

THE POLITICAL REFORM OF THE MEXICAN STATE¹

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This article will present a general panorama of how the political reform of the state has developed in our country, including its motivations, its main objectives and the method used to carry it out. In addition, we will mention some of the most significant steps forward made until now in the framework of an agenda set by consensus to orient the

process. It is noteworthy that because of the breadth and depth of this strategic project, some of the objectives may be attained only in the long term.

A SOCIETY IN TRANSFORMATION

The central and decisive impulse toward the political reform of the state originates in Mexican soci-

ety itself, which is experiencing an intense process of transformation on all levels. Indeed, it is a society which is ever more plural, demanding and participatory, a society which requires more and better institutions in order to make its points of view about public affairs known, as well as to get involved in the solution of the problems confronting it.

The complexity of today's Mexican society is attributable to the magnitude of the demographic,

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¹ I wish to thank Rubén García Clarck for his comments on this article.

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The broadening out of the Mexico City Assembly's attributions is being considered.

political, ideological and cultural changes over the last few decades. Undoubtedly, the growing social plurality has translated into diverse forms of organization and representation of social groups who seek to stabilize their social and political positions in a context of generalized change. This is why the many groups and sectors of Mexican society tend to organize themselves and participate in public life not only through political parties, but also through different kinds of citizens' organizations.

Society has changed in ways as varied as regional composition, socio-economic stratification, ideological diversity and political pluralism. Obviously, state institutions could not answer these changes with anything less than a reform that included such essential points as the validity of the federalist structure, the checks and balances among the branches of government, an updated electoral system, the new forms of communication and the new relationship between the state and indigenous communities.

Along with these domestic aspects the reform has also been fostered by the new international conditions. In fact, the international context of economic globalization

and political liberalization has had a decisive impact on the institutions of countries like ours. This has presented us with a double challenge, both due to the social energy liberated by processes of opening and to the imperious need to reorganize both social and productive forces under a new institutional arrangement. Such an arrangement would give impetus to the country's development on different levels, making it competitive within the concert of nations and at the same time taking care that this not be at the cost of sovereignty.

Within this perspective, the country needs to guarantee its internal cohesion through a series of legal and political modifications which will make it possible to take advantage of the existing potential in the nation's social base. In short, both the legal system and state institutions need to be reformed in such a way as to allow them to adjust to the new domestic and international circumstances.

In this sense, the reform of the state has not been conceived of as, nor can it be subject to, any type of individual interest or momentary consideration; its very *raison d'être* is intimately linked to the viability of the national commu-

nity itself. Therefore, both its conception and its implementation must be inclusive and decided by consensus.

This is not, then, a strictly governmental reform, even though it does have the explicit commitment and support of the government. Neither is it a transformation in line with any one political party's project, although all the political parties are involved in it. It is, rather, an effort involving the government, parties, social organizations and the public in general, which explains and justifies the name it has been given: a political reform of the state.

In sum, this transformation of the state undoubtedly constitutes one of the central ways in which the country's political structures will become more efficient and acquire a new institutional legitimacy. That is why it is absolutely necessary to decide on its precise content, limits and tempos.

THE AGENDA OF THE POLITICAL REFORM

On January 17, 1995, the document entitled Commitment to a National Political Accord was signed by the national leaders of the political parties represented in congress and witnessed by the president of Mexico. Following the agreement, a specific methodology was put in place as a result of partial agreements and decisions made by consensus by the political actors in-

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volved; this allowed, in turn, for a precise definition of the most appropriate procedures and channels to thoroughly go through the reform agenda. In this framework, participation of the public was understood as basic to dealing with the different topics.

To guarantee efficient handling and coordination of all deliberations needed to formulate the reform proposals, the federal government, the leaders of the four political parties with congressional representation and their respective parliamentary coordinators of both the Chamber of Deputies and the Senate agreed on mechanisms and topics for discussion which give body to the work of the reform.

This was the origin of the initiative of creating 10 working groups—a Central Body and nine Specific Working Bodies—to foster political dialogue and the creation of the basic agreements to consolidate democratic changes in the country. The main functions of the Central Body are to coordinate and orient the efforts of the Specific Working Bodies, as well as keeping up permanent communication with congress so that if it deems it appropriate, it can at the right moment legislate on the basis of the proposals made.

All work, consultations, deliberations and consensuses related to the topics on the political reform agenda are different since they advance at different rates and have different limits. This is because in dealing individually with the top-

ics, their particular points of departure must be taken into account: they have both different backgrounds and objectives.

Until now, the steps forward with regard to each topic depend on specific needs and scheduling. Because of the approach of the 1997 federal elections, for example, it was considered appropriate to begin work on the federal electoral reform and that of Mexico City.

Briefly, the following progress has been made:



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The reform of the state aims to include all sectors of society.

a) *Electoral Reform*: The agreements reached bring the difficult stage of consensus-making to a close and open up the new, legislative, stage. The basis for concretizing a definitive electoral reform has been laid; it has been conceived of as definitive because it would close the cycle of reforms begun about two decades ago and establish democracy as the country's norm with regard to electoral processes.

The talks among the participating political parties have led to progress in agreements in the following areas: political rights and the legal mechanisms for their protection; electoral institutions and authorities; organization of the electoral process; conditions for electoral competitiveness; the system of political parties; and mechanisms for representation.

We should underline here the proposals to consolidate the autonomy of the Federal Electoral Insti-

tute, the integration of the Federal Electoral Tribunal into the judicial branch of government, the new conditions for participating in elections (financing and media access), the establishment of the legal possibility of declaring an action related to elections unconstitutional and the measures aimed at creating the Program for a National Citizens Registry.

b) *Political Reform of Mexico City*: Among others, there have

been advances regarding the direct election of the head of the capital city's government, the legal causes for recall from this position, broadening out the Mexico City Assembly's attributions with regard to electoral legislation, the procedure for naming the heads of the boroughs (*las delegaciones políticas*), or the political subdivisions of

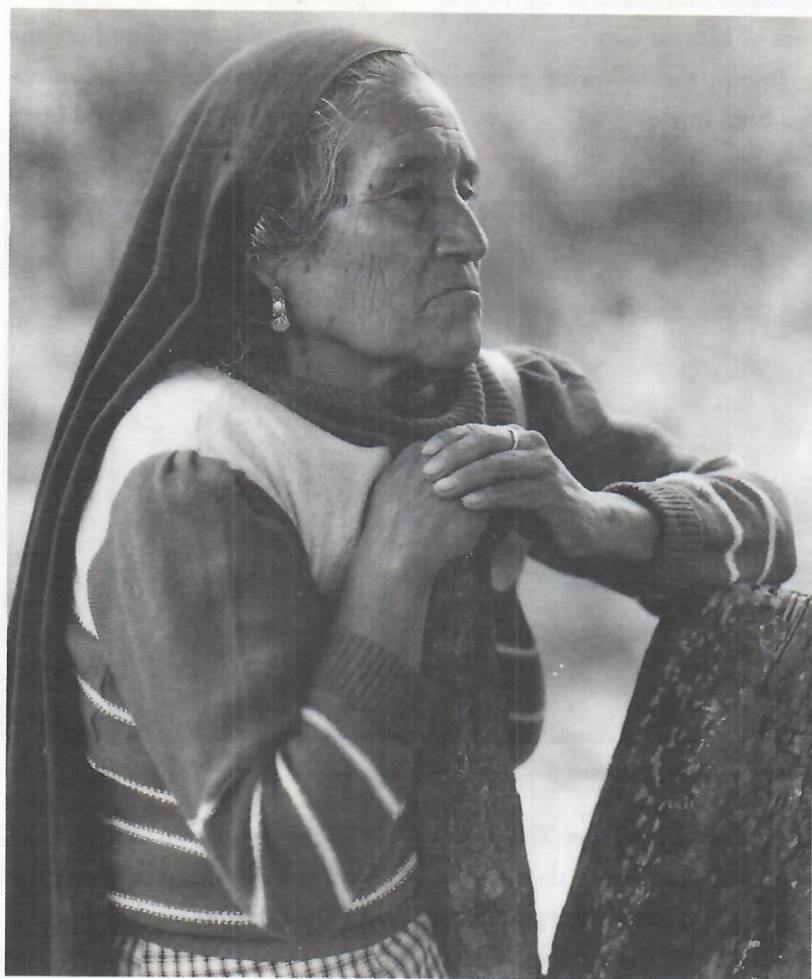
c) *Reform of the Three Branches of Government:* There has been gradual progress in the establishment of a new relationship between the different branches of government. From the beginning of his administration, President Zedillo, as head of the executive branch, has insisted on a democratic, strong presidency, based on its constitutional pow-

Office, under the aegis of the legislative branch, to facilitate the control and evaluation of public administration, contributing in this way to the strengthening of the system of checks and balances. The Program for the Modernization of Public Administration has also been presented with the aim of making internal government functioning more efficient.

The legislative branch also set up the Plural Commission for the Political Reform of the State to deliberate on increasing its impact on national political life and better expressing the plurality of Mexican society.

d) *Administration of Justice:* The urgent task of fighting insecurity in Mexico spurred the development of the law that establishes the Bases for the Coordination of the National Public Security System. This piece of legislation defines safeguarding public security not only to include crime prevention, but also investigation and the hunting down of lawbreakers, with the aim that they be tried, sentenced and readapted more efficiently and according to law. Based upon this, the National Council for Public Security was established to coordinate pertinent federal and state activities.

e) *Fostering Federalism:* A profound process of decentralization has begun in different aspects of national public life, such as education, health, agriculture and animal husbandry, communications and transportation, as well as envi-



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Indigenous rights is one of the main items in the negotiations.

Mexico City), the establishment of procedures for consulting the public about government activities and the designation of the Mexico City District Attorney by the local government.

ers, as the basis for better understanding and cooperation with the other two branches.

In this context, the federal executive sent congress a bill to create the Federal Government Auditor's

ronmental policy and water management.

This progress, considered only the first step, is moving toward strengthening both municipal and state governments' legal, fiscal and economic abilities to promote balanced regional development. To continue with this process, a series of different kinds of consultations will be carried out nationwide.

f) *Indigenous Rights*: A national consultation was carried out which has permitted making the viewpoints of Mexico's indigenous communities known, as well as those of other social groups which deal with the topic. The consultation was inclusive in that it also took into account the proposals of the Zapatista National Liberation Army (EZLN) as conveyed by the Pacification Commission (Cocopa).

To coordinate this national consultation, a group was formed with participants from both the legislative and executive branches of government: the Indigenous Affairs Commissions of both the Chamber of Deputies and the Senate and the Secretariats of the Interior, Social Development and Agrarian Reform.

Generally speaking, the idea here is to redefine the relationship between the government and indigenous communities so that, without violating the principles of national unity, these communities be in a better position to decide for themselves their own forms of organization, functioning and political representation.



Press Office - Secretariat of the Interior

Negotiations at the Secretariat of the Interior.

g) *Communications*: In 1995 and 1996 several advances have been made: the Chamber of Deputies agreed unanimously to establish a Special Communications Commission coordinated by a group of representatives of all political parties. This commission sponsored a national consultation, carrying out 11 regional forums in which representatives of both national and local media, academic institutions and non-governmental organizations participated, as well as journalists and individuals from the public at large. The outcome was presented to the Chamber of Deputies last November.

h) *Civic Participation*: An agenda to be made up with the participation of the executive and legislative branch is planned to deal with this topic. The viewpoints of the public and civic organizations will of necessity be included. The Chamber of Deputies formed a Commission for Public Participation which has been carrying out a consultation to bring the cor-

responding legal framework up to date.

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All these advances are only the first steps in the process of transforming and bringing the country's political institutions and culture up to date. The Mexican state will thus go through an overall transformation to become more efficient, to better answer society's increasing demands and to meet the challenges derived from the international context of the late twentieth century.

Without a doubt, the process of political reform of the state is a testing ground for the political culture of the different actors involved. The possibility of a modern structure as a nation and the consolidation of a truly democratic government, capable of successfully becoming a part of the new world order, is at stake in our ability to build agreements using the basic democratic methods of dialogue and negotiation. **W**