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A DEMOCRATIC AUDIT OF MEXICO²

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A. INTRODUCTION

To what extent Mexico is a democracy? To answer this question, a local research team is conducting a democratic audit of Mexico encompassing four broad dimensions: a) citizenship, law and rights; b) representative and accountable government; c) civil society and popular participation; d) democracy beyond the State.

While in the last ten or fifteen years Mexico has given significant steps towards free elections and political liberties, there are still many obstacles to furthering the country's democracy. Among these are notable: extreme social and economical inequality, poor enforcement of the rule of law, doubts cast on the electoral system's fairness, insufficient accountability and governmental responsiveness, concentration of the electronic media ownership, and low popular participation.

A preliminary report of what is a work in progress follows.

B. CONCEPTUAL AND METHODOLOGICAL APPROACH

There is no such thing as a perfect democracy. Democracy is not an all-or-nothing affair, but rather a continuum. Countries are more or less democratic, and often more democratic in some aspects, less in others. Under this conception, it is valid to ask: How democratic is our country and its government?

To answer this question, a clear vision of democracy, its institutions and its social and economical context, alongside with empirical knowledge of the national situation under examination, is needed. The team conducting the research hereby reported found a guide in the methodology for assessing democracy developed by the International Institute for Democracy and Electoral Assistance (IDEA, 2002a).

According to IDEA, there are two basic democratic principles: *popular control* over public decision-making and decision-makers; and *equality between citizens* in the exercise of that control. Insofar as these principles are embodied in governing arrangements, they can be considered as *democratic* (IDEA, 2002b: 11). [Other principles could be added without distorting IDEA framework, as freedom, popular participation in government, and equitable distribution of power (Emmerich & Favela, 2007).]

To implement these principles, a set of mediating values is instrumental. They are: citizen participation, authorisation, representativeness, accountability, transparency, responsiveness, and solidarity. It is from these values that the institutions of representative government derive their democratic character, and it is these values that can be used in turn to assess how democratically they work in practice.

Upon these notions, IDEA proposes an assessment framework focusing on the above-mentioned four dimensions. From these dimensions fourteen themes are derived, each defined in scope by an attached search question. The fourteen themes and their search questions are listed below under the heading "Preliminary findings". (The search questions are further divided into about one hundred specific questions, which will not be listed in this report for sake of brevity.) All the search questions have a summary answer ranging from "very high" (optimal, nearer to true democracy) to "very little" (minimal, barely democratic), including "high", "middling", and "little".

As can be seen in the pages below, IDEA methodology encompasses many issues not usually found in democracy assessments, and ends up with a qualitative evaluation

made by nationals of the country assessed. Additionally, it is not solely an academic methodology, but also a methodology for fostering debate on how to improve a particular country's democracy; that is, is a methodology for action.

It is in this spirit that this research project was undertaken. It represents a contribution from an independent Mexican group of scholars. Through this evaluation of the quality of Mexico's democracy, they want to contribute to its continued development. This is particularly relevant in a moment in which Mexico is discussing a broad "reform of the State" as a result of its quite new democracy. The debate on such a reform is to a high degree technical and foreign to the common people. What the authors want to achieve is to bring down to earth, for the people to understand, the current state of Mexico's democracy and to find means of improving it.

C. DEMOCRATIC ATTEMPTS, POLITICAL AND ELECTORAL INSTITUTIONS, SOCIAL AND ECONOMIC CONDITIONS

Timeline: evolution to democracy

Democracy has been quite foreign to Mexico. In its almost two centuries of independence, the country has made at least six attempts at democracy (see Figure 1). The first five of them failed. The sixth is underway at present, and is the subject of this report.

From 1929 to 2000, just one political party ruled Mexico: the Institutional Revolutionary Party (*Partido Revolucionario Institucional*, PRI).⁴ Based initially on nationalistic and social justice principles, along time it veered to the centre, even to the right, of the political spectrum. It won all state elections until 1989, a majority of congressional seats until 1997, and all presidential elections until 2000. Although other parties were allowed to compete, the PRI maintained political hegemony.

The National Action Party (*Partido Acción Nacional*, PAN) became the main opposition party since founded in 1939. It defines itself as a party devoted to "political humanism", that is, liberal values based on a respect for the individual. Often categorized as centre-right, is close to Christian Democratic parties elsewhere in Latin America and Europe. It combines a liberal approach to economics with a conservative approach to moral and some social issues.

Another significant opposition party was founded in 1989: the leftist Party of the Democratic Revolution (*Partido de la Revolución Democrática*, PRD). It was formed around the leadership of Cuauhtémoc Cárdenas, who had deserted the PRI to run for president in 1988 as the candidate of a front composed of several minor, leftist political parties.

From then on, with the PRI regime weakened and with the opposition parties gradually catching up in the popular vote, transition to democracy speed up. Social modernization induced political pluralism. Economic crisis eroded the PRI vote. The media opened to new, independent and opposition voices. The opposition parties received public funding. New electoral laws, practices and institutions were created to level the playing

⁴ It was founded in 1929 as National Revolutionary Party (*Partido Revolucionario Nacional*, PRN). It changed its name in 1938 to Party of the Mexican Revolution (*Partido de la Revolución Mexicana*, PRM) and in 1946 to its current one.

field. By 1997, a whole new set of electoral rules was put into practice in legislative elections. As a result, the PRI lost control of the lower house of Congress, and in the Senate fell short of the two thirds majority needed to reform the constitution and appoint many high officials.

In 2000, Vicente Fox, from a coalition between PAN and the Green Ecologist Party of Mexico (*Partido Verde Ecologista de México*, PVEM) won the presidential race with 43% of the vote. The PRI, although getting only 36% in the presidential race, won the congressional elections and got the largest minorities in both houses of Congress. The third most voted party was the leftist PRD, with 19%. The peaceful, uncontested election of an opposition candidate after seven decades of one-party rule was a turning point signalling Mexico had attained electoral democracy.

Not so smooth were the 2006 elections. Felipe Calderón, from the governing PAN, was elected President with a tally of just 36.69% of the valid vote (see Figure 2). Andrés Manuel López Obrador, from the leftist Coalition for the Good of All (*Coalición por el Bien de Todos*, CBT), finished with 36.11% and did not concede to Calderón's victory. Three other candidates (including that of the PRI) got a lesser number of votes and did concede. In the congressional elections the PAN won by a wider margin and got a plurality in both the Senate and the lower legislative chamber. Vitriolic campaigning and a virtual tie in the presidential race led to a prolonged post-electoral conflict posing a test for Mexico's young democracy, particularly for its electoral institutions. Indeed, Calderón took office on December 1st, 2006 with a country fairly divided in political and social terms and a significant part of Mexicans thinking the electoral process was rigged in his favour. On his part, López Obrador launched a "civil resistance movement", and symbolically proclaimed him to be the "legitimate President".

Political and electoral institutions

Mexico is a presidential, federal republic consisting of 31 states and a Federal District. At the federal as well as at the state and Federal District levels, there are three branches of government: legislative, executive and judicial.

The President, the states' Governors, and the "Head of Government of the Federal District" (or Mexico City) are elected for six-year terms by a plurality of voters. They cannot ever be re-elected to the same positions.

The lower house of the federal Congress and the single-chambered Legislatures of the states and the Federal District are elected for three-year terms; their members are known as "deputies" (*diputados*). The Senate or upper house of the federal Congress is elected for a six-year term. All lawmakers are elected by a mixed system combining plurality in single-members districts with list proportional representation (PR). They cannot be consecutively re-elected to the same positions.

The Senate by a two-third majority appoints the Supreme Court's justices, at their nomination in ternary by the President. Similarly, at the proposal of their respective executives, the legislatures of the states and of the Federal District appoint the justices of their own supreme courts or superior tribunals.

Additionally, each of the 2439 municipalities elects its local officers by a mix of plurality and list PR; municipal presidents (majors) cannot be consecutively re-elected. The Federal District has no municipalities but 16 so-called "delegations", each of which elects

by plurality its own “Delegational Head”, who lasts three years in office and cannot ever be re-elected to the same position.

The Federal Electoral Institute (*Instituto Federal Electoral*, IFE) organizes federal elections. It is headed by a General Council, whose voting-members (usually from the academic, legal and journalistic professions) are appointed by the lower house of Congress by a two-third majority. The General Council appoints lower-ranking councils for each state, the Federal District, and each of the 300 single-member districts; their presidents and secretaries are staffers to IFE, and their remaining voting-members are locally distinguished non-partisan citizens. Representatives of the registered political parties sit as non-voting members on IFE General Council as well as on lower-ranking councils; they overview a wide range of IFE operations, from drafting the electors’ rolls, passing by the actual voting at the polling booths, to counting the votes cast. A 7,000-member, career-oriented professional service runs the day-to-day operations of IFE.

The voting-members of IFE General Council conducting the 2006 elections had been appointed in 2003, at the proposal of the PAN and PRI blocs in the lower House; the PRD deputies refused to cast their votes in protest for what they claimed was an “imposition” by the two former political parties.

The Electoral Court of the Judicial Power of the Federation (*Tribunal Electoral del Poder Judicial de la Federación*, here referred to as Electoral Court) is a specialized tribunal that can revoke the electoral institutes’ decisions and counts if petitioned. It solves claims on federal elections, acts as an appellate court for state, Federal District, and municipal elections, and is the maximum authority in the land on electoral affairs. Its judges are appointed by the Senate on a two-third majority, at the nomination of the Supreme Court. The judges supervising the 2006 electoral process had been appointed in 1996 and had gained prestige in solving claims with equanimity before they were questioned as biased by López Obrador.

Ordinary citizens run the polling booths, count the ballots cast, and inscribe the results in minutes. At each electoral process, a huge numbers of citizens are first randomly chosen and then trained for the job. If some of them do not show up at the moment of opening their designated polling booth, the first citizens waiting in line to cast their votes in it should replace them. Their task is overviewed by representatives of the political parties and/or by registered national or international observers; the former can have their objections noted in each polling booth’s minutes.

In state, Federal District, and municipal elections institutions and procedures are much similar to the federal ones. Each state, as well as the Federal District, has an electoral institute or council and an electoral court, both appointed by its respective legislature, to respectively run and overview its own elections.

Social and economical conditions

Mexico is an overpopulated, developing country of middle average income with extreme social and regional inequalities. A little over 103 million inhabitants reside on the land, and about 11 million migrants live abroad, particularly in the United States of America (USA). Figure 3 presents some social indicators and additionally shows some advances attained since 1990.

In 2005, gross national product (GNP) was of 768 billion (American) dollars and per capita gross national income (GNI) was of 7,310 dollars. In that same year, health and

education expenditures amounted to 6.5% and 5.8% of GNP, respectively. Income is extremely concentrated in Mexico, with a Gini coefficient of 46.1 and 20% of the population retaining 55% of GNI. Notwithstanding poverty has been quite significantly reduced in the last decade, it is still high, as shown in Figure 4

A Human Development Index (HDI) of 0.8031 puts Mexico within the countries considered as highly developed. However, HDI regional distribution is extremely unequal, with some states as low as Syria or Cape Verde and other as high as the Czech Republic (PNUD, 2007).

D. PRELIMINARY FINDINGS

1. Nationhood and citizenship: Is there agreement on a common citizenship without discrimination?

Summary answer: High

Nationhood and citizenship are fully inclusive. All people born in the land or born abroad from a Mexican parent are Mexicans and cannot be deprived of their nationality. Foreigners can ask for naturalization, and they can be deprived of their newly attained Mexican nationality under certain reasonable circumstances (for instance, by not living in the country for more of five years or using a foreign passport). Citizenship is equally inclusive for all Mexican –born in the country or naturalized- of age 18 or more. Citizenship can be lost or suspended for a limited number of circumstances, particularly for committing a felony. Foreigners cannot be involved in Mexican politics and can be expelled from the country by executive order. In practice, there are no cases of loss of nationality or citizenship, while there are a handful of cases of foreigners expelled for their involvement in Mexican politics.

Within this panorama of full agreement on nationhood and citizenship, some analysts consider that there is a “excluded citizenship”: that of indigenous people whom because of their language or social marginalisation are in practice unable of exercising their citizenship. While the rights of indigenous peoples have been enshrined in the constitution, truth is that beyond the formal acknowledgment of their rights little has been done for the peoples concerned to actually exercise them.

There is a strong consensus about the constitution and the need of maintaining the constitutional order. The procedures for amending the constitution are quite inclusive and impartial. A vote of two thirds on each of the federal houses of Congress, and the approval of a majority of the states’ legislatures, is needed for amending the constitution. This implies that no party on its own can amend the constitution. It is to be noted that the constitution is much frequently amended,

Mexico holds no disputes about international or internal boundaries, and there are not separatist movements. However, in the state of Chiapas there are several so-called “autonomous” municipalities run by the Ejército Zapatista de Liberación Nacional (EZLN) in tolerated contradiction with the legal framework.

Since the end of the Mexican revolution of 1910-1920, the constitutional and institutional arrangements have been able to moderate major societal divisions. This in part explains why the country has been for decades politically stable. Violence erupted in the past, sometimes from above (for instance when the military and the police fiercely

repressed students' movements in 1968 and 1971) and other times from below (for instance, when the EZLN took arms in 1994). Even in such critical circumstances, the political system was able to reconcile differences and to somehow integrate any important dissident group. However, since the 2006 presidential election three political parties and part of the population, under the cry, to the hell with the institutions" are not conceding legitimacy or legality to president Calderón's administration.

In 2007, an Act for the Reform of the State was passed encompassing five broad areas: reform of the judiciary, electoral and democratic reform, political regime, social guarantees, and federalism. Reforms in the two first mentioned areas have already been passed (and will be discussed respectively in themes 2 and 5 of this report); the remaining ones are still pending.

2. The rule of law and access to justice: Are State and society consistently subject to the law?

Summary answer: Middling

Abiding by the law and access to justice are both meagre. Although there is a legal structure for the State and the society be consistently subject to the law, in practice there also legal and illegal resorts that allow citizens, attorneys, politicians, leaders, officials, businesspersons and people at large to avoid the law. Additionally, there is the citizens' perception that an unjust law can be disobeyed, and that it is appropriate to evade a sanction whenever possible. Therefore, many tricks and technicalities are commonly used to hamper the rule of law.

Under the above-mentioned restrictions, the rule of law is fairly operative throughout the entire territory of Mexico. Nonetheless, the rule of law is deficient due to administrative, organizational and juridical reasons. Besides the lack of resources, there is weak coordination among the states' and the federal judicial instances. Additionally, consuetudinary justice prevailing in some states with important indigenous population is not well integrated into the overarching judicial system. Furthermore, availability of economical resources and social relations is instrumental in subtracting rich and powerful people from the rule of law.

Elected officials hold immunity against penal prosecution. Although such immunity can be withdrawn by the legislative, this barely happens. Consequently, in practice they are usually not subject to penal sanctions. In what respects to non-elected officials, they should abide by a statute of administrative responsibilities. Agencies devoted to enforce this statute can -and in some cases do- punish them for wrongdoings.

Although legally speaking the judges and the entire judicial system are independent from the executive, the ways in which they are appointed and/or promoted tend to diminish their independence, particularly in several states where judges are not unmovable. The federal and state attorney's offices or *ministerio público*, responsible for prosecuting crime, are negatively evaluated by the public.

In practice, the poor have not equal access to justice. As public defenders are badly paid and overworked, people able to hire private lawyers are in a better standing when facing a court of law. Even in a worse situation are those –mostly indigenous people– whose knowledge of the Spanish language is poor or non-existent: even if by statute they should be provided with interpreters, these are not always available. Additionally, there are not statutory provisions for redressing judicial mistakes.

To improve some of these conditions, in 2008 a reform of the judiciary was passed by the federal Congress. It includes oral proceedings (as opposed to written ones) and beefing up the federal attorney's office by providing it with investigative functions in addition to the merely prosecutorial ones it had already.

3. Civil and political rights: Are civil and political rights equally guaranteed for all?

Summary answer: Middling

Although the usual civil and political rights are enshrined in the Mexican constitution and Mexico has signed most of the international treaties and conventions related to human rights, in practice their exercise is insufficiently guaranteed. Although not generalized, cases of torture, extra-judicial executions and forced disappearances still persist.

The Mexican people are widely free of suffering physical aggressions by representatives of the State. However, due to a raise in criminality, the State is growingly unable of guaranteeing security to its citizens. Additionally, law enforcement is weak, and most crimes remain unpunished.

Freedoms of movement, expression, association, assembly and religion are guaranteed by law, and quite well protected in practice. Freedom to use their native language and to practice their own culture is guaranteed to the indigenous peoples, but their presence in the social tissue is actually diminishing.

Journalists, human rights and environment defenders are frequently harassed or intimidated, and in some occasions killed. Generally these acts of repression are attributed to obscure private interests, and not directly to the State.

In the last years, some bills and initiatives were passed to improve the aforementioned conditions. Nonetheless, much has yet to be done in the legal arena and particularly in the implementation of civil and political rights without discrimination.

4. Economic and social rights: Are economical and social rights equally guaranteed for all?

Summary answer: Middling

The Mexican constitution of 1917 was the first in the world to grant the so-called economical and social rights. However, implementation has been far below from expectations, due in part to underdevelopment and in part to disinterest by the ruling class. The usual economical and social rights are much more accessible for people working in the formal sector of the economy (public administration, well-established private firms and companies) than for those working in agriculture and in the expanded informal sector of the economy. Besides that, people living in the rural areas, indigenous people, internal and external migrants, the illiterate, and generally speaking the poor, do have limited access to exercise their economical and social rights.

Access to work is guaranteed by the constitution, but in practice it depends on the market. The labour laws guarantee their rights to those already employed in the formal sector; other laws provide people employed in the formal sector with pensions and other forms of social security. According to some research reports, women are being paid 20% less on average than males doing the same kind of work.

Access to adequate food, shelter and clean water is also legally guaranteed, but in practice there are huge social and regional differences. Although in decreasing numbers, part of the population, particularly children, still suffer from bad nourishment. Many dwellings are still built with non-solid materials or are lacking from paved floors or sanitation. About 10% of the dwellings do not have clean water, and 5% do not have electricity.

Health care is accessible for virtually the whole population, although there are huge differences in the quality of service received. People having the means to recur to private practice generally receive the best and promptest attention. People formally employed and therefore having health insurance can expect a reasonable degree of good attention. People with no health insurance can resort to virtually free of charge and therefore overcrowded clinics and hospitals in which not always all the necessary medicines and equipments are available. Vaccination plans and pre-emptive medicine have been quite effective in the last decades. However, indigenous peoples and people in the rural areas have lesser life expectation than people in the urban areas.

Access to education, from kindergarten to high school, is also guaranteed, and free in the case of public schooling. There are numerous positive indicators in this area: three out of four children are attending to kindergarten, and virtually 100% are attending to grammar school. The number of children and young people enrolled in secondary school, high school and college has greatly increased in the last two decades. Part of this increment is due to private schooling. Yet, there is around 9% of illiteracy and the population's average schooling is of just 8.5 years. Education on the rights and responsibilities of citizenship, known in the country as "civic formation", was somehow disregarded during the 1990's and the beginning of the 20th century, but has regained its due importance under the current Calderón's administration.

Just 10% of the working class is unionized. Most unions normally act as an ally of the State, do not hold good practices of internal democracy, do not really represent and/or defend their members, and in practice act as a top-down control mechanism over the working class. However, there are some "independent" unions that more actively defend their members' interests.

There are no many rules on corporate governance. Public corporations are obliged by law to publish their balances, announce their plans, call to shareholders meetings, and elect their directives according to statute. Public as well as privately owned corporations are obliged to disclose their tax-reports, since 8% of their net profits should be distributed to the workers. All economic units, disregarding size or sector of activity, must provide information –solely for statistical accounts- to the Census Bureau, and comply with the laws for health and safety at the work-place as well as with the weak laws protecting consumers and environment. Besides the mentioned ones, there are no legal requirements for business disclosure to the general public or watchdog groups.

A number of measures in these areas were recently adopted, and others are being discussed. Programs against poverty, along with several years of economical stability, have produced some results in reducing it. Nowadays, these programs usually imply that the mother is considered as the head of a family, and that she receives subsidies on the condition her children must go to school and regularly visit a health centre. Recently, Congress ordered that 8% of GDP be devoted to education; summing up public and private funding, Mexico is now near that figure. The country is nearing its self-imposed goal of kindergartening all children of the proper age. A new health insurance system was set up

for people working in the informal sector and keeps growing. Under Calderón's administration a newer health insurance scheme was established: the so-called "new generation health care system", which has the goal of providing health care from cradle to coffin for the newborn. All these initiatives have been well received by the public opinion.

Initiatives for reforming the pension system and the labour code are not so popular. Private employees' pension plans were transferred to private pension funds in 1994; the same is happening in 2008 for State employees, which in great numbers have resorted to the courts to protect their rights in face of what many of them consider as an unjust new pension plan. The labour code or Federal Act on Labour that regulates labour relations in the private sector dates back to 1931; attempts to update it have been blocked from two flanks: that of the unions, who are afraid of a reform that would democratize them and therefore suppress the power of their perennial leaders; and that of the workers, who are afraid of a reform that would reduce their rights on the sake of flexibility, productivity, etc.

5. Free and fair elections: Do elections give the people control over governments and their policies?

Summary answer: High

"The renewing of the Legislative and Executive powers will be done by means of free, authentic and periodic elections", establishes the federal Constitution. While since 1917 periodic elections have been uninterruptedly held in the country, it was just at the end of the 20th century that these actually became free and authentic, when equitable conditions of competence for the citizens' vote were set up. In this way, elections gave the citizens real ability to choose their governments at the municipal, state, and federal levels. However, this ability to choose didn't come along with effective mechanisms for the citizens to control the governments or the public policies. In spite of some advances, these areas remain the parcel of a political class restricted in number and quite debased in front of the public opinion. Indeed, Mexico's declining electoral turnout since 1994 suggests that there is a gap between the political class and the citizenry. Indeed, Mexico has been walking through the lanes of a delegative democracy, that is one in which the citizens have the power to elect rulers and representatives, but simultaneously have very little control upon what the latter decide once in office.

The liberty to choose was evidenced in the 2000 presidential election, which for the first time in 71 years raised into power an opposition party. Notwithstanding, the electoral institutions' impartiality and credibility were severely questioned in the 2006 presidential race, which was denounced as rigged and fraudulent by the second most voted candidate and by the three political parties supporting him. Such a questioning, which found credibility among significant social sectors, fostered in 2007 an ample electoral reform levelling the playing field for the political parties and proscribing intervention of governmental and extra-party agents in the electoral processes.

Registration and voting procedures are inclusive and accessible. IFE and the state and Federal District electoral institutes, which as seen above are independent from their respective governments but somehow subject to party control, run them. Intimidation and abuse have been virtually eradicated, although occasionally isolated cases of them persist; more prevailing is the problem of patronage or exchanging of votes for favours. The registering of parties and candidates is fair; however, no independent candidates are allowed except in a few states. Theirs access to the voters upon quite and equitable formula

for allotting broadcasting time and their freedom for campaigning are fully guaranteed. With eight registered national political parties, the voter really confronts a menu of different political and ideological options. There are no significant problems of apportionment, i.e. all the votes count equally, and the integration of the legislative bodies along party lines reasonably reflects the citizens' vote. However, socially-wise, the legislative does not fully represent women, indigenous peoples, and generally speaking the poor.

6. Democratic role of political parties: Does the party system assist the working of democracy?

Summary answer: Middling

The party system has ceased to be a scheme concentrated around a majoritarian political party with features of corporative and monopolised representation that competed just formally against testimonial and marginal opposition parties. It is now a system having a greater number of political forces, wider ideological diversity identifiable by the citizens, and reasonable levels of freedom and competence. The party system is still being built upon a process aimed at defining checks and balances among the diverse parties and also it is confronting mechanisms of mutual cooperation and incentive fostering governance.

The number of registered national political parties, which until 1977 was just four, is nowadays eight. At present, the political parties should enhance their organizational capabilities and performance in improving confidence on democracy and democratic institutions. The public's perception sees them as too closed and little accessible in terms of participation and representation. They receive public funding and hold ample liberties for conducting their recruitment, political education and campaign activities.

Mexico has for long been characterized by its political stability. In the past, the party system yielded such stability through a majority or Westminster style of governance based upon a hegemonic party. Nowadays, with no party holding a majority of its own in Congress and the popular vote as well, the style of governance has turned into a consensual one that requires the concurrence of at least two political parties to pass regular legislation, and of more than two political parties to pass constitutional reforms and to appoint some high officials.

Every political party holding at least five seats in any of the chambers of the federal Congress is entitled to form a parliamentary group, and therefore to receive public funding to develop its activities. Opposition groups can hold the government accountable the regular powers Congress holds. Among them: criticizing the annual "state of the union" report that is sent to Congress by the executive; summoning up the secretaries of State (ministers) to explain such report or other issues of importance; examining ex post the use of the public budget; forming enquiry commissions; reviewing the public accounts and administrative procedures through a Superior Audit of the Federation that is an integral part of Congress, and impeaching high executive officials. However, the executive most of the time is able to retain sensitive information on the grounds of national security or personal privacy.

Party discipline in the legislature is quite strict, and it varies depending on each party. Rules governing party discipline are not generalized but internal to the diverse parliamentary groups. There are no significant cases of floor-crossing affecting the political orientation of the legislative bodies.

Some political parties have effective membership structures, and others do not. Additionally, some parties are holding internal contests for choosing their directives and nominating candidates to public offices. However, the perception persists that an ordinary member of a party has little influence on conducting the party's affairs. Anyway, law protects the rights of party members.

Political parties receive huge public funding, under a formula allotting each of them 30% of the total public funding on an equal basis, with the remaining 70% been apportioned accordingly to previous electoral results obtained by each party. Private funding is restricted to just 10% of the total funding a party can attain. Although IFE and the states' electoral institute supervise the parties' finances and regularly impose upon them economic sanctions for violations of the laws regulating party financing, the nutshell is that this area remains obscure and the people tend to perceive the parties as colluded with economic interests.

The law forbids the using of religion with electoral ends. Additionally, it is forbidden to misinform or to discriminate on the basis of sex, ethnicity, religion or ideas. However, religion, language and culture are somehow part of electoral campaigns in some secluded areas of the country.

7. Government effectiveness and accountability: Is government accountable to the people and their representatives?

Summary answer: Middling

Accountability is low in Mexican practice. The only direct way the people have to keep the government accountable is the vote, that is, the threat of not renewing for other term the party in office. As executive authorities can never been re-elected for the same office, a negative vote from the people does not personally affect them. The government is formally accountable only to the legislative. The legislative cannot dissolve the government or part of it with a vote of non-compliance or non-confidence based upon political reasons. Certainly, the legislative can impeach high ranking executive officials, what implies a trial in which actual wrongdoings have to be proven; but this barely happens.

The Mexican federal government can be quite effective in virtually any area it decides to be so. It manages information, trained personnel, financial and material resources, technical capabilities, planning and organisation in most areas of public policy. However, improvisation, corruption and the frequent veering of policies hamper its performance. Maybe public security is the principal area in which the federal government's effectiveness is well under average.

President Calderón has gotten an approval rate of about 60% since inauguration. This fact should be put into context. Figure 5 shows that the president and other governmental agencies are far of being the most respected institutions in Mexico. In a scale from 0 (minimum) to 10 (maximum) the president of the Republic gets a grading of 6.7, behind the universities and the army (8), the church (7.8), the media (7.4), and IFE (7). Other parts of government, as the Supreme Court, the police, the senators and the *diputados* get even lesser grades.

Politicians exert effective control over the departments at their charge. This control is more based on personal allegiance than institutionalized rules. A generalized civil service for all branches of the executive has been only recently created and is not yet fully developed.

Congress has broad powers to initiate, scrutinize and amend legislation. Until 1997, the executive introduced most successful bills; nowadays, with no majority party in control of Congress, most successful bills are introduced by individual lawmakers or parliamentary groups. The lower House has an autonomous and specialized agency –the Superior Audit of the Federation- to review the public accounts and to impose sanctions when it is the case; however, this agency has not yet gained its due weight. The two houses of the federal Congress pass the federal revenue law, that is, a tax law determining the government's revenue for the incoming year; the passing of the yearly budget, as well as the approving of the usually belated public account on expenditures, belongs solely to the lower House. Although much noise and pressure is made each year by opposition lawmakers when these issues reach the floor, truth is that congresspersons have no technical capability or support for really objecting at or substantially modifying the executive's proposals.

Measures in this area are part of a political process granting each day more effective powers to the legislative. Further measures can be derived from the already mentioned reform of the State, one of whose goals is to improve the relationship between executive and legislative. Other issue under discussion within the context of the reform of the State is the possible introduction of referenda and recall.

8. Civilian control over the military and police: Are the military and police forces under civilian control?

Summary answer: High

Mexico was until 1946 one of the most militarized countries of the world. In that year, the last general-president handed power to a new civilian elite headed by the PRI. Being the armed forces the very ones designing the modalities of transition to civilian rule, they were able to keep great doses of functional autonomy and immunity from regular justice.

Nowadays, the military are subject solely and directly to the president's authority, without interference of other powers of the State. Reciprocally, the president defends the military autonomy and prerogatives. This kind of subordination is non-democratic. Congress has never put into question the laws ruling the military, neither their budget nor their prerogatives. The military justice system is autonomous from the civilian justice, and in practice the military institutions protect each and every of their members. Additionally, access to information about the military is usually restricted, although there was some degree of disclosure in recent years.

Political life is usually free from military interference, except when matters discussed involve the armed forces. There are three military-men in the federal cabinet: the secretaries of Defence and of the Navy, and the Chief of the Presidential Joint Staff. The military hold a silent political power that gives them veto power over decisions that could affect them. For instance, they have avoided that the president appoint a civilian minister of defence. They have successfully opposed Mexico's eventual participation in United Nations' peacekeeping operations. They have not published any White Book, as nowadays is common practice in other Latin American countries, and until recently they were able of keeping sealed to scrutiny their annual reports. Notwithstanding, the public has confidence on the military: they rank second on public opinion polls exploring the people's confidence on institutions.

There are two federal police forces: the Federal Preventive Police (created at the end of the 1990's) and the Federal Agency of Investigation (created at the beginning of this century), which have proven to be quite effective.

However, among other police forces there is total dispersion and de-centralization. As the law allows each municipality to have its own police force, in 2006 there were 1,661 police bodies in Mexico. This dispersion hampers professionalism and induces corruption. Police forces are subordinated to the political authorities of their respective state. The legislatures and the citizenry have little control over the police. Besides, it is known that among the police bodies there are "brotherhoods" that control them and favour their lack of institutional control. In some cases, organized crime has infiltrated the police, with crooked members of it in some cases working in favour of drug-traffickers. Recently, in some states and at the federal level supervisory bodies have been set up for monitoring police activities, but those bodies are just embryonic and mainly symbolic. Due to its corruption and ineffectiveness, the police rank last in surveys exploring the people's confidence on institutions.

The composition of the military, the police and the security services reflects quite well the social composition of society at large. In most cases, they are indeed from very humble origins. Military or police careers provide officers with a means of upwardly social mobility. The same cannot be said of the rank and file, which in the case of the police tend to complement their meagre incomes through bribes and corruption.

The country is not free from the operation of groups using extra-legal violence. Although in diminishing numbers and importance, there still exist paramilitary units in some rural areas for repressing peasants' movements. There are also some guerrilla groups. One is the EZLN, which initially waged war against the federal government; later on it has become a peasantry organization devoted to controlling some municipalities in the southern state of Chiapas. Other and nowadays more active is the Ejército Popular Revolucionario (EPR), which in 2007 blew up several oil pipelines. Additionally, scarcely regulated private security agencies are on the rise, due to the police's ineffectiveness; some of those agencies or their members occasionally incur in illegal activities. However, the main problems in the area of extra-legal violence are organized crime and drug-trafficking cartels, which have been able to build sort of paramilitary organizations with great firepower. To confront them, president Calderón has engaged the military; this move has raised concerns about due protection of human rights. Under the so-called Mérida Initiative, Mexico's military, police and intelligence services are going to receive financial and technical aid from the USA.

In the arena of national and public security there is little communication between the civil society and the government. Reforms on these areas are usually conducted without consultation to the public. Consequently, no measures to remedy the critical situation in these areas are being publicly discussed.

9. Minimising corruption: Are public officials free from corruption?

Summary answer: Middling

Mexican public officials are not free of corruption in their workplace. In the last few years several measures have been adopted to foster honesty and good governance, particularly at the federal level, with most of the states lagging well behind. Among those are:

- the Federal Act on the Public Servants' Responsibilities;

- the Federal Act on Transparency and Access to Public Information, with the consequent creation of the Federal Institute for Access to Public Information;
- the creation of Internal Control Organs within most federal dependencies;
- the existence of a Inter-Secretarial Commission for Fighting Corruption; and
- the existence of a Secretary of the Public Function:

Separation of public office from party advantage and the personal and family business interest of office holders sit just at a middle level. Bribery, favouritism on the granting of public contracts, and bad administrative practice prevail, with their costs higher in Mexico than in comparable countries.

Rules and procedures for financing elections and candidates do not effectively prevent them from subordination to sectional interests, particularly once in office. Although private or corporative financing is restricted and there are caps on campaign spending, private or sectional interest can illegally finance a candidate of their choice on the hope of not being caught: In case they are caught, the political party receiving illegal funding should pay a fine, generally without losing the positions so obtained.

Big businesses have great influence on the definition of public policies, as well as in blocking them when they affect their interests. There are no norms preventing private interests' influence on public policy.

As a consequence of the above, Mexicans generally do not believe that public officials are free of corruption. While under Fox's administration great attention was paid to fighting corruption, during the current Calderón's administration there were not mentions of new and precise actions for fighting corruption beyond the already existent ones.

10. The media and open government: Do the media operate in a way that sustains democratic values?

Summary answer: Middling

Advances have been made in guaranteeing freedoms of information and opinion throughout the media. The State does not any longer hold property and the dominion over the media it exerted during most of the 20th century, and additionally has lost its capability of influencing and managing the journalistic activity. There is greater scrutiny over public affairs; the media expresses the public opinion's concerns; op-ed spaces have been open to the political parties, their candidates, and analysts from diverse orientations.

Nonetheless, the media have not greatly contributed to the formation and persistence of democratic values. No major debate and reflecting on public affairs have been generated. Conversely, what has been generated is a distrust taking the citizen apart from politics, since the media tend to focus on negative aspects of politics and politicians. The affective and emotional aspects of politics have been emphasized in detriment of its cognitive, rational and informational aspects; and public judgment on politics has been oriented by means of substituting information for the opinion of the business owning the media.

The media are legally independent from the government, domestic or foreign. However, the extreme concentration of their ownership hampers their pluralism and their contribution to democracy. Just two broadcasting companies control more than 80% of the TV stations. The media are basically representative of their announcers and of social sectors sharing interests with them. Investigative journalism is just developing at present. There are not significant advances for protecting journalists from harassment, intimidation

and even murder. The private citizen is virtually defenceless in front of intrusion by the media, and redress procedures are expensive and weak.

In 2007, a new Federal Law for Radio and Television was passed. It included some social demands against monopoly controls, but in balance it benefits the dynamics of power and concentration on the hands of the great media companies. There is nowadays an ample debate on how to improve the media

11. Political participation: Is there full citizen participation in public life?

Summary answer: Little

Citizen participation has advanced in the last fifteen years, as shown by laws fostering it and by the rising number of civil organizations. This is not translated into full citizen participation, since citizen collaboration in the decision-making process is still not accepted. Therefore, there is still little participation of all the citizenry in the country's public life.

In 2004 the Federal Act Fostering the Activities of the Organizations of the Civil Society was passed. According to it, civil organizations can be officially registered. In the same year was passed the General Act for Social Development, who grants funding on a competitive basis to civil organizations working on the area. Even if varied by the range of issues involved, the number of civil organisations and citizens' groupings is small in comparison to international standards. There are now 5,732 registered and about 5,000 non-registered civil organizations. Most of them are truly independent from the government, although some partially depend on it for funding. Citizen participation on this sort of organisations is not a common practice. Social movements, on their part, are usually expression of radical opposition to the status quo. Popular self-help in tackling community problems and needs is quite frequent.

Mexico is part of the United Nations Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). Notwithstanding, women's participation in public office is low –although on the increase. Of all the seats in the Senate and in the lower house of the federal Congress, women, respectively, occupy 18.0% and 23.2%. Majors are women in just 3.6% of the cases, and among all the elected and non-elected high municipal officials only 21.4% are women. Women in high- and medium-level positions in the public administration are only 27.4%. In the judicial power the presence of women is greater.

Constitutionally-wise, all social groups should have equal access to public office; in practice there is politically inequality negatively affecting some social groups: women, indigenous people, and generally speaking the poor. Additionally, the electoral law forbids independent, non-partisan candidatures (except in a handful of states).

12. Government responsiveness: Is government responsive to the concerns of its citizens?

Summary answer: Middling

There is no legal provision for the federal government to consult the citizenry or for the citizenry to channel its worries to the government. The executive is obliged to convene fora to discuss the drafting of the national plan of development, and Congress usually convene fora on diverse issues; individual citizens can submit written proposals or attend them, generally to no avail. Notwithstanding, the relative openness of the media and the

existence of opposition parties allow the government to get acquainted with the citizens' concerns.

On their part, many states and the Federal District have passed laws allowing for referenda and popular initiative on some issues, the few referenda already held were notorious for their low turnout. Additionally, at the municipal level most states have non-partisan mechanisms for citizen participation dealing with micro-local concerns.

There are no provisions for the representatives being available to their constituents. Many of them, using funding from the legislative, have set up modules for citizen attention that function more as claims and grievances bureaus than as a link between the lawmaker and his or her constituency.

Public services are of regular quality. Regulatory agencies supervise private companies providing public services. There are no mechanisms for consultation with the users or for redress in case of wrongdoing.

Confidence on the citizenship on the government's ability to solve the main problems confronting the society is limited. Similarly, confidence of the citizens in their own ability to influence governmental decisions is very low. A survey should be needed to more accurately address these issues.

No significant measures were identified to improve conditions in this area, excepting some proposals for introducing referenda and popular initiative at the federal level.

13. Decentralisation: Are decisions taken at the level of government which is most appropriate for the people affected?

Summary answer: Middling

The fact of Mexico being a federal State should imply decentralisation. Notwithstanding, truth is that many decisions of state and municipal governments depend on the federal government allotting them the funding needed. Paradoxically, while the sub-central tiers of government are gaining faculties and responsibilities on paper, they do not have enough revenue to fully carry out their functions. The situation is worst for the municipal governments, since they depend both on their state and on the federal government to receive resources. To improve this shortage of revenue and alleviate dependence from the centre, strengthening the taxation capability of municipal and state governments is an imperative; however, this is not being done due to political reasons: the sub-central tiers of government prefer letting the federal government bear the burden of taxing.

The states' governors and legislatures, the municipal councils, and the local authorities of the Federal District are regularly elected through fairly free and competitive elections. According to the federal and the states' constitutions, all their acts should be conducted upon principles of legality, constitutionality, transparency, impartiality and accountability. All the states and the Federal District have passed acts granting access to public information. However, perceived corruption remains high in these levels of government.

Co-operation among sub-central governments has not yet been duly developed, due to lack of resources and also of an associative culture. There are, however, some significant and successful cases of co-operation among municipal governments in some metropolitan

areas. Additionally, there are several associations of municipalities, generally operating along party lines.

Federalism, or better said its actual implementation, is part of the agenda for the reform of the State. In discussing this agenda, the diverse political parties coincide on the need of fiscal decentralising, strengthening transparency and accountability in the local governments, giving both state and municipal governments participation in the planning of national development, and improving co-operation among different tiers of government.

14. International dimensions of democracy: Are the country's external relations conducted in accordance with democratic norms, and is the country free from subordination to external agencies?

Summary answer: High

Mexico has historically been subject to considerable external conditionings, which its foreign policy has tried quite successfully to limit. The main external pressures come from the USA, whose past armed interventions in Mexico left a deep print in the memory and national feeling of the Mexican people. At present, using or threatening to use the force against Mexico seems remote, but political and economical pressures are on the stage. Mexico is extremely linked to its Northern neighbour in demographic, economical, geopolitical and cultural terms.

To face external pressures, Mexico's foreign policy relies on international law and supports the development of the international organization. Mexico regards multilateral fora as an apt instrument to promote the peaceful resolution of controversies, foster co-operation among States, and establish conditions for peace and security. In its view, these are the best conditions to widen Mexico's margins of independence and autonomy. Hence, it maintains a high degree of co-operation with the international system's organizations.

Mexico actively participated in the drafting and approval of the Charter of the United Nations, the Universal Declaration of Human Rights and the American Declaration of the Rights and Duties of the Man. This enthusiastic disposition disappeared during the cold war but began to remerge in the 1980's, when Mexico ratified the International Covenant on Civil and Political Rights and its homologue on Economical, Social and Cultural rights. At present, it is one of the countries with a greatest commitment and openness towards international human rights law. However, an effort should be done to fully include and implement the rights protected by these international instruments within Mexican law and practices.

Mexico has sustained an active policy of asylum and has strongly defended the human rights of international migrants. At present, about eleven million Mexican-born people are living permanently in the USA. However, Mexico has not been able to protect the rights of trans-migrants: non-Mexicans crossing Mexican territory on their way to the USA.

Due to its allegiance to the principles of non-intervention and self-determination, Mexico has not assumed a militant position on the promotion of human rights and democracy in other countries.

The Mexican government seems determined to maintain the margins of action and independence that its foreign policy achieved in the past. Protecting Mexicans living abroad—particularly in the USA— and truly guaranteeing the human rights of trans-migrants within

Mexico are certainly priorities. A slightly greater commitment on the promotion of democracy and human rights abroad is foreseeable, although this possibility is counterbalanced by Mexico's reticence to intervene in other countries' internal affairs. This set of current policies is obtaining reasonable levels of approval among the public opinion.

CONCLUSIONS

According to the above assessment, Mexico's democracy is slightly above medium quality, and has many areas open up for improvement. Democracy in Mexico can be, and the research team expects it to be, bettered. These conclusions should not be surprising nor disheartening, but encouraging.

A slightly above medium quality democracy. This is the result of the Summary answers stated above: four qualified high, nine middling, and one little, being "middling" precisely the medium point between optimal and minimal. As seen, in most the themes explored, the results are mixed. At the legal and institutional levels, Mexico is doing quite well: its laws, public and private agencies, political parties, electoral system and institutions, and citizenry at large are well prepared for democracy. The institutional design is usually reasonably good, and the institutions have reasonable operational capabilities to fulfil their duties. However, implementation often lags behind institutional design. Democratic laws and institutions are not fully functional, and some legacies of an authoritarian past have yet to be removed.

Not surprising, because of two reasons. One, substantial, is that Mexico's democracy is very young. The country and its people are not yet familiar with the practice of democracy, as suggested by the timeline in Figure 1. Much has yet to be learnt, and that takes time. The second, incidental, is that the research team, composed basically of Mexican, independent social and political researchers, was uncompromising in its desire for a full and functioning democracy in Mexico. This team has an ideal of democracy that is far more advanced and comprehensive than Mexico's reality is. Therefore, the team's judgments can be understood as an expression of what the Mexican people really want: a high quality democracy.

Not disheartening After all, Mexico *is* a democracy. Defective, may be, but cherished by the people, who want more and more of it. And, as said, with many areas open for improvement. Furthermore, in quite a few areas improvement has already been made or is on its way. Deep underneath the bickering of day-to-day politics, Mexico's political class and citizenry have been able of introducing new ideas, new institutions, new practices and new attitudes gradually bringing democracy with virtually no bloodshed or convulsions, and always preserving basic freedoms and political stability. This deserves credit. Mexico's gradualism and pacifism can be considered as an example to countries in transition to democracy throughout the world.

Encouraging, due to many substantial improvements made in recent years. Among them: the guaranteeing of basic freedoms; an electoral system that beyond many acrid controversies still keeps continuously levelling up the playing field; a party system that – even among much rancour- brings real options to the voters; the creation of controlling agencies and ombudsmen; the implementation of a civil service; greater access to public information; the reforming of the judiciary; and above all, having all the relevant actors and the people voluntarily abiding by the constitution.

Encouraging, again, because many other substantial improvements are still to be made and because it seems there is enough political will to do so. For instance, the reform of the State that the federal Congress promised is expected to be finished in 2008. Until now, just the electoral and judicial reforms have been passed. According to Congress's own agenda, reforms in the areas of federalism, governmental regime and social guarantees should be passed this very year. Within this context, the research team has proposals of its own for beefing up Mexican democracy. They can be synthetically listed as follows:

- Granting effective collective rights to indigenous peoples and real access to individual rights for their members.
- Avoiding the practice of continuously reforming the constitution: the government in turn should adjust to the constitution, and not the constitution be adjusted to the government in turn.
- Deepening the judiciary reform by the introduction of jury trials.
- Introducing procedures for redressing administrative, police and judiciary wrongdoings.
- Democratizing trade unions and integrating labour justice into the judicial power.
- Introducing semi-direct democracy at the federal level: referendum, popular initiative, recall.
- Possibly, introducing a second round for presidential elections to provide the winner with greater legitimacy.
- Allowing independent candidates running for office.
- Professionalizing the police and eradicating corruption from its ranks.
- Improving the entire law enforcement system.
- Opening of the military to public scrutiny and possibly reducing their size.
- Strengthening controlling and anti-corruption agencies.
- De-concentrating and pluralizing the electronic media.
- Reducing the gap between high salaries paid to high officials and the regular worker.
- Strengthening and expanding the civil service.
- Strengthening federalism and municipal governments.
- Having the people paying the greatest part of their taxes to their local governments, not to the federal one.

The above listed proposals deal with administrative and political issues. There is another issue that must be taken into account: an equitable social and economical context as integral to a functioning democracy. Eliminating poverty and social marginality is an imperative for Mexico. Under the current economic and social conditions, a great number of Mexicans are living in squalor vis-à-vis the opulence of small sectors. Some of them just suffer it, and become marginalized. Some others migrate to the USA for a better life. Still some others revolt against a political system still burdened with authoritarian practices. Democracy has to provide all of them with hope: hope of a better future. This is the main challenge for the young Mexican democracy.

Main events	Year	Period	Government form	Commentaries
Independence	1821	ITURBIDE'S EMPIRE	Monarchy	Process of independence started at 1810 is consummated.
First constitution	1824	FIRST REPUBLIC	First democratic attempt	Federal republic. Extremely indirect elections.
President Guerrero deposed and killed	1829	CIVIL WARS	Unstable, personalized, authoritarian, based upon the military	Unending struggle for defining a model of nation: liberal or conservative, federal or centralist.
New constitution	1857		Second democratic attempt	Federal, liberal constitution is disowned by president Comonfort.
President Comonfort deposed	1858		Unstable, personalized, authoritarian, based upon the military	Unending struggle for defining a model of nation: liberal or conservative, federal or centralist.
French invasion	1862	SECOND EMPIRE	Monarchy	Conservatives recur to France's support.
Liberal victory	1867	RESTORED REPUBLIC	Third democratic attempt	1857 constitution is back in use. Less indirect elections.
Díaz's uprising	1876	PORFIRIATO	Authoritarianism in democratic disguise, based on president Díaz's control	Díaz sets up a moderate version of liberalism. Elections become a mere rite.
Mexican revolution starts	1910			
Madero is elected president	1911	MEXICAN REVOLUTION	Fourth democratic attempt	Emergence of political parties. Direct elections.
President Madero deposed and killed	1913		Unstable, personalized, authoritarian, based upon the military	Several factions confront each other in a civil war.
New constitution	1917		Fifth democratic attempt	Federal, liberal, social constitution.
President Carranza deposed and killed	1920	POST-REVOLUTION	Authoritarianism in democratic disguise, based upon the military	Although elections are held, presidents are basically chosen by the military.
Funding of PNR	1929	HEGEMONIC PARTY RULE	Authoritarianism in democratic disguise, with varying degrees of popular support	Just one party wins virtually all elective positions.
Contested presidential elections	1988	TRANSITION TO DEMOCRACY	Introduction of democratic institutions and practices	Growing electoral competence. PRI gradually loses votes and power.
First democratic elections	2000	DEMOCRATIZATION	Sixth democratic attempt	Electoral democracy. Fox's administration.
Post-electoral conflict	2006			Electoral democracy, questioned. Calderón's administration.

Figure 2: Results of the 2006 Presidential Election, According to the Electoral Court		
<i>Party or coalition</i>	<i>Votes</i>	<i>%</i>
PAN	14,916,927	36.69
CBT	14,683,096	36.11
APM	9,237,000	22.72
PANAL	397,550	0.98
Alternativa	1,124,280	2.77
Non-registered candidates	298,204	0.73
Valid votes	40,657,057	100.00
Null (% of total votes)	900,373	2.17
Total votes and turnout percentage	41,557,430	58.22
People on voting roll	71,374,373	-
Source: IFE (2006: p. 72).		

Figure 3: Selected social indicators		
<i>Indicators</i>	<i>1990</i>	<i>2005</i>
Population (millions)	83	103
Population growth rate	1.4	1
Life expectancy (years)	71	75
Child mortality (per thousand born alive)	37	22
Adult literacy rate (%)	87	91
Source: World Bank, 2007		

Figure 4: Poverty indicators				
<i>Indicators</i>	<i>1998-99</i>	<i>2000-02</i>	<i>2005</i>	<i>2006</i>
% poverty	47	39.4	37	31.7
% indigence	18.5	12.6	11.7	8.7
Source: CEPAL, 2007.				

Figure 5: Public Confidence on Institutions	
<i>Institution</i>	<i>Grade (from 0 to 10)</i>
Universities	8.0
Army	8.0
Church	7.8
Media	7.4
IFE	7.0
Entrepreneurs	6.7
Banks	6.7
President of the Republic	6.7
Supreme Court of Justice	6.6
Police	5.7
Senators	5.6
Trade unions	5,5
Representatives or <i>diputados</i>	5.5
Political parties	5.2
Source: Campos, 2007.	

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Summary Table: Achievements, Challenges, Summary Answers to Search Questions, and Scores			
Main achievements	Main challenges	Summary answer	Score
Dimension: Citizenship, law and rights			
<i>1. Nationhood and citizenship: Is there agreement on a common citizenship without discrimination?</i>			
<ul style="list-style-type: none"> • Agreement on the 1917 constitution • Inclusive nationhood and citizenship 	<ul style="list-style-type: none"> • Indigenous people tend to be marginalized • Actually incorporating Mexican migrants abroad 	High	4
<i>2. The rule of law and access to justice: Are State and society consistently subject to the law?</i>			
<ul style="list-style-type: none"> • At the federal level, constitutional and de facto separation of the judiciary from the executive, with most judges prepared to exercise their independence • Recent reform of the federal judicial system (2008) • The states level is lagging behind 	<ul style="list-style-type: none"> • High cost of legal counseling limiting access for ordinary citizens • Poor court organization and length of time required to bring cases to sentence • Criminal and mafia elements operating systematically beyond the reach of law • Lawmakers and other high-officials immune to prosecution 	Middling	3
<i>3. Civil and political rights: Are civil and political rights equally guaranteed for all</i>			
<ul style="list-style-type: none"> • Rights are guaranteed on the constitution and the secondary laws • The establishment of the National Commission for Human Rights (although this does not deal with political rights) 	<ul style="list-style-type: none"> • Sporadic violations of civil and political rights • The poor have limited access to these rights • Low public regard for the police • Overcrowding and inhuman conditions in most prisons • Violence against woman on the increase 	Middling	3
<i>4. Economic and social rights: Are economical and social rights equally guaranteed for all?</i>			
<ul style="list-style-type: none"> • Some succes in reducing poverty 	<ul style="list-style-type: none"> • The poor have limited access to these rights 	Middling	3

Dimension: Representative and accountable government

5. Free and fair elections: Do elections give the people control over governments and their policies?

- Competitive elections that are broadly free and fair, with realistic possibility of change of government
- Independent Federal and states electoral institutes and courts
- Recent electoral reform (2007/2008)

- Distrust on the electoral institutions by some political parties and a sector of the population
- Low and declining turnout

High

4

6. Democratic role of political parties: Does the party system assist the working of democracy?

- Freedom of the parties to form, recruit members and campaign for office
- Diversified political and ideological orientations of the eight national registered parties

- Some parties based on personality of leaders, although maintaining distinctive policy profiles or principles
- Limited internal democracy of parties
- Absence of transparency on party financing

Middling

3

7. Government effectiveness and accountability: Is government accountable to the people and their representatives?

- Realistic threat of electoral removal of municipal, state and federal governments from office
- Establishment of select committees in legislatures strengthens their scrutiny role of the executive
- Independent media keeping the public informed of government mistakes and wrongdoings
- Freedom of information on the increase

- Delays in reporting and scrutiny of public accounts
- Difficult access to redress for the ordinary citizen

Middling

3

8. Civilian control over the military and police: Are the military and police forces under civilian control?

- Military and police under civilian control, though control is personalized on the executive

- Strengthening congressional accountability of the military, the police and the security services
- Police seems incompetent or impotent against crime

High

4

9. Minimising corruption: Are public officials free from corruption?

- Establishment of Superior Audit of the Federation and its homologues in the states

- Changing the habit of using public office for personal gain, and public acquiescence to it
- Remedying weakness of anti-corruption bodies and enhancing the chances of detection and successful prosecution

Middling

3

Dimension: Civil society and popular participation

10. The media and open government: Do the media operate in a way that sustains democratic values?

- Free print media independent of government
- Relaxation of State monopoly over radio and TV broadcasting

- Extreme concentration of electronic media ownership
- Incidence of official and (mainly) unofficial harassment of journalists
- Trivialization of media content at the expense of serious public issues and investigative journalism

Middling

3

11. Political participation: Is there full citizen participation in public life?

- Active (but still few in numbers) civil-society organizations (CSOs) embracing a wide range of interests
- Encouragement for popular self-help in tackling community problems and needs

- Dependence of many CSOs on the federal government's funding and priorities
- Lack of accountability of CSOs to a membership base
- Low participation of women in public office

Little

2

12. Government responsiveness: Is government responsive to the concerns of its citizens?

-

- Preferential access by the wealthy and powerful to government
- Sense of powerlessness to influence government on the part of ordinary citizens

Middling

3

13. Decentralisation: Are decisions taken at the level of government which is most appropriate for the people affected?

- Elected local governments many times not from the same party as the federal government induces greater autonomy

- Continuing control of budgets and policies by federal government
- Inadequate and unequal resource base for local governments
- Lack of trained personnel, specially at the municipal level

Middling

3

Dimension: Democracy beyond the State

14. International dimensions of democracy: Are the country's external relations conducted in accordance with democratic norms, and is the country free from subordination to external agencies?

- Extending the incorporation of international treaties into domestic legislation

- No participation in UN peace-keeping operations
- Mistreatment of trans-migrants

High

4

General average 3.2