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Mexico's Transition to Democracy

And Problems of Consolidation

Bachelor's thesis within Political Science

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Ämnesord

Sammanfattning

Denna uppsats behandlar Mexikos övergång till demokrati, samt dess problem med konsolidering av den nya demokratin. Mexiko har ett arv av auktoritarianism, som fortfarande ätta år efter det historiska valet år 2000, samt installerandet av en vald demokrati, skapar problem i samhället. Uppsatsen behandlar i huvudsak det *civila samhället*, *politiska samhället*, samt *rättstaten*. Uppsatsens inramning är följer en transitionsmodell utvecklad av Juan J. Linz och Alfred Stepan kallad de "*fem arenorna*". Då Mexiko för första gången på 70 år upplevde ett regimbyte, förväntade sig många mexikaner att detta var slutet på den korporativa strukturen som kännetecknade det "gamla" systemet, samt att många problem skulle försvinna om Mexiko blev demokratiskt. Så var dock inte fallet. Mexiko har stora problem med att konsolidera sin demokrati, och nya problem har uppstått.

Denna uppsats försöker identifiera de områden som varit viktiga i demokratiseringsprocessen, samt hur dessa områden fungerar idag. Detta görs från ett historiskt perspektiv, eftersom många av dagens problem har sina rötter i det förflutna. Det historiska perspektivet sammanlänkas sedan med dagens Mexiko, med fokus på tiden fram till år 2006, då det vinnande partiet i valet 2000 fick en chans att försvara framgången från år 2000. Partiet vann igen, men med den minsta marginalen någonsin i mexikansk historia, något som var ett resultat av misslyckad politik baserad på många löften men med få förändringar. Denna uppsats identifierar också termen *ansvarsutkrävande* som ett huvudbegrepp, för att förklara några av de misslyckandena i samhället med att implementera demokratiska åtgärder.

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Abstract

This thesis deals with Mexico's transition to democracy, and its problems of consolidation. Mexico has an authoritarian heritage which still, eight years after the historic election in 2000 and the coming of an electoral democracy, causes great problems in society. The thesis deals mainly with *civil society*, *political society*, and the *rule of law*. As a framework for the thesis, a transition model developed by Juan J. Linz and Alfred Stepan, called the "*five arenas*" is used. As Mexico in year 2000 for the first time in 70 years had a change of regime, many Mexicans believed that this was the end to the corporatist style of the "old" system, and that many problems would disappear if Mexico would be democratic. However, this was not the case. Mexico has huge problems in consolidating its democracy, and new problems have developed.

This thesis tries to identify the areas which have been important to the democratization process in Mexico, and how these areas function today. It does so from an historical perspective since much of today's problems have roots in the past. The past is then connected to contemporary Mexico, dealing mostly with the period until 2006, when the winning party from the election in 2000 the PAN, confirmed their success when they won again in 2006, but with the smallest margin even in Mexican history. The poor electoral performance of the PAN was a result of unsuccessful politics with many promises but little change. This thesis also identifies the lack of *accountability* as a key-term to explain some of the failures of society to implement democratic measures in all areas of society.

List of Acronyms

AMLO – Andrés Manuel López Obrador

CROC – Revolutionary Confederation of Workers and Peasants (Confederación Revolucionaria de Obreros y Campesinos)

CTM – Confederation of Mexican Workers (Confederación de Trabajadores de Mexico)

D.F – Federal District (Distrito Federal)

EZLN – Zapatista Army of National Liberation (Ejército Zapatista de Liberación Nacional)

FAT – Authentic Labor Front (Frente Auténtico del Trabajo)

IFE – Federal Electoral Institute (Instituto Federal Electoral)

ISI – Import-Substitution Industrialization

NAFTA – North American Free Trade Agreement

PAN – National Action Party (Partido Acción Nacional)

Pemex – Mexico's state oil company (Petróleos Mexicanos)

PRD – Democratic Revolutionary Party (Partido de la Revolución Democrática)

PRI – Institutional Revolutionary Party (Partido Revolucionario Institucional)

SME – Mexican Electricians Union (Sindicato Mexicano de Electricistas)

SNTE – National Union of Educational Workers (Sindicato Nacional de Trabajadores de Educación)

STPRM – Oil Workers' Union of the Mexican Republic (Sindicato de Trabajadores Petroleros de la República Mexicana)

TEPJF – Electoral Tribunal of the Federal Judiciary (Tribunal Electoral del Poder Judicial de la Federación)

UNAM – Autonomous National University of Mexico (Universidad Nacional Autónoma de México)

UNT- National Union of Workers (Union Nacional de Trabajadores)

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1 Introduction

The title of this thesis is: "Mexico's Transition to Democracy". In year 2000 the Mexican public enjoyed for the first time in history, a democratic election which led to the ultimate downfall of the 70-year rule of the Institutional Revolutionary Party (PRI). It was the longest rule of a single party in the world. It was said that Mexico finally ended its transition to democracy with the 2000 election. Mexico is a country which has always interested me culturally, but my political interest developed and deepened during my year as an exchange student in Mexico City in 2004.

Mexico is a country where politics is a subject widely discussed. Mexico's transition to democracy was often debated during my year as exchange student in Mexico City in 2004. This made me interested in finding out more about the subject, making it the main reason for me to write this thesis.

There have been many transitions to democracy, of which some of late date evolved with the fall of the Berlin Wall in 1989 and the fall of communism in Eastern Europe. These transitions went from communism to democracy. In this thesis we deal with a transition from an *authoritarian* regime to democracy. An authoritarian regime differs from a totalitarian regime in the sense that authoritarian regimes often have a limited political pluralism, as well as a quite extensive social and economic pluralism. Furthermore, in most authoritarian regimes the roots of existing pluralism stem from the time before the authoritarian regime. Moreover, authoritarian regimes often provide space for some opposition (Linz, Stepan, 1996. p. 44).

Mexico has had an authoritarian regime for more than 70 years until the ruling party, the PRI lost power in democratic elections in 2000 to the main opposition party, the PAN (National Action Party). The change of regime did not however result in the destruction of the PRI. Instead, the PRI regained some of its former support even if the PAN was able to repeat the victory from 2000 in the election in 2006, but with the smallest margin possible.

Mexico is a country with an old protectionist tradition, especially regarding its economy. However, Mexico has also developed a deep system of political behavior within its institutions, but with low levels of accountability towards its citizens. The concept of accountability is explained further on into the thesis. The main objective of the Mexican political system was to guard and protect the sitting regime from any opposition and maintain stability. For that reason, the democratization process in Mexico was postponed, regardless of its closeness to the United States.

Some areas in civil society have been more influential in the democratization process. Political society slowly opened up permitting serious contestation of power. Traditionally, the legal system used a rule of law which was supportive of the government, but as democratization progressed, radical changes were also made to improve the rule of law. The fairly new democracy in Mexico still faces many of the problems of the past, which has prevented the country to consolidate its democracy. This thesis deals with some of the actors in civil society and political society that were most important in Mexico's transition to democracy, and some of the problems these actors have had after 2000.

1.1 Purpose and problem

The purpose of this thesis is to identify the main actors in Mexico's transition to democracy and the problems they faced before 2000, as well as the situation these actors found themselves to be in after 2000. By doing so it will hopefully help us understand why Mexico has serious problems with consolidating its democracy. We will look at Mexico from a historical point of view and deal with the period up to around 2006. The historical perspective is to my meaning important for the understanding of contemporary Mexico.

The *problem* and main question of this thesis is; How come that a nation which has struggled to complete its transition to democracy since the mid 1970s, and after having democratic elections in 2000 which meant a change of regime, has not performed better in consolidating the democracy? Related questions are: To what degree has history played a role in the postponing of necessary democratic changes? Which are the main areas where a change of regime actually improved the situation? Is Mexico a democratic country?

1.2 Method

This thesis is a qualitative literature study in political science. The qualitative literature study is based on pinpointing the essence and context of the literature through careful reading of the literature used. The qualitative analysis of texts is common within social science. Generally speaking, the method is used by all researches who aim to connect their investigation to previous research in the field. Such an emplacement within the current stock of knowledge, presumes interpretation of other researchers' texts (Esaiasson, Gilljam, Oscarsson, wängnerud, 2002, p. 233).

According to the philosopher Mats Furberg, it is crucial to read actively, ask questions to the text, in order to see if these questions can be answered by the text, or by oneself. The questions often deal with how the chain of argumentation looks like. What is the point of the author? What is the author actually saying? Are his points supported by what is said? What is the actual argument, and on which premises does the argument rest? For the researcher to reach such an understanding, the text has to be read several times, swiftly on the surface, as well as slowly and thoughtfully (Esaiasson, Gilljam, Oscarsson, wängnerud, 2002, p. 234).

The usefulness of qualitative studies can be divided into two main types of textual analysis regarding the question at issue. They are either done through *systematization* or *through critical review*. Questions at issue through systematization can be divided into three possible "techniques". The researcher can devote himself to *defining the structure of thought*, of actors that have contributed to the debate in society. The second type of technique within *systematization* refers to *logical categorization* of the contents of different texts by formalizing the content of thought into understandable categories. Examples of this are studies aimed at providing an overview of the arguments presented for various opinions in the debate. The third technique deals with the *classification* of given texts. The textual analysis through critical review goes one step further than those within systematization. *Critical reviews* are also divided into three "techniques". First we have the *critical realism*, which aim is to decide to what extent an argumentation lives up to given norms, rational or moral (Esaiasson, Gilljam, Oscarsson, wängnerud, 2002, p. 235).

Ann Böllingtoft defines it "as *identification of underlying mechanisms or structures that produce and/or are capable of explaining events or the phenomena under study – the focus is not just the events/phenomena*" (Böllingtoft, 2007, p. 408).

The second technique within *critical review* deals with *ideological criticism* of the text, which purpose is to highlight the social conflicts reflected in given texts. What does the text say and according to which principles is society governed? The third and final “*technique*” within *critical review* is *discourse analysis*. The *discourse analysis* deals with the presumption of the researcher that the language used, forms part of the reality, and it asks questions about what different texts say about the limits of what is socially accepted (Esaiaasson, Gilljam, Oscarsson, wängnerud, 2002, p. 235).

Achtenhagen and Welter define discourse analysis as a system of categories for our experiences which is offered by language and how we assign meaning to them (Achtenhagen, Welter, 2002, p. 193).

This thesis deals generally with *critical review* of texts, and *ideological criticism* in the sense that problems and conflicts in society have been highlighted. Moreover, it deals with a *critical realist* approach, when we define whether Mexico is democratic or not. In a sense we also deal with *systematization* of the text, by *logical categorization* of the contents of different texts when we put together various arguments by authors used in the thesis.

As the title of this thesis states, we are dealing with transitions to democracy. There are different models describing transitions (described more thoroughly in the theory part), and the model used in this thesis deals with certain prerequisites for a modern consolidated democracy. The model is developed by Juan J. Linz and Alfred Stepan and is called the “five arenas”.

The arenas represent five different areas in society which functionality are important for the determination of a consolidated democracy. The five arenas are: *civil society*, *political society*, *rule of law*, *state bureaucracy*, and *economic society*. The three first arenas’ *functionality* makes together up general requirements for any democracy according to many transition models. The remaining two: state bureaucracy and economic society should according to Linz and Stepan function as additional arenas in order to establish a modern consolidated democracy (Linz, Stepan, 1996, p. 10).

The focus in this thesis will however be on the first three arenas: *civil society*, *political society*, and *the rule of law*, as their *functionality* are considered to be general conditions for a democratic country. In order to answer the main questions of this thesis, the three first arenas in Linz and Stepan’s model are used as a framework or guideline, and something to compare with, as the same arenas will be treated in the empirical studies of the situation in Mexico.

Since in the model, all five arenas are necessary to establish whether a country has a consolidated democracy or not, we should by skipping the two remaining arenas: *state bureaucracy* and *economic society*, still be able to determine the level of democracy in Mexico. If we can reject the *functionality* of at least one arena of the three used in this thesis, we can decide whether Mexico is consolidated or not. By treating the three main arenas together, we have hopefully been able to answer the main questions of this thesis.

During the process of research, the five arenas have been treated separately, but with respect to each other. The next step has been to narrow it down to the three main arenas treated in this thesis. Each of the three arenas is dealt with in separate chapters, in which the main problem of each arena has been highlighted. Furthermore, each arena has first been explained from a theoretical point of view so that the reader is provided with a general theoretical understanding of the meaning of the arenas. Then parallels have been made to the explanations of the arenas according to Linz and Stepan, followed by a portrayal of the situation of each arena in Mexico.

In addition to the three arenas, the concept of *accountability* has been treated in the empirical studies with a similar approach as with the three arenas. It has been done so for the reason that *accountability* was during my research found to be an important feature in a democracy. The defined problems of each arena in the empirical study are then analyzed in separate parts, but with respect to each other. The concept of *accountability* is also taken into consideration when defining the results.

The research of this thesis has approached many of the problems from an historical angle. By defining the problems of the past it has been easier to pinpoint the problems of today.

The sources of information used in the research come mainly from literature studies, articles and the internet. The literature and articles, as well as internet sources, are mostly: Mexican, Mexican-American, or American. However, sources from scholars of other nationalities have been used, especially other Latin-American scholars with knowledge of the subject. Furthermore, articles from non-American countries have been used, as well as literature on theories by non-Americans. The aim has been to use both domestic and foreign opinions on matters treated.

As for the validity and independency of the sources, most of the information in this thesis has been possible to track and confirm through the texts of other authors. As for statistical data, the sources of origin have been either independent NGOs, the Mexican government through their homepages, and Mexican and foreign newspapers. The sources have been mostly secondary sources. In some parts however, texts quotes by a third author has been used. One source “the revolution of hope” is an autobiography by former president Vicente Fox and his co-writer. This source has been used scarcely and only to comment upon issues involving Vicente Fox, in order to get his side of the story. There has been no reason to suspect that any of the sources used have been under some kind of threat when writing their texts. When finding sources on the internet www.google.com through Mozilla Firefox has been the one most frequently used.

1.3 Disposition

After the customary outline in chapter 1 dealing with background, purpose and method, we move to chapter 2 which is the theoretical part, in which different transition models are explained, and it is followed by an account of the model used in this thesis, which is the transition model for a consolidated democracy by Juan J Linz and Alfred Stepan, called the “*five arenas*”. We also explain the idea of “stateness” as a prerequisite for the “*five arenas*”. Chapter three consists of a rather extensive historical background of Mexican politics. The historical background stretches from colonial times to the modern era which is around World War II. The historical background ends around the elections in year 2000 when Mexico had its first democratic election in history, which made Vicente Fox from the opposition party PAN Mexico’s first democratically elected president.

In chapter four we start the empirical part. Chapter four deals with the first of the three arenas treated in this thesis which is *civil society*. The first part deals theoretically with the concept of civil society, followed by presenting four different areas within *civil society* which have been important for the progress of democratization in Mexico, but also how these areas in *civil society* are today. The areas are non-governmental organizations, the Church, labor unions, and the media. These areas are discussed both from a contemporary and historical perspective. Chapter five follows the same pattern as the previous chapter, and deals with *political society* which is the second arena from Linz and Stepan. The chapter starts with

a theoretical overview of the concept of *political society* followed by a part dealing with the Mexican political structure. This is followed by identifying the two most important powers in Mexican politics, which are the executive branch and the legislative branch. After that, we account for Mexican federalism and how the powers of the states that Mexico consists of have increased. We then end the chapter by presenting a review of the political representation in the national elections of 2000 and 2006, plus the mid-term election of 2003.

Chapter six deals with the third and final arena by Linz and Stepan treated in this thesis, the *rule of law*. As with the previous two chapters, the concept of the *rule of law* is presented. This is followed by a review of the third power in society, beside the executive and legislative powers, which is the judicial branch. Then we deal with Mexico and the *rule of law* in general, and the chapter is ended with a part dealing with corruption. Chapter 7 deals with *accountability* and the term is explained. It is dealt with separately for the reason that it has become a term which has increased in importance. *Accountability* is also considered to be a prerequisite in any democratic institution in modern society. The chapter then goes on by stating examples from all the three arenas where the lack of *accountability* has been evident.

Chapter 8 is the analytical part of this thesis. Here we discuss the three arenas *civil society*, *political society*, and *rule of law* separately in three parts, but with respect to each other. The three arenas are intertwined and compared to the conditions of each arena in Linz and Stepan, and the concept of *accountability*. The analysis of each arena ends with a summary of the problems we have identified by which we will draw our conclusions. In Chapter 9 we draw conclusions and we answer the main questions of the thesis. In chapter 10 which is the final chapter, we reflect on some of the limitations of the thesis, and if the result would have been different if we for example would have used the model by Linz and Stepan differently.

2 Transition Models

There are a number of theories and models which try to define the process of democratization. Here, the process from one regime to another is called the transition. A transition does not necessarily lead to democracy. It might as well be the other way around, meaning that a democracy changes to a totalitarian system. In this thesis a transition means the process of going from an authoritarian system to democracy

Famous transition theories that have had an impact on society are for example the research of O'Donnell and Schmitter from 1986, in which they define a transition as the “*interval between two different political regimes*”

Dankwart Rustow's “*Transitions to Democracy*” from 1970 dealt with the actual transformation to democracy through four phases. Focus had previously been on already existing democracies and the preservation of democracy. (Linde, Ekman, 2006, p.21). Linz and Stepan have developed their transition model, which is the model used in this thesis and further developed in a following chapter, based on five arenas which together have to interact to create conditions for a consolidated democracy (Linz, Stepan, 1996, p. 13).

According to Linz and Stepan; “*a transition is complete when sufficient agreement has been reached about political procedures to produce an elected government, when a government comes to power that is the direct result of a free and popular vote, when this government de facto has the authority to generate new policies, and when the executive, legislative and judicial power generated by the new democracy does not have to share power with other bodies de jure* (Linz, Stepan, 1996, p.3).

The term transition is a part of the research on democracy. Robert Dahl's research has had great impact on the view of democracy, and his polyarchal model based on participation and contestation states seven criteria needed to be fulfilled for a country to be democratic; (1) Elected representatives, (2) Free, fair, and frequent elections, (3) Voting equality, (4) Right to candidate in elections, (5) Freedom of expression, (6) Alternative information, and (7) Associational autonomy (Linde, Ekman, 2006, p. 19).

The term *polyarchy* is Greek and means “many” and “rule”, and was a term that Dahl together with a colleague reintroduced in 1953 as to describe a representative democracy with universal suffrage. Universal suffrage refers to the right to vote for all adults regardless of race, social class and belief (Dahl, 1998, p. 90). The democratization process consists generally of three phases starting with a *liberalization* of the old system onto the *transition* towards democracy and ending up with *consolidation* of the democracy. The *liberalization* means that the old system is opened up perhaps through political or electoral reforms, which improves the situation for a political opposition. The *transition* is the move towards a democratic regime created by the *liberalization*. The *transition* then hopefully leads to the institutionalization or deepening of the democracy which is the *consolidation*. (Linde, Ekman, 2006, p.15).

2.1 Consolidation of Democracy According to Linz and Stepan

The consolidation is as stated above the final stage of the democratization process. In this thesis we look at the definition of the term used by Linz and Stepan who compare a consolidated democracy as “*as being the only game in town*” behaviorally, attitudinally, and constitutionally.

Behaviorally – a democratic regime is consolidated when no actors in society, political as well as social, use resources to create a non-democratic regime by usage of violence or by the help of foreign intervention.

Attitudinally – a democratic regime is consolidated when there is a clear majority of the public that believe in the democratic procedures and institutions which is governing life in society, and when the support for non-democratic systems is small compared to those that are supportive of the democratic forces.

Constitutionally – a democratic regime is consolidated when governmental and non-governmental factions within the state solve their conflicts according to the rule of law in the country (Linz, Stepan, 1996, p. 6).

The above definitions of a consolidated democracy by Linz and Stepan are the ones that this thesis focuses on.

2.2 The five arenas

This chapter explains the contents of the model called the "five arenas" by Juan J. Linz and Alfred Stepan, which is used in this thesis. There are five arenas in their model, and this thesis focuses on the three first arenas listed; a *lively civil society*, *political society*, and *the rule of law*.

- 1 The conditions must exist for the development of a free and *lively civil society*
- 2 There must be a relatively autonomous and valued *political society*
- 3 There must be a *rule of law* to ensure legal guarantees for citizens' freedoms and independent associational life
- 4 There must be a *state bureaucracy* that is usable by the new democratic government
- 5 There must be an institutionalized *economic society*

The first arena is the existence of a *lively civil society*. It is made up by non-governmental self-organizing groups. It could be various relatively autonomous movements, associations but also individuals, where their common cause is to defend, improve and develop a certain interest. *Civil society* is therefore a mix of different social movements (religious groups, human rights groups, student groups, animal protection groups and intellectual organizations) and civic associations from all levels of society (trade unions, entrepreneurial groups, journalists and lawyers). The existence of a *lively civil society* is crucial for the mobilization of an opposition.

There is another important group which consists of individuals and citizens, who are not part of any particular movement. Those are the ones that rally the streets expressing their disappointment and creating problems for the sitting regime and challenging their authority. A *lively civil society* is vital for any successful opposition because of the pressure it can have on the regime, but it is not enough to alone construct democracy. Another important

feature in this process is the existence of well-organized political entities in a *political society* (Linz, Stepan, 1996, p. 7).

The second arena is the *political society*, and the necessity of its functionality. A political society viewed from a scene of democratization, is the arena where political entities organize themselves in order to seek power of the state apparatus. If not by themselves, they go about with creating alliances to reach a certain political agenda. *Civil society* might be able to crush a regime which is non-democratic, but in order to consolidate the democratic process in a transition a *political society* must be included. In order to make the transition and especially the democratic consolidation work properly, there has to be a *political society*, which is involved in the development of democratic institutions. There has to be a concern about the existence of strong political parties, fair elections and electoral rules. Society should be represented by various political leaderships, who are able to create alliances within and between parties, and different legislatures. In modern democratic theory and in particular those parts concerning consolidation of a democratic transition, it is vital to highlight the *distinctiveness* of civil and political society, but it is equally important to stress the fact that they complement each other in the process of consolidation in a democratic transition.

Historically, the *complementarity* has not always been acknowledged, and one of the two dimensions has repeatedly been abandoned in favor of the other. The trouble arises at the beginning of the democratic transition, and continues if nothing is done to merge the distinctiveness and the complementarity of political and *civil society*. Democratic leaders of political society often claim that, *civil society* has already played its most important role when contributing to the fall of the previous regime. There is no longer a need for a lively *civil society* to interfere in the democratic development of the ordinary democratic politics. Linz and Stepan, argue that this is bad democratic theory and politics, since a lively *civil society* is needed though out the whole democratic process because it helps the transition to move forward, deepens it and contributes to the completion of the consolidation of democracy (Linz, Stepan, 1996, p. 9).

There are also some advocates of *civil society*, who inaccurately state some contradictions in the relation between *civil society* and *political society* and those have to be overcome. *Civil society* is often organized differently than the political society. *Civil society* has its own preferences, types of organizations which are problematic to transfer to the *political society*. Some democratic formations in civil society are of the opinion that institutional routinization, intermediaries and compromise within politics should be regarded as formalities. As an example, some *civil society* leaders view with reluctance on internal conflict and division within the democratic forces, but all of the terms mentioned above are crucial and vital elements of any *political society* in a consolidated democracy. Furthermore, a consolidated democracy needs parties which have the goal to combine and represent differences between them. It is equally as important that procedures and norms of how to deal with conflicts are developed to further strengthen the consolidation. Institutional routinization is therefore crucial to the process, as well as intermediation between the civil society and the state, and compromises in the *political society*. For a consolidated democracy it is important to have the necessary autonomy and independence of both civil and political society and this must be supported by our third arena, the *rule of law* (Linz, Stepan, 1996, p. 10).

The third arena is the *rule of law*. The democratic government and the state, as well as other important organs of a consolidated democracy, need to uphold and respect the *rule of law*. Actors of both *civil* and *political society* must be able to rely on the existence of a strong constitution which is deeply rooted within their consciousness. This spirit of constitutionalism must rely on more than just the rule majoritarianism. It requires procedures of governance

which rely on exceptional majorities in order to be changed. Furthermore, it needs defined hierarchical laws, supervised by an independent judicial system which is backed up by a legally well-built culture in civil society so it can promote this type of self-bindingness (Linz, Stepan, 1996, p. 10).

The three conditions stated above, are in fact the defined prerequisites for any consolidated democracy. The chances of reaching consolidation in a democracy is however much more probable if we add to the three conditions, a functional bureaucracy for democratic leaders, and an economic society which is institutionalized, leading us to the fourth and fifth arena.

The fourth arena is the one that calls for a *usable state bureaucracy* within the state. It is crucial that a modern democracy effectively pursues the capacity to command, regulate and extract. A developed taxation system is needed to be able to pay for a strong police service, judges and other primary services in society. The lack of a healthy taxation system and fragile state bureaucracy is a problem in many countries in Latin America. It causes great problems for the citizens because they cannot properly demand for their rights to be respected, nor can they receive any basic entitlements. An important question concerning the usability of the state bureaucracy in new democracies evolves in situations where the difference between the party and the state has practically been eradicated when the ruling party after the election lost power, leading to disintegration and delegitimization (Linz, Stepan, 1996, p. 11).

The fifth and final arena stems from the necessity of having an *economic society*. The final condition for a consolidated democracy is the economy, in which Linz and Stepan add the word society to come up with the expression *economic society*. It is done for two reasons, of which the first is that there has never been and will not exist, a non-wartime consolidated democracy in a command economy. Secondly, there has never existed, and probably never will, a modern consolidated democracy in a pure market economy. If the two reasons are considered to be true, then the modern consolidated democracy needs a combination of socio-politically acknowledged norms, institutions and other regulations that can mediate between the state and the market. These conditions put together is hence the *economic society* (Linz, Stepan, 1996, p. 11).

Empirical studies of modern polities clearly show that there are considerable market interventions and state ownership in consolidated democracies. There are three main reasons for why it theoretically should be so. First, pure market economies could not exist nor be maintained without some state regulations. Many markets cannot function without corporate regulations, well supervised stock markets, and protection of private and public property. Secondly, the state must be the organ regulating and correcting for market failures, which are bound to happen at some stage. The final reason the importance of market interventions and state ownership in consolidated economies is that a democracy gives citizens the freedom to publicly question the policies and priorities of a government. The pressure is therefore on the government to provide for the need of public goods in sectors like education, health, communication and transportation. Furthermore the government has to guarantee some kind of safety net for its citizens so that they are not hurt by the fluctuations and demands of the market, because if this is not done properly it would be difficult to avoid gross inequalities and the democracy would not be bearable (Linz, Stepan, 1996, p. 12).

The market interventions can of course also be questioned and put under legitimate contestation, but even if the democracy started off as a pure market economy, the mechanisms of a modern capitalist democracy would in the end need regulations and institutions to func-

tion properly and for that reason it would transform from a pure market economy to a mixed economy, which the authors of the five arenas call *economic society* (Linz, Stepan, 1996, p.13)

To summarize the five arenas it is important to stress the fact that one arena cannot work without the support of one or in many times all arenas. They are inter-related in a consolidated democracy. In this sense a democracy is an interacting system and not a regime, with each arena having its own principles contributing to the functionality of a consolidated democracy.

2.3 “Stateness” a requirement for a consolidated democracy

We have above accounted for the contents of “the five arenas”, as prerequisite for any consolidated democracy. In order to be able to implement the five arenas, it has to be established that the country we are dealing with, in this case Mexico, is a state. The relationship between state, nation, and democracy has to be examined. Linz and Stepan argue that, a modern democratic state’s existence comes from the participation of the population, and nationalism gives us one potential definition for the population, which hopefully match the population of the state. There are however internal problems related to the relationship between state, nation and democracy which has effect on the possibility for the five arenas to work properly.

When dealing with transitions to democracy, a common assumption is that it is the non-democratic regime which is challenged, and by introducing democracy a fresh system is established. In many countries however, there are not just problems with the non-democratic regime, there are also deep variations in what members of a state feel about how a political community should look like. Moreover, there are differences in the perception of which population or populations should be part of that particular political community. The “stateness” problem arises when there are large differences of opinion among the people about territorial boundaries of the political community’s state, and deep distinctions in opinions as of who actually has the right to citizenship in that particular state. Countries which have the aim of becoming democracies vary in their degree of “stateness”. Those with low degree of stateness have to solve this matter first, in order to have a fair chance of implementing a modern democracy (Linz, Stepan, 1996, p. 16).

In a country, there are often different nationalisms which compete in questions of who is a citizen in the new democratic political community. This question has not always been properly addressed in transition theories. First of all, in order for the five arenas to function we have to deal with a sovereign state. One formulation of the “state” accounted for by Linz and Stepan is given by Charles Tilly. He explains that, “ *an organization which controls the population occupying a definite territory is a state in so far as (1) it is differentiated from other organizations operating in the same territory; (2) it is autonomous (and) (3) its divisions are formally coordinated with on another*” (Linz, Stepan, 1996, p. 17).

Max Weber provides for another description of a state, which is quoted by Linz and Stepan. Weber describes a state as “*possessing an administrative and legal order subject to change by legislation, to which the organized corporative activity of the administrative staff, which is also regulated by legislation, is oriented*” Weber goes on by stating: “*this system of order claims binding authority, not only over the members of the state, the citizens, most of whom obtained membership by birth, but also to a very large extent, over all action taking place in the area of jurisdiction. It is thus a compulsory association with a territorial basis. Furthermore, today, the use of force is regarded as legitimate only so far as it is either*

permitted by the state or prescribed by it... The claim of modern state to monopolize the use of force is as essential to it as its character of compulsory jurisdiction and continuous organization" (Linz, Stepan, 1996, p. 17).

As Tilly describes it, An organization, even if it is democratically elected does not have the state-like features he accounts for. The government cannot make an effective claim to the monopoly of being the only organization having the right to use force within its territory, collect taxes so that it can offer public services, and it cannot provide a functioning judicial system. This is why the degree of "stateness" has to be established for the five arenas to be able to promote a consolidated democracy, and the fact that the state is a sovereign one.

Related to the notion of "stateness" are nations(s), and the nation-state. A state can consist of many nations which together make up a state. This in turn causes some problems for democratization. It is particularly problematic when nations within a state have different culture, traditions, and language. It gets further complicated if there are large minority groups within the state. Traditionally, the nation which is the strongest within the state, make claims to the state and other nations have to follow the culture and language of the dominant nation. This development has led to the building of nation-states. In a nation-state, the leaders of the state have a policy which is aimed at rising cultural homogeneity. The state is thus "of and for the nation" The language of the dominant nation is often the only acceptable in education, and as the official language becomes the language of the constitution. The same goes for religion. Furthermore, the symbols of the dominant nation become the symbols of the state and minorities will have to accept and acknowledge them as such. In the state-making process however, as a difference to the nation-state, the equality of rights, culture, language, and citizenship are emphasized in the democratic process.

Few states that are non-democratic can start a transition to democracy claiming they have a high degree of homogeneity. This fact is a problem for advocates of nation-states, and it causes an increased problem for "stateness" (Linz, Stepan, 1996, p. 25).

Problems for democratic transitions and democratic consolidation might arise if a significant group of people, or nation, does not accept to be part of the political unit presented by the nation-state, thus not acknowledging the legitimacy of the dominant nation. Democratic transitions and consolidations become more difficult if: 1. The more the population of the territory of the state is composed of plurinational, lingual, religious or cultural societies, the more complex politics becomes because an agreement on the fundamentals of democracy will be more difficult. 2. Although this does not mean that democracy cannot be consolidated in multinational or multicultural states, it does mean that considerable political crafting of democratic norms, practices, and institutions must take place. 3. Some ways of dealing with the problems of stateness are inherently incompatible with democracy (Linz, Stepan, 1996, p. 29).

States have problems today, since most states consist of more than one nation, they have more than one language spoken within the state, and there are often several cultures present. It becomes very problematic to turn such states into nation-states by using democratic means. In a multinational state, democracy has to be voluntary, peaceful, and cultural assimilation must not be forced upon any nation within the state, instead it has to be intentional if democracy should have a chance. Linz and Stepan argue that state-nations are important to mention as a contrast to nation-states. State-nations are multicultural, and sometimes even multinational states which still have the ability to generate a large degree of loyalty from its citizens, similar to the loyalty that advocates of homogeneous nation-states be-

lieve only they can receive. The United States and Switzerland are examples of such State-nations.

To summarize, in order to achieve a successful democratic consolidation, the leaders of those countries which aspire to be future democracies must acknowledge the variety of nations, cultures, and political beliefs that exist in the territory. This is true, if the social and economic levels of development are kept equal, then a certain kind of democracy is plausible using one type of polity of political community, but it becomes extremely difficult if not impossible if those who run the affairs of the state are an elite of people which try to pursue a different type of polity of political community.

According to Linz and Stepan, with respect to the five arenas, and if the actual aim is reaching democratic consolidation, then we would have to see a development towards more consensual policies, and less of the policies based on majority principles. Besides consensual policies, timing is of great importance as well. Difficult cases for democratic outcomes might be shifted around and made into something possible, if the political leaders are willing to solve some important issues which give way to a democratic development. If these changes are not done and implemented, it might be even harder or impossible to install democracy, let alone a democratic consolidation (Linz, Stepan, 1996, p. 37).

3 Historical background of the political development in Mexico

The following review of Mexican history is focused on political and social areas. The historical background starts with the Colonial Era and ends around year 2000. The main focus is on the part dealing with the modern Era which starts somewhere around World War II. Some events in history have been more emphasized due to their relevancy to the thesis. The aim with the rather extensive historical overview is to account for the creation of a Mexican state, as to establish the “stateness” criteria made out by Linz and Stepan.

3.1 Colonial Era

When the Spanish conquest of the Americas started in the 15th century the Aztecs were ruling the territories of Mexico, and they were not prepared for the inevitable changes that would erupt the civilization of the Aztecs. The Spaniards were also shocked by the greatness of these peoples in terms of architecture (Thomas, 1993, p. 24)

In very short time the culture and religion of the indigenous would be replaced with the ones of the conquerors. For one thing the Catholic Church would have a great impact on the colonization of these peoples. Along with the conquest a new type of society evolved, a society made up by fortune seekers and men in search for a new purpose in life. Today, five centuries later the traces of the conquest are evident and still a subject to debate in Mexico. The conquest led to the mixture of Spanish and indigenous people which created a new breed of people called *mestizo*. Almost 90 % of the Mexicans are *mestizos* and only a small percentage is of pure Spanish origin.

Today Mexico has a multitude of nationalities represented within its borders. Not just from other Latin-American countries but also from many European, Asian and Arab countries. Many of who have searched, either refuge from wars in Europe, and those who like the conquistadors five centuries ago, were looking for a new beginning (Pearce, 2002, p. 163).

The conquest of the Mexican people lasting around five centuries led to a lot of suffering for many people of the *mestizo* origin. With time it led to a longing for freedom from the oppressing invading landowners that consisted of mostly people from pure European origin, mostly Spanish. The new landowners of pure Spanish origin were called *criollos* (Creole). The *criollos* were responsible for a numerous uprisings against the Spanish crown because they felt that they were dominated by the new hordes of Spanish elite representatives trying to ensure Spanish domination on Mexico. By the end of the 18th century the struggle for an independent Mexico had really taken form and many of the most important persons were of *mestizo* origin. The *mestizos* had developed a strong idea of an independent Mexico with the same rights for all people and without the interference from the Spanish Crown and therefore they were often making coalitions with the wealthier *criollos* (Pearce, 2002, p.165).

Independence

It would take until 1810 for the first real signs of independence to show. Father Miguel Hidalgo rang the Church bells and called the people to revolt. For some time he had conspired with a group of *criollos* to get rid of the Spaniards, but their plans were discovered. Hidalgo was warned just in time to ring the bells of the Church. Events led to a number of

clashes between both Spanish troops and guerilla fighters. It would lead to the executions of many people and among those Father Miguel Hidalgo. Another famous priest who took over after Hidalgo, José María Morelos, of mestizo origin was captured and executed in 1815. Finally, the fighting ended and the Spanish Crown had been defeated (McKenney, 1994, p. 156).

The presidency changed 39 times in 22 years and 11 of those terms (1833-1855) were held by General Santa Anna (1794-1876). Unfortunately for Mexico Santa Anna lost many parts of its northern territories to the United States. Only a small part was left of New Mexico and Arizona but it was sold for 10 million US dollars in 1853 to many Mexicans disappointment (Pearce, 2002, p. 42).

During the 19th century there were both civil wars and constant uprisings between different factions, and even after 1821 when Mexico finally declared its independence from Spain there was no end to the conflicts (Foster, 1997, p. 129).

Benito Juárez

Benito Juárez, a Zapotec Indian from Oaxaca with a law degree had been elected president in 1861. Juárez was a liberal, responsible for a number of reform laws concerning the Church and military by stripping them from various benefits. Juárez promoted liberalist thoughts such as free press and speech, and he wanted to improve the economic and social situation for the poor, especially he promoted opening of new schools outside the doctrines of the Catholic Church. This eventually led to a clash between the conservative and the liberal (Foster, 1997, p. 132).

Benito Juárez would keep on ruling as president until he suddenly died in 1872. He is remembered as someone who did good things for Mexico, and he showed that someone being an indigenous could rise to power. Soon after Juárez, another famous spirit in Mexican history would become president, and he would stay longer in power than any other president in Mexican history. This man was Porfirio Díaz. He was to rule Mexico for 34 years between 1876 and 1911 with almost no interruption (Hamnett, 1999, p. 176).

3.2 Porfirio Díaz – The Porfiriato Dictatorship

After the death of Benito Juárez in 1872 a few years of instability followed. The presidency was taken over by Porfirio Díaz in 1876. Díaz had searched for an opportunity to seize power and his moment came when the president had tried to be reelected. The possibility to be reelected was something that Díaz hated, claiming that it was unconstitutional. His slogan before assuming presidency was “No Reelection” (Foster, 1997, p. 138).

The slogan of “No Reelection” would show to be of no importance when it came to Díaz himself. He would reelect himself eight times before his time would end, and his Presidency would not end until the beginning of 1911, lasting over 34 years (Krauze, 1997, .236).

The incapacity of the administration of Díaz finally led up to war of ideologies. The more than 30-year old regime of Porfirio Díaz ended in 1911, when he felt obliged to resign from power to Francisco Madero. Díaz went to exile immediately after his resignation and he chose France. He died in Paris in 1915 as a forgotten and unappreciated character (Hamnett, 1999, p. 207)

3.3 The Mexican Revolution

Only a decade after the beginning of the new century the social problems were starting to escalate. A bitter struggle of different interests, both domestic and foreign culminated in a civil war which would have many casualties. It is from the Mexican Revolution that personalities like Emiliano Zapata and Francisco “Pancho” Villa would for be known to the world (The revolution would also give name to painters and artists like Diego Rivera, who with his famous mural paintings describing not only the history of the revolution but also the history from the Spanish Conquest up to the revolution and industrialization of Mexico. Later in the 19th century the poet and Nobel Prize winner Octavio Paz would place Mexico even deeper in the conscious of the world. The artist Frida Kahlo is perhaps today the most loved personality that stem from the aftermath of the Mexican Revolution.

In the end both Zapata and Villa would have to pay with their lives for the cause. By 1917 after a meeting in Querétaro the leading parties had agreed upon a new constitution, hence the Constitution of 1917 (Pearce, 2002, p. 276).

The Cristero Uprising

The Catholic Church was not happy with the decisions taken concerning the property of the Church in the Constitution of 1917. All the land and buildings were to be confiscated by the state. These decisions were now harshly realized. Foreign priests were persecuted and put in exile and monasteries were closed down by the authorities (Charlesworth, 1973, p. 49).

It all started when prominent representatives of the Catholic Church in Mexico accused the regime of executing the agenda of the Constitution which they felt was unjust in the matters regarding the Church. The population was deeply catholic and many did not support this. President Plutarco Calles answered the criticism by setting out to punish the Church. The respond of the Church did not take long. Suddenly no mass was performed, no baptisms, no burials and not since the days of the Conquest had there been a darker time for the Church. Those who supported the Church were called “*Cristeros*” and they were ready to take action. They were responsible for burning down schools and killing teachers. It would take until 1929 to end the conflict (Foster, 1997, p. 177).

During this period Calles constructed the Party that would rule Mexico for the next 71 years until the elections of 2000, the PNR (Partido Nacional Revolucionario). The PNR would later in 1946 take on its recent name of PRI (Partido Revolucionario Institucional) and as it is known today (Pearce, 2002, p. 292).

By 1934 a new era would begin in Mexican political history. With the election of a former general, and at the time the youngest candidate to take on presidency, Lázaro Cárdenas would set out to stop the corruption that had been an obvious feature of the Calles administration (Krauze, 1997, p. 434).

3.4 Lázaro Cárdenas – a new wind

President Cárdenas nationalized Mexican oil industry and created the new state-owned Mexican oil company Pemex (Petróleos Mexicanos) (Krauze, 1997, p. 474)

Many believed that Mexico would not be able to run a prosperous oil industry due to bad technical knowledge. However, since the war was soon to begin the Mexican oil Industry,

owned and managed by Pemex, would not need many years before it had already outdone and raised the previous oil capacity. Mexico was selling every barrel it could produce (Pearce, 2002, p. 286).

Besides the fact that Mexico became a refuge for persecuted people from other countries, Cárdenas would lead Mexico into the modern era, and during his time Mexico became a socialistic state with the capability to freely work the foreign capital that was pouring into the country. Although some of his policies were fiercely criticized the last period of his administration Cárdenas never took to violence (Pearce, 2002, p. 287).

3.5 The Modern Era

The election of 1940 was won by Ávila Camacho and for that reason the conservatives calmed themselves since Camacho was arguing for a more Right-wing policy. The new policies were therefore set to enforce a modernization of Mexican industry, and for that the rich landowners and the mostly conservative company owners were needed (Foster, 1997, p. 190).

On May 28, 1942 Mexico declared war on the Axis powers. One of the main reasons for this was a German attack on two Mexican oil tankers in the Mexican Gulf (Krauze, 1997, p. 504).

Mexicanization of Industry – Miguel Alemán Valdés

It was Lázaro Cárdenas who started the modernization of Mexico but it was the administration of Ávila Camacho that really made Mexican economy boost. During the first years after World War II companies like General Motors, Sears, Coca-Cola, Pepsi and many more invested in Mexico. The revolution was said to be over and it had to be emphasized. The PRI went towards institutionalism where the constitution and law would be the main corner stones. The institutionalism would guide the evolvement of the state, government and its different legal and legislative instruments (Krauze, 1997, p. 529).

The man who was chosen for this task was Miguel Alemán Valdés. He was the first elected president since the Mexican revolution that had not served in the revolution. This meant that new characters entered Mexican politics, such as businessmen and economists. Huge building projects started all-over the country. Great investments were made in the development of electricity by construction of strategically important dams, which not only improved the spreading of electricity around the country, it also created new agricultural areas turning deserts to rich farming land. The oil industry would not be without its share of modernization during the period of Alemán. The state owned Pemex was ordered to build new pipelines and refineries. At the same time Pemex drilled for new wells, doubling Mexican oil production. One of the perhaps most important projects was the building of the National University of Mexico (UNAM) (Pearce, 2002, p. 293).

The downside of these enormous projects was corruption. The existence of corruption was always present in Mexican politics but under Alemán it culminated and developed to something never seen before. Building projects were given to people closely connected to the government, making a small number of businessmen and fortune seekers very rich, and at the same time these businessmen owed their riches to the ruling elite (Krauze, 1997, p. 598).

There were other issues that were starting to create problems in Mexico. The enormous population growth in Mexico was disturbing the economic growth seriously. In 25 years the population had doubled, and reached 32 million in 1958. The situation was even worse in urban areas. The growth rate in the cities was more than two times higher than the rate in rural areas. The population in Mexico City alone had gone from 3 million in 1952 to 5 million in 1958 (Pearce, 2002, p. 297).

The elections of 1958 were unique because women were voting for the first time in history. It was believed that the opposition would gain from this, especially the PAN because of the connection to the Church. Results however, showed that the majority voted for López Mateos.

The Tlatelolco massacre

Certain events of social unrest among university students around 1966 and after had been oppressed by government troops. There were casualties among the students due to overreaction in the retaliation from the government. Since the Olympic Games were to be held in Mexico in October of 1968 the overall security measures had been increased. No violent demonstrators, communists or student dissidents were to be allowed to jeopardize one of the most important events in the world. In the mind of Díaz Ordaz order had to be maintained, and nobody had the right to question the authority of the Mexican government (Krauze, 1997, p. 690).

The real problems leading to the tragic events of *Tlatelolco* began at the end of July in 1968. The area which is today called *Tlatelolco* is totally integrated in Mexico City. The central point in *Tlatelolco* is the *Square of the Three Cultures*, or *Plaza de las Tres Culturas* in Spanish. It is called like this because of the composition of the square itself and the buildings that are built around it. The square is built on the ruins of a pre-Hispanic temple and on the square there is a colonial church, and surrounding the square there are modern apartment buildings raised mainly for the working class (Krauze, 1997, p. 717).

A soccer game between students connected to two different universities led to a quarrel upon which the police showed up and started hitting with their clubs on the students. Many students fled back to the school area upon which they were followed by the violent police. The situation got out of hand and several were injured. This particular situation led to several demonstrations and protests against police brutality but also for human rights for all and autonomy for the universities to teach what they wanted. Several students and other activists were arrested and tortured by the Secret Police in search for the leaders of the student organizations but also those who supported them financially. The government chased people indiscriminately, accusing the arrested of being communist dissidents trying to take over the country and ruin the continuity of the Mexican Revolution. (Pearce, 2002, p. 301).

There was an estimate of between five to ten thousand people in the Square of the three Cultures on 3 October. Under-cover police opened fire on the crowd, claiming later that they had been under attack by the crowd. No one really knows how many died that day. The official number from the government is 43 people, but some foreign newspapers reported that more than 300 people had lost their lives, which according to eye witnesses seems closer to the truth. There was not possible to count the bodies lying in the bloody square, because the next morning the bodies were shuffled on to trucks in the rain, to be carried away and burned (Pearce, 2002, p. 303).

Consequences of the Crisis in 1968

In the aftermath of the *Tlatelolco* massacre people were becoming ever more determined that the old system had no future without vital democratic improvements. In many ways it was the start of the decline of the system. The PRI had lost a large portion of its most devoted followers which were the sons of the middle class. This group was supposed to guarantee that the heritage of the PRI lived on within the young generation. New demonstrations broke out and one of the most violent ones took place in 1971 on the Corpus Christi Day, when students demanded the release of political prisoners, when they suddenly were attacked by people dressed up like students and armed with baseball bats. In the action injured people were arrested and put in disguised police cars and sent away. Eleven people were reported dead and almost 200 were injured. As in *Tlatelolco* there were people missing and that number was estimated to 35 (Krauze, 1997, p. 732).

The next man to be pointed out as new president was José López Portillo. He was elected without any opposition since the PAN had chosen to protest against unfair electoral procedures (Pearce, 2002, p. 307).

Political Liberalization in Mexico

The political liberalization in Mexico took on a somewhat different route than many other Latin American countries in the 1960s and 1970s. Liberalization did not come about due to a change of regime. Instead it was initiated by the sitting regime and pushed forward by the López Portillo administration (Middlebrook, 1986, p. 123).

The López Portillo administration initiated in 1977 a political reform which aim was to increase the number of political parties and ideological variety. The reform also changed profoundly the electoral process, making it easier for opposition parties to participate in Mexican politics (Middlebrook, 1986, p. 124).

The Reform enacted on the final day of 1977, pushed forward by the López Portillo administration, contained four major changes and was named the Federal Law on Political Organizations and Electoral Processes. The basic characteristics of these four important changes were as follows:

1. *Liberalized procedures for political party recognition.*
2. *Reform of the Federal Chamber of Deputies.*
3. *Changes in electoral procedures.*
4. *Expanded party access to mass communications.*

The state which Mexico was in, both politically and economically made many Mexicans long for dramatic changes. Promises had not been remotely fulfilled in these important areas. The opposition was on the move and had slowly advanced on the political scene and was seriously hurting the PRI regime. The threat was both from the Left and from the Right of the central PRI. The election of 1988 was perhaps the most scandalous election in Mexican history. It is contested up to this day because of the fraud involved and the cover-up of the actual result of the voting. The next President of Mexico was the Harvard educated Carlos Salinas de Gortari (Foster, 1997, p. 217).

3.6 Carlos Salinas de Gortari – NAFTA, the Zapatistas, and Assassinations

The 1988 elections is still today the most contested election in the history of modern Mexican politics, but in the end the official winner was Carlos Salinas de Gortari. In the 1980s the opposition from both the Left and Right had done some serious advances especially in the north with the center-right PAN and in Mexico City with coalitions of the Left with Cuauhtémoc Cárdenas as their candidate. Cuauhtémoc Cárdenas was the son of the former and popular President Lázaro Cárdenas who had mobilized a coalition of leftist parties. Cuauhtémoc Cárdenas was in the first counting looking like he would actually win the whole election. This came as a total surprise to the PRI. Suddenly, as the votes still were counted a computer breakdown postponed the whole process of counting. When the system came back on, the declared winner was the PRI and Carlos Salinas de Gortari. To most analysts the computer crash was a deliberate action by the PRI to gain time in order to manipulate the votes. The official result showed that the PRI had 51 percent, Cárdenas coalition the FDN/PRD had 31 percent, and the PAN received 18 percent of the votes, according to the Federal Election Commission (Foster, 1997, p. 218).

An important step was made in the area of free trade when Mexico signed the North American Free Trade Agreement (NAFTA) with Canada and the United States. The Treaty was to come in effect on January 1, 1994, at the end of his term as President. The aim was to make it easier to sell Mexican goods and merchandise to the neighbors in the north, but also it was aimed at diminishing the illegal immigration from Mexico to the United States. For the United States and Canada it was an opportunity to sell their goods with no custom barriers to the south and create new investment possibilities for the northern neighbors. Salinas started a privatization process in which 250 state-owned companies were sold (Oppenheimer, 1998, p. 7).

The Zapatistas

The expectations were high in the Salinas administration and especially for Salinas himself, who had regarded the NAFTA deal as his pet project. The deal was to be active on the first day of 1994 and while celebrating the coming of the New Year with family and friends in his home, Salinas received disturbing news. Reports were coming in from the state of Chiapas that there had been a number of occupations of some cities in Chiapas by guerillas. It turned out later that that it was a peasant uprising of indigenous people that had taken control of strategic places in each city that was under occupation. They claimed that they had taken to arms because of numerous of broken promises by the government to eradicate the inequalities within the state for centuries, but also for the corruption by the leading white people that had been in control of the rich supply of natural resources in Chiapas for centuries. The state of Chiapas is one of Mexico's richest states when it comes to natural resources such as coffee, timber, tourism, hydroelectricity, gas, and especially oil. Chiapas was Mexico's main supplier of these resources. The paradox is that Chiapas is perhaps the poorest and most underdeveloped state in Mexico despite its riches. One of the cities that were occupied on January 1, 1994 was the popular tourist city of San Cristobal de las Casas. The Municipality House and the Police House were both occupied by the Zapatistas. They declared that the name of the guerrillas was Ejército Zapatista de Liberación Nacional (EZLN). The name was taken from the hero of the Mexican Revolution Emiliano Zapata who fought for the rights of the peasants and the indigenous. Now the EZLN claimed to continue the same struggle for the same rights that still after 60 years had not been granted

the people of not just Chiapas, but many regions of the country (Oppenheimer, 1998, p. 21).

The Zapatistas bound themselves to follow the Geneva Conventions' laws of war, and claimed that their struggle was justified in the Mexican Constitution in Article 39 stating that all public power comes from the people and is installed for the benefit of the people, and that the people has the right under all circumstances the undisputable right to change or modify its constitution (Gustafsson, 2001, p. 11).

The uprising was initially said to be commanded by indigenous people of Chiapas, but actually this was not the fact. The whole guerrilla movement had its base within secret leftist organizations from Mexico City, and most of those people were of white or *meztizo* origin, intellectuals with their roots in the leftist movements from the 1970s (Gustafsson, 2001, p. 33).

For Salinas the existence of a guerrilla movement with the capacity to occupy whole cities came as a total surprise, but what troubled him the most was the timing of the uprising, just when the NAFTA Agreement was to come in effect. The timing of the whole action had been carefully planned by the EZLN, who were ideologically against the NAFTA Agreement claiming that it would further impoverish the already poor south. It was believed that such an agreement could only benefit the rich northern states where a business climate already existed, while resources from Chiapas would continue to pour out of the state to the benefit of the ruling elite in Chiapas which had been the case for centuries (Oppenheimer, 1998, p. 270).

Casualties from both sides were reported even if the government tried to hide the true numbers from journalists. Due to severe criticism from both within the PRI and from the opposition, but also from outside the country, the Salinas administration changed its' stance towards the Zapatistas and a cease fire was proclaimed after a couple of weeks into the new year in order to negotiate. The government showed itself willing to meet the demands concerning material issues such as education, health, and housing. They refused however categorically to discuss any political reform on a national level. The negotiations stranded when another severe blow to Salinas hit the news and becoming another scandal for the government. The next expected president to be, and Salinas's anointed, Luis Donaldo Colosio, was murdered in March of 1994 while campaigning for presidency (Gustafsson, 2001, p. 31).

The Assassinations of a Presidential Candidate and the Party Secretary of the PRI

The assassination of Luis Donaldo Colosio shook the already pressured government. First of all because of the sensitive timing of the assassination with the new NAFTA Agreement and the existence of a guerrilla movement strong enough to call upon the attention of the entire world. Second, this was not just an ordinary assassination. It was a presidential candidate and was therefore a political murder (Oppenheimer, 1998, p. 62).

The speculations surrounding the murder were many and some striking evidence pointed directly towards the PRI leadership and the "*dinosaurs*" of the ruling elite within the PRI. Colosio had in his campaign openly criticized the old regime authoritarianism and had promised democratic changes. For this it is believed that he was becoming uncomfortable for those who benefited both economically and politically from the continuity of the old system. Others speculated that the assassination had been ordered from the inner circle of

Salinas, because of the open criticism of the way the government was dealing with the different socio-economical problems within the country. The prosecutor claimed a month after the killing that he had evidence that it was a one man killing, and in July of 1994 the prosecutor closed the case, but to many this sentence was a clear cover-up of something far bigger and complex. The assassination of Colosio in March led to other mysterious deaths of which one was the murder of the Chief of Police in Tijuana in April, close to where Colosio had been gunned down. Many felt that the Chief of Police had been involved somehow in the killing of Colosio and had now become inconvenient and for that reason had to be eliminated (Oppenheimer, 1998, p. 62).

Later in September of 1994, another assassination shook the foundation of political life in Mexico. The party secretary of the PRI José Francisco Ruiz Massieu was gunned down in a street in Mexico City. Two important politicians had been murdered in a short period of time and the PRI did what it could to choke the investigations in order to solve the matters internally. After complicated investigations the murderer was caught, but the one who allegedly had planned the assassination was someone very close to President Salinas himself, it was his older brother Raúl Salinas (Hamnett, 1999, p. 209).

By the time the evidence were put on the table, Carlos Salinas had already left office, but he did all he could to clear the name of his brother. At one point even Salinas himself was put under question for the involvement in the cover-up of the murder of Ruiz Massieu, but Ernesto Zedillo that just had taken over the presidency choose not to investigate further, and respected the immunity that former presidents had enjoyed in the regime of the PRI. It was enough that the brother of a former president had been accused, something that had not been thinkable before. Raúl Salinas's wife was some time after caught withdrawing a sum of 100 million dollars from a Suisse bank account, said to have come from the national treasury or bribes from different drug cartels (Oppenheimer, 1998, p. 214). Raúl Salinas was in 1995 sentenced to 27 years but was in 2005 released and acquitted of the murder after sitting ten years in prison (BBC homepage, 2005)

Ernesto Zedillo Ponce de León

Unprepared for his new role as candidate for the PRI in the 1994 elections Zedillo accepted the nomination with reluctance and to many even within the ruling elite Zedillo was unknown, but Salinas had made up his mind and nobody opposed the nomination of Zedillo. When Zedillo finally became president, his first step was to devalue the long overvalued peso.

This necessary step worsened the economic situation in Mexico and caused foreign investments to drop further. Salinas was the one who should have taken measures to devalue the peso before he left office but avoided to do so, and now the blame fell on Zedillo who had actually advocated this idea in the beginning of 1994. The devaluation of the peso was badly handled and word had come out to important Mexican businessmen, who run to exchange pesos for dollars thus making huge winnings in the process.

Before the elections of 1994 Salinas had taken some important steps to improve election rules and that way making it more difficult to manipulate the voting. The at the time semi-independent Federal Electoral Institute (IFE) would for the first time in the 1994 election be responsible for the process of the voting. The Federal Electoral Institute would be put under the inspection of a board of members containing six people with several members of the opposition. Limits were set to the amount of money each party could spend in their campaigns, identification cards that were difficult to falsify were used, national election

monitors so that people could follow the results, and foreign observers were invited to monitor the election. Regarding election rules and the possibility for the opposition to monitor the process of the voting and with foreign observers overseeing the voting, the election of 1994 was the fairest election so far in Mexican history. The manner that the PRI won the 1994 election without rigging the vote as much as before was with massive amounts of money and with huge help from the television networks and newspapers that were supportive of the PRI (Oppenheimer, 1998, p. 127).

The 1994 election was certainly an improvement in aspects concerning electoral fraud, but it was extremely unfair when it came to the amount of television and newspaper coverage given to the opposition compared to the PRI. A report made by the Federal Electoral Institute showed that the largest television company *Televisa*, had coverage of 40.6 percent of the campaign of the PRI. This is to be compared to the largest opposition parties the PRD and the PAN. The center-left candidate Cuauhtémoc Cárdenas and PRD was given 7.8 Percent coverage, and the center-right candidate Diego Fernandez de Cevallos and the PAN was given 7.6 percent of the total coverage. What 's even more striking in the report was that all the other leaders of small parties that had never received more than 1 percent of the votes in previous elections, mainly on the left side and sponsored by the PRI, received more coverage by *Televisa* Networks than Cárdenas and Cevallos put together. If anyone not familiar with Mexican politics at the time was watching the *Televisa* campaign coverage before the election of 1994, that person would easily come to believe that the leaders of those small parties were more important than Cuauhtémoc Cárdenas and the PRD and Fernandez de Cevallos from the PAN (Oppenheimer, 1998, p. 131).

After all, Cárdenas had been the runner up if not the winner in the scandalous election of 1988, and after the votes were counted and Salinas was proclaimed winner, Cárdenas mobilized mass demonstrations and entered in post-electoral conflicts in order to achieve political progress for his party (Eisenstadt, 2004, p. 3).

The Campaign of Zedillo was won with enormous amounts of money spent. The PRI went to the private sector to finance most of the campaign of 1994. During the six years Salinas was president the speed of the privatization of state-owned companies had increased and many businessmen became enormously rich. It was a way for the businessmen to pay back for the prosperous years under the Salinas administration. In the end, official numbers state that the PRI spent 105 million dollars in the campaign of 1994. On top of that the PRI received many times more from the private sector, around 700 millions dollars some sources claim, but this was never officially reported. These were unbelievably large sums surrounding the campaign of the PRI. The 105 million dollars alone represented around 80 percent of all the expenditure by the opposition parties together in presidential, congressional and municipal campaigning (Oppenheimer, 1998, p. 143).

During the Zedillo administration the approach regarding the acceptance from the PRI towards strong opposition that had emerged changed dramatically. When Cárdenas won the race for mayor of Mexico City, he was greeted with kind words from Zedillo. For some analysts however, this was just a conscious strategy that the PRI had used before. To show support for the PRD in order to weaken the PAN was regarded by some as a tactical move to divide the opposition for the coming election of 2000 in which the PAN posed as the most serious threat (Oppenheimer, 1998, p. 329).

3.7 The 2000 Election -The Fall of the PRI and the Rise of the PAN

The election of 2000 was the first election in the history of Mexico that involved a change of regime without any bloodshed. For almost 72 years Mexico had been run by the revolutionary party constructed in 1929. The PRI had been the authoritarian party that survived longer than any other party around the world, surviving all totalitarian communist countries. By the semi-democratic system of the PRI, the regime was able to prevent the democratic change that was so badly needed in Mexico. They did so by controlling all institutions, elections, political opposition, unions, universities, civil society and the economy. When the seven decades of one-party rule was finally broken in 2000, the expectations were high on the new government. What is important to note is that in the case of Mexico, the old regime did not collapse as in many ex-communist countries. The PRI lost power in democratic elections but managed to survive as a strong political party (Pearce, 2002, p. 326).

The PAN and its candidate Vicente Fox received 43 percent of the votes. The candidate of the PRI, Francisco Labastida received 36 percent of the votes, and the PRD with Cuauhtémoc Cárdenas was registered to have won 16 percent. The rest of the votes were divided mainly between small opposition parties to the left. The PRD was able to further strengthen its position in the Federal District (Mexico City), representing around a fifth of the voters in the country (IFE homepage, 2000)

The victory of the PAN was thus not won by a landslide, and many took the opportunity in the 2000 election to vote against the PRI instead of in favor of the PAN. In any case the election of 2000 showed that people were now ready to take a step forward towards democracy, but most important of all it was also possible do that due to the acceptance of the PRI of the fairly fair election. The outgoing Zedillo administration had taken the necessary steps to improve the electoral procedures so that they would not be accused of electoral fraud. Some irregularities were reported, as buying of votes for food, but it was insignificant to the outcome of the results. The main parties received the same amount of money from the state, some 118 million dollars for their campaigns, and funds were also given to the education of civilian poll watchers that could monitor each polling station. Transparent ballot boxes were used so that no party could be accused of stuffing ballot boxes (Pearce, 2002, p. 323).

Later it was however found that the PRI had spent far more money than the other opposition parties in order to win the 2000 election. The PAN managed despite this to get most of the votes even if their money had been drained to the last drop on the day of the election (Fox, Allyn, 2007, p. 178).

Vicente Fox Quesada – The first President to be democratically elected in Mexico

Vicente Fox Quesada entered politics in the 1980s. He was a former ranch owner who resigned his top job as the Coca-Cola CEO in Mexico with responsibility over Latin America. He was openly showing his devotion to Catholicism after his inauguration, something that had not been appropriate among his predecessors. He did not do so in terms of fundamentalism but more in the sense that any person had the right to rely on whatever religion they wanted. As a former businessman, Fox choose to candidate for the PAN with a strategy focused mainly on economic change and free trade, building of democratic institutions, to fight corruption, health issues, education, and the struggle against poverty. In 1997 he was

the governor of Guanajuato and from that position he proclaimed his candidacy for the presidency without the formal approval of the PAN, which he officially did not achieve until 1998. Vicente Fox set out to change the old perception that the PAN was only representing rich landowners with catholic values, which was seen as an important step in order to attract the masses. He defended gay rights and he promoted women in his cabinet. Fox recruited people from both the left and right, and made an alliance with the Green Ecology Party of Mexico (Pearce, 2002, p. 325).

Fox's politics was based on many promises for change, but little was in fact done to address important issues. This resulted in a negative reaction among Mexicans, who gave Fox and Pan less support in the mid-term election to the Chamber of Deputies in 2003. By the national election in 2006, the two main opposition parties the PRI and the PRD had gained votes from the PAN. Vicente Calderón from the PAN was however elected as new president with the smallest margin ever over Andrés Manuel López Obrador from the PRD (Shirk, 2005, p.28).

3.8 Contemporary Mexico

The following three chapters will address the problems in the three main arenas for this thesis outlined in Linz and Stepan's transition model "*the Five Arenas*". The arenas are: civil society, political society, and rule of law. Each of the chapters begin with an introduction followed by a definition of each concept, and then goes on by highlighting the situation in each arena today with a link to the past, and problems connected to contemporary Mexico.

4 Civil Society – Introduction

Civil society as a concept has been given different meanings by different scholars of the subject. A mere mobilization of autonomous social movements, a common interpretation by many theorists, gives no guarantee that social movements will prevail or be institutionalized. If civil society, and the social movements, associations and organizations and individuals which it consists of, is short of basic civil, political and social rights, the process of democratization will cease to develop. The institutionalization of these basic rights is crucial for civil society in a developing country like Mexico (Olvera, 2004, p. 404).

Olvera highlights two problems with democratic transition theories and civil society which to him are evident for developing countries in Latin America. First, democratic transition theories tend to ignore the learning process countries need to go through to really be able to develop an institutionalized democracy. Instead, the focus has been on political bargaining between those in power and other democratic actors. Second, current civil society theories, tend to assume that rights are already institutionalized and consolidated like they are in Western countries. For this reason, the analysis of developing countries are short of adequate strategies for understanding the immense social inequalities which endorse further dependency, both personally and collectively (Olvera, 2004, p. 404).

4.1 The Concept of Civil Society

There are two leading interpretations of civil society. The first is the liberal interpretation, which basically involves most features in society but the state. Examples of what is civil society in the liberal context is the market, different kinds of associational networks, rule of law, and a pluralistic and understanding political culture. The state is separated from these features. A critique against the liberal interpretation is, since it involves so many aspects like the market, what civil society actually is that it becomes difficult to identify the social actions which are characteristic for a civil society. The market is strategic in its nature and biased towards revenues, and the rules of the market are impersonal and not subject to disapproval. The public life and most social associations as a contrast are biased towards communication, open for disapproval and criticism and not strategic in their nature. As Olvera states, when he follows G.W.F.Hegel, that the market might be acceptable as a requirement for a civil society, but it is still something else to regard the market as the core institution in civil society (Olvera, 2004, p. 405).

The second interpretation of civil society, which is dominating in Mexico, concentrates civil society to the life of civil associations, thus excluding family, market and the state. In Mexico, those that usually are regarded as being the civil society are NGOs (non-governmental organizations), and some particular social movements. The criticism against this interpretation of civil society comes from the notion that here civil society only consists of NGOs, and fails to notice that civil society is a mix of various social actors as well as institutions (Olvera, 2004, p. 405).

Olvera goes on by citing Cohen and Arato (1992, p. 492), when highlighting their, to his meaning broader definition of the concept civil society, “*institutional framework of a modern lifeworld stabilized by fundamental rights, which will include within their scope the spheres of the public and the private (from a lifeworld point of view)*” Cohen and Arato are here influenced by Jürgen Habermas and his theory of communicative action. For Habermas, the public sphere is the arena where individuals can come together and identify problems in society and that way mobilize for political action to influence the state. “*a realm of social life in which public opinion*

can be formed" (Habermas, 1964, p. 49). The private sphere refers to the arena of civil society that deals with interpersonal relations, exchange of commodities between individuals, and labor (Olvera, 2004, p. 405). Besides Hegel, Habermas, and Cohen and Arato, there are many political thinkers who have dealt with the concept of civil society throughout history. According to the London School of Economics, Civil society is distinct from state, family, and market in its institutional form, but that it is in reality difficult to distinguish civil society from the state, market and family. Civil society, is often connected to organizational life, and has various autonomy and powers (LSE homepage, 2008).

Civil society is a term frequently used in western tradition, and it expresses the basic thoughts of western political thinking concerning the politically organized society. It refers to the whole society as a political, economic, and moral order (Dahlquist, 1995, p. 196).

Robert D. Putnam talks about the civic community, and refers to a vibrant associational life, which he argues is important for the effectiveness and stability of democratic governments, since it improves the social capital. It becomes valuable due to its internal effects on the individual and thus leading to external effects on the political community. Putnam mentions Alex de Tocqueville as one of the most influential thinkers when it comes to the American Independence in the 18th century and the formation of civil and political organizations (Putnam, 1992, p. 89).

There is also an historical explanation defining the perception of civil society in the West contra developing countries. In the West, basic rights in social movements have been institutionalized and these rights have affected areas of politics, society and economy by the creation of laws in these areas. In developing countries this has not always been the case. Institutions of a Western character have been installed in developing countries, but many times they have not functioned properly, or even been used as new means of oppression.

That is why Olvera argues, that a more developed interpretation of civil society might be better for developing countries where basic rights are not sufficiently institutionalized. Social movements in a modern society are vital as long as they have the ability and rights to really affect its surroundings, by being advocates of progress. In western societies these rights exist, but in many developing countries they do not. By comparing the West and the developing world, social movements in the developed world have historically lacked influence and enjoyed less political autonomy which has made them weaker agents of democratization. Because of this weakness, the situation regarding low existence of rights and basic social justice in developing countries can to some extent be explained. When there is little or no presence of autonomous social movements, it becomes very difficult to consolidate rights even under democratic governments (Olvera, 2004, p. 406).

So for Latin America, where there is a lack of basic rights, justice and democracy, the main challenge for civil society is the institutionalization of rights that are functional and operational. The situation in Latin America however, shows many examples of social and economic inequalities, old traditions of conducting politics which has caused a dependency on both individual and collective levels. The existence of corporatism and *clientelism* lives on even in electoral democracies. By *clientelism* in this sense is meant the relationship between influential interest groups or politicians who promise jobs or benefits in exchange for votes. As social inequalities cause huge problems of social integration, the chance of developing a stable democracy diminishes, despite the fact that institutions are built by elites. This increases the danger of political *instrumentalization* of social mobilization. By *instrumentalization* is meant the risk of political parties' domination over social movements for strategic reasons, instead of getting their actual support.

For these reasons, a main preoccupation in the process of democratization is to hinder further expansion of the polarization and marginalization of the population. Above identified factors, together with the problems of communication that stem from locally rooted cultures, the problems of an institutionalized civil society might be better understood (Olvera, 2004, p. 407).

4.2 Mexico and Civil Society

A functional *civil society* which is lively and ready to contest and promote the decisions made by the government is crucial to any society, and especially in democratic ones. The cornerstone of a *civil society* is made up by non-governmental self-organizing groups, and ordinary individuals and citizens (Five arenas, Linz, Stepan, *civil society*). The common agenda of the *civil society* is to defend, improve and develop a certain interest. Mexican civil society has throughout history shown to be crucial for any political change that has taken place, and the perhaps most important example being the Mexican Revolution 1910-1920. The Mexican Revolution involved all categories of people from peasants, rich landowners, the Church, politicians, military and foreign governments.

The *Cristero* uprising at the end of the 1920s, where the Catholic Church and its followers had a conflict with the government of the newly constructed revolutionary party is another example where people together with institutions (in this case the Church), contested fiercely the policies of the government. The tragic events surrounding the internal political problems of the 1960s culminating with the *Tlatelolco* massacre in 1968 showed that civil society was able to mobilize in the struggle for change. In 1994 when president Salinas's NAFTA Agreement was to be implemented, another rebellion broke out in the state of Chiapas, and the Zapatistas became known around the world for their struggle to improve the poor situation for indigenous. In 2006, a teachers strike for higher wages in Oaxaca City escalated and led to the occupation of several government buildings upon which special police was called in to push back the rioting citizens and seize control of the city, is further evidence for the capacity of the crowd to mobilize. The teachers in Oaxaca even went against their own union the SNTE and its leader Elba Esther Gordillo (supporter of the PAN) to make their voice heard. (The Economist homepage, 2007)

All the examples stated above have included violence and ended up with many casualties. There are other examples of non-violent mobilization like the huge demonstration in 2004, where around 250.000 people in Mexico City marched peacefully against the inadequate policies of the government to deal with the increasing crime rates in the country, is further evidence of mobilization of civil society in recent days (Al Camp, 2007, p. 67).

All the events surrounding mobilizations of citizens in Mexico have been promoted by some form of organization, institution or movement with the ability to unite in a common cause. The mobilizations have been supported by various groups at different times, and for different reasons. The support has come from groups like peasant movements, unions, student organizations, non-governmental organizations, business associations, the media, politicians, or the clergy of the Church. All of which have had a strong connection to the citizenry (Al Camp, 2007, p. 138).

Let us look at some of the most important influential organizations, groups or associations accounted for in the introduction of this chapter, all with an ability to mobilize and improve the democratic process in Mexican civil society. These are: non-governmental organizations, the Church, labor unions, and the media.

4.3 Non-governmental organizations

The number of Mexican NGOs (non-governmental organizations) has since the 1980s increased significantly. One of the main problems for civic groups during the authoritarian regime was receiving legal recognition. It is however difficult to find accurate and up to date information about the distribution of NGOs in Mexico. A report from 1996 listed some 5.000 NGOs (Olvera, 2004, p. 428). The report listed environmental, women's rights, human rights, indigenous service, rural development and welfare organizations as the most numerous. Almost 50 percent of those were concentrated to Mexico City, and another 25 percent to other major cities in Mexico, making the existence of NGOs most frequent in urban areas, as a result of strong economic and cultural interest groups represented in these areas (Al Camp, 2007, p. 162).

Before the election of 1994 a significant increase in new social movements took place. Many of those were associated with pro-democratic issues, like the *Civic Alliance* which was created to monitor elections and report electoral fraud. The *Civic Alliance* mobilized together with observers from more than four hundred NGOs and other civic associations around polling places during the election. By the election in 2000 there were more than 7.000 observers monitoring the election across the country (Al Camp, 2007, p. 163).

What was new with the formation of *Civic Alliance* in comparison to other NGOs at the time was that the *Civic Alliance* attracted people from different social groups and with various political beliefs. The common interest was democratic progress. In general, the *Civic Alliance* had stronger support in rural areas where other social movements, already working in a strong authoritarian environment, were strengthened by the support of the *Civic Alliance*. In urban areas, cities like Mexico City and Guadalajara, the support has been smaller since strong civic associations already existed in those areas and the authoritarian setting was less. It became almost a question of competition for space with other NGOs instead of cooperation, which is one of the reasons for their weaker presence in urban areas (Olvera, 2004, p. 431).

During the 2000 election, the presence of *Civic Alliance* was somewhat less noticeable because the election was won by an opposition party, the PAN and Vicente Fox. The *Civic Alliance* continued however to report fraud and especially vote buying, and pressurizing of voters. The impact of *Civic Alliance* has diminished since the creation of the IFE (Federal Electoral Institute), which is responsible for the carrying out of elections in Mexico. The IFE is a public and autonomous institute created before the mid-term election in 1997 (Rubio, Kaufman Purcell, 2004, p. 14) The IFE is one of the institutes that hold most credibility among Mexicans today (Al Camp, 2007, p. 292).

Important questions for the *Civic Alliance* today, besides observing the IFE, are their efforts for a decrease of governmental financial support to political parties, which they claim is too high. They feel that much of that money should be used in other areas of society (Civic Alliance homepage, 2008)

Another movement which has had an important role during the mid-90s is the *El Barzón* movement. When the high inflation struck Mexico in 1994 and onwards, many Mexicans suffered severe economic crises. *El Barzón* was created by midsize farmers, businessmen, and urban mortgage holders as response to the high interest rates which were devastating to many in the middle-class. The idea was to prevent banks from going against those in debt, a strategy which was successful in many cases. *El Barzón* mobilized both rural and urban areas in successful actions against the banks. Later, *El Barzón* suffered some problems

due to indifferences amongst the interest groups who started the movement. It is remembered though as an important movement for counter action against the government and the banks in the 1990s which reached an estimated number of 2 million members (Al Camp, 2007, p. 163)

Human rights groups are also important to mention, because of their growing number and their effectiveness in getting the attention of the media. This is true for both independent human rights organizations and those with roots in the Roman Catholic Church. Thus those organizations have become very important in the struggle for political change as well as in the fight against poverty. As a whole, NGOs and other civic associations have contributed much to an increased competition among parties regarding the electoral processes. This was especially evident in the election of 2000, and the coming of electoral democracy. NGOs will continue to play an important part in Mexico. In 2004, the Chamber of Deputies voted in favor of a new legislation which aim is to promote activities by citizens in civil organizations, and furthermore, the new legislation will improve the cooperation between the government and civil organizations. An initial problem with the actual implementation of the 2004 legislation has been the sometimes reluctant stance from some NGOs to develop closer ties to the governments. They have through years of struggles developed their own networks which has forced civil organization to work outside the system of parties. It remains however, a challenge to further improve the relationship between civil organizations and the state (Al Camp, 2007, p. 164).

4.4 The Church

The Roman Catholic Church has been extremely influential in Latin America. The Church as an institution has been involved in politics since before the conversion, but especially after, of the Roman Emperor Constantine in the fourth century (Wolin, 2004, p. 106). Representatives belonging to the Mexican Catholic Church have been initiators of uprisings and revolts against the government. Examples of such persons are Miguel Hidalgo and José María Morelos. Both were priests and fought for independency for Mexico from Spain in the beginning of the 19th century. Both Hidalgo and Morelos died a martyr's death between 1810 and 1815 (Pearce, 2002, p. 164). The Death of Hidalgo, on September 16, is today the Day of Independence in Mexico, and Morelos has one state named after him.

In the 1920s, the Catholic Church and its sympathizers revolted against the government in the "*Cristero*" uprising, because of the decisions by the government to concrete its superiority over the Church, furthermore the Church lost many of its holdings around the country, and many people were killed on both sides of the conflict. The situation was especially difficult for the clergy during the years between 1926 and 1929 (Al Camp, 2007, p. 145).

During the first decades of the regime of the PRI it was considered treacherous to be Catholic, but most of the presidents in Mexico, especially those of later days, were actually Catholic if not openly at least in their homes. At some stages it was considered a crime to the Revolution for a president to even enter a Church. Vicente Fox (2000 – 2006) was one of the first presidents in modern history to openly acknowledge that he was Catholic. In 2002 the Pope visited Mexico for a canonization of a saint, and Vicente Fox publicly kissed the hand of the Pope. For this he was criticized by some, while he received significant support from the public. The Church was often put under heavy criticism, and as an institution the Church was actually not legal until 1992. Moreover, according to the law the clergy no matter the faith had no right to vote, even if this was often ignored by the clergy (Al Camp, 2007, p. 145).

The Catholic Church as an institution is divided despite its hierarchical structure (Levy, Bruhn, 2004, p. 125). The Catholic Church consists of seventy three dioceses and archdioceses which serve as regional subdivisions, and each diocese is run by a bishop or archbishop. As for the top of the Catholic Church in Mexico, and the part which has most political influence is the episcopate, which consists of cardinals, archbishops and bishops. From the episcopate, the decisions and official policies of the Catholic Church in Mexico are spread through various publications. The dioceses are however autonomous, which has resulted in division among priests regarding their political support. In the north there is an overweight of political support to the Right, while as in poorer areas, like in Chiapas, the support for the Left is stronger. One of the most famous bishops supportive of the Left and defender of indigenous rights in Chiapas was Bishop Samuel Ruiz García. Bishop Ruiz was defending the indigenous even before the conflict in Chiapas started in 1994 and the Zapatistas became famous through out the world. He also acted as mediator between the government and the Zapatistas. He has received many international awards for his efforts and for his struggle against poverty and discrimination (Al Camp, 2007, p. 146).

In one question the priesthood and the Catholic Church united in a common struggle. That was the question of democratization in Mexico. For the 2000 election bishops around Mexico openly spoke of electoral fraud, the necessity to vote and they spoke against the existence any kind of pressure on citizens to vote against their will. The episcopate publicly spoke against forceful tactics from parties on the public. The stance of many bishops towards sensitive issues has also changed. They often feel a responsibility to actively address questions concerning society, economy and politics. This tendency of criticism has continued throughout the Fox and Calderón administrations.

Among political parties it is the center-right party PAN, which has the most affinity for the Church. Normally, the Church is not openly criticizing the government. Instead the episcopate has audiences with the government upon which they put forward the position of the Church on different matters, but dissident bishops exist and they openly criticize government policies. The question of divorce and abortion remains a topic which divides both the Church and politicians. This has provoked the episcopate to send petitions to both the Mexican government and the Vatican, with the aim of preventing dissident bishops' involvement in politics. Today, the Church is going through a revival and is increasing its impact on society. This is not only true for the Roman Catholic Church, but also for the Protestant-Evangelist Church which is the fastest growing form of Christianity in Mexico today (Al Camp, 2007, p. 149)

4.5 The Unions

The Unions have a long history of ability to mobilize masses in Mexico and furthermore, the unions have a long history of political involvement. The early history of the Mexican unions stems from the aftermath of the Mexican Revolution and in 1918 the first union with an impact on social and political society was founded. The union was named Confederación Regional Obrera Mexicana (CROM). The CROM was initiated by a strong interest group supportive of the post-revolutionary government called the Grupo Acción (Action Group). The CROM was influential when the Constitution of 1917 was written and the labor leaders of the union defended the rights of the government to settle labor disputes since they felt that the government had the best ability to mediate between the interests of the capitalists and the workers.

In 1936 there was a split within the CROM and a new union that would be the most influential and powerful one was created. The name of the new union was Confederación de Trabajadores de Mexico (CTM). The CTM has always had a close relationship to the authoritarian regime of the PRI, and was seen as an important pillar of control within the regime. The CTM was most influential in controlling wages, especially during the decades between 1940 and 1980 when Mexican economy was biased toward import-substitution industrialization policies. Because of the close relationship between the CTM and the state, the organizational structure of the CTM was extremely hierarchical and its leadership lacked internal democracy. The decision-making was made by few leaders and often it was aimed at controlling and regulating the workers rather than improving the overall situation for the workers. Unions like the CTM that were supportive of the government received capital from the state and in exchange, the unions had to make sure that the workers accepted many decisions made by the government. In turn, the support of the unions gave them political power with which they could bargain with in negotiations with the state (Bensusán, 2004, p. 239)

Other unions that had a more independent character and did not enjoy governmental support had huge problems with representation in larger companies, and especially in those which were active in strategically important areas and sectors (Bensusán, 2004, p. 241).

Categories of Labor Organizations

The characteristics of the labor organizations, puts Mexican trade unions into the following three categories: *State-corporatist*, *Social Trade Unionism*, and *“Movement” Trade Unionism* (Bensusán, 2004, p. 242)

1. *State-corporatist unions* depend fully upon governmental support when it comes to obtain political and economic resources. Their main power assets are the control of institutional mechanisms that helps the labor organization with membership subordination, participation in the political process of the government, and political representation in elected positions on both state and regional level such as governorships and municipality presidencies.

State-corporatist unions have a strong centralized power structure and the internal democracy is very low. They have been characterized by strong leadership that has been able to control the workers from the top of the organization to the local organizations that has less power. Important labor organizations that are *state-corporatist* are the CTM (Confederation of Mexican Workers), the CROM (Mexican Regional Labor Confederation), and the CROC (Revolutionary Confederation of Workers and Peasants). There are also unions representing the public and industrial sector that are state-corporatist, and examples of those are unions like STPRM (Mexican Petroleum Workers’ Union), and the SUTERM (General Union of Mexican Electrical Workers).

The power of the *state-corporatist* unions stems from its supportive attitude towards government policies, and in exchange for their support these types of unions have been able to maintain importance on the political agenda. *State-corporatist* unions have participated in economic stabilization pacts, but also in collective bargaining with companies. They have sought to be the main mediator between private capital and the government, and they have had great influence on the general wage level in Mexico (Bensusán, 2004, p. 243).

2. *Social Trade unions* receive their support from the state by taking advantage of institutional availability but also from sources like their own active members, cooperation with other unions, from politicians, and from bargaining with capital owners and employers.

Many of the *social trade* unions have their roots in the state-corporatist unionism, but in the 1980s and 1990s they distanced themselves enough from the “official” labor organizations to create a category of their own. The main differences between the state-corporatist and a social trade unionism are that the social trade unions have much more autonomy from the state, even if there is a clear relationship between the two still. Furthermore, *social trade* unions are known to be able to criticize the economic policies of neoliberalism that Mexico currently has. Finally, *social trade* unions have formed external alliances in forms that *state – corporatist* unions have not.

Social trade unionism has been fairly successful when bargaining with capital owners and employers, and they have been able to reach agreements through union contracts on matters such as wages, training programs, work force flexibility etc. The level of internal democracy is average, and even if their leaders are democratically elected the top leaders of the organization are often the ones making the decisions on both national and local levels, which is a heritage from their state-corporatist past. There is a struggle among some social trade unions to increase the internal democracy.

Examples of unions belonging to *social trade* unionism are STRM (Mexican Telephone Workers’ Union), the SME (Mexican Electricians’ Union), the FESEBES (Unions of Goods and Services Enterprises), and the labor organization UNT (National Union of Workers) (Bensusán, 2004, p. 244).

3. “*Movement*” *Trade unions* distinguish themselves from the other two categories by being independent in the structures and autonomous from the state. They openly challenge the neoliberal policies of the state and they are known for being able to openly confront decisions made by the state apparatus. The *movement trade* unions have a similar approach toward capital owners and employers. They often use strikes, as measures to defend their rights, systematic mobilizations, and they are known to put pressure on employers and state by work stoppages. The somewhat combative stance that “*movement*” *trade* unions have stem from the 1970s when they struggled for the right to collective bargaining, independency from the state controlled unions, and democratization within the unions.

The main base of support of “*movement*” *trade* unionism comes from the members and the relationship with other social movements like some popular urban movements, women’s rights groups etc. It is also from these groups that “*movement*” *trade* unions receive political and economic resources. Their organizations rely much on the efforts of the members and these unions have often implemented direct democracy when decisions have been made. The internal democracy is thus on a high level compared to the two other categories of unions, *state-corporatist* and *social trade* unions.

Important unions belonging to the “*movement*” *trade* unionism are the SITUAM (Union of Metropolitan Autonomous University Workers), and dissident unions within the SNTE (National Education Workers’ Union). These unions have a wide cooperation and a close connection to social movements, but their political positioning has more of a radical and ideological character (Bensusán, 2004, p. 245).

The “official” Labor Organizations – The CTM

The traditional labor organizations are those with a *state-corporatist* character. The largest labor organization then and today is the CTM. The CTM was founded in 1936 by an interest group loyal to the post-revolutionary government (the PRI). The most prominent and influential leader of the CTM was Fidel Velázquez Sánchez, who ran the organization since

1941 until his death in 1997. When Fidel Velázquez died he was 97 years old. He was succeeded by Leonardo Rodríguez Alcaine who died in 2005 and since then the organization is led by Joaquín Gamboa Pascoe (CTM homepage, 2008)

Although the largest labor organization today in terms of members, the CTM has not the same power as before. The decline of power has followed the decline of the PRI since the 1980s to the defeat in the 2000 election. One of the main problems for the CTM is that the situation for its members has not really improved much in the last 15 years because of the close relationship between leaders of the CTM, the PRI, capital owners, and employers which has led to a stagnation of wages. The CTM has for this reason been unable to mobilize in order to defend the interests of its members. Employers have been able to overrun the CTM at negotiations, even after collective bargaining. In 1992 the CTM and the government signed a national agreement concerning promotion, quality and productivity. Wages were supposed to rise if productivity rose as a condition of the agreement. Employers were however facing more competition in the neoliberal economy, and could therefore easily set aside the condition of wage improvement since they knew that the CTM was depending on governmental support. The government choose to support the employers, claiming that it was necessary to do so if Mexico wanted to be competitive on the world markets (Bensusán, 2004, p. 264).

The general political strategy of the CTM has been a one of unconditional support of the old regime and the PRI. Union giants like Fidel Velázquez have controlled the workers of CTM with an iron hand. When President Zedillo let the peso float due to the huge inflation in 1994, he turned to Fidel Velázquez for support. He wanted him to guarantee that wages would be frozen for at least six months as measure to stop inflation from increasing. Hours after the meeting between the two Fidel Velázquez gave his promise that there would be no increases in wages among his workers in the CTM. The decision to freeze wages was taken by Velázquez himself (Oppenheimer. 1996, p. 217).

The “official” labor organization, like the CTM which forms part of the CT (Congress of workers), has openly been against the promotion of parties to the left like the PRD but also the PAN to the right. The CTM has furthermore actively worked against social movements like the EZLN (the Zapatistas) and other organizations to the left that have been against neoliberal policies. It was viewed as threat to the government. The price of this strategy has been paid by the workers. The declining power a president has in a neoliberal economy biased towards democracy gives less room for controlling the events. The CTM furthermore, agreed not to challenge neoliberal reforms, which at the same time weakened the impact the CTM had on politics (Bensusán, 2004, p. 265).

As support for trade unions has declined over the years the CTM still holds number one position in members. It has furthermore, still a relationship to the PRI, especially in rural areas. It is mainly because the hope of the return of the PRI still lives on among the PRI and the leaders of the CTM. By still being supportive of the PRI the CTM hopes to enjoy benefits in exchange, should the PRI win a future election. For this reason the CTM has sought new categories of workers to enter their ranks. These are groups like street vendors, taxi drivers, and workers within transports. These categories of workers are often easily controlled politically since the fields that they are active within have been known to be of an illegal character (Bensusán, 2004, p. 272).The “New Trade Unionism”

The other categories of labor organizations, *Social trade unionism* and “*Movement*” *Trade unionism*, fall under what is referred to as “*new trade unionism*”. Some unions have survived longer and others are fairly recent. The FAT (Authentic Labor Front) founded in 1960, is

one of the oldest independent *movement trade* labor organizations with various trade unions within its umbrella organization. Today however, the FAT has taken on a *social trade* character, after one of its most important member union the STIMAHCS (Union of Metal, Steel, and Iron Industry Workers) joined the UNT (National Union of Workers). This transfer from *movement trade* to *social trade* unionism was done without the ambition of loosing the *movement trade* aspirations of building alternative models of unionism (Bensusán, 2004, p. 245).

The Reform of 1977 opened up for political liberalization (Middlebrook, 1986, p. 136), and since then there has been an increasing number of independent unions in various sectors. The struggle for economic and political resources has been going on since. The independent labor organizations have been forced to seek alliances outside their own ranks. Important allies have been independent labor organizations in Canada and the USA, especially on issues concerning opposition to the NAFTA Agreement from 1994, but also social movements within the country have been of great importance for mobilization (Bensusán, 2004, p. 269)).

One union of *social trade* character which is regarded as a successful case in pushing forward its position is the STRM (Mexican Telephone Workers' Union). This is the most important union active in TELMEX (Mexican Telephone Company, today owned by Mexico's richest man Carlos Slim). The TELMEX was privatized during the administration of Salinas 1988 to 1994, as where many other state-owned companies. The STRM managed to mobilize its members in the negotiation with the state and TELMEX. The privatization of TELMEX caused anxiety among the workers of loosing their jobs. The position of the STRM coincided with the stance that TELMEX had concerning continued protectionism for the telecommunication sector. TELMEX demanded a period of transition in order to be able to match the inevitable competition from abroad after the signing of the NAFTA Agreement in 1994.

The STRM on the other hand had as a main objective to protect the jobs of the workers. For this reason the STRM was successful with the negotiations with TELMEX and the state. The case of TELMEX and STRM's successful negotiation cannot be viewed as a model for other unions when negotiating with employers, because the telecommunication sector is a sector which is highly market-based, and other sectors would probably not have the same response from the employers due to fact that they are active in less market-sensitive sectors, like university employees, or workers in small and mid-sized manufacturing industry, which the members of the FAT mainly consists (Bensusán, 2004, p. 266).

Independent unions like the FAT and STRM have in the last 15 years increased their efforts in building strong organizations with analytic and strategic capacities, so that the independent unions' flexibility and understanding of new economic and political conditions in a neoliberal society increase and are properly addressed. Professional help is found among universities and other adequate associations which are valuable for advice in matters of economy, labor law and politics. All these new strategies are important for building stronger organizations in a society where unionization rates are declining (Bensusán, 2004, p. 267).

Decline in unionization rates

Ever since the real privatization policy started sometime after 1982 and escalated during the time of Salinas 1988, and after a general industrial reorganization, the unionization rates have declined. It is somewhat difficult to know exactly how many workers belong to a

proper union, but figures tell us that in year 2000 some 20 percent of the workforce in the formal sector belonged to a proper union. It is a decline by almost 10 percent since 1984 (Monthly Review homepage, 2005). Other figures show that that some sectors like the Mexican private industry actually increased its rate of unionized workers between 1978 and 1994 from 34 percent to 51 percent. By 1999 the rate in the same sector had fallen to some 47 percent according to the National Associational Registry, which actually confirm a decline in that sector also (Bensusán. 2004, p. 272).

Other factors for the general decline in unionized workers might be explained by the increasing informal sector in which workers find themselves under subcontracting arrangements, which makes more difficult to unionize workers. Furthermore, the impact of neo-liberal economic strategies has caused many plants and factories to close (Monthly Review homepage, 2005).

The future for union mobilization in Mexico

The new conditions that Mexico faces since the defeat of the PRI in 2000 is clearly affecting organizational life in general, but particularly labor organizations. The “official” labor organizations like the CTM and the CROM, are not enjoying governmental support as during the time of the PRI. The PRI is still closely connected to the CTM but today the CTM finds itself in a position where they have to increase internal democracy and focus more on the needs of its members. To take decisions over their heads is not as easy as before, even if this is still made today and the state-corporatist character of the CTM prevails. However, after 2000, President Fox made alliances with the CTM because of the impact that the CTM still has on labor issues in Mexico. The reforms that President Fox promised on labor issues has yet not been made, which made independent unions like the UNT (National Unions of Workers), and others, take on a stance of criticism towards the PAN and President Fox.

Other links with “official” labor organizations and the PAN is the relationship between Elba Esther Gordillo of the SNTE (National Education Workers' Union), and the current president of Mexico Felipe Calderón of the PAN. Elba Esther Gordillo was formerly part of the PRI but shifted sides before the 2006 election. Elba Esther Gordillo helped the PAN to win over the PRD in 2006 by commanding the SNTE to support the PAN (Monthly Review homepage, 2005).

At the same time the relationship between Elba Esther Gordillo and President Calderón demonstrates the lack of transparency and internal democracy that still exists in Mexican labor organizations. Elba Esther Gordillo negotiates directly with the president and not through the Ministry of Education which drains the authority of the Ministry of Education. Furthermore, the members of the SNTE which is the single largest union in Latin America with 1.4 millions members answer to the dictates of Elba Esther Gordillo and not to the Minister of Education. On top of that, Elba Esther Gordillo has been accused of corruption and for owning expensive properties in the USA. It is believed that she has taken money in exchange for the support to the PAN. The investigation is ongoing, and Elba Esther Gordillo remains as one of Mexico’s most powerful women (The Economist Homepage, 2007)

The independent trade unions normally support the center-left party of PRD and its leader Andrés Manuel López Obrador (AMLO), as they see the PRD as the only party with a social agenda worth naming. Andrés Manuel López Obrador and the PRD lost the election of

2006 by a margin, but independent labor organization demonstrated that they were able to mobilize for the future.

The “*New Trade*” unionism is adapting fast to the new conditions. Furthermore, they have a history of creating alliances with other independent unions and other social movement which no doubt will improve the power of such “new” unions. They will become more efficient when responding to coming challenges for workers in Mexico. By creating democratic organizations and by setting the interests of the workers first, the “*New Trade*” unionism forms a serious threat to the *state-corporatist* unions of the old-style type, which are constantly losing influence in a democratic and transparent political environment (Bensusán, 2004, p 282)

4.6 The Media – The Fourth Estate

The role of the media in Mexico, and the increased freedom of speech and print have been important for the democratization process in Mexico. Today the Mexican media enjoys a totally different freedom than before the election of 2000. The process started even before 2000 when independent media, especially printed media, started to take on a more critical role than before. The media had in the “old” regime a difficult task to deliver government-critical reporting and was put under heavy government control and censorship as we shall see (Middlebrook, 2004, p. 13).

Media under the “old” regime

Governmental control of the media was especially evident during the years between the 1940s to the 1990s. The PRI with its authoritarian character dictated basically what the media could write about and what was off-limits. Everything that dealt with political criticism of the regime, questioning of presidential authority, corruption within state bureaucracy, electoral fraud and other issues that were sensitive to the regime was not permitted to write about. During privatization processes of the media, which chronologically happened at different stages, important concessions were granted to supporters of the regime with the condition that they would report favorably and furthermore, enhance governmental political opinions. Another scenario was that rich private businessmen or associations bought or simply founded a newspaper that was government friendly in its coverage for government subsidies in exchange. This was the kind of environment that media found itself in (Lawson, 2004, p. 375).

The situation within televised media followed a similar pattern. When television was new in the 1950s the concessions to broadcast were given to President Miguel Alemán and his business partners. Later the President and associates used the original licenses to build the *Telesistema Mexicano*, which later in 1972 reformed through the merging of another channel and *Televisa* was born, the most important broadcasting network in Mexico. *Televisa* was nurtured by the state and therefore it grew enormously until state-owned television was privatized in the beginning of the 1990s. *Televisa* had then approximately 80 percent of all viewers and the majority of advertising revenues. Every technology that at the time was new in broadcasting was secured in the hand of *Televisa*. Unconditional support of the government was therefore natural in the special relationship that emerged between the state and *Televisa* (Lawson, 2004, p. 376).

At times *Televisa* and the Mexican government were at collision course. This mostly happened when left-oriented presidents were in power. *Televisa* was more an ally to the conser-

vative factions of the PRI and whenever the country was in financial crisis like during the presidency of Lu s Echeverr a (1970 – 1976), and during Jos  L pez Portillo (1976 – 1982), threats of increase in taxes, nationalization of the whole industry, and regulations were made on *Televisa*. These conflicts were not the result of various interests groups in favor or against the private sector or the state. They were more the result of different political factions within the ruling elite in Mexico and within the PRI. These conflicts were normally solved through bargaining resulting with lowered taxes for Televisa in exchange for certain amount of government friendly airtime (Lawson, 2004, p. 377).

Tightening of the bonds between the government and the Media

The already close relationship between the government and *Televisa* and other media, culminated during the presidency of Carlos Salinas (1988 – 1994). During the counting of the votes of the contested election in 1988, and the infamous “computer breakdown” (Foster, 1997, p. 218), *Televisa* defended Carlos Salinas with all its might and furthermore, *Televisa* was in general supportive of the huge privatization process of government owned properties that Salinas promoted. In 1993 before the election, Carlos Salinas held a secret fund raising dinner at which some 20 important Mexican businessmen were invited. Two who were present were the owner of TELMEX Carlos Slim, and and the owner of *Televisa* Emilio Azcarraga called “*el Tigre*”(the Tiger). The idea of the dinner was to raise enough money to secure the winning and campaigning of the next president of the PRI, who many believed would be Donald Colosio. Events unfolded themselves in a way that Donald Colosio was murdered while campaigning, and Ernesto Zedillo was elected instead (Oppenheimer, 1998, p. 125).

At this meeting, all the invited businessmen promised that they would each contribute with 25 million US dollars. Emilio Azcarraga, owner of *Televisa*, promised he would give the double and dared others to the same. At that time Emilio Azcarraga was considered to be the richest man in Mexico, and he could easily bring up close to 50 million US dollars for the support of the PRI. Since he knew that he had benefited from the close relationship to the government, and by contributing such a large sum he would most certainly benefit in the future (Oppenheimer, 1998, p. 87).

A few days later the story was headline news in the *El Economista*. Critical voices were immediately heard, especially from the leaders of the center-left part PRD, which claimed that this was another strategy of Salinas and the PRI to promote an oligarchy of a few rich and important businessmen, and not a neoliberal democracy. The PRD accused the president of leading a secret society similar to the mafia (Oppenheimer, 1998, p. 107).

Emilio Azcarraga “*el Tigre*” made public statements claiming that he was the second supporter in-line of the PRI. Only the president was in front of him. In another statement he claimed that “*we are all soldiers of the PRI*” (Lawson, 2004, p. 377). By the time that the campaigning had started in 1993, *Televisa* gave around 41 percent of its coverage to the PRI (Oppenheimer, 1998, p. 131), but other sources claim that it was even as much as 51 percent of total television coverage (Lawson, 2004, p. 387). On top of that, there was the printed media like newspapers which were almost all supporting the PRI. As comparison to the election of 1988 these figures were only a small improvement. In 1988 almost 81 percent of the total media coverage was branded for the PRI campaign (Lawson, 2004, p. 387).

The Government Control over Newspapers and Journalists

Government subsidies to government supportive newspapers meant that the newspapers were less sensitive to number of copies sold, commercial advertising and other sources of income common for newspapers with a daily circulation. The majority of the advertising in a newspaper came from the PRI or the government. Articles were often nothing more than official statements from the PRI's own press center, or just official statements from the government which looked like independent articles. This relationship between newspapers and the government made most periodicals extremely sensitive to government intervention. The PRI could easily stop the flow of money or decrease the advertising if they wanted to get back at a newspaper for printing an article which was critical of the regime or if it dealt with official corruption etc.

For those newspapers that were more compliant the government showed its gratitude by lowering taxes, extending subsidies, or free access to the government's own news agency, the *Notimex*. By making newspapers dependent on government subsidies, the advertising of the government served both as stick and carrot (Lawson, 2004, p. 379).

When it came to controlling the journalists, which in away is another form of controlling the newspapers, the government used a different strategy but with the same purpose of buying them off. Normally, the source of income of a journalist was divided into three parts. The first part was the salary that they received from the newspaper that hired them. This was in general a low level pay, which basically showed the establishment that this man or woman was working as a journalist in newspaper. One received a salary and a press card and for this the reporter was granted access to otherwise restricted areas to be able to do his or hers job. The second part of the income came from commissions from advertising revenues. A normal commission consisted of between 8 to 15 percent. This made the journalist fall into the hands of the advertisers in the way that the advertisers also became important sources of information as well as clients. The third part of a journalist's income consisted of a pure bribe. The bribe was often a cash payment delivered in white envelopes and came from the government institutions and agencies that they were covering. A bribe of this sort was usually given to the journalists once a month and the amount of money for each payment was 75 to 1.500 US dollars. Usually the amount of the bribe lay around two hundred dollars, which in itself was more than the average salary of a journalist (Lawson, 2004, p. 379).

Limiting of Media Control

The control of media has in general been evident in most areas of journalistic reporting. Different views have been allowed though, depending on whose differences are reported. Newspapers that were left-oriented coexisted with newspapers to the Right. For this reason different views of the same issue was allowed to some degree because the PRI itself consisted of those to the Left as well as those to the Right. Whenever the bureaucrats of the Ministry of Interior disagreed with the Presidential Office on some matter, the freedom of newspapers was higher. Furthermore, whenever leftist newspapers wrote critical articles about social injustices, or when rightist newspapers reported on governmental lack of sympathy towards the Roman Catholic Church, the criticism was normally more accepted as long as they did not cover a story concerning corruption or fraud within the bureaucracy. Finally, the space of freedom was higher in the printed media than in broadcasting, since in broadcasting it was easier to hide intervention from the state plus that newspapers had less circulation and reached less people than broadcasting did. Furthermore, sensitive articles

were often placed in the back of the newspapers and not as headline news for the reason of making the sensitive article less likely to cause scandals (Lawson, 2004, p. 383).

Liberalization of the Media

After 1993 the media entered a new phase, with the opening up of discussion of formerly closed matters. Publishers of already existing newspapers started new periodicals all over Mexico. Newspapers with a clear government connection began to change their approach in order to become more attractive for readers. Independent periodicals representing a wide spectrum of political opinions opened all over the country.

The opening of Mexican broadcasting began with the earthquake in 1985 when the citizens demanded accurate information with no cover-ups, and exploded in 1997 after the death of Emilio Azcarraga “*el Tigre*”. Radio stations were the first in broadcasting to note the increase in competition due to the adaptation to market economy that started in the beginning of the 1980s. Even Mexican television began to sense some competition especially from abroad. Great efforts were done to postpone market competition in television but it became all the harder to stop the trend towards competition. After 1997, the son of Emilio Azcarraga took over *Televisa* and started a process of transition and consolidation of a market based television network. This process has been speeded up due to competition from another private television network, *TV Azteca*, a company that was privatized in 1993 (Lawson, 2004, p. 390).

The media as a “Fourth Estate”, with the purpose of professionally improving freedom and democracy has gone through a change towards being precisely a “Fourth Estate”. Before the links between private ownership of both printed and broadcasted media and the government were too strong, thus preventing the purpose of free press. Market economy has helped change this relationship because of the necessity to increase circulations and ratings. The commercial interest is far too important to ignore the voice of the citizenry (Levy, Bruhn, 2006, p. 117).

The Effect on Civil Society

Another aspect of the liberalization of media is the effect that independent media has on civil society. As media became more independent offering wider varieties in its reporting, civil society, provoked by the boldness of increased coverage of real problems such as poverty issues and criticism against the policies of the government, began to mobilize in new social movements. The increased number of social movements has had an equal effect on media in terms of an increased coverage of society.

The media coverage also changed its attitude towards competing political factions of society, especially in the mid 1990s. Independent periodicals started to more boldly question the policies of the PRI, opposition parties like the PAN and PRD began to be more influential in political society. The “old” system consisted of almost non-existing media coverage of opposition parties. Furthermore, press coverage was concentrated to deal with the doings of PRI-officials and PRI-institutions, while independent civic organizations, associations and opposition parties were viewed as lonely interest groups (Lawson, 2004, p. 393).

The emerging of political contestation began to interest independent media, which began to highlight social problems from a different angle, by showing that the opposition did not consist of just reactionary groups that were against the establishment. Instead, the media increased the understanding among citizens about new emerging social issues that Mexico

was facing. This type of journalism helped the civil society movement in being stronger and more decisive in its actions, and at the same time media got something to write about (Lawson, 2004, p. 394).

Media's new Electoral Coverage

The electoral coverage was heavily biased towards the PRI. As accounted for previously in this chapter, the televised media coverage of the election in 1988 was 81 percent dedicated to the PRI. These figures changed for the election of 1994 to around 40 to 50 percent for the PRI, depending on the source (Oppenheimer, 1998, p. 131), (Lawson, 2004, p. 387).

In the mid-term election to the Chamber of Deputies in 1997, the PRI only received around 34 percent of total campaign coverage in television. Furthermore, there was also an evident shift in the objectiveness of the coverage since 1988 and onward. PRI had in 1997 no longer the special treatment they had enjoyed in the national elections of both 1988 and 1994. By 1997 the political opposition was treated as serious contesters to the presidency, especially the PAN and the PRD. The opposition's political agendas were seriously scrutinized by the media and even sensitive issues concerning the government were covered with far more objective eyes than ever before. Surveys dealing with the mid-term election in 1997 show that the new type of media coverage had a huge impact on voters and that media actually helped deciding the outcome of the election (Lawson, 2004, p. 396).

Equally, surveys from the 2000 election, when the PRI finally lost power to the PAN and Vicente Fox, show that the media coverage was balanced in its character. Only Cuauhtémoc Cárdenas of the leftist PRD received a somewhat milder treatment in media, but in general this was the case for all the presidential candidates of the main parties the PRI, the PAN, and the PRD (Lawson, 2004, p. 397). This is also confirmed by the Federal Electoral Institute, even if they admit that the PRI enjoyed more support from local television and radio stations, which at the time had more affinity towards the PRI (Levy, Bruhn, 2006, p. 117).

The Media after 2000

One of the most striking changes in media coverage after the 2000 election is that media's access to formerly "closed" subjects has increased. Issues like corruption within the system, drug trafficking involving official persons, electoral fraud, and other issues that previously were compromising to the regime are now "hot" subjects. Today, periodicals and other publications are filled with scoops, revealing articles to the point of sensationalism. Due to this development and new freedom of the press, the emerging of political scandals have been evident. The media is responsible for a number of compromising revelations of corruption and assaults which have caused bureaucratic officials resignations. The articles revealing scandals, actually started before the 2000 election, and have increased in numbers since. This development has increased the assault rate on Mexican journalists. During the 1990s, physical assaults were not as common as they are today. Then, the threats were normally made on the publisher, or bribes to journalists were simply cut-off. The governmental machine had an easier time controlling dissident journalists. Today, journalists have a different kind of power and freedom of expressing themselves, which makes them targets for oppression by other interests groups than the government (Lawson, 2004, p. 395).

Increased Violence against Journalists

Reporters Without Borders, ranked in 2004 Mexico on 96th place on press freedom. In 2002 Mexico was ranked 77th the same list. This is a significant decrease in security for journalists and reporters. Mexico was in 2004 just below countries like Kenya, Congo and Bolivia. The journalists reporting about human rights offences, drug trafficking, and corruption are facing the threat of being murdered, kidnapped or violated in some other way by threatening close family members. It is difficult to know exactly who is behind these crimes, whether it comes from private interest groups, government officials, a combination of the both or someone else (Levy, Bruhn, 2006, p. 121).

In the first three and a half years of President Fox's administration, ten journalists were killed. In 2007 alone, two journalists were murdered and three vanished. Furthermore, three media assistants have been murdered. The majority of the journalists killed have been investigating drug related problems. This puts Mexico as the deadliest country in the Americas for journalists to work in (Reporters Without Borders homepage, 2007)

What have to be added to these problems are the many assaults and violations against independent journalists, which still have not led to deaths. One recent case was the revealing book by the journalist and human rights reporter Lydia Cacho, concerning a world wide network of pedophiles, which has its base in Mexico. In the book "*The Demons of Eden, 2005*", Lydia Cacho revealed the stories of children that have been victims of a network of pedophiles in Mexico but with links to the USA and the world. In the book, important persons in Mexican politics and important businessmen figure as perpetrators. Later, recordings were discovered of which one conversation was between one of the key figures, Kamel Nacif and the governor of the city of Puebla, Mario Marín. In the friendly conversation Kamel Nacif expressed his gratitude to the governor Mario Marín for sending Special Police from Puebla across the country to arrest Lydia Cacho who is active in Cancún, on the Yucatán Peninsula. Lydia Cacho was arrested and taken to a Puebla prison. In the van on the way there she was a victim of various kinds of torture. In Puebla she was supposed to be tortured by prison guards loyal to the governor, but was saved by some of the female prisoners, plus the fact that the arresting of Lydia Cacho was already out in the open, causing media to respond.

A federal investigation was made, and President Felipe Calderón promised that no matter how important persons were involved in the investigation, justice would be made. Some key figures have been sentenced, but in 2007, the case concerning the illegal abduction of Lydia Cacho by the governor of Puebla was closed by a Judge in Puebla, secret recordings cannot be used as evidence in Mexican law, which meant that the governor Mario Marín was free of charges and is today still the governor of Puebla (Lydia Cacho homepage, 2008).

Sensationalism in the Media Coverage

The media coverage however, is more transparent, critical and certainly more free on paper despite the increased threats on journalists and reporters. Politicians are more sensitive to public opinion and are often participating in various TV shows dealing with social and political issues. The commercial interests that especially broadcasting networks have, call for a wider spectrum of opinion in media. Television is the media with the largest audience, and television networks like *Televisa* and *TV Azteca* compete with each other for the audience. *TV Azteca* was especially effective in opinion-making during the second half of the 1990s, by putting pressure on the mighty *Televisa* to report more objectively.

Private ownership in medias like *Televisa* and *TV Azteca* have due to their commercial interest discovered that boring news are bad for business, which has led to sensationalism in broadcasting especially. Ratings of US character are today extremely important for television in Mexico. The new role of media in a democratic environment that Mexico aspires to be in, is not defined and for that reason television companies experiment with new tools of spreading information and conducting interviews. One example of this new style is the clown *Brozo*, dressed up in a green wig and wearing make up, while performing interviews with important persons in society ranging from business men to politicians. The show is of an investigative character broadcasted every morning. The clown *Brozo* was the first reporter to reveal a corruption scandal involving a high official in Mexico City's Mayor's Office, which almost prevented Andrés Manuel López Obrador (AMLO), the leader of the PRD and mayor in Mexico City, from participating in the presidential election of 2006 (Lawson, 2004, p. 118).

Media and democracy in Mexico

The economic and political situation in Mexico today has caused changes in the approach of the media. Today the relation with civil society is much better, and an almost anti-government type of reporting is evident. As for printed media, the number of independent publications has increased significantly. Mexico City alone has around twelve newspapers released on a daily basis, which is far more than any city in the United States. The access to international newspapers, broadcastings, books and publications has had an internationalizing effect on society, which in turn has had democratizing influences on citizens as to what democracy actually means.

Traditionally, newspapers have enjoyed a freer role and more liberty than television in expressing opinions. Newspapers are still today the main source for serious debating, investigation and discussion for those who are politically informed, even if the largest newspaper has a circulation of only 100.000 copies a day, which is not so much in a country that has a population of more than 100 million people (Levy, Bruhn, 2004, p. 121).

A strong private ownership with commercial interests, corruption and other compromising legacies from the "old" authoritarian system still remain to be dealt with in Mexico. It is clear however, that independent media has been an actor of great importance in the struggle for democracy, and continues to be so. New legislation is needed to guarantee the access to information. An important legislation was passed in 2002, granting citizens access to public information, but more challenges remain ahead (George Washington University homepage, 2008).

5 Political Society - Introduction

This chapter addresses the situation in Mexican politics, by explaining the chain of powers in the Mexican political system. First the concept of political society is defined and then we move on to explaining how the Mexican political system, the executive and legislative branches are constructed, and the problems that are incorporated within the executive and legislative branches.

Problems are addressed both from a national level and state/local level. The part in this chapter which is called *Mexican Federalism* deals with the problems on the state and local levels. The chapter ends with an account for the political representation in the elections from 2000 to 2006, and the mid-term election to legislative branch in 2003.

5.1 The Concept of Political Society

Political society as a concept can at least be traced back to Thomas Hobbes (1588-1679), and John Locke (1632-1704). In those days the concept of political society had a different meaning than today. Especially John Locke developed the concept to be a kind of dimension in between *the state of nature* and *the state of war*. There are disagreements among scholars if Locke meant that *political society* had its origins in the *state of nature* or in *the state of war*. According to Wolin, what Locke actually meant by a political society was a third dimension distinct from the “*perfect state of nature*” and “*the state of war*”. Wolin calls the dimension “*the fallen state of nature*”. Basically, it was a dimension for securing political order, but a dimension that consisted of obligated persons in civil society which functioned as a self-activating group generating the common will. Furthermore, the *political society* was the realm for controlling the sovereign against tyranny which might occur in the *state of war* (Wolin, 2004, p. 276).

Today, in the context of democratization, the term political society has a somewhat different meaning. Janos Kis, the Hungarian political philosopher was one of the first to discuss the distinctiveness between a *civil society* and a *political society* in the 1980s. Cohen and Arato also make a distinction between the civil and the political society in their “Civil Society and Political Theory”, by keeping the political society outside the arena of the civil society. They acknowledge that the *political society* stems from the *civil society*, which in turn institutionalize the rights of the political society to function properly. However, the *political society* and its agents are directly involved in the power state, which they try to control. *Political society* therefore cannot afford to be put under the same criteria and patterns of open discussions characterizing the civil society (Cohen, Arato, 1992, p. 11).

Linz and Stepan mean by a *political society*, the realm or arena where political organizations mobilize, mostly in elections, to be in command of public rule and the state apparatus. The political organizations must have as its main objective the building of core institutions that are vital for a democratic *political society*, so that society can express itself politically. Some of those core institutions are political parties, legislation, elections, electoral rules, political alliances, and strong political leadership. With the help of these institutions, society is provided with tools for observing and monitoring a democratic government. Crucial is also according to Linz and Stepan, the relationship between the *civil society* and the *political society* and that the “*distinctiveness*” and the “*complementarity*” of both arenas are emphasized so that one arena is not ignored in favor the other (Linz, Stepan, 1996, p. 8).

The Structure of the Mexican Political System

The Mexican political system is similar to the system in the United States, but with at least one important difference that the Mexican system is more centralized to the executive branch, basically the president. In the old regime of the PRI the president had powers over both the executive and the legislative branch, which was helpful in passing legislations and even change the constitution without much trouble. Today, after 1997, and due to electoral changes made by former President Zedillo, and the separation of the executive and the legislative powers after 2000, the situation is somewhat different. Let us take a look at two of the three branches which the Mexican political system is built upon. The branches are the executive branch consisting of the president and his staff, and the legislative which is the Chamber of Deputies and the Senate. The third branch which is the judicial branch will be more thoroughly treated under the chapter of *rule of law*, which is the third arena in Linz's and Stepan's transition model.

5.2 The Executive Branch

The head of the executive branch is the president and his cabinet. The president is elected for a term of six years with no possibility of reelection (Levy, Bruhn, 2004, p. 134). The cabinet is divided into nineteen agencies, which are the different secretariats in charge of the countries domestic and foreign affairs. Examples of these secretaries are the Attorney General of the Republic; Secretariat of Communications; Secretariat of Government; Secretariat of Foreign Relations; Secretariat of Energy; Secretariat of Public Education; secretariat of Economy; Secretariat of Agriculture; Secretariat of Treasury and Public Credit; and the Secretariat of Health and Welfare. The newest Secretariat created by the Fox administration is the Secretariat of Public Security, which was installed due to the increasing crime and drug related problems in Mexico. One of the most important questions in Mexico City among people is the increased crime rate and the fear for public safety (Shirk, 2005, p. 209).

The one who has the full confidence of the president is his own private secretary. The private secretary has the role of chief of staff, and holds almost the same importance as one of the cabinets accounted for above. All requests to meet with the president must pass through the hands of the private secretary, thus making this person important in the process of decision-making. Any organization, association, group, or individual from Mexican society interested in affecting policy decisions on a national level, must get the attention of preferably the highest level possible in the executive branch. This process is however not easily accomplished.

Most of the important legislation stems from the president, and it is also the president that approves most of the legislation. Opposition from the Chamber of Deputies has increased though due to the weak majorities that exists since after the 2000 election. For this reason, the presidential power over legislation is many times limited to mere authority. The cabinet secretary is the person responsible for the initiation of policy proposals, and together with the staff they investigate and collect information which is related to each issue. The cabinet secretary is either dealing with appeals from the president, or dealing with issues that are connected to the mandate of the agency. The mandate itself is given to the agency by the president and his advisers. Those which have the most success in affecting the decision-making process are those with direct access to the president. It is considered more valuable with direct presidential access than the access to the highest level officials of the cabinets (Al Camp, 2007, p. 180).

Before the change of regime in 2000 and Fox's victory, some analysts described Mexico as having a system of "hyper" presidentialism due to the powers that were invested in the president and the executive branch. Two examples are often referred to when describing the impact on decision-making a Mexican president used to have in the old regime. The first example often mentioned is referring to former President José López Portillo when he due to inflation and capital flight from the Mexican banks in 1982, simply nationalized them after consulting with only a few of his advisers. The powers of the president in those days were such that this was possible. The second example refers to the time when the PRI presidential candidate Luis Donaldo Coló시오 was murdered while campaigning for the 1994 election and Ernesto Zedillo was swiftly installed as his replacement for the presidency without any objections from leading PRI officials (Oppenheimer, 1998, p. 111).

This system was possible due to the fact that PRI officials did not oppose the president with the risk of losing their position. Many had the president to thank for rising in the hierarchy. Furthermore, the system was such that by appealing to the president the chance of being rewarded with an even more influential post increased. Today, the powers of the president are, as mentioned above, limited many times to authority of the Chamber of Deputies, even if the president effectively still is the one with the most success in passing bills of proposals in the Congress. President Fox found between 2000 and 2003 that many times his proposals were rejected by his own party members from the PAN, as happened when he wanted to pass legislations for a new tax and indigenous rights legislation half way into his presidency (Al camp, 2007, p. 182)

It is interesting to note that between the years 1997 to 2000, 674 bills of proposals were presented to the Congress of which the executive branch had 90 percent success rate in passing the bills. Between the years 2000 to 2003, When Fox was democratically elected, 1128 bills were presented to the Congress but the success rate of Fox was down to 67 percent. The Congress has become more productive according to these figures, but the problem of divided opinions between and within parties is evident, compromises are rare, thus making new legislations difficult to pass (Al camp, 2007, p. 182)

The type of strong presidentialism that Mexico is built upon has changed after 2000. This is noted in the decision-making process which is colored with new difficulties. In order to pass legislations in Congress great political skills are necessary, and the ability of bargaining between parties and internal alliances. Furthermore, many political debates are covered by the media and the increased transparency in Mexican politics is provoking the manner in which decisions are made. The president remains the one in the eyes of the public, who should initiate the majority of the proposals to Congress and not the Chamber of Deputies. The public criticism of the executive branch and the Chamber of Deputies (the legislative branch) has increased and remains an important question for debate (Al Camp, 2007, p. 183).

Today, in 2008, the most controversial issue concerning President Felipe Calderón and the Chamber of Deputies, and the Mexican population, is the proposal of Calderón to privatize the Mexican oil company Pemex. To be able to do so, Calderón needs two-thirds majority in Congress, because a change in the Constitution is necessary for such a decision to be possible. He has sought support from the PRI on this matter, but has so far been unsuccessful in finding support for proposition (la jornada homepage, 2008).

5.3 The Legislative Branch

The legislative branch consists of the Chamber of Deputies and the Senate. Together they form the Congress of a bi-cameral type. The chamber of Deputies holds today 500 seats of which 300 deputies (uninominal deputies) are elected from elections in districts in the country, meaning that the winning party in those elections gets all the seats in Congress branded for that particular district. The other 200 (plurinominal deputies) represent parties proportionally. The number of seats the Chamber of Deputies has been increased through previous reforms in order to enlarge the political representation of the opposition. Today in Mexico, minorities are represented in the legislative branch which is considered to be a democratic measure, but it has led to the fact that the PAN which is the majority in general terms, is in minority since the opposition together is more represented in the legislative branch. The problem arises when the 200 seats of proportionally elected deputies together form majority which consists of the opposition. Since the deputies are elected every three years with no chance for reelection, it can happen that the legislative representation is altered in a mid-term election, disturbing the democratic process. This is the case in Mexico today. To some critics, this system is regarded as antidemocratic because the opposition if united can block legislation, even if measures preventing party overrepresentation exist. Another effect of this system is that all the three major parties PAN, PRI, and PRD are using the assured *plurinominal* seats to elect leaders of their party in the Chamber of Deputies. It can hinder, the by the citizens democratically elected party, to represent them as intended (Al camp, 2007, p. 184).

The Senate has less power than the Chamber of Deputies. The Senate consists of a total of 128 seats. Two senators are elected from the party receiving the most votes in each of Mexico's 31 states, and an additional two are elected from the Federal District (Mexico City). Another 32 seats are open for one senator from the strongest opposition party. The senators are elected for six years with no chance of reelection. The elections coincide with the year of the national election. The last election to the Senate was thus in 2006.

The fact that deputies and senators cannot be reelected causes problems with continuity and drainage of know-how within the Congress. The idea with no reelection was to prevent deputies and senators from sitting on the same post for too long and thus prevent corruption to spread. It also follows the same rules of no reelection of a Mexican president, which in turn was a reaction of the more than 30-year rule of Porfirio Díaz, the "*Porfiriato*" who ruled almost continuously from 1876 to 1911 (Hamnett, 1999, p. 199). Since the deputies change every three years, there is no base of knowledge left to inform the newly appointed deputies. Many deputies felt that reelection would improve the ability to find continuity in the process of legislation, and that stronger relationships would develop with the voters. Al Camp notes that the situation in the United States is the opposite. There, many citizens state that they would prefer a limited term for deputies in the Congress. In Mexico, some 66 percent of the deputies are in favor of reelection. Although the deputies have the type of majority required in this question, two-thirds, which is enough to change the constitution, this issue remains unsolved. The majority of the Mexican public is however against reelection of both the president and deputies. On the other hand, a survey from 2005 reveals that a majority of Mexicans would favor a smaller Chamber of Deputies with fewer deputies (Al Camp, 2007. p. 187).

In this new situation in which the legislative branch at the moment has majority over the executive branch, has affected the manner politics is handled in Mexico. Interest groups and committees within the Congress, and especially lobbyism from the executive branch has increased, and the importance of deputies has risen some levels on the scale. This de-

velopment follows the way things are “done” in the US Congress. For a president to be able to change the constitution and obtain two-thirds majority coalitions are needed, but it is not easily realized in today’s Mexican politics, because of the strong interest groups in society, and due to “*clientelism*” which constantly seek to maximize their own agendas. Rich elites are still controlling many areas in rural Mexico, and by promising jobs and protection to the poor, they get votes in exchange. This is the most typical manner that votes have been obtained by the poor in the past, and the client-patron relationship still exists (Eisenstadt, 2004, p. 291).

The support of the legislative branch is crucial not just for passing legislations and bills of proposals, but also for legitimacy of any decision taken. The legislative branch is weaker today than the executive however. First as mentioned above, the possibility to reelect deputies is limiting experienced deputies from using their knowledge more than one term. As an effect of this, some politicians have used their terms to for their own personal interest without much consideration for the future, thus enhancing corruptive behavior. Second, the budget of the staff in Congress is very small in comparison to the budgets of the executive staffs. The Chamber of deputies is helped by a staff of some sixty researchers, while the executive branch has a permanent staff of a number of thousands, who provide invaluable assistance when it comes to reports, research an analysis (Al Camp, 2007, p. 188).

Despite the smaller budgets provided for the Chamber of Deputies and the weaker position it has compared to the executive branch, the legislative branch is an important step into Mexican politics and it is an arena where political skills are developed and it provides Mexican politics with future leaders. The legislative branch is also a chance for ordinary citizens of all backgrounds to enter the political society, which is considered as positive since ordinary citizens tend to have closer relations with society than professional politicians (Al Camp, 2007, p. 189)

5.4 Mexican Federalism

Mexico has since 1917 a federal system which grants states and municipalities special rights. All municipalities are governed by a council and a president. The municipalities are autonomous and control their own finances, but the taxes they bring in are regulated by the state. Governors are elected in direct elections, as the state legislators are. The governors are elected for three years and state legislators for three years, with no possibility of reelection. The state legislators can however be reelected but not directly after one term. Historically, the president centralized the power over states and municipalities mainly through appointments of loyal officials and governors. Until 1989, there was no governor belonging to another party than the PRI. The governor of a state had similar powers over the legislative on the state level, as the president had over the federal branches. The extraction of taxes was enforced through a national taxations system, which gave each state a share of the total taxes collected in the country, and for this to the states had to give up the right to collect additional taxes on the state-level. Traditionally, the richer states have been given larger shares of the income from taxes, but since the 1990 the situation is different. Today, poorer states are getting larger shares than before. In 2004, the government was providing the states with 31 percent of the national budget. This was possible because a group of governors created an interests group to put pressure on the government to give back a larger share of the taxes. This interest group has members of all three major parties in the country. As the economy of the states has improved, citizens, interests groups, and organizations are now able to find help on the local level. For citizens, it also means that they have the possibility to affect the decision-making much more than was previously possible.

During the Fox administration, the governorships received more fiscal control, and the majority of the states are governed by parties from the opposition. This has added to the problems that the president already has with a weaker position in the Congress, by the increase of political conflicts between the states and the government (Al Camp, 2004, p. 193).

This new situation that the states have with increased power is not known to the majority of the Mexican citizens. Surveys from 2005, show that only 50 percent of the population knows that states have legislative powers, as it is commonly known that laws are made in Congress. Only 25 percent knew that the state legislature is independent from the Congress. Furthermore, as little as 38 percent knew that the Congress is independent of the presidency. Mexicans believe that state legislatures are doing a better job than their national representatives in congress, however total confidence in the two groups is generally low, and the same goes for political institutions (Al Camp, 2007, p. 194).

The political decentralization today, is affecting decision-making on a national level as governors have more powers than before. The increased fiscal control has created new patterns of conduct within the states, and governors and even mayors will have more influence as they are courted by strong local interest groups as well as ordinary citizens. Furthermore, the bottom-up influence from the states is increasing as policies made on local levels are transferred to the national levels much more than before, creating new challenges for the politicians on both state and national levels (Al Camp, 2007, p. 195)

5.5 Political Representation in the Elections 2000 to 2006

The focus on political parties in this thesis is on the three main parties in Mexican politics. These parties have been and still are the most influential ones on the political scene. These parties are the PAN, the PRI, and the PRD.

Politics in Mexico has for the most part of its modern history, after World War II, been the history of the PRI. The PRI being the heir of the Mexican Revolution (1910-1917), saw upon itself as the only rightful party with the legacy to rule Mexico. The first tendencies to some kind of opposition did not appear until the foundation of the center-right party PAN in September 1939 (Shirk, 2005. p. 49). The other main opposition party, the center-left PRD was formed in 1989 as a reaction to the election in 1988, when many still believe that the PRI actually lost the election in favor of a leftist coalition with Cuauhtémoc Cárdenas as the presidential candidate, but a mysterious computer breakdown for some 24 hours revealed after the computer finally were turned on, that the PRI had won the election (Pearce, 2002, p. 313).

The PRI however, held a political and electoral grip on Mexican politics on a national level really until the end of the 1980s, when the PRI sensed that the opposition was also a threat on a national level and not just in some states and municipalities around the country. In the mid-term election in 1997, Mexico City got for the first time a governor from the PRD. The PAN and the PRD held together some 30 percent of all municipalities in the country, while smaller opposition parties accounted for 2.3 percent of a total number of 2,003 municipalities in Mexico (Crespo, 2004, p. 71). Finally, in 2000 the PRI lost the national election to the PAN which then formed a coalition with the Green Ecology Party (Pearce, 2002, p. 325).

For the 2000 election, there were in particular two groups that influenced the outcome of the election in favor of the PAN. First, it was the group that simply voted for a radical change of regime. Second, it was the young, and especial the first-time voters. In a survey

made by Dallas Morning News a few weeks before the election, results showed that 72 percent of all voters would vote for a change of regime. In December 1999, the same survey showed that only 50 percent were prepared to vote for a change (Al Camp, 2007, p. 220). As for the younger first-time voters, after the election, it was found that 18 percent of all voters belonged to this group, and more than half voted for Vicente Fox and the PAN. The PAN did better than all other parties in every age group up to the age of 55. The older Mexicans mostly voted for the PRI (Al Camp, 2007, p. 220).

In the 2003 mid-term election to the Chamber of Deputies, The PAN lost ground to the PRI and the PRD. Main reasons for this were the inability of the PAN to find support for important legislation and the fact that economic growth in Mexico had halted. Growth was highly dependent on bilateral relations with the United States. After September 11, 2001 the United States focused more on the war on terror than its neighbor Mexico. As a result of the poor economic development and lack of radical changes for Mexicans, the PAN lost 51 seats to 151 of a total of 500 seats in the Chamber of Deputies. Before the election the PAN had 205 seats which was not a majority either. The lost seats were filled by mostly the PRI but also the PRD, who continued to block important legislation as they had done from 2000 to 2003. The only difference was that now the PAN was weakened even more (Jaime, 2004, p. 36.).

What is important to note is that the PRI, has actually improved its situation since the 2003 mid-term election to the Chamber of Deputies. By 2004 the PRI regained strength compare to the other parties and had 50 percent of the seats in the Chamber of Deputies. Furthermore, the PRI has done better than the PAN at local levels in the country, which confirms the stronger support for the PRI in rural areas. This development in Mexican politics further paralyzed the government and Vicente Fox. The PAN's ability to pass legislations they felt necessary were constantly blocked in the Chamber of Deputies, which support is necessary for a change in legislation. This trend has continued through out the election of 2006 also (Al Camp, 2007, p. 224).

The presidential election of 2006 was the first election in Mexican history with six years experience of a separate executive and legislative branch. For the first time the citizens could feel what it means to live under at least an electoral democracy. Surveys dealing with political preferences and general support for politicians from 2005 showed that 40 percent of Mexicans have a negative view on all political parties, and only 20 percent view positively on political parties.

In the early polls measuring party preferences before the presidential election in 2006, the PRD with Andrés Manuel López Obrador took on an early lead before the PRI candidate Roberto Madrazo, and the PAN candidate Felipe Calderón. This was mostly because López Obrador was already a much known politician since he had been the Mayor of Mexico City until 2005 when he resigned to campaign for president. There is a law in Mexico that prevents a presidential candidate to hold public office six months before an election. The support for López Obrador is strongest in Mexico City, which represents almost 20 percent of the voters. Felipe Calderón however, was able to gain in the polls close to the election and even take the lead. The support for the PRI candidate Roberto Madrazo was not changing particularly much during the last period before the election. Just days before the election it was clear that it would be an even race between López Obrador of the PRD and Felipe Calderón of the PAN. When the votes had been counted it turned out to be an extremely small victory for Felipe Calderón. Felipe Calderón had won by approximately 0.57 percentage points, giving Felipe Calderón 35.88 percent of the votes, and 35.51 to

López Obrador. Counted in votes it is some 240.000 in difference between the two. It is very little in a country with a population over 110 million people (Al Camp, 2007, p. 228).

The 2006 election shows similar patterns to the election in 2000, when it comes to the support of parties from the Mexican voters. Felipe Calderón received the strongest support of the two from the younger voters, university educated, voters with high incomes, those living in the North and Center-West Mexico, and urban voters. López Obrador had strongest support from the older population, those with low incomes, those living in Central and South, and those Mexicans who believed that their financial situation would get worse (Al Camp, 2007, p. 228).

An important observation about the 2006 election is that no party received a simple majority, which means that no party actually controls the Congress. Calderón and the PAN won 42 percent of the seats in the Chamber of Deputies, which is the legislative branch. For this reason, it is likely that President Calderón will have similar problems his predecessor Vicente Fox had to pass important legislations. The small percentage in favor of Calderón is considered to be a major problem for the democratic process and governance in Mexican politics. This problem is further increased by the fact that Mexican political representation basically consist of three major parties, which make coalitions between parties decrease.

Another result of the outcome of the 2006 election was that López Obrador contested the electoral results fiercely and even proclaimed himself the “legitimate” winner. He held protests in Mexico City’s main square the Zócalo, demanding a re-count of the votes due to electoral fraud. The Federal Electoral Tribunal, in charge of electoral disputes decided later that the election had been won by Felipe Calderón and the PAN (Al Camp. 2004, p. 229).

6 The Rule of Law – Introduction

This chapter addresses the third and final arena treated in this thesis which is the *rule of law*. As in the two previous chapters, it starts with a definition of the concept. Then we move on to explaining the characteristics of the Judicial Branch in Mexico. This is followed by a part that deals with the the *rule of law* in Mexico, followed by the final part that deals with corruption.

6.1 The Concept of Rule of Law

Man has lived under laws for thousands of years. For many, the *rule of law* has its origin in classical Greek thought from philosophers as Plato and Aristotle. The Romans also contributed with their tradition of the rule of law. The Roman emperor Justinian in the 6th century AD is known for codification of a civil code, which is known as the Justinian Code. The Justinian Code consists of three books which basically deal with various customs, rules, commentaries and decisions. As time passed into the Middle Ages new sources of laws developed, of which the most known are: the contest between kings and popes for supremacy, Germanic customary law, and the Magna Carta (Tamanaha, 2004, p. 15).

The modern interpretation of the *rule of law*, under which we live today, is divided into two categories, a formal category and a substantive category. Both categories have three versions each, going from a thinner to a thicker interpretation of the *rule of law*. Formal interpretations of the *rule of law* take into consideration how the law was created, if it was by an authorized person, if the law is clear enough for individuals to understand it so that the law itself can be viewed as a guide for what is permitted and what is not. Formal interpretations of the law do not however, take into consideration if the law was a good or a bad one, as long as the formality of the law is met. Substantive interpretations of the *rule of law* try to go further with the concept, as to admit that man has certain rights which are based on, or derived from the *rule of law*. Then the *rule of law* becomes a foundation for those rights, also declaring if a law is good or bad. In general, both versions of the *rule of law* have implications of the other and should not be regarded as totally divided interpretations (Tamanaha, 2004, p. 92).

In 1990, the Declaration on Security and Cooperation in Europe was signed together with Canada and the United States, in which the *rule of law* was declared as not only being regarded as a formal legality which is the most common understanding of the rule of law, confirming regularity and consistency of a law, and that individuals know in front the implications of an action, but also justice should be viewed as the fully accepting the supreme values of the human personality which should be guaranteed by institutions, and that democracy is an important feature of the rule of law (Tamanaha, 2004, p. 111).

6.2 The Judicial Branch

The Constitution of 1917 gives the power over the judicial system to the Supreme Court. The Supreme Court is on top of the judicial structure and has authority over the circuit courts and the district courts. The Supreme Court has 21 judges, and its meetings are mostly public. The president with the support of the Senate is appointing the judges for a term of four years, with a possibility to continue after the term is over. All the 21 judges have each a number of circuit courts and district courts for which they are responsible. They visit them frequently to make sure the sub-courts are functioning according to the

law. Normally, a judicial branch can affect the legislation if it is independent from both the legislative branch and executive branch. Like in the United States the Supreme Court can oppose legislative decisions from the Congress by declaring it to be against the constitution. By doing so, the Congress will have to find new ways of achieving the same purpose as the legislation rejected. The courts in the United States produce decisions and verdicts which have effect on similar cases in the future, called precedents. The court system in Mexico has traditionally been less of an opponent to the state, and much more of an assisting institution to the state.

In Mexico, the legislation by using precedents has not been possible to follow through, due to the fact that the courts, in order to have a binding precedent, were forced to reach the exact same decision in exactly the same type of case. This means that the decisions of the courts is only valid for that particular case and can therefore not be applied to another citizen. Traditionally, the courts have not interfered in matters concerning constitutionality, or in politically related issues. Another problem for Mexican courts at the lower level is that they in many cases suffer from corruption and that they are sensitive to political manipulation. This in turn, has made the ordinary Mexican citizen doubt in the ability of receiving justice in the courts. It is also known that the courts at these levels have been involved in forced confessions by the use of torture, which has increased the distrust to the Mexican legal system among its citizens (Al Camp, 2007, p. 190).

A positive development in the Mexican judicial system is the fairly new approach and stance of the Supreme Court. In the 1990s, the PRI still held a firm grip on the legislative and judicial powers, but the Supreme Court was known to rule against the executive power especially on matters concerning administrative and taxation issues. After 1994 some important reforms were made, providing the Supreme Court a more influential position, and giving the court the right to overrule a decision if it was found unconstitutional. These decisions are thus valid for all citizens. However, these types of initiatives must come from special government officials in order to be treated by the Supreme Court. After 2000, some important reforms have taken place, which further has institutionalized the judicial system, and legal proceedings are today often public which has improved transparency. Circuit courts are today totally autonomous and have the right to change local laws due to unconstitutionality. The most serious threat to the legal system and the judicial branch is within the criminal justice system, and the fact that the Mexican police force is tainted with corruption (Al Camp, 2007, p. 191).

6.3 Mexico and the Rule of Law

As stated above, some important reforms were made in 1994 increasing the judicial power of the courts in Mexico. Especially the Supreme Court has now been given the authority to decide on matters concerning conflict between the executive and the legislative branches. It can also decide upon whether a law is constitutional or not. This practice from the Supreme Court has increased after 2000 and as the transition to democracy was finally done, by the achievement of an electoral democracy. The main problems lies not so much within the Supreme Court but at the state-level court system, where most crime related cases are heard and where corruption is common. The highest concerns among Mexicans addressing the problem with the Mexican legal system has to do with increasing public insecurity and the failure from the state to properly investigate and prosecute crimes. The crime level in Mexico has increased severely from the 1990s and continues to increase after 2000. Some critics connect this issue directly to the implementation of democracy and increased social inequalities in the country (Magaloni, Zepeda, 2004, p.169).

Magaloni and Zepeda argue moreover, that law enforcement in Mexico must be addressed from a bottom-up perspective, since the increased powers and jurisdictions of the states have increased. Therefore, as states today are mostly responsible for the prosecution of crimes, the importance of fighting crime and corruption must be based on a strategy in which states themselves push institution building forward. *Accountability* within these institutions like the police force and the judicial system must increase in order to improve the low credibility of these institutions on a local level among the citizenry. Only between 1991 and 2000, the number of reported crimes on the state-level increased from 800 to 1500 (Magaloni, Zepeda, 2004, p. 177).

Another survey from 2005, made after the 250.000 people non-violent demonstration in Mexico City, show that 52 percent of the crimes in Mexico City are caused by a corrupt police force or corrupt authorities. One out of seven homes had at least one household member that was a victim of crime in 2005. 17 percent of the victims of crimes reported the crime to the authority, and 44 percent felt unsafe to very unsafe within their own state. The Mexicans believe that the fastest growing crimes are related to drugs or violations in public places (Al camp, 2007, p. 294).

The *rule of law* also calls for responsibility and *accountability* for actions. This is especially important when it come to politicians and others, holding important public offices. If the state bureaucracy is corruptive it is difficult to persuade the citizenry to act according to the law. That is why corruption and human rights violations are closely related to rule of law, or rather the lack of rule of law. *Accountability* is crucial for a positive development of these two issues (Levy, Bruhn, 2006, p. 136).

6.4 Mexico and Corruption

According to Transparency International, Mexico is between 4 to 4.9 on the Corruption Perception Index (CPI) where 1 is the highest corruption level and 10 the lowest on the scale (Transparency International homepage, 2007). In 1995, the Mexican attorney general claimed that 80 percent of the federal police was involved in some kind of corruption, but in Mexico City the number was as high as 98 percent. In 2001 the *Reforma* newspaper stated that 9 percent of the GDP was transferred off to corruption. Corruption has been a tool for supporting the Mexican system, and corruption has provided chances for the elite to receive huge rewards. The strategy has traditionally been to use positions in public office to reward oneself and close family, and then pass the possibility to do the same over to others when the term is over. The use of bribes and personal benefits has generated flexibility in a system that lacks institutional *accountability*. Low public salaries to workers within the bureaucracy have further increased the problem of corruption, and corruption has been a profitable reward system for workers in public office (Levy, Bruhn, 2006, p. 137).

President Fox, after his inauguration in 2000, installed The Commission for Transparency and Combat against Corruption, and the Federal Agency of Investigation, as measures to fight corruption within the bureaucracy and the police. In three years more than three thousand police and five thousand public officials were replaced as a result of these new institutions. The problem of corruption has persisted though, due to new possibilities that have been created in a new economic system, and it remains a huge problem for Mexican president Felipe Calderón. Among the public, people repeat in polls that one of their major concerns is corruption, and that huge efforts have to be made to prevent it from growing. For this to be possible, more transparent and accountable institutions are necessary (Levy, Bruhn, 2006, p. 138).

7 Accountability and the Three Arenas - Introduction

This chapter highlights the importance of accountability within the three arenas in the previous chapters. It deserves its own chapter because accountability, or more precisely, the lack of accountability in Mexican society, helps explaining problems of the past but also problems in the present, when it comes to consolidating the Mexican democratic system. The chapter begins with explaining accountability as a concept. It is then followed by examples of the lack of accountability within the three arenas civil society, political society, and rule of law

7.1 The Concept of Accountability

Accountability is vital for any democracy, and especially for the development in a country like Mexico, where general trust in politicians is low. As Lewin writes, many politicians when held accountable defend themselves by claiming that things occurred without their control, or simply by blaming someone else, but as a democratic value, accountability remains an important democratic feature, and a politician who is not performing accordingly should be held accountable to the citizens (Lewin, 2007, p. 4).

Manin, Przeworski, and Stokes define accountability with regard to the government that: “governments are “accountable” if voters can discern whether governments are acting in their interest and sanction them appropriately, so that those incumbents who act in their best interest of citizens win reelection and those who do not lose them” (Manin, Przeworski, and Stokes, 1999, p. 40)

The term *accountability* in a democracy (majoritarian system), according to Lewin, as used in political science, means basically that a system is legitimized because of the fact that citizens are through general elections, able to judge politicians’ policies success-level (good or bad). In a non-majoritarian system, citizens legitimize the system if its leaders have substantive quality in their decision-making, and if the effects of those decisions have a positive long-term consequence, and this Lewin calls *responsibility*.

There is however a difference between *responsibility* and *accountability*. The term responsibility is much broader in its meaning addressing morality, “ a director of an institution has many responsibilities” or a child that has reached a certain age is expected to be more responsible for its actions. The term accountability is a much more precise form of responsibility, and it calls for an agent to be accountable for his action to either his superiors or to citizens. By being accountable the agent can also be punished if he has not performed accordingly. Accountability tells us that the agent must follow certain rules and if he breaks them we can hold him accountable and thus punish him if necessary. In politics then, when entering the sphere of politicians the individual goes from being a “*responsible*” man to an “*accountable*” agent (Lewin, 2007, p. 4).

7.2 Accountability in Mexican Civil Society

One important difference between democracies and non-democracies is the existence of fairly high levels of human rights abuses in the latter. The information surrounding the number of deaths in the *Tlatelolco* massacre has still, 40 years after it happened, not been totally clarified. The government, even if there has been a change of regime, has not been willing to fully take responsibility concerning the number of deaths. The accountability of the government towards the public is lacking in this question. A more recent and escalating

example of the lack of accountability concerning civil society is the increased violence on journalists who are trying to report drug-related crimes, corruption, and thus increase transparency in Mexican institutions. These questions are also closely related to *accountability* and the *rule of law*.

Another example concerns the state-corporatist labor unions and especially the CTM with the lack of accountability of its leaders towards its members. Like Fidel Velazquez who in the middle of the 1990s demonstrated such powers that he alone could decide if the wages should be frozen in order to decrease government spending for the elections of 1994 (Oppenheimer. 1996, p. 217).

State-corporatist unions continue to seek alliances with the government to uphold its importance in politics, but the price its members have to pay is many times holdbacks in the increase of salaries for the members. The close relationship between the leader of the SNTE, Elba Esther Gordillo and President Calderón is an example of the type of domination the elite in the labor unions has over individuals within their ranks. She is more or less accountable to her self (The Economist homepage, 2007)

7.3 Accountability in Mexican Political Society

Today as stated above, in political society, the Mexican president does not hold the same powers as former presidents did, where they could act without being accountable to anyone. There is no mysterious aura surrounding the president which makes a president a subject to criticism. As the powers of the president are weaker today, the problem of accountability arises since he can claim that necessary changes and legislations are not possible to push through in congress, leading to the situation where everybody blames everybody and nobody is held accountable or even punished legally. The increased transparency in Mexican politics today makes the actions of a president public, which is a democratic feature, but democracy, while limiting the powers of the president faces the loss of efficiency which in turn is weakening the political process. So the challenge is to have a combination of effectiveness with accountability (Levy, Bruhn, 2006. p. 133).

From a politically point of view, the case with the governor of Puebla Mario Marín, recorded conversations with the businessman Kamel Nacif, and the governors involvement in the abduction of journalist Lydia Cacho, shows how the actions of a strong politician can prevent accountability to prevail. The governor was not only free of charges by the local court and he continues to be the governor of Puebla (Lydia Cacho homepage, 2008)

7.4 Accountability Within the Rule of Law in Mexico

As stated above, the human rights abuses are closely connected to the rule of law, and so are corruption and crime. Mexican government has a challenge in addressing human rights abuses. The Fox administration (2000-2006) installed a Secretary for Human Rights and Democracy which was incorporated in the Ministry of Foreign Affairs. Two years later the Secretary of Human Rights and Democracy was eliminated by the Minister of Foreign affairs. Even if the regime has changed in Mexico, there is no guarantee that public officials within institutions, in a more democratic Mexico, will not act abusively. This problem is especially evident on a state and local level (Levy, Bruhn, 2006, p. 139).

The building of democratic institutions is a major challenge for Mexican Society. As Hodgson states; “*In the real world, there are many examples where some institutions are sustained by others*”.

He goes on by highlighting that it is up to the state to make sure that the law is enforced. The legitimacy of institutions is based on its capability to exercise its mandate with frequency otherwise the credibility of an institution will fade, moreover Hodgson writes that, “*The only way in which we can observe institutions is through manifest behavior*” (Hodgson, 2006, p. 3).

Hodgson defines institutions as; “systems of established and prevalent social rules that structure social interactions”. The rule of law can for instance increase public safety, but these rules have their base in habits. These habits have to become norms with the institutions, thus providing the institution with power and durability (Hodgson, 2006, p. 7). Herein lie some of the problems in Mexican institution building. The rule of law and accountability is not the same for everyone in Mexican society. The justice system is distrusted by the Mexican citizens as human rights abuses, corruption and crimes increase. The lack of transparency and accountability result in the inability to arrest, prosecute and sentence. This remains to be major problems for the credibility of institutional design in Mexico (Shirk, 2005, p. 209).

Mexican prisons are filled with minor criminals and of those that have no money to pay for legal defense. Furthermore, people have been put in prisons without being sentenced (Shirk, 2005, p. 211). Moreover, the Mexican court system has been responsible of forced confessions (Al Camp, 2007, p. 190).

Nobody has been accountable for these violations. For that reason the Fox administration made proposals of a state reform that an individual was presumed to be innocent until proven guilty. The reform package was however put together with other proposed reforms like reelection. The Mexican public is however against the possibility of reelection (Al Camp, 2007, p. 187), and the proposed reforms came late into the Fox administration and the time for negotiation where overshadowed by the 2006 presidential race (Shirk, 2005, p.213).

8 Analysis

In the analysis chapter, attempts to answer the main questions of this thesis are made with respect to the model by Linz and Stepan. The main question is: How come that a nation which has struggled to complete its transition to democracy since the mid 1970s, and after having democratic elections in 2000 which meant a change of regime, has not performed better in consolidating its democracy? Follow up questions are: To what degree has history played a role in the postponing of necessary democratic changes? Which are the main areas where a change of regime actually improved the situation? Is Mexico a democratic country?

To answer these questions, *civil society*, *political society*, and *rule of law* in Mexico will be compared to the same three arenas in Linz's and Stepan's transition model. The three arenas will also be compared with respect to the concept of *accountability*, a key-term throughout this thesis which helps explaining much of the problems of consolidating Mexican democracy. We will also take into account the "stateness" problem.

Linz and Stepan stress in their model the *distinctiveness* and the *complementarity* between civil society and political society. The analysis will separately deal with *civil society*, then *political society*, and finally the *rule of law*, but with respect to each other.

8.1 Analyzing Mexican Civil Society and Linz & Stepan

In Linz and Stepan's arena of civil society they stress the importance of *civil society* being lively. There should be a variety of non-governmental self-organizing groups, and of relatively autonomous movements, associations, and organizations, but also non-organized individuals who are prepared to mobilize when needed.

Civic associations like trade unions, entrepreneurial groups, journalist, and lawyers represent society from all levels, making the mix of these social movements important for a lively *civil society* (Linz, Stepan, 1996, p.7).

In our example, we chose to look at non-governmental organizations, the church, labor unions, and the media as being important to *civil society*. We will follow the same pattern as in the chapter on *civil society* by starting with analyzing non-governmental organizations, followed by the church, labor organizations, media, and finally a summary of our findings.

Non-governmental organizations

NGOs have historically not been favored by the authoritarian PRI regime. Those NGOs involved in human rights issues, but also those active in areas of democratization have had problems receiving legal recognition. Their legal recognition has constantly been stopped by politicians in power. As an effect of the reluctance from the political society to acknowledge these organizations in the past, they have been forced to develop their own networks and new ways of finding economic recourses without any support from the state. This has distanced the NGOs from the state and therefore many organizations do not seek financial support from the state even after the 2004 legislation, which was aimed at improving relations between the government and NGOs (Al Camp, 2007, p. 164). In this case the *distinctiveness* between the state and NGOs still prevails, but the *complementarity* between the two remains questionable, especially between the state and human rights organizations.

When it comes to pro-democratization organizations like the *Civic Alliance* which was extremely important to the process of democratization until 2000, the situation has improved

from a democratic point of view. Today, the *Civic Alliance* finds itself in a situation where they have changed its main objective from the pasts, which was to monitor elections and report electoral fraud, to raising questions like those aimed at decreasing government support to political parties. This has to be considered as a positive development, since these questions concern the democratic process of any modern democracy, even if the problem of institutionalization of rights persists (Civic Alliance homepage, 2008).

It is one thing for the politicians to vote in favor of a legislation that promotes relations between NGOs and the state, but it is all together different to implement these new laws in society. For the implementation of laws, strong institutions which are accountable to the public are needed. NGOs have to be institutionalized and given basic rights to defend their interests, in court if necessary. A *rule of law* that favors the state, increase the problems of institutionalizing the rights of NGOs. These rights can only come from politicians (Olvera, 2004, p. 406). For this to be true a much closer cooperation between the state and civil society is needed.

As for the ability of *civil society* to mobilize on important issues we have shown that this has occurred on several occasions in Mexican history suggesting that Mexico has a lively *civil society*. The Mexican Revolution began almost hundred years ago and involved most of the population in some way. The Revolution produced the Mexican Constitution from 1917, which states the fundamental rights for the Mexican population (Pearce, 2002, p. 276). In 1968 the student protest, ended in a particularly bloody manner with the massacres in *Tlatelolco* (Krauze, 1997, p. 690). In 1971, the protest on Corpus Christ Day, was also a result from the same need for political liberalization and yearn for a democratic change like in 1968 (Krauze, 1997, p. 732).

As Mexico had its electoral democracy in 2000, most mobilizations of *civil society* have focused on issues like public safety, human rights, and anti-corruption, like the demonstrations in 2004 (Al Camp, 2007, p. 67). In all these cases, people from all levels of society have participated, which demonstrates a will of the citizens to address the problems in society. The result has however not been satisfactory as these problems have increased in society.

The Church

The Church is maybe the least complicated area to analyze of the chosen areas in *civil society*. In short words, the Church, and especially the Roman Catholic Church has played and will continue to play an important role in society. In colonial days, some important characters in the struggle for independence have been priests. Today figures like Hidalgo and Morelos are celebrated like national heroes (Pearce, 2002, p. 164).

The Church has served as an important institution which has operated fairly independently despite its differences with the former authoritarian governments. The *Cristero* uprising in the 1920 was a response to the harsh treatment of the post-revolutionary government towards the Church as an institution (Foster, 1997, p. 177). In modern times the Church has stood as united in questions concerning democratization, even if it has been divided, and still is, in questions concerning politics, human rights issues and poverty issues (Foster, 1997, p. 177).

Individuals like Bishop Samuel Ruiz García defended indigenous rights in Chiapas, and supported the struggle of the EZLN in many ways. He did so even if it divided the Roman Catholic Church in two concerning the support of a guerilla movement or not. Today, the

Church is going through a revival and political leaders openly demonstrate their religious beliefs, something that was considered impossible in the old system of the PRI (Al Camp, 2007, p. 149).

In a way religion is also going through a process of change, since Catholicism is seriously challenged by Protestantism, even if a vast majority still consider themselves to be catholic. Politically, there is a division among the clergy, where some in the north support the Right and others in the south support the Left. This division remains a challenge for the Roman Catholic Church in a modern Mexico.

Labor Unions

Labor unions have clearly been crucial for the preservation of state power in the past. *State-corporatist* unions, supportive of the authoritarian governments of the past like the CTM, were prolonging the transition to democracy in Mexico. The unions in Mexico were used as tools for controlling the workers, which basically means society. Whenever the government needed support, they mobilized the unions to legitimize the policies of the government. Union leaders like Fidel Velazquez who still at the age of 97 ran the CTM until his death in 1997, helped the “old” PRI regime hold on to power (CTM homepage, 2008).

Another example involving Fidel Velazquez was when he was asked in 1994 by former President Zedillo to guarantee that wages would not be increased so that the inflation would not rise (Oppenheimer, 1996, p. 217). This relationship clearly demonstrates the power of strong labor unions.

The price for this relation between *state-corporatist* union leaders and the government was heavily paid by the members of these unions. Increases in wages were this way controlled, and should any worker oppose the system they faced the chance of being laid off from work, which in turn meant that the workers had no means to support their families. The fear of losing their jobs caused many workers to be supportive of the regime. Although today, the situation has changed to some degree and the CTM has no longer the same support from the government, it remains an important actor in Mexican politics, and its main support is still devoted to the PRI and internal democracy is low (Bensusán, 2004, p. 272).

With a low internal democracy, the members have little chance of affecting the policies of the leadership. The leadership show a weak level of *accountability* towards its members, where the struggle for power in political society is more important. The level of *accountability* to the current government is less than before due to the weaker powers of the executive branch in today's Mexico, making the *state-corporatist* unions more autonomous than before, but equally as important to the government when it seeks support for its policies.

The case with the SNTE and Elba Esther Gordillo presents yet another example of the powers inherited in state-corporatist unions and their lack of *accountability* both to its members but also to the government (La Botz, Monthly Review homepage, 2005). What further makes a union leader like Elba Esther Gordillo questionable is the continued close relationship she has to President Calderón, while she at the same time is accused of corruption. After all, she is leader of the largest single union in Latin America (The Economist, homepage, 2007).

The two other types of unions, *Social trade* unionism and “*Movement*” Trade unionism, have traditionally been able to find support from outside their ranks. Moreover they have developed alliances with other unions in which they have distanced themselves from the state

(Bensusán, 2004, p. 261). Their higher levels of internal democracy, especially in the “Movement” Trade unions present a better agenda for its members in the future. Their willingness to place the interest of the worker at the top of their agenda will no doubt continue to appeal to the Mexican workers. As these unions grow in size, future governments will have to seek their support. By increasing the importance of these unions, the situation for the Mexican worker will hopefully also improve.

As for their influence in the democratic process, these “*New Trade*” unions made civil society stronger before 2000, and they are an important feature in civil society today. Their close relationship to universities and other organizations, in which they have found expertise and knowledge, helps these unions in adapting to a new political situation where overall support for unions is declining.

The Media

Media in Mexico represents perhaps the part in *civil society* which has changed the most since before 2000. The media in Mexico has especially since the 1980s contributed to the democratic process in Mexico, and it has gone from being government supportive to government critical as Middlebrook states (Middlebrook, 2004, p. 13). A free media is an important feature in Linz and Stepan's arena of a *lively* civil society (Linz, Stepan, 1996, p. 7).

The number of different periodicals demonstrates a variety of political beliefs in society, especially in Mexico City which has more than twelve newspapers circulating on a daily basis (Levy, Bruhn, 2004, p. 121). Televised media has also changed from being totally supportive of the “old” regime to being far more critical of *political society* and the government. Today, their main interest is high ratings (Lawson, 2004, p. 118). In order to receive high ratings, the media has to highlight problems that are relevant to society. In this sense there has been an improvement.

Both printed and televised media focus on spreading information to the citizens, and they are contributing to a more transparent society, especially by monitoring *political society* but also the *civil society*. Media has promoted *accountability* within the executive and legislative branches, which makes it more difficult for politicians to rule over the heads of the citizens, but the judicial branch, especially in rural areas, is not always synchronized with the *rule of law* necessary in a democratic society. Evidence for this development is the increased violence against journalists reporting on drug-related crime, corruption, and human right abuses, and the inability of the state to deal with the problems of safety for journalists (Levy, Bruhn, 2006, p. 121).

From a democratic point of view, media is free in the sense that it is covering most problems in society, but it is not free when it comes to the safety of journalists reporting on these issues. This development clashes with the prerequisite of a free media in Linz and Stepan's model necessary which is necessary for a country to be really democratic.

Summary

- We have identified that the *institutionalization* of basic rights within organizational life and in *civil society* in general is lacking in Mexico. These rights are mostly legislated in the Constitution of 1917, and improved by later political reforms, but they are not implemented by a functioning *rule of law*, moreover, *political society* with its lack of *accountability* towards its citizens has to work closer with *civil society* to be able to fulfill the conditions set up by Linz and Stepan's arenas for a consolidated de-

mocracy. Since basic rights are not equally distributed among the Mexican population, one has to question if Mexico has solved its “stateness” problem, which is an obstacle for the democratic process.

- Due to a division in the closeness to the government between different categories of labor unions, the ability to stand united in questions concerning the improvement of Mexican workers is suffering. Political alliances of *state-corporatist* unions with the PRI, is creating a clash between *state-corporatist* unions and “Movement” Trade unions which is weakening the abilities of the unions as such to impact political society more forcefully. On the other hand, “Movement” Trade unions have shown their capacity to adapt to the new situation in society by creating important alliances with other social movements from society, which might prove to be a winning concept for the future.
- Furthermore, *civil society* in Mexico shows perhaps the most positive development of all three arenas as the number of NGOs is growing, and especially those dealing with human rights issues. Together with the new position of a strong and government-critical media, *civil society* in Mexico will continue to play an important role for consolidating Mexican democracy, but the road is not straight, and it involves dangerous elements. The stronger position of the media today, pressures politicians to take measures that affects the people and not just important interest groups. The media is moreover, pressuring politicians to show more transparency, and when the steps of political decision-making has become more open, accountability to the citizens has a chance to increase.
- The increased violence towards journalists is a major problem for the rule of law, which is a problem that politicians and the courts in Mexico will have to address more forcefully.

8.2 Analyzing Mexican Political Society and Linz & Stepan

Political society according to Linz and Stepan needs to be functional. It is the arena where political entities organize themselves to seek power of the state apparatus, mostly by creating alliances. *Political society* has to be active in the development of democratic institutions, moreover fair elections and fair electoral rules are an important prerequisite.

Political society has to be distinctive from civil society but the *complementarity* between the two is important. Respect for the democratic process must be emphasized and institutional routinization is necessary so that conflicts are solved through the tools provided by democratic procedures. To reach democratic consolidation, *political society* needs the support of *civil society* but also a *rule of law* to guarantee that laws are implemented (Linz, Stepan, 1996, p.10)

In this thesis we chose to look at the executive and legislative branches of *political society*. We also account for Mexican federalism as to highlight important actors in *political society* on local levels in Mexico. We will also take *accountability* into consideration as part of the analysis as well as looking at the two other arenas treated in this thesis.

The Executive Branch

The executive branch, which is basically the president and his closest staff, has since the electoral democracy in 2000 seen its power diminish. The post-revolutionary governments and especially those that emerged around World War II inherited almost absolute power. Beginning with the presidency of Miguel Alemán, accounted for in the historical background of this thesis, corruption on a political level became almost an art form (Krauze, 1997, p. 598).

Enormous building projects were started in this period, which on one side boosted the economy, but on the other side mostly government officials, industrial workers and various entrepreneurs benefited from the policies of the president. Corruption developed into something never seen before, and income inequalities were increasing. President Carlos Salinas (1988 - 1994), held on to that power and signed the NAFTA Agreement, aimed at opening up Mexican protectionist economy even more. Legislations were passed almost without any resistance in the Chamber of Deputies, mostly because the majority of the deputies were from the PRI. *Accountability* in the executive branch was not something that former presidents had to worry about. Others were accountable to the president if they did not follow orders, as in the case of López Portillo (1976 - 1982) when he nationalized the banks over night (Pearce, 2002, p. 310).

Portillo himself did not however leave office empty handed. In fact most presidents did not, with the exception of Lázaro Cárdenas (1936 - 1940) and some others. For that reason Lázaro Cárdenas is remembered as the perhaps most loved and appreciated president in Mexican history as being truly a man of the people. The point here is that, due to the corruptive behaviors of previous presidents and government officials, and their lack of *accountability* towards the public, today's distrust in politicians continues. *Accountability* has yet to be habituated and developed in Mexican politics. Moreover, after 2000 when many Mexicans believed that corruption and crime would diminish, have instead been forced to face an increase in new type of corruption involving both police and public officials (Levy, Bruhn, 2006, p. 138).

Today the president is forced to seek alliances and support from former adversaries, a development which from a democratic point of view might be considered good, but the weak support for the presidents after 2000 has many times, as Al Camp notes, led to bargaining and negotiations where necessary reforms have not been able to pass in the Chamber of Deputies pass (Al camp, 2007, p. 182). This has many times led to a deadlock in Mexican politics.

As for the initiation of the executive branch to produce democratic institutions the result has been rather poor, at least in the implementation of such institutions. Improvements have however been made in areas concerning electoral rules. IFE which is responsible for conducting elections has since its creation in 1997 the highest legitimacy rate of all institutions among the public. The Commission for Transparency and Combat against Corruption, and the Federal Agency of Investigation are institutions which will need far more resources from the executive branch if they aspire to fulfill what they set out to do (Levy, Bruhn, 2006, p. 138). But then again, such increases in funding will have to be passed in the Chamber of Deputies first.

The Legislative Branch

The legislative branch with a powerful Chamber of Deputies, and a less influential Senate when it comes to legislation, make up a rather complex system. The Reform from 1977 increased the possibility for the opposition to gain seats in the Chamber of Deputies, which was helpful for the democratization process, but today critical voices would like to see a smaller Chamber. Others would like to see a development where deputies also have the possibility to be reelected (Al Camp, 2007, p. 187).

The ability to be reelected would create continuity, and it would be easier to set up long-term plans for change, since the knowledge would not be lost when experienced deputies leave and new ones enter. Reelection might also be a healthy measure for Mexican presidents. The time limited to six years is not much when dramatic changes are needed in order to consolidate Mexican democracy. If a politician is liked by its citizens, then the possibility to reelect such a person would be considered to be democratic. The possibility to be reelected would also improve *accountability*, since it would be easier to pinpoint certain policies and decisions to one politician, which helps voters to decide whom to favor or not in elections.

However, *political society* has a lot to prove to ordinary citizens in *civil society*. The struggle for political power in the Chamber of Deputies is many times over shadowing the real problems in society. This problem grows in a situation where the opposition is larger, in terms of seats, in the Chamber of Deputies, so that the executive power, the president, cannot pass important legislation (Eisenstadt, 2004, p. 291).

The current limitations of the president to pass legislations, goes hand in hand with the increased powers of the legislative, thus making deputies more important than before. It might prove to be devastating for a country that needs radical changes when a president who is in charge of the executive power becomes weaker. On the other hand it increases the liberties on a state and local level so that they can address their own problems more forcefully.

The possibility to reconstruct the Chamber of Deputies has to be considered though. *Plurinominal* seats might serve a guarantee for diversity in the Chamber, but as Al Camp states, it creates a weaker presidency and hinders a democratically elected party to represent its voters (Al Camp, 2007, p. 184).

Federalism

On the federal level the powers have increased as a result of a weaker presidency (Al Camp, 2007, p. 194). The importance of governors has by this change in the power structure, increased dramatically. Since states now have increased fiscal control and the possibility to legislate, they become targets for increased lobbyism from strong interest groups, which could create too close relationships between the executive power and interest groups on the state and local levels. As a result *clientelism* prevails, and some states might alienate themselves from the government on a national level. It can also create a perverse relationship with the judicial powers within the states, preventing the implementation of a *rule of law* equal to all citizens, which in turn would increase instead of decrease corruption.

As we have already shown, the major concerns for the Mexican public are the increased levels of corruption and crime in society (Levy, Bruhn, 2006, p. 138).

If governors like Mario Marín of Puebla, without proper cause can arrest citizens like Lydia Cacho for doing her job as an investigative reporter, moreover, abuse and torture, we will have a situation where the *rule of law* is further weakened. When such actions go unpunished it is undermining *accountability* towards the public. It also demonstrates that politicians on state and local levels have influence over the voters and that *clientelism* is still strong on the state and local levels.

This tells us that even if the freedom of press has increased, and politicians and representatives of the law are scrutinized from every angle, journalists and others in *civil society* critical of the current political behavior face a difficult task to improve democracy, not to mention contribute to the consolidation of Mexican democracy.

Summary

- We have identified that a weaker presidency in today's Mexico is obstructing progress, and that *accountability* in *political society* has yet to be developed. Important legislations are difficult to pass due to the weaker position of the ruling party in the Chamber of Deputies. This is causing a deadlock between parties in the Chamber of Deputies.
- Not being able to reelect presidents and deputies cause drainage of knowledge and experience and is harming continuity for long-term improvements in society. It also becomes difficult to hold politicians accountable when political decisions cannot be linked with a particular politician.
- Mexicans distrust in politicians stem from corruptive behavior of past governments, and that *clientelism* which was common in the past, still exists to a high degree on a state and local level, telling us that old power structures with roots from the "old" PRI post-revolutionary regime live on in modern Mexico. Furthermore, Mexican politics is to a large extent still a struggle for power between interest groups with roots from the past, where those who can influence the executive powers in society on both national and local levels benefit the most.
- As for the prerequisite in Linz and Stepan's model for democratization, calling for the legitimate power to exercise control over the state apparatus, Mexico falls short, when difficulties arise as of who actually has the power, the government, the Chamber of Deputies, or strong interest groups on the state and local levels.

8.3 Analyzing Mexican Rule of law and Linz & Stepan

A democratic government, and especially a consolidated democracy, must uphold the *rule of law* according to Linz and Stepan. A certain degree of autonomy is necessary for both *civil society* and *political society*, and an independent judicial system is required which is based on constitutionalism (Linz, Stepan, 1996, p. 10).

We now take a closer look at the judicial branch and corruption in Mexico. As with the two other arenas *civil society* and *political society*, the concept of *accountability* and the model of Linz and Stepan will be taken into consideration.

Rule of law

On the surface Mexico can be said to fulfill the requirements for an independent judicial system, with the exception of the perhaps most important requirement which is upholding the *rule of law*. The Mexican Constitution from 1917 has given the Supreme Court the power over the judicial system. Moreover, after the 2000 election a separation of the three powers: the executive, legislative, and judicial powers, was implemented by the Fox Administration. Today the Supreme Court has the right to judge on *unconstitutionality* of a law, which is a step in the right direction in the Mexican judicial system (Al Camp, 2007, p. 191).

The problem within the judicial system is mainly within the criminal justice system, especially on state-levels, where the court system is sensitive to political manipulation, and the fact that confessions are sometimes made through force. This is known to the public and therefore Mexicans distrust the court system. Mexican courts have problems in producing precedents which can be used by courts around the country. Without precedents, the public faces the problem of not knowing the punishment of a crime. Also it leads to great differences in verdicts among the courts in the country. As a result of the inability of Mexican courts to produce equal sentences, it becomes problematic to hold corruptive judges accountable, since the framework of laws allows great differences in verdicts of the same crime, and the verdicts made by the courts can be affected by outside manipulation.

The increased crime rates in modern Mexico, which has escalated since 2000, takes credibility away from the courts and the police as law enforcers, especially since the majority of the crimes involve corrupt police officers and corrupt authorities. Magaloni and Zepeda argue with insight when they say that law enforcement has to be addressed from a bottom-up perspective since the powers on state-levels have increased (Magaloni, Zepeda, 2004, p.169). This suggests that the increased powers of courts on the state and-local levels would improve the rule of law. However, these steps have yet to be taken. The problem goes back to the development of a weaker presidency versus stronger states. Legislation should be made on a national level and therefore the Supreme Court has to put much more efforts in addressing the inability of state level courts to provide an equal rule of law for all citizens.

We also have to take into consideration that only 17 percent of the crimes committed are reported to the proper authorities, suggesting that the situation is far worse than we know. The court system has to be more effective so that individuals accused for any crime get a fast trial. Otherwise the problem of overfilled prisons with people who have not been sentenced will continue (Shirk, 2005, p. 211). Furthermore, this does not give Mexico credibility as being a democratic country.

Summary

- The separation of the judicial branch from the executive, has technically improved *rule of law* in Mexico, and has provided for a stronger Supreme Court. However, crime rates have gone up dramatically since 1990 and even more since 2000. The Supreme Court has however improved its position and has become more independent after 2000. More efforts have to be made though, in order to implement laws that already exist. This is mainly a challenge for the Supreme Court and politicians, but crucial for the *rule of law* as such in a democratic environment.
- We have seen that the Mexican judicial system has low credibility among its citizens, and especially on the state-levels, where most crimes are heard. Even if political measures have been taken to decrease corruption in society with *the Commission for Transparency and Combat against Corruption*, Mexican law enforcement show little results of success.
- Mexican courts on state-levels are sensitive to manipulation, making them targets of strong interest groups, which generates low credibility among the public, plus that ordinary citizens doubt in the ability of receiving justice in the courts. This is a severe problem for “stateness”, and demonstrates that Mexico has not a sufficient degree of equality within the country, which causes problems for the implementation of the “five arenas”
- The ability to prosecute and sentence is a problem for Mexican courts, which creates overfilled prisons with citizens that have not been convicted. The inability to produce precedents cause dilemmas for citizens, not knowing the punishment for a certain crime. Moreover, the great difference in sentences and verdicts generated by courts in Mexico is further diminishing the already low trust in the judicial system, and therefore accusations of corruption are bound to continue.

9 Conclusions

In this final part, attempts are made to answer the main questions of the thesis based on the summaries in the analysis. Comparances will be made with the model of Linz and Stepan. The conclusion part is followed by some own reflections of the limitations of the thesis.

In this thesis we have discussed Mexico's transition to democracy. To identify different areas of Mexican society, the transition model by Linz and Stepan called the "five arenas" has been used. We have focused on three of those arenas which are *civil society*, *political society*, and the *rule of law*. Within each arena we have accounted for a number of important areas which are important to each society treated. Beside the three arenas, the concept of *accountability* has been dealt with as a key-term in this thesis. By using the three arenas, and the concept of accountability, and "stateness" as a prerequisite for the functionality of the three arenas we set out to answer the main questions of this thesis. The questions were: How come that a nation which has struggled to complete its transition to democracy since the mid 1970s, and after having democratic elections in 2000 which meant a change of regime, has not performed better in consolidating its democracy? Related questions were: To what degree has history played a role in the postponing of necessary democratic changes? Which are the main areas where a change of regime actually improved the situation? Is Mexico a democratic country?

As for the main question, concerning the bad performance in consolidating Mexican democracy despite a change of regime, we have shown that reasons for this, as outlined in the analysis part, depends much on the legacies from the past. Much of the authoritarian "style" of running the country still prevails. It is one thing to have an electoral democracy, free elections, and the right to vote for any party one should prefer, but it is a whole different matter to institutionalize a democracy, and implement democratic values in all the arenas we have treated. Although we established that Mexico is a state with a strong constitutions dating back to 1917, old ways of conducting politics are still a problem despite the change of regime. The Mexican people is perhaps more a nation-state, than a state-nation with respect and total equality for its population. The Zapatista uprising and the continued problems Mexico has in making its various populations becoming a homogenous entity is causing problems for Mexico's degree of "stateness". The Mexican population is a mixed one to a large extent, but the rich elite of mainly European decent is the ruling class. Civil society in Mexico is growing and becoming all the more important for the consolidation of the Mexican democracy but still there is much to be done, especially in the institutionalization of basic rights both in NGOs but also for individuals. At the same time, political society, and especially the executive power with the president as a front figure is becoming weaker with low support from the voters. The inability to create inter-party alliances further adds to a weaker executive branch. The no-reelection law is also creating obstacles for continuity in political strategies.

Instead, as we have seen the legislative branch with the Chamber of Deputies has gained new importance, but it has the tendency to block important reforms. This tells us again, that the struggle for power is more important than allowing important reforms, like within the rule of law. A stronger Supreme Court if of course a positive development, but most cases are heard in state-level courts, were corruption is still high as we have seen.

The Mexican democracy has to mature and the people in society have to get accustomed to the sometimes slow democratic process in which different opinions have to be considered.

Politicians have to understand that voters are not as faithful as before, and that a strong civil society has to be more respected in the future. Here the *complementarity* of civil society and political society emphasized by Linz and Stepan becomes an important feature to develop. The increased crime rate in Mexico remains one of the most serious problems for consolidation.

The second question concerns the degree of historical importance as to explain the postponing democratic changes. The post-revolutionary PRI created the authoritarian system that lasted more than 70 years, and the corporatist style with reward systems to those directly under and around the hierarchy has not been easy to shake in modern Mexico. The post-revolutionary governments, in fear of new bloody conflicts like the Mexican Revolution (1910-1920), focused on maintaining stability. This also created a belief that opposition against the PRI was almost considered as treason against the victims of the Revolution. The PRI grew to be a colossus with government supportive institutions. On top of that colossus was the sitting president, who enjoyed an unquestionable authority. A system without serious opposition created a corruptive system that lives on today, but it has taken a different form. Moreover, the rural areas have strong connections to the PRI even today. The PRI has as we have seen been able to regain much of its former political power, and the PRI has increased its representation in the Chamber of Deputies, and so has the leftist PRD. They lost the election in 2006, but they will most certainly be a force to count on in the mid-term election in 2009 and the national election in 2012.

Our third question concerns positive changes after 2000 and the coming of electoral democracy. The most positive changes are to my meaning the increased possibilities for individuals to vote on the political party they prefer, and elections in which electoral fraud is non-existent or at least difficult to prove. The IFE, which is in charge of electoral matters, has become the institution with the highest credibility in Mexico. Other areas where there has been positive changes concern people's freedom of expression and their increased right to participate in organizational life. The media is perhaps the area where most positive changes have occurred. The media is today much more versified and is highly critical of political society. The media is no longer controlled by the government and is constantly calling for more transparency in political society. Moreover, the media is investigating important matters in society like, crimes, drug-trafficking, and politics. Hopefully this will create a society where decision-makers are forced to be accountable towards citizens. The downside of the new situation for the media is the increased violence towards reporters and journalists. The new investigative and critical role approach of the media has created a system with lack of security, and it is hard to define the sources of the threats against journalists. In a democratic country, the freedom of press is considered to be one of the most important features in society, because it allows debates, discussions, criticism involving the citizenry. Furthermore, media plays an important role in the spreading of information. If journalists are killed or threatened to life while doing their job, the risk of getting journalists that are not critical and investigative increases, and as a result the information to the public will decrease. The increased power of the Supreme Court is of course also a positive development, but this has to be viewed with some skepticism due to the fact that the judicial branch on state-and local levels are still tainted with corruption. The fact that the three important powers the executive, legislative, and judicial powers are separated is a democratic development, but the three powers will have to define more thoroughly their future role in society if Mexico wants to consolidate its democracy.

Our last follow-up question was if Mexico is a democratic country. Perhaps this question has already been answered above. Mexico is an electoral democracy since year 2000, but as

we have shown, Mexico fails to be democratic in many important areas. Issues that are concerning, crime, poverty, health and education have not been addressed with success. The rule of law is not functioning properly, when those that are responsible for upholding the law, like the police, have huge problems of corruption within their organization. Politicians continue to struggle for power, instead of uniting in these questions. In the meanwhile, these problems are increasing and little is done to effectively address these issues.

If we compare Mexico to Linz and Stepan's transition model for a consolidated democracy, Mexico falls short in all three arenas treated in this thesis. The arena which shows most promises is perhaps civil society. As organizational life is becoming stronger, despite the problem of institutionalized right within these organizations, civil society will have more impact on political society due to its growing in size and its ability to create alliances with other organizations. Politicians have certainly something to learn from *civil society*. In order to make effective changes, a strong united front capable of dealing with crime, health, poverty, and education is necessary.

It is perhaps not a happy picture that has been outlined in this thesis. But, by understanding the real problems that Mexico as a young democracy is facing, future efforts might be shifted in the right direction. It will take time to consolidate Mexican democracy, and time is moreover a recourse which is scarce. Many of the problems we have in this thesis will have to be addressed now, and not in the future.

9.1 Reflections

One limitation in this thesis is that we have used three out of five arenas in Linz and Stepan's model when addressing the situation in Mexico. Although we have touched subjects concerning state bureaucracy and economic society, they have not been treated thoroughly. My understanding is however that the result would not be different. If Mexico has problems in the three main arenas, it is likely to have problems in the remaining two.

Furthermore, as accounted for in the part concerning *civil society*, future transition models will have to be customized as to more properly address the problems of Latin America. A new democracy goes through a learning process, which has to be taken into account, plus the fact that the institutionalization of basic human rights does not come hand in hand with an electoral democracy. Moreover, Latin American countries have their own culture, tradition, historical legacies, and myths, which differ from those in Western democracies. Those aspects are important to take into consideration when democratization models are applied to Latin America. Future research should focus more on transition models that are custom made for Latin America. After all, Latin America is becoming ever more important in world economy but also in world politics.

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