

MEXICO - Critical Moment (by Laura Carlsen, IRC)

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[IRC](#) - Since the start of Mexico's presidential campaigns, the race has opened up latent but profound fissures in Mexican society. The present post-electoral conflict not only hinges on legal issues of how the elections were run. It brings to the fore deep concerns about transparency, social justice, and the future course of a nation at a critical juncture in its fledgling transition to democracy.

The post-electoral conflict reached a higher pitch this week as round-the-clock encampments were installed in Mexico City's central square and surrounding streets. Supporters of center-left presidential candidate Andrés Manuel López Obrador have vowed to remain in the camps until the Federal Electoral Court rules for a full recount of the votes.

Despite the daily downpours typical of Mexico's rainy season, protesters from all over the country have set up community kitchens, workshops and classes, children's activities, and cleaning crews through their own initiative. Citizens have organized to deliver food, blankets, and shelter to the protesters. The encampments have predictably caused major traffic problems in the city and elicited irate comments from downtown businesses.

They could be in for a long haul. The Federal Court has until the end of the month of August to decide on a legal course of action to resolve the controversy.

But those calling for a "ballot by ballot, polling place by polling place" recount demonstrated their determination and endurance on July 31 when some two million people waited for hours packed in the plaza to hear López Obrador speak at the third "informative assembly." When people visibly affected by the heat of the midday sun began to leave the plaza before López Obrador arrived, others urged them "not to cave in" and offered water. For many it's a matter of pride-both to defend the candidate they believe really won the elections and to resist what they view as another attempt by the rich and powerful to cheat them out of their just dues.

Meanwhile, pressures from the conservative wing to declare Felipe Calderón president-elect have also intensified, but through very different tactics. Calderón's National Action Party (PAN) has been meeting with editorial boards of major foreign media and mobilizing groups of some of the nation's most powerful businessmen. Calderón told a group of foreign correspondents that he will not go head-to-head with López Obrador in the streets since his opponent has a distinct advantage in mobilizing masses, but instead will defend his election through other means. The PAN plans to publicly present tally sheets and Calderón continues to announce policy decisions among specific sectors as if he were already the president-elect.

It's no coincidence that the López Obrador supporters are in the streets and the effort to declare Calderón president is being orchestrated in corporate boardrooms and editorial meetings with Mexico's media monopolies and foreign press.

The built-up resentment of the poor has found expression in the López Obrador campaign. The PRD leader uses language that reclaims social and economic rights enshrined in the Mexican Constitution, and backs policies that reflect an active obligation of the government to level some of the disparities in wealth and power that have grown under the free-market model.

The PAN, true to the model, has governed under the assumption that what's good for business is good for the country. For those who have waited decades for this model to produce tangible benefits to the most

disadvantaged sectors of society, the hypothesis is no longer tenable. They believe, with much justification, that society owes them more, and that the windfalls of the wealthy have been at their expense.

The legal process to declare the winner of the race has just begun. The Federal Electoral Court recently agreed on implementing a “special procedure” to review the evidence presented to demand a general recount. It can then either declare a full recount or a partial recount of votes in specific polling places. The greatest number of demands for review and documentation of anomalies pertain to districts where the PAN candidate won with ample margins.

Legal experts have been debating the various ins and outs of the options before the court, generally opining in ways that reflect their political orientation more than by-the-letter interpretation of the laws. The reality is that the laws are relatively new, and few precedents have been set. The tribunal’s seven judges, therefore, have considerable leeway to interpret the law and determine procedures as they see fit in what is by far their most important case to date.

López Obrador has repeatedly stated his commitment to respect the results of a full recount. Calderón has waffled on the issue of a recount, at times calling it an illegal and unnecessary measure and at others acceding to the possibility of a partial recount.

With so much at stake in terms of social stability and transparency, the prudent course is to choose the most comprehensive solution possible. This is a full recount. Dispelling doubts in the electoral process not only grants the new president-whomever he is-greater legitimacy, it also restores confidence in institutions.

The solution to the controversy now lies in the hands of the electoral court. But the challenge to attain transparent and credible election results and, even more importantly, to chart a course toward durable social justice is a challenge facing all of Mexican society.

Popular movements around the world often use nonviolent civil disobedience to break impasses at critical moments of transition. Mexico today faces such a critical moment. Manipulated elections held under the one-party rule of the Institutional Revolutionary Party are still well remembered and many fear a return to the past if this election is not cleared up. The encampments intensify the confrontation that has been taking place since the July 2 elections. A decision for a full recount would provide an institutional solution to the stand-off and allow the nation to get on with the larger task of overcoming the divisions to build a more just society.

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