

Democracy in Mexico: Alarms (Still) On

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INTRODUCTORY NOTE

Latin America is a veritable melting pot of identities, processes, and socio-economic and political structures, where you can apply any simplification. Four decades after the deployment of democratic transitions, our region has accumulated progress, stagnation and, more recently, setbacks. The chiaroscuro, confusing and problematic predominate.

On the continent, the regional recovery of democracies did not come hand in hand with the construction of robust and inclusive welfare states: rather it coincided with the expansion of neoliberal adjustment policies, developed in a more devastating way than in other regions of Europe and Asia. The middle class grew in several countries, without thereby disappearing intolerable bands of poverty and inequality. Notable inequalities were maintained in the social and economic fields, which in some cases - classes, regions, nations - widened. But the status and mechanisms for exercising citizenship were also rescued. The fight for human rights became a powerful regional movement, which brought together diverse activists with common agendas in diverse contexts. In countries such as Argentina, Costa Rica, Chile and Uruguay we find cases of

high democratic regime, combined with adequate levels of state capacity.

Despite the formal validity of a majority framework of democratic order and formal validity of the rule of law, the region today is a kaleidoscope of types of regimes and openness to civic participation, advocacy, and mobilization. Brazil is a nation where a democratic political system coexists -with high fragmentation and counterweight of powers- with a right-wing populist government, with variable levels of capacity and state influence, coinciding with a broad civic space and composed of numerous actors from civil society. Mexico represents a case of a populist left government, where intermediate levels of openness of the political regime - affected by macro-criminality networks- are combined with variable levels of state capacity and a growing but still limited social mobilization. Central America -and other Caribbean countries and the Andean zone- have fragile democracies, with institutions of low capacity to face health emergencies and formally open civic spaces but with systematic and variable violations of citizens' rights.

On the other hand, Nicaragua and Venezuela have a hybrid type of regime, combined with variable levels of state capacity (high in the repressive way, low in the provisional way) and

social mobilization, within a repressive environment of space and civic rights. In Cuba we have the only regional case of a closed autocratic regime with high state capacity and low levels of social mobilization. Haiti represents a Failed State, with almost no state capacity with moderate levels of openness and social mobilization.

While during the called shift to the left (1998-2018) the region experienced an increase in public spending and an improvement in the living conditions of millions of people in several countries of the region, the subsequent end of the commodities boom, the resulting economic recession and the adjustment and debt policies adopted by various governments contributed to the current situation of economic stagnation and social anger. This discontent, added to the growing deterioration of a democratic institutionalism that does not seem to effectively channel the multiple citizens demands, seems to be at the origin of the popular mobilizations that took place in several countries during 2019. The open situation with the COVID19 pandemic has worsened the processes of impoverishment, autocratization and state inability to respond effectively and legitimately to demands and fulfill citizen rights.

But it is not only a question of diminishing returns of the economic, social and political structures: there are also

mutations, not exactly libertarian, in the attitudes of certain sectors of the citizenship and regional elites. In Latin America, political support for democracy has been declining systematically over the last decade. While ten years ago, approximately 2 out of every 3 Latin American citizens argued that "democracy is the best system of government beyond its problems," in 2018 that proportion fell to 48%. The lowest level since the beginning of the century, the main reason of two confluent phenomena. First position, an authoritarian political culture, which beyond the conjunctures, shows permanent disaffection with the democratic model. A second position expresses the rejection with the functioning of the existing democracies, not a break with the regime as such. If we analyze the evolution of citizen discontent (dissatisfaction with democracy), we see that political support for democracy is an attitude subject to the reality (procedural and performance) of these regimes in our unequal Latin American societies.

The main threat to existing democracies is the gradual, almost imperceptible erosion of existing institutions and norms. It is a process of stealth subversion of democratic regimes - using existing legal mechanisms - recently analyzed by political scientist Adam Przeworski. Starting from his thesis applied to the Mexican case, we will briefly review 15 warning signs about

the state of our democracy. We will focus on a set of events that have occurred in the last two and a half years, as well as the consequences - for our political regime and citizenship rights - of not reversing them in time.

This is an article with an intellectual vocation, which seeks to influence public debate by promoting informed reflection. You will have the conclusion about, whether or not, we are witnessing a crisis in our young democracy (Mexico case) when you answer, based on the crossing of the elements exposed by Przeworski¹ and our national news, Is this happening today in Mexico?.

¹ See Adam Przeworski, *Crisis of democracy*, Cambridge University Press, 2019.

MEXICO: SYMPTOMS OF THE PRESENT

When analyzing signals that have been manifested in other countries of Latin America, Africa and Asia, the question arises: in what conditions is the young Mexican democracy? Are our institutions, our citizens, and the various actors with institutional or factual power capable of democratically processing existing or emerging social conflicts? Do current conditions resemble those of the democracies that fell in recent years? Is the current political conjuncture driven by structural trends or is it autonomous from them?

We start from a minimal definition of Democracies, understood as a political arrangement in which citizens select governments through elections; it is a system in which the holders of power lose elections and leave. The main characteristics are that there must be competitive elections, rights of expression and association, the rule of law, social representation, and solid institutions. Democratic institutions, as mechanisms, structure, absorb and regulate conflicts that threaten public order in a relevant and peaceful way.

Next, reviewing several of the criteria that Przeworski uses to identify the recent decline of democracies and, relating them to

events that have occurred in Mexico in recent years, we can see certain signs that are likely to set off alarms.

1- "Anti-system" and "anti-elite" feelings are exploding in many mature democracies. After almost a century during which the same parties dominated democratic politics, they lose support. Meanwhile, new parties are emerging.

In Mexico, we have a young democracy (about 30 years of life) that has serious structural flaws, dragged on for decades². Its party system is in mutation. They coincide with the decline of the historically hegemonic party (Partido Revolucionario Institucional), leadership problems in the main force of the right-wing opposition (Partido Acción Nacional), the near disintegration of the historic left (Partido de la Revolución Democrática), the resurgence of a party that tries to separate itself from everyone and generate its own ideology and progressive agendas (Movimiento Ciudadano), the emergence and rise of an anti-system party that has become the new predominant force (Movimiento de Regeneración Nacional) and the creation of new satellite parties

² See Russo, J. & Chaguaceda, A. (2016). "Mexico: context and dimensions of a precarious citizenship" in Rodríguez, K. & Rea, C. & Russo, J. (coord.) Citizenship and vulnerable groups in Mexico, University of Guanajuato, Fontamara. Guanajuato

(Partido Encuentro Social, Fuerza por México, Redes Sociales Progresistas) and allies (Partido Verde Ecologista de México, Partido del Trabajo) of the dominant party.

2- Electoral participation, as well as trust in politicians, parties, parliaments, and governments is declining to unprecedented levels. Even support for democracy as a system of government has weakened.

At this point we present mixed results. During the last midterm elections (June 6, 2021), the participation was 52% according to data from the Instituto Nacional Electoral (INE). An acceptable level considering the type of election; in 2015, participation had been 48%, the highest figure since 1997. However, despite the magnitude of the elections of June 6, 2021 (15 governorships and 30 entities for local congresses and municipal authorities), participation is below the level required in a democracy with participatory citizenship. Finally, the different polls reveal a distrust in the elites, the parties, and the representatives, perhaps with the exception of the president, due to factors that will be mentioned later.

3- The symptoms are not just political. The loss of trust extends to the media, banks, private corporations, even churches. People with different political views and values are increasingly seen as enemies. They are willing to do nasty things to each other.

According to data from the Encuesta Nacional de Culturas Cívica (ENCUCI) 2020 from the Instituto Nacional de Estadística y Geografía (INEGI), almost 68% of the Mexican population prefers democracy over any other form of government. However, there is very little trust on the part of the population in Political Parties (only 2.5% trust them), Unions (3.5%), Social Organizations (8.8%) and the Media (11%). To highlight, more than 25% of the population said they did not trust Local Deputies, Senators and Federal Deputies, Police, Judges, State and Municipal Governments.

4- In the economy there is a combination of lower growth rates, stagnation of low incomes and social mobility, together with an increase in inequality. The cross impact of globalization (liberalization of markets and the Chinese boom) and neoliberalism (rupture of the capitalists with class compromise) is felt.

In a scenario also caused by the pandemic situation, GDP fell by 8.5% in 2020, more than 50% of the population is in poverty and 18% is in extreme poverty - with levels above the average for Latin America -, and per capita income fell 10% according to data from the Comisión Económica para América Latina y el Caribe (ECLAC). We are witnessing a time of systematic loss of purchasing power and high inflation rates —5.89% for May 2021, according to figures from the Banco de México (BANXICO) - that affect the popular and middle classes of our society. Institutional weakening is strong and only a minority of Mexicans trust their democratic institutions and actors³.

5- In society, the belief in material progress on an unprecedented scale in the West perspective is eroding. The identity boom of racism and multiculturalism divides society into different groups. The ideas of the "Others" are thought to be "False", their demands are illegitimate and there is no margin to determine a shared truth: it is a world

³ See Leonor Ortiz Monasterio and Maite García Urtiaga, "Corruption and Trust in Institutions", in Aguilar Ramírez, Sofía (coord.) Mexicans facing corruption and impunity 2020, on the Mexicanos contra la Corrupción y la Impunidad portal.

of "Post-Truth"; that is, objective and verifiable facts have less impact than sayings, emotions and personal beliefs.

Today, we live in Mexico in the era of fake news, of “the other data”, of contradictions between official government data and statements by the president, of disqualifications of independent investigation agencies, of credit rating agencies ... Society is divided between those who are with the government and those who are not. The "We" change from being a person of the plural (grammatically) to a connotation that contains a dominant ideological root, where everyone else, the "Others", are the enemies. The repudiation by the middle class is constant and has been called "Aspirational", unscrupulous, individualistic, and selfish.

6- Polarization grows because of the intensification of political divisions, due to general political preferences (liberal-conservative, left-right) or on specific issues (such as migration); it guides people to reject dialogue and harass others.

The points of view became binary and, due to the increasing polarization, the rejection of those who think differently from us increases. We are witnessing a daily polarization, even within the family, between “fifís” and

“chairoi”; organic commentators and honest intellectuals; elitist society and good people; corrupt past and unpolluted present, among other polarities. The official discourse (and radical opponents) polarizes between liberals and conservatives without paying attention to the real meanings of these notions, making a plurality of agendas and identities invisible and occluding neutral terms of deliberation.

7- The deconsolidation or "backwardness" of democracy is a process of gradual and discreet erosion of democratic institutions and norms that affects competitive elections, the rights to expression and association, and the rule of law. As it progresses, the opposition becomes unable to win elections or take office if it wins; established institutions lose the ability to lobby the executive and popular protest demonstrations are repressed. This process is driven by a government's desire to monopolize power and remove obstacles to carrying out its ideal policies. Therefore, the government strategy seeks to deactivate the possible brakes, which normally include opposition parties, the judicial system, and the media, as well as mobilized citizens.

The dream of practically every professional politician is to stay in office as long as possible and use it in the most discretionary way. In democratic governments, an attempt is made to advance as much as possible in these objectives by creating popular support within the established institutional framework. Some democratically elected leaderships try to remove obstacles to their power, undermining institutions and disabling the opposition. Recent prominent examples are Turkey, Venezuela, Hungary and Poland, at both poles of the spectrum ideological.

In Mexico, we are witnessing the defenestration of opposition leaders, questions about the quality and honorability of the work of magistrates, district judges, members of the Supreme Court of Justice and the substitution of ministers for doubtful facts. Controversial reforms to the judicial system are promoted. Official media are used to attack opponents and minimize the claims of various social groups (for example, feminists and parents of children with cancer) and victims of human rights violations. Accusations of foreign "interventionism" are launched for international support to civil society organizations (which has always existed

and largely benefited allies of the current government) and the stereotype of detractors of the ruling party as "traitors to the homeland" is spread, exposing them in government appearances and programs. Recently, the unprecedented crisis faced by the Tribunal Electoral del Poder Judicial de la Federación (TEPJF), highlights the decomposition of the judicial system and the corruption that exists within, leaving the State of Law and the democratic system in suspense.

8- The repertoire of deconsolidation includes changes in institutions, districts and electoral formulas, change in voting qualifications (age, eligibility and vote of foreign residents), harassment of partisan opposition, restrictions on civil society, transfer of prerogatives of the legislature to the executive, reduction of the independence of the judicial system, use of referendums to overcome constitutional barriers or approve new constitutions, imposition of partisan control over state system and the media, and so on.

The Democratic Development Index (IDD-MEX2020) presents in its four dimensions —democracy of citizens, institutions, social and economic— lower averages compared to the previous year, showing at the local level

that a greater number of states obtained lower results in this measurement. The ideas of disappearing autonomous institutions, of co-opting and rendering inoperative the Comisión Nacional de Derechos Humanos (CNDH), as well as attacking the INE and the INAI (Instituto Nacional de Transparencia, Acceso a la Información y Protección de Datos Personales National) are gaining strength because they are considered expensive and partial. There are adjustments in the overrepresentation and supervision of parties, electoral times are violated, there is opacity in the use of resources from social programs, the UIF (Unidad de Inteligencia Financiera) is used as a political intimidating arm⁴. Popular polls and consultations are used for political support purposes. Proposals are advancing to eliminate proportional representation in the Chamber of Deputies.

⁴ See: Ramírez, Peniley, Reforma Newspaper, OPINION Section, LINOTIPIA, Articles of May 1, 2021; June 26, 2021; and July 3, 2021.

9- The early reaction to the deconsolidation may be that the opposition tries to block the first steps of the governments, defeating a bill in parliament, obtaining a presidential veto or a favorable judicial ruling. However, governments often overcome these initial hurdles on a regular basis.

In the elections of June 6, 2021, the government in turn lost the main political stronghold - Mexico City -, arguing ex post that it was the product of a discredit campaign, mass media misinformation and called for fraud in many mayors' offices. Unproven thesis based only on perceptions, which do not lead to any self-criticism. However, the weakness of the opposition in congress is notorious, as well as the legislative disorder with the changes in members of the political groups and voting without technical review in the commissions. The speed of controversial issues is such that its validity disappears day by day: there is always a new topic to analyze and what is relevant is no longer followed up. The government seeks to obtain legislative majorities by various means of dubious democratic health, such as the alliance with franchise parties and the specific co-optation of opposition deputies.

At this point we can go back to Przeworski and pick up on some of his questions. Why do some governments bet on deconsolidation, while the majority do not? Once a government takes such measures, can it stop their full realization while remaining in office? Would the potential opposition be able to eliminate the government and reverse the deconsolidation? How can gradual regression succeed in destroying democracy?

10- Democracies do not contain institutional mechanisms that safeguard them before duly elected governments that subvert them while respecting constitutional norms. Above all, if the government takes measures that are not blatantly unconstitutional - changes in practices - and there are citizens who, even being Democrats, benefit from its policies.

Mexico has a government that came to power through democratic elections, without problems and with clear popular support. The government is democratic by origin and, still, remains on the border of the republican government, although with strong populist impulses and Caesarist temptations. He repeatedly dedicates himself to reviling the same channels, mechanisms and officials that gave him access to power. Not a few measures early adopted by the new administration, presented as

"progressive, inclusive and oriented to the Common Good", generated debate about their transparency, legality, and sustainability. For example, the cancellation of the Texcoco airport, the abolition of educational and cultural trusts, changes in purchasing mechanisms (direct awards), in the distribution of medicines and in contracts with private renewable energy companies; and the decision not to transfer resources to any social, union, civil or citizen movement group and to grant them directly to the beneficiaries⁵. All the above is concealed in "generating" millionaire savings and fighting corruption, which is not clear, and it is only argued in a normative way that the legal provisions are complied with.

11- The protests against legal measures adopted by a newly elected government show the opposition as a bad loser, who does not respect democratic norms. Same case when constitutional courts and judicial review are used to legitimize authoritarian actions. The more successful steps by the government, the greater will be the opposition

⁵ See article by Neldy San Martín, Proceso magazine, Monday, February 18, 2019. Note: the circular where this decision is instructed, was sent to the legal office, and expanded, without a folio number and only entitled "Circular Uno".

necessary to enable its curb. The government could take some steps back to help it stay in office and implement its policies. It will stop if the gain of advancing is accompanied by the danger of greater opposition. At each step you can recalibrate, according to the previous probabilities.

The division of powers is weakened, and institutional counterweights (such as autonomous institutions) are financially limited by decision of the Mexican government. From this point of view, the same channels, mechanisms, and officials who recognized his triumph in 2018. From the legislative field, the disappearance of powers in the opposing states is being attempted. The exercise of trial and error is used in the Senate and in the Chamber of Representatives, when presenting controversial proposals with which they calibrate the citizen reaction. When the public opinion does not receive it well, errors and leaks are argued to interrupt the measure.

12- There are many possible responses from the opposition. Citizens decide whether to turn against them or wait to see if they will take further action. You can a) get up; b) remain inactive at first and increase suddenly; c) remain at some constant level and d) increase sporadically in reaction to government measures.

The Mexican opposition appears disjointed, reactive, and disoriented. Their late reaction times to the amount of information and proposals generated by the government, causes priorities to be diluted, actions that are not transcendental are discussed and their reaction capacity is exceeded. The main position of the opponents' parties is criticism of the current regime, but an alternative proposal is largely lacking. Citizens are confused by so much misinformation and opposition disorientation.

13- If people concerned about democracy anticipate the cumulative effects of steps in the long run, they will quickly turn against the government, regardless of whether or not they know whether the government can back down. Therefore, unless people react initially against actions, they would have a cumulative eroding effect.

Even though the reform plan drawn up by the government is long-term, the vox populi does not see the consequences of its actions. A perverse combination prevails between real needs (health, work, food, home, peace) against what is desirable in the long term; the accumulation of events is slow, gradual, and far-reaching. The cumulative effect protects the government from being defeated even by a majority opposition. Social trust is "earned".

14- De-democratizing governments have enjoyed continuous popular support; some have suffered temporary reversals but have been able to recover and continue. These governments disqualify any opposition as undemocratic.

The popularity of the President of Mexico continues to be very high; in June, its approval was 58%, despite the results of the management of the pandemic, insecurity and a list of unresolved situations of social impact: claims for megaprojects (the Mayan Train and the Dos Bocas refinery), the accident on Line 12 of the metro, the escalation of violence during the recently concluded

electoral process⁶, the rise in femicides, the disregard of the commissions to search for the disappeared, the unsolved corruption cases, the growth of unemployment, the lack of medications, etcetera.

15- The idea that citizens would effectively threaten governments that commit transgressions against democracy is sadly unfounded. When a government proceeds stealthily, citizens turn against it only if they see what their actions are leading to in the long term. Therefore, resistance against those governments poses a difficult challenge to individual citizens. The effect of stealth is to disguise danger in the long term.

There is the misconception that elections end civic exercise. Apathy in civil mobilizations is tremendous, there is no credible organization or civil leadership. Civil associations fight against the current, they are strangled by budget restrictions, lack of access to information and obstacles in financing mechanisms⁷; most of the

⁶ According to data from the Etellekt Consultant, a total of 1,066 global crimes (assaults) were registered, of which 102 were victims of intentional homicide.

⁷ Interview by Karla Sánchez with Lisa Sánchez and Edna Jaime, "The Value of Civil Society Organizations", Letras Libres, February 2021, Monthly Magazine, No. 266.

population underestimates the strength of the mobilizations. Faced with an unprecedented situation, there are no long-term problems in sight, again, it is believed that at the end of the six-year term a new chapter will begin, and it will only remain in the bad memory of bad administrations. The insistence on dismantling autonomous bodies sows the idea of their inefficiency and irrelevance.

OUR DEMOCRATIC FUTURE: A DEBATE, FORTUNATELY, UNSINISHED

It is not clear that the current discontent will be alleviated by the elections alone. Its 'not a sole responsibility of an actor. The current crisis is not only political: it has deep roots in the economy and in society. The regression can be gradual, silent, and difficult to stop when a strong government is careful to preserve legal appearances, citizens may not know how to coordinate their democratic resistance in time.

Democracy works properly when political institution's structure, absorb, and regulate any conflict that may arise in society. When deeply ideological parties with a vocation for radical change come to office - seeking to eliminate institutional obstacles to remain and consolidate their power - their project and their discretionary ideology to make policies, makes democracy deteriorate or "recede."

For this reason, it is important, first, to detect the critical signals, to then explore our resources of democratic resistance. And, if possible, act to prevent the destruction of the system that makes it possible to choose, without violence, the laws and people who will govern, under our authorization and surveillance, the collective destiny. Mexico shows some of the critical signals described above. In certain topics, without being alarmist, it is visible that the secrecy of the institutional dismantling is being faster than the reaction of organized society.

One dimension to add is geopolitics. At a time of China's strong presence in the region, with Bolivarian autocracies expanding their coordination and acting repressively, Mexico should be a defender of democracy. Unfortunately, speeches against the OAS, silences in the face of repression in Cuba, and criticism of the mechanisms of liberal democracy are a daily occurrence

in the official discourse of the current government. We should be vigilant about whether this is a narrative to please his radicals or a normative stance of AMLO's leadership. Because of its weight in the region, any attitude of Mexico in this regard has enormous geopolitical, ideological, and other implications.

Our country has institutional and social strengths: we are not, in this region, the poorest country, the most authoritarian regime, or the most conservative society. We have a great social and civil debt to face, but history tells us that democracy continues to be the best framework to undertake its solution. The danger remains the gradual and surreptitious deterioration of our institutions and, therefore, of democracy itself. Detecting some of these symptoms in time, in our country, is key to maintaining good democratic health and directing the destiny of the nation.

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