

# Toward a Politics Of Consensus in Mexico

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Contemporary perspectives on democracy share a growing interest in the notion of consensus. Both in political science, which is of a descriptive bent, and in the discourses of political philosophy, which are more normative, the value of consensus has become key to the constitution of a democratic order that can achieve the collective goals of a modern political community.

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In the sphere of political science, authors like Giovanni Sartori have emphasized that the value of dissension, a crucial element for guaranteeing the different levels of social pluralism, only makes sense if it is exercised on the basis of a series of basic consensuses among the pluralist universe of actors about the political procedures for collective decision-making. In fact, Sartori distinguishes among three levels of consensus: a basic or value level which covers the socio-cultural structure; a procedural level, referring to the norm of conflict resolution (in general, institutionalized as majority rule)



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The Congress is key to the achieving of consensus in Mexico.

and other political regulations; and finally a level of consensus regarding specific policies and governmental subjects. Under this model, the second type of consensus is absolutely necessary for a functional democratic society to exist, while the first level, though in some cases a historic condition for democracy, is not presented as an unequivocal prerequisite. The most significant aspect of this

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model is that dissension is only democratically functional if it is situated on the third level of consensus, that is, as a form of debate and competition among different political programs based on strict procedural and institutional agreement.<sup>1</sup>

In the field of political philosophy, the theory of democratic consensus has culminated in John Rawls' last great work, *Political Liberalism*.<sup>2</sup> Although posed on a very different level of analysis from that of political science, Rawls' political philosophy also presupposes a very specific relationship between social pluralism and political consensus. According to Rawls, a democratic society is characterized by the existence of an irreducible plurality of comprehensive philosophical, religious and moral doctrines. This plurality is not unfortunate, but a positive historic fact resulting from social action exercised in conditions of freedom. Nevertheless, a modern democratic society not only demands doctrinal pluralism in its social fiber, but also that that pluralism be reasonable. This is a crucial point, since it recognizes that mere ideological and political variety does not lead to any politically significant consensus. On the contrary, pluralism understood as a mere variety of unrelated doctrines generates fragmentation and factional strife. In this sense, the import of reasonable pluralism is

equivalent to constituting a common public sphere in which different moral, religious, philosophical and political conceptions can coexist. Overlapping consensus among different points of view is the guarantee of stability and social justice.

Of course, these understandings of consensus do not refer to unanimity nor the dissolution of the differences among programs or sets of political ideals. Rather, they point to the generation of a common public space in which the institutions of a democratic society may prevail. For this reason, consensus is a fundamental level of agreement for democracy, while dissension and opposition are significant only on the basis of this fundamental agreement. The so-called "dissension imperative," which some authors<sup>3</sup> consider the basis for the demand for the consolidation and broadening out of citizens' rights in a complex society, can only be sustained given a fundamental agreement about the political system's methods, institutions and values.

But there is yet another level of political consensus that we should highlight, a level that, while not a constituent factor of democracy, is essential for developing state policies capable of dealing with the aggregate problems of any democratic society. Although the foundational values of a democratic system as such demand unanimous consensus, that is, that it involve all social forces in political debate and competition, the development of state policies requires that at least a very broad majority agree on the definition of a series of structural public policies. In that sense, the notion of consensus may be interpreted as unanimity only in cases in which the founding principles of the democratic order themselves are in play, while it can mean just a broad majority when dealing with defining state policies and the design of functional institutions. What is more, on the level of partisan competition and parliamentary debate, wherein dissension and the opposition find their niche of political signification, the generation of an atmosphere of republican loyalty

depends on the ability of the different elements of the broad political spectrum to come to specific agreements.

Consensus is a collective construction. It is the result of pressure groups' and political parties' intelligence in using the criteria of rationality in conditions of uncertainty. Opting for consensus presupposes the recognition of the inviability of lone political trajectories and making the decision to forge basic agreements that guarantee not only conditions for peaceful competition for power, but also the design of institutions oriented to ameliorating the great collective problems. Contemporary political experience has demonstrated that the highest levels of stability and institutional productivity have been attained only in countries where consensus has prevailed in dealing with economic, social and labor policies.<sup>4</sup> The articulation of the different levels of consensus is a guarantee of institutional effectiveness, while the break-up of consensus on the level of state policies is a form of weakening institutional productivity and, therefore, stability and governability.

In the case of Mexico, the discussion about consensus has been situated fundamentally in the terrain of the reform of the institutions and procedures that regulate electoral competition. It could be no other way. The biggest source of conflict in recent decades has been, precisely, procedural irregularities constantly discovered in elections at all levels. The process of the transition to democracy in Mexico has been made, fundamentally, as a process of liberalization of partisan competition and the development of institutions and an electoral legality independent of the executive branch of government. In this sense, democratization in Mexico—in contrast with other countries which have gone through democratic transitions—has been built on the basis of a gradual loosening of government control over elections.

It has frequently been said that the Mexican transition has been “voted in but not agreed upon.”<sup>5</sup> This does nothing more than sum up a

long chain of agreements and breaks in the negotiations between the opposition and the government about elections. In terms of the liberalization of electoral competition, the beginning of Mexico's transition dates from the 1976-1977 reforms which made it possible to legalize the Communist Party. However, it was most dynamic after 1989, with the reforms that gave rise to the creation of

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the Federal Electoral Institute (IFE), the state body designed to oversee electoral processes. Two additional reforms are highly significant. Although in 1993 a political electoral reform introduced variations in the rule for assigning Chamber of Deputies seats by proportional representation, eliminated the self-certification of the elections by the two chambers of Congress and opened the Senate up for proportional representation, it was the reforms of 1994 and 1996 that showed the way and marked the vicissitudes of what has been political consensus in recent years.

As a result of the conjunction of various destabilizing elements (among others, the emergence of the Zapatista National Liberation Army guerrilla movement and the assassinations of the national Institutional Revolutionary Party [PRI] leader José Francisco Ruiz Massieu, PRI presidential candidate Luis Donaldo Colosio and Cardinal Juan Jesús Posadas) for the first time in recent Mexican history, all political parties agreed on a reform to eliminate the direct link between the executive branch of government and electoral officials. This reform has been considered, perfectly logically, the moment of consensus.<sup>6</sup> Nevertheless, only two years later, the next electoral reform, eliminating political parties' right to vote in the IFE and stipulating

that the electoral authority should be made up completely of individual citizens, became the moment of "the breaking of consensus," given that the main opposition parties (the National Action Party [PAN] and the Party of the Democratic Revolution [PRD] voted against the regulatory legislation because of differences over financing to political parties.

This would not be so important if it had not been set as the model for political competition from 1996 until today. As the 2000 presidential elections approach and a ferocious struggle for a new distribution of power develops, the politics of consensus becomes more and more difficult as a model of confrontation and clashes strengthens.

It could be said that, despite matters still pending, the system of political competition in Mexico has been liberalized. Without forgetting the need to resolve the remaining problems of equality in electoral competition, we can say that the foundation for considering the Mexican political system a polyarchy has been laid.<sup>7</sup> However, what marks the institutional weakness of Mexico's public space is the lack of consensus at the level of joint promotion of state policies.

To a great extent, the current partisan struggle for the presidency is an obstacle to making parliamentary pacts that would produce or strengthen institutions aimed at assuaging Mexico's high level of social and economic conflict. In this sense, even though a relatively functional democratic regimen in terms of peacefully processing political representation has been built through liberalizing political competition, what has been postponed is the aim of giving the political structure the institutional resources it needs to confront social problems on the basis of broad national accords about the crucial points on the country's socio-economic agenda.

The immediate result of the break-up of consensus as a definitive characteristic of partisan competition is the generation of a democratic model with low-quality institutions and scant abil-

ity to process the priority demands of a complex society. The model for political negotiation which has accompanied this transition is incapable of generating a reform of the party identities guided by the principle of republican loyalty.<sup>8</sup> This inability determines the individual agendas of the parties themselves and impedes their arriving at entrenched agreements to deal with the excesses of electoral competition and individual aspirations in the new distribution of power.

The only possibility of making the democratization of Mexico possible with a strong, effective institutional framework lies in staking our hopes on a policy of state consensus among the main political forces. A policy of consensus that not only would not limit legitimate competition among party programs and national projects, but would put them at the service of institutional effectiveness, a better quality of life for the population and the always necessary governability. ■■■

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#### NOTES

<sup>1</sup> Giovanni Sartori, *Teoría de la democracia 1. El debate contemporáneo* (Madrid: Alianza Universidad, 1988), pp. 121-126.

<sup>2</sup> John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993).

<sup>3</sup> Javier Muguerza, *El fundamento de los derechos humanos* (Madrid: Debate, 1989).

<sup>4</sup> P. C. Schmitter and G. Lehmbruch, eds., *Trends Toward Corporatist Intermediation* (London and Beverly Hills: Sage, 1979); A. Cawson, *Organized Interests and the State* (London: Sage, 1985); and A. Cawson, *Corporatism and Political Theory* (Oxford: Blackwell, 1986).

<sup>5</sup> Luis Salazar, ed., *1997: Elecciones y transición a la democracia en México* (Mexico City: Cal y Arena, 1999).

<sup>6</sup> Jorge Alcocer, "El ciclo de las reformas electorales, 1978-1996," *Diálogo y Debate 1* (Mexico City: Centro de Estudios para la Reforma del Estado, 1997).

<sup>7</sup> If we review Mexico's institutional structure in light of the polyarchical requirements Dahl formulated, we may conclude that Mexico is already a democratic country. See Robert A. Dahl, *Polyarchy* (New Haven: Yale University Press, 1971).

<sup>8</sup> See my critique of the Mexican model of political negotiation in Jesús Rodríguez Zepeda, "México: crisis política y negociación," *Etcétera* 161 (Mexico City, 1996).