

**The Political Rights of Mexican Migrants:
Opportunities and Challenges***

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II. Origin and Historical Significance of the Claim for Migrant Voting Rights

This amendment is historically significant because it begins a process of political inclusion for a large sector of society that has been marginalized from Mexico's political process for many years. This group has been unable to formally influence decision-making, whether in matters relating to their status as migrants, the situation in the communities of origin, or the major changes occurring in Mexico. This has happened even though the vast majority of Mexicans who emigrated, and continue emigrating, to the United States have retained their Mexican citizenship, which gives them the right, and the constitutional obligation, to vote in elections.

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expressed their desire to participate in the presidential election. According to Durand, a concrete example is the Kansas City newspaper, *El Cosmopolita*, which organized on U.S. territory what today we would call a symbolic election (Durand 2004, 30).

Arturo Santamaría has also found evidence of the political claim's long history. This researcher has documented that Mexicans living in places like Los Angeles demanded that they be allowed to exercise their political rights from abroad. In 1929, they organized in support of the presidential candidacy of José Vasconcelos. The Vasconcelos supporters wrote "The California Delegation's Platform," about issues relating to Mexico and the United States, which reflected the "binationality of the *mexicanos de afuera*" (Mexicans living outside Mexico) (Santamaría 2004, 33-34).

Scholarly work has not duly monitored the demand for voter rights by Mexicans abroad after the Vasconcelos movement. But there is no doubt that during the 1988 election, the claim resurfaced and began to spread. It was incorporated into the petitions and political programs of various groups, particularly those sympathetic to Cuauhtémoc Cárdenas, the dissident candidate (Martínez Saldaña 1993). From 1988 until 2005, the most interesting and intense chapter unfolded in the history of migrant political work in support of participation in Mexican elections. The effort coincided with other changes that were transforming and democratizing Mexico. These included the apoPnd 2tiz5oE0 12 399raw95..0003

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III. The Constitutional Reform

By June 2005, various processes converged making it possible to pass an amendment implementing the vote for Mexicans living abroad. During 2004, the migrant activists had kept up an intense lobby. For his part, President Fox finally began to give priority to the issue, and he introduced a bill to the congressional Permanent Commission to regularize the vote of Mexicans abroad (the *Iniciativa de Ley para Regular el Voto de los Mexicanos en el Extranjero*). This contributed to creating a more propitious environment within the legislative branch. Another key event came on December 14, when the Joint Commission on Governance, Borders, and Migrant Issues presented its ruling of the Decree Project on the Reform, Modification, and Addition of Various Articles and a Ninth Book of the Federal Code on Institutions and Electoral Procedures to the Chamber of Deputies. The PRI deputy, Laura Elena Martínez Rivera had introduced the bill a month before, and it constituted an ambitious reform:

We present this bill to make it a reality that Mexicans living abroad can cast their ballots just as Mexicans at home cast their ballots. We are proposing the establishment of an Instituto Federal Electoral structure outside8 Tm(to thC0u0 12(b)Tj12 712 289.86 3

to the Senate. This reactivated the opinions found among the main actors, including the IFE, the migrants, the PRI senators who opposed what the members of their own party had approved in the lower chamber, and the Foreign Relations Secretariat (Secretaría de Relaciones Exteriores).

On April 27, by a vote of 91 to 2, the Senate rejected the terms of the bill that the lower house had sent it. The Senate accepted migrant voting only by mail; it rejected the idea of campaigning abroad; and it declined to permit voter registration beyond Mexico's borders. The decision of the Senate again put endangered the possibility that migrants could vote in 2006. Repeated declarations by PRI deputies made it clear they were unwilling to accept the changes made in the upper chamber. Instead, when returning the bill to the Chamber of Deputies, the senators, particularly those in the PRI, made it clear they would not accept any changes whatsoever to the version they had passed. Facing this difficult situation, the migrant lobby, by helping to forge an alliance among legislators from the PRD, PAN, Partido del Trabajo, and a part of the PRI, again proved itself to be a decisive player. By Monday, June 27, there were enough votes to be able to pass the amendment in the Chamber of Deputies. Finding themselves cornered, the leaders of the PRI faction opted for joining the majority, and in that way, the amendment was finally, and almost unanimously, approved.

A prominent activist, a member of the Coalition for the Political Rights of Mexicans Abroad (Coalición por los Derechos Políticos de los Mexicanos en el Extranjero, CDPME), summarized eloquently what had happened in this last leg of the struggle over migrant voting, and the significance of the support for the amendment passed by the Senate:

It fell to us to advance the arduous legislative process on the vote, although, at times, it moved forward only by millimeters. We said, several times, that suffrage outside the country would meet defeat simply by legislators and leaders deciding to do nothing. To stand still equated to moving backward or being mired down. Thus, we pushed the president's initiative, and later, that of the PRD, and then that of the PRI. When that last one was imposed, we, along with the PAN, the PRD, and other congressional groups, decided to take it forward despite the serious shortcomings that we all saw in it. Similarly, when the Senate's Review Commissions rejected the modes of balloting and imposed voting by mail without a voter-registration process abroad, we found ourselves again needing to accept it. This was despite the efforts that we had made, along with our friends in the senate from the PRD, PRI, and PAN, to keep the ballot box and at least a pilot project on voter registration cards. Along with lawmakers from the PRD, some from the PAN and from other parties, we had to drop the modification that the PRD had proposed in the Senate for a mailbox in consulates and embassies where the ballot could be deposited in front of IFE officials. We had supported this from time to time, but its adoption in the chamber of deputies, while long overdue, would have extremely risky because if the Senate rejected it, we would lose the possibility of voting in 2006.

Making these decisions was far from easy. In doing so, we lost the battle to run election campaigns beyond Mexico's borders, and above all, the battle for voter registration, which is so important to the Mexican community living abroad. These were serious and lamentable defeats. However, by achieving the struggle's principal objective, we won the war: In 2006, a process begins to include us in the electoral system and our democracy. That was the non-negotiable demand, despite requests that we wait until 2012 in order to then achieve all that we were seeking. We would never accept that, even if it came from well-intentioned allies and friends in the legislature. To do so would have been the equivalent of giving up for dead, for six or more years, the possibility of raising civic and political consciousness within our community abroad. It would retard the community's organizing to exercise its suffrage; the growth of its power and participation in Mexico's future; its relationships with the United States and other countries where we reside; and its ability to position itself more favorably regarding the defense of human and labor rights. We would arrive at the end of this stage of the struggle exhausted, wounded, and fuming, but never, in any sense, dead and defeated. We managed to tie the score in the second half; we went into overtime, and finally into the penalty phase. And with a last-minute, big-scoring goal, we won our basic victory: the recognition of suffrage for four million Mexican men and women living abroad!! (Rodríguez 2005, 5-6)

IV. Opportunities and Challenges

The Mexican Congress's almost unanimous passage of this amendment last June will make our democracy more inclusive and representative. It will encourage civic

participation, and it will redefine the relationship between migrants and the government by giving genuine political power to a segment of society that previously had been excluded so that it can now influence decision-making and ensure that candidates, parties, and officials are accountable to all Mexicans.

Another very important achievement of the amendment's passage is that it will motivate migrants to continue participating in politics, a requirement for any democratic regime. The reform is also a historic triumph, in that the passage of the bill was unthinkable without the active participation of thousands of migrants over the past two decades. Many migrants have played extremely important roles in this social struggle, which is as just as any other in our country's history.

Another benefit of the federal reform is that it opens the way for state-level reforms, as in Michoacán, Jalisco, and other states that currently are considering such amendments, thus contributing to a broader and deeper democratization.

Still another important benefit of the reform is that it has promoted stronger connections among the migrant associations that have been involved in this struggle. As the campaign for the amendment's passage becam

those living abroad. This gargantuan task cannot be left solely to the IFE and the Foreign

A third point has to do with the modality of voting. The current amendment only allows for voting by mail, a reliable method and one approved by the Commission of Experts in 1998. Voting by mail has several positive features, including low cost, guaranteed secrecy, and the ability to let migrants vote, regardless of the number of nationals who live in a given place elsewhere in the world. However, the Commission's 1998 study listed more than thirty ways for migrants to cast a ballot. It would be worth considering the feasibility of other methods for later elections, which could consider future technological advances that would make it possible to vote via the Internet or by telephone.

No less significant is the matter of the democratic scope of the reform. For years, Mexican migrants have called for and demanded the ability to exercise all their political rights as Mexican citizens, which necessarily includes the ability to vote and to run as a candidate. The current amendment only allows for voting in the presidential election, and it does not take up matters such as the election of migrants to the Mexican Congress. The

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the tasks that the IFE could accomplish, including information campaigns, distributing the forms that people living outside Mexico needed if they wanted their names added to the electoral rolls, and signing accords with other countries to facilitate the electoral tasks, as well as with the non-government organizations that were interested in encouraging civic participation among migrants. Consequently, Mexicans living abroad will only be able to request their right to vote during a short period, October 1 to January 15. Taking into account that this is a process that is occurring for the first time, we are working against the clock to contact millions of Mexicans to get information out to them about the electoral process, educate them, see to it that the forms that must be filled out reach them, among other tasks. It is not the best scenario, but for n9e01 TmTj0.0I-govr tasks.0006 Tc -0.000

States who were born in Michoacán. International migration studies indicate that macro- and micro-structural factors—including NAFTA, the aging of the U.S. population, and the U.S. labor market's continuing demand for Mexican manpower, among other things—will lead to continuing mi

was almost nonexistent. Nevertheless, by 1993, thanks to the efforts of innumerable organizations, there were 8,015 elected African American officeholders and 5,170 of Latino origin (McClain and Stewart 1995, 89).

I do not find it unthinkable that in coming years, we may see a change of this magnitude in the political behavior of migrants, in their relations with both Mexico and the United States.

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