

# MEXICO EDGES CLOSER TO PRESIDENTIAL RULING

**The electoral court rejected charges of massive fraud, making it likely Felipe Calderón will be declared winner.**

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**MEXICO CITY** – In the days following Mexico's July 2 presidential election, Mexicans of all political parties marveled at the democracy on display, including mass demonstrations calling for a recount of the still-disputed race, the closest in the nation's history.

But now that Mexico's top electoral court rejected allegations of massive fraud by leftist leader Andrés Manuel López Obrador - and Mr. Obrador has refused to accept the ruling that will probably hand conservative Felipe Calderón the presidency - many say they are concerned about the dispute's impact on democratic dialogue in a country that emerged from one-party authoritarian rule just six years ago.

Obrador, who has said the election was stolen, has compared a Calderón victory to a "coup d'etat," and has called for a national convention Sept. 16, Mexico's Independence Day. He says on that day, he will ask supporters whether he should be declared the "alternative" president-elect of the country.

"Never more will we accept that an illegal and illegitimate government is installed in our country," he told thousands gathered Monday in the Zocalo, Mexico City's main square.

It is worrisome rhetoric, say some. "We don't have trust in our system as Americans do," says Rafael Fernández de Castro, chairman of the international studies program at the Autonomous Technological Institute of Mexico (ITAM). "Mexicans have been following an institutional process. Now we are starting to step into new territory ... with an opposition that is moving outside of the institutional process."

"A lot of people don't feel like they belong in the system," he adds.

Obrador, who championed the country's poor and lost by 0.6 percent, alleged irregularities at more than half the country's polling stations. He demanded a vote-by-vote recount of 41 million ballots that were cast July 2. The electoral court rejected that request earlier this month, ordering a review of just 9 percent of polling places.

## **Cutting Calderón's lead**

In addition to rejecting Obrador's claims of widespread fraud, the court announced that its recount cut Calderón's 240,000-vote lead by some 4,000 votes. But the justices finished without formally certifying Calderón, of President Vicente Fox's National Action Party (PAN), as the winner. They must declare a president-elect by Sept. 6.

"I don't think López Obrador has a chance in a thousand that the electoral court will certify him as winner or annul the election," says Todd Eisenstadt, an expert on Mexico's electoral court at American University in Washington. "The door seems to be closing on [any chance] that he'll be declared president in 2006."

The 2006 election revealed class and geographic divisions in Mexico. The PAN and Obrador's Democratic Revolution Party (PRD) split the nation's 31 states and one federal district in half. Calderón, a free-trade advocate who has said he would remain a strong US ally, got more support in the industrial north, while Obrador won Mexico City and the rural states in the south.

"We are sure that the only thing that will come out of these legal challenges is that Felipe Calderón won the presidency legitimately," said a Calderón top aide, Juan Camilo Mouriño.

The new president is to take office Dec. 1. But Obrador and his supporters continue to fight. That reflects the distrust many harbor from 1988, when a leftist candidate lost the presidential bid to the long-ruling Institutional Revolutionary Party (PRI) amid widespread fraud allegations. Today, Obrador's supporters claim the work of the electoral court has been equally unfair.

Some criticize the court's findings as too narrow. "They are refusing to see the whole election perspective, to take a broader view. They are only looking at the bark of the tree ... like a criminal proceeding," says John Ackerman, an expert at the National Autonomous University of Mexico. "What they should be looking at, and what the law provides, is whether with absolute certainty [Calderón] received more votes.... They should [be seeking] high standards of certainty and transparency instead of a very restricted reading of the law."

The court defended its work Monday. "We can tell people that today, their votes were worth something and that they are definitive," said Judge Fernando Ojesto.

Obrador has threatened to set up a permanent civil-resistance campaign. Already he has staged a month-long protest that has shut down parts of Mexico City and created gridlock here.

David Shirk, director of the Trans-border Institute at University of San Diego, says that Obrador is justified in his demands for a full recount. But, he adds, he has lost public support by going too far. "If there is an established process, and the rules of the game are clear," he says, "it is incumbent on everyone playing the game to accept the outcome, even when it is not favorable."

## **Economics trumps politics**

Andrew Selee, director of the Woodrow Wilson Center's Mexico Institute, downplays the risks to democracy. He says many Obrador followers, while suspicious, are moved more by economics than politics. "There is a sector of Mexican society that feels strongly that they have not benefited significantly, that the economic conditions lag behind the political conditions," he says. "They are willing to go very far to defend the candidate who they think is looking out for their interests."

Many say Mexico's institutional infrastructure can withstand protests and the creation of an "alternative" government. Although Obrador's intentions for such a government remain unclear, shadow governments can be productive, says Mr. Shirk.

Some believe the protests could strengthen Mexico's emerging democracy. "We have democratized access to power, but not the way in which power is managed," says Professor Ackerman. The protests could help push needed state reforms, he says.

Adds Mr. Selee: " My sense is he is not determined to block the government - he is determined to be a thorn in their side."