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Op-Ed

A Lengthy Electoral Process

Mauricio Merino

The Mexican electoral process is the lengthiest in the world: it took an entire year from the moment the political parties started the pre-campaigns to elect their candidates, until the Federal Electoral Tribunal validated the electoral results. During this time, most of Mexico's newspapers headlines referred to the political competition and the country seemed to turn entirely toward the electoral issues. Finally, on September 5, the Electoral Tribunal formally concluded the process, declaring Felipe Calderón Hinojosa, candidate of the National Action Party (PAN), as Mexico's next President for 2006-2012.

Nevertheless, the candidate of the Coalition for the Well-Being of All (formed by the Democratic Revolution Party, the Labour Party and Convergence for Democracy), Andrés Manuel López Obrador, has not only refused to accept the Electoral Tribunal's final ruling validating the election, but has also called for a National Democratic Convention to form a parallel government and draft a new political constitution for the country. His opinion about the election was epitomized in a single phrase: "To hell with the institutions!"

The margin of victory between the two leading candidates was just over 233,000 votes out of a total of almost 42 million cast, or 0.5% of the votes. But in his allegations before the Court, López Obrador insisted that a total recount of the votes was necessary: "vote by vote" and "polling station by polling station," since according to his version, the polling station reports were altered in favour of the official candidate. He also demanded the annulment of the election, because in addition to the alleged falsification of the results, he complained about the illegal intervention of President Vicente Fox in the PAN's electoral campaign, the publishing of paid publicity for Felipe Calderón by the Coordinating Business Council (among other business groups), the impact of the so-called "smear campaign" against him, explicitly banned by Mexican electoral law, and the interference of the Catholic Church in the campaign, also banned from legally participating in the electoral process. The Tribunal, however, did not see fit to grant him any of these requests.

First, the new vote recount was limited to just over 9% of the 130,477 polling stations set up for the election; barely a quarter of the total number of polling stations contested by the Coalition, and only those in which there were grounds to suspect that the sum of the results or the coherence of the numbers recorded was inaccurate. Once the electoral boxes were opened, it was discovered that most had indeed not been counted properly, but only in a few cases were the results intentionally altered.

After annulling these electoral results, however, the outcome still resulted in victory for Felipe Calderon and the Court did not find any legal grounds to open up more ballot boxes than the ones which had been previously contested. In consequence, the Tribunal refused to accept a total recount of the votes.

Second, the Court decided that even if many of the Coalition's statements were truthful, the electoral authorities had ordered the suspension of those illegal acts immediately after they occurred and none of those acts constituted a sound argument for invalidating the electoral results. The Court's ruling on the validation of the 2006 Mexican election is therefore a long story about the political disasters that occurred during the year, but there is no evidence to substantiate the belief that the votes cast by the

MEXICO

After the Federal Electoral Tribunal, declared on September 5 the National Action Party's candidate Felipe Calderón President-elect, he made a public appearance to talk about his vision of the country.

In that speech, Calderón called for dialogue and reconciliation and offered to include proposals from opposition parties into his government plans. Mexico's President-elect also asked political forces to join efforts in the fight against the country's real enemies? poverty, delinquency, unemployment and inequality? emphasizing that success in this endeavour can only be achieved with the cooperation of all political forces, state and municipal governments, and the federal and local legislatures.

He stated that three priorities for his government would be: Fight against poverty, job creation, and public security.

The fight against poverty and inequality, he argued, demands urgent attention from the Mexican State to improve the living conditions of millions of people that live under poverty conditions and marginality, with no access to basic services, justice or options to advance. For that, he added, Mexico will have to create a modern and competitive economy, capable of creating more and better paid jobs. Finally, he committed to work toward reducing public insecurity, and to respond to the citizens' demands to put an end on corruption, impunity and injustice.

He trusted that differences of opinion could be channelled through institutional means and democracy, stressing that national identity should prevail over partisan preferences.

He also proposed for the development of a responsible foreign policy that contributes to Mexico's development and well being, and that better reflects the leadership role that Mexico could play at the global and regional level, particularly in Latin America.

citizens were altered. In consequence, Felipe Calderon obtained the official certificate of victory and the mandate to rule the country for the next six years.

Despite all this, the Mexican electoral story is still far from its conclusion. Lopez Obrador's resistance movement is not a minor issue, and the Tribunal's decisions have not managed to entirely eliminate the seeds of doubt that have been sown. Based on these facts, one could expect the immediate future of Mexican politics to be turbulent. The legal process is concluded, but the battle between the two opposing poles continues. It will be a lengthy dispute: but the ability of Mexican politicians to resolve it will, indeed, prevent our "institutions from going to hell."¹

Mauricio Merino is Director of the Division of Public Studies at the Centro de Investigación y Docencia Económicas, Mexico.

Cuba's International Development Assistance: a Model for the Non-Aligned Movement?

Katrin Hansing

In September 2006 Cuba will host the 14th Summit of the Non-Aligned Movement (NAM), assuming its presidency for the next three years.

Since Cuba last headed the movement in 1979, things have changed dramatically. We no longer live in a bipolar, Cold War dominated world in which the NAM arguably presented an important third force, nor is Cuba the same revolutionary power and leading voice of the Third World. Today the Cuban Revolution is struggling to stay alive whilst the NAM is trying to redefine itself in a new world order.

One significant global concern that has, however, not changed over the past few decades, are the desperate living and life conditions of the majority of the people of the developing world, many of who live in the 116 non-aligned member countries. With similar external pressures including enormous foreign debts and stringent neoliberal economic

policies, most of these countries are plagued by common domestic obstacles such as high poverty, unemployment and illiteracy rates, little access to public education and health care facilities.

Cuba plans to focus precisely on these common social development problems during its NAM tenure. According to official statements by foreign minister Felipe Pérez Roque and his deputy, Abelardo Moreno, Cuba plans to turn the movement into a more vigorous forum and persuade its members to take joint positions on common development obstacles, including debt relief.

Cuba also intends to encourage the NAM to create its own South-South cooperation and development/aid mechanisms to be able, as Moreno has stated, to act more autonomously. As a result, Cuba announced that it will introduce several cooperation proposals, particularly in the fields of education and health care, during the Summit.

This is not surprising given its long-term experience with providing technical and humanitarian assistance to other developing nations.

Since 1963, when the first Cuban medical brigade arrived in Algeria, over 140,000 Cuban professionals have served as so called 'proletarian internationalists' in over 150 countries. During this time Cuba has also offered scholarships to over 50,000 students from dozens of developing nations. Currently there are about 30,000 Cuban health care professionals working in over 80 different countries and in 2005 there were 15,544 foreign students studying in Cuba.

Cuba's cooperation programs have generally been evaluated very positively, according to these nations' leaders and actual grassroots recipients.

It can be argued that this assessment mainly has to do with past and in some cases current political/ideological loyalties as well as economic considerations. For, it cannot be denied that the recipient countries have and continue to get a pretty good deal: large numbers of badly needed high skilled professionals and the opportunity to have some of their youth be educated; and all of this for free or relatively inexpensively.

Although these factors are significant, they do not do justice to the fact that the majority of these governments and more importantly their people are incredibly grateful to Cuba for its aid. This gratitude can be explained in several ways.

Cuba's assistance has done a lot of concrete good in saving lives, decreasing infant mortality, training people, building hospitals, schools, roads, etc.

Cuba's aid has always been based on the principle of helping other countries to strengthen their own human capital resources. Hence, assistance has mainly consisted of sending Cuban professionals abroad to work and train local people and offering scholarships to study in Cuba.

In an age in which international aid/development has become an industry/business, with big budgets, complex conditions, fancy jargon and at times unclear agendas, some countries appreciate Cuba's relatively simple, straightforward and effective policy.

Due to the still major lack of indigenous professionals, Cubans often make up a large percentage of these countries' work force, especially in the health care sector. In the case of Mozambique, 40% of the country's doctors are currently Cuban. There, these doctors are incredibly popular, not only because they are considered professionally highly competent but also because of their non-hierarchical and sociable behaviour. Their hands on, resourceful manner, under what are often admittedly tough working conditions, and the fact that they can be found even in the most remote rural areas, where most medics prefer not to go, are also highly recognized.

Despite the fact that most developing nations have adopted multiparty, democratic, capitalist systems, many of their leaders and people still admire Cuba and Fidel Castro for standing up to the United States and the current world order.

However, although the Cuban government has embedded its cooperation programs in an official language of South-South solidarity and Third World brotherhood, hailing its aid workers as selfless, caring volunteers- proof that a 'better world is possible'- Cuba has and continues to benefit handsomely from its own generosity.

Most African nations have expressed their appreciation for Cuba's aid through international organization votes (on important issues such as human rights and the US embargo) in favour of Cuba; whilst others, such as Pakistan, have resumed diplomatic relations or established, like Venezuela, very favourable trade agreements with Cuba.

International press coverage on Cuba's aid also tends to be quite favourable. This is good public relations for the Revolution, which otherwise does not get much positive global media exposure these days.

On the domestic front, these programs have also brought the government benefits. For one, they have become an important source of badly needed hard currency, ever since Cuba started charging for certain types of assistance. Furthermore, by sending many of its professionals abroad, it has created a mechanism to temporarily get rid of a large part of its arguably most frustrated surplus labour. This in turn allows these individuals to earn better salaries than in Cuba, most of which is sent back to their families as remittances, benefiting thus the Cuban economy and state.

Overall, it may sound like Cuba's international assistance is a win-win situation for all. And so it is, except for one crucial detail.

For the past 40 years the Cuban government has described and praised its aid workers as altruistic internationalists, who have 'voluntarily' gone out into the world to help others less fortunate. Without doubt, many Cubans have partly been motivated to go abroad by these noble principles and in so doing helped many people improve their lives. There is also no doubt that Cubans generally are an exceptionally generous people and that decades of

socialism with its emphasis on solidarity have also left their mark.

However, it can unfortunately not be stated that Cuban professionals have always gone abroad voluntarily; if by voluntarily we mean, based on their own free choice and will. Instead, people have had the 'choice' to decline going abroad. Few have done or dared to do so, fearing potential negative repercussions; although never publicly uttered, these include not being promoted, having one's children not get into university, etc. In a society where everything is managed and controlled by the state, these are very real barriers, leading in practice most people to outwardly conform to the status quo.

Since the beginning of Cuba's economic crisis, this culture of fear has been joined by economic necessities. Today going on an international mission is one of the few ways for Cubans to make somewhat of a better living, legally. As a result going abroad is now a highly sought out matter, so much so, that using connections and bribes has become standard practice. But although these Cubans might be considered lucky to be able to go abroad, the emotional costs are great, particularly with regards to family separations. Moreover, despite the contemporary 'perks' of going abroad, Cuban aid workers can still not be said to be doing so voluntarily. And it is this lack of freedom of choice, which, like in so many other spheres of Cuban society, is a problem.

Clearly, Cuba's international assistance has and continues to benefit thousands of people around the world. As a development model, particularly with its human capital strengthening emphasis, it should be taken seriously by the NAM and other international organizations. It is only a shame that in its pursuit to show that a better world is possible, the Cuban government does not take the well being of its own people more seriously. †

Dr. Katrin Hansing is the Director of a German Research Council funded project on Cuba's social collaboration programs in Africa. E-mail: hansingk@fiu.edu

BOLIVIA

On September 1, the elected representatives within the Constituent Assembly taking place in Sucre, Bolivia approved the internal rules of debate after 13 hours of deliberation. Following the month-long debate in sessions and in the media, constituents voted to use a simple majority (50% + 1) to amend articles of the current constitution, while the final text will need to be approved by two thirds of the 255 constituents. A clause was also inserted to allow the approval of the text through a referendum, should the text not be approved by two thirds.

The vote formula was approved after the representatives from the Social Democratic Power (Podemos) and other opposition parties withdrew from the Constituent Assembly following violent debate with the Movement toward Socialism (MAS). The former denounced MAS' behaviour as undemocratic, and argued that current rules violate the current Constitution, which requires changes to be approved by two thirds, as well as the law convening the Constituent Assembly.

As response, Podemos along with civil and business groups called for a 24-hour strike on September 8 in four Bolivian regions (Santa Cruz, Tarija, Beni and Pando). A day after the strike, business groups gave President Evo Morales a week to veer away from what they consider a totalitarian and authoritarian policy.

The government considers these actions as attempts to put obstacles in the creation of a new Bolivia.

Looking for a Map? The 30th Meeting of the Mercosur Council

Sean Burges

On the 20 and 21 of July the presidents of the member and associated states of Mercosur met in Córdoba, Argentina for the semi-annual discussions that have proven essential for resolving the misunderstandings that constantly threaten the stability of the bloc. On this occasion there was the added twist of Venezuela's formal entry into the bloc as a full member, leaving Bolivia, Chile, and Peru as associate members. While expansion of the bloc membership beyond the original four countries of Argentina, Brazil, Paraguay and Uruguay has long been mooted, with Bolivia and Chile being the most obvious candidates, Venezuela was the first to formally join, seeing in Mercosur the nucleus of a Bolivarian South American union. Indeed, Venezuela's accession was used as a device to herald a range of nascent continental ventures ranging from an integrated natural gas network through to the creation of an expanded and integrated regional market building on the framework of the Community of South American Nations.

The problem with these grand visions is that they lack a solid basis in reality. Two items in the flurry of pre-summit rhetoric stand out as emblematic of the challenges facing Mercosur, problems left substantively unaddressed by the meeting of presidential reunion. Topping the list in terms of domestic political impact for Argentina and Uruguay was the unilateral closing, by Argentine environmentalists, of a key bridge between the two countries to protest construction of a paper mill on the Uruguay river. The result was an escalating diplomatic war of words between the two countries and a series of international legal procedures conducted outside the Mercosur institutional framework.

This disruption to Uruguay's tourist industry was framed by persistent rumours that Montevideo was contemplating the negotiation of a bilateral trade deal with the US, something forbidden by the terms of the Mercosur treaty, which requires all bloc members to act as one when cutting trade deals with third parties. Far from condemning such a move, Paraguay itself has been making noises about wishing something similar if Brazil and Argentina refuse to be more accommodating to the development needs of the two smaller bloc-members. Although both Paraguay and Uruguay formally denied the suggestions of their extra-bloc commercial longings, the point that they felt marginalized within Mercosur was clearly communicated to Brasilia and Buenos Aires. The response was two-fold, with the major proposal being the founding of a Mercosur development bank, which was followed by Argentine suggestions that a common currency be adopted to reduce transaction costs of intra-bloc trade.

Brazilian finance minister Guido Mantega's guarded approval of the development bank idea revealed the central problem facing Mercosur. An enthusiastic embracing of an expansion on the Andean Development Corporation (CAF), the Financial Fund for the Development of the La Plata River Basin (FONPLATA), or the creation of a new Bank of the South (Banco

Sul) was set aside by Mantega in favour of discussions towards the creation of a more nebulous 'agency' that would allow access to financing, but with a marked reduction in bureaucratic procedures. Lost in this organizational obfuscation was the question of how such an 'agency' would be funded; capitalization of a regional development bank would per force require a major injection of Brazilian funds to reflect the relative weight of the bloc's economies. Notions of a common currency received less attention, reflecting the relatively low levels of transnational production chains within the bloc.

Indeed, the emphasis of the pro-forma joint communiqués released at the meeting was on cooperation for social, education, and health programs; economic initiatives remained vague and focused on future plans.

A vibrant and successful regional economic space either possesses a network of transnational, tightly integrated production systems that blur the practical significance of national boundaries, or the bloc has an anchor state willing to absorb the costs of maintaining and advancing the regional project. The problem facing Mercosur is that the bloc has neither.

Indeed, the 30th ministerial meeting highlighted a terse debate within the Brazilian diplomatic community. Where Luiz Inácio Lula Da Silva was long on words of fraternal cooperation that play nicely with Hugo Chávez's rhetoric of Bolivarian unity, the substance offered by Brazil's negotiators did little to provide the resources and commitments necessary to underwrite regional development projects or give teeth to the sort of regional institutions needed to effectively deal with disputes such as the Argentina-Uruguay paper mill conflict or the myriad issues that Paraguay and Uruguay have with accessing the Brazilian market.

The eminent former Brazilian diplomat Rubens Ricupero drew on this dichotomy when he savaged Lula's regional policy shortly after the summit ended. As Ricupero noted, Mercosur is looking less and less like an effective economic bloc and more like a forum for Bolivarian political cooperation. In this vein the question left unaddressed and unanswered in Córdoba was what Mercosur offers Brazil, an economy that is looking to global markets

with some success while its bloc partners increasingly turn inwards, a trajectory that will not likely be slowed Chávez's initiation into the club. |

Sean Burgess is a SSHRC Postdoctoral Fellow at the Norman Paterson School of International Affairs, Carleton University. E-mail: seanburgess@yahoo.com.

BOLIVIA AND VENEZUELA

On August 17, Bolivia and Venezuela signed an agreement to allow Venezuelan Armed Forces to construct military and port infrastructure in Bolivia in the border with Brazil.

At the regional level this is a relevant development in light of the US financial support received from Paraguay to build a counter-narcotics base and the creation of a regional intelligence centre to control transnational crime and the activities of terrorist cells at Foz de Iguazú in the Triple Frontier between Paraguay, Brazil and Argentina.

The project of the port of Puerto Quijarro comprises the enlargement of the connection between the Paraguay and Paraná Rivers, which would provide Bolivia an exit to the Atlantic Ocean. The approximate cost of this project is US\$25 million.

Venezuela's military assistance will consist in advising officers working in the construction of roads and infrastructure, training in military legislation, conflict prevention, arms control and disarmament, humanitarian operations and control of chemical substances. The estimated cost of the military fort is US\$22 million.

The construction of both the port and the military fort is expected to take several years, and hence the presence of Venezuela armed forces in Bolivia is likely to be lengthy.

Some analysts see this initiative as a shift in military policies in Bolivia, aimed at ensuring territorial integrity and the control over natural resources.

Most of these efforts in the development of infrastructure are centred in Provinces that are key for Bolivia's economic development, like Santa Cruz and Beni, but that are expressing political opposition to the social initiatives promoted by the government of Evo Morales (*Nueva Mayoría*, 04/09/06).

Op-Ed

The Democratic Charter and the Transition in Cuba

Humberto de la Calle

Fidel Castro's recent illness has raised the question of transition in Cuba.

Amongst the possibilities that this transition might generate, a process of democratization on the Island cannot be ruled out. In this context, it is necessary to analyze the connection between democracy and human rights within the framework of the Inter-American Democratic Charter (IDC).

The IDC establishes among its provisions that both "the American Declaration on the Rights and Duties of Man and the American Convention on Human Rights contain the values and principles of liberty, equality, and social justice that are intrinsic to democracy" and that "the promotion and protection of human rights is a basic prerequisite for the existence of a democratic society, and recognizing the importance of the continuous development and strengthening of the inter-American human rights system for the consolidation of democracy."

But the reverse argument is also true. One cannot speak of the full respect for fundamental rights if there is no democracy. In this regard, Article 7 of the IDC establishes the following:

Democracy is indispensable for the effective exercise of fundamental freedoms and human rights in their universality, indivisibility and interdependence, embodied in the respective constitutions of states and in inter-American and international human rights instruments.

From this perspective, it is necessary to address the question of the role the IDC can play, given that this instrument of the Inter-American System constitutes both an achievement in itself and a compilation of the principles and values that serve as a foundation for the effective exercise of democracy.

It is necessary to examine this question from two different perspectives: first, there is the study of the

Charter's legal applicability to Cuba; and second, beyond the legal reasoning, it is worth considering the Charter's role as an axiological guide to the process, given that the Charter contains some universally-accepted minimum standards within the Inter-American System. This second question inquires about the Charter's role as a guide for the political process, rather than its legal character.

On the Nature of the Resolution by which the Charter was Adopted

The IDC was drafted by resolution of the Organization of American States (OAS) General Assembly, citing the progressive nature of international law. The IDC is thus an interpretive instrument of legal principles that were already incorporated in both the letter and spirit of the Founding "Bogota Charter," which was adopted by all of the States, including Cuba, through the signing of a binding international agreement.

There was a particular debate among the States about the legal character of the Charter. Indeed, given the concern expressed by the members of various State delegations regarding the binding nature of the Resolution, it was decided, as mentioned before, that the IDC's role was that of updating and making explicit, in an organic manner, those principles that were already part of the Inter-American System since its inception.

This view explicitly inspired one paragraph of the preface of the Charter, which reads:

Bearing in mind the progressive development of international law and the advisability of clarifying the provisions set forth in the OAS Charter and related basic instruments on the preservation and defence of democratic institutions, according to established practice.

The previous statements are not intended to imply that the Charter is applicable currently to Cuba. However, in the event of setting in motion a process of transition on the island and Cuba's possible re-entry to the Inter-American System, the IDC would play not only an ethical and political role, but also a legal one.

A bold political decision, which would open greater space for interpretation than has been allowed to date, would be that of adopting a Resolution that revokes the exclusion of Cuba from the Inter-American System at the time a transition government is installed, and invites the new government to re-join the System.

This resolution would have the advantage of avoiding the perception that the Cuban transitional process was being dictated by foreign countries, and would open up a broad space for constructive dialogue.

Under these circumstances, the creation of a Latin-American support group could be proposed to consolidate the process.

Democracy, the People's Right

Article 1 of the IDC establishes that: "The Peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it."

Therefore, the Charter defines democracy as a right of peoples. This precept indicates that democracy is not only a decision-making system, but one which makes possible the exercise of fundamental rights. Democracy is, then, a right to exercise their rights. It goes beyond the simple structure of the State and is not dependent on the whims of the government of the day. In this light, the transition to democracy in Cuba would not be a concession of the ruling group, but the recognition of a people's right. This conception values democracy for itself, for the principles it enshrines, and not merely in reference to a particular historical situation, the prosperity of the economy or geopolitical strategies.

The End of a Government does not mean the Suspension of the Duty to Protect Rights

Additionally, it is a well-accepted criterion within the Inter-American system that the suspension of government does not mean the disappearance of the obligation to apply the rights incorporated in the Pact and the Convention, and other rights universally qualified as fundamental human rights. As a guiding principle, the 1948 American Declaration of Human Rights could be applicable in the event of a transition in Cuba.

The Declaration also establishes the connection between democracy and the defence of human rights. It is precisely on that basis that the Inter-American Human Rights Commission has drafted its reports on Cuba. In fact, it is the same legal basis that is applied to the United States, a country that does not belong to either the American Convention or the San José Pact.

The relationship between democracy and human rights also has the effect of solidifying what has already been said. In other words, the exercise of the principles and values enshrined in the Inter-American Democratic Charter, including the conception of democracy as the peoples' right,

means that, from a legal perspective, the IDC will not be removed from the transition process.

Conclusion

A detailed discussion on the nature, origin and history of the Inter-American Democratic Charter allows us to conclude that this is not an instrument entirely alien to a possible transition process in Cuba.

Furthermore, beyond the legal debate, the IDC contains a set of values and principles that should inform and guide the transitional process. †

Those values and principles, in addition, form part of a spiritual heritage that should contribute to the formation of a new democratic culture on the Island.

Humberto de la Calle is former Vicepresident of Colombia. As ambassador of his country to the OAS, he chaired the Permanent Council and the Working Group during the discussion of the IDC.

UNITED STATES

In July, the state of Georgia passed the Security and Immigration Compliance Act, described as tougher and more restrictive than the national immigration legislation being debated in Washington D.C.

In addition to banning provision of public services to undocumented immigrants, the law requires employers to maintain valid employment authorization documents for employees in order to receive the tax deduction for wages. It also requires police to verify the immigration status of those arrested for all crimes including drunk driving. Georgia, which counts Canada as its largest foreign trading partner, is highly dependent on immigrant labour.

Since the mid-1990s immigrant labour, primarily from Mexico, has been crucial to easing tight labour markets and fuelling economic growth. Several groups in the state including the Georgia Hispanic Chamber of Commerce and the carpet industry? three-quarters of US' carpets come from the town of Dalton, Georgia? are worried about the potential economic ramifications of the new law.

Though it is early, some worry that the law could drive away not only undocumented, but also legal immigrants from the state, and thus have potential economic repercussions.

Op-Ed

Un Largo Proceso Electoral

Mauricio Merino

El proceso electoral mexicano es el más largo del mundo: desde el momento en que los partidos políticos iniciaron las precampañas para elegir candidatos, hasta que los comicios fueron calificados por el Tribunal Electoral de la Federación transcurrió un año completo. Durante ese período, la competencia por el poder ocupó casi todos los titulares y el país pareció volcarse por completo hacia las cuestiones electorales. Finalmente, el 5 de septiembre pasado ese órgano jurisdiccional declaró la conclusión formal del proceso, confirmando a Felipe Calderón Hinojosa, candidato del Partido Acción Nacional, como el próximo presidente de México por el período 2006-2012.

Sin embargo, el candidato de la Coalición por el Bien de Todos (formada por los partidos de la Revolución Democrática, del Trabajo y por Convergencia por la Democracia), Andrés Manuel López Obrador, no sólo se ha negado a aceptar el fallo definitivo del Tribunal que declaró la validez de las elecciones, sino que ha llamado a una Convención Nacional Democrática para formar un gobierno paralelo y diseñar una nueva constitución política del país. Su propio veredicto se sintetizó en una frase: "¡Al diablo con las instituciones!"

La diferencia entre los candidatos punteros fue de poco más de 233,000 votos, sobre un total de casi 42 millones: 0.5% de los sufragios. Pero en su alegato ante el Tribunal, López Obrador sostuvo que era indispensable volver a contar "voto por voto y casilla por casilla," porque según su propia versión las actas electorales fueron alteradas para favorecer al candidato oficial. También pidió la anulación de las elecciones, porque además de la supuesta falsificación de los resultados, ese candidato se llamó a agravio por la intervención ilícita del presidente Vicente Fox en la campaña de Acción Nacional, por la publicación de propaganda pagada por el Consejo Coordinador Empresarial (entre otros grupos empresariales) a favor de Felipe Calderón, por el impacto de la llamada "campaña negativa" en su contra, que estaba

expresamente prohibida por la legislación electoral mexicana y por la intervención de la Iglesia Católica, impedida también de participar legalmente en los procesos electorales. Pero ninguna de esas solicitudes fue otorgada por el Tribunal.

En el primer caso, el nuevo recuento de votos se limitó a poco más del 9% de las 130,477 casillas electorales que se instalaron en los comicios: apenas una cuarta parte de las que fueron expresamente impugnadas por la Coalición, en cuyas actas había dudas fundadas sobre las sumas de resultados o sobre la coherencia de las cifras anotadas. Al revisar los contenidos de esos paquetes, se constató que efectivamente había errores en la gran mayoría, pero solamente en un puñado se habían alterado de manera dolosa los resultados. Al anular éstas, sin embargo, los números siguieron favoreciendo a Felipe Calderón y el Tribunal no encontró razones jurídicas para abrir más casillas de las que habían sido originalmente impugnadas. En consecuencia, se negó a aceptar el recuento total de los votos.

En el segundo caso, el Tribunal consideró que, aun cuando buena parte de los hechos narrados por la Coalición eran ciertos, las autoridades electorales ordenaron en su momento la suspensión de esos actos ilícitos y ninguno constituyó un argumento suficiente para considerar que los votos depositados en las urnas electorales no fueran válidos. El dictamen del Tribunal sobre la calificación de las elecciones mexicanas del 2006 es así un largo recuento de los despropósitos políticos que ocurrieron a lo largo del año, pero no son pruebas para acreditar que los votos efectivamente emitidos por los ciudadanos se hayan adulterado. En consecuencia, Felipe Calderón obtuvo la constancia de mayoría y el mandato para gobernar el país por los próximos seis años.

Con todo, el capítulo electoral mexicano está todavía lejos de concluir. La rebeldía encabezada por López Obrador no es asunto de poca monta, ni las sentencias del Tribunal lograron eliminar por completo las dudas sembradas. Sobre esa base, es más que previsible que el futuro inmediato de la política mexicana sea turbulento. Terminó el proceso legal, pero la contienda entre los dos polos opuestos sigue vigente. Será una disputa larga: tanto, como la capacidad de los políticos mexicanos para impedir que, en efecto, nuestras "instituciones se vayan al diablo." |

Mauricio Merino es Director de la División de Administración Pública del Centro de Investigación y Docencia Económicas, México.

Upcoming Publications

A Managed Temporary Movement Program for Nurses from the Caribbean to Canada: The Short (but Interesting) Life of a Policy Advocacy Proposal

Laura Ritchie Dawson

This paper summarizes the attempt to build a program for Caribbean nurses coming to Canada, conceived to reduce the negative impacts of brain drain and discusses the lessons learnt throughout the process of advocacy.

The Seasonal Agricultural Workers Program and Mexican Development

Leigh Binford

This paper examines the social and economic implications of the Seasonal Agricultural Workers Program (SAWP) in selected Mexican communities of northwest Tlaxcala.

The Impact of the Labour Experience in Canada on the Home Life of Workers in Mexico: Reflections on Best Practices

Gustavo Verduzco

The Seasonal Agricultural Workers Program (SAWP) has been singled out as a best practice for guest worker program. This paper highlights the positive impact of the program on the home life of workers, primarily in regard to living conditions and education of children.

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FOCAL

1, rue Nicholas Street,
Suite/Bureau 720
Ottawa, Ontario
K1N 7B7 Canada

Canadian Foundation for the Americas Tel/Tél : (613) 562-0005
Fondation canadienne pour les Amériques Fax/Téloc : (613) 562-2525
Fundación Canadiense para las Américas E-mail/Courriel : focal@focal.ca
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