Mexico’s National Electoral Institute: Ensuring Fair Elections at the Local Level

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EXECUTIVE SUMMARY

On May 23, Mexican President Enrique Peña Nieto signed a series of bills to implement constitutional changes to the country’s political and electoral processes. The reforms bring some of the most dynamic shifts to Mexican politics since the 1990s, including a makeover of the Federal Electoral Institute (IFE).

The IFE has played a major role in Mexico’s transition to democracy. As the Institutional Revolutionary Party (PRI) gradually lost power to opposition groups, the IFE was the key arbiter in assuring the transparency and legitimacy of elections. The IFE helped usher in Mexico’s first alternation of power in 71 years when the PRI lost the presidency in 2000. Since then, the institute has received international acclaim for assuring the quality of Mexican elections at the federal level. Its mandate, however, remained much weaker at the state and local levels, where elections are more susceptible to partisan interference.

Under the 2014 reforms, the National Electoral Institute (INE) has replaced the IFE. This otherwise subtle rebranding points to a key shift in the organization of elections with respect to Mexican federalism. The new INE and the measures behind it now strive to replicate the IFE’s success in the states and municipalities.

THE DECLINE OF THE PRI AND RISE OF THE IFE

The PRI created the IFE in 1990 to appease the discontent electorate after the party rigged the 1988 presidential election. Nevertheless, during the 1990s, the IFE quickly evolved as an important political check to the PRI’s power. The IFE’s path toward greater autonomy and control over the electoral system resulted from a series of PRI concessions to growing opposition parties and public demand for democratic elections.¹ The IFE was the perfect tool to soften the PRI’s fall from power, yielding political influence to other parties through elections without dismantling the party itself.

From 1990 to 1994, the PRI had a close relationship with the IFE: the secretary of the interior served as secretary general of the IFE, and the majority of councilors were Congress members or party faithfuls. The outbreak of the Zapatista movement in 1994, however, created widespread political and social instability ahead of that year’s presidential elections. As a response to this unrest, an eight-party opposition coalition in Congress voted to change the composition of the IFE’s General Council, giving six nonpartisan “citizen” councilors the majority of power on the new 11–member board.² In 1996, Congress passed yet another reform to give the IFE full independence from the executive branch, placing a nonpartisan “citizen” as president of the General Council.

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The PRI’s stronghold in the states, even during the PAN—led (National Action Party) administrations of Vicente Fox and Felipe Calderón, is telling of how the once preponderant party responded to high levels of discontent among the citizenry and conceded power without committing suicide. As opposition parties gained prominence nationally, the once strong Office of the President was no longer able to control dissenting PRI politicians, who could now speak out against the party line or even join other parties without sacrificing a political career. In turn, PRI leadership began to fracture ideologically and retreated to sub-national offices, where the party—though divided—leveraged Mexican federalism to continue garnering support in local and state elections. This allowed for the development of a three-party system in which the PRI still plays a major role. Of course, this also came with a price: post-2000, the PRI has wrestled with intraparty disputes in Congress due to varying state interests brought about by the decentralization of power. However, in spite of these disagreements, the PRI never disappeared and even recovered enough cohesion to regain the presidency in 2012. In fact, even after the 2000 elections, the PRI has not once lost a majority of Mexico’s governorships.

HOW THE INE BALANCES FEDERALISM AND FAIRNESS

Recently, given the lingering PRI influence over sub-national elections, the PAN and PRD (Party of the Democratic Revolution) successfully lobbied for more centralized control over state and local elections. The 2014 legislation gives the INE power over sub-national elections in three ways: greater control over local electoral bodies, increased oversight of sub-national party and campaign finances, and approval from the Senate for the appointment of local electoral magistrates.

In the past, the IFE delegated the execution of sub-national elections to state electoral institutes, which operated independently according to state law. Now, the INE itself will appoint the state electoral...
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DOES THE INE FALL SHORT OR GO TOO FAR?

There is no doubt that the IFE made considerable strides in improving the legitimacy and transparency of Mexican democracy at the federal level, and it seems like the INE is well positioned to take this reputation to the local level. However, despite the reform's efforts to centralize electoral authority and minimize party interference in sub-national elections, two important problems remain: the possibility of electoral fraud despite national oversight of local elections, and the risk that greater centralization could, one day, lead to an abuse of electoral power.

The extremely close 2006 presidential election and the resulting TRIFE investigation revealed instances of fraud by each of the three major parties. This occurred under the watch of the IFE, indicating that even the well-vetted national electoral standards are vulnerable to partisan swindling. In 2011, Freedom House reported that "allegations of abuse of public resources to favor specific gubernatorial candidates have increased in recent years." Such fraud at the local level is precisely what the INE strives to eradicate by bringing the IFE's best practices to sub-national elections.

Another pitfall of the INE is that it could take fairness too far in the long run by weakening states' power to check the federal government. In the short term, curbing the influence of local political actors in elections is important to Mexico's democratic consolidation, but could the INE become an authoritative, Big Brother-like entity? While the IFE has been free of political corruption, there's a chance that, in the future, an opportunist, authoritarian administration may try to manipulate elections using the new, more centralized INE.

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ENDNOTES


4. Felipe Calderón of the PAN won, but by only a 0.58 percent margin. Runner-up Andrés Manuel López Obrador of the PRD demanded a recount from the Federal Electoral Tribunal, which upheld Calderón’s narrow victory. López Obrador and a vocal minority on the left still rejected the results.

5. Under the new reforms, the TRIFE has become the Electoral Tribunal of the Federal Judiciary (TEPJF).


11. Ibid.

12. Media coverage of such instances is limited, but leaders of the PAN and PRD have pointed out electoral fraud in state elections before the establishment of the INE, specifically in the state of Veracruz.


AUTHOR

Dylan McNally is the research analyst for the Mexico Center at Rice University’s Baker Institute. He earned a bachelor’s degree from Rice University in political science and Hispanic studies. He has held internships at the Embassy of Mexico in Washington, DC, and the National Institute of Migration in Mexico City. His research focuses on politics, migration, energy, and education in Mexico and North America.