Fox’s Anti-Corruption Campaign in Mexico: 
A Preliminary Look at Approaches and Strategy

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La corrupción es un “cáncer de la Revolución”...
“para nadie es un secreto que la policía abusa [de su autoridad]”
President Luís Echeverría, 1972
(El Nacional, June 7)
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“Se gobierna o se hacen negocios.
El cargo público no debe ser botín de nadie”
President Miguel de la Madrid, 1983
(cited in Secretaria de Gobernacion 1983)

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“A frontal attack against the causes and consequences of corruption and impunity is indispensable… This fight will be carried out with the most energetic of political will.”
President Ernesto Zedillo 1995
(Plan Nacional de Desarrollo, 1995)

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“No es fácil luchar contra la corrupción, lo sé, lo sabemos todos, pero no hay de otra:
o la atacamos o nos consume como un cáncer social
que penetra en todos lados y que destruye todo”
President Vicente Fox, 2001
( cited in La Reforma 26 de febrero de 2001)
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Introduction

The issue of political corruption played prominently in Vicente Fox’s dramatic defeat of the PRI in July 2000. Though long a staple of Mexican politics, the string of scandals in recent years coupled with the apparent failure of President Ernesto Zedillo (1994-2000) to show much progress in reducing corruption cost the PRI at the polls. Fox capitalized on the opportunity by harping on the issue. He lashed out at generations of PRI politicians for enriching themselves in office, depicted corruption as sabotaging government efforts in other areas, presented himself as an honest, efficient-minded public servant, and swore that if elected he would root out corruption once and for all. True to his word, he made battling corruption a priority of his administration. Upon taking office, Fox, together with Francisco Barrio, the popular former governor of Chihuahua appointed to head the Secretaría de la Contraloría y Desarrollo Administrativo (SECODAM), set out to fashion an integrated strategy to curb corruption.

But anti-corruption campaigns have also been a mainstay of the Mexican political system. Fox is not the first Mexican president to make sweeping promises to fight corruption, nor is he the first to strike at corruption by jailing officials of the prior administration, nor the first to craft seemingly serious and comprehensive reforms to alter the system feeding corruption (see López Presa, 1998, 1999; Morris 1991, 1999). While it is way too early to tell whether the Fox campaign will enjoy more success or longevity than those of his
predecessors, questions arise as to how the strategy and approach differ. Certainly, the political context has changed, but is that enough?

This paper embarks on an exploration of Fox’s anti-corruption campaign. Since the story has just begun to unfold, so too the analysis here is preliminary and mainly descriptive, focusing only on the first six months or so of the government. Drawing on a prior framework (Morris 1991), Part One sets out and discusses the three major components of the anti-corruption campaign under Fox: the public campaign, the prosecutions, and the reforms. This section provides some insights into the importance Fox attaches to the anti-corruption drive, his understanding of this problem as well as the strategy and the approaches that have been adopted. Part Two then provides preliminary analysis of the most recent anti-corruption campaign on the Mexican political scene. This section highlights positive features of the campaign that differentiate it from prior campaigns and that potentially bode well for a distinct outcome, including the altered social and political context, and negative features or criticisms of the current program that could potentially make it fall short of expectations. Since it is too early to draw much in the way of conclusions, the paper closes with the traditional “wait and see” and “more research required” clauses.

Fox’s Anti-corruption Campaign

Any anti-corruption campaign contains three essential components: a) the public (relations) campaign, b) prosecutions of officials of the prior regime, and c) reforms. Though
all components take place “publicly” and thus contribute to the government’s reformist image, the public campaign encompasses the political rhetoric that creates popular expectations, defines the president’s understanding of the problem, and affixes corruption onto the political agenda. The public campaign plays an important role in nurturing the president’s reformist credentials, determining the political stakes, and mobilizing political support for the anti-corruption effort. Prosecuting prior officials, the second component, also serves to demonstrate the president’s seriousness about tackling the problem, but it has a more significant impact by actually altering the political risks officials face when deciding to participate in a corrupt act. By demonstrating that impunity no longer prevails and by increasing the likelihood of being caught and punished, prosecutions thus strike at the heart of the problem. Finally, reforms address the administrative policies and systems that actually create the conditions fostering corruption. Reforms may range from changes in the organizational framework of government and changes in administrative procedures to the ethical training of public officials.

1. The Public Campaign and Political Rhetoric: This Time “for Real”

Most pronounced during their initial year in office, past presidents lashed out against corruption and promised to put an end to this ugly side of the political system. With the possible exception of President Miguel de la Madrid’s (1982-1988) massive “Moral Renovation” campaign in 1983, however, none has highlighted the issue and raised expectations like Fox. References to corruption by the president and others dot the electoral
campaign, the transition period, the inauguration, and the first months of the new government.

Recognizing perhaps the vulnerability of the PRI, Fox made corruption a central theme of his campaign. At almost every public appearance and rally, he alluded to the widespread corruption infecting the government, the cynicism that corruption had bred, and his commitment and strategy, if elected, to fight it. In a September 29, 1999 speech before the National Federation of Lawyers, for example, candidate Fox committed himself to the task, made clear his understanding of the problem, and outlined his approach. According to Fox,

“Es de tal magnitud la corrupción que en debates públicos, discusiones académicas... se señala como un componente intrínseco de la cultura política mexicana; un rasgo indeleble de la idiosincrasia nacional; un fenómeno endémico, con profundas raíces históricas y culturales...Es de tal magnitud la corrupción que una parte de la sociedad considera que todo intento por erradicarla resultaría una tarea inútil, un enfrentamiento desigual y catastrófico entre la voluntad política y la dura realidad cultural. La realidad es que la corrupción tiene orígenes muy claros. El régimen posrevolucionario hizo de la corrupción un instrumento predilecto de control político... En nombre del interés público miles de funcionarios perpetraron incontables actos de corrupción para asegurar la supervivencia y reproducción del sistema político...La cooptación de grupos disidentes a cambio de prebendas, el soborno a dirigentes sociales y líderes de oposición o la distribución de recompensas monetarias a periodistas, se constituyeron en signos de los tiempos.”
Moreover, casting corruption as “un fenómeno social con orígenes en arreglos políticos, económicos e institucionales específicos,” Fox promised “combatirá la corrupción sin privilegios ni salvedades, pero sin venganzas políticas o revanchas partidistas...” His “laundry-list” strategy included three key areas. The first is “El saneamiento de las Instituciones de la República.” This objective includes the strengthening of the division of powers and checks and balances, increasing congressional autonomy, elaboration of some sort of “freedom of information” law, elimination of the fuero for public officials, and judicial reform, among other measures. A second area involves “La rendición de cuentas frente al pasado.” According to the future president,

“Sin el esclarecimiento y, en los casos pertinentes, el castigo de los ilícitos cometidos bajo el amparo de un sistema de complicidades, resultará imposible romper los cotos de poder que ahogan la convivencia de los mexicanos. Se correría el riesgo de reproducir las viejas prácticas en un nuevo contexto. La investigación del pasado debe obedecer a la necesidad de construcción del futuro y no a un afán de venganza. El esclarecimiento de los actos de corrupción debe proceder con un alto sentido de responsabilidad sin cacería de brujas ni incriminaciones con sesgo partidario. Deben definirse los instrumentos adecuados y límites precisos sobre montos y plazos para el llamado a cuentas; y debe procederse con la cautela necesaria para evitar un clima generalizado de sospecha y de acusaciones encontradas, que frustre todo intento de reconstruir la credibilidad y la legitimidad del Estado, sus autoridades y sus representantes.”
The third area centers on the creation of a “Comisión Nacional de Transparencia.” At this stage in the thinking, Fox saw the commission as being composed of “ciudadanos de prestigio e inatacable integridad moral y con dos tareas específicas: Investigación de posible actos de corrupción que, a juicio de la propia Comisión, deban ser esclarecidos.” The commission would also be charged with providing “recomendaciones para la creación y transformación de mecanismos de gobierno, instituciones y leyes.”

During his last campaign speech, Fox once again stressed the issue of corruption, elaborating on and reiterating his commitment to “go after” corrupt officials from the past.

“No podremos avanzar en nuestro país mientras no saldemos cuentas con quienes delinquieron en el pasado y abusaron del poder…ya como presidente electo propondré al Congreso la creación de una comisión que investigue los nexus del narcotráfico con las altas esferas del poder, y todo lo que paso en el sexenio de Salinas, incluyendo las privatizaciones, las negociaciones del 88 y las finanzas familiares; como se enriquecieron los Salinas, y los asesinatos políticos” (La Jornada 12 de Octubre de 2000).

During a radio address in October, he expanded this list to include Fobaproa: “dar una revisada a todas las privatizaciones, al Fobaproa, a los crímenes políticos…que la comisión se meta a fondo en todos estos asuntos y saque un veredicto” (La Jornada 12 de Octubre de 2000).

The corruption theme also played at the inauguration. First, Fox established anti-corruption as a national priority: “El combate a la corrupción que hasta ahora se planteó
como un objetivo de importancia secundaria, tendrá a partir de hoy carácter de prioridad nacional.” Second, he ordered the publication of an agreement to create the “Comisión Intersecretarial para la Transparencia y el Combate a la Corrupción,” thereby casting corruption as not just a problem to be handled by SECODAM, but as a responsibility of all within the administration. And finally, during the swearing-in of his cabinet and appointed officials, the president announced that the cabinet would have to make a public declaration of their property holdings, deposit them in a trust, and present the information to SECODAM and to any judicial authority requesting them made them and forced them all to swear to uphold a “code of ethics” (La Reforma 1 de Diciembre de 2001).1

Once in office, Fox’s public campaign and rhetoric against corruption continued to capture the headlines. In late January, during the initial meeting of the Intersecretarial Commission and the announcement of the Programa Nacional para la Transparencia y Contra la Corrupción (herein the Programa Nacional), Fox called the battle a “crusade:” “En esa cruzada debemos comprometernos todos y todas, sumando nuestras voluntades y nuestro esfuerzo en el hogar, en la escuela, en el trabajo, en la oficina.” He announced that since corruption is not the exclusive domain of the government but also exists in the private sector, he would create a Consejo Ciudadano para la Transparencia y el Combate a la Corrupción to oversee the program, as promised on the campaign trail. He promised to open government information to the public, institute a Civil service system, and train public workers. Concurrently, Fox released a statement of his income and properties (La Reforma 31 de Enero de 2001). A few days later, the new president announced a plan by which citizens would be able to obtain information on police forces and police officials known as
“Ojo Ciudadano” (La Reforma 1 de Febrero de 2001). Reiterating the view that corruption is a problem of everyone (reminiscent of Lopez Portillo’s slogan, “La solución somos todos” which in popular lexicon was distorted to “La corrupción somos todos”), Fox in a radio program in late February stated: “La corrupción es el mal de todos los males en material de gobierno y sociedad. Si dentro del gobierno esta la corrupción, se hace imposible cumplir con la tarea por fuera.” At this point, however, the president suggested that morals rather than institutions and systems were to blame for the corruption and that a person with strong moral and ethical values can resist corruption. As such, he promised to promote values of government workers (reminiscent of De la Madrid’s “Moral Renovation” campaign):

“Nuestra tarea es la enseñanza de la vigencia de los valores y el establecimiento de códigos de ética” (La Reforma 25 de Febrero de 2001). In a May 16 speech before the Consejo Federal de Mejora Regulatoria, Fox returned to the need to fight corruption through reforms of the administrative system:

“Hay que cerrar la puerta al favoritismo, a la corrupción, a la discrecionalidad, a la impunidad, la mejora regulatoria que estamos impulsando incluye la eliminacion de tramites innecesarios y la simplificacion de requisitos. Queremos un marco jurídico integral y transparente que no deje espacios a la discrecionalidad.”

Later, in his semester informe, the president outlined the status of the struggle and the progress.
“El compromiso con la transparencia y el combate a la corrupción no han sido un mero recurso retórico. Hemos actuado con firmeza ante la deshonestidad de los servidores públicos. Estamos involucrando activamente a la sociedad en la lucha contra el abuso y la impunidad.”

The speech outlined the creation of the commission and its working, the prosecution of officials, and the preventive measures to date (La Reforma 16 de Mayo de 2001).

Though statements by Fox craft the overall contours of the anti-corruption political climate and nurture his reformist image, he is not the only member of the administration preaching against corruption during this period. In striking contrast to his predecessors, the Secretary of SECODAM, Francisco Barrio, has enjoyed perhaps more publicity than any other member of the president’s cabinet. Frequent speeches, sound bites, presentations and press releases by the former Chihuahuan governor have all helped maintain the anti-corruption campaign on the front pages of the nation’s newspapers and in the political minds of the people. In October, for example, he promised to pursue the Salinas case (La Jornada 12 de Octubre de 2000), and stated that he was studying the anti-corruption crusades in Singapore, Hong Kong, Italy and Colombia (La Jornada 20 de Octubre de 2000). In December he echoed Fox’s call for a new law of public information; by May he claimed that the legislation would be ready within 6 months (La Reforma 11 de Diciembre de 2000; La Reforma 2 de Mayo de 2001). In January, Barrio announced the establishment of the Commission and outlined for the public and the press the features of the national anti-corruption program (La Reforma 27 de Enero de 2001). In May he publicly promised to
measurably reduce corruption within the year, though the overall strategy envisions 25 years. At the same time, interestingly, he also posited that that he would not bend to pressures to create “scapegoats” for publicity purposes, a response to his failures to act in certain cases. According to the Secretary, “Muchas veces podemos intuir que hay algo indebido. Nuestro reto, y el de toda la sociedad, es contar con elementos para probarlo. Recordemos que los deshonestos son pillos, no tontos” (La Reforma 25 de Mayo de 2001). Still, raising the stakes and the importance of the struggle, Barrio has emphasized the costs of corruption on numerous occasions. In April, for instance, he estimated the costs of corruption as 9.5% of GDP (Morales, 2001). Later, in a speech in Veracruz, Barrio cites a “serious study” (without naming it) that shows that the corruption costs Mexico 15% of all federal, state and local taxes, for a total of 30 billion pesos:

“Es el tamaño de la carga abrumadora que llevamos encima los mexicanos por causa de la corrupción, que es un cáncer que obstaculiza e impide el desarrollo de la nación.”

He then drew the link to poverty,

“tenemos que gararle la batalla a la corrupción si quiremos que los 40 millones de mexicanos que están en la pobreza puedan aspirar a mejores condiciones de vida y por eso el presidente Vicente Fox ha determinado que este tema, el combate a la corrupción, sea una de las prioridades, en coordinación con los estados, del gobierno federal” (Ocho Columnas 17 de Agosto de 2001: 1)
Others in the administration have emphasized this theme as well. The head of transition team on Security and Justice, for example, reported to Fox in September 2000 that the PGR was devoured by corruption and thus proposed the disappearance of PGR and creation of Fiscalía General de la Federación (FGF) (Ravelo, 2000). The new Attorney General, Rafael Macedo, has added to the rhetoric, promising to fight corruption within the PGR, and announcing his Cruzada Nacional contra el Nacrotráfico y el Crímen Organizado (La Reforma 24 de Enero de 2001). The Centro de Investigación y Seguridad Nacional (CISEN) has also added to the public outcry, alerting the government in one report to the danger of corruption:

“La estructura que sostiene la corrupción puede establecer relaciones de complicidad con grupos poderosos o con enemigos del Estado, llegando a constituirse en un poder paralelo al gobierno” (cited in Público 18 de Junio de 2001).

Even the foreign minister, Jorge Castañeda chimed in, concluding in a conference in Madrid that “el legado mas pernicioso de los años de autoritarismo priísta no es la represión, sino el problema de la corrupción” (La Reforma 10 de Mayo de 2001).
2. Prosecutions: “Cracking Down” and Making Examples

Investigation and sanctioning of corrupt acts is a second major ingredient in an anti-corruption campaign. Striking corruption not only alters the climate of corruption by increasing the risks of participation, but such measures also help allow a new administration to punish its political enemies, establish the boundaries of acceptable behavior, and bolster popular support. During the first year of the administration, SECODAM, the lead agency in the battle against corruption, has enjoyed an extremely high public profile with few days passing without some report of its investigative and/or prosecutorial activities making the newspapers. In January, for instance, SECODAM announced that it was auditing the government of Roberto Albores of Chiapas, PEMEX and CFE (La Reforma 19 de Enero de 2001). In March, SECODAM removed the head of Internal Control of PEMEX--Refinery after discovering a triangulated kickback scheme with companies providing technical assistance without a public bidding. At the same time, SECODAM reported uncovering financial losses totally 215 million pesos involving PEMEX and the Instituto Politecnica Nacional (La Reforma 7 de Abril de 2001). In April, the Secretary of the Economy made headlines by stating publicly what many already knew: that corruption is rampant within PEMEX and that irregularities within CFE cost 71 million U.S. dollars. Such news provided the occasion for the minister to call for sweeping legal reforms, including changes to Ley de Responsabilidades (Morales 2001). In May, SECODAM reported an on-going investigation into PEMEX for illegal sale of diesel. According to the report, it had already discovered fraud in PEMEX’s 1999-2000 budget (La Reforma 24 de Mayo de 2001). Meanwhile,
agency audits going to 1997 on the use of federal funds by the Chiapas government had revealed extensive misuse of funds under governor Roberto Albores of Chiapas, including nonexistent public work projects, half-finished projects, and many other irregularities (see Idalia Gómez 2001).

The list of SECODAM investigative activities and findings during the period are extensive, and reach wide. One of the more high-profile areas thus far has involved the customs service. Early on, the Fox administration targeted customs and the problem of contraband, having identified this as a “critical area.” Two weeks into office, Fox stated

“Queremos manifestarles que esta vez el gobierno federal va en serio en contra del contrabando y la importacion ilegal que fomenta el comercio informal y debilita a las pequeñas y medianas industrias del país.”

Dramatic actions in this early began early on. In April, for instance, SECODAM and the Policia Federal Preventiva discovered a network of corruption and contraband within Customs in Ciudad Juarez, the Unidad de Apoyo Fiscal, and local businesses, resulting in the immediate firing of 28 officials. More than 300 companies and persons remained under investigation (La Reforma 3 de Abril de 2001) (see “El contrabando.” 2001). This was followed in May by a massive operation against workers in Customs at the Guadalajara airport. This operation uncovered over 24 warehouses of contraband material (see Gutierrez, 2001b). In the same month, officials cracked down on customs officials at the Mexico City airport (Jordan, 2001).
Other reports have spotlighted SECODAM’s dramatic and heroic acts against police wrongdoing, misuse of funds in the Department of Tourism, Education, and the Social Security Institute, and its successful prosecution of a high-ranking Lottery official. In February, SECODAM presented an official complaint with the PGR against the Policía Federal Preventiva for irregularities in the purchase of 9 helicopters and 3 planes during the prior sexenio (La Reforma 19 de Febrero de 2001). Three months later, SECODAM audits produced three more denuncias filed with the Attorney General for the sale of middle and upper level jobs in the PFP (Mural 26 de Junio de 2001). In early July, SECODAM captured the front page for detecting more than 440 irregular acts within the Education Department (SEP), including ghost workers, speed money, alteration of information: all of this as part of the broader anti-corruption project of identifying the “critical areas” (El Mural 5 de Julio de 2001). About a month later, SECODAM filed charges against three directors of IMSS for the diversion of 14 million pesos of federal funds and the existence of 790 aviadores. The investigation also highlighted salary overpayments to 250 workers (El Público 7 de Agosto de 2001). In April, SECODAM reported the removal of the internal Comptroller in the Department of Tourism along with the filing of charges against the recently extradited former Secretary of Tourism, Oscar Espinosa Villareal, the former chief of the DF government, and others (La Reforma 6 de Abril de 2001). Finally, the headlines on one June morning reported the successful activities of SECODAM: the sentencing to three years and fine of the former head of national Lottery for pilfering over 1 billion pesos (El Mural 26 de Junio de 2001). Citing this dimension in the battle against corruption, Barrio in his semester report claimed that by May the agency had produced 17 denunciations (11 administrative and 6 criminal),
detected diversion of funds totaling 957 million pesos and 59 officials awaiting trial. Barrio also mentioned 23 cases alone dealing with the state of Chiapas in amounts of more than 174 million pesos (La Reforma 25 de Mayo de 2001).

But SECODAM has not been the only agency involved in pursuing corruption. Following a lengthy manhunt, the PGR finally arrested the former governor of Quintana Roo, Mario Villanueva, in May, and successfully extradited Oscar Espinoza Villareal from Nicaragua in August for alleged disappearance of 420 million during his tenure as head of the Mexico City government: two important symbolic figures of the prior PRI regime (El Público 7 de Agosto de 2001). At the same time, the PGR struck out at corruption within its own ranks. With General Rafael Macedo de la Concha at the helm -- the military attorney who had prosecuted the former head of the anti-narcotics department, General Gutierrez Rebollo, and others -- the PGR has uncovered and reported on the sale of jobs in PGR, the escape of an ex-delegate of the PJF in Chihuahua, and the resignation of two top officials known to be the subject of an investigation for corruption (see Monge and Ravelo, 2001). In May, the agency reported that overall it had evaluated 866 officials, and sanctioned 287, including 151 firings (El Mural 31 de Mayo de 2001). Meanwhile, internal audits within the Secretary of Social Development (SEDESOL) revealed the loss of over 30 billion pesos, funds going to unauthorized projects, and overspending (El Mural 12 de Julio de 2001). This was followed by a report from Auditoría Superior de la Federación showing the disappearance of 22 million pesos during the prior sexenio in SEDESOL (El Mural 18 de Julio de 2001). Investigations within Gobernación revealed 40 possible acts of corruption in 19 areas of the secretariat, including Dirección General de Juegos y Sorteos, Instituto


*Nacional de Migración, Progamación y Presupuesto, Acquisitions and Personnel*

departments. Officials attributed these problems in the past to the political decisions (*La Reforma* 16 de Mayo de 2001). The Secretary of Communications and Transportation also detected irregularities totaling 180 million pesos within its department (Morales 2001).

Other reports of corruption by agencies outside the federal executive also added to this climate. In some cases, however, the revelations raised questions about the nature of the Fox-directed anti-corruption campaign. In December, for instance, as a result of their review of the 1999 budget, the *Contador Mayor de Hacienda* detected 13 cases of corruption mainly in ISSSTE, PEMEX, CFE, SEP, and SCT. The agency conducted a total 328 audits for the 1999 budget (*La Reforma* 7 de Diciembre de 2000). The Mexico City government, which is also carrying forward its own anti-corruption campaign, launched an extensive investigation into the spending of the prior administration. From January to May, comptroller reported 268 sanctions as a result of audits, including 58 suspensions. He also noted his intentions to continue the investigation into charges of illegal acquisitions and other irregularities (see *El Mural* 13 de Julio de 2001). Even the internal comptroller within Federal Electoral Institute (IFE) – an institution with a solid reputation – uncovered financial irregularities within one of its agencies, resulting in the mismanagement of 4.5 million pesos, and officials charging commissions that were never given (*Mural* 26 de Junio de 2001).

Among the reports and scandals attracting significant public and media attention, however, were accusations and processes against Fox himself and members of his anti-corruption team. In Chihuahua, the local PRI-controlled Congress found 19 irregularities
during the reign of former governor Barrio, which they turned over to the state’s Attorney General, including a case of a bankruptcy of a company dealing with the government. Barrio, to be sure, dismissed the audits “political” and the charges as unfounded (Gutierrez 2001a). This controversy, however, paled in comparison to the scandal that erupted over the president’s exorbitant purchase of household items for Los Pinos, including towels at a cost of 4,000 pesos each. Revealed through Compranet – demonstrating a feature of the government’s commitment to make the public’s business transparent – the scandal forced the president to respond by firing his personal secretary, Carlos Rojas, and prompted SECODAM and Congress to promise to audit presidential spending. The president also faced questions from IFE regarding foreign finances during his presidential campaign. Adding to the questions, the Secretary of Hacienda in July denied a request from IFE for information on the companies that helped finance the Fox campaign (Noticiero político Proceso 18 de Julio de 2001). Though these events added to the anti-corruption climate enveloping in the county, they also cut into the legitimacy and credibility of Barrio, Fox and the anti-corruption campaign.

3. Reforms to Prevent Corruption

The third and perhaps most critical ingredient in an anti-corruption campaign involves political and administrative reforms. Fox’s anti-corruption campaign reforms are extensive, encompassing a range of agencies and initiatives. It centers primarily, however, around the creation and the work of the Comision Intersectarial para la Transparencia y el
Combate a la Corrupción en la APF and the Acuerdo Presidencial del Programa Nacional para la Transparencia y Contra la Corrupción.

La Comisión Intersecretarial

Announced during the presidential inauguration and established by presidential accord, the Commission is composed of 18 secretaries of state, the Attorney General, and five officials from the office of the presidency. It is expected that it will eventually incorporate representatives from the private sector as promised during the campaign (La Reforma 27 de Enero de 2001). The Commission’s three-fold purpose is to coordinate policies and actions to combat corruption, strengthen transparency in the federal administration, and conduct annual follow-ups on the programs instituted within the various agencies. The creation of the Commission corresponds to an approach by which all agencies of the government are expected to play a coordinated role in the struggle against corruption. In fact even prior to the establishment of the Commission, the cabinet had been charged with identifying the “critical areas” within their departments that needed immediate attention and propose solutions.

During its initial meeting, the Commission called on all government agencies to establish and fund a permanent working group, comply with the activities and goals of the Commission, and provide reports every trimester to the Executive Secretary on their progress. The Commission also presented and launched the Programa Nacional para la Transparencia y Contra la Corrupción. As of May, the Commission had met twice. A
second report is due by October 30, and the Commission is scheduled to evaluate the overall program’s advances in January 2002 (*La Reforma* 30 de Enero de 2001).

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*La Programa Nacional de Transparencia y Contra la Corrupción*

The *Programa Nacional* (2001) embodies the overall strategy and approach of the Fox government in battling corruption. Its stated mission is

“Abatir los niveles de corrupción en el país y dar absoluta transparencia a la gestión y el desempeño de las instituciones y los servidores públicos de la Administración Pública Federal.”

The Plan outlines four objectives: 1. Prevent corruption and impunity, 2. Control and detect corruption, 3. Sanction acts of corruption and impunity, and 4. Gain the involvement of society. And it outlines a series of measures, spelled out along six strategic lines, to be implemented by the “*Grupos de Trabajo para el Combate a la Corrupción*” in each dependency of the federal administration. They include:

1. Actions to prevent corruption through improvement in public services and processes. This strategic line includes calls for the modernization of administrative procedures, the creation of a system of electronic services of the government, the training of public officials, the establishment of a civil service system, and the promotion of the Code of Ethics. According to Barrio,
“Esto tiene que ser parte de un programa de varios años, en donde el objetivo es tener tramites ágiles, fáciles y claros. Que la gente sepa cuáles son los requisitos que tiene que cumplir y que puede esperar de las oficinas publicas” (La Reforma 28 de Enero de 2001)

2. Controls in Critical Areas. As an initial step, the pan calls for the groups in each agency and department to identify “critical” areas that demand immediate attention, propose concrete measures to tackle corruption in these areas, and conduct research into better anti-corruption measures, including a study of salaries in these critical areas.

3. Collect and integrate information on public institutions. This strategy includes steps to promote deregulation within the administration.

4. Prosecution and sanctioning corrupt acts. This strategic line encompasses the strengthening of measures and mechanisms to denounce and sanction corruption, with particular attention to the “critical areas.” According to Barrio, this also includes enhancing the training of internal auditors and requires a reform of the Law of Responsibilities (the major legal framework pertaining to the activities of public officials) to make it easier to investigate and prosecute public officials: In the words of the secretary, “Necesitamos que el auditor se vuelva mucho mas percutente, sagaz y no nada mas este en la rutina de revisar papeles” (La Reforma 28 de Enero de 2001)
5. Improve the quality of citizen services and create agreements with society. This approach centers on the creation of standards of service within the government, the launching of the *Acuerdo Nacional para la Transparencia* (see below) and calls for the establishment of Integrity Pacts whereby companies doing business with the government agree to refrain from participating in any corrupt activities.

6. Transparency in public administration. This strategic line encompasses the elaboration and passage of a new *Ley de Acceso a Información* (similar to the U.S. Freedom of Information Act), the development of systems to provide public information on the operations of government, and measurements of the effectiveness of the anti-corruption actions. As Barrio stresses, “En la medida en que la gestión gubernamental vaya estando mas a la vista, menos posibilidades de maniobra queden para posibles actos de corrupción” (*La Reforma* 28 de Enero de 2001)

Barrio depicts the *Programa Nacional* as a long-term strategy that goes well beyond the anti-corruption campaigns of the past. Two factors are important. First, it makes fighting corruption the responsibility of each agency, not just SECODAM. As such it seeks to incorporate the fight and the new culture within each department and each agency. Second, it seeks to fundamentally alter the orientation of SECODAM itself in two directions: to shift its traditionally internal focus outward toward society, thereby incorporating society into the struggle against corruption, and to transform SECODAM from simple “reviewers of papers” (“paper-pushers”) to personnel able to conduct a “verdadera labor de inteligencia.” Much, however, Barrio admits, depends on legislative reforms to obligate officials to make

A series of measures have been taken during the first few months of the administration in accordance with the Plan Nacional. The following outlines progress in a number of areas.

Critical Areas

In the first stages of the Programa Nacional, the “Grupos de Trabajo” were established and charged with putting together an inventory of critical areas in 205 federal institutions, and, under the supervision of Barrios, elaborating and initiating an operational program (“Programas Operativos contra la Corrupción”). Though these reports were to have been presented on January 30, most were not ready on time. According to one report, though Barrio had requested the information back in November, some refused to comply, particularly those in police forces, customs and prisons (La Reforma 31 de Enero de 2001). This prompted Secretary Barrio to publicly regañar cabinet members and to demand that the reports be presented within 30 days. By mid-February, 1,900 files by 250 federal agencies had been submitted. At the time, Hugo Gutierrez Dávila, Executive Secretary of the Commission, began meeting with top officials of each federal agency to get information on the critical areas to combat corruption (La Reforma 15 de Febrero de 2001). According to a subsequent report by Barrio, the diagnostic showed that the greatest problems centered on procurement and contraband. In response to the first, SECODAM reported the continued use and improvement of Compranet, the
computerized system of soliciting bids for government contracts developed under the Zedillo administration. According to Compranet officials, the system managed information on 11,729 bids, 1,732 invited contracts, and 4,167 direct adjudications from December 1 to April 30. In the area of contraband, Fox brought together officials from the Instituto Nacional de Migración and CISEN (of Gobernación), SAT and the Administración General de Aduanas (Hacienda), the Secretary of the Economy, the Attorney General, the Secretary of Public Security and Barrio to create a coordinación interinstitucional to create and coordinate a program focusing on customs and centros de abasto. As reported earlier, operations in this realm included the firing of hundreds of workers from Tijuana to the Mexico City airport. Barrio also noted the use of the “usario simulado” in these areas: an undercover program of developed under Zedillo (see López Presa 1998).

Audits

Conducting audits of government agencies has historically been the major function of SECODAM. The new strategy seeks to go well beyond that in terms of expanding the department’s role, but it also seeks to strengthen audits. According to one SECODAM official, strengthening internal auditors is the department’s greatest challenge. In response, SECODAM has begun using IPADE to train internal auditors, it formed a Coordinación General de Comisarios y Contralores Internos to supervise the work of the internal comptrollers, and according to one report, has begun giving economic, toxicological and ethical exams to new auditors with the main purpose being to keep close eye on the holdings of the auditors (La Reforma 14 de Agosto de 2001). According
to Barrio, during the first six months of the administration, the department carried out 27 audits of federal agencies, sending 182 observations to the internal comptrollers.

**Administrative Reforms.**

Much of the *Programa Nacional* centers on administrative reforms that do not require legislative action. Among the activities to date in this area:

- SECODAM created six working groups charged with analyzing and evaluating internal procedures within the federal administration. The goal is to eliminate by the end of the year, 15% of the internal procedures. According to Barrio, SECODAM itself has eliminated 68% (about 900) of the reports it once requested from the agencies.

- A review of regulations relating to *leyes de Adquisiciones, Arrendamientos y Servicios del Sector Público y de Obras Públicos y Servicios Relacionados* had produced 1500 recommendations. As of May, these were under review by the *Consejería Jurídica del Ejecutivo Federal*. It is hoped that the changes will eliminate as much as 83% of the number of regulations.

- Early action by SECODAM improved the system *Declarnet*: the computerized system handling the property and income declarations of public officials. Located on the ground floor of the SECODAM building to provide easy access to public
workers, the system had processed 45,000 declarations as of April 30. This system helps SECODAM detect illicit enrichment and conflict of interest.

- SECODAM established the Programa de Reducción de Gastos y Generación de Ingresos en el Gobierno Federal, and, according to the department’s newsletter, a reform that will eliminate more than 1,250 administrative rules is in the works.

- Though developed under the prior administration, SECODAM continues to work to improve and expand Compranet. Due to press reports claiming that Compranet actually handles only a fraction of government procurement, SECODAM announced in August a process of modernizing the system.

  “Con este proceso de modernización, Compranet se convertirá, gradualmente, en una herramienta eficaz para coadyuvar en el combate a la corrupción y será el principal sistema de compras a nivel mundial” – (La Reforma 13 de Agosto de 2001).

**Training of Public Officials**

As noted earlier, Fox envisions corruption in part as an issue of morals and ethics. This view is stressed by Barrio:

  “Tenemos que ir logrando que el tema etico empiece a convertirse en algo cotidiano en las oficinas publicas, que no solo nos preguntemos si la norma
juridical lo permite o no, sino que nos preguntemos si el tema es eticamente valido o no” (La Reforma 28 de Enero de 2001).

As part of this initiative, SECODAM signed agreements with the Iberoamericana (UIA) and Monterrey Tech (ITESM) to create and conduct an ethics program for public officials. ITESM, for example, has created a virtual course on ethics for SECODAM with funding from the World Bank as part of its program “Gobierno Abierto y Participativo.” The 4-hour course targeted at local officials is structured around the 12 values highlighted by Fox in his “code of ethics” presented during his inauguration. Interestingly, the course is not obligatory, nor a requirement for advancement or higher pay (see ITESM web page; El Mural 29 de Julio de 2001).

Activities involving Society

Perhaps the most unique feature of the Programa Nacional and the Fox anti-corruption campaign involves its strategy and efforts to enlist the support and involvement of society. During this period, a number of activities have been carried out in this area.

- **Social Pacts**. A cornerstone of its activities with society involves the signing of pacts with organizations in the private sector. So far, SECODAM has signed agreements with the ITESM, UIA, Transparencia Mexicana, Concamin, Canacintra, CIRT, and CFE. In February, for example, Barrio announced the signing of a pact with Camara de la Industria de Radio y la
Television (CIRT) against corruption thereby making them “interlocutors entre el Gobierno federal y la sociedad respecto al seguimiento de la gestion publica como una via de rendicion de cuentas que permita a la poblacion percibir verazmente el desarrollo de la actuacion gubernamental” (La Reforma 22 de Febrero de 2001). It signed agreements with the ITESM and TM to conduct studies to measure corruption by state. Still, the largest public agreement thus far has been the Acuerdo Nacional para la Transparencia y el Combate a la Corrupción signed in February by 83 political, educational and labor organizations, including the PRI, CROC, CTM, and the CNC. Taking as its point of departure that corruption exists in government and society and that to combat it “se requiere de la colaboración de todos,” the accord spells out a series of commitments on the part of the government and society. The social organizations agree to 1. Refrain from participating in corrupt acts with the government; 2. Denounce corrupt acts and oversee honesty in government; 3. Collaborate in programs and promote information on programs designed to fight corruption; and 4. Strengthen within the organizations a culture of ethics that rejects corruption. Jointly, the government and social entities promise to 1. Collaborate in the drive against corruption; 2. Promote the recognition of honest conduct; and 3. Analyze and create agreements in specific areas to avoid corruption and promote transparency in public administration. Participants also agreed to incorporate the study of ethical culture into educational plans, improve administrative systems, de-regulate, and even
promote the phrase “ya no mas mordidas” (Acuerdo Nacional para la Transparencia. 2001; La Reforma 26 de Febrero de 2001).

- **Public Information and Activities.** The department within SECODAM enjoying the most spectacular growth over the past six months has unmistakably been the Unidad de Vinculación para la Transparencia: the department charged with public relations. Its activities to date include conducting conferences, publicizing the government’s anti-corruption efforts, and orchestrating public campaigns. Among its activities are:

  - **“Para leer sobre Transparencia” (2001)**. SECODAM began publication of a newsletter in May. The first issue spelled out the activities of the agency, outlined the Programa Nacional, provided information on and from Transparency International, and instructions on how to denounce corruption. Part of its educational campaign, the newsletter even referred citizens to recent books on the subject of corruption.

  - **“Empresa Transparente: Pasos para su Construcción” (2001)**. This handsome brochure produced in cooperation with CONCAMIN and released in May informs businesses on specific strategies to avoid corruption. More specifically, it 1) Provides information on creating processes and operations for the enterprise; 2) Offers suggestions on
professional practices and ethical conduct, and 3) Recommends strategies on how to work with authorities and others. The document begins with the statement:

“La corrupción es un mal social que no se limita al ámbito del gobierno. Cuando en una sociedad hay corrupción, ésta contamina todas las esferas de la vida: la empresa, la escuela, el trabajo, el gobierno, el comerico, etc.”.

○ “Transparency in Business.” On July 1, Aliza Chelminsky, the director of Vinculación conducted a high profile conference with some of the nation’s most important business executives. Capturing the headlines, the participants labeled corruption “bad business” and called for a code of ethics for business. They agreed on the need to “convencer sobre las ventajas que se obtienen al actuar en forma legal y transparente” (El Mural 2 de Julio de 2001).

○ “Ya no mas mordidas”. An on-going project of SECODAM is to sign agreements with business to get them to display public messages related to the program of “zero tolerance.” Thus far a host of businesses have signed on to the program, including Grupo Financiero Bitál, Corporación Mexicana de Restaurantes and José Cuervo (“Para leer sobre la Transparencia” 1 (May-Junio, 2001). PGR also participates in this program where personnel answer
their phone with the greeting: “Di no a la corrupción, denúnciala” (El Mural 18 de Julio de 2001).

- **Tramitanet.** Still pending is the development of *Sistema de Tramites Electrónicos Gubernamentales*. This program will permit citizens to know the requirements, office hours, etc of government services.

**Legislative Activities.**

As noted, much of the *Programa Nacional* hinges on legal reforms. Citing deficiencies in current legislation that permits corrupt officials to go free, Barrio stated in April that SECODAM was preparing legislation to reform the *Ley de Responsabilidades* to facilitate the punishment of corrupt officials. This reform is expected to go to Congress this year (*La Reforma* 3 de Abril de 2001). The second major piece of legislation involves a freedom of information act. Together with *Gobernación* and the *Comisión Federal de Mejora Regulatoria*, SECODAM has drafted a proposal for a *Ley de Transparencia y Acceso a la Información Pública*. Though Barrio initially stated that SECODAM will present the legislation to congress within a year and half, the undersecretary of *Gobernación* stated in May that the legislation would be ready in about a month and that it would go to Congress for consideration during the next session beginning in September (*La Reforma* 2 de Mayo de 2001) (*La Reforma* 19 de Febrero de 2001). Before it goes to Congress, however, SECODAM intends on conducting public hearings, which should be announced soon. Also in the works is a new *Ley de Adquisiciones y de Obras Públicas.*
State and Local Governments

The Programa Nacional, like SECODAM’s jurisdiction, relates only to the federal government. SECODAM can and does conduct audits of the spending of federal funds by state and local government’s, but not of state funds. Still, in an effort to target corruption at the state and local level, SECODAM has signed agreements (convenios) with states to coordinate anti-corruption efforts. As of May, the agency had signed agreements with Coahuila and Puebla and was in the process of negotiating with 15 other states. At the same time, as noted earlier, SECODAM was promoting the ethical training of state and local officials.

Outside agencies

Though SECODAM has the major role to play, it is not the only agency within the government active in the struggle against corruption. Indeed, the underlying strategy of the Commission is to promote anti-corruption programs within each department of the government. The following examples outline some of the reform activities of agencies beyond SECODAM:

PGR. Though police corruption was not identified as a critical area, it probably should have. The head of transition team on Security and Justice reported to Fox even before taking office that the PGR was devoured by corruption at the end of prior sexenio. He thus proposed the disappearance of PGR and creation of Fiscalía General
de la Federación (FGF) (Ravelo 2000). In January, Attorney General Rafael Macedo announced his Cruzada Nacional contra el Narcotráfico y el Crimen Organizado that includes measures, like rotation of judicial police, to prevent corruption. Such moves complement crackdowns on middle and high level officials in the agency noted earlier (La Reforma 24 de Enero de 2001)

Gobernación. In their diagnostic, Gobernación attributed corruption within its spheres of activities to the political decisions of the past. According to its report, people responded to personal and political interests and the bureaucracy lacked a career civil service system. Its Programa Operativa includes all 19 areas of the department, a series of measures ranging from the establishment of internal controls, supervision and auditing and streamlining organization to greater training of officials, among others (La Reforma 16 de Mayo de 2001).
ISSSTE. The Social Security Institute was the first to publicly announce its anticorruption plan on February 19. The plan includes making public via the Internet information on the budget, spending, projects, works and catalog of services.

According to the director, Benjamin González Roaro,

“quiero dejar muy claro que en el ISSSTE vamos en serio: Que ningun abuso será tolerado; que no habrá espacio alguno para la impunidad; que toda conducta al margen de la ley, cualquier acto de corrupción, serán perseguidos y castigados” (La Reforma 19 de Febrero de 2001).

State and Local Government. In February, the former interim Mayor of Reynosa, Tamaulipas and current city council member, Rigoberto Garza Faz (PRI), announced a contest of Video, Audio and Photographic that reveals acts of corruption. Denoted “Programa de Acción Ciudadana,” the contest will award a monthly prize of 5,000 pesos to the 5 best works with the money coming from his own salary (La Reforma 19 de Febrero de 2001).

Preliminary Analysis

While it is obviously too early to assess the effectiveness of Fox’s anti-corruption campaign, a number of points can be made by comparing the program to those of the past: factors perhaps important in shaping its overall effectiveness. I begin by looking at
differences that potentially bode well for the program, followed by an analysis of some of the problems or shortcomings. Some points center on internal attributes of the program; others, however, highlight the broader political context in which it unfolds.

Three important factors differentiate the current campaign and may contribute to its eventual effectiveness. First, Fox’s program represents an integral program that seems to understand the challenges and the complexities involved in fighting corruption. In various aspects, the Programa Nacional incorporates many of the prevailing ideas in the growing literature on fighting corruption. This includes an upper administration seemingly committed to the project, a program of diagnostics at the beginning before attacking corruption, an approach focusing on systems and policies rather than rhetoric and prosecutions and enlisting the support of society and business (see Rose-Ackerman, 1999; Klitgaard, et. al. 2000). The use of integrity pacts, for example, borrows directly from the work and recommendations of TI (see TI web site).

Second, the political setting is fundamentally different. Presidents from the PRI orchestrated past anti-corruption campaigns, and though they sought to fashion their reformist credentials, they also struggled to protect the party’s monopoly on power. For years, the entrenched interests and corruption within the government facilitated rather than undermined PRI’s rule. This is no longer the case. Generally, Fox and the PAN have more to gain by attacking corruption within the government than they do by trying to marshal it to their own political needs. The new administration, in short, not only has little interest in protecting those of the past, but also must govern effectively in order to maintain popular
support. Its ability to reduce corruption will likely be a major ingredient in future elections.

At the same time, the PRI is now in the opposition, competing like a political party for power. As such, the party now seeks to uncover and highlight the shortcomings of the Fox regime while perhaps attempting to protect themselves against prosecution for past wrongs. According to Geedes (1994), the greater the balance among political forces, the more propitious the moment to effectively curtail corruption.

Finally, the social equation in Mexico is different, altering the balance of forces shaping corruption and anti-corruption campaigns (Morris 1991, 199). Today, there are far more and better-organized groups within both international and national society involved in the anti-corruption effort than ever before. Such groups not only provide technical support to the Fox government, but also help formulate and maintain the political pressures. At the international level, TI sponsors conferences, offers analysis on corruption, issues recommendations and advise on anti-corruption strategies, and evaluates national compliance to international agreements. Even before taking office, Fox met with TI president, Peter Eigen, who offered advise on how to battle corruption. The World Bank has also taken a far more active role in battling corruption. A report by the World Bank on Mexican development (2001), for example, calls on the government to strengthen and modernize both SECODAM and Contaduría Mayor de Hacienda. According to the report, “La Contaduraia Mayor de Hacienda – por disposicion o por diseno—no cumple con su cometido principal de verificar los gastos publicos en forma oportun.a” It recommends the creation of a civil service system, among other measures, and highlights the fact that “La corruptcion reduce la seguridad
publica, entorpece el creciminto economico y empeora la pobreza” (cited in Público 24 de Mayo de 2001).

Like the altered international environment, the national social setting has also changed. Today, the government is not alone in the struggle and in many ways must respond to the interests and demands arising from important social organizations. Though few focused on corruption in years past, it is a hot topic today among researchers and social activists. In recent months, for example, studies on corruption by Consultores Internacionales (2001), ³ TM, and Fernando Tenorio Tagle of UAM--Azcapotzalco (“Ciudades seguras,” 2001) ⁴ have appeared, while research by personnel from ITESM, UNAM, UIA, and others is on going.

Most strikingly, the current social setting features TM—the Mexican chapter of TI. Formed in July 1999, TM is chaired by Federico Reyes Heroles – the editor of Este País magazine – and features an impressive array of academics, activists, including Sergio Aguayo of Alianza Cívica, and former officials such as Sergio Garcia Ramirez, the former Attorney General, and Ulises Schmill, the former Supreme Court justice. Charged with strengthening “the fight against corruption by suggesting concrete measures and policies,” TM works with and oversees the Fox administration’s efforts. In November 1999, for example, TM, together with the Mexican Embassy, sponsored the conference “Transparency and Corruption: Trends in Mexico:” an event featuring some of the world’s foremost experts on the subject. TM also provided analysis for the TI review evaluating Mexico’s implementation of the OECD Convention on Combating Bribery of Foreign Public Officials
signed in 1997 (TI Working Paper, February 25, 2000). And in May 2000, with assistance from the Ford and McArthur Foundations, TM assembled 43 specialists, academics, state workers and others to discuss and identify specific strategies to promote transparency and fight corruption. The results -- “10 Acciones a favor de la transparencia y contra la corrupción” -- were published in October and presented to the presidential candidates, including Fox (La Reforma 11 de Octubre de 2000). The 86-page document is detailed and extensive – more detailed than the Programa Nacional -- and provides a map for the Fox administration to fight corruption. Currently, TM is preparing a massive study on corruption in Mexico that will provide an index of corruption by state.

Though these factors make the current anti-corruption campaign different and suggest an outcome distinct from those of the past, three problem areas merit attention. First, Fox’s program has been criticized as being inadequate. Some see the program as superficial and lacking in details, and the actions as selective. The PRD did not sign the Acuerdo, for example, because it considers it inefficient and insufficient. PRD officials have also similarly attacked the national program for not going far enough, pointing out that it does not include the combating of the infiltration of organized crime in the police forces and judiciary (La Reforma 26 de Febrero de 2001). Indeed, the fact that police forces were not identified as a “critical area,” as noted earlier, is somewhat striking.

One ranking official within SECODAM essentially agreed with this assessment. He characterized the program as being developed in a flash and criticized the plan for not containing a clear methodology to measure effectiveness. Indeed, the Programa itself is
limited and relies primarily on the programs developed within each individual agency of the
government. Such self-monitoring, the essence of the Mexican strategy, is questioned by
Rose-Ackerman (1999: 163), for example. According to the SECODAM official, the quality
of the reports varies widely, with some being limited and almost useless. Pointing out that
Vinculación has a staff of about 80-90, while the Comisión has only 10-15, this official
considered the program to be primarily a public relations initiative and part of the political
posturing of Barrio to become the PAN presidential candidate in 2006.\(^7\)

In many ways, the program is less than what was promised, and less than or contrary
to the recommendations of TM and others. Particularly noteworthy is that contrary to
campaign promises, the regime has shied away from prosecuting any “big fish” or opening
exhaustive investigations into the past. The administration has not only failed to create a truth
commission – contrary to the public recommendations by foreign minister Castañeda and
national security advisor Adolfo Aguilar Zinzer – but has also offered nothing new on high-
profile cases relating to Salinas, Fobaproa, Colosio, or privatizations (El Universal on-line
17 de Junio de 2001).\(^8\) Though Fox has insisted on not wanting a witch hunt, and Barrio has
publicly stated that it is difficult to prosecute those of the past because of shortcomings in the
law, the perceived failure to act in this area weakens the credibility and the potential
effectiveness of the anti-corruption program (La Reforma 26 de Febrero de 2001).\(^9\)

Such charges are partially magnified by questions of wrongdoing within the
administration itself. Though on the one hand the Towel-gate scandal demonstrated Fox’s
commitment to transparency – since the information was uncovered using Compranet -- the
spending itself and Fox’s initial reaction to the scandal, on the other hand, led some to interpret his approach to corruption as selective. The firing of the secretary of the presidency over the scandal was only taken later and seemingly reluctantly, in reaction to the outcry from the press and the public. Adding to this pattern, it was subsequently reported that the office of the Presidency was not among the 250 agencies offering a diagnostic on “critical areas” of corruption (El Mural 30 de Julio de 2001). Unresolved questions about possible foreign funding in Fox’s campaign also provide ammunition to critics. The treasury secretary’s denial of a request from Federal Electoral Institute for information on the companies that helped finance the Fox campaign further clouded the issue, prompting IFE official, Jaime Cardenas, to heighten the public pressure on Fox to provide the information (Noticiero politico Proceso 18 de Julio de 2001). Accusations against Barrio in the state legislature of Chiahuahua also raise questions about the credibility of the architects of the current anti-corruption program.

The program is also less than what TM and others recommend. TM’s “10 Acciones,” for example, highlights a range of initiatives absent in the Programa Nacional. Few steps have been taken thus far to overhaul the judiciary, create a career civil service system or new oversight organs autonomous from the executive, or other measures stressed by TM. Similarly, despite TM’s urging Fox to adopt Integrity Pacts to oversee each procurement process -- the area of greatest concern according to the diagnostic by SECODAM -- after 6 months, only one such agreement, with CFE, had been signed. (El Mural 30 de Mayo de 2001). Similarly, though Klitgaard (1988) supports the idea of an interagency coordinating body like the Comisión Intersecretarial, others, including TM, have stressed the need for
greater independence from the executive. According to Peter Williams the Commissioner of Hong Kong’s ICAC, “To ensure public confidence in the new organization it must be independent of political and executive Administration and responsible directly to the highest authority in the land” (cited in Klitgaard, et.al. 2000: 121).

A second area of concern relates not to the plan per se, but to the Fox team. Key officials in the anti-corruption drive, from directors in SECODAM to many of the *enlaces* within each federal agency, have very limited experience working in the federal government. They have limited knowledge of procedures or how their specific departments operate, know few of the clients or constituents, have yet to establish a working relationship with mid-range officials, and are thus in a tenuous position at best to diagnosis the problem areas of corruption, craft operational programs, or effectively implement them. According to one official within SECODAM, what these newly arriving officials have in ambition and political will, they lack in technical expertise. This is made more relevant by the strategy’s reliance on individuals within each government department and agency. Indeed, there has been little holdover from the past, feeding the tendency to throw out past programs designed to tackle corruption and develop new ones. *Compranet* stands as one important exception to this rule. Interestingly, key officials in the struggle against corruption under Zedillo, like José Octavio López, are now involved in the struggle from outside the government.

While the defeat of the PRI and democratization may be important ingredients in dealing with corruption, neither is sufficient. Research shows that the impact of democracy on corruption is ambiguous, though a longer exposure to democracy does relate to lower
levels of corruption (Lambsdorff 1999). As Rose-Ackerman (1999: 226) notes, “Corruption cannot be expected to wither away just because a reform government has taken power…” A final area of concern thus relates to the political situation. Though the political setting was pinpointed earlier as possibly facilitating the anti-corruption drive, other features of the setting may detract from it. Of particular importance is the difficult and rocky relationship between the Fox government, Congress and the political parties. The deep political divisions that have opened seriously complicate and compromise Fox’s efforts to get anything accomplished. Fox does not command a majority within Congress. He not only must deal with the PRI and/or the PRD delegations to get measures through, but also must carefully negotiate with his own political party. Such an alignment spells compromise and/or the careful use of the president’s political capital. Since many of the anti-corruption measures will require congressional approval, it remains to be seen whether Fox will be able to cobble together a coalition and garner support, whether he will have to water-down measures to satisfy those who might stand to lose by curbing corruption, or whether the anti-corruption initiatives themselves will be marginalized by the need to gain other legislative reforms like fiscal reform. Indeed, during the first six months, Fox has fought difficult legislative battles over indigenous rights and fiscal reform, rather than corruption. Moreover, like the PRI before it, Fox and the PAN want to remain in power beyond the current term. Indeed, many see Barrio as a likely contender. As in the past then, the anti-corruption campaign remains hostage to this political objective and may be limited or influenced by it.
Conclusion

As Klitgaard, et. al. (2000: 11) note, “the history of anti-corruption campaigns around the world is not propitious.” Mexican history is littered with anti-corruption campaigns that in the beginning seemed credible, but in the end failed. In many ways, the latest version orchestrated by President Fox seems different. The reforms are unfolding within a democratic rather than an authoritarian regime and by politicians who rose through the ranks by fighting authoritarianism and corruption rather than benefiting from them. Yet, despite the publicity, the program has been slow in developing and may be insufficient in face of the problem. Indeed, Fox has a difficult task, facing a divided and economically stagnate country, and inheriting a government with a deep legacy of corruption.

Of course, it is too early to tell how the anti-corruption campaign will play out or how successful it might be. Over the next few years many observers will be examining key components of the program and gauging their impact. This field will enjoy far more attention both inside and outside the country than it ever did in the past. By tracing the early days of the Fox anti-corruption campaign and highlighting the context, this paper provides a starting point to help follow this important dimension of the new Fox government and the future of Mexican politics.
Notes

1 The Code of Ethics presented during the inauguration and taught in ITESM’s virtual course include the following 12 components:
   1. Common Good – public service is for the common good, above personal interests
   2. Integrity – honesty and credibility, culture of confidence and truth
   3. Honesty – never use public office for personal gain, nor accept compensation of another
   4. Impartiality -- no preferences
   5. Justice – observe the law and respect for rule of law
   6. Transparency – access information to public, in handling of budget, etc.
   7. Rendición de Cuentas (Accountability) – efficiency and quality in administration
   8. Entorno cultural y ecológico – respect and preserve culture and environment
   9. Generosity –
   10. Equality – of opportunity regardless of race, sex, etc.
   11. Respect – dignity of the individual and freedoms, tolerance
   12. Leadership – promote these ethics through personal example
   (La Reforma 26 de Enero de 2001)

2 Taken from an interview with Aliza Chemlinsky, director of SECODAM’s Unidad de Vinculación, México, DF, July 2001.

3 This study focused on popular opinion. It found, for instance, that citizens recognize corruption — that corruption is not considered a cultural phenomenon – and tend to associate it with ambition. When asked where corruption was more frequent, 29% said in official areas where a trámite was required or in the imparting of justice; 24% said among politicians where decisions are made; 16% said among the upper class. Moreover, 54% felt the legislation that is applied is inadequate, 37% said is not sufficient and only 6% said it is sufficient. Sixty-seven percent agreed that honest people become frustrated in the society. The article concludes by stressing need for moral change in society:

   “Se requiere de un cambio de cultura para el Mexico del manana, un cambio de habitos…La corrupción no se puede revertir si no existe el sustrato de moral ciudadana que sirva de apoyo a las acciones que se implementen, y es la accion moralizadora del gobierno la que debe servir como detonador”
   (Consultores Internacionales 2000).

4 The study by Fernando Tenorio Tagle of UAM - Azcapotzalco, “Ciudades seguras,” highlights the lack of political will to fight corruption in the procuradurías, police forces, and public ministries as the main cause of the crime problem. Data from the DF, Tlaxcala, Campeche and Querétaro show a 96% impunity rate for crime. The study also notes that despite statements by officials to fight corruption, there is a lack of political will to transform these areas (Notimex 25 de Julio de 2001).
This study on Mexico’s implementation of the OECD treaty found a good faith effort of the Mexican legislation to implement the requirements of the convention, yet noted that the actual scope of the legislation would not be clear until after specific cases have been brought.

The document recommends the following measures:

- Sweeping reforms in judicial system (ending the monopoly of the Public Ministry, creating civil service for police, create judge for penal institutions, legislative power to designate Attorney General, Public Ministry independent of the judicial police, etc.)
- Enhance access and quality of public information (greater use of computer technology, makes public acts of government, use of public money among journalists a crime, new law of information)
- Promote career civil service in specific areas of the administration (especially in judiciary, Career civil service system)
- Improve and broaden mechanisms of accountability (reform of the Law of the Budget and Public Accounts, indicators of efficiency, citizens oversight at the municipal level)
- Strengthen or create new organs for oversight and control (Comptroller independent of the executive, agency with autonomy, Civil Consejo against corruption)
- Stimulate and enrich a culture of legality (campaign to modify culture of impunity by publicizing cases of prosecuting corruption, promoting education of civil values, moral consciousness)
- Improve the quality of regulations in public administration (simplification, extend the law of procedures to the state and local level, administrative reform in terms of salary, incentives, etc., Tramitanet, reform system of supervision of the banks)
- Strengthen tax system (greater controls, less evasion)
- Reform social institutions (way INFONAVIT operates)
- Promote an integral approach to fighting corruption (Create a National Anti-corruption plan, social program).


The latest investment in the Salinas drama centers on a recorded conversation between Adriana and Raul Salinas in October 2000 in which he claims that Carlos “le traicionó” and that the funds in the Swiss account came from the public coffers. The Ministerio Público obtained the recordings as part of a broadening of the investigation (La Jornada 12 de Octubre de 2000). In January, the Swiss government asked the PGR to investigate the network of complicities supporting Raul Salinas, including evidence of Salinas working with businesses and Jose Maria Cordoba Montoya, Salinas’ chief of staff and money laundering through Banca Cremi (Ravelo 2001).

Barrio, in an interview in late February, admits there was corruption in the prior administration, but that there is no way to formally accuse former officials because of the lack of evidence. He claims that recent audits uncover irregularities that “smell bad” but that the regulations and laws are so flexible that almost anything is allowed. He also notes that
upon taking office, former officials had eliminated the proof of corruption (*La Reforma* 27 de Febrero de 2001).

**References**


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