

The Role of Law-Enforcement Bodies in the Security of the Election Process

Introduction

The political system and the electoral system in every country are directly related to the following facts: the historical events that led to their establishment and the security mechanisms recognized by their citizens, through their representative bodies, to guarantee the total respect to their vote for electing the government officials.

Since 1988, a series of electoral reforms have been approved in Mexico to guarantee the transparency, legality and legitimacy of the electoral process, of the electoral institutions, and of the elected representatives.

Thereupon, it is important to take the characteristics of the Mexican state and of its electoral system in account in order to better understand the reasons for the participation of the Mexican Army and Navy in carrying out the safety of the elections during the different stages of the electoral process.

The Political Organization in Mexico

Mexico is a federal representative democratic republic, consisting of 32 entities autonomous in their internal government. The governmental system is presidential. The separation of branches, at federal and local levels in the 32 federal entities, follows the scheme of Executive, Legislative and Judicial.

The Executive Branch is unitary. That is, at a federal level it is the President of the Republic; at a local level, in each of the 31 federal entities, it is a Governor; and at the Federal District level it is a Major. All of these serve for a period of six years and they can not be re-elected.

The Federal Legislative Branch is the Congress, consisting of the Upper Chamber (each Senator serving for a period of six years) and the Lower Chamber (each Deputy serving for a period of three years). The Legislative Branch of each of the 32 federal entities is single-chambered.

The Superior Court of Justice is the highest body of the Judicial Branch. The Court consists of eleven magistrates that serve for a period of 15 years. The Judicial Branch in the 32 federal entities is conducted by their corresponding Superior Court of Justice.

The Electoral System in Mexico

The distribution of competencies regarding electoral matters in Mexico has two main mechanisms.

On the one hand, the federation and the 32 federal entities have their own electoral regulations, institutions, and procedures. The attributions are divided into normative and organic-functional, and even though there are some common features, the federal elections

(for President, Senators and Deputies) and the local elections are regulated and carried out separately.

On the other hand, the administrative (that is, the preparation, organization, and conduction of the elections) and the jurisdictional features (the electoral disputing and the application of electoral justice) are clearly differentiated, and are conferred to different bodies in the governmental levels. The Republic and the 32 federal entities have each their own electoral authorities for administrative and jurisdictional matters.

At a federal level, the Federal Electoral Institute (IFE), which is a public, autonomous and independent body, is responsible for the administrative matters; and the Electoral Tribunal of the Judicial Branch is for the jurisdictional ones.

The IFE is responsible for carrying out the federal elections for President of the United Mexican States and for the members of the Upper and Lower Chambers that constitute the Federal Congress. The IFE has country-wide facilities, but its headquarters are located in Mexico City. It has permanent offices in the capitals of each of the 32 federal entities and in each one of the 300 electoral districts.

The Mexican Electoral Law clearly establishes that the electoral authorities must be supported by the federal, state and municipal authorities in favor of the fine performance of their activities.

During the federal elections, the IFE requests support from many governmental entities, including the National Defense and the Navy Secretaries. These armed forces are in charge of the protection, safety, distribution and transportation of the electoral materials, especially the ballot papers.

Guidelines of the Mexican Electoral Process and of the Role of the Law-Enforcement Bodies

The Mexican Federal Electoral Process starts in October of the year prior the election and ends in October of the election year. It is approximately one-year long. This period has four stages:

- a) Electoral Organization
- b) Election Day
- c) Tally and declaration of validity of the election for Congress
- d) Ruling and declaration of validity of the election for President

The participation of the Army and the Navy, depending on the jurisdiction, in each stage of the electoral process, is as follows:

A) Electoral Organization

This stage starts in October of the year prior the election and ends on election day. The IFE activities to be emphasized are:

- Civic Education
- Verification of the structure system, services and technology
- Candidate Registration
- Financing of Campaigns
- Electoral Training and Assistance
- Updating of the Electoral Roll
- Production and distribution of electoral materials and documents
- Location of polling sites

The electoral organization stage is in which the Army and the Navy are most involved. It starts in February of the election year and ends on election day. It is nine-months long. The participation is as follows:

- ◆ *They are present during the production of the security paper and during the transportation of the materials to the printer.*

The production of this paper takes 20 days for each of the different elections; that is, 20 days for the production of the ballots for the election of President, 20 days for the Senator ballots, and 20 for the Deputy ballots.
- ◆ *They are present during the printing of the electoral documents and during the transportation of the materials to the IFE warehouses.*

76 days to print 220.7 million ballots for 71.3 million registered voters for the 2006 Mexican federal elections.
- ◆ *They are in charge of the protection of the central warehouse, and for the local and district councils.*

When printed, the ballots are transported and kept at the IFE central warehouse for about 5 weeks. During this time the documents and all of the electoral material is classified.

After the classification, the transportation of the electoral materials and documents to each of the 32 IFE offices in the capital of the federal entities is carried out.

12 days and a fleet of 103 trailers were necessary for the 2006 federal election.

When the documents are in the capital of the federal entities, a more detailed classification takes place, regarding the type of election to be carried out.

Two weeks later, the distribution of the electoral documents and material from the capital of the federal entities to each of the 300 electoral districts is carried out. This stage takes approximately two weeks.

In the district offices all the electoral documents and material is divided in their corresponding package and then it is kept in each of the polling sites. This stage takes 39 days.

The protection of the electoral documents and material by the armed forces ends here, 72 hours prior election day when all the electoral packages are delivered to the president of each of the polling sites.

The Mexicans living abroad, who are legally empowered to cast their vote in the election for President, cast their vote through postal voting. Therefore, the electoral documents and material is delivered to the Mexican Postal Service, and it is the duty of the Army to protect its transportation.

B) Election Day

Election day is carried out on the first Sunday of July.

In order to accomplish a pacific development of the election day, the assistance of the public security forces is required, that is, of the police.

Police officers are placed outside each polling site with two purposes:

- 1) To guarantee the pacific development of the election day,
- 2) To provide assistance to the polling station officers for maintaining the public order, in case they requests it.

Otherwise, the police officers are not allowed to interfere in the development of election day, not even for the waiting line organization.

The army forces will guard the transportation of the poll for Mexicans living abroad from the receiving storage location to the centralized counting and computing polling stations.

This stage takes place one day prior the reception of the envelopes from abroad begins, and it concludes when the last group of envelopes has been transported to the counting and computing polling stations. The transportation of the envelopes starts one day before election day and finishes at 17:00 on election day.

C) Tally and declaration of validity of the election to Congress

The IFE is in charge of carrying out:

- The Preliminary Electoral Results Program
- The district tally and the declaration of validity for representatives of relative majority
- The tally for representatives of proportional representation in each circumscription
- The granting of the certificates of proportional assignation
- The electoral statistics

During this stage, the participation of the Army focuses in:

- The protection of the electoral documents at the district offices of the IFE, and its transportation to the offices in the capitals of the federal entities.
- The transportation of the electoral documents of the poll for Mexicans living abroad to the Electoral Tribunal of the Judicial Branch. This transportation takes place at one

time after the tally on election day is over, and must take place during the following five days.

- The protection for 90 days of the location specified for the reception and storage of the voting ballots of the Mexicans living abroad.

In the fourth stage of the electoral process, which corresponds to the Ruling and declaration of validity for the election for President, the assistance of the Federal Security Forces is not required.

The Development of the Guarding Activities of the Electoral Material by the Army and Navy Forces

- At every stage, the Army and Navy forces arrive some time in advance in order to check the area to be guarded.
- At every stage, an Army or Navy group is placed at the specific location according to the corresponding stage.
- The federal forces are placed at the location throughout the whole process.
- The guarding at the specific location ends with the last electoral material being transported to the next facility.
- During the transportation period an Army or Navy group protects each vehicle used for the electoral material. The armed forces arrive one day prior departure; each convoy leaves at 6:00 am to the next location and travels only at daytime at an average speed of 60 to 80 Km/h.
- The convoy will spend the night at any military base on the route, if necessary.
- All routes traveled by the convoys are supervised beforehand by the armed forces; alternative routes are planned in case of any eventuality, such as excessive traffic or demonstrations.

Conclusions

The results of the support granted by the armed forces have been highly satisfactory for three main reasons:

1. The good disposition and participation of the Army and Navy Secretaries at providing an invaluable safety element in the organization of the federal electoral process.

2. The ability to create a positive, peaceful and trustful environment during the organization and throughout the election day, which results in high citizen participation levels.
3. The high trustworthiness and credibility that the armed forces have among Mexican citizens; a fact that has highly contributed to the legitimacy of the electoral process and, consequently, of the elected candidates.

It is important to notice that, according to several official and private surveys, the Army and the Federal Electoral Institute (IFE) are two of the institutions to have gotten the highest levels of trustworthiness and credibility among Mexican citizens. While the Army has kept alternatively the first two places, the Federal Electoral Institute got the fourth, equivalent to an average of 50 percent of the citizen acceptance, from which it has not descended since 2000.

These are the reasons why the cooperation of the armed forces with the IFE is not of major public concern. In addition to the aforementioned credibility ranks, the security provided during the production, transportation and protection of the electoral material and documents, especially of the electoral ballots, have never been questioned by the Mexican citizens or by the political parties.