

## THE NULL-VOTE: A DESPERATE CRY FOR DEMOCRACY IN MEXICO

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*ABSTRACT. Derived from the analysis of several election processes carried out within the last two decades, we have to ask ourselves whether there actually exists a democracy in Mexico, and if so, if its society is really being listened to by its government. The reality is that the number of null-votes in election processes has increased over the years, without it having any impact whatsoever in the country's politics. In fact, the null-vote seems to have a sole and simple purpose: to express the discontent that reigns over the candidates of the political parties and the federal government in general. However, no action has been taken to legitimate this petition, which makes us wonder if a real democracy can exist in a system where the government do not hear their people. The purpose of this comment is to analyze the effects of a null-vote within the country and determine if there is a way to force the authorities to listen to this evident desire of the people to obtain better politicians and, therefore, better governors.*

**KEY WORDS:** null-vote, electoral process, voting

*RESUMEN. Tras la observación de varios de los procesos electorales que se llevaron a cabo en las últimas dos décadas, debemos preguntarnos si en realidad existe una democracia de facto en México y, si la hay, si la sociedad es realmente escuchada por su gobierno. La realidad es que la cantidad de votos nulos en los procesos electorales ha incrementado con el paso de los años sin que parezca tener ningún impacto en la política del país. De hecho, los votos nulos parecen tener un único y simple propósito: Expresar a los Partidos Políticos y al gobierno el descontento general que existe hacia los candidatos. Sin embargo, ninguna ac-*

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*ción se ha tomado para legitimar esta petición, lo que nos hace preguntarnos si puede existir una verdadera democracia en un sistema donde los gobernantes no escuchan a su gente. El propósito de este ensayo es, precisamente, el de analizar los efectos que tienen los votos nulos dentro del país y determinar si existe alguna manera de obligar a las autoridades a escuchar este evidente deseo de la gente por obtener mejores políticos y, por lo tanto, mejores gobernantes.*

PALABRAS CLAVE: *voto nulo, proceso electoral, voto.*

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I. INTRODUCTION

The principle upon which a democratic political system relies on is the fact that government functionaries are representatives of the people and are, therefore, chosen by the majority of the society by means of an electoral process. It is safe to assume then, that for democracies to be successful, they must be based on citizenship participation.

As society evolved, political parties were created to insure political human rights and to offer, to both interested citizens and society members, candidates that would follow the same line of ethics, ideals and regulations of their party. Those ideals would, theoretically, set a standard to improve the politicians on the running for a public function post. However, Mexican political parties seemed to have failed to improve their political standards and have been invaded, instead, by populism to a point which appears to be undermining democracy itself.

This comment will analyze, on a general scheme, the Mexican electoral procedures trying to separate the “ought to be” from the practical reality of what actually happens within them; in addition we will analyze the knowledge and awareness that society has both on the importance of citizenship participation and of voting, as well as the citizen’s state of mind regarding the candidates that are nowadays nominated for government functions. Lastly, we will explore the polemic “null-vote” that has become the means for the members of society to object the candidates presented to them as a whole. On this last point, we shall determine the effects that the undervote has upon an

electoral process and, in its case, the possibilities of modifying such effects to transform the undervote into a real and legitimate opportunity for the voting community to be heard, both by the political parties and their government.

## II. HISTORICAL FRAMEWORK

“Any society can be said to function, but to understand why people live within one social system rather than another, we have to look to historical factors”,<sup>1</sup> writes Ian Morris and there is no clearer antecedent to democracy than that of Athens and the Ancient Greeks.

Democracy’s origin comes from the greek words *demos*, which means ‘people,’ and *kratos*, that can be translated into ‘power;’ hence, democracy can be conceptualized as the political system by which the entire society holds the power of making decisions for the collectiveness.

According to Morris’s point of view, what allowed democracy to be born in the first place, was the Principle of Equality, which implied that all the members of a society believe themselves equal to one and other and that they are all equally capable of taking decisions that would benefit the entire group. Then again, the only way that an entire society can successfully have voice and vote in group decisions, especially nowadays where population density has increased as much as it has, is by electing a representative from a certain group of people, to make their political decisions and protect their interests so that their entire represented group can be benefitted without falling into a plutocracy.<sup>2</sup> A theory from which the *Ekklesia*,<sup>3</sup> and later on the Senates of the Roman Empire, built the foundation of what would later evolve into the theories that now reign our own democratic institutions.

Thomas Hobbes was the first to propose that democracy was to be implemented by the election of a representative by a secret ballot with universal suffrage, which we now call a ‘vote,’ to be entrusted with the sovereign power of a State while allowing the members of that State to conserve their individual political powers and establish a working democratic system, much like his theory of the Leviathan<sup>4</sup>. In the Hobbesian democracy, the representati-

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<sup>1</sup> Ian Morris, *The Strong Principle of Equality and Archaic Origins of Greek Democracy in Demokratia: A Conversation on Democracies Ancient and Modern* 19, Josiah Ober and Charles Hedrick ed. (Princeton University Press, 1996).

<sup>2</sup> It is important to remember that Aristotle believed that there was a virtuous way of governing and a wrong way to do so, being one the exact opposite of the other. In the case of democracy, its contrary is plutocracy, in which an elite or specific group of people take control over the decision and governance of the rest of society, monopolizing the power and politics of a State.

<sup>3</sup> One of the governing institutions of Ancient Greece in which any one of the Greece citizens could attend and contribute in the political decisions of their *polis*.

<sup>4</sup> The theory clearly estates that human nature determines that every individual has the right to do whatever he seems fit for his own preservation, however, to allow a life in society, each of the individuals that make it up must renounce to part of those rights so that a single

ves of the people eventually “*are elected by a substantial part of the subject population and legally empowered to impose any rules and policies they decide to make,*”<sup>5</sup> under the condition that such rules and policies are made by elected individuals that act in the best interest of their voters; a justification that still supports the modern democratic system, in theory if not in practice.

A democracy, however, cannot rest solely on the free and secret election of society’s representatives but needs other mechanisms that allows the power, acquired by those representatives, to be equally distributed among them and, therefore, avoid the possibility of turning itself into a plutocracy. Hence, the importance of Montesquieu’s Theory of Weights and Counterweights.<sup>6</sup>

It was thanks to the greek’s democracy and Hobbes and Montesquieu’s theories that, in the nineteenth century, the political systems, institutions and electoral processes that currently govern our society were created; this way, the members of society secretly vote for their representatives, forming the governmental institutions that administrate the State itself.

### III. MEXICAN ELECTORAL PROCEDURES

Because Mexico is a Federal Republic, it requires two kinds of elections: State or Local Elections (in which ‘municipales’<sup>7</sup> are included) and Federal Elections, which determine the presidential charge and the members of the federal legislative power, also known as the Congress of Union.

A number of states, Mexico among them, have determined that, in order to comply with the ideal of democracy, the best process for the election of the public functionaries is through the vote; which should apply the following principles: (i) Freedom of vote, which relies on the assurance that all citizens, who are legally able to vote, are doing so under their own will and without any external influence (such as threats, violence, fraud or even economical gain). As in many Latin-American States, populism has found its way into the mexican electoral process and has managed to taint the freedom of vote by

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individual (or in case of democracy, a groups of individuals) determine the rules and policies that the rest should follow. It is by giving that group of individuals that power that the renouncing individuals themselves remain the authors of the elected group’s acts, so that whatever they do is done under the authority of the renouncing individuals.

<sup>5</sup> Frank van Dun, *Hobbesian Democracy*, HOBBSIAN DEMOCRACY (Nov. 28, 2005), <http://users.ugent.be/~frvandun/Texts/Articles/Hobbesian%20democracy.pdf>

<sup>6</sup> Montesquieu divided the power of the State in three branches: administrative, legislative and judicial; it was his belief that those three powers had to be separated from one another but still work together to fully and armonically govern the State. This means that the powers were complementary of one another but still had to act within certain limitations to avoid despotism and tiranism; and those limitations, according to Montesquieu, had to be established by each of the existing powers in turn, so that one of them would stop the others from wrongdoing.

<sup>7</sup> “County” being the closest translation available.

offering temporary satisfaction of basic needs (that ought to be provided by the State, though it has failed to do so) to members of the lower social classes in exchange for their vote in elections; just as gravely, the insecurity and violence resulting from the narcotics war, that has now taken Mexico hostage, has facilitated the use of cohesion and force to illegally obtain votes for one candidate or the other and even to steal the already filled ballots before they can be submitted and counted by the National Electoral Institute (also known as the INE),<sup>8</sup> directly affecting the outcome of the elections.

(ii) Authenticity of the elections, meaning that the INE must legitimate the results of the vote count and verify that the objective and basic function of the elections were met; this means that the INE must ensure that those results are the certain and clear representation of the citizens' will; and (iii) Periodicity of the elections, allowing a constant change in the government personnel, as well as the review of their work by the members of society; in the case of Mexico's federal elections, the timetables that determine the governing periods of popular representatives are of six years for the presidency and senate, and of three years for the deputies.<sup>9</sup>

The ordinary electoral procedure consists of several phases that repeat themselves every three or six years, accordingly; these phases, which we will explain in the following paragraphs, consist of (i) Preparation of the elections, (ii) The elections themselves, and (iii) Counting, legitimation of the elections and its results.

(i) The Preparation of the elections ranges from the registry of the political parties and the creation of the electoral census, to the politic campaigns and their funding. The electoral census is a database composed of the Mexican citizens who have presented themselves to the INE to obtain their Voter's Credential and who represent the members of society who could issue a vote; however, not all of these people will be able to do so. Being registered in the database is not enough to issue a vote in an election, you must also have the possession of the voter's credential; hence the Nominal List was created, in which appear only those citizens that were part of the electoral census and that retrieved their voter's credential from the INE's offices, and it is only those who appear in the Nominal List that can vote during the Elections period.

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<sup>8</sup> This Institute is a public and independent organ whose functions rely in organizing, supervising and legitimation of the electoral procedures in Mexico, making it the one responsible of ensuring the very existence and respect of democracy in the country. Because the INE could be bias if it were composed of public functionaries, it's direction is made up by representatives of the existing political parties, representatives of the legislate power and of citizens independent to the other two.

<sup>9</sup> It is not our intention to treat in this comment the topic of the different kinds of deputies and the dissatisfaction that has aroused over their existence; however, it is important for the reader to understand the complications derived from this matter because of the impact it's had over the overall idea that the mexican society has of their politicians. This impact is sure to affect the citizenship participation and, of course, the electoral procedures and outcomes.

It is also from that Nominal List that citizens are randomly selected to support the INE during the elections and ensure the impartiality and legality of the process itself. These people are to compose a set of supervising authorities for the length of the elections day, so that the citizens themselves are the ones that supervise that the voters are indeed within the Nominal List, that they vote a single time, secretly and freely, and that the observers from the political parties do not influence or cheat throughout the electoral process; they are also the ones to do the preliminary count of their ballot's box and ensure that its contents are safely delivered to the INE authorities, without interference from third parties.

As to the politic campaigns, it is the only way in which the politic parties can make their candidates<sup>10</sup> known to society. These public campaigns are funded both by private investors and by public economy, the money to be used in a campaign, however, is limited by the law itself and seeks to warrant a financial equity between one political party and another; the same is true for the amount of time the political parties can use in public media such as television, cinema and radio.

The Political parties have ninety days, when talking about presidential elections, or thirty days, in deputies elections, to make their proposals and candidates known to the voters; once that term has passed, they have to abstain themselves from any communication or publicity so that the voters have time<sup>11</sup> to reflect and decide their vote without any undue influence.

(ii) The elections themselves are rendered in a single day, starting at 8:00 and closing the ballots' boxes at approximately 22:00, or until everyone that had arrived before then has issued their vote. The voters are given the ballots and a crayon to select their candidate under a private table (given by the INE) and are then instructed to fold and deposit their ballots in the corresponding ballots' boxes. Once the last voter has deposited his ballots, the selected members of supervision proceed to open the ballots' boxes and count the votes, filling two certificates with the obtained results, one to be posted outside the newly closed ballots' boxes and the other outside the establishment used for voting. Then, an INE representative accompanies the president of the supervising citizens to deliver the closed ballots' boxes to the INE authorities for an official recount.

(iii) Once all of the ballot boxes have been received by the INE authorities, a recount of the votes is made and the preliminary results are published and

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<sup>10</sup> The candidates presented to society must be previously selected and registered by the political party that nominates them after an internal contest among other members and possible candidates of the party.

<sup>11</sup> The law refers to the three days previous to the elections' day as campaign-free days; under this train of thought, the electoral process is made up by the ninety or sixty days of campaign, accordingly, a three day recess and the election day, adding to it the time that the INE takes to recount and legitimate the results.

constantly updated. It isn't until they have registered the last ballot that the official results of the election are posted and informed to the society and, hence, the results legitimized.

Ideally, the electoral process is then concluded, but the law allows for further legal resources that allow political parties to appeal the results of the elections; resources that we will not study within this note.

It has been made evident that the electoral procedures require of more than one sphere of society to work; political parties, government functionaries and private citizens are all involved on the development of the procedures, making their participation complementary and essential to one another.

#### IV. SOCIETY'S POINT OF VIEW

The core of the correct functionality of democracy rests on the participation of the entirety of society; if only a few members of a society participate in the election of their representatives, it is not the majority of society's choice but that of the few that actually had a vote in the elections. Hence, the first problem that any State, who calls itself democratic, has to solve, is to make sure that all of their population, or at least the majority of it, are involved in the election of their public functionaries and representatives. Mexico has had a hard time in this topic.

Because of a lack on awareness and education, Mexicans have come to the belief that the only important power in the country is that of the federal president, arriving to a point in which they have determined that the rest of the powers are not only unimportant, but also dispensable.<sup>12</sup> Adding to it the general apathy and mistrust of Mexican institutions and of the political sphere in its entirety, it is not a surprise to find that citizen participation, not only on the elections but on a daily basis, has proven very difficult to obtain; and following the decline of citizen participation we arrive to the decline of democracy itself.

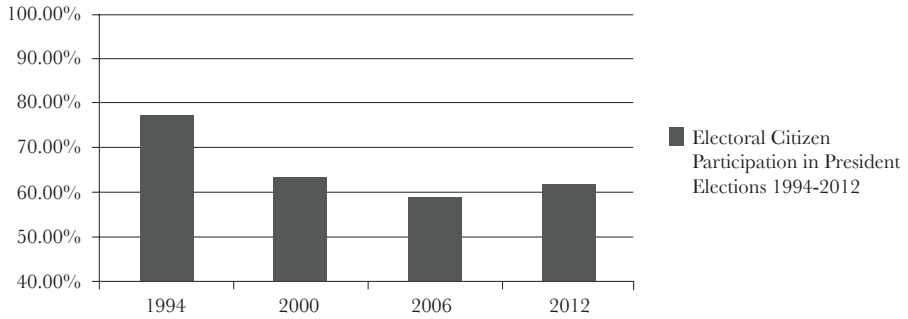
According to the INE's citizen participation census, which appeared for the first time in 1994 (just in time for the presidential elections) and happened to have the highest participation registered in Mexican history, participation has not been increasing, as it should have with the evolution and stability of democracy in the country. Actually, and as it can be seen from Figure 1, the average percentage of participation for presidential elections has been of only the 65.44%.

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<sup>12</sup> An important number of signed petitions have been made in the last decades in an attempt to reduce the number of deputies, and even to try and eliminate the Senate.

FIGURE 1

Electoral Citizen Participation  
in Presidential Elections

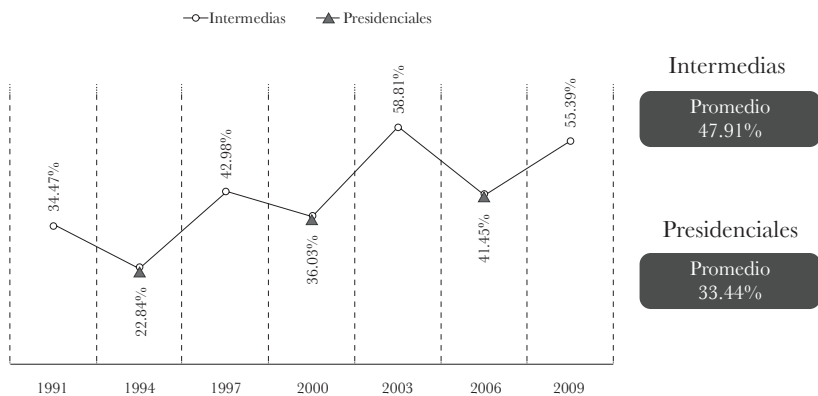


SOURCE: Instituto Nacional Electoral. *Estudio Censal de la Participación Ciudadana en las Elecciones Federales de 2012*, INSTITUTO NACIONAL ELECTORAL (2012).

Now, let us compare the participation in presidential elections with that of federal deputies elections:

FIGURE 2

Abstention in Midterm and Presidential Elections



SOURCE: LXI Legislatura Cámara de Diputados.

It is evident, from Figure 2, that citizen participation in the deputies' elections is notably lower than that of presidential elections (notice that Figure 2



makes reference to the percentage of people that did not vote); demonstrating that the awareness of the importance of Congress is not what it should be. As it is, this year’s federal deputies election has come and gone with a citizenship participation of only 47%, demonstrating that in the last six years the little participation that there was in these elections has barely improved.

Now, what does all of these mean? When electing their representatives, Mexico’s decision truly relies on only a 65% of the population, and that is only true regarding the presidential election, for the average participation in deputies’ elections is much lower. That percentage is, indeed, a majority; but is it enough to determine that there is real democracy in the country?

Unfortunately, the answer is probably not. The *Latinobarometer Brief* of 2010 showed that only 27% of the Mexican population had declared satisfaction with the democratic system of government; most of the interviewed determined that it had a lot to do with the amount of corruption that had rotted the system from its core and that government decisions were meant to benefit only a selected few<sup>13</sup>. Actually, those studies have showed that this point of view has not improved with the years but, on the contrary, has declined (as shown in Figure 3).

FIGURE 3

<i>Support for Democracy per Year, 1996-2010</i>										
	1996 media	1997	1998	1999	2000	2001	2002	2003	2004	2005
México	53%	52%	51%	45%	46%	63%	53%	53%	59%	54%

<i>Support for Democracy per Year, 1996-2010</i>					
	2006	2007	2008	2009	2010
México	48%	43%	42%	49%	51%

SOURCE: Latinobarómetro, *Informe 2010*, diciembre de 2010, available at [www.latinobarometro.org](http://www.latinobarometro.org)

If there is so little regard to democracy in Mexico, it is reasonable to assume that its citizens hold as much regard to voting; however, research within the country has showed that disregard of democracy is not the only factor to take into account. In fact, 72.3%<sup>14</sup> of the population believes that not voting, or undervoting, is a viable way to punish their politicians; and a 73.3%<sup>15</sup> is

<sup>13</sup> As determined by a 65% of the interviewed for the 2010 *Latinobarometer Brief*.

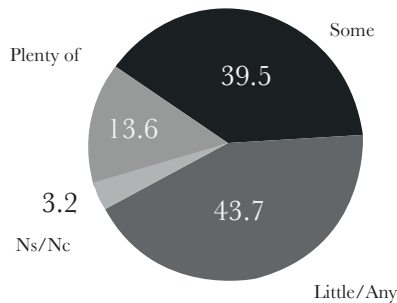
<sup>14</sup> Data obtained from MARTHA GLORIA MORALES GARZA, *et al.*, PARTICIPACIÓN Y ABSTENCIÓN ELECTORAL EN MÉXICO: REPORTE DE INVESTIGACIÓN (IFE-UAQ, 2009).

<sup>15</sup> *Id.*

convinced that the country's situation will not change or improve no matter who wins the elections, making their participation rather useless and time wasting.

The Third Great Poll of Mitofsky Consulting has shown that all of the Politic Parties have managed to increase the apathy and lack of support of the voting citizens within the first month of 2015's federal elections. As it is, they have also uncovered that the citizenship, in general, is no longer interested in politics.

FIGURE 4  
Interest in Politics



SOURCE: THIRD GREAT POLL OF MITOFSKY CONSULTING (2015)

Other polls have shown that there is little trust and sense of representation found with the political parties, since only the 22%<sup>16</sup> of the interviewed citizens said that they felt themselves represented by the existing Parties and trusted their general actions.

These results have painted a scene that determines the general scope from which citizenship participation in political matters in Mexico should be approached and studied, clearly marking the factors that seem to be the cause of democratic apathy and indifference to policy change.

## V. THE NULL-VOTE

As explained above, the citizenship of Mexico has come to believe that they have little say on their inside politics, and that their politicians are not even close to the terms of quality and preparation required for their posts, not to mention their distrust and the idea of corruption as an indivisible component

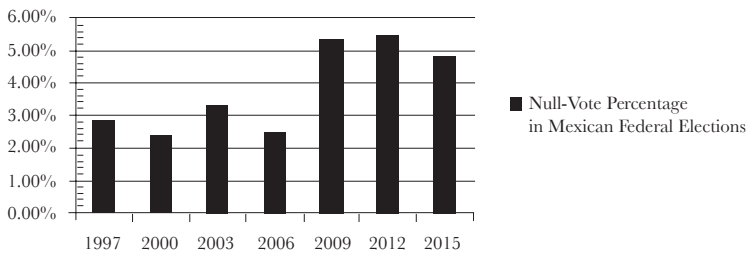
<sup>16</sup> Source: LXII Legislatura Cámara de Diputados, *Encuesta Telefónica sobre Confianza en las Instituciones* (2014).

of politics. As a direct result of the citizens' dissatisfaction, it appears there are only two ways to object their current politics and candidates presented to them: no voting on the elections, or exercising a 'null-vote.'

The I.N.E. has determined that a null-vote happens when the ballot that has been submitted to the ballots' box has been left blank, or more than one of the candidates or political parties have been selected within the same ballot. Although many of these null-votes were originally the product of mistakes from the voters,<sup>17</sup> the idea that a null-vote can be used as a way of protest or as a punishment to political parties has become quite popular in the last decades.

FIGURE 5<sup>18</sup>

Null-Vote Percentage  
in Mexican Federal Elections



As seen in the previous figure, an important increase of null-votes happened in the 2009 deputies' elections; this is intrinsically related with the fact that several public figures<sup>19</sup> called to the citizens to express their contempt by simply null voting in the elections. Of those null-votes, the I.N.E. (which up until 2015 used to be called "Electoral Federal Institute" or IFE) determined that 63.5% of them had been intentionally left blank or voided. It was, probably, in the 2009 elections that the null-votes were first used as a tool of political protest in Mexico.

<sup>17</sup> Let us remember that there are a number of coalitions between political parties and that on many occasions the voters are unsure as to what they are supposed to do in such cases, specially when a coalition happens in a federal scope but not in a local one and the elections demand voters for both decisions. When a coalition exists and it has brought forwards the same candidate, it does not matter whether just one of the political parties or all of them have been selected within the same ballot, or even the box reserved for the coalition itself.

<sup>18</sup> Data obtained from José Luis Vázquez Alfaro, *El Voto Nulo (y el Voto en Blanco)*, CUADERNOS PARA EL DEBATE: PROCESO ELECTORAL 2011-2012 (2012)

<sup>19</sup> The strongest influence of undervoting was Alejandro Martí, for the 2009 elections, and, in 2012, the poet Javier Sicilia.

In conclusion, it is apparent that voluntary null voting has managed to gain not only popularity among voters, but also the attention of politicians in the country. What we have to wonder, however, is whether this citizenship protest has any legal effect whatsoever or if it is just that, a protest.

The Mexican Constitution clearly states that the registered political parties must obtain at least a 3% of the valid issued votes to maintain their registry, which allows them, in turn, to access public financing and the opportunity of nominating a certain number of deputies for Congress. Under this regulation, it would appear that null voting could, in fact, take a toll from Political Parties and have legal effects over the country's politics; however, the Federal Code of Electoral Proceedings and Institutions (C.O.F.I.P.E.), where legislation regarding the null-vote is contained, has determined, unlike other systems and countries, that the nullvote is actually void.

The voidity of an juridical act means that said act has no legal effects whatsoever, usually because it is viewed as if it had never existed; this is, sadly, also true for the undervote in Mexico. And why would an null-vote be void in Mexico? Simply because the legislators thought that the null-vote does not clearly express the voter's will, specially when an intentional null-vote can be so easily mistaken for a mistake of the voter.

Up until 2009, when null-vote was first conceived in Mexico as an active campaign to protest Mexican politicians, blank votes and null voting were so few that legislators regarded unnecessary its regulation; after all, void votes and "blank votes" had always existed, it was only that there wasn't enough of them to cause any difference in the election, and most of them were considered mistakes made by the voters. After the campaigns of 2009 the null-vote became a newly found power of protest of the citizenship, one that remains off regulations due to the lack of amendments in the electoral laws; and because the electoral laws remain the same, at least on regards of null voting, the legal effects of the protest are buried under the voidity of unclear ballots and voters' mistakes, turning a protest campaign into benefits for the protested politicians.

As it was mentioned before, the percentages that regulate political parties' registry, and from which most of the results are obtained, depend on the valid issued votes; these are the result of taking all of the ballots deposited in each ballots' box and subtracting from them the void votes, among which are the null-votes, and the votes given to no-registered candidates. This means that null-votes diminish the valid issued votes and effective voting, making it easier for the political parties to maintain their registry and to win their corresponding elections; forcing us to wonder if the protest was even heard.

So, what is the point of null voting when it has no legal effects whatsoever? José Antonio Crespo, a researcher of the Economics Investigation and Teaching Center (also referred to as C.I.D.E.) has determined that null voting has its advantages; it is his professional opinion that it was thanks to the considerable amount of null-votes of the 2009 and 2012 elections that the govern-

ment and the political parties prompted the electoral amendments, both to the C.O.F.I.P.E. and to the introduction of new democratic poll systems, such as the popular consult.

In addition to the already amended legislation, other proposals were submitted after the 2009 elections in which certain deputies attempted to get the law's recognition of the "blank vote," even adding the option to the ballots to avoid having intentional null-votes mistaken for "mistaken votes," so that it may be considered within the valid issued votes count as an expression of the citizenship will and protest; another proposal pretended to recognize those same undervotes with the effect that, if it constituted a percentage larger than the 20% national issued votes, the ordinary elections were to be voided and extraordinary elections called upon. Therefore, the null-vote may have no legal effects but it definitely has political consequences.

In the meanwhile, until real and practical amendments and policy changes are made to the current political system, it is safe to assume that the null voting is a double-edged knife; one that has picked up popularity and is now used by a considerable number of citizens; as proven by Mitfosky Consulting in their already cited poll, where they discovered that 41% of the interviewed individuals considered that undervoting was a way in which they could comply with the responsibility of voting while still being able to protest against the way politics are made in Mexico.

Meanwhile, politicians seem to be undisturbed by the increasing number of null voting, despite the fact that it has reached a point in which the percentage of null-votes has overcome that of the votes obtained by certain existing political parties; up to the point that null voting is now being called "The Third Power."<sup>20</sup>

## VI. CONCLUSION

There are three facts that cannot be denied: First, that Democracy requires the participation of *all* the members of a society to actually function the way it was meant to do, as first thought by Hobbes and the Ancient Greek; a participation that begins with, but by no means concludes in, the electoral process of any democratic country. Mexico has shown a serious deficit, first in their initial participation and then in the overall trust given to the democratic system of the country, mostly because of the corruption existing within the country's politics and the lack of education regarding citizen participation; in fact, it would appear that a considerable number of mexicans no longer

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<sup>20</sup> Mexico's two principal Politic Parties, PRI and PAN, have been called by the media: "The Two Powers." Up until very recently, the PRD had been considered like the contesting "Third Power" but because of several internal situations that ended up with the dismemberment of one of their most popular members, their voting percentage has decreased enough to allow the undervote to be considered as the "Third Power."

believe democracy is the adequate political system to reflect their goals and satisfy their general needs.

The reduction of participation in electoral procedures and the indifference of the future generations towards politics represent a serious obstacle for progress and development, not only of democracy but of Mexico as a country, specially if Aristotle's theories of virtuous governing and Hobbes' Leviathan are taken into consideration. After all, democratic apathy might derive into an oligarchy that would directly affect the foundation of society as we know it; for it is generally accepted that leaving the decisions of representation to only a handful of the population implies the failure of democracy and, nowadays, the point of view of the international community a failed democracy resembles a failed country.

Secondly, the way politics are made in Mexico, as well as the politician groups that already exist in the country, seem to have suffered strong image depreciation. Studies have shown, on several occasions, that the average citizen no longer trusts political institutions, such as political parties or the government itself, nor the politicians as individuals; which has induced a problem to the overall governability, seeing how public institutions and functionaries are no longer regarded with the respect and trust upon which they had settled their power on in the first place. The consequences of this mistrust have had an impact in the general mexican population that seems to reflect in their security and economic spheres.

It does not come as a surprise that the opinions of a number of individuals circle the idea that in the oncoming elections, as well as the ones that have recently been carried out, it was not a decision upon who was the better candidate for the job but rather who was the least harmful candidate; citizens have been protesting and asking the government and the political parties for a change in the quality and education standards of their candidates, as well as the issuing of real government proposals, instead of having them fighting each other over what seems like personal matters<sup>21</sup> to no avail.

The idea of a minimum standard of education for certain public offices (such as federal deputies, senators and the president) has been raised and demanded from the government and the parties, just as a firm request from the citizenship in prohibiting the nomination of candidates to publicly known criminals<sup>22</sup> and to those that have criminal records regarding specific crimes (especially those that attempt against the individuals' security and life). It is not, after all, so far fetched that those who represent the citizenship, both within and without the country, should be conditioned to certain require-

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<sup>21</sup> Lately debates and political publicity have had little to do with political proposals, instead the candidates have been busy undermining each other's credibility and publicizing personal scandals.

<sup>22</sup> Please note that many criminal suspects have also incurred into the public offices only to gain access to the "*fuero*" or criminal exemptions that privilege the office.

ments; the political parties and the government, however, have yet to listen to their represented population.

It is because of this lack of true representation that we have arrived to the third and last fact: the null-votes are an increasing force within the country's politic. Feeling vulnerable and misunderstood by their politicians, the citizenship has found what they think is a good protesting tool; it is the idea that by null voting the political groups of the country are to finally hear their requests and make a change. However, the null-vote has little to no legal effect in Mexico's legislation and, instead of damaging the political parties, it seems to be helping them maintain their percentages and registry.

Because the null-vote is not taken into account as part of the valid issued votes, leaving a ballot void has no negative impact upon the numbers of the political parties; actually, it is helpful rather than harmful, since the ranges from which their percentages come from are lowered by the diminished valid votes.

Null voting is not, despite it all, completely useless. It has helped raise awareness among the population and has, most definitely, managed to gain the attention of many academics and the media; it has also gained political discussions and an attempt of changing the way our government works by hearing the opinion of the people through other popular mechanisms (such as popular consulting, the popular petitions and the referendum).

Amendments to the political and electoral procedures are being reviewed and proposed to give validity to the null-vote so that, in the future, it might actually make a difference in the elections' results; and though it is not precisely what was sought from the null voting, it is a start.