are approximately 88,000 precincts in Mexico.
Codigo Federal de Instituciones y Procedimientos Electorales (COFIPE)	Federal Code of Electoral Procedures and Institutions.
Consejeros Magistrados	Magistrate Councillors who sit on the General Council of IFE.
Consejeros Ciudadanos	Citizen Councillors who sit on the local and district councils.
Consejos Distritales	District Councils of IFE, which are responsible for policy matters at the local level. There are 300 district councils corresponding to each single-member district.
Consejo General	General Council of IFE.
Consejos Locales	Local Councils of IFE. There are 32 local councils corresponding to Mexico's 31 states and the Federal District.
Instituto Federal Electoral (IFE)	Federal Election Institute.
Junta Ejecutiva Distrital	District Executive Boards of IFE, which are responsible for administrative functions. There are 300 district boards corresponding to Mexico's 300 single-member districts.

Junta Ejecutiva General	General Executive Board, which is responsible for administrative functions at the national level.
Junta Ejecutiva Local	Local Executive Boards. There are 32 local executive boards corresponding to Mexico's 31 states and the Federal District.
Listado Nominal Definitiva	The definitive version of the final voter registration list when the process of registering voters and issuing credentials is completed.
Listado Nominal Preliminar	A preliminary version of the voter registration list. The list is preliminary because the process of registering voters, issuing credentials, and correcting the list continues.
Modulos	Modules or voter registration offices where voters can register to vote and obtain photocredentials. In rural areas, some of these offices are mobile in nature.
Padron	The voter registration list. This consists of voters who have applied for enrollment in the voter registration list but do not yet possess a credential to vote.
Registro Federal Electoral (RFE)	Federal Election Registry responsible for designing the voter registration list and delivering photocredentials for the 1994 federal elections.
Sala Central	Central Court of the Electoral Tribunal that hears disputes relating to federal deputy elections.
Seccion Electoral	Electoral sections containing one or more Voting Precincts. There are approximately 56,000 sections.
Servicio Professional Electoral	Professional Electoral Service.

Political Parties of Mexico

Partido Acción Nacional (PAN)	National Action Party
Partido Auténtico de la Revolución Mexicana (PARM)	Authentic Party of the Mexican Revolution
Partido del Frente Cardenista de Reconstrucción Nacional (PFCRN)	Party of the Cardenista Front for National Reconstruction
Partido Popular Socialista (PPS)	Popular Socialist Party
Partido de la Revolución Democratica (PRD)	Party of the Democratic Revolution
Partido Revolucionario Institutional (PRI)	Institutional Revolutionary Party
Partido Revolucionario de los Trabajadores (PRT)	Revolutionary Worker Party
Partido de Trabajo (PT)	Workers Party

Appendix 5

Bibliography

Mexican Politics and Electoral Reform

Jorge G. Castañeda, "Can NAFTA Change Mexico," *Foreign Affairs* (September/October 1993).

Vikram K. Chand, *Politicization, Institutions, and Democratization in Mexico: The Politics of the State of Chihuahua in National Perspective* (Ph.D. Dissertation, Harvard University, 1991).

Wayne A. Cornelius, Judith Gentlemen, and Peter H. Smith, *Mexico's Alternative Political Futures* (San Diego: Center for U.S.-Mexican Studies, University of California, 1989).

Jorge I. Domínguez and James McCann, "Whither the PRI?--Explaining Voter Defection from Mexico's Ruling Party in the 1988 Presidential Elections," paper presented at the Annual Meeting of the Western Political Science Association, March 1991.

Instituto Federal Electoral, *Memorias del Proceso Electoral Federal de 1991* (Mexico D.F.: Instituto Federal electoral, 1993), Tomes 1 to 5.

Molinar Horcasitas, Juan, *El Tiempo de la Legitimidad: Elecciones, Autoritarismo, y Democracia en Mexico (Mexico D.F.: Cal y Arena, 1991).*

Organization of American States, Inter-American Commission on Human Rights, *Resolution 01/90: Final Report on Cases 9768, 9780 and 9828 of Mexico* (Washington, D.C.: Organization of American States, 1990).

Robert A. Pastor, *Integration with Mexico: Options for U.S. Policy* (New York: Twentieth Century Fund, 1993).

Robert A. Pastor and Jorge G. Castañeda, *Limits to Friendship: The United States and Mexico* (New York: Alfred A. Knopf, 1988).

Election Reports and Other Publications

Latin American and Caribbean Program of The Carter Center of Emory University:

"The May 7, 1989 Panamanian Elections." Washington, D.C.: The National Republican Institute for International Affairs and the National Democratic Institute for International Affairs, 1989.

"1990 Elections in the Dominican Republic: Report of an Observer Delegation." Washington, D.C.: The National Democratic Institute for International Affairs and the Council of Freely Elected Heads of Government, 1990.

"Observing Nicaragua's Elections, 1989-1990." Atlanta, Ga.: The Council of Freely Elected Heads of Government, The Carter Center of Emory University, 1990.

"The 1990 General Elections in Haiti." Washington, D.C.: The National Democratic Institute for International Affairs and the Council of Freely Elected Heads of Government, 1991.

"Report of a Team Sent by the Council of Freely Elected Heads of Government to Witness the Observation of the Elections in Michoacan and Chihuahua, Mexico," July 13, 1992.

"Observing Guyana's Electoral Process, 1990-1992." Atlanta, Ga.: The Council of Freely Elected Heads of Government, The Carter Center of Emory University, 1992.

"The International Observation of the U.S. Elections." Atlanta, Ga.: The Council of Freely Elected Heads of Government, The Carter Center of Emory University, 1992.

Carroll, David J. and Robert A. Pastor, "Moderating Ethnic Tensions by Electoral Mediation: The Case of Guyana," *Security Dialogue*, volume 23, Number 2, June 1993.

McCoy, Jennifer, Larry Garber and Robert A. Pastor, "Pollwatching and Peacemaking," *Journal of Democracy*, Fall 1991.

Pastor, Robert A. (ed.), *Democracy in the Americas: Stopping the Pendulum*. New York: Holmes and Meier, 1989.

—"The Making of a Free Election," *Journal of Democracy*, Summer 1990.

—*Whirlpool: U.S. Foreign Policy Toward Latin America and the Caribbean*. Princeton: Princeton University Press, 1992.

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