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Deputies challenge the president with his own words, "I will solve the Chiapas conflict in 15 minutes."

The President and Congress Dangerous Liaisons

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Relations between Mexico's executive and legislative branches hit bottom last December when the Chamber of Deputies decided to approve a federal spending budget for 2005 without the president's backing.¹ The budget became the actual bone of contention, but it was merely the epilogue in a long and complex political relationship that has become more and more complicated as the Fox administration has progressed.

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Since the second half of Ernesto Zedillo's term, but significantly with the kick-off of the Vicente Fox administration, the absence of a clear majority in Congress and the existence of a divided government made it look like we were progressing toward a new model of presidentialism in Mexico. Supposedly, a timid interlude of collaboration between the branches of government would be followed by a period of frank cooperation among those who make the laws and those who implement them, but events contradicted this hypothesis.

What we Mexicans have witnessed over the more than four years of this administration is a relationship in which mishaps and bickering have increased, in which the clash of the branches of government made it impossible to legislate on matters of great importance for the country's development, and in which the distinctive note has not been collaboration, but fights, scandals and confrontation between the executive and the legislative branches.

At the beginning of the Fifty-ninth Congress, in September 2003, conditions seemed to exist for a new understanding between the president and the legislature. When Vicente Fox gave his third report to the nation, he called for putting the priority on politics and sent the message that he was willing to come to an understanding with the opposition.

It seemed to be the implicit recognition of his defeat at the polls three months before and of the fact that the National Action Party (PAN) was a minority in both the Chamber of Deputies and the Senate. It also seemed to be a message that said that without a broad alliance of the administration and the opposition, fundamentally the Institutional Revolutionary Party (PRI), the pending structural reforms on energy, taxes and labor would be impossible.

WHAT BEGINS BADLY ENDS BADLY

The experiment of attempting a stable, long-lasting understanding between the executive and the legislature was brusquely overcome by the administration's lack of political experience in the first months of 2001. The political situation and logic ended up imposing themselves, and what seemed to be a good beginning quickly turned into a conflict when the president's priorities clashed with Congress's.

An entrepreneur by profession and a gambler by vocation, Vicente Fox decided to try out the formula as president that had been so productive for him as a candidate: appealing directly to the citizenry to promote his bills. Beyond the naive motivation of this new style of doing politics, the president's maneuver immediately placed

Congress on a roller coaster in full view of the public.

From the constitutional reform about indigenous rights and culture and the first attempt at fiscal change, to the frustrated reform of the electricity sector, every issue on the legislative agenda became a point of contention between the executive and the Congress.

Calls were uselessly made for everyone to avoid the legislative discussion becoming partisan. They were naive given that partisanship was a natural, predictable consequence of the competition of the parties in Congress. While the administration fought to make its vision of the design of the laws and public policies prevail, the opposition sought to differentiate itself from the administration through the priorities it tried to deal with.

The Fox administration has not understood that the opposition is not a decoration in Congress, just testimonial, but a kind of shadow government—to use the English metaphor—which is always seeking to prepare the ground for taking office. It was not understood that it is useless for an opposition party with aspirations of power to be indulgent with the administration and make its life easy; on the contrary, its main mission is to question and confront it.

This means that from the beginning the president and his cabinet's political efforts should have concentrated on trying to create consensus based on convincing and not subjecting Congress. The administration did not understand that, in contrast with the U.S. model, where it is profitable for the president to appeal to the public to pressure members of Congress, in the Mexican case, this strategy is fruitless because, since they cannot be reelected, legislators do not tailor their

actions to the interests of the citizenry, but to those of their parties.

PARLIAMENTARY ARITHMETIC

It was a simple exercise for the federal government and the PAN to look at the indicators on the night of Sunday, July 6, 2003, and understand their consequences. President Fox and his party, the PAN, had lost the congressional elections, and it would be necessary to design a new strategy that could lead them away from the confrontational model they had used in the first three years of their term that led them directly to losing one-third of the seats that they had had until then in San Lázaro, the seat of Congress.

At that moment, the only possible out to guarantee continuity for the presidential project was a long-term accord with the PRI, for the simple reason that the country's oldest party held the key to making changes in the Constitution, and a scenario of confrontation would only lead to the PRI hardening its positions and, in the end, winning the day.

But the very idea of negotiating with the PRI gave the administration and the PAN an allergic reaction. That is why from the beginning of the term, the prevailing presidential discourse *vis-à-vis* Congress was to work on building consensus. Consensus was offered as the magic formula for reconciling interests that would allow the administration and the PAN to justify both their accord with the PRI and the absence of reforms. When things were moving ahead, it was because consensus had been reached, and when they shipwrecked it was attributed to the legislature not cooperating.

That discourse damaged Congress's public image and the relationship of

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the president with legislators. After four years, consensus still has not been reached, but the Chamber of Deputies and the Senate have been labeled as saboteurs of alternation in office and unequivocal obstacles to democracy.

This false logic has hurt everyone and benefits no one. In our country, it has never been accepted that democracies have always included the possibility that consensus will not be reached because there will always be those who want to go one place and others who prefer another direction. This formula is called a majority, and it is practiced in all parliaments the world over.

LOOKING FORWARD

The administration of Vicente Fox is dying. It will be able to advance only very little in legislative matters in the time remaining to it. Now, based on this experience, the biggest challenge Mexican democracy is facing is how to make the executive-legislative relationship productive from 2006 on.

The first obstacle to overcome will be ousting the taboo that says that all negotiation is dirty. For political parties and a large part of the public, it will be necessary to banish the idea that behind every exchange lurks something murky and ignominious, a back-room deal, a sinister pact similar to thieves distributing their loot in a cave somewhere.

It will be even more indispensable to negotiate since the polls point to 2006 being an election that will give about an even third of the votes to each of the three main political parties. If this happens, it will inevitably make for another divided government and a president without a majority in Congress.

A long history characterized by the absence of democratic practices and the recent improvisation of other practices under pressure until now have not favored collaboration between the branches of government. For that reason, generally, our political negotiations turn out badly and only half finished. Very few people are satisfied and many are unhappy with the results.

We Mexicans must learn to negotiate and understand that the functional logic of relations between the president and Congress in democracies can only exist if there is exchange. For whoever is the Mexico's next president, the Fox administration must be an example of what should not be done and of everything that can be improved. ■■■

NOTES

¹ Today, in March 2005, the debate about the budget is before the Supreme Court, which must decide how much Congress can modify the bill presented by the president and whether the latter has the right to veto it if he does not approve of the changes.