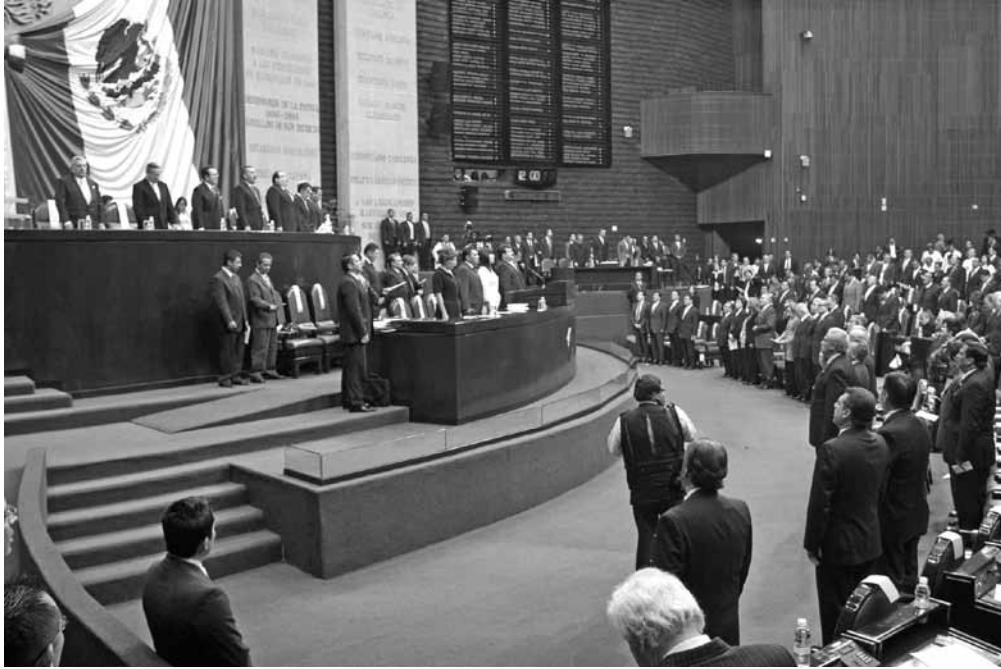


Guide for Understanding Mexico's Sixty-second Congress

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The first day of the inaugural session of Mexico's Sixty-second Congress.

It seems that since 1997, politics has been divided into two large cycles. The first, called “*trienio*” or three-year term, marks the beginning, development, and twilight of a legislature; the second, the “*sexenio*,” or six-year term—which used to be the unit by which all political time was measured—, spans two of the aforementioned *trienios* and begins when each president is sworn into office. We could say that this is the contemporary version of the Mayan calendar, and, just like in the case of that pre-Hispanic people, each stage includes a series of predictable, cyclical events, although their accurate interpretation depends, in turn, on understanding them correctly. Ignorance in this area leads politicians and some “opinionologists” to play with our expectations or our guts by

propagating the idea that politics is a cosmic clash between “the good guys” and “the bad guys.”

Citizens and politicians see these years as cycles, although with different meanings. The public welcomes the beginning of the first three-year period with certain skepticism and hope; this attitude gradually turns to cynicism as it comes to a close, but at the end of a six-year term, once again expectations emerge about who will win power . . . and so on.

On the other extreme are the legislators of the *trienio*, the deputies, whose first year, as they themselves say, is spent figuring out where the bathrooms are in the San Lázaro Congressional Palace where they meet; the second year is spent learning more or less what their work is all about; and the third, looking for a new job, preferably in the public sector.

As mentioned above, we have to recognize some of the events in each cycle if we truly want our democratic history

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to be continuous. The following are some of the events that we will be witnessing during the upcoming Sixty-second Congress (2012-2015). Some have already happened and others will come in the future.

*Presiding Committees.*¹ Even though we imagine a congress to be something like a battlefield, these bodies do the arbitration needed so that when confrontations happen, they take place with at least minimal civility. In almost all legislative bodies, membership in these committees is assigned according to the trust certain officials manage to earn among their colleagues, but that requires interaction over a certain medium-term period. In Mexico, where everything starts over from the ground up every three years, the solution has been to allow each party to take charge of the committee for one year.

One recurring problem is that the parties do not always see the Party of the Democratic Revolution (PRD) as a reliable partner for leading the sessions, particularly considering the fact that the president of the Presiding Committee has the faculty to call in the forces of order if he/she deems it necessary. Can you imagine, let's say, the Mexican Electrical Workers' Union (SME) bursting into a plenary session because no security forces were there to prevent it? This is why the parties have almost always divided the year that the left has the helm into three periods, leaving the "yellows" —yellow is the PRD color— the Permanent Commission. The exception was the Sixtieth Congress (2006-2009), when they had to be given the second year because of their political clout. At that time, the presidency of the Chamber of Deputies was handed over to Ruth Zavaleta, who behaved according to the institution's needs, and therefore was expelled from her party. Today, the left parties are once again the country's second legislative force. What will happen in 2013? I reserve my opinion.

Commissions. These are the bodies that carry out the analysis and specialized discussion of bills submitted to the Chamber of Deputies. This is so important that in several countries, a legislator can make a career inside these commissions, which allows him or her to rise to leadership positions. After comparing certain criteria, I think there should be just as many

commissions as there are ministries in the executive branch. Any smaller number would make specialization difficult, and a larger number would make their functions overlap and create costs of opportunity for legislators to be able to give them the attention they deserve.

By starting from zero in each three-year term, the cycles have predictable results: positions are assigned according to party quotas. Sometimes they go to experts, sometimes not. Some of the deputies were elected through the proportional representation list, which generates a system of political accommodation more than one that creates specialization. In fact, the number of commissions has increased with each Congress: in the Chamber of Deputies, they went from 28 commissions in 1997 to 44 in 2009 and 51 in 2012.

Recycling the Budget Laws. The recently passed political reform makes it possible that, if a new expenditures budget has not been passed when the time limit runs out, the proportions of the previous one, with adjustments, are put in place until an agreement is reached. For some, this will create certainty regarding this delicate issue; however, others think that if the outcome is already known, negotiation is discouraged. Soon, we will see just how appropriate this measure was, especially in years three and six of the presidential six-year term, when confrontation wins out over agreements.

Implementing the Political Reform. This reform has some elements that have an impact on the functioning of the legislative branch. With regard to its relationship with the executive branch, the latter has a new tool, the preferential bill, which allows the president to present two bills that must go through the commissions and be voted on in plenary within a certain period. In terms of relations with the citizenry, the consultations with the public, independent candidacies, and citizens' propositions were included in the Constitution. Will they work?

The preferential bill implies that the legislature can take a stand on an issue and not necessarily pass it. That is, if the president decides to use this measure to present a polemical bill, even if important, he is opening himself up to the possibility of it being rejected with the resulting damage to his image as first executive, and therefore, we should not expect big surprises from this measure. It could be used, however, in matters in which a lot of intense work has already been done in terms of positioning and convincing society.

We can say that the effect of participatory mechanisms is more symbolic than real. Consultations are exceptional mechanisms if you do not want them to become an instrument for

demagoguery. An independent candidate can only hope to be competitive locally and that is forbidden by the Constitution. And a citizens' proposition would not necessarily be technically solid, and its proponents could lobby for it anyway. By 2015, we might discover that what has been approved is actually a botch job.

PAN and PRD Leaderships. Both the “yellows” and the “blues” (members of the PAN) are starting out in this Congress with a silent crisis. Flying the banner of “refoundation,” the PANistas are fighting for control of their party, and Calderón's followers want to hurry the process along while they still have public funds. The PRDistas, on the other hand, are caught between following the hard line of Andrés Manuel López Obrador or betting on parliamentary negotiations. This is important given that legislators' careers depend on whoever can give them a post, which makes them agents of extra-parliamentary leaderships. The best example of this was in April 2008, when the left parties were held hostage by the dictates of a leader who held no public post, except his claimed “legitimate” title to the presidency, to block the courts and prevent debate around the energy reform.

In the case of the National Action Party (PAN), in December 2013, it will change its leadership bodies (National Executive Committee and National Political Council), which may imply rotating parliamentary leaderships. How will this impact the cohesion of the caucus? What kind of conditions of trust must exist among the coordinators of the legislative caucuses to maintain and respect agreements? This will certainly be one of the main events of next year.

Structural Reforms and the Myth of Ineffectiveness. Certainly, expectations are centered on this issue. Two problems exist, however: first, it is not possible to seriously advance in this since it would imply the dismantling of the Party of the Institutional Revolutionary Party (PRI) as we know it today.

In our country, electoral
coalitions and even legislative coalitions are
common practice. By contrast, government coalitions
are an unexplored possibility that
politicians must study and consider.

Can we imagine a new labor law that would make the labor market flexible? It would put an end to the monolithic unions we have today, and that is just one example.

On the other hand, if nobody interacts longer than one term and until the next election, and therefore changes are not given any medium-term follow-up, everything that is passed is only a stopgap measure to deal with immediate problems and not to provide real solutions. This does not depend on the party that is in office nor the support it might have in the two chambers of Congress: it is built into Article 59 of the Constitution.

Thus, “quantitative” analyses will abound trying to measure Congress's effectiveness based on the number of bills it passes instead of the most sensible way: evaluating the quality of the legislation passed. However, for the moment, we will have outgoing deputies who will go somewhere else, and our hopes will be renewed by another group of candidates. That is, as long as we don't know how to read the problems in their true dimension. ■■■

NOTES

¹ Mexico's congressional leadership is a Presiding Committee in each chamber; the Permanent Commission is made up of senators and deputies who are in charge when Congress is not in session; bills are considered in commissions; and the yearly budget is divided into two separate bills, one for expenditures and the other for revenues. [Editor's Note.]

