DEMOCRATIC CONSOLIDATION AND DEEPENING

IN MEXICO:

A Conceptual and Empirical Analysis

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ABSTRACT

In the wake of Mexico’s electoral watershed of July 2, 2000, many scholars are willing to classify Mexico as an electoral democracy. Yet, beyond a broad consensus that the country has passed some minimum threshold of democracy, debate persists over the precise status of the Mexican transition. Questions continue over where the country may be situated on a continuum of democratic transition, whether Mexican democracy is consolidated, and what are the major tasks that remain for deepening democracy. This paper advances debate over these important questions in two ways. First, using the Mexican case as an empirical referent, it seeks to clarify the meaning of two concepts: democratic “consolidation” and democratic “deepening.”

Regarding the first term, it is argued that the term should refer exclusively to a low probability of democratic breakdown. More specifically, a democratic regime can be considered consolidated when a political system is free of factors that can be demonstrated to clearly and directly lead to a return to non-democratic rule. Based on this understanding, the use of institution building and popular legitimation are rejected as criteria of democratic consolidation. Instead, two factors are deemed sufficient for evaluating consolidation: the absence of anti-system actors and the habituation of actors to democratic politics. Using these indictors, it is explained why Mexican democracy is fully consolidated. As the paper’s second objective, the utility of the concept of democratic “deepening” is distinguished and defended. The paper concludes with a discussion of how democracy can be deepened in four critical arenas: law enforcement, the judiciary, the electoral system, and the legislature.
Introduction

On July 2, 2000, Vicente Fox of the Alliance for Change was elected President of Mexico, marking the end of 71 years of continuous rule of the executive branch by the Institutional Revolutionary Party (PRI). This election marked another first in that the PRI lost its absolute majority in the Senate. In the lower house, the Chamber of Deputies, the opposition parties won a majority of seats, thus repeating their achievement in the 1997 mid-term election, in which the PRI lost its congressional majority for the first time since the party was founded in 1929.1 For many scholars, the events of July 2nd marked the completion of a long process of regime change in Mexico from authoritarian rule to democracy. While prior to the election, few political scientists were willing to classify the Mexican political system a democracy—preferring, instead, labels such as “electoral authoritarianism” or “pseudo-democracy”—in the wake of the July 2000 election, Mexico is placed among the ranks of the world’s electoral democracies with confidence.2 This scholarly evaluation appears to be shared by a majority of the Mexican public (66 percent) who, two months after the election, stated that they considered Mexico to be a democracy.3

Yet, beyond a broad consensus that Mexico has passed some minimum threshold of democracy, debate persists about the precise status of the Mexican transition. In the new post-July 2nd world, scholars continue to refer to the transition as “unfinished” or “incomplete.”4 While Mexico is confidently labeled an electoral democracy—a regime meeting Dahl’s seven procedural criteria of polyarchy—much more dubious would be its placement among liberal democracies—regimes that goes beyond the procedural minimum to provide consistent protection of a wide range of civil liberties, such as due process rights.5 Additionally, and predictably, the aftermath of the 2000 election finds scholars debating whether Mexican democracy is “consolidated.” On this issue, divergent opinions are the order of the day, with some who argue that “it is already fully consolidated” and still others maintaining that “it is far from consolidated.”6 In short, two years into the Fox administration, observers of Mexican democratization continue to be asking many questions. Where is Mexico situated on the continuum of democratic transition? Is Mexico a consolidated democracy? What are the principal tasks that remain in the Mexican transition?

In this paper I seek to advance debate over these important questions in two ways. First, using the Mexican case as an empirical referent, I hope to clarify the meaning of two frequently used concepts in the transitions lexicon: democratic “consolidation” and democratic “deepening.” Regarding the first term, I argue that the term “consolidation” should refer exclusively to a low probability of democratic breakdown. More specifically, I suggest that a democratic regime can be considered consolidated when a political system is free of factors that can be demonstrated to clearly and directly lead to a return to non-democratic rule. Based on this understanding, I argue against the use of institution building and popular legitimation as criteria of democratic consolidation. Instead, I maintain that two factors are sufficient for evaluating consolidation: the absence of anti-system actors and the habituation of actors to democratic politics. Using these indicators, I explain why Mexican democracy is fully consolidated. As a second objective, the paper distinguishes and defends the utility of the concept of democratic “deepening,” defining this term as any change that improves the quality of democracy. The final section of the paper assess the status of the Mexican transition in terms of deepening, examining critical reforms that
are needed in the areas of law enforcement, the judiciary, the electoral system, and the legislature.

The Concept of “Consolidation”

Democratic “consolidation” is a term that has gained a firm foothold in the jargon of democratization studies. Unfortunately, as many have noted, its widespread use has not been accompanied by definitional precision. In a very incisive analysis of this problem, Schedler points out that the term has been plagued by a high degree of conceptual “fuzziness.” Specifically, he complains that the concept

has come to include such divergent items as popular legitimation, the diffusion of democratic values, the neutralization of antisystem actors, civilian supremacy over the military, the elimination of authoritarian enclaves, party building, the organization of functional interests, the stabilization of electoral rules, the routinization of politics, the decentralization of state power, the introduction of mechanisms of direct democracy, judicial reform, the alleviation of poverty, and economic stabilization.

As this list suggests, scholars are using the term “consolidation” to refer to concepts as diverse as regime stability, to the institutionalization of various features of democracy (whether or not they count among the procedural minimum), to substantive socio-economic outcomes. Given that conceptual clarity is a prerequisite for advancement in any field of knowledge, developing a precise definition of consolidation—or even clarity about alternative definitions—stands as an urgent task for democratization scholars.

While laundry lists of consolidation tasks are diverse, it has been suggested that the criteria generally fall into one of two categories: “positive” and “negative” notions of consolidation. Some of the earliest efforts to flesh out the concept of consolidation were of the negative variety, focusing on “making new democracies…immune against the threat of authoritarian regression.” Key criteria in negative conceptions include the neutralization of anti-system actors, civilian supremacy over the military, and routinization of democratic politics. Lists focusing on these “minimalist” criteria were soon followed by definitions adding “positive” criteria, which sought to evaluate consolidation in terms of a variety of measures that relate more to the quality of democracy, than to the odds of its persistence. The lists of benchmarks differ from definition to definition. Less ambitious positive ones typically include items such as the legitimation of democracy at the elite and mass-levels and the diffusion of democratic values. More expansive definitions go on to include institution building such as judicial reforms, party building, and constructing a strong and autonomous civil society. The most expansive definitions include socio-economic criteria, such as creating a society with a reasonably equitable distribution of income and ethnic and gender equality.

Consolidation as Socio-Economic Equality

Most scholars have rejected the most expansive definitions, readily seeing the problems associated with evaluating consolidation in terms of substantive socio-economic outcomes. First, such definitions set the threshold of consolidation too high. If factors such as a negatively
skewed income distribution and ethnic tensions are seen as essential criteria, then a case could plausibly be made that long-stable democracies such as the United States, Great Britain, France, Germany, and India are not consolidated. Second, adopting these criteria introduces the vexing methodological problem of measurement. How much poverty and income inequality disqualifies a democracy from the designation “consolidated”? How would one operationalize ethnic and gender inequality, and what would be the cutoffs? Clearly, all of these decisions would be arbitrary and so influenced by ideological biases that there would be little hope of arriving at broadly accepted standards. Finally, criteria based on socio-economic equality have been avoided because these measures have very little direct bearing of the probability of democratic breakdown, the issue that the term consolidation was originally meant to address. For instance, a recent statistical analysis including 84 countries, assessing the impact of income inequality on the probability that a democracy will survive, “could find no pattern.”15 Many democracies have persisted with high levels of income inequality and forms of social inequality. This is not to suggest that socio-economic inequalities have contributed in no way to the breakdown or erosion of democracy. It is simply to argue that the causal relationship between factors like poverty and income inequality, on the one hand, and authoritarian reversal, on the other, is so far from clear and direct that such criteria provide little help in either explaining or predicting whether democracies will endure.

Consolidation as Institution Building

Many prominent definitions of consolidation include institution building as a key criterion. Most scholars have distinguished between institution building, as one phenomenon, and the habituation of actors to the patterns of behavior prescribed by those institutions, as a separate one. The first is understood as the initial establishment of, and preliminary compliance to, some list of specified democratic institutions. The second, habituation, denotes the regularized adherence of actors to the rules and procedures sanctioned by those institutions. This distinction is a valid one, because the issue of ephemeral vs. regularized compliance is real, and draws attention to factors that have important implications for the stability of democracy, a point I defend at greater length below. However, while the habituation of actors to democratic politics is a useful criterion of consolidation, institution building is not. This is so for two reasons. First, building the institutions that provide for the minimum procedural criteria of democracy (in the limited sense of initial establishment and compliance) belongs to the process of installing a democracy, not consolidating one. Second, if institution building refers to establishing institutions that go beyond the minimum procedural core, this belongs to the process of deepening democracy, not consolidating it. I elaborate on both these arguments, in turn.

Defense of this first argument must begin by making the obvious point that the status of democratic consolidation in a given country cannot be evaluated until a country crosses the democratic threshold. I set the dividing line at electoral democracy, that subspecies of democracy between electoral authoritarianism and liberal democracy. If the minimum threshold is set here, then at the point one begins assessing consolidation, it is presupposed that a minimum institutional package is already in place. In my view, to have this institutional package means two things: (1) Promulgating laws and rules to provide for Dahl’s seven procedural criteria of democracy, and (2) an initial compliance of all significant actors to these laws, rules, and procedures. This point is not controversial, yet for the sake of clarity, it bears pointing out that
the process of determining whether or not this minimum institutional package is in place properly belongs to the task of deciding whether a regime is democratic, not whether it is consolidated. The institutions that are part of the minimum package essentially boil down to (a) an electoral system that provides for free and fair elections; (b) institutions of government that allow elected officials to control public policymaking, free from the influence of actors not sanctioned by the democratic process; (c) institutions that provide for alternative sources of information; and (d) some sort of judicial/legal system that can enforce the basic civil liberties and political rights contemplated in Dahl’s criteria: universal suffrage, freedom of expression, freedom of the media, and associational autonomy. The key point is this: to speak of the initial promulgation of, and compliance to, the minimum institutional package, as a process of consolidating democracy, makes no sense. One cannot talk about consolidating something that is not even present; and without these basic institutions in place, a regime has not crossed the threshold of democracy.

Equally flawed are definitions of consolidation that include institution building that go beyond the minimum institutional package. A notable example of this approach is the definition of consolidation developed by Linz and Stepan. Their definition includes three dimensions: behavioral, attitudinal, and constitutional. The third dimension is relevant to the point at hand. According to these scholars,

Constitutionally, a democratic regime is consolidated when governmental and nongovernmental forces alike, throughout the territory of the state, become subject to and habituated to, the resolution of conflict within the specific laws, procedures, and institutions sanctioned by the new democratic process.\(^{16}\)

The problem related to this definition of constitutional consolidation is one of conceptual ambiguity. Specifically, the wording does not make it clear what institutions fall within the pale of the “democratic process.” Does it mean that actors become subject to and habituated to every law, procedure, and institution? Even if one limited the list to constitutional law, excluding statutory and administrative law, it would present an insurmountably difficult research task to assess the adherence of all actors to every law, procedure and institution set forth in the constitution. More importantly, attempting to do so would be of little value, since many provisions in the statutory constitutions favored in modern times have only minimal significance for the democratic process. For instance, the Mexican Constitution contains very detailed sections concerning the ownership of subsoil resources, how the minimum wage will be established, and the functioning of the system of federal revenue sharing. If what we are interested in when we evaluate consolidation is the probability that a democratic regime will endure, including these components on a list of indicators is clearly dubious.

These problems suggest that Linz and Stepan probably have a more circumscribed list of laws, procedures, and institutions in mind. Indeed, the authors appear to intend to limit the list to what they call the five major “arenas” of a modern consolidated democracy. These arenas are civil society, political society, the rule of law, the state apparatus, and economic society.\(^{17}\) But, “reducing” the list in this way, hardly resolves the problem. For instance, according to their explanation, the arena of economic society consists of the “legal and regulatory framework” that institutionalizes a market economy.\(^{18}\) Elements of this legal and regulatory framework in the
Mexican case consists of a host of labor rights set out in Article 123 of the Mexican Constitution, including maternity leave and profit sharing. However, historically, many of these labor rights have not been enforced. If would be difficult to argue that such violations be taken as evidence that Mexican democracy is not consolidated. While these provisions may be highly desirable, they are hardly essential elements of democracy, having no direct implications for the likelihood of regime endurance.

Looking at the arena of the state apparatus provides another example of this difficulty. According to Linz and Stepan, the state apparatus consists of a bureaucracy organized according to rational-legal norms and responsible for enforcing democratically sanctioned laws and procedures on society. Further, their definition requires that all political actors become habituated to these laws and procedures. Pertaining to this arena, Mexican law includes very elaborate codes of ethics for public servants aimed at deterring the corruption of public officials and specifying punishments for those that do. Yet like many developing countries, including long-standing democracies like India and Italy, corruption among public officials is endemic. Again, if what we are interested in is the probability of authoritarian reversal, it is not clear that every law and procedure pertaining to the bureaucracy would be relevant. Clearly, having an honest and efficient bureaucracy improves the quality of democracy, but I cannot think of a single case where bureaucratic corruption or incompetence were decisive factor precipitating the breakdown of a democracy.

Finally, the issue of habituation to laws and procedures is complicated by the problem of informal behavior. As O'Donnell has pointed out, when one begins to evaluate whether actors in a democracy are adhering to the formal rules of the game, many instances inevitably emerge where actors are not obeying those norms, but informal ones. In stating that the behaviors of all actors must be habituated to the specific laws, procedures, and institutions sanctioned by the new democratic process, it is not clear that Linz and Stepan’s definition consider behavior shaped by informal norms. A problem emerges here when existing informal practices, while in strict violation of the formal rules, do not fundamentally undermine the democratic regime. A notable example would be the practice of federalism in Latin America, which has important implications for the quality of democracy at the subnational level. Formally, four countries in the region have federal systems, Argentina, Brazil, Mexico, and Venezuela. The constitutions of all four countries contain provisions to the effect that their states are sovereign over their internal affairs, and include specific lists of functions that are the responsibility of the states. However, students of federalism in Latin America know that, historically, these federal pacts have not been upheld in practice, even during periods of democratic stability. Instead, intergovernmental relations in these countries have been characterized by traditions of acute administrative and fiscal centralism. Under Linz and Stepan’s definition, it would appear that violations of the formal federal pact would constitute evidence of a lack of consolidation. But is hard to see how one could justify this. After all, the historical violation of the letter and spirit of federalism in the region has brought these countries closer, in practice, to unitary systems of government. But, of course, this is not a characteristic that disqualifies a country from being democratic, nor would it have a significant affect on the breakdown of democracy.
Consolidation as the Routinization of Democratic Politics

The preceding criticism of Linz and Stepan’s definition of constitutional consolidation pertains strictly to institution building as part of the criteria. The criticism was not directed at their contention that the habituation of actors to the democratic rules of the game is a key component of consolidation. This criterion is common to many prominent definitions of consolidation and is expressed by the notion that democratic politics should become “routinized,” or “regularly practiced.”

The routinization of democratic politics is a valid criterion, because it has clear and direct implications for the breakdown or erosion of democracy. A regime can be classified a democracy when it legally establishes the minimum institutional package, and evidences initial compliance of all significant actors to all the rules and procedures sanctioned in this package. This is precisely what happens in founding elections. However, the compliance of all significant actors—say, during one election cycle—is not sufficient evidence that the major government and non-governmental actors will continue to abide by the rules of the game in the near future. One could easily imagine a case where political elites associated with the old authoritarian regime accept their loss in a founding democratic election, and abide by the rules of the game, taking comfort in the prospect of winning the next election. However, when the next election approaches, these old authoritarian rulers might see clear signs that their party is going to loose again, prompting them to organize a coup to take power. Therefore, if consolidation is a term that is concerned with the probability of authoritarian reversal, the habituation of actors to the democratic rules of the game is clearly important.

Consolidation as Popular Legitimation

Not only is it problematic to include institution building as an indicator of consolidation, there is also reason to question the utility of using popular legitimation. This variable is included in definitions of consolidation by Linz and Stepan’s, as well as that of Gunther, Diamandouros, and Puhle. Linz and Stepan’s definition states

Attitudinally, a democratic regime is consolidated when a strong majority of public opinion holds the belief that democratic procedures and institutions are the most appropriate way to govern collective life in a society such as theirs and when support for antisystem alternatives is quite small or more or less isolated from the pro-democratic forces.

One advantage of this measure is that the growing use of public opinion polling in the developing world makes it fairly easy to operationalize (see the data in Table 1). Nevertheless, this factor faces significant conceptual problems.
Table 1: Popular Support for Democracy in Latin America

Which of the following statements do you agree with most?

<table>
<thead>
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<th>Democracy is preferable to any other kind of government.</th>
<th>In certain circumstances, an authoritarian government can be preferable to a democratic one.</th>
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<td>Gua</td>
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<td>na 21 26 29 21 21</td>
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<td>Hon</td>
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<td>Mex</td>
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<td>15 23 31 28 34 35</td>
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<tr>
<td>Nic</td>
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<td>8 9 7 9 9 10</td>
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<td>Ven</td>
<td>60 62 64 60 61 57</td>
<td>21 19 17 25 24 20</td>
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Source: www.latinobarometro.org.

*Note: Does not include those who answered “it doesn’t matter” and “don’t know.”

The sort of data in Table 1 may be used in two different ways as a measure of consolidation. Both are problematic. First, popular survey data might conceivably be used to assess the quality of democratic institutions. Scholars typically do not use data in this way, so it is discussed here more as a precautionary note. Why is this a problem? Given what we know about low levels of citizens’ political knowledge, there is no reason to think that popular surveys would provide anything more than a very general assessment of how well democratic institutions are functioning. For example, citizens’ growing disillusionment with democracy might be driven by fairly well-informed impressions about rising crime rates, a declining economy, and growing government corruption; however, the same results would be of very limited value for drawing specific conclusions about the progress, or lack thereof, concerning judicial reforms, the strengthening of checks and balances in the federal government, decentralization initiatives, etc.

These sorts of survey questions are certainly valid barometers for gauging general feelings of public frustration with government. For instance, based on the survey results in Table 1, it could credibly be report that Mexicans grew increasingly disillusioned with their political system from 1995 to 2001. Going further, it would even been reasonable to conclude that people’s expectations about democracy had been disappointed. However, the ability to draw more
focused conclusions beyond these about the functioning of democratic institutions in Mexico is tenuous at best. Of course, surveys ask more specific questions about people’s confidence in particular political institutions. Yet, even the value of these sorts of questions is limited for the purpose of institutional assessment. For example, while a survey response indicating declining levels of public confidence in the Mexican Congress might be based on reasonably accurate perceptions about executive-legislative gridlock, the response would reveal nothing about efforts to improve the quality of legislative oversight and congressional research services. Most citizens are simply not informed about such things.

It is precisely because of these weaknesses that popular survey data is not frequently used to evaluate the quality of democratic institutions. Instead, it is more typically used in a second way: to assess popular support for democracy, and by implication, the potential for democratic breakdown. Yet, by itself, popular disaffection with democracy is a poor predictor of authoritarian reversal. This becomes clear when one considers the data in Table 1 and the incidence of coups in Latin America between 1995 and 2002. During this period there were two military-lead coups in Latin America: one in Ecuador in January 2000, and the other in Venezuela in April 2002. Yet the popular opinion data in Table 1 would not have been very useful in predicting these outcomes. In 1998, 19 percent of Ecuadorians surveyed agreed with the statement, “In certain circumstances, an authoritarian government can be preferable to a democratic one.” In that same year, five democracies (Bolivia, Costa Rica, Guatemala, Paraguay, and Venezuela) had greater percentages of citizens agreeing with that statement; yet two years later, it was Ecuador that had a coup, while the others did not. Similarly, looking at this data in 2001, one would have been more justified predicting coups in 2002 in Mexico, Paraguay, and Panama, rather than in Venezuela where a coup actually took place.

The weak connection between popular support for democracy and the odds of democratic breakdown should not be surprising. Democracies are brought down by coups, and coups are an affair of civilian and military elites. Certainly, coup-inclined elites may be emboldened to act after looking at surveys that show anemic public support for democracy, but such attitudes can hardly be considered a clear or decisive factor, either driving elites to begin planning a coup, or actually executing one. There are equally important factors that would enter into these decisions, including elite perceptions about the attitudes of the military and foreign actors toward a coup. This suggests that surveys of elite attitudes would be more valuable information in accessing consolidation, but even this sort of data is seriously limited, because such attitudes do not have a clear and direct relationship with the likelihood of democratic breakdown either. This is due to the existence of a very long and complex causal chain that runs from elite dissatisfaction with democracy, to their attempting a coup, to the coup being a success. This causal chain is even less direct when one starts from popular dissatisfaction with democracy and tries to work one’s way down the chain to a successful coup. Instead, a much more reliable indicator of the potential for authoritarian reversal is the actual behavior of anti-system actors.

**Consolidation as the Absence of Anti-System Behavior**

The preceding analysis has argued that attitudinal and constitutional dimensions of consolidation contain some fundamental flaws. The main problem common to both is that they are problematic as measures of consolidation, because they are only loosely linked to the probability
of authoritarian reversal. However, such difficulties do not beset the last dimension of consolidation, the behavioral one. According to Linz and Stepan,

> Behaviorally, a democratic regime...is consolidated when no significant...actors spend significant resources attempting to achieve their objectives by creating a non-democratic regime or turning to violence or foreign intervention to secede from the state.

One clear advantage of this dimension over the constitutional dimension is that it is relatively easy to measure. It is not difficult to verify empirically whether there are “significant actors” spending “significant resources” in efforts to overthrow the regime and supplant it with a non-democratic alternative. In most cases, news accounts, elite interviews and public pronouncements, as well as intelligence reports prove adequate. Historically, these anti-system actors have tended to come in one of four forms: (1) a military that is not subordinated to civilian rule, (2) a significant rebel insurgency, (3) a non-military coup by civilian actors insufficiently committed to democracy, and (4) interventionist foreign powers. The second advantage of using this behavioral dimension as a criterion of consolidation is that when these actors engage in anti-system behavior, the relationship between this behavior and the breakdown of democracy is clear and direct. For these reasons, this criterion, along with the habituation of actors to the rules of the game, are sufficient for evaluating consolidation.

**Is Mexican Democracy Consolidated?**

If democratic consolidation can be assessed exclusively in terms of the presence and activity of anti-system actors and the habituation of actors to democratic institutions, the status of Mexican consolidation can be evaluated. At once, the threat of foreign intervention as a source of democratic subversion can be dismissed; it is non-existent in the Mexican case. Less quickly, but with almost equal assurance, the Mexican military can also be ruled out as a significant threat to democracy. During the twentieth century, Mexico has stood out among its Latin American neighbors for its success in subordinating the military to civilian rule. Over the past decade, as the Mexican military has expanded its role in counter-narcotics activities and fighting guerrillas, legitimate concerns have been raised about the potential for these internal security functions to undermine the military’s traditionally submissive posture. Specifically, the specter has been raised that increased exposure of the military to drug-related corruption and the government’s greater dependence on the military to prosecute the counter-insurgency war, might allow the armed forces to assert greater independence vis-à-vis civilian rulers. Thus far, these concerns have not been born out. The temptations of drug money have made corruption within the military commonplace from top to bottom, and this has certainly made it more difficult for civilian rulers to wield the army as an effective instrument in waging the war on drugs. Yet, to date, this has not resulted in any significant signs of the military increasing its autonomy from civilian rule. To the contrary, in the wake of high-profile arrests of six Mexican generals on drug corruption charges between 1997 and 2001, the Fox administration moved, without public complaint by the military, to reduce the role of the army in counter-drug activities. The bulk of the responsibility has now been transferred to a small, and rigorously vetted, organized-crime unit under the direction of the Attorney General’s office.
Additionally, the rapid and effective containment of Mexico’s two most significant guerrilla insurgencies, the Zapatista National Liberation Army (EZLN) and the Popular Revolutionary Army (EPR), seems to have reduced this issue as a plausible justification that the military could use to expand its power vis-à-vis civilians. If anything, during the first two years of the Fox administration, there have been signs that the military’s subordination to civilian rule has deepened. In November 2001, under pressure from human rights groups, the Fox administration appointed a special prosecutor to investigate the Tlatelolco Massacre of 1968 and an additional 275 killings committed during Mexico’s “dirty war” in the 1970s. In February 2002, the administration released General José Francisco Gallardo after eight years of imprisonment for speaking out against human rights abuses by the military and calling for the creation of a military human rights ombudsman. In June of the same year, the Fox administration declassified some 160,000 documents related to the activities of the military and the now-defunct Federal Security Directorate (secret police) in the “dirty war.” Most significantly, the military leadership showed support for Mexico joining the International Criminal Court, a body that could potentially try military officials. These events, along with widespread elite commitment to democratic institutions, have led one expert on Mexican national security to venture that under current conditions “it would be almost impossible to try to stage a military takeover of the state.”

Nor does Mexico face a serious threat in the form of a rebel insurgency. Although Mexico has two main guerrilla movements, neither can be classified as significant anti-system actors. The EPR is, at best, a marginal actor, both politically and militarily. The EZLN, while an influential political force, is not anti-system, because it has never had the objective of taking over power, nor does it have the military capacity to do so. Instead, the Zapatistas have sought to add their weight to existing opposition efforts to democratize the political system and, along with parties on the left, reorient Mexico’s economic policies away from neoliberalism.

Finally, there is low probability that Mexico would suffer a non-military coup by civilian actors insufficiently committed to democracy. In the Mexican case, the most plausible scenario for “civilian coup” would involve the PRI regaining control of the federal government through a clean election and reestablishing the status quo ante of electoral authoritarianism. However, in light of the enormously successful progress that has been made since 1994 in establishing an independent and fair electoral system, along with widespread public support for those reforms, the probability of such an outcome is very low. Indeed, for such a scenario to succeed, the PRI would certainly need the support of the military in reestablishing electoral authoritarianism, but all appearances strongly suggest that the Mexican military is “respecting the new democratic political order.”

Mexico is consolidated in terms of lacking significant anti-system actors. But does it meet the second criterion, that all significant actors are habituated to the rules, laws, and procedures associated with the minimum institutional package of democracy? Examining any democracy, in any given year, it is relatively easy to find evidence that actors are not perfectly complying with the democratic rules of the game (formal or informal). This is even the case in liberal and advanced democracy, where news of campaign finance abuses and electoral fraud pop up occasionally. In this light, it is obvious that the criterion of routinization of politics cannot require perfect obedience. Certainly, it must allow for the occasional violation of the rules. But what if such violations are more than occasional? In new electoral democracies—especially in
ones like Mexico, where electoral fraud has become ingrained in the political culture—the transgression of the rules of the game may be more than episodic. One need only look at the 2000 national elections in Mexico to illustrate the point. Reports from electoral monitors chronicled various infractions of the electoral code before and during the election. Some of the more typical included the use of government resources in campaigns, the buying and coercing of votes, denial of the secret ballot, and the last minute replacement of polling booth officials with unofficial substitutes. Should these violations be considered evidence of a lack of democratic consolidation in Mexico? I would argue no, for the following reasons.

First, one must acknowledge that it is difficult, if not impossible, to establish a precise measure of when violations of the rules of the game are substantial enough to qualify a regime as unconsolidated. Such evaluations will always be more of an art than a science. Nevertheless, if consolidation is to refer to the probability of democratic breakdown (or erosion that leads to breakdown) it would seem that violations of the rules of the game need to be systematic, widespread, and committed with impunity in order to have a significant chance of leading to authoritarian reversal. While the types of electoral fraud perpetrated during the 2000 elections were systematic—in that the violations mentioned were organized by party officials—they were not widespread. Election monitors did report that the violations were “common,” but they were mainly isolated to rural areas of the country. Also, no one contends that these incidents of electoral fraud changed the outcomes of any election. While one cannot claim that electoral fraud is never committed with impunity, there are growing signs that major incidents of fraud are being punished. For example, in the aftermath of the 2000 election, allegations surfaced that the PRI and PAN engaged in violations of campaign finance regulations. The so-called “Pemexgate” and “Amigos de Fox” scandals have featured prominently in the news. In the former, the Federal Electoral Institute (IFE) ruled in March 2003, that party officials in the PRI coordinated the diversion of some $50 million dollars (U.S.) from the accounts of the petroleum workers’ union in direct violation of the law. However, in a hopeful sign of the increasing institutionalization of the electoral system, the IFE levied a $100 million dollar fine on the PRI: an amount large enough that it will likely have a significant deterrent effect on future violations.

What is Democratic Deepening?

In this paper, I have argued that democratic consolidation should be defined in terms of two criteria: (1) the absence of significant anti-system actors using significant resources to overthrow democracy, and (2) the habituation of actors to the rules and procedures of the minimum institutional package of democracy, to the extent that violations are not systematic and widespread enough to likely result in regime breakdown. This definition would exclude from the list of consolidation tasks those reforms designed to move an electoral democracy toward a liberal democracy, or a liberal democracy toward an advanced democracy. In contrast, the list of genuine consolidation tasks would be limited to subordinating the military to civilian rule, neutralizing rebel insurgencies, reducing the likelihood of civilian coups and foreign interventions, and minimizing the systematic and widespread violation of the minimum procedural rules of the democratic game.
Of course, accepting this “negative” definition of consolidation does not mean that issues not directly related to consolidation are not important. Students of Mexican politics will be driven to explore issues such as strengthening the system of checks and balances, reducing government corruption, strengthening the party system, establishing a more authentic federalism, reducing the economic and political marginalization of the indigenous population, and building an economy whose material benefits are more evenly distributed. Instead, accepting a negative definition simply means that we should not conceive of the issues just listed as consolidation tasks. Instead, I suggest these tasks can usefully be lumped under the term “democratic deepening,” a term that signifies a movement toward improving the quality of democracy. Unlike the term “consolidation”—which connotes a process with an end state, the term “deepening” conveys the notion of an open-ended process. Put another way, the term “consolidation” implies that a regime can be “consolidated” (i.e., there is an end point). The term “deepening” does not imply the same. While it would not sound strange to declare that a democracy is “deepening,” (continuing present action) or even that it has “deepened,” (continuing action in the past), it would sound odd to declare that a democracy is “deepened” (present completed action). Indeed, it is not at all foreign for political scientists to think about democracies as having a virtually unlimited capacity (in practice, if not in theory) for improving their quality. That this is true can be seen with a quick perusal of the titles of some introductory American politics textbooks. One finds titles such as “The Struggle for Democracy,” “The Challenge of Democracy,” and “A Republic, if You Can Keep It.” All of these titles suggest that political scientist typically view democracy, even in liberal or advanced democratic states, as something that consistently needs tinkering with to improve, and ongoing maintenance and vigilance to preserve. The notion of “deepening”, as any reform aimed at improving the quality of democracy, captures these understandings well. The only requirement that ought to be made on scholars who use this term, should be that they offer clear reasons why something they are identifying as a deepening task can be said to improve the quality of democracy.

Some Deepening Tasks in Mexico

If democracy in Mexico is consolidated, research can turn to the analysis of deepening tasks. The list of task that Mexico can undertake to improve the quality of its democracy is truly vast. A list of general areas ripe for specific reform include retrograde electoral and judicial systems at the state level; expanded access to the courts for all citizens; increased citizen education and participation; more autonomous and effective state and local public administration; greater protection of human rights; and greater self-determination and empowerment for Mexico’s indigenous peoples. This list makes it clear that any comprehensive discussion of deepening tasks in well beyond the scope of any one paper. For this reason, I limit the following discussion to an evaluation of four critical areas where deepening needs to occur: law enforcement and human rights, the justice system, the electoral system, and executive-legislative relations at the federal level. I make no claim that these are the most important deepening tasks, only that they are among the most important.
Law Enforcement, Corruption, and Human Rights

For good reason, the rule of law is considered a necessary component of democracy. Lawlessness comes in two principal forms, and both undermine the quality of democratic government. First, a society can be lawless in the sense that police are ineffective in deterring and prosecuting crimes. When this happens, citizens are more likely to have their civil liberties violated, such as the rights to personal safety, property, and life. Moreover, rampant crime undermines the fundamental democratic principal of self-rule. If the laws that the people enact through their representatives are only irregularly enforced, citizens are only governing themselves in a limited sense. Self-government is hollow if it includes the ability of the people to make laws, but not to enforce them. A second sense in which a society can be considered lawless is when public officials violate laws commonly and with impunity. As with ordinary civilian crime, official lawlessness undermines self-government, frequently results in the violation of civil liberties, and, unlike civilian crime, typically involves the violation of political rights.

Unfortunately, Mexico has serious problem both in terms of civilian and official lawlessness. Escalating crime rates and ineffective law enforcement are nation-wide in scope. In the early 1980s, the number of reported crimes per 100,000 persons remained below 100; however, between 1994 and 1997, the rate increased by 50 percent, to approximately 150. The gravity of this statistics is put into perspective when one considers that the same rate in Rio de Janeiro and Sao Paulo—cities with similar socio-demographic characteristics—was 16 and 16.4 percent, respectively, in 1994.33 Clearly, improving the effectiveness of law enforcement in preventing and prosecuting crime is a high priority tasks for improving the quality of democracy in Mexico.

Official lawlessness is also a serious problem in Mexico. In its mildest form, this involves old fashion corruption in the bureaucracy. In a survey of 1,060 Mexican public servants, 55 percent of respondents reported that corruption was a problem in their agency; over one quarter stated that it was a problem on a daily basis. The NGO, Transparencia Mexicana, estimates that 30 percent of the total public funds going to government contracts were for purposes of corruption: an amount of money that is equivalent to 9.5 percent of the country’s GDP. Further, in a survey of 3,985 Mexican private businesses, 62 percent of firms reported paying bribes to public officials, spending on average 5.1 percent of their income for the purpose. While corruption of this sort is commonly winked at throughout the developing world, it has serious economic and political consequences. Economically, it inhibits development by increasing transaction costs, undermining investor confidence, and diverting precious resources from productive purposes.
Politically, corruption undermines the democratic principle of equality before the law, because bribery and influence peddling mean special favors from some and not for others.

In its most serious form, public lawlessness in Mexico includes human rights abuses by the military, paramilitary groups, and law enforcement officials. In recent years, human rights NGOs have reported progress in this area, pointing to a greater willingness on the part of the Fox administration to cooperate with international human rights monitors; yet, serious problems remain. Among the most persistent are due process violations in the criminal justice system, including arbitrary arrest and detention, as well as torture. Mexican law prohibits police from detaining suspects for questioning longer than 48 hours, but reports of people being held longer are not uncommon. Similarly, the law stipulates that people arrested for a crime cannot be held longer than 72 hours without a hearing before a judge. Again, human rights NGOs report that this due process right is violated not infrequently. During the past decade, Mexico has made gains by developing a public defenders system that provides legal counsel to the indigent. Yet, inadequate numbers of public defenders, and incompetence of the ones available, effectively undermine people’s rights to counsel, particularly in the early phases of criminal proceedings. Human Rights Watch also reports that the use of torture by law enforcement officials remains common. This is compounded by the problem that Mexican judges accept statements from defendants even where there is evidence of torture. Finally, the two most disturbing forms of human rights abuses are extra-judicial killings, typically the work of paramilitary groups and drug cartels, and “disappearances,” the most grievous case being the unsolved murders of some 300 women in Juarez, which most observers believe involves a police cover-up. Improving the protection of human rights in Mexico is another critical area for deepening democracy.

The Federal Judiciary

Working hand-in-hand with law enforcement is the judicial system. Mexico’s history of one-party rule and presidencialismo produced a federal judiciary that was politically passive, subordinate to the will of the president, and limited in independence. In an effort to increase the autonomy and capacity of this branch a major judicial reform was passed under the Zedillo administration in 1994. The reform strengthened the federal court system in a number of ways. One important change was requiring two-thirds Senate approval for presidential nominations of Supreme Court justices instead of a simple majority. This reduces the probability that any one party can stack the court with its partisans. The reform also reduces the number of Supreme Court justices from 21 to 11, thus increasing the potential for institutional unity and effective decision-making. Moreover, the reform replaces life tenure with a fifteen-year nonrenewable term. While this change may weaken judicial independence, reformers see it as an effort to balance independence and experience, with the desire for accountability. Another important advance in the 1994 reform was the creation of the Federal Judicial Council (Consejo de la Judicadura Federal, CJF), which has taken over the most time-consuming administrative tasks of the Supreme Court, such as appointing and promoting circuit and district court judges, and investigating cases of corruption within the courts. The creation of the CJF is a step forward because it enables the Supreme Court justices to devote less time to administrative tasks and more time to adjudicating cases. Finally, the 1994 reform expands the judicial review powers of the federal courts by the introduction of two new legal procedures: acciones de
inconstitucionalidad and controversias constitucionales. Both are designed to expand the scope and authority of the courts in interpreting the Constitution.

The 1994 Judicial Reform was a sweeping initiative that is likely to strengthen the federal courts. Nevertheless, the Mexican judicial system continues to be plagued by significant problems. These include a lack of judicial enforcement power; low salaries for judges, which invites corruption and deters the best candidates; large case loads that have overburdened the courts; and an inadequate number of courts in rural area that, combined with the high cost of litigation, limit access of the poor to the justice system. However, one of the most critical weaknesses in the judicial system is the excessive limitation placed on the federal courts’ powers of judicial review. One form this takes is restrictions on the use of the amparo suit. Amparo suits are cases that may be brought by individual citizens when they believe a government action violates their individual rights or a law has been passed that infringes on constitutional principles more broadly. These suits are the principal constitutional mechanism that citizens have to protect themselves against government abuse, yet procedures for its use limit its effectiveness as a tool in several respects.

First, only individual citizens may file an amparo suit, groups and organizations cannot. In effect, this means there are no class-action suits. This particularly problematic in a poor country like Mexico, because class-action suits allow plaintiffs to defray the costs of litigation. As the law now stands, if a single government action violates the rights of a large number of citizens, each individual must file a separate amparo suit. The high costs of litigation, both in terms of actual money and transaction costs, means that most affected citizen would not bother to take legal action. Related to this shortcoming is that rulings in amparo cases only apply to the individual filing the case. In other words, if the government rules that the government must cease its action because it violates the plaintiff’s constitutional rights, the government must only stop its actions toward that individual, and not other citizens who may be affected as well. Again, each citizen must file his or her own suit for redress. Finally, citizen’s can only file amparo suits against the government, not against other citizens, corporations, or other NGOs. Whatever reasons were given historically to justify placing these limits on the use of the amparo, it seems like the time has come to revisit this debate, to see whether the costs of such restrictions do not outweigh the benefits.

A second manner in which the federal judiciary’s powers of judicial review are limited centers on the procedure known as unconstitutional actions (acciones de inconstitucionalidad). As mentioned above, this new legal action was provided for in the 1994 Judicial Reform. Legal scholars viewed this change as, potentially, the one with the most far-reaching consequences, because it could expand the judicial review powers of the Supreme Court well beyond the amparo. Specifically, the unconstitutional action procedure empowers the Court to strike down federal legislation as unconstitutional. While this power is basic to judicial review as practiced by high courts in many countries, it represents a major advance in Mexico, where the civil law tradition created a great resistance to judge-made law and prevented the Supreme Court from acquiring this prerogative. Unfortunately, the reform includes two limitations on the use of the procedure that significantly undermine is potential effectiveness. First, there is a time limit for initiating an unconstitutional action. Specifically, a constitutional challenge under the procedure must be filed within thirty days of the publication of the law. This restriction makes little sense. Often times, the unintended and ill effects of a law do not become apparent until some time after
its implementation. Moreover, based on the old adage, “it’s never too late to do the right thing,” it seems rational that if a law is unconstitutional, the Court should have the power to declare it so at any time. A second way unconstitutional actions are limited is the restriction on who can file the procedure. Only three actors have the authority to initiate this challenge: the Attorney General of the Republic, 33 percent of either house of the national congress, or 33 percent of a state legislature. Excluded are individuals and non-governmental organizations. The wisdom in excluding these groups is not at all clear. In sum, democracy could be deepened in Mexico by removing the excessive restrictions on both the *amparo* suit and the unconstitutional actions procedure. Doing so would both expand the ability of citizens to protect themselves from government abuses and strengthen horizontal accountability by enhancing the Supreme Court’s ability to act as an effective check on the executive and legislative branches.

**The Electoral System**

A country’s electoral system is the cornerstone of its democracy. The greatest advances in democratic reform in Mexico over the past decade have been achieved in this arena. The electoral reforms of 1994 and 1996 were particularly significant, making it possible for the regime to pass from electoral authoritarianism to electoral democracy. Among the most important changes brought about by these reforms were the creation of the Federal Electoral Institute (IFE) as an independent and effective institution for administering and qualifying elections; a major overhaul of the country’s electoral registry and voter identifications cards; improvements in the system for tabulating and reporting the vote; the institution of a more effective system for the selection and training of polling booth officials; campaign finance and media reforms that help level the playing field of electoral competition; and the creation of a Federal Electoral Court that is ultimately responsible for resolving electoral disputes.

While the 1994 and 1996 electoral reforms were instrumental in establishing largely free and fair elections, the system has remaining flaws. One concern is the existence of “authoritarian enclaves” at the subnational level due to retrograde state electoral laws. The existence of backward state electoral systems under the control of regional caciques opens up the possibility that state and local elections will not always be fraud-proof. In addition to the uneven advance of democracy at the subnational level, weaknesses remain in the national electoral system as well. These include the persistence of vote buying and coercion of voters (*compra y coacción*), especially in poor rural communities. These practices run the gamut from the legal, such as passing out caps and pens at campaign rallies, to the illegal, such as threatening voters that public services will be denied unless they vote for a particular party. It has been pointed out that a fine line distinguishes the legal courting of voters, and the coercion and threatening of voters, which are punishable under the criminal code. In addition, it is difficult to prove in the courts that vote buying and coercion, of the criminal variety, was committed. Fortunately, most instances of *compra y coacción* probably do not rise to the level of violating suffrage rights, nor is it likely that the practice alters the outcomes of elections, especially state and national contests. Moreover, it is not clear that much can be done about the more innocuous forms of vote buying and coercion. To a great extent, the phenomenon is ingrained in the political culture and structural conditions of poor and rural communities, and not likely to change rapidly. That this is the case is suggested in the results of a national opinion survey conducted by *Alianza Cívica* in April 2000. The results indicate that 25 percent of the population and 47 percent of the
beneficiaries of welfare programs believed such programs would end if the PRI lost the July election. Another survey in May showed that 24 percent thought Progresa (an anti-poverty program) was a PRI program, and 11 percent of the population (16 percent of the poor) thought the vote was not secret. The more serious forms of compra y coacción are supposed to be investigated by the Special Prosecutor for Electoral Crimes (FEPADE), an agency first established in 1994. However, the FEPADE has not proven to be very effective, largely due to inadequate resources. The office only has 65 staff in one permanent office in Mexico City and five regional officials to handle a large volume of cases. This helps explain why the office had a backlog of 332 complaints going into the 2000 federal election.

Campaign finance laws are another area of weakness. One problem is that the law sets fairly high limits on private contributions. The ceiling for registered individual donations to a campaign is quite high, at $79,780 (U.S.). This amount reinforces an environment in which the rich already have disproportionate political influence. A second problem is that federal electoral law does not regulate all sources of private contributions. Donations received at public events are not limited or regulated, creating a loophole that increases the susceptibility of candidates to pressure from special interests and increases the temptation for campaigns to exceed spending limits. Finally, the system for reporting on the use of public funds is in need of revision. Important advances have been achieved in recent years, including generous public financing of campaigns, and requirements for parties and campaigns to file reports on the use of public funds. However, the timetable for filing these reports undermines the effectiveness of the law. Specifically, for a federal election held in July, campaign finance reports are due no later than sixty days after December 31, an excessively long period. Moreover, the IFE has sixty days to review the report and makes its result known in May of the year following the election. Given that a president takes office on December 1st, the final IFE report will not be published until a full five months after a president takes office. Obviously, given these timetables, removal from office is not a viable option for violators of campaign finance laws. Fortunately, the flaws in the campaign finances system are much more amenable to remedy through changes of the law than are the problems of vote buying and coercion.

**Horizontal Accountability in Executive-Legislative Relations**

While the Mexican Constitution provides for a separation of powers and checks and balances between its executive, legislative, and judicial branches, traditionally these provisions have not operated in practice. Until recently, the term presidencialismo, was used to characterize the Mexican political system, a label that denoted the fact that the Mexican president was by far and away the most powerful political actor in the country. The implications for executive-legislative relations were that presidents could pass legislation and amend the constitution with virtually no congressional resistance and that the executive branch was practically free from effective legislative oversight. This situation prevailed primarily as a result of informal powers enjoyed by the Mexican president since the 1930s, including PRI electoral hegemony, unified government, discipline within the ruling party, and the fact that the president was the acknowledged leader of the PRI. Fortunately, these pillars of presidential dominance over the legislature have crumbled in recent years. This process started in 1988, when the PRI lost its two-thirds majority in the Chamber of Deputies, taking away the president’s ability to amend the constitution without input from the opposition. Legislative power received an even greater boost
in 1997, when the PRI lost its absolute majority in the Chamber for the first time ever. Since then, Presidents Zedillo and Fox have had to negotiate with the opposition on just about every major piece of legislation in order to get legislative approval.

While these changes abolished *presidencialismo* as we knew it, there is one critical obstacle that remains that hinders the ability of the congress to functions as an effective counterweight to the executive branch. This is the constitutional provision that prohibits consecutive reelection for congressional deputies and senators. The inability of legislators to run for consecutive terms undermines the effectiveness of the Congress in several ways. First, legislators do not get the opportunity to develop the expertise that comes from continued service. As a result, they are less able to effectively scrutinize and challenge legislation submitted by the more experienced members of the bureaucracy. Reinforcing this problem is that the brightest, most qualified politicians are not attracted to this branch of government, since it does not offer long-term career opportunities. Third, the prohibition of consecutive reelection creates incentives that undermine the legislature’s autonomy vis-à-vis the president and party leaders. Specifically, since members of congress have a limited term, they are always looking for their next position in government. Traditionally, the most attractive posts have been the senate and governorships. Since the president, until recently, controlled the selection of PRI candidates for these positions, members of congress had an incentive to be on good terms with the president. During the era of PRI hegemony, challenging the president’s legislative agenda or investigating the bureaucracy were the quickest ways for a politician to jeopardize their career advancement. The incentive structure created by these informal rules have been weakened considerably by opposition control of the executive and the introduction of more democratic candidate selection procedures in the parties. What is not certain, is the degree to which they could reemerge if the PRI were to regain unified control of the government in the future.

One thing that has not changed significantly, however, is how the prohibition of consecutive reelection for legislators, creates what Ugalde calls ‘reversed accountability.’ That is, legislators feel more accountable to the president and other party leaders for their actions, than they do to the voters who elected them. Without the possibility for immediate reelection, the incentive legislators have to be responsive to the needs and perceptions of their constituents is greatly undermined. Arguably, there is no single reform that could improve the quality of Mexican democracy than the removal of the provision for no-consecutive reelection. This reform would not only be welcome for the national legislature, but for the president, as well as state and municipal elective offices.

**Conclusion**

Over the past decade, efforts to democratize the Mexican political system have advanced dramatically. In 1988, few Mexican citizens would have imagined that in the year 2000 opposition parties would govern nearly half of the Mexican states, administer most of the countries largest cities (including the capital), have a majority in the Chamber of Deputies, and control the presidency. Yet despite these successes, Mexico’s democratic transition remains incomplete. Of particular importance, Mexico’s judicial and law enforcement systems must be strengthened so that the rule of law and political and civil rights are better protected. In addition,
electoral processes at the state and local level could be made more fair and transparent; checks
and balances among the branches of government at all levels could operate more effectively;
efforts to establish a more authentic federalism need to continue; and Mexico needs to manage
its economy in a way so that more citizens can enjoy the fruits of economic growth. These are
difficult problems, and they will not be solved overnight. But Mexico has taken an essential step
to realizing these goals: the development of genuine political competition and the possibility of
alternation of power, without which there is no accountability.

1 For an analysis of the 1997 mid-term elections see Joseph L. Klesner, “The Mexican Midterm
(1997): 567-575. For good analysis of the July 2000 election see the series of articles under the heading “Mexico’s

2 The regime is classified a pseudo-democracy in Larry Diamond, Developing Democracy: Toward
Consolidation (Baltimore: Johns Hopkins University Press, 1999), 280. Prior to the 1997 mid-term elections,
Schedler classifies the regime as “electoral authoritarian. After the 2000 election, Schedler contends that Mexico’s
classification as an “electoral democracy … is clear and beyond dispute.” See Andreas Schedler, “The Democratic

3 Carlos Elizondo, “After the Second of July: Challenges and Opportunities for the Fox Administration,” in Joseph
S. Tulchin and Andrew D. Selee, eds., *Mexico’s Politics and Society in Transition* (Boulder: Lynne Rienner, 2003),
38.

4 See Chappell Lawson, “Mexico’s Unfinished Transition: Democratization and Authoritarian Enclaves in
democratization is surely incomplete without the participation of the Zapatistas and, more inclusively, of the
country’s indigenous peoples.” See Rudolfo Stavenhagen, “Mexico’s Unfinished Symphony: the Zapatista
Movement,” in Joseph S. Tulchin and Andrew D. Selee, eds., *Mexico’s Politics and Society in Transition* (Boulder:
Lynne Rienner, 2003), 123.

5 On the distinction between electoral democracies and liberal democracies, see Andreas Schedler, “What is
Democratic Consolidation,” *Journal of Democracy* 9 (1998): 91-107. For a study that maintains Mexico is not a
liberal democracy see Pilar Domingo, “Judicial Independence: The Politics of the Supreme Court in Mexico,”

6 The first opinion is expressed in Schedler 2000, 16; The second opinion is found in Joseph S. Tulchin and
Andrew D. Selee, “Introduction,” in Joseph S. Tulchin and Andrew D. Selee, eds., *Mexico’s Politics and Society in
Transition* (Boulder: Lynne Rienner, 2003), 6.

7 Schedler 1998, 91-92. For other critiques of the concept of democratic consolidation see Ben Ross
Schneider, “Democratic Consolidation: Some Broad Comparisons and Sweeping Arguments,” *Latin American
Diamond, et. al., eds., *Consolidating the Third Wave Democracies: Themes and Perspectives* (Baltimore: Johns

8 Schedler 1998, 92.

9 Schedler 1998, 93-94.

10 Schedler 1998, 90.

Valenzuela, eds., Issues in Democratic Consolidation: The New South American Democracies in Comparative
Perspective (Notre Dame: University of Notre Dame Press, 1992), 57-104.


13 For a conception that includes the construction of a particular type of civil society see Phillippe C.
I am not aware of any scholarly works that include these sorts of socio-economic factors as criteria of democratic consolidation, yet they do pop-up, implicitly, if not explicitly is non-academic discussions of consolidation.


Linz and Stepan 1996, 6.

Linz and Stepan 1996, 14.

Linz and Stepan 1996, 14.


Linz and Stepan 1996, 6. For a definition with an attitudinal component, see also Gunter, Diamandouros, and Puhle 2001, 132.

Technically, these two instances were coups, in that the elected presidents were removed from office by extra-constitutional means (i.e., military force) at a time when popular discontent with the governments made the situation untenable. At the same time, both cases are indicative of the growing illegitimacy of coups in Latin America, because, they really amounted to the military calling on the president to stand down and handing over power to a civilian government not much later. It is true, that over the past ten years, leaders have been removed from power in countries like Brazil, Venezuela, Peru, and most recently in Argentina. But these incidents do not qualify as coups because they all took place within the framework of the constitution.

This argument is made in Martin Edwin Andersen, “Civil-Military Relations and Internal Security in Mexico: The Undone Reform,” in Riordan Roett ed., The Challenge of Institutional Reform in Mexico (Boulder: Lynne Rienner, 1995), 155-180.


Benítez 2003, 66.


Elizondo 2003, 41.

The statistics in this paragraph come from Elizondo 2003, 44.


My analysis of the judiciary in this section draws heavily from two articles, Michael C. Taylor, “Why No Rule of Law in Mexico? Explaining the Weakness of Mexico’s Judicial Branch,” New Mexico Law Review 27


38 Chappell Lawson 2000, 277.


