



An Analysis of Discrepancies in the Mexican Presidential Election Results

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Introduction

The Mexican Presidential election of July 2 remains hotly contested. Felipe Calderón of the PAN (National Action Party) was found to be ahead of Andrés Manuel López Obrador, of the PBT (Coalition for the Good of All) by about 244,000 votes, or 0.58 percent, after the second tally of votes that took place on July 5. However, the vote has been challenged by the López Obrador campaign.

On August 5, Mexico's Federal Electoral Tribunal (TRIFE)¹ ordered a recount of 11,839 ballot boxes, or about 9 percent of the total. The recount took place between August 9 – 13, but as of this writing (August 30), the TRIFE has not announced the ballot box totals for the recounted result.²

The TRIFE's decision on August 28 to annul ballot boxes (casillas) containing 237,736 votes is likely to have little effect on public confidence in the result. It will take some time to analyze, if possible, the reasons for the annulment of these particular ballot boxes, which reduces Calderón's margin by 4,183 votes. It is not clear if it will be possible to determine why this particular set of ballot boxes, but not others, were annulled. However, the TRIFE has left unanswered some of the most important questions: (1) What are the results of the recount of 11,839 ballot boxes that took place between August 9 – 13 i.e., how did the recounting of these ballots change the candidates' totals?; (2) Without a full recount, how can the public know what happened in the tens of thousands of other ballot boxes where irregularities occurred? (see below)

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¹ The electoral tribunal is also known by its newer name, "Tribunal Electoral del Poder Judicial de la Federación (TEPJF)," but it is still commonly referred to by the older acronym, TRIFE, in the media and elsewhere.

² On August 29, the TRIFE posted the verdicts for legal challenges. The documents that they have posted contain information about the recount, although they have not posted either of the recount totals for the candidates.

The PBT continues to claim that the election was stolen,³ and a recent poll by *El Universal*, one of Mexico's largest newspapers, found 59 percent of the population believed the election was fraudulent.⁴ This paper looks at some of the available evidence for these claims.

The “Adding Up” Problem: Overvoted and Undervoted Ballot Totals

The PBT's foremost claim is that the majority of ballot boxes were either “stuffed” with votes or “robbed” of votes, and that these discrepancies add up to 1,621,188 votes, or 6.65 times the PAN's margin.

At each polling place, election workers were instructed to keep track of all blank ballots received, counting them before and after the voting.⁵ The blank ballots were contained in a booklet, and torn off with a stub remaining for each one.

The total number of votes cast, plus the leftover blanks (including any voided ballots) should add up to the total blank ballots received before the vote, at each ballot box.

In an equation,

$$(1) \quad BR = TV + L$$

Where BR = Total number of blank ballots received at the ballot box location before the vote

TV = Total number of votes recorded (including null votes)⁶

L = Blank ballots left over

The PBT claims that this equation did not hold for 72,197 ballot boxes, or 62 percent of the total vote at 117,287 ballot boxes.⁷

The numbers for ballots received, and leftover blank ballots, are contained in the data set for the preliminary, or “PREP” count. This data has been posted by the Federal Electoral Institute on their web site.⁸

³ These allegations are summarized in the report from the López Obrador campaign about the TRIFE recount, “El recuento parcial del tribunal prueba plenamente el fraude electoral.” The report can be found online at: <http://www.amlo.org.mx/documentos/desplegado.doc>.

⁴ “Apoyan recuento de votos; rechazan el bloqueo,” *El Universal*, published August 14, 2006. Available online at: <http://www.eluniversal.com.mx/paginas/encuestadf.html>.

⁵ Instituto Federal Electoral. Proceso electoral federal 2005-2006, “Manual del Funcionario de casilla”. Dirección ejecutiva de capacitación electoral y educación cívica. p. 19, 31, 54, 61, 62. http://www.ife.org.mx/docs/Internet/Biblioteca_Virtual_DECEYEC/deceyec_DECEYEC/Proceso%20Electoral%202006/docs_ManualesFuncionarioObservador_pdf/ManualFuncionarioCasilla_2006.pdf

⁶ There are three separate measures of the total number of votes cast that have been recorded for each ballot box. The first is a total taken from the tally sheets. This is referred to in this paper as total votes or TV. The totals for each candidate, plus null votes, are simply added up. The second (BD) is a count of the ballots deposited in the ballot box, which was done at the polling location before the individual votes were counted for each candidate. The third measure (CV) was from the electoral registry, where each person who voted had their name checked off.

⁷ Coalición Por el Bien de Todos (PBT), “El recuento parcial del tribunal prueba plenamente el fraude electoral.” The report can be found online at: <http://www.amlo.org.mx/documentos/desplegado.doc>.

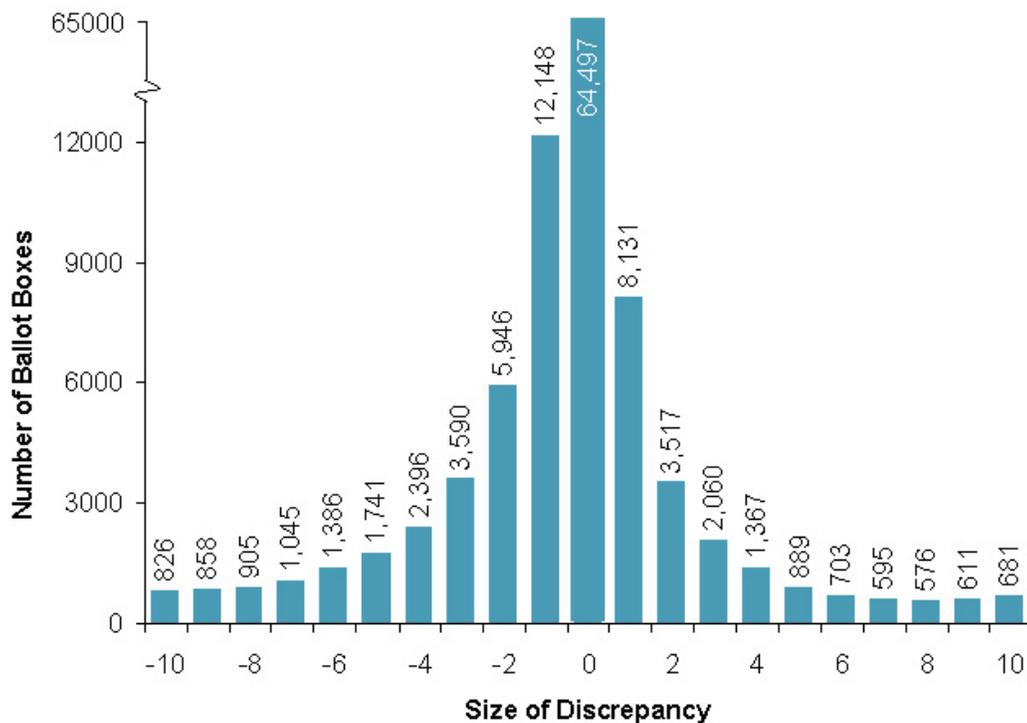
⁸ Website: http://www.ife.org.mx/documentos/proceso_2005-2006/prep2006/bd_prep2006/bd_prep2006.htm.

An analysis of this data shows the PBT claim regarding the size of this “adding up” problem to be correct. Of the 126,139 ballot boxes for which data is available, some 61,192, or nearly half, suffer from this problem.⁹ That is, either the votes recorded plus leftover blank ballots exceed the ballots originally received (overvote or $[TV + L] > BR$, which the PBT calls “stuffed”) or the votes recorded plus leftover blank ballots adds up to less than the ballots received (undervote or $[TV + L] < BR$, which the PBT calls “robbed”). There were 24,911 ballot boxes in the “stuffed” category and 36,281 ballot boxes in the “robbed” category.

The PAN has claimed that any such discrepancies represent merely counting or other clerical errors, rather than fraud. If this were true, it certainly is a high level of error; given the rules and instructions, it is not immediately obvious why local election officials would fail to keep track of the ballots assigned to them at a majority of the ballot boxes. This is by itself a strong argument for the electoral authorities to conduct a full recount, if the public is to have confidence in the vote tallies.

Figure 1 shows the number of overvotes and undervotes from -10 to 10, for this sample of 126,139 ballot boxes. The bar at zero represents the 64,947 ballot boxes where $BR = TV + L$, and there is no discrepancy – as noted above, this is only 51.5 percent of the total.

FIGURE 1
Distribution of Ballot Box Discrepancies



Source: Federal Electoral Institute, Mexico

⁹ This number differs from the PBT’s total of 72,197, but this difference is not big enough to matter for this discussion. As noted above, since there are three measures of total votes, there are more ballot boxes with “adding up” problems if we include other ballot boxes where the different measures of total votes do not match. For example, there are ballot boxes where $BR = TV + L$, but if we use BD or CV as the measure of total votes there may be an adding up problem.

As can be seen in Figure 1, the graph is not symmetric or normally distributed, as would be expected from random errors, for example from counting mistakes. Beginning with overvotes/undervotes the size of 1, and continuing to the tails of the distribution, it is clear that undervotes are much more prevalent. There may be some reason for this that has nothing to do with fraud – for example it may be easier to undercount ballots accidentally than to overcount them. But this is a question that the electoral authorities should address, as these errors do not look like the result of a random process. And more importantly, the authorities should explain why this “adding up” problem affected about half of all ballot boxes.¹⁰

Evidence from the Partial Recount

The PBT also alleges that the partial recount shows evidence of fraud. According to their argument:

The recount found variations in the data of 81% of the ballot-box counts. The votes obtained by López Obrador show practically no variation. Hence he would only lose 43 votes out of all the recounted boxes. In contrast, Felipe Calderón receives on paper 13,335 votes that never existed in 4,969 polling places (43% of the sites reviewed). On average, he was given 1.14 extra and illegitimate votes per site. The PAN has tried to dismiss these additions as “comprehensible human error,” but these errors only went one way.¹¹

There is no way to directly verify these claims with official numbers, since the TRIFE has not released the full results of the recount to the public. Independent observers were not allowed to witness the recount, but each party was allowed a representative at each of the 149 districts where the recount took place. Press reports have cited the PAN as saying that Calderón’s vote loss was 7,000.¹²

If the PBT total is correct, it would amount to about 1 percent of Calderón’s vote total for the recounted sample. This is quite large and, if extrapolated to the rest of the ballot boxes, would eliminate about 150,000 of Calderón’s present 244,000 vote margin. Even if the smaller numbers reported in the press are correct, these would show a very significant loss of votes from the recount for Calderón with virtually no loss for López Obrador. This by itself would indicate a need for a full recount, as there is no obvious legitimate reason for counting or tally sheet errors to have been so overwhelmingly one-sided.

The electoral authorities’ lack of transparency has been a major problem in evaluating the results of this election. As noted in a previous paper,¹³ the IFE did not make public the results of the previous partial recount of 2.2 percent of the vote, conducted on July 5, for nearly a month; and even then, the information provided was incomplete and subject to repeated changes. As a result, the important

¹⁰ It is worth noting that even in the case of fraud, an undercount of 2 votes does not necessarily mean that 2 votes were stolen; the undercount could result from any combination of vote fraud that leads to this discrepancy.

¹¹ Coalición Por el Bien de Todos (PBT), “El recuento parcial del tribunal prueba plenamente el fraude electoral.” The report can be found online at: <http://www.amlo.org.mx/documentos/desplegado.doc>.

¹² See, for example, Núñez, Ernesto, “Dice AN que perdió 7 mil votos,” *Reforma*, August 15, 2006.

¹³ Weisbrot M., Rosnick D., Sandavol L. and Paredes-Drouet, C., “An Analysis of Mexico’s Recounted Ballots,” Center for Economic and Policy Research, Washington, DC: http://www.cepr.net/publications/mexico_recount_2006_08.pdf.

evidence of irregularities from this first partial recount was unavailable to the public until just before the TRIFE made its decision regarding this latest partial recount. Had these results and errors been available and subject to public scrutiny, it is possible that the TRIFE would have made a different decision, for example, on whether to order a full recount.

The process has been even less transparent for the larger recount, as the TRIFE has not released overall totals or individual ballot box totals that would show what the recount changed in the 11,889 ballot boxes that were recounted. This created confusion as the two campaigns presented competing versions through the media.

Now the TRIFE has released some thousands of pages of documents for its verdict in the case of 375 challenges for the presidential race. In its press release,¹⁴ the TRIFE states that it has annulled some unspecified number of ballot boxes containing 237,736 votes. The result of this annulment, with regard to the two leading candidates, is that Calderón loses 81,080 votes and López Obrador loses 76,897 votes, thus reducing Calderón's margin by 4,183 votes.

But the TRIFE still has not announced what the recount showed, in the recounted ballot boxes. If in fact these recounted ballot boxes showed Calderón losing thousands of votes while López Obrador did not – as appears to be the case – this data may provide important statistical evidence with regard to the question of fraud. It is difficult to think of a legitimate reason for withholding this information with regard to such a sizeable recount.

Conclusion

The fact that about half of the ballot boxes in Mexico's presidential election have “adding up” problems is enough to warrant a full recount. The evidence from the most recent partial recount, insofar as it is known, provides further reason to do a full recount. The lack of transparency and withholding of information in the two partial recounts that have been conducted also undermine the credibility of any result that does not allow for a full recount.

¹⁴ Website: <http://www.trife.org.mx/consultas/boletines/archivos/079-2006.html>.