

Mexico's Democratic Challenges

On July 1, 2012, Mexican voters elected their new president and Congressional representatives, returning the *Partido Revolucionario Institucional* (PRI) to power after a twelve-year hiatus. The country's new president, Enrique Peña Nieto, now faces a slew of challenges as he prepares for office (his term officially begins on December 1). These include sparking economic growth and creating jobs, addressing Mexico's stagnated legislative process, passing delayed structural reforms, and most importantly, making key decisions regarding the future of public security and the influence of organized crime. Many of these questions have immediate and far-reaching importance for the country's bilateral relations with the United States, and are being closely followed by policymakers and analysts on this side of the Rio Grande.

The return of the PRI to power and the upcoming presidency of Peña Nieto have sparked intense debate in Mexico about the health of democratic practice and the future of Mexico's political institutions. Leftist leader Andres Manuel Lopez Obrador of the *Partido de la Revolución Democrática* (PRD) has raised questions about vote buying and fraud in the election, compounding the doubts raised about the Mexican electoral process in 2006, when Obrador lost the presidential race by a tiny percentage to Felipe Calderon of the *Partido Acción Nacional* (PAN).

Despite these doubts, there are many reasons to believe that Mexican democracy is alive and well. The level of participation in the election, the involvement by civil society groups, citizen monitoring, and the functioning of Mexico's electoral institute—the *Instituto Federal Electoral* (IFE)—ensured that

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the election was clean and fair. The return to power of the PRI was a natural outcome of the democratic expression of the Mexican electorate, in the same way that the PAN party under the leadership of Vicente Fox swept into power in 2000. The Mexican people have chosen to elect a president and a party into power whom they believe will solve some of the myriad problems afflicting their society and economy.

In many ways, they may actually be right. Mexico stands at a crucial juncture in its economic development. It has many of the conditions in place to rapidly improve its growth rate and its income per capita, but is still missing several key components in structural reforms. Peña Nieto's victory dramatically improves the prospects for these crucial reforms especially in energy, labor, and fiscal policies. Each of these areas is of immense interest and importance to the United States, and will have a long-term impact on its relationship with Mexico.

What the Election Results Mean

While the PRI has certainly returned to government, the nature of its victory on July 1, 2012, was surprising in that it was not as overwhelming as most pollsters had predicted. The final count saw Peña Nieto with 38.2 percent of the vote, ahead of Obrador with 31.6 percent, Josefina Vazquez Mota of the governing PAN party with 25.4 percent, and Gabriel Quadri de la Torre of the *Partido de la Nueva Alianza* (PANAL) party with 2.3 percent. The surprisingly strong showing from Obrador raised many questions about the accuracy and role of polling companies, which had almost unanimously placed him at a double-digit disadvantage.

Obrador decided to challenge the results of the presidential race, claiming that the PRI had engaged in extensive vote buying. This, coupled with anti-PRI protests by student movement Yo Soy 132, has raised questions over the legitimacy of the election. However, it is now impossible that the outcome of the election will be overturned, as the country's electoral institutions have now validated the results as legal and binding. Instead, we should see these challenges as a healthy manifestation of Mexican democracy, and a welcome check on the power of the new government.

In the vote for Congressional representatives, the PRI also emerged as the winner, although it failed to win a majority in either the Chamber of Deputies or the Senate. However, counting its alliance partner (the Green Party) and the seats held by the PANAL party, the PRI holds a one seat majority in the

Table I: Congressional results

	Chamber of Deputies	Senate
PRI	207	52
PAN	114	38
PRD	101	22
PVEM	33	9
PT	19	4
Movimiento Ciudadano	16	2
PANAL	10	1
TOTAL	500	128

Chamber. For a two-thirds majority in either house—needed for changing the constitution—the PRI will require the support of either the PAN or the PRD, which gives those parties considerable negotiating power.

A key outcome of the election results is that Peña Nieto lacks the strong mandate that many thought he would obtain, forcing him to negotiate with other parties. Moreover, he will not likely enjoy a prolonged honeymoon in public opinion, and will have to act quickly to prove that his government is working in the national interest. Nonetheless, the PRI administration that will begin in December 2012 is perhaps better positioned than either the Fox or Calderon administrations were to achieve legislative progress.

What a Difference Six Years Make

When Felipe Calderon claimed the presidency in July of 2006 for the PAN, it was in highly controversial conditions. When the official count had been completed, Calderon had defeated his PRD rival, Lopez Obrador, by 0.56 percent of the votes. Obrador claimed that widespread electoral fraud had occurred, including ballot stuffing and theft of ballot boxes, sparking months of street protests by his supporters. Obrador also claimed to be Mexico's "legitimate president," forming a rival shadow government and traveling around Mexico spreading his message that the election had been stolen from him. The result was a highly divided country, and a serious challenge to the legitimacy of the Calderon presidency. Although it did not gain the presidency, the PRD had clearly established itself as the country's second political force, and it seemed that, unless drastic measures were taken to correct social and economic injustices, the PRD would be the logical party of government by 2012.

The PRI in 2006, meanwhile, was in near shambles. Their presidential candidate, Roberto Madrazo, failed to capture the imagination of the Mexican people and finished a distant third. At the same time, the PRI was reduced to the third party in Congress, with only 106 seats out of 500 in the Chamber of Deputies and only 35 Senatorial seats out of a possible 128. A recent commentary by the party's president in 2001 suggested that the PRI was close to falling apart at the time, and seemed doomed to remain a weakened political force for the foreseeable future.¹

The PRI never lost its position as Mexico's most important political party.

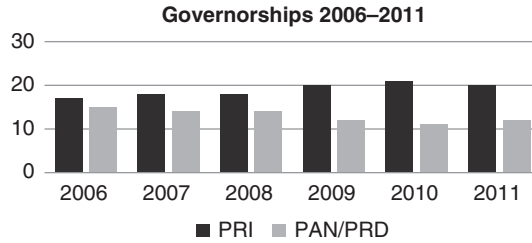
It is crucial to recognize that, despite losing control of the executive branch, the party did not ever lose its position as Mexico's most important political party. At the national level, neither of the other two major parties has been able to challenge the PRI in its territorial reach or control of state governments. Since the 2006 election, the PRI has not only maintained its influence at the level of the states and the national

Congress, but also strengthened its position. In other words, the PRI never went away; it merely took a backseat while recuperating.

This turnaround since 2006 has been nothing short of remarkable. By 2009, the PRI had once again become the largest force in Congress, capable of blocking or facilitating the passage of the Calderon government's legislative proposals. Perhaps most importantly, this legislative victory meant that the PRI regained control of key committees in the Chamber of Deputies and the Senate, thereby gaining a measure of control over appropriations from the federal government. Beginning in fall 2009, the PRI could not only block Felipe Calderon's spending plans, but more importantly, push federal funds toward committees it wanted such as the committees on Budget, Communications, Radio and Television, National Defense, Agriculture, and Water, each of which has massive budgets. The PRI thereby acquired the power to direct these funds to areas which would benefit its own electoral prospects.

At the same time, the PRI extended its control of state governorships throughout the country. These centers of power, so crucial to the party after it lost control of the presidency, became the basis for the PRI's grand strategy to return to government. Between 2006 and 2012, the PRI's control of state governments grew steadily: by 2011, 20 out of Mexico's 32 federal entities (including the Federal District) were PRI states.

As Professor Joy Langston of Mexico's *Centro de Investigación y Docencia Económica* (CIDE) has argued, the party has been going through a transformation since 1988,² during which time its internal structure has



changed and new processes for choosing federal congressional and presidential candidates have emerged. A key element in this transformation is that the PRI governors became central actors in the party, both because their state budgets increased in size and because they were capable of delivering massive support at election time. The increase in state budgets was particularly important, as state spending is not subject to the same transparency and accountability requirements as federal budgets, and they are thus able to use these funds for campaigning. Governors have also come to play an important role in nominating candidates for the national Congress, giving them considerable influence over the voting patterns of those politicians once elected.³

Additionally, opinion polls from 2009–2012 consistently showed that the PRI was Mexico's most popular party, garnering around 38 percent of support across polling agencies. Although the role of opinion polls has become controversial in the aftermath of this year's elections (due to a widely-held perception that polling firms exaggerated the level of support for Peña Nieto), it is intriguing to see that Peña Nieto received slightly more than 38 percent of the votes in the presidential election. Certainly, the consistently high levels of support for the PRI in opinion polls created a sense of momentum and inevitability about a Peña Nieto victory.

Who is Peña Nieto?

There are a number of reasons why the former governor of the state of Mexico made such a compelling candidate for the presidency. Peña Nieto served a succession of posts in former governor Arturo Montiel's government (1999–2005) and formed part of the "Golden Boys" group—young, well-dressed men who were very much seen as the future of the party. Montiel also connected him to the mysterious and infamous Atlacomulco Group, a sub-group within the PRI party that exerts a powerful influence over national political outcomes. In addition to his own experience as governor from 2005–2011, Peña Nieto claims a distinguished lineage in Mexican politics: his uncle, Alfredo del Mazo

Gonzalez, was also governor of the state (1981–86), as was his father before him, Alfredo del Mazo Velez (1945–51).

Peña Nieto was also compelling as a candidate because he is a highly telegenic politician and media darling. In 2005, his team signed a long-term, multi-million dollar deal with *Televisa*, the country's dominant TV network, to promote his government's programs and provide coverage of his activities. The deal proved lucrative to *Televisa* and immensely effective for Peña Nieto's national visibility. Along the way, he connected with and then married a star of *Televisa's* soap operas, Angelica Rivera. Unfortunately, all this coverage raised serious questions about the impartiality of the media—most famously, *The Guardian* published a series of articles claiming proof of secret deals between the networks and Peña Nieto's team.⁴ (Indeed, TV monopolies such as *Televisa* may have been predisposed to support the PRI candidate because the opposing Calderon administration made several abortive attempts to limit their power.) Since the election, groups that are highly critical of media bias, such as student movement Yo Soy 132, have become staunchly anti-Peña Nieto.

One other questionable relationship is that between the President-elect and the notorious leader of the national teachers union (SNTE), Elba Esther Gordillo. Commonly known as “La Maestra” or “The Teacher,” she is one of Mexico's most powerful and most controversial public figures; she controls as many as one million teachers' votes via the PANAL party, whose membership is made up mostly by teachers. Thus, despite numerous corruption claims against her, politicians often pander to her desires. In 2006, Felipe Calderon and the PAN were able to win her support, but in 2012 it was clear that the PANAL would informally ally with the PRI, after a falling out between the teacher's union and the PAN over the issue of evaluating teachers and their job security.

Despite the questionable connections, Peña Nieto certainly knows how to build support for his cause. He can surround himself with capable operators who know how to strike deals and maneuver their candidate into a strong position. The campaign was a perfect illustration. With a highly visible image and the undivided support of his party, Peña Nieto put out a clear message to the Mexican electorate: the Calderon administration had not been able to deliver on its promises, and Peña Nieto was the man who could finally fulfill them.

Calderon's Legacy

In order to truly understand the PRI in at this point, one must analyze the public perception of the outgoing ruling party, the PAN, and the president, Felipe Calderon, in particular. When Calderon came into power in 2006, under highly controversial and disputed circumstances, he faced an economic and political

system desperately in need of reform, as well as a divided Mexican populace clamoring for greater social justice, job creation, and a rising standard of living.

He also faced a huge challenge in the form of the drug cartels which had been exerting more and more influence over large areas of the country. This issue drew his immediate attention upon taking office in December of that year. Announcing a campaign to directly confront the Drug Trafficking Organizations (DTOs), Calderon called on Mexican society to brace itself for a prolonged period of violence. He then deployed the military to the streets of Mexican cities marred by drug violence and engaged in a war with the cartels. Five-and-a-half years later, the result has been over 55,000 deaths (the latest government figures, from September 2011, recognize 47,515 deaths)—including a high number of arrests and killings of leading cartel members—and the virtual elimination of a number of smaller cartels, which has created a new landscape for the drug industry in which two DTOs, the Sinaloa Cartel and the Zetas, now clearly dominate.⁵ Interestingly, although polling numbers from the respected public opinion firm Mitofsky show that most Mexicans (79 percent) believe the security situation is worse than a year ago, almost 50 percent supported the government's war against the cartels in February 2012.⁶ However, though Mexican voters continue to support Calderon's strategy, this issue has brought them immense hardship, especially in the north, where the DTOs have engaged in a bloody war both against the government and each other for the prime trafficking routes. Nationwide, the total number of murders has surged from just under 10,000 in 2005 to over 27,000 in 2011.⁷

Yet the drug war and high levels of public insecurity were not the dominant issues in the election. For many voters, it was Calderon's and the PAN's failure to bring about significant economic growth and job creation that turned them away from the party in the most recent election. The PAN is now seen in Mexico as a party that has failed to both effectively manage the country's still young democracy and make urgently needed reforms.

The drug war and public insecurity were not the dominant issues in the election.

As it leaves executive office, the PAN's economic legacy is decidedly mixed. Mexico has had consistently low inflation, impressively handled the national impact of the global financial crisis from 2008–2010, and created a national infrastructure plan that will continue to pay dividends for the national economy for years to come. However, a large proportion of the Mexican people do not believe their lives have been significantly improved by these measures.⁸ Mexico still has a number of economic problems: it suffers from both unemployment and underemployment (taken together, the figure is about twelve percent), depressed

wages (about 46.2 percent of the population lives in poverty), and overall disenchantment with PAN's economic policies.⁹ For example, in the two years leading up to the election, opinion polls showed that Mexicans were just as worried by the country's economic situation as by drug violence and insecurity. On a very practical basis, this makes sense, as the violence in Mexico has been regionally focused and, at least according to government claims, largely been restricted to those who are involved in the drug business.¹⁰ A more recent poll showed that 80 percent of respondents believe the economic situation now is worse than it was a year ago.¹¹

Taken together, all these help explain the electorate's dissatisfaction with the PAN, whose slogan of "*Diferente*" in fact promised little change from the status quo.

Outlook for Change and Reform

A major reason why the Calderon and Fox administrations were unable to generate sufficiently high levels of growth and employment was their inability to pass major structural reforms; the opposition parties, in particular the PRI, played a key role in blocking or watering them down. With a much stronger presence in both houses of Congress (although lacking an absolute majority on its own), the PRI now stands a good chance of winning approval for its proposals in the legislature, particularly if it can secure the support of the PAN. The list of needed reforms is long, but the main areas concern energy, labor, government finances, education, competition law with economic monopolies, and the political system.

Two issues are on Congress' fall agenda, even before Enrique Peña Nieto assumes the presidency. The first is energy reform: in 2008, the Mexican

Congress approved an energy reform package that did little to resolve the underlying problems of the national oil company (NOC), PEMEX, or the energy sector in general. With declining production and reserves, and a heavy government dependence on oil revenue (between 25–30 percent), the consequences of this failure to achieve meaningful progress are dramatic. Some experts predict that by the end of this decade,

Mexico will become an oil importer,¹² which would damage both national competitiveness and government finances. In part due to a traditional reluctance to allow the private sector into the oil industry, and in part due to underinvestment thanks to too large a government tax take, PEMEX has fallen on hard times and is essentially bankrupt.

Energy reform will be a priority for the new government.

Since November of 2011, however, when Peña Nieto first signaled his willingness to reform the oil sector, a consensus has emerged between the PRI and the PAN that this issue area must be a priority for the new government. It is therefore likely that, in the fall session of Congress, the outgoing Calderon administration will present a proposal for constitutional reform, requiring a two-thirds majority in both houses of Congress and approval from a majority of state legislatures, that will both free PEMEX from such tight government financial control and open the sector to higher levels of private participation. As president, Calderon will be able to use his influence to ensure cohesion on the part of the new PAN deputies and senators, while President-elect Peña Nieto will be able to marshal his PRI politicians through the power of patronage.¹³

The other economic reform issue likely to proceed in Congress concerns labor. Mexico has a highly inflexible labor market, in which workers are protected from being fired through generous compensation packages. Many economic analysts identify this as an obstacle to increasing the country's competitiveness.¹⁴ Despite a number of attempts by the PAN to address the issue over the last twelve years, the PRI has refused to allow the proposals to advance. Indeed, since 2009 the PRI presented its own labor reform proposals that re-affirmed workers' rights. However, given the co-existence of outgoing and incoming presidents, the fall session may well be a unique opportunity to allow more market-oriented reform to take place. Reform appeals to both Calderon and Peña Nieto personally, and Calderon may insist on it as a condition for providing support on energy reform. In fact, Peña Nieto will likely want legislation, likely to be unpopular with the electorate, to pass before he assumes office.

Fiscal reform is another issue that has appeared almost annually on the legislative agenda over the past decade, with very little progress. The question of increasing government revenue in a country where the tax take is the second-lowest among OECD nations can no longer be ignored; if the new government is to free PEMEX from its enormous tax burden, then it will need to replace that revenue with funds from a broader tax base. In fact, it is fair to say that having the tax-crutch of PEMEX has greatly reduced the incentive for the federal government to raise other sources of tax in the past. Debate on a sales tax, and whether it will be applied to food and medicine, is likely to re-appear, as is a simplification of Mexico's arcane individual and corporate tax systems.

On other pending issues, it is difficult to see a PRI administration taking on either the powerful teachers union or the monopolies which dominate the Mexican economy. Though analysts see both of these as essential to modernize the Mexican economy and society, the PRI will not likely risk alienating these two key constituencies. The Calderon administration avoided direct confrontation with the teachers' union through the first three years of its

mandate due to an electoral pact signed with the PANAL in 2006 (which gave Calderon the votes he needed to win the presidential election) and it seems as though the PRI has a similar deal this time around. On competition policy, Calderon's government tried to impose existing anti-trust law on Carlos Slim's *America Movil* telecommunications giant, only to be rebuffed time and again. This not only highlighted the ineffectiveness of the PAN government, but also turned powerful business interests against them.

As for organized crime, Peña Nieto has stated on multiple occasions that he respects Calderon's decision to confront the drug cartels, but that he feels the time has come for a different approach. This new approach is likely to focus more on intelligence gathering and controls on money laundering than on direct confrontation. He has also aired the idea of creating a new 40,000-strong federal gendarmerie that will provide enhanced public security in place of the military. However, he has also recognized that it will take time to make this transition, and in the interim period, the Mexican military will continue to act as both guardians of the peace and protectors of the Mexican public.

Implications for the United States

The prospect of significant reforms in the areas of energy, labor, and fiscal affairs has important ramifications for the United States. If energy reform does indeed lead to opening the oil and gas sector, U.S. oil companies will have opportunities to participate and perhaps share in the profits in ways not seen since the nationalization of Mexican oil in 1938. A boost in Mexican oil production also benefits the United States by guaranteeing exports from a country that has been one of the United States' most reliable suppliers in recent decades.

On fiscal reform, measures which increase government revenue and provide for a more diversified tax base will reduce the potential for harmful and destabilizing fiscal crises. It will also ensure that the Mexican government has sufficient funds to invest in infrastructure, social services, and education, all of which are essential for national and North American competitiveness.

Finally, on security issues, the change in style, taking a less "hardline" approach, which seems likely from Peña Nieto, will not jeopardize the close relationship that has developed between the two countries through the Merida Initiative (a bilateral agreement between the United States and Mexico providing \$1.6 billion in aid in the form of training, equipment and intelligence sharing) and related cooperative mechanisms. It would not be an exaggeration to say that security cooperation is at a higher level than ever between the United States and Mexico, and the PRI understands this. However, policy documents coming out of the *Fundación Colosio*, the party's think tank, suggest that the new government will be less inclined to place security

cooperation so prominently in the public eye, and will instead seek to continue the project behind the scenes.¹⁵ Influential foreign policy advisors to Peña Nieto, such as former ambassador Jorge Montaña, have complained that Calderon's focus on security in the bilateral relationship has been highly damaging to Mexico's image in Washington, and therefore needs to be downplayed in the public arena.¹⁶

The PRI Retakes the Reins

As the transition to a new government proceeds in Mexico, it will be intriguing to observe how the PRI behaves in its re-discovered role as the dominant party. Losing control of the presidency in 2000 was a blow that threatened to tear the party apart, but instead it forced it to rework, and improve, its internal dynamics and formulate a new approach to electoral politics. As Enrique Peña Nieto and his team prepare for power, they must not forget these lessons: in the twelve years that the PRI was out of office, Mexico's political, social, and economic realities have changed. Old styles of governing will no longer work. Thus far, the new face of the PRI has made every effort to reassure both the Mexican public and international observers that it is more than just a façade—that the party is a modern political force that accepts diversity, dialogue, and progress. Time will tell if these efforts continue, or if the old ways of the formerly hegemonic party re-emerge. For now, there is reason for cautious optimism for Mexican energy, labor, and fiscal reform, as well as for a new, less violent approach to drug cartels.

Mexico's political, social, and economic realities have changed since the PRI was last in office.

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