Democratic Backsliding in the Americas: A Case Study on Mexico

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1. Executive Summary

There has been a great deal of attention given to what has been labeled "democratic backsliding" in many regions of the world, including the Americas, whereby democratic practices and institutions have been weakened and less democratic, more autocratic regimes have emerged. The Economist Democracy Index, a yearly review of global democracy, notes that Latin America and the Caribbean has suffered the most backsliding of any region in the world since 2008.

In this broader context, this research study focuses on the case of Mexico, a vital southern neighbor and partner of the United States and where many observers have expressed concerns that recent events and actions are weakening Mexico's democracy. The report briefly examines the historic development of democracy in Mexico, the key institutions in Mexico's democracy, and the state of key indicators of democracy in Mexico today.

The report recognizes that Mexicans are and must be the key actors in determining the state of Mexico's democracy and any changes in its governmental practices and structures. But the report also reflects the understanding shared by experts consulted that Mexico's international partners and friends are able to lend support to Mexican efforts to sustain and strengthen democratic institutions and practices. The report thus includes some recommendations about ways in which the United States and other democratic governments and non-governmental partners might be able to help support democratic practices in Mexico, while fully respecting Mexico's sovereignty.

To ground the research on the topic of democracy and better understand and assess important indicators about the state of democracy, the research team for this report turned to five globally respected indexes and studies, reinforced and enriched by interviewing nearly twenty experts on Mexico and democracy. The indexes used are:

1. Variety of Democracy's *Democracy Report 2023*
2. Freedom House's *Freedom in the World 2023*
3. World Justice Project's *2022 Rule of Law Index*
4. The Bertelsmann Transformation Index's latest edition, and
5. The Economist Intelligence Unit's *Democracy Index 2022*

After careful review of these reports, interviewing a range of experts and reading other relevant materials, the research team concluded that the most important factors when determining the strength of a democratic system are the following:

- **Free and Fair Elections:** Free and fair elections ensure that the votes of citizens are counted and represented in the government.
- **Absence of Corruption:** Corruption undermines the principles of fairness, transparency, and accountability that are essential for democracy. The absence of corruption allows citizens to trust, participate in, and legitimize their government system.
- **Rule of Law:** The rule of law is the structure of legal institutions and widely accepted standards that dictate government responsibility, transparency, and justice within a state. Without a strong rule of law, other democratic indicators lose influence in a government system.
- **Fundamental Rights and Civil Society**: Fundamental rights are human rights and civil liberties awarded to all people indiscriminately. Included in these are freedom of expression and civil liberties, which allow citizens to participate equally in elections, hold demonstrations, and express opposition. Rights for civil society are interconnected with fundamental rights and are an important part of expressing and sustaining those fundamental rights. Civil society organizations often work to support rights such as freedom of the media, labor rights, human rights, freedom from government repression, and support work against corruption.
- **Checks and Balances**: The presence of checks and balances, institutional and non-governmental, prevent one individual, party, or group from taking power away from citizens and their representatives. Some forms of these are vital in every democracy.

The report's research on Mexico focused on the history of the major institutions that were vital for the development and functioning of Mexico's democracy, as well as the major reforms and political events in Mexico which created, shaped and affected them over the decades. The research team specifically studies seven groups of institutions:

- **Autonomous Government Agencies:** These include agencies such as INE (the national elections institute), INAI (the national transparency institute), and the CNDH (the national human rights commission), which in theory provide essential functions in the Mexican government system allowing democracy to function.
- **The Media:** In Mexico, the media plays a critical role in providing transparency and informing the public, for example, in calling out government corruption and criminal activities that negatively impact Mexican citizens, society, and its democracy.

- **Political Parties:** In Mexico, political parties gradually multiplied and gained independent influence at the expense of the dominant PRI (Institutional Revolutionary Party) in the last twenty-five years of the 20th century, leading to the election of a PAN (National Action Party) president in 2000. President López Obrador's MORENA party (National Regeneration Movement) has come to dominate the political scene in recent years, while the opposition parties and their leaders have been divided and lost influence. A legal framework and political space still exists to allow for a more vibrant party system to emerge.
- **Judicial Institutions:** The Supreme Court and Electoral Tribunal of the Federal Judiciary are the major institutions that settle legal disputes relating to elections. Additionally, the Supreme Court's role in deciding constitutional questions has increased in importance in recent years as the President and his political majority in Congress have proposed significant changes to the constitution regarding elections. A number of experts with whom the research team talked argued that these judicial institutions are currently the most important institutional check against the weakening of democracy.
- **Military/Police:** Historically, Mexico has succeeded in keeping the military under civilian control as compared to other Latin American nations. However, under the administration of Andres Manual Lopez Obrador, known widely as AMLO, the government eliminated the civilian Federal Police and created a National Guard, which the government has tried to place fully under the military Defense Minister. The military has also been given an increasing set of tasks previously allocated to civilian organizations.
- **State Electoral Institutes:** The state-level electoral institutes have played a critical role in strengthening Mexican democracy through promoting political competition, voter participation, and accountability. However, these institutions also face challenges such as corruption, lack of funding, and political interference from local power holders and criminal groups.
- **Civil Society Organizations (CSOs) and Non-Governmental Organizations (NGOs):** Civil society organizations allow for different groups to organize around certain interests and lobby the government to make meaningful change. CSOs and NGOs have played increasingly vital roles in Mexico in this century. This report puts focus on the important role that CSOs, NGOs, universities, think tanks, and others are and can play in strengthening democracy in Mexico.

The research team looked at how Mexico performs in each key category as cited in the democracy indexes listed above, reinforced by observations shared in expert interviews.

- **Free and Fair Elections:** Bribery, corruption, intimidation, and clientelism create skepticism about whether Mexico holds free and fair elections despite many

measures in place to ensure clean elections. Because of the presence of these factors, Mexico only receives a score of 60/100 points and 7/10 points from Freedom House and the Bertelsmann Transformation Index respectively in this area.[1]

- **Absence of Corruption:** Freedom House scores Mexico's efficiency in safeguards against official corruption as only 1 out of a possible 4 points (for the best democracy). This score indicates that due to the inadequate capabilities of the police and judicial systems, attempts to prosecute officials for alleged involvement in corrupt or criminal activities have frequently failed. In terms of scores specifically looking at the absence of corruption in the country, the World Justice Project ranks Mexico in134th place out of 140 countries, one of the lowest scores and thus a country with much corruption.
- **Rule of Law:** Mexico's rule of law scores have seen a steady decline in recent years on every index surveyed except for V-Dem study. Freedom House categorizes Mexico with an average score of 1.25 out of 4 points possible in its indicators relating to rule of law, citing shortfalls in the integrity of courts and law enforcement agencies, in use of preventative and pretrial detention, the questionable independence of the Supreme Court, the many threats of violence, as well as unequal treatment across different groups. The World Justice Project puts Mexico's rule of law as 115th out of the 140 countries ranked.
- **Fundamental Rights and Civil Society:** Mexico sits at 91st out of 140 on the global scale for Fundamental Rights with a score of 0.49 out of 1.0, according to the World Justice Project. The scores are based on factors such as the absence of discrimination, freedom of expression and opinion, and freedom of assembly, to name a few.
- **Checks and Balances:** Mexico's weak and weakening system of checks and balances has led it to receive lowered rankings in all the reports referenced. The World Justice Project's 2022 *Rule of Law Index* ranks Mexico's "Constraints on government power" at a 0.44 out of 1, placing them at 102nd out of the 140 countries studied and 30th out of the 32 countries in the Latin America and Caribbean region for this indicator specifically.

After speaking with experts in the field and reflecting on the studies of democracy, this research team suggests the following actions that could help in resisting any further weakening of democracy in Mexico and strengthen the institutions and practices of Mexico's democracy. The research team gave particular weight to insights and conclusions from experts and studies that

[1] Yana Gorokhovskaia, Adrian Shahbaz, and Amy Slipowitz, "Freedom in the World 2023" (Freedom House, March 2023), https://freedomhouse.org/sites/default/files/2023-03/FIW_World_2023_DigtalPDF.pdf; Hauke Hartmann and Peter Thiery, "Global Findings BTI 2022" (Bertelsmann Stiftung, 2022), https://bti-project.org/fileadmin/api/content/en/downloads/reports/global/BTI_2022_Global_Findings_EN.pdf.

looked at countries where "backsliding" had been halted or reversed and where "scores" on democracy had risen.

- **International Partnerships:** The team's research finds that international partnerships between governments, NGOs, and the private sector are important to promote programming that supports democratic practices and values. These collaborations show solidarity with local democracy advocates and helps to create a frontline for coalitions of organizations fighting for democracy. As elections approach, having clear international interest in observing election preparations and sending delegations to observe the elections themselves, especially in states susceptible to interference from local power brokers and criminal organizations, would provide a strong force against democratic backsliding. These same groups should also be willing to speak out if they see problems.
- **NGO & CSO Funding:** Our team recommends that supporting and upholding Mexican NGOs and CSOs that advocate for democracy, transparency, and accountability in Mexico should be a top priority. The U.S. and other democratic governments as well as foundations and similar organizations should continue and expand direct and indirect funding to proven and respected NGOs/CSOs, build partnerships to continue the flow of necessary resources to these groups, and encourage other international and domestic actors (including international NGOs and CSOs) to support these vital pro-democracy forces in Mexico.
- **Organizing Speeches and Events:** Our team recommends that the U.S. government and other democratic governments sponsor experts from the U.S., Mexico, and other nations provide talks related to the importance of democracy and its sustainability throughout Mexico at university events, on the news, at think tanks, and at other discussion-based events. These discussions would encourage regular dialogue and debate surrounding democracy and keep attention on crucial developments within Mexico. These events should be organized with respected partners.
- **Regionally Targeted Programming:** Our team recommends that the U.S. embassy and consulates throughout Mexico as well as other democratic governments and international organizations build upon current programming and host events related to strengthening democratic practices and institutions, with a targeted aim at the particular needs of different Mexican states. We suggest that this expanded programming could be thematically focused on the aspects of democracy in which the states rank the lowest.
- **Series of Conferences:** Our team recommends that the U.S. and other democratic governments - in collaboration with CSOs, NGOs, universities, and international partners - expand upon, organize, and host conferences that focus on democracy in Mexico and its importance. This is another way for international and Mexican experts to discuss and explore together the importance of and challenges to democracy.
- **Continuous Messaging on Social Media Platforms and in Traditional Media:** Our team recommends that the U.S., other democratic governments, and partners (including others who are willing to champion democracy) to continue utilizing social media campaigns as

a tool to educate and to spread verifiable information pertaining to elections and democracy. Campaigns should be carefully targeted to different audiences, with youth being an important demographic. We note that articles from the international media are widely re-circulated in Mexican media and on its social media. Finding ways to encourage this coverage by respected international outlets can thus also be very useful. In general, this research team concludes that it is vital to ensure that as many voter segments as possible are provided with accurate information and knowledge from as wide a range as possible of NGOs, experts, U.S. and other government officials, and international partners before they head to the voting booths. In this connection, it would be very useful to have targeted polling data regularly available to be able to direct messages to key voter groups. We also see a very important space for civic participation campaigns to encourage voting (and to be alert for fraud or electoral interference). This work could be important for combating disinformation, which is likely to increase as elections near.

- **Long-Term Educational Programming:** This research team recommends utilizing education exchanges and programming to promote the tenants of a healthy democracy over the longer term. The team acknowledges that there are many existing educational and exchange programs from the U.S. and elsewhere, and we recommend the continued and increased implementation of these programs. We recommend urgent efforts to increase the number of U.S. International Visitor Leadership Program participants selected from Mexico, for example, and focus more programs on the key pillars of a strong democracy ahead of the 2024 general election. Additionally, we propose the creation of a new "Democracy Fellowship Program" for young academics, politicians, and other advocates in order to foster a deeper value and appreciation for democracy for the years ahead.

2. Introduction

This report was researched and drafted by a team of seven seniors from the American University's School of International Service. The team produced this report under the supervision of retired Ambassador Earl Anthony Wayne in the framework of the Diplomacy Lab program, in which the School of International Service provides independent research support of potential value to the Department of State.

This report was prepared as many observers are expressing concern about democratic backsliding in the Americas and globally (including in the United States). It takes a deep look at the specific parts of democracy that international studies have highlighted as important for democracy and how they have evaluated Mexico's democratic institutions and practices. After looking at key milestones and institutions that characterize Mexico's democracy, the group provides suggestions and recommendations that may help bolster resistance to the weakening of Mexico's democracy and check democratic backsliding. We fully recognize that the Mexican people are the determining factor in the future of this key neighbor's democracy. However, as in

the United States, sustaining democracy is not easy. Friends often have a good and important role to play.

This project challenged our team in many ways as we researched the complex relationship between democracy and Mexican institutions. After speaking with nearly twenty experts in the fields of democracy, rule of law, corruption, Latin America, and Mexico, the team concluded that there is no clear solution to this complicated and evolving issue. The team is also mindful that the U.S. and other democracies continue to grapple with these important issues at home in their own democratic systems. We also wish to acknowledge the United States Government and other democratic nations, as well as non-government foundations and organizations. already implement a variety of programs to address "democratic backsliding," including ones about which we may not be aware. Nevertheless, we hope that our recommendations will be of value, encouraging the continuation of current programs and the development of new initiatives and partnerships among those working to support democratic systems.

3. Indicators of Democracy

Defining democracy is inherently complex, as is characterizing what distinguishes true democracies from states with democratic systems that are not implemented in practice. The team limited our research to the widely respected definitions and categorizations used by professional organizations studying and tracking democracy and by the scholars, experts, and former officials who we interviewed for this report. Our report builds upon the indicators put forward by the following organizations:

1. **Varieties of Democracy** (V-Dem): V-Dem works to define and measure democracy, addressing the intricacies of what makes a state democratic. This report analyzes the democracy rankings of 202 states. They distinguish between five high-level principles of democracy, which are described as their "core indices," including electoral, liberal, participatory, deliberative, and egalitarian indices.[2] In this report, we use V-Dem's *Democracy Report 2023: Defiance in the Face of Autocratization* as our primary resource from this organization.
2. **Freedom House**: Freedom House stands as one of the best tools to measure the health of democracies over time, as they have compiled relevant data since 1973. Their "Freedom in the World" report, which studies 210 states, remains "the most widely read and cited report of its kind, tracking global trends in political rights and civil liberties."[3] This report specifically references *Freedom in the World 2023*.
3. **The World Justice Project**: With an emphasis on studying rule of law, the World Justice Project is "working to create knowledge, build awareness, and stimulate action to advance

[2] V-Dem Institute, "Democracy Report 2023: Defiance in the Face of Autocratization" (University of Gothenburg, March 2023), https://www.v-dem.net/documents/29/V-dem_democracyreport2023_lowres.pdf.
[3] Gorokhovskaia, et al., "Freedom in the World 2023."

the rule of law worldwide." The existence of a stable and effective rule of law is ubiquitously described as a precondition for democratization. Hence, the World Justice Project's 2022 *Rule of Law Index* provides valuable measures of the rule of law for 140 states.[4]

4. **The Bertelsmann Transformation Index**: This index analyzes state transitions towards democracy and the extent to which 17 criteria are met for a successful democracy. Bertelsmann further uses two indexes: the "Status Index" and the "Governance Index." The "Status Index" analyzes a state's democratic standing based on rule of law and economic indices, while the "Governance Index" examines the political leadership under which states transform. This report is published every two years and provides transformation strategies based on the trends found in 137 states.[5]
5. **The Economist Intelligence Unit**: Beginning in 2006, the Economist Intelligence Unit has produced the annual Democracy Index, which analyzes "the state of democracy," providing insight into 165 states and two territories.[6] Each state is then classified as a "full democracy," "flawed democracy," "hybrid regime," or "authoritarian regime."[7] This report references the *Democracy Index 2022*.

Using these studies, this report identifies and provides a working definition of each indicator.

3.1 Free and Fair Elections

Free and fair elections ensure that the votes of citizens are counted and heard in the absence of corruption to uphold democracy. According to the V-Dem Institute's report *Democracy Report 2023*, the lack of free and fair elections ranks 11th in the top 20 indicators of a declining democracy.[8] The Bertelsmann Transformation Index supports this ranking by utilizing free and fair elections as a tool to measure political participation.[9] Freedom House further emphasizes the importance of free and fair elections; "[t]here is more to democracy than free and fair elections, but there can be no democracy without them".[10] In general, this index argues that free elections are present when there is an absence of coercion, intimidation, or obstruction involved in the

[4] "Mission," World Justice Project, 2023, https://worldjusticeproject.org/about-us/overview/mission.

[5] BTI Transformation Index, "Methodology," BTI 2022 (Bertelsmann Stiftung), https://bti-project.org/en/methodology.

[6] Economist Intelligence Unit, "Democracy Index 2022" (The Economist, 2023), https://pages.eiu.com/rs/753-RIQ-438/images/DI-final-version-report.pdf?mkt_tok=NzUzLVJJUS00MzgAAAGKayaBk8R-xfcXH3rXyvhzbfCC4lf3ZnDcV8GmMWRO2VI7UIKrHgo-QZ82GEZ61vFry4CEEkMGuE3SW4mVYNC0tpaFHTLdoN41emvG--HKhFbr3w, 3

[7] Ibid.

[8] V-Dem Institute, "Democracy Report 2023."

[9] Sabine Donner et al., "BTI 2022 Codebook for Country Assessments" (Bertelsmann Stiftung, 2022), https://bti-project.org/fileadmin/api/content/en/downloads/codebooks/BTI2022_Codebook.pdf.

[10] Freedom House, "Election Integrity," Freedom House, 2023, https://freedomhouse.org/issues/election-integrity.

public's ability to participate in an election. This can include physical deterrence, financial coercion, barriers to registering to vote, access to polling locations, etc. Fair elections occur when all votes have equal power and votes are counted accurately. Elections that occur under both free and fair conditions reflect the will of the people. Additionally, one important indicator of a free and fair election includes the presence of an independent organization involved in the counting of the votes to ensure honesty of the counting process.[11] Intimidation involved in elections can come from political systems or outside the political system, such as criminal organizations, foreign powers, or economic oligarchies.[12] Intimidation tactics are important in determining whether free and fair elections have occurred due to the influence on the categorization of the government. When elections are not classified as free and fair, the regimes may shift towards "autocratization."

3.2 Absence of Corruption

According to reports from V-Dem, the World Justice Project, Freedom House, the Economist, and the Bertelsmann Transformation Index, the absence of corruption is one of the indicators that countries must strengthen to sustain and uphold their democracies. Corruption undermines the principles of fairness, transparency, and accountability essential to democratic governance. In states where corruption is low, citizens tend to have more confidence in their democratic institutions and governance. These five reports offer an insight into the various ways by which corruption becomes a notable obstacle in strengthening democracy.

According to V-Dem Institute's *Democracy Index 2023*, there are six different forms of corruption considered, all of which are incorporated into the legislative, executive, judiciary, and public bureaucracy.[13] Analyzing these levels of corruption in democracy is crucial for the overall standing of a democratic nation. Some of the areas in which corruption can have significant costs are weakening the rule of law, negatively affecting the system of checks and balances, undermining public trust which leads to discouraging citizens from participating in processes, and slowing economic development in the country.

The World Justice Project states that absence of corruption "is one of the hallmarks of a society governed by the rule of law, as corruption is a manifestation of the extent to which government officials abuse their power for their own interest."[14] Corruption often distorts public policies that divert resources away from public services and programs meant to benefit citizens are costly for society, and the country itself. If government officials continue to abuse their power for their own interest, citizens and other government officials will be unable to uphold democracy, transparency, and trust in their government.

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[11] Yana Gorokhovskaia, Adrian Shahbaz, and Amy Slipowitz, "Marking 50 Years in the Struggle for Democracy," Freedom House (Freedom House, March 2023), https://freedomhouse.org/report/freedom-world/2023/marking-50-years.

[12] Ibid.

[13] V-Dem Institute, "Democracy Report 2023."

[14] WJP Staff, "Spotlight on WJP Rule of Law Index Factor 2: Absence of Corruption," World Justice Project, December 9, 2014, https://worldjusticeproject.org/news/spotlight-wjp-rule-law-index-factor-2-absence-corruption.

The Economist Intelligence Unit's *Democracy Index 2022* methodology underscores how the persistence of systematic corruption weakens the rule of law. This methodology discusses how drug trafficking corrodes state capacity by making corruption extremely lucrative and negatively affects civil liberties, security, and the economy.[15] This is confirmed by the Freedom House report *Freedom in the World 2023,* in which there are examples of countries with high levels of corruption. Corrupt government officials and transactions obstruct a country's ability to preserve its resources.[16] Freedom House discusses the high costs to both public services and government revenue in countries with high levels of corruption. Some countries see the consequences of high levels of corruption when the land of natural resources has been stripped or crucial infrastructure is undermined, impoverishing the population, depleting its resources, and impeding the government's ability to address health and economic emergencies.

To embrace systematic change in countries with high levels of corruption, political will to seriously combat corruption from the top leaders in a country is vital. Many initiatives to moderate the curse of corruption within a country, including exemplary laws and adequate sanctions internationally can be implemented to not only improve a country's absence of corruption but also to serve as examples that encourage other countries to do the same. Considering that corruption is widespread in many parts of the world, its ubiquity should not discourage countries and their citizens to take action on stronger anti-corruption efforts. The absence of corruption in a country allows citizens to trust, participate, and legitimize the system. In addition, it promotes economic development, stronger relations with other countries, and a fair, transparent, and accountable democratic government. To generate political will, the various studies highlight the need for efforts to mobilize support from other stakeholders in the implementation of new reforms, such as civil society organizations. As well as, establishing processes for monitoring and tracking the progress and results of anti-corruption policies, this demonstrates the level of a state's commitment to learn from what has worked before and what needs improvement in a more accountable manner. In addition, the studies argue that these monitoring and tracking processes should be available to everyone to uphold the demand for transparency and participation of citizens and civil society organizations.

3.3 Rule of Law

In V-Dem Institute's "The Importance of the Rule of Law for a Robust, Functioning Democracy," the V-Dem team details how elections, in isolation, "are not meaningful from a democratic point of view if citizens are denied access to voting or elections are manipulated in other ways." The paper goes on to explain that having "freedom of expression (including media freedom) proscribed by law" is insufficient if there is a weak rule of law, evidenced in countries

[15] Economist Intelligence, *Democracy Index 2022,* 43.
[16] Gorokhovskaia, et al., "Freedom in the World 2023."

like "Russia, Turkey, or Nicaragua."[17] As such, it is in this component, in functionality and reality, not just the stated principles and goals, where much of the threat to democracy resides.

According to the World Justice Project, "[e]ffective rule of law reduces corruption, combats poverty and disease, and protects people from injustices large and small. It is the foundation for communities of justice, opportunity, and peace—underpinning development, accountable government, and respect for fundamental rights."[18]

WJP includes four universal principles in making their rule of law index: accountability, just law, open government, and accessible and impartial justice. According to a USAID rule of law study, "[countries] with weak rule of law are more likely to have ineffective governing institutions and higher levels of corruption; together, these weaknesses mean these nations are burdened by a 30-to-45 percent higher risk of civil war and a higher risk of extreme criminal violence."[19]

3.4 Fundamental Rights and Civil Society

Fundamental rights can be understood as human rights and civil liberties awarded naturally to all people indiscriminately. Many democracy indexes reference a wide variety of human rights and civil liberties, so this report will outline 'fundamental rights' as categorized by the World Justice Project's *Rule of Law Index* and mainly focus on globally respected rights covered by the UN Declaration for Human Rights. [20]

Fundamental rights are necessary to democracy for a multitude of reasons. Notably, freedom of expression and civil liberties allow citizens to participate equally in elections, hold demonstrations, and express opposition. Examples of these rights would be freedom of expression, political rights, and individual rights and autonomy are considered fundamental rights.[21] A longer list would include religious freedom, academic freedom, sexual orientation and gender rights, due process, freedom from discrimination, freedom of movement, and freedom of assembly.

Rights for civil society are also included in this categorization due to their interconnected relationship with fundamental rights. Many of the rights of civil societies are also classified as fundamental rights since the freedom of assembly makes civic organization possible. Examples include freedom of a free and independent media, labor rights and the right for labor unions to organize, and freedom from government repression for civil society organizations. According to the V-Dem Institute's *Democracy Report 2023*, "[c]ivil society constitutes a fundamental defense

[17] Svend Erik Skaaning, "The Importance of the Rule of Law for a Robust, Functioning Democracy" (V-Dem Institute, May 8, 2020), https://v-dem.net/media/publications/brief_4.pdf, 1.
[18] World Justice Project, "Mission."
[19] USAID, "Rule of Law: Democracy, Human Rights and Governance," U.S. Agency for International Development, April 18, 2023, https://www.usaid.gov/democracy/rule-law.
[20] World Justice Project, "Factors - Fundamental Rights," WJP Rule of Law Index (World Justice Project), https://worldjusticeproject.org/rule-of-law-index/factors/2022/Mexico/Fundamental%20Rights/.
[21] Ibid.

against autocratic rule with its capacity to mobilize people against the government."[22] Therefore, civil society is a crucial institution for holding governments accountable and advocating for the protection of other indicators, including individual fundamental rights.

Another key aspect of civil society is its public and political participation in electoral processes and lobbying efforts to push for reform. This indicator refers to the role of the citizens in a democracy and whether they can organize into political groupings to campaign for the issues and candidates that matter most to them. Public and political participation in a democracy is very important because it is what makes democracy work and allows the people to have a say in how they are governed. Freedom House provides several criteria when examining the level of public and political participation in countries around the world. They have four subfactors when examining this factor:

- Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?
- Is there a realistic opportunity for the opposition to increase its support or gain power through elections?
- Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extra political means?
- Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?[23]

The World Justice Project defines this dimension of civil society and fundamental rights slightly differently. While it does not collect data on minority segments of the population, WJP still defines public and political participation through the following factors: "freedom of assembly and association is effectively guaranteed: measures whether people can freely attend community meetings, join political organizations, hold peaceful public demonstrations, sign petitions, and express opinions against government policies and actions without fear of retaliation."[24] Therefore, citizens need the ability to freely organize and create a public discourse on the issues that matter to them, without fear of government persecution or efforts to demean and devalue their contributions to the political system.

3.5 Checks and Balances

Another key democratic indicator, cited in the global studies and indexes, is the presence of checks and balances. Checks and balances appear in the form of institutions, laws, or other safeguards, and they prevent specific branches of the government—often the executive branch—

[22] V-Dem Institute, "Democracy Report 2023."

[23] Freedom House, "Mexico: Freedom in the World 2022 Country Report," Freedom House, 2023, https://freedomhouse.org/country/mexico/freedom-world/2022.

[24] World Justice Project, "Factors - Fundamental Rights."

from exercising an excessive amount of or abusing power. The World Justice Project writes that the presence of checks and balances "enhances public services, develops trust in government, and promotes the fulfillment of citizens' needs," which is why it is cited by multiple reports on democratic ranking and rule of law as a primary indicator of democracy in a nation.[25]

All five reports recognize checks and balances as something a democratic nation must utilize. V-Dem's *Democracy Report 2023* states that institutional checks and balances are "core to the principle of liberal democracy," making it clear that a country cannot be considered a true functioning democracy without the presence of checks and balances. This assertion is confirmed in the Economist Intelligence Unit's *Democracy Index 2022* methodology used to define a "full democracy."[26] V-Dem further organizes these institutional checks and balances into judicial checks and legislative checks. One way the judicial branch can act as a check to the executive branch is through judicial independence, which is something that Freedom House indicates as key for a strong democratic government.[27] V-Dem further emphasizes the importance of judicial checks, identifying that judiciary takeover of unchecked executive power is one of the keys to counter democratic backsliding.[28] The World Justice Project's *Rule of Law Index* defines checks and balances as legislative, judicial, or non-governmental "constraints on government power," and examines the presence of checks and balances to determine a state's rule of law ranking.[29]

The clear focus on checks and balances in these reports shows that a democratic government must allow for checks and balances. The presence of checks and balances prevents one individual, party, or group from taking power away from the people and their representatives. It is important to identify what institutions can be strengthened to create a system where checks and balances exist to promote democracy.

4. Mexico's Move toward Democracy: A Timeline

In the interest of providing a comprehensive overview of Mexico's trajectory to democracy, much of this timeline focuses on contemporary institutional developments. In this context, the use of the term 'contemporary' refers to the electoral reforms that began in the late 1970s, leading to the election of former-President Vicente Fox and the beginning of a competitive multi-party democracy as Mexico entered the 21st century.

1810-1821: Mexican War of Independence from Spain.

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[25] "Checks, Balances, and Constraints on Government Powers in Mexico," World Justice Project, September 3, 2019, https://worldjusticeproject.org/news/checks-balances-and-constraints-government-powers-mexico.

[26] V-Dem Institute, "Democracy Report 2023"; Economist Intelligence, "Democracy Index 2022": 67.

[27] Gorokhovskaia, et al., "Freedom in the World 2023."

[28] V-Dem Institute, "Democracy Report 2023": 7.

[29] World Justice Project, "Countries - Mexico - Fundamental Rights," WJP Rule of Law Index, https://worldjusticeproject.org/rule-of-law-index/factors/2022/Constraints%20on%20Government%20Powers/.

1824: Mexican Constitution established a federal republic with a president, congress, and judiciary. In principle, this new constitution provided for the protection of individual rights, such as freedom of speech, press, and religion. However, the constitution limited voting rights to male citizens who met certain property qualifications.[30]

1833-1855: Period of centralization and authoritarian rule under President Santa Anna, with unpopular constitutional reforms and attacks on the judiciary branch.

1857: A new constitution was adopted, with the Juarez Law named after Benito Juarez, reaffirming civil liberties, and establishing stronger federalism. It expanded voting rights to all men without regard to their property qualifications. It prohibited the Church from owning property, collecting tithes, and intervening in political affairs. It established an independent judiciary, the right to a fair trial, and the prohibition of retroactive laws.

1861-1867: French Intervention, during which the emperor Maximilian I ruled Mexico with French support.

1876-1910: Porfirio Diaz's regime, which was characterized by centralization, economic modernization, and political repression.

1910-1917: Mexican Revolution was led by various factions seeking political and social change in opposition to Diaz's regime. This period saw the rise of "foundational" figures like Emiliano Zapata, Pancho Villa, and Francisco Madero.

1917: A new constitution was adopted that enshrined agrarian reform and workers' rights, emphasized secularism, and restricted foreign investment; it was deeply economic in nature. It also established a system of free, compulsory, and secular education and is still the current constitution of Mexico.

1929: Institutional Revolutionary Party (PRI) was founded, which dominated Mexican politics for much of the 20th century.

1934-1940: President Lazaro Cardenas enacted land reform, nationalized the oil industry and the railway system, and expanded social welfare programs.

1939: The National Action Party (PAN) was founded.

1968: Student protests met with government violence in the Tlatelolco Massacre, during which close to 300-400 people were killed. This event galvanized civil society to call for reforms and question the PRI's political dominance.

[30] Edmond Burke, "Promulgación De La Primera Constitución Federal De Los Estados Unidos Mexicanos," trans. Juan Pablo Villasmil CNDH México, 2023, https://www.cndh.org.mx/noticia/promulgacion-de-la-primera-constitucion-federal-de-los-estados-unidos-mexicanos.

1972: Mexico's primary deficit began rapidly increasing (from less than 1%of GDP to 6% in 1975). The growth in the deficit became unsustainable. Mexico devalued the peso in 1976 for the first time in twenty-two years.[31]

1977: Crucial electoral reforms led to:

a) "The incorporation of the proportional election mechanism to elect part of the members of the Chamber of Deputies (the 25%, that is, 100 of the 400 deputies that from then on made up said Chamber), thus inaugurating a mixed election system for the conformation of that legislative body."

b) "The possibility for groups of citizens to obtain their registration as political parties through the so-called 'conditional registration' (which was a much more flexible option in terms of the requirements demanded to obtain the 'definitive registration', which implied that a party had to endorse its registration in the elections, by obtaining a minimum percentage of votes (1.5% of valid votes)."

c) "Access to public financing and state spaces in the media."

d) "The direct possibility for national political parties to participate in state and municipal elections".[32]

1986: More electoral reforms following economic turmoil, this time "continu[ing] in general terms with the logic of opening up political representation that the previous reform had outlined".[33]

a) The most notable electoral change led to "the number of deputies elected through the principle of proportional representation, through closed and blocked lists, doubled to reach 200 legislators, with which the size of the Chamber increased to reach its current dimensions (500 deputies in total)".[34]

b) The reforms "abolished the clause, until then existing, that prevented the party that had obtained more than 60% of the votes from participating in the distribution of the proportional representation seats, which, in fact, had excluded the PRI from access to seats allocated by that principle".[35]

c) The reforms added a "governability clause" that sought "to prevent the underrepresentation of the majority party in that chamber, guaranteeing it that, at least, it would have a percentage of deputies equal to that of its vote".[36]

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[31] Felipe Meza, "The History of Mexico," Manifold Scholarship, 2021, https://manifold.bfi.uchicago.edu/read/a-monetary-and-fiscal-history-of-latin-america-1960-2017/section/8dd83136-f559-4696-9aa6-fa74d78277b0#:~:text=In%201972%2C%20Mexico's%20primary%20deficit,time%20in%20%20twenty%2d%20Two%20%20years.

[32] Lorenzo Córdova Vianello, "La Reforma Electoral y El Cambio Político En México - UNAM," trans. Juan Pablo Villasmil (Instituto de Investigaciones Juridicas), https://archivos.juridicas.unam.mx/www/bjv/libros/6/2527/17.pdf, 657-658.

[33] Córdova, "La Reforma Electoral," 659-660.

[34] Ibid.

[35] Ibid.

[36] Ibid.

d) The reforms inaugurated "an elected institutional model that, although it brought limited results at that time, would eventually become very successful". This model was brought forward with "the introduction of a jurisdictional instance, the Electoral Litigation Tribunal (Tricoel), still located within the orbit of the Executive Power, before which it was possible to challenge the resolutions of the administrative authority in charge of organizing the elections".[37]

1988: Presidential election marred by serious fraud allegations, sparking demands for further electoral reform. The election marked the emergence of a strong opposition party, the National Action Party (PAN), signaling the beginning of a more competitive political landscape in Mexico and paving the way for future opposition parties to emerge.

1989-1990: Following discontent vis-à-vis the 1988 elections, a series of reforms were implemented. These were far-reaching in nature, with the organization of electoral processes being "entrusted to a new body that replaced the discredited Federal Electoral Commission…, which was located within the orbit of the Ministry of the Interior". The new electoral commission, the Federal Electoral Institute (IFE), "was conceived as an autonomous constitutional body, in whose integration, in the first instance, participated the Executive Power (through the Secretary of the Interior, who continued to preside over the organization), the Legislative Power, the political parties, and the citizens".[38]

a) Following this change, a trend that will gradually intensify commenced: "the so-called 'citizenization' of the electoral body, which implied that citizens without any partisan dependency formed part of all the instances that made up the IFE, from the receiving tables of the vote to the collegiate management bodies of the institute".[39]
b) These reforms also meant "the beginning of the professionalization of the organization of elections, by establishing in the Constitution and the law, the presence of a career civil service of the officials of the [IFE], who in this way were subjected to a recruitment competition and periodic evaluations. The intention was clear: to provide the IFE with a technical body that, due to its specialization, would contribute to injecting certainty and confidence in the organization and development of electoral processes."[40]

1993: New electoral reforms gave the Federal Electoral Tribunal the essential "function of qualifying the elections for deputies and senators, which from then on ceased to be a political process and became fully jurisdictional, with what remained in its hands,"[41] meaning that "from then on, the electoral processes would be resolved in a judicial instance, and based on procedural rules and principles, before which the parties in dispute (candidates and political parties) could

[37] Ibid.
[38] Ibid.
[39] Ibid.
[40] Córdova, "La Reforma Electoral," 661-662.
[41] Ibid.

present their arguments and present their evidence, with the certainty that they would be pondered and valued based on legal criteria".[42] The reforms also "introduced an old demand from the opposition parties and various social movements that sought to collaborate in electoral transparency: the figure of electoral observers. Although at first the observation was restricted to Mexican citizens, individually and only on the day of the election (the following year these limitations would be modified)".[43]

Additionally, these reforms "established a comprehensive verification of the electoral roll to guarantee its coverage and reliability, which resulted in the issuance of a new citizen identification document: the [photograph-including] 'voter card'"—a simple but revolutionary move to shield elections from fraud.[44]

Finally, likely the most important factor in these reforms "had to do with the integration of representative bodies. Until that moment, the Senate of the Republic had remained practically untouched; only in 1986 was it agreed that there would be a renewal by halves every three years, with a senator for each federative entity having to be elected in each election. However, the need to inject plurality into that legislative body, where the opposition's presence had been marginal, led to the approval of doubling its size in 1993, going from 64 legislators to 128, and a mixed formula based on the majority electoral system. In effect, it was established that in each of the 32 states four legislators would be elected, three of whom would be assigned to the party that obtained the most votes, and the remaining senator would correspond to the second party in voting through the so-called 'first-minority' mechanism… [which ensured] that at least 32 senators, that is, a quarter of that legislative body, would be reserved for the opposition parties".[45]

1994: Zapatista rebellion in Chiapas highlighted Indigenous rights and demands for greater self-determination. It created space for opposition groups and civil society organizations to demand greater political reform and challenge the entrenched power of the PRI.

Additionally, more reforms focusing on developing "certain, transparent, and reliable as possible" electoral processes were introduced during this year. "In the first place, the integration of the IFE was substantially modified, where all the political parties began to have a one-person representation and lost the right to vote; In addition, the figure of the six magistrate councilors introduced with the 1989-1990 reform was replaced by an equal number of citizen councilors".[46]

The institution "continued to be chaired by the Secretary of the Interior and the four councilors of the Legislative Power (one from the majority and another from the first minority of each of the chambers, which were part of the body since its origins in 1990), who had the right to speak and vote; but in terms of decision-making capacity, the group of six citizen councilors had the possibility of prevailing over these five officials (assuming they voted together), which, for the first time, guaranteed the possibility that they would prevail in the electoral body impartial

[42] Ibid.
[43] Ibid.
[44] Ibid
[45] Córdova, "La Reforma Electoral," 665-666.
[46] Ibid.

positions above partisan or government interests. With these changes, the process of 'citizenization' of the electoral bodies gave a very important turn of the screw".[47]

Aside from these changes, electoral observers, which were introduced in the previous reforms, "[were] substantially modified, by allowing the possibility that the observation tasks could be carried out by citizens individually, or else, grouped in observer organizations; It also allowed all phases of the electoral process to be observed (preparation, electoral day and resolution of challenges and qualification of the elections), and not only on election day, as had been planned until then. In addition, international observation was allowed through the legal figure of foreign visitors".[48]

Ernesto Zedillo is elected president.

1996: New reforms "endowed the IFE with new attributions, among which stand out, particularly those that have to do with the control of the resources of the political parties that were substantially increased, as we will see later when talking about the new rules of financing.

"For its part, the Electoral Tribunal (which since 1996 ceased to be called the Federal Electoral Tribunal) underwent major surgery, both in its structure and constitutional location, and in terms of its powers. First, it ceased to be an autonomous body and became part of the Federal Judiciary as a specialized body. Secondly, it was established that the magistrates that comprise it would be appointed by the vote of two thirds of the Senate from shortlists that would be proposed by the Supreme Court of Justice of the Nation".[49]

The reforms also changed "the attributions of the Supreme Court of Justice of the Nation, to incorporate within the action of unconstitutionality (an abstract control mechanism of the constitutionality of laws and regulations of a general nature that allows them to be declared invalid if they are not in accordance with the Constitution and that had been created two years before) the possibility of challenging federal or local electoral laws that violate the principles and dictates of the federal Constitution".[50]

2000: Vicente Fox, a candidate from the opposition National Action Party (PAN), won the presidential election, ending PRI's 71-year uninterrupted rule.

2003: The National Institute for Transparent, Access to Information and Personal Data Protection (INAI) was created. The INAI is an autonomous constitutional body responsible for upholding the right to the access of public information and the protection of personal data in both the public and private sectors.[51]

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[47] Ibid.

[48] Córdova, "La Reforma Electoral," 667-668.

[49] Córdova, "La Reforma Electoral," 669-670.

[50] Ibid.

[51] "National Institute for Transparency, Access to Information and Personal Data Protection - INAI," Network for Integrity, https://networkforintegrity.org/continents/america/instituto-nacional-de-transparencia-acceso-a-la-informacion-y-proteccion-de-datos-personales-inai/.

2006: President Felipe Calderón is elected, with then-candidate Andrés Manuel López Obrador (AMLO) protesting in the streets. IFE and the courts say the election was free and fair.

2012: PRI candidate Enrique Peña Nieto elected president, despite criticism for corruption and human rights abuses.

2014: IFE was dissolved on April 4 with the support of Peña Nieto and was supplanted by the National Electoral Institute (INE). This extended institutional control over all elections in Mexico.

2016: The National Anti-Corruption System (SNA) was signed into law, but it was not successfully implemented by Peña or AMLO. In principle, it established "the administrative responsibilities and obligations of public officials, to submit declarations on their assets, conflicts of interest and taxes".[52]

2018: Andrés Manuel López Obrador, a left-leaning populist, is elected president and pledges to combat corruption and promote social justice. However, he began a series of legal and budgetary steps that would shrink the size of the state and weaken autonomous government agencies.

5. History of Mexico's Institutions

5.1 Autonomous Mexican Government Agencies

These government agencies are crucial for the effective functioning of Mexico's democracy. Their establishment was widely considered to be progress in consolidating and strengthening democratic practices in the Mexican political system. These agencies allow for key aspects of a democracy to operate with little undue influence or political manipulation. Additionally, some of these institutions serve as watchdogs; for example, they coordinate anti-corruption efforts throughout the different levels and branches of government, conduct audits when necessary, and provide healthy transparency on how the government is functioning. However, especially since 2019, these institutions have come under attack from within the executive branch, and with the support of the President's political party, MORENA, which has held a majority in Congress. These efforts aimed at reducing the independence and autonomy of these bodies vis-à-vis the president and his cabinet. The rationale often used to justify changes has been to reduce the financial burden on the state.

The **National Electoral Institute (INE)** was originally founded in 1988 (as the IFE) after widespread controversy and doubts surrounding the '88 presidential election. It was created with the Federal Code of Electoral Institutions and Procedures (COFIPE), which still provides the regulations for administering elections. In the 1996 electoral reforms, IFE was given increased

[52] Presidencia de la República EPN, "National Anti-Corruption System," Gobierno de México, July 18, 2016, https://www.gob.mx/epn/en/articulos/national-anti-corruption-system.

power and autonomy. With these reforms, the IFE president would be an independent citizen rather than the minister of the interior as previously stipulated.[53] Additionally, the reforms gave IFE the authority to "buy time slots for political party advertising"[54] and the responsibility of monitoring the media for signs of bias towards certain candidates or parties. With the constitutional reforms of 2014, the IFE became the INE, as it became responsible for not only federal elections, but also those at the state and local level. INE has also taken additional roles; in preparation of the 2018 elections, INE issued a national voter ID, which now serves as the de facto national ID for Mexicans. In 2022, AMLO introduced his Plan B electoral reforms that sought to bring the responsibilities of INE under control of the executive branch. Although the Supreme Court froze the legislation early in 2023, AMLO has vowed to continue these efforts. Additionally, INE has stated that "the budget cut approved by the Congress will force it to dismiss some 6,000 employees, or about a third of its workforce, in the lead-up to next year's presidential and congressional elections,"[55] which will significantly alter the agency's ability to administer and monitor the upcoming elections and ensure that they are free and fair.

The **National Institute of Transparency, Access to Information, and Personal Data Protection (INAI)** is an autonomous constitutional body in the Mexican government tasked with protecting two fundamental rights: access to public information and protection of personal data. The original transparency authority was established under President Fox with the "Federal Law for Transparency and Access to Information that grants citizens' access to most public documents,"[56] but was renamed and given its current authority in 2015.[57] INAI is granted this responsibility by Article 16 of the Mexican constitution. It has the power to: "conduct administrative investigations and interventions, initiate legal proceedings or address judicial authorities in connection with violations of the law, hear claims, and impose administrative sanctions".[58] Recently, AMLO has spoken out against the INAI and the critical role it serves by saying "that the independent agency—with a budget of $58 million and a staff of just over 800—is too expensive and that 'it would be better' if it didn't exist".[59] He and his allies in Congress have effectively frozen the INAI by refusing to appoint senior--level commissioners, leading to a massive backlog of over 3,000 cases. His statement and actions exemplify AMLO's position on autonomous government agencies and their role in promoting transparent governance–that they

[53] Emily Edmonds-Poli and David A. Shirk, *Contemporary Mexican Politics* (Lanham, MS: Rowman & Littlefield, 2012), 150.
[54] Ibid.
[55] MND Staff, "Feds to Challenge Supreme Court Ruling Against 'Plan B' Electoral Reform," Mexico News Daily, March 27, 2023, https://mexiconewsdaily.com/news/feds-to-challenge-supreme-court-ruling-against-plan-b-electoral-reform/.
[56] "Mexico: Transparency in a New Era of Democracy," *Wilson Center: Mexico Institute*, 2 January 2008.
[57] "Tras Ley General De Transparencia IFAI PASA a Ser INAI," Excélsior, May 6, 2015, https://www.excelsior.com.mx/nacional/2015/05/06/1022510.
[58] "Global Privacy Assembly: Mexico 2021," GPA México 2021, https://gpamexico2021.org/.
[59] Leila Miller, "Mexico's Transparency Institute Has Revealed Government Corruption and Wrongdoing. It's Now Paralyzed.," Los Angeles Times, April 21, 2023, https://www.latimes.com/world-nation/story/2023-04-21/la-fg-mexico-amlo-transparency-institute.

should not exist since the executive branch has nothing to hide, and therefore does not need an independent watchdog. In this regard, AMLO and his administration have been criticized for lack of transparency on many public tenders and ongoing projects.

The **National Anti-Corruption System** (SNA) was created as a result of the joint efforts of civil society, academia, the private sector, and legislators by constitutional amendment in 2015. The SNA is tasked with coordinating "social actors and authorities at different levels of government, to prevent, investigate and punish corruption".[60] While this created the system for coordinating anti-corruption efforts, it is only a first step and does not work if the actors involved choose not to. This system was not fully implemented under Peña Nieto, and AMLO has made no further moves to establish its authority throughout the government nor create a structure that would serve a similar function. Currently, AMLO is disinterested in institutional methods for reducing corruption. In fact, AMLO has been actively attempting to reduce these institutions' funding. In regard to his statement that the INAI is not necessary for reducing corruption and promoting good governance, AMLO argued that "'We don't have anything to hide,' he said at a recent press conference. 'Why do we need a bureaucratic apparatus?'" However, critics charge that his attack is part of a broader attempt to weaken or eliminate institutions that serve as checks and balances on government power".[61]

The **Superior Auditor of the Federation**, a technical agency, was established on December 30, 1999, through the Ley de Fiscalización Superior de la Federación (Law of Superior Auditing of the Federation). It is tasked with conducting external audits of federal, state, and local governments and agencies. While this is how the agency should function in theory, in reality it does not have or act on the authority given to it by law.

The **National Human Rights Commission (CNDH)** was founded in 1990 by presidential decree and accredited at the United Nations. As a public institution it operates alongside the federal government. The objective of the CNDH is "the protection, observance, promotion, study and dissemination of Human Rights provided for by the Mexican legal order".[62] Following AMLO appointments to the commission, it has been less autonomous.

5.2 The Media

The media in Mexico played a large role in the democratization of Mexico. The media had been critical of PRI policies that were eventually rolled back and allowed for the multi-party system to come into being. According to the WJP, "the most effective checks on the state governments are civil society and the media (sub-factor 1.5)".[63] They play an integral role in

[60] Presidencia de la República EPN, "National Anti-Corruption System."

[61] Miller, "Mexico's Transparency Institute."

[62] "Funciones | Comisión Nacional De Los Derechos Humanos - México - CNDH," CNDH México, 2023, https://www.cndh.org.mx/cndh/funciones.

[63] World Justice Project, "Mexico States Rule of Law Index 2020-2021: Insights," April 28, 2021, https://worldjusticeproject.org/sites/default/files/documents/2021-04-28%20WJP%20Mexico%20States%20Rule%20of%20Law%20Index%202020-2021%20-%20Insights.pdf, 16.

Mexican society. Without the media, it would be far easier for corrupt and criminal actors to influence the government and degrade its democracy for personal gain. Mexico has an extremely diverse media across TV, print, radio, the internet, and social media. Currently in Mexico, 59% of the total population uses social media, with Facebook, Instagram, and Pinterest as rapidly growing platforms in the country.[64]

Polls conducted by the Mexican media "were crucial to legitimizing and making possible Vicente Fox's victory in the 2000 election, and to reinforcing the legitimacy of the Federal Electoral Court and Federal Electoral Institute in its decisions concerning the narrow victory of Felipe Calderon in the 2006 election".[65]

Journalists in Mexico play a critical role in exposing corruption within the government since governmental anti-corruption institutions do little to stem rampant corruption in the country. Additionally, Mexico is one of the most dangerous places in the world for journalists, with disappearances and killings on behalf of the cartel being commonplace. Human Rights Watch has reported that "Mexico is one of the most dangerous countries in the world for journalists. From January to September 2022, 15 journalists were killed. In the first half of 2022, the NGO Article 19 recorded 331 threats, attacks, or other forms of aggression against journalists" and that "authorities routinely fail to investigate crimes against journalists adequately. The federal Special Prosecutor's Office to investigate crimes against journalists had opened 1,552 investigations and obtained 32 convictions, including seven for homicide, from its creation in 2010 through September 2022. The vast majority of convictions have been obtained since the current special prosecutor was appointed in 2017".[66]

Additionally, AMLO has routinely attacked journalists for critical coverage of his presidency during his press conferences and denounced their work as being biased. In reaction to AMLO's relationship with the press, "Jan-Albert Hootsen, the Committee to Protect Journalists' (CPJ) representative in Mexico since 2016, told OCCRP (Organized Crime and Corruption Reporting Project) that President Andres Manuel Lopez-Obrador's severe criticism of the press is heightening the risk of violence in what is already one of the most dangerous countries in the world for journalists".[67] Hootsen also opined that "whenever a journalist asks a critical question, they're at risk of being very severely criticised. He calls them names, derides them for being out-of-touch or somehow elitist, suggesting that they must take his side or else are working against the interests of the country".[68] AMLO's behavior towards journalists in Mexico has only exacerbated the conditions for journalists in Mexico, and contributed to the overall democratic backsliding in

[64] "Mexico Social Media: Social Media Monitoring in Mexico," Toppan Digital Language, November 29, 2017, https://toppandigital.com/us/translation-service/social-media/mexico-social-media/.
[65] Roderic A. Camp, *Mexico: What Everyone Needs to Know* (New York: Oxford University Press, 2011), 150.
[66] Human Rights Watch, "World Report 2023: Rights Trends in Mexico," Human Rights Watch, January 20, 2023, https://www.hrw.org/world-report/2023/country-chapters/mexico.
[67] Will Neal, "Mexican President's Rhetoric Endangering Journalists," OCCRP (Organized Crime and Corruption Reporting Project, September 30, 2020), https://www.occrp.org/en/daily/13190-mexican-president-s-rhetoric-endangering-journalists.
[68] Ibid.

Mexico by questioning journalists' ability to accurately report what is happening within the government.

5.3 Political Parties

The **Institutional Revolutionary Party (PRI),** founded in 1929 as the National Revolutionary Party (PNR), maintained absolute power in Mexico for the rest of the 20th century after its founding, winning every gubernatorial race until 1989, most senate and district congressional seats until the 1990s, and all presidential elections until 2000. Although it maintained power throughout the century, it encompassed a wide array of ideologies and political tendencies. The late 20th and early 21st centuries saw the unraveling of PRI's dominance as electoral fraud led to massive public outcries and calls for change. In response, the PRI gradually yielded slices of the power it traditionally held to autonomous government offices and institutes. Additionally, with the rise of opposition parties in that timeframe, Mexican citizens had the ability for the first time to choose a party based on their individual political beliefs/needs and be able to elect a representative that they truly felt represented themselves in the government. After the widely criticized term of Enrique Peña Nieto, the PRI's popularity and organizational strength has significantly diminished.

The **National Action Party (PAN)**, founded in 1939 as an alternative to the PNR, found success in local and state elections starting in the 1980s. In 2000, their candidate, Vincente Fox, became the first non-PRI president post-Mexican Revolution. Its ideological skew is center-right, Christian democracy, but the overarching party ideology is that of "National Action" which rejects the label of left or right, and rather focuses on policies that alleviate problems facing the citizenry. Its citizen base tends to be Catholic and middle class.

The **Party of the Democratic Revolution (PRD)** was officially founded in 1989, after splitting with the PRI. After the widespread allegations of foul play and fraud in the 1988 general election, the PRD's immediate predecessor, the National Democratic Front (a coalition of left-wing parties created to compete against PRI in the '88 election) split from PRI and went on to form the PRD. The party is a member of the progressive alliance with center-left to left wing ideological principles.

The **MORENA** party was founded by Andres Manuel Lopez Obrador in 2011, as a non-profit. It became an official party in 2014. MORENA's name translates to "National Regeneration Movement". It was originally structured as a democratic socio-political movement to protest against political corruption, electoral fraud, and the policies of what AMLO labeled the 'power mafia'. This then became AMLO's agenda for running in 2018, as part of a platform to end institutional government corruption and alleviate poverty in Mexico.

The **Va Por México** Coalition, founded in 2020, is a coalition of the PRI, PAN, and PRD, which rose in opposition to AMLO's MORENA party.

The **Citizen's Movement (MC)** is a political party that split from the PRI in 2002 and formed as the MC known today in 2011. It has a large following among the youth in Mexico.

5.4 Judicial Institutions

The **Supreme Court of Justice** of the Nation is Mexico's supreme court, consisting of eleven magistrates who serve 15 year terms. They are ratified by the senate and nominated by the president. Given authority by Article 94 of the Mexican Constitution, this institution serves as Mexico's high court, with jurisdiction over the most serious issues. The 1996 electoral reforms established the "Supreme Court as final arbiter of electoral results." The court has had an important role in deciding constitutional questions in recent years, as the executive branch has made attempts to increase its authority. Such moves include bringing the National Guard under Mexico's Secretary of Defense and its army, SEDENA, the Plan B electoral reforms, along with many other controversial issues. While the Supreme Court has ruled against these measures, the executive branch has vowed to continue its efforts in pursuing key constitutional reforms. To find a law unconstitutional, there needs to be a supermajority of votes (8 of 11 justices). This role of the court has become even more important as of late. Most recently, the Supreme Court has AMLO's moving of the National Guard under military control unconstitutional and has temporarily frozen Plan B while under consideration of a lawsuit.[69] Other laws recently passed by the Congress could also be found to be unconstitutional on substance and over procedures used to approve them. (Subsequently to the drafting of this paper, a supermajority of the Supreme Court's justices found the proposed changes to INE unconstitutional, as well as invalidating other pieces of legislation and government decrees. This sparked sharply critical commentary from Mexico's president and threats to seek new constitutional reforms in the future.)

The **Electoral Tribunal of the Federal Judiciary** is the highest jurisdictional authority in electoral matters, with power given to it by the Mexican Constitution. The TEPJF was preceded by two organizations, the TCE (1986-89)—which was an administrative, not judicial, body—and the TRIFE (1990-96)—which was created with the same reforms that established IFE and was superseded by TEPJF in the 1996 reforms. While the Supreme Court is the final arbiter of electoral disputes, the 1996 reforms integrated "Federal Electoral Tribune (TRIFE) into the Supreme Court bureaucracy." This body is tasked with resolving electoral controversies. It most notably handled the aftermath of the 2006 presidential election, in which TEPJF denied AMLO a recount of the vote after his "Coalition for the Good of All" was judged not to have provided enough substantiated evidence to justify a national recount.

5.5 Military/Police Institutions

Historically, the Mexican government has kept the military under civilian control, as opposed to most other Latin American regimes in the 20th and 21st centuries. However, the military

[69] Valentine Hilaire, "Mexico's Top Court Freezes Electoral Reform Ahead of Lawsuit," Reuters (Thomson Reuters, March 25, 2023), https://www.reuters.com/world/americas/mexicos-top-court-freezes-electoral-reform-ahead-lawsuit-2023-03-25/.

has not required a civilian Secretary of Defense, thus preserving a strong corporate sense in the armed forces. The role of the Mexican military, the National Guard, and state and local police has evolved significantly since the mid-20th century. However, the role of the military was largely limited to national and public security roles, as civilians (and not former generals) became the rule as Mexico's presidents.

Under AMLO, the government eliminated the civilian Federal Police and created a National Guard, which it has tried to place fully under the military Defense Minister. The Supreme Court recently declared that that effort violated Mexico's constitution. Nevertheless, the AMLO administration has increased the role and resources of the National Guard to combat organized crime and insecurity, while expanding the roles and responsibilities of the military to a range of tasks previously given to civilian agencies or the private sector. Meanwhile, state and local police have continued to face long evident and serious challenges of poor training, limited resources, and corruption.

"One of the most admirable achievements of the Mexican political model in the twentieth century was the ability of the political leadership to sustain continuous civilian control over the military,"[70] which was a feat that very few Latin American regimes accomplished. Although this is still true today, since the 1980s, the military has taken on roles that have blurred the line between military and civilian responsibility. In the early 1980s, President Miguel de la Madrid "requested that the army take on an active role in reducing the influence of drug traffickers in Mexico".[71] Then, by the Zedillo administration (1994-2000), "the executive branch believed it was necessary to ask the military to pursue a more direct strategy against the traffickers themselves".[72] While these roles were filled at the request of the executive branch, some analysts have long worried that "in performing what typically are considered civilian police functions, the armed forces are further delegitimizing the police specifically and civilian institutions generally in the eyes of the Mexican public".[73]

This process of transferring anti-crime tasks to the military has deepened and accelerated under AMLO, who in 2019 created a large Mexican National Guard which was tasked with "bring[ing] about a measurable reduction in crime or violence".[74] This was a task traditionally filled by civilian federal police and municipal, state, and local police. Then, in 2022, AMLO "announced his intention to reform the National Guard so that it is 'completely under' the authority of the Ministry of Defense (SEDENA)".[75] This proposal goes directly against Article 21 of the

[70] Camp, *Mexico*: 159.
[71] Camp, *Mexico*: 159.
[72] Camp, *Mexico*: 159.
[73] Camp, *Mexico*: 159-160.
[74] Maureen Meyer, "One Year After National Guard's Creation, Mexico Is Far from Demilitarizing Public Security," WOLA, July 28, 2020, https://www.wola.org/analysis/one-year-national-guard-mexico/#:~:text=One%20year%20after%20Mexico%20enacted,effectively%20addressing%20Mexico's%20security%20crisis.
[75] "Mexico Deepens Militarization. But Facts Show It Is a Failed Strategy," WOLA, September 12, 2022, https://www.wola.org/analysis/mexico-deepens-militarization-but-facts-show-failed-strategy/.

Mexican constitution, which established the National Guard as a civilian, not military, body. Although the courts declared this action to be unconstitutional, AMLO has vowed to continue fighting against this and for the National Guard to be under SEDENA's authority. Many commentators and experts have noted that the military is not well trained to take on anti-crime or public security tasks, and there are now many new opportunities for graft and corruption with its growing list of responsibilities, including building infrastructure and running previously civilian institutions.

5.6 State Electoral Institutes

Mexico's state-level electoral institutes were established in the 1990s as part of the country's democratic transition, which saw a shift from decades of one-party rule to a multi-party system. These independent institutions are responsible for organizing and overseeing elections at the state level, including the selection of governors, state legislators, and mayors. They are designed to ensure free, fair, and transparent electoral processes that respect the rights of citizens and political parties. The state-level electoral institutes have played a critical role in strengthening Mexican democracy by promoting political competition, voter participation, and accountability. However, they have also faced challenges such as corruption, lack of funding, and political interference. After the last nation-wide elections in 2021, observers expressed worries that criminal groups had been able to affect outcomes in several states. The International Crisis Group reported in 2021 that "criminal groups exploit electoral competition in their quest for impunity and power" by "us[ing] favours and threats to gain influence over future elected officials".[76] State-level elections and electoral institutes are targeted because they are conducted "at the municipal level, which remains the weakest layer of government and also the one faced with the most daunting challenge in policing crime".[77] Additionally, there is great worry, however, that if INE's state-level presence is reduced, as supported by AMLO's and MORENA's reforms, state-level electoral outcomes will be much more vulnerable to manipulation by governors and others, including criminal groups.

5.7 Civil Society Organizations

Civil society organizations play an important role in democracy because they allow for different groups to organize around certain interests and lobby the government to make meaningful change. In this report, focus will be put on think tanks, NGOs, universities, and labor groups in Mexico. While the media can also be considered part of civil society, it plays a much larger role in the context of this report and thus required its own section. Civil society organizations are crucial to the functioning of a healthy democracy. Think tanks, NGOs, universities, and labor groups in

[76] International Crisis Group, "Electoral Violence and Illicit Influence in Mexico's Hot Land," International Crisis Group, June 2, 2021, https://www.crisisgroup.org/latin-america-caribbean/mexico/089-electoral-violence-and-illicit-influence-mexicos-hot-land.
[77] Ibid.

Mexico provide a platform for citizens to come together and address issues that affect their lives. By lobbying the government to make changes, these groups can help to ensure that all voices are heard and that the needs of marginalized communities are not ignored. Think tanks and universities can provide expert analysis and policy recommendations to guide government decision-making. However, civil society organizations in Mexico face significant challenges, including threats to their safety and autonomy. As such, their ability to operate effectively and make meaningful change may be limited.

Think tanks are important players in Mexico's civil society and have played a significant role in advocating for various issues such as human rights, labor rights, environmental protections, and democratic reform. These organizations provide independent research and analysis on various policy issues, often filling in the gaps left by government institutions. For instance, the Mexican Institute for Competitiveness (IMCO) has been influential in promoting transparency, accountability, and economic growth in Mexico through its research and advocacy work.[78] Others, such as México Evalúa, produce research "on the evaluation and monitoring of government operations to raise the quality of its results".[79] These institutions are crucial as they provide impartial reporting on the functioning of Mexico's government and utilize data to support evidence-based policymaking. These organizations are crucial as they provide impartial reporting on the functioning of Mexico's government and utilize data to hold public officials accountable.

NGOs, both Mexico-based and international, are crucial players in civil society since they provide impartial reporting on issues such as press freedom, human rights, and the freedom and rights of minority groups. Article 19 is one of the most prominent NGOs working in Mexico, with a focus on advocating for freedom of expression and access to information. The organization provides legal assistance to journalists, human rights defenders, and activists who are at risk of violence or persecution due to their work. Additionally, Article 19 conducts research and analysis on issues related to freedom of expression and provides recommendations to government institutions on how to improve the legal and social environment for free speech. The organization has been instrumental in raising awareness of the dangers faced by journalists in Mexico, with the country being one of the most dangerous places in the world for members of the press.[80] Another example is the National Endowment for Democracy (NED), which provides funding to different groups and organizations in Mexico.

Colleges and universities are also a key actor in civil society because they not only educate the youth, but they also have research institutes which produce articles and reports commenting on the Mexican government and issues of concern for Mexican citizens. Additionally, under AMLO, some of these organizations and institutions have come under attack. For example, the Centro de Investigación y Docencia Económicas (CIDE), which "was founded in 1974 under left-

[78] IMCO, "Quiénes Somos," trans. Ethan Puc, Centro de Investigación en Política Pública, May 2, 2023, https://imco.org.mx/quienes-somos/.
[79] México Evalúa, "¿Qué Hacemos?," trans. Ethan Puc, México Evalúa, 2015, https://www.mexicoevalua.org/nosotros/que-hacemos/.
[80] Article 19, "What We Do," Article 19, April 26, 2022, https://www.article19.org/what-we-do/.

wing nationalist President Luis Echeverría to train experts who could advise him on economic policy" became known for "professors who completed doctorates abroad, which, in some cases, included training in market economics"[81] in the 1990s. AMLO, who has overseen a Mexican economy in which the government has exerted increased control, "alleges that during the neoliberal era that he so frequently criticizes, the institution 'ended up abandoning public service.'"[82] As a result of this opinion on CIDE's work, he appointed a new rector that "contravened established practices in the university regarding faculty promotion and retention,"[83] resulting in the students going on strike. Additionally, "many worry that in an environment in which AMLO tends to equate public service with support for his government, there is real danger to academic freedom for those involved in research or advocacy that diverges from the government's plans and policies".[84] This demonstrates AMLO's overall style of governance, which rewards loyalty to his government and policies over impartial reporting and results. This attack came after another case in Mexico involving academia that drew international criticism over the country's "handling of a corruption case against several scientists who had received state support; the government overruled court decisions that favored the scientists and threatened them with severe laws normally used against drug traffickers".[85] In this case, "Mexican Attorney General Alejandro Gertz Manero was planning to issue arrest warrants for 31 Mexican scientists" who had allegedly "stolen $12.2 million destined for the scientific advancement of the country".[86]

More recently, at the end of April 2023, the Deputy Chamber "approved 20 reforms that cancelled the Welfare and Health Institute (INSABI); the National Council of Science and Technology (CONACyT); and the Army was given a new airline"[87] This not only cuts funding for educational programs, but at the same time puts increased funding to the military with the Army's new airline. This further indicates AMLO's policies that weaken educational institutions and their role in the civil society while strengthening the military, which he has been giving a larger role in the Mexican government.

Given the large role labor rights played in the Mexican Revolution and the creation of the constitution of 1917, labor groups still play a crucial and active role in the Mexican government and civil society. The most prominent group is the Confederation of Mexican Workers (CTM), which served a key role within the PRI during the 20th century. However, after the 2000 elections and the PRI losing its hold on government control, CTM influence declined. President Fox favored

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[81] Humberto Beck and Patrick Iber, "The Contradictions of AMLO," Dissent Magazine, April 20, 2022, https://www.dissentmagazine.org/article/the-contradictions-of-amlo, 109.

[82] Ibid.

[83] Ibid..

[84] Beck and Iber,"The Contradictions of AMLO": 109-110.

[85] Beck and Iber, "The Contradictions of AMLO": 110.

[86] Myriam Vidal Valero, "Mexico's Scientific Community Is Facing Unprecedented Threats from the Government," Slate Magazine (Slate, October 25, 2021), https://slate.com/technology/2021/10/mexican-scientists-arrest-warrants-conacyt-forum.html.

[87] Lisdey Espinoza Pedraza, "AMLO's 4th Transformation: More Militarisation Less Education," Modern Diplomacy, May 2, 2023, https://moderndiplomacy.eu/2023/05/03/amlos-4th-transformation-more-militarisation-less-education/.

company unions and the Confederación Revolucionaria de Obreros y Campesinos (CROC) over the CTM—although Fox still worked with the latter. Members of the CTM also supported President Calderón's labor reform laws that would "seek to improve the transparency of Mexico's trade unions" and "make labor regulations more flexible".[88] When AMLO entered office, he too sought to reform Mexico's labor structure that "strictly limited which unions it recognized and, for decades, PRI elites appointed loyal officials to head employer-controlled unions, derisively dubbed 'charros', that colluded with factory owners and negotiated bogus 'protection contracts' designed to suppress wages".[89] AMLO's reform bill, which was signed into law on May 1, 2019, "grants Mexican workers the right to elect union officials by secret ballot and to ratify negotiated CBAs" and "requires that all existing CBAs be submitted to a legitimation vote and creates an independent federal agency to oversee union elections and a new system of specialized labor courts".[90] This was an important change in law, as CBAs in Mexico were typically negotiated without the involvement or consent of workers.

6. An Examination of Democratic Indicators in Mexico

Returning to the studies used to identify democratic indicators, this report will now turn towards Mexico and Latin America. After introducing each report and its classification methods, we will move through the democratic indicators and show where Mexico ranks on each indicator within each report, and a review of current events in Mexico will contextualize these rankings.

1. **Varieties of Democracy (V-Dem)**: V-Dem's *Democracy Report 2023: Defiance in the Face of Autocratization* classifies countries into regime types, with 'liberal democracies' being the most democratic and 'closed autocracies' being the least democratic. Mexico is classified as an electoral democracy and **ranks overall in the bottom 40-50% of countries studied.**[91]
2. **Freedom House:** Freedom House's *Freedom in the World 2023* classifies countries by Free, Partly Free, or Not Free, and gives the state a numerical score out of 100 points using 25 indicators that fall under political rights or civil rights. **Mexico is classified as a Partly Free country, scoring a 60/100**.[92]

[88] Dave Graham and Miguel Gutierrez, "Mexico's Calderon Makes New Push for Reform of Labor Laws," Reuters (Thomson Reuters, September 2, 2012), https://www.reuters.com/article/mexico-reforms-idUKL2E8K209220120902.

[89] Jason Vazquez, "Backgrounder: AMLO and Mexican Labor Law Reform," OnLabor, March 19, 2021, https://onlabor.org/backgrounder-amlo-and-mexican-labor-law-reform/.

[90] Ibid.

[91] V-Dem Institute, "Democracy Report 2023."

[92] Freedom House, "Countries and Territories," Freedom House, 2023, https://freedomhouse.org/countries/freedom-world/scores.

3. **The World Justice Project:** World Justice Project's *Rule of Law 2022 Index* ranks states on a scale from 0 to 1, with 1 "indicating the strongest adherence to rule of law".[93] **Mexico received a score of .42, placing the country 115th internationally and 27th out of 32 regionally.**[94]
4. **The Bertelsmann Transformation Index**: The *BTI 2022 Mexico Country Report* ranks countries on a scale of 1 to 10, based on 16 indicators that each receive their own score. **Mexico received a 6.01, placing them 50th out of the 137 countries studied.**[95]
5. **The Economist Intelligence Unit**: The EIU's *Democracy Index 2022* places states into four categories: full democracies, flawed democracies, hybrid regimes, or authoritarian regimes and gives each state a score on a scale from 1-10. **Mexico received a score of 5.25 and was classified as a hybrid regime.** A hybrid regime is one that: elections have substantial irregularities that prevent them from being both free and fair; governments commonly pressure opposition parties and candidates; there is widespread corruption, weak rule of law, and weak civil society; and serious weaknesses are more prevalent than in flawed democracies. **Mexico's score places it at 89th place internationally, and 16th regionally.**

6.1 Free and Fair Elections in Mexico

The presidential elections in Mexico occur every six years, and presidents cannot be reelected. Elections are also calculated by an independent institution, INE, allowing each vote to be counted fairly and accurately. Despite these measures to ensure clean elections, bribery, corruption, intimidation and clientelism cause skepticism into whether Mexico holds free and fair elections. Increased violence during the 2018 election campaign left 145 people dead, causing skepticism about whether these elections can be categorized as free.[96] The election of 2021 was similar, where 102 candidates and politicians were killed in the months before the election.[97] Because of these reasons, ***BTI 2022 Mexico Country Report*** **ranks free and fair elections in Mexico as 7 out of 10 points.** INE has also faced continued threats, as AMLO has pushed Plan B to strip INE of its powers.

According to scholar Roderic Camp of Claremont McKenna College, elections in Mexico cannot be described as democratic when violence is utilized, voters are intimidated and bribed, and campaign funds are not properly traced.[98] Other experts have expressed similar concerns, as

[93] World Justice Project, "Rule of Law Index 2022," 2022, https://worldjusticeproject.org/rule-of-law-index/downloads/WJPIndex2022.pdf, 10.
[94] Ibid.
[95] BTI Transformation Index, "BTI 2022 Mexico Country Report," BTI 2022, 2022, https://bti-project.org/en/reports/country-report/MEX#pos5.
[96] Freedom House, "Mexico: Freedom in the World 2022 Country Report."
[97] Institute for Economics & Peace, "Mexico Peace Index 2022: Identifying and Measuring the Factors That Drive Peace" (Vision of Humanity, May 2022), https://www.visionofhumanity.org/wp-content/uploads/2022/05/ENG-MPI-2022-web.pdf.
[98] Diplomacy Lab Interview with Roderic Camp. Personal, March 8, 2023.

they describe how policies meant to curb corruption are already in place, but just not implemented. For example, while there is a limit on money that can be spent on campaigns already in Mexico, political parties are not held accountable to this policy and often disregard it.[99] Carlos Herida, a Wilson Center scholar and respected Mexican economist and researcher, stated that while Mexico holds elections, it doesn't mean it is operating as a democracy due to the aforementioned issues.[100] Both the executive and legislative branches at the federal, state, and local levels are accused of illicit campaign activities, including "misuse of public funds, vote buying, and widespread flouting of campaign finance laws".[101]

When looking at their rankings across the indexes studied, countries in Latin America categorized as strong democracies are Uruguay, Costa Rica, Chile, and Argentina. According to Freedom House, Uruguay's high score is specifically due to their free and fair elections and peaceful transitions of power.

6.2 Rule of Law

In every index surveyed except V-Dem, Mexico's 'rule of law' scores have seen a steady decline over the years, coming to rest at relatively low values. In addition, many of the reports—including V-Dem and The Bertelsmann Transformation Index—rank Mexico in the bottom 50% of countries measured for rule of law-related rankings[102].

Currently, Freedom House designates Mexico's average score of 1.25 out of 4 points for its indicators relating to rule of law.[103] This score is attributed to Mexico's undermined integrity of courts and law enforcement agencies, preventative and pretrial detention, questionable independence of the Supreme Court, threats of violence, as well as unequal treatment across different groups. These concerns have also led to it assigning Mexico a score of 2 out of 4 points for an independent judiciary and multiple scores of 1 out of 4 regarding to due process, illegitimate use of physical force, and guarantees of equal treatment. Citing similar issues, The BTI gave Mexico an average score of 4.75 out of 10 in rule of law. BTIs scoring is especially dependent on the widespread violence perpetrated by Mexico's criminal organizations, police force, and military. Another major concern is the violation of constitutionally-enshrined civil rights in practice.

6.3. Fundamental Rights and Civil Society

The progress of fundamental rights in Mexico also contributes to its backsliding democracy. **Mexico sits at 91st out of 140 on the global scale for Fundamental Rights with a**

[99] Diplomacy Lab Interview with Jaime Chavez Alor. Personal, March 29, 2023.
[100] Diplomacy Lab Interview with Carlos Herida. Personal, March 30, 2023.
[101] Freedom House, "Mexico: Freedom in the World 2022 Country Report."
[102] BTI Transformation Index. "BTI 2022 Mexico Country Report."
[103] Freedom House. "Mexico: Freedom in the World 2022 Country Report."

score of 0.49 out of 1.0, according to the World Justice Project.[104] Similarly, the Economist scores Mexico at 5.59 out of a possible 10.0 for civil liberties, and 7.22 out of 10 for political participation.[105] Freedom House scored Mexico 33 out of 60 points for civil liberties.[106] Concerning specific fundamental rights, the World Justice Project places Mexico in the bottom 50% of 140 states in regards to absence of discrimination, right to life and security, due process and rights of the accused, freedom of opinions and expression, freedom of assembly and association, and fundamental labor rights.[107] Additionally, V-Dem states that Mexico has seen a decline in academic freedom since 2012, with a current score of 0.65 out of 1.[108]

The independent press and media in Mexico also face repression which threatens the health of democracy. **Freedom House gives Mexico 2 out of 4 points for a free and independent media.[109]** President López Obrador frequently attacks journalists who speak critically of him and his policies. During his daily morning press conferences or "mañaneras," AMLO publicly lists journalists by name, shares their personal information, and discredits and defames critics.[110] Reporters Without Borders named Mexico the deadliest country for journalists in 2022[111], with at least 13 journalists being murdered throughout the year.[112] Additionally, an investigation led by R3D, Article 19, SocialTic, and multiple other news outlets, have found evidence of a secret military structure, the Military Intelligence Center (CMI), spying on journalists through the Pegasus spyware.[113] There have been 16 cases of spying on journalists and 11 cases of spying on human rights defenders over the past six years, but only one case has been prosecuted.[114]

The rights of civil society also face different restrictions, and AMLO frequently attempts to discredit non-governmental, civic organizations.[115] Particularly, AMLO publicly questions the source of funding—some of which is international, including from the U.S. government—for Mexican organizations like Article 19 and Mexicans Against Corruption.[116] CSOs also face

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[104] World Justice Project, "Factors - Fundamental Rights."

[105] Economist Intelligence Unit, "Democracy Index 2022," 9.

[106] Freedom House, "Mexico: Freedom in the World 2022 Country Report."

[107] World Justice Project, "Factors - Fundamental Rights."

[108] V-Dem Institute, "Democracy Report 2023," 37.

[109] Freedom House, "Mexico: Freedom in the World 2022 Country Report."

[110] Enrique Krauze, "Opinion | in Mexico, López Obrador's Provocations May Soon Get Opponents Killed," The Washington Post, April 12, 2023, https://www.washingtonpost.com/opinions/2023/04/11/mexico-lopez-obrador-critics-violence/.

[111] "Mexico, the Deadliest Country for Journalists in 2022: Watchdog," Reuters (Thomson Reuters, December 14, 2022), https://www.reuters.com/world/americas/mexico-deadliest-country-journalists-2022-watchdog-2022-12-14/.

[112] Economist Intelligence Unit, "Democracy Index 2022," 45

[113] César López Linares, "Spying on Mexican Journalists…" LatAm Journalism Review (Knight Center, March 10, 2023), https://latamjournalismreview.org/articles/spying-on-mexican-journalists-and-activist-took-place-in-a-secret-military-unit-reveals-spy-army-investigation-ngos-call-for-international-support/.

[114] Ibid.

[115] Diplomacy Lab Interview with Denise Dresser. Personal, March 31, 2023.

[116] CSO Admin, "Civil Society in Mexico: Resilience and Accountability," Global Standard for CSO Accountability, September 8, 2022, https://www.csostandard.org/nm/civil-society-in-mexico-resilience-and-accountability/.

increasing re-registration obstacles, and AMLO has ordered that no civil society associations be funded; rather, all aid to citizens is to be distributed through the state and the president.[117] This can be seen with the increased presence of the military in responsibilities traditionally fulfilled by civil society.

6.4. Checks and Balances

Mexico's weak system of checks and balances has led them to receive lowered rankings in all the reports referenced. The Economist Intelligence Unit's *Democracy Index 2022* states that President López Obrador's "attacks on democratic checks and balances…led to a further downgrade in Mexico's overall score in 2022".[118] **The Bertelsmann Transformation Index ranks Mexico's "Rule of Law", which focuses heavily on checks and balances, at a 4.8 out of 10 points.[119]** This index similarly points to the current MORENA administration and majority in Congress as cause for the decline of governmental and independent checks and balances, writing that "[b]ecause AMLO clearly dominates his party, the separation between the executive and Congress is virtually nonexistent…At the same time, the independent institutions that monitor and control the executive...are under verbal attack by the president and their budgets have been significantly reduced".[120] **The World Justice Project's 2022 *Rule of Law Index* ranks Mexico's "Constraints on government power" at a 0.44 out of 1, placing them at 102st out of the 140 countries studied, and 30th out of the 32 countries in the region for this indicator specifically.[121]** Alejandro González Arreola, the Director of Rule of Law Projects in the Mexico office at World Justice Project, revealed that Mexico's drop in ranking in the 2022 *Rule of Law Index* was primarily due to the current centralization of power in the executive branch, which has been "consistently gaining power vis-à-vis the other branches".[122]

Although experts have pointed at a variety of issues that reflect a weakened system of checks and balances, including the increased militarization in Mexico and the defunding of INE, the judiciary institutions of Mexico have consistently been referenced when discussing checks and balances. The judicial branch is critical for a functioning system of checks and balances as it provides "an institutional counterweight to the executive branch," although this has not always been seen in Latin America.[123] **Mexico's Supreme Court has been singled out as the exception to a weak judicial system, as author Dr. Roderic Camp described the court as an independent institution that is "one of the few institutions in Mexico that is a reflection of a democratic**

[117] Freedom House, "Mexico: Freedom in the World 2022 Country Report," 29.
[118] Economist Intelligence Unit, "Democracy Index 2022," 45.
[119] BTI Transformation Index, "BTI 2022 Mexico Country Report."
[120] Ibid.
[121] World Justice Project, "Rule of Law Index 2022," 122.
[122] Diplomacy Lab Interview with Alejandro González Arreola. Personal, March 30, 2023.
[123] Peter H. Smith and Cameron J. Sells, *Democracy in Latin America: Political Change in Comparative Perspective* (New York, NY: Oxford University Press, 2017), 282.

system."[124] However, as the Bertelsmann Transformation Index states, the Supreme Court is the only judicial institution in the country that has acted fully independently, and this could also be under threat as AMLO has nominated two justices to the court.[125] Although the 2014 judicial reform created an independent attorney general position, the current Attorney General Alejandro Gertz Manero's close relationship with AMLO has led to questioning of the institutional check meant to be provided by his role.[126] **Beyond the Supreme Court, Bertelsmann classifies state and federal courts as "biased toward the executive," and the World Justice Project's *Mexico States Rule of Law Index* 2020-2021 shows that all of Mexico's 32 states rank between 0.51 and 0.34 in "Constraints on Government Power."[127]** Three countries in Latin America rank highly in this indicator, with Costa Rica ranking at a 0.78, followed by Uruguay and Chile in the World Justice Project's rankings in "Constraints on Government Power."[128]

Although the World Justice Project's international rankings show that 58% of countries weakened in the area of checks and balances, a strengthened judiciary branch could provide support for Mexico to improve in this area and their overall rankings.[129] There are current examples of this provided by **V-Dem's *Democracy Report 2023*, which identifies eight countries that are "bouncing back" from democratic backsliding and lists five reasons why these countries have been able to do so, with one key cause being "Judiciary reversing executive takeover".[130]** Mexico could follow the example of four countries identified by V-Dem: Ecuador, Moldova, North Macedonia, and South Korea. All four countries took major steps to reverse "autocratization" through a variety of judicial reforms and actions, like unseating judges, upholding or suspending elections when needed, re-introducing term limits, and charging former government officials.[131] As Mexico looks forward, an independent judicial system should be a top priority in order to create a strong system of checks and balances, furthering democracy overall.

6.5. Corruption

In 2016, Mexico's congress passed the constitutional reform that enabled the creation of the National Anti-Corruption System (SNA). This enables the coordination of anti-corruption efforts at all three levels of government. SNA monitors and evaluates the country's progress in eradicating corruption, and it facilitates citizens' participation in advocacy initiatives to combat corrupt government officials and general misconduct in the system. Despite this promising reform,

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[124] Diplomacy Lab Interview with Roderic Camp.

[125] BTI Transformation Index, "BTI 2022 Mexico Country Report."

[126] Ibid.

[127] Ibid; World Justice Project, "Mexico States Rule of Law Index 2020-2021," 2021, https://worldjusticeproject.org/sites/default/files/documents/msi-2020-2021-v8_2.pdf, 14.

[128] World Justice Project, "Rankings - Constraints on Government Power," WJP Rule of Law Index, https://worldjusticeproject.org/rule-of-law-index/global/2022/Constraints%20on%20Government%20Powers/.

[129] World Justice Project, "WJP Rule of Law Index 2022 Insights," 2022, https://worldjusticeproject.org/rule-of-law-index/downloads/WJPInsights2022.pdf, 42.

[130] V-Dem Institute, "Democracy Report 2023," 7.

[131] V-Dem Institute, "Democracy Report 2023," 32

the system was never fully implemented by the executive branch. Today, SNA is weakened by a lack of funding, lack of political support, and many vacant seats, impeding its ability to guide Mexico through the fight against corruption. As reflected in reports from V-Dem, The World Justice Project, Freedom House, Transparency International, and the Bertelsmann Transformation Index, Mexico's low rankings in absence of corruption have contributed to the country's low rankings on democracy. Starting with the **Freedom House score on Mexico's efficiency in safeguards against official corruption, the country scores a 1 out of a possible 4 points**.[132] Indicating that due to the inadequate capabilities of the police and judicial systems, attempts to prosecute officials for alleged involvement in corrupt or criminal activities have frequently failed. In terms of scores specifically for the absence of corruption in the country, t**he World Justice Project ranks Mexico at 134th place out of 140 countries, being one of the worst scores related to corruption.** It gives the country a 0.26 out of a possible 1.0 score.[133] The **Transparency International Corruption Perceptions Index** (CPI) 2022, which rates countries on a scale from 0 to 100, **ranks Mexico 126th out of 180 countries,** with a score of 31.[134] The **Bertelsmann Transformation Index ranks Mexico a 3 out of a possible 10 in anti-corruption policy effectiveness.**[135] These scores reflect the wide gap between the law and the implementation of the law in Mexico.

The fight against corruption was one of AMLO's priorities during his presidential campaign. Yet, his actions and results have been contradictory. This can be seen in his attempts to weaken anti-corruption institutions and organizations, including criticisms of the NGO Mexicanos Contra la Corrupción and his decision to not implement the SNA. Additionally, numerous corruption cases have been either ignored, dismissed, or never resolved. Organizations like Mexicanos Contra la Corrupción are the main drivers of advocacy for the absence of corruption in the country. This organization documents the most notable acts of corruption, the treatment that corrupt officials receive from authorities, and their consequences. This organization has been able to expose various significant cases on corrupt transactions and officials, that not only inform citizens but also pressure the government for a more transparent, and rigid anti-corruption initiative.

Mexicanos Contra la Corrupción has also highlighted a few processes that promote corruption in the country, including the lack of transparency in awarding public tenders. One of these processes is the tolerance towards acts of corruption involving members of the certain political parties in the government. There are three types of usual responses: deny, minimize, or dismiss the accusations as alleged by the opponent to either derail or dismiss the process of applying the law. Additionally, many championing journalists and media outlets have been vital for exposing potential corruption and other abuses of power. In Mexico, the fight against

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[132] Freedom House, "Mexico: Freedom in the World 2022 Country Report."

[133] World Justice Project, "WJP Rule of Law Index 2022 Insights".

[134] Transparency International, "2022 Corruption Perceptions Index - Explore Mexico's Results," Transparency International, January 2023, https://www.transparency.org/en/cpi/2022/index/mex.

[135] BTI Transformation Index, "BTI 2022 Mexico Country Report."

corruption continues to be a pending issue that does not seem to diminish over the years. Although anti-corruption was one of his most famous campaigns that people advocated and hoped for, there has not been significant improvement during the first years of AMLO's administration.

7. Recommendations

Our research team recognizes the serious challenges of working to strengthen democracy in a foreign country, and especially in a state where a partner government is championing some of the reforms being debated and questioned. We also fully recognize the complex history between Mexico and the United States, which has left great sensitivity in Mexico to any perception of U.S. infringement on Mexico's sovereignty. Nevertheless, preserving a strong democratic system in Mexico is of great importance to the U.S. as well as to Mexico. In the spirit of supporting a vital neighbor, we offer suggestions, many of which involve expanding and strengthening the kinds of initiatives already underway. We also note that other democratic governments and non-governmental organizations from those countries, as well as some international organizations, are committed to supporting democratic practices and helping to strengthen democracies around the world and in the Americas. We see these players as key partners in working to support Mexico and its citizens in considering how best to strengthen their democracy.

7.1 NGO & CSO Funding

The respected international studies and experts we consulted underscored how non-governmental organizations (NGOs) and civil society organizations (CSOs) play a very important role in upholding democracy. They contribute significantly by making it simpler for citizens to learn about how their governments are managed and to highlight good and bad practices in the country and from around the world. They facilitate citizen-politician communication, encourage civic participation, and work to prevent governmental abuses of power. The continuation of provision of funding to NGOs and CSOs can make a significant difference in strengthening Mexico's democracy especially during these challenging times. Often underfunded, NGOs and CSOs struggle to continue their vital pro-democracy work due to insufficient funds and support, not to mention criticism and harassment from the Mexican government. To support the ability of NGOs/CSOs to continue to play their vital roles at this important time, the US government and other democratic governments and non-government organizations such as foundations should continue and expand funding to uphold and support NGOs and CSOs that advocate for democracy in the country and that are working to increase transparency and accountability and to protect fundamental freedoms in Mexico.

As noted, the U.S. should work with other international partners, such as the European Union and Canada. The U.S. and other democratic governments should also collaborate with international foundations and organizations to encourage funding that will keep respected Mexican CSOs and NGOs vibrant and active, as well as sponsoring events that will share and uplift these

organizations' vital roles and research and allow them to collaborate and learn with other democracy advocates from around the world.

Other Mexican sectors—including private foundations and companies—should be encouraged to play key roles in supporting efforts such as civic and voter participation campaigns and initiatives to encourage good democratic practices while maintaining non-partisanship. Education institutions in Mexico, the US, Europe, Canada. and other countries would also serve as beneficial partners in these types of efforts.

The Mexican NGOs and CSO that merit support can range from the ones that advocate for transparency in monitoring elections and political process to those that promote public participation and decision making. In our research, the team encountered the substantial work being done by the following NGOs and CSOs, but we know that there are very likely other groups that meriting support from U.S. and other international and Mexican partners:

- México Evalúa,
- Mexicanos Contra la Corrupción,
- Fundar, Centro de Análisis e Investigación,
- Transparencia Mexicana,
- Mexican Institute for Competitiveness (IMCO),
- Poder,
- Article 19.

7.2 Partnerships

As suggested by the comments in section 7.1, deepening and expanding partnerships should remain a key tool for promoting democratic principles and resisting the weakening of democratic institutions and practices. The U.S. should continue and deepen partnerships with international and Mexican NGOs and CSOs. The U.S. should partner with like-minded foreign governments in developing programs, events, and public campaigns to highlight the importance of maintaining democratic practices and institutions, events, and public campaigns to highlight the importance of maintaining democratic practices and institutions.

The value of these kinds of partnerships was highlighted by the V-Dem report, for example. That report states that "unified opposition coalescing with civil society" and "international democracy support and protection" are two factors that have been important to re-establish democracy in eight states where democracy had been trending downwards.[136] Additionally, such pro-democracy partnerships make even more sense as autocratic forces and anti-democratic movements and governments create risks for democracy forces throughout the region and across the globe.[137]

[136] V-Dem Institute, "Democracy Report 2023," 7.
[137] V-Dem Institute, "Democracy Report 2023," 33.

While the authors are not fully informed on all the existing partnerships already underway, or in development, we note that the U.S. often works closely with the governments of other democracies in Europe and Asia in pro-democracy activities hosted in many parts of the world. For example, the U.S. joined the International Partnership for Information and Democracy in 2022. We note that several U.S. government agencies and bureaus fund democracy and rule of law programs with non-governmental partners in Mexico. U.S. and European foundations also fund NGOs and CSOs. Coordinated efforts with international government and non-governmental partners can be invaluable in strengthening civil society and providing local groups and independent institutions with needed aid to develop and sustain democratic programming. These initiatives show solidarity and put up a frontline of organizations fighting for democratic practices and institutions through expanding "political rights and civil liberties worldwide".[138]

7.3 Organizing Speeches, Talks and Conferences

In our research, we identified several key aspects common to cases where democratic backsliding is halted and eventually reversed, including consistent international support and space for opposition to coalesce with civil society. To support the development of these factors, the US and other democratic governments could launch a reinforced effort to sponsor Spanish-speaking experts from the U.S., Mexico, European, and other democratic countries in the Americas—such as university professors, respected former politicians and officials and other experts—to provide talks throughout Mexico at university events, on the news, at think tanks, and other speaker-based and discussion-based events. These events could be accompanied by similar events in other regional democratic countries. These tours, events and conferences could be organized with partner governments.

These discussions and events would encourage research institutions, media organizations, and Mexican citizens to discuss democracy and worries about any "democratic backsliding" more broadly and could highlight Mexico's situation in the process—maintaining the dialogue and keeping attention on the issue. The talks hosted in Mexico could help provide a space for those who are most worried about steps taken to weaken Mexico's institutions and practices to coalesce with broader parts of civil society. The facilitation of such discussion has the potential to keep the focus on Mexico's democracy, both domestically and abroad, thereby increasing the amount of international and domestic actors who speak out on the key issues. This will, in turn, strengthen the persistence and consistency of the message. We recommend that these activities are organized in conjunction with partners, strengthening a coalition of those raising concerns about democratic backsliding in Mexico.

[138] Gorokhovskaia, et al., "Freedom in the World 2023," 20.

7.4 Programming Targeted at Specific States, Cities, and Regions

For this portion of the report, the research team focused on the special capacities of the US presence in Mexico, but the ideas presented could also be pursued by other governments and organizations. U.S. presence in Mexico includes the embassy in Mexico City and Consulate Generals' offices in Hermosillo (Sonora), Monterrey (Nuevo León), Tijuana (Baja California), Ciudad Juárez (Chihuahua), Matamoros (Tamaulipas), Nogales (Sonora), Guadalajara (Jalisco), Mérida (Yucatán), and Nuevo Laredo (Tamaulipas). With this large network in-country, the U.S. has the opportunity to connect and interact with the Mexican populace and civil society in a variety of areas. (Just as the Mexican government can do with over 50 consulates in the United States.) Events hosted at an embassy can be on any topic pertaining to democracy, events at Consulate Generals' offices can also be tailored to the issues most relevant to the respective region or state.

While the U.S. embassy and consulates already host events to raise awareness on issues pertaining to the U.S.-Mexican bilateral relationship, programs could also be targeted more specifically. The following table utilizes data from the World Justice Project's Mexico States *Rule of Law Index 2021-2022*. The table includes the democracy indicators in which the Mexican states that contain a U.S. consulate are strongest and weakest in. This data can be utilized by the embassy and consulates while planning for hosting speaker series, panels, or other events. The US government will know better than this research team how best to fund or organize such events, but we assume that they could draw on various programmatic and funding authorities.

U.S. Presence	**State located in**	**Lowest indicators (WJP score) (out of 1.0)**	**Highest indicators (WJP score) (out of 1.0)**
Embassy Mexico City +	Mexico City	Absence of corruption: executive branch (0.26)	Open Government (0.55)
U.S. Consulate Hermosillo*	Sonora	Order and security (0.34)	Open government (0.52)
U.S. Consulate Monterrey +	Nuevo León	Criminal justice (0.39)	Fundamental rights (0.56)
U.S. Consulate Tijuana +	Baja California	Order and security: absence of homicides (0.01)	**N/A**

U.S. Consulate Ciudad Juárez +	Chihuahua	Order and security: absence of homicides (0.01)	Fundamental rights: absence of discrimination (0.52)
U.S. Consulate Matamoros*	Tamaulipas	Civil Justice: People know their rights (0.25) and affordable civil justice without bureaucratic processes (0.25)	Fundamental rights (0.50): Freedom of Opinion (0.78)
U.S. Consulate Nogales*	Sonora	Order and security (0.34): Absence of homicides (0.08)	Open government (0.52): Right to information (0.64)
U.S. Consulate Guadalajara +	Jalisco	Civil Justice (0.32): No unreasonable delay in civil justice (0.22) Absence of Corruption (0.32): In police/military (0.27)	Open government (0.48): Right to information (0.61)
U.S. Consulate Mérida*	Yucatán	Civil Justice (0.35): Affordable civil justice without bureaucratic processes (0.23)	Order and Security (0.82): Absence of homicides (0.92)
U.S. Consulate Nuevo Laredo*	Tamaulipas	Civil Justice (.34): People know their rights (0.25) and affordable civil justice without bureaucratic processes (0.25)	Fundamental Rights (0.50): Freedom of Opinion (0.78)

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+ Public Affairs Office

Based on the articles posted on the embassy and consulate websites, as well as social media pages, U.S. Consulate Ciudad Juárez has been active in its community by helping to inaugurate a vetted investigatory unit, by donating equipment to DIF municipal Juárez (which helped open a

multi-sensory room), and by donating equipment to the Ciudad Juárez Fire Department, among others.

U.S. Consulate Guadalajara is also active in hosting events, with its Facebook page promoting weekly events like political conversation clubs, English-language practice events, and cultural media programming. The consulate also offers speaker events, most recently hosting an event encouraging political participation of Indigenous youth in the region.[139]

The U.S. Consulate General in Monterrey is also active in its community. It is particularly active in the sports community; the Consul General threw the first pitch for the Sultanes de Monterrey, who have the first female coach in the LMB. Additionally, CG Rigaud hosted a girls' sports day with the team, where they "work in favor of the empowerment of girls and women, and for making their dreams possible within this great sport, baseball."[140] These activities demonstrate the strong relationship between the U.S. consulate and the communities in Monterrey, and also the possibility for increased programming tailored to issues pertaining to democracy in the region.

Mission Mexico posts shared messages on their Facebook page. For example, recently it posted one titled "authoritarian regimes continue to suppress freedom of expression. World Press Freedom Day recognizes those who bravely speak out." While we recognize that this particular post echoed messages coming out from the State Department, posts such as these are beneficial as they speak to issues surrounding authoritarian regimes, and we believe these efforts can be taken further.

For example, the Consulate could host a speaker or panel of speakers to talk about World Press Freedom Day and how press freedom relates to Mexico and the regional communities. The Consulate could host local journalists and academics from nearby universities to speak on the issues facing journalists abroad and in Mexico, and how that relates to the quality of a democracy.

These kinds of events could be valuable across the consulates, perhaps especially where journalists have been targeted and killed. As such, U.S. Consulate Tijuana also posted for World Press Freedom Day.[141] Expanding on opportunities like these to host a more in-depth event would allow for more coverage on the issues facing Mexican journalists, especially in Baja California, which ranks low on the WJP's rule of law index. While the Consulate is active on Facebook and attends events such as baseball games and English-language programs, we suggest that hosting events more relevant to the issues relating to democratic backsliding would be beneficial.

While we recognize the strength of existing programming, and the likelihood that other events occur that are not advertised as broadly, our team recommends that the U.S. embassy and consulates build upon current programming and host events related to strengthening democratic practices and institutions over the months ahead. We suggest that the US embassy and US consulates continue to utilize their social media pages and update their webpages to reflect these

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[139] U.S. Consulate Guadalajara, "Facebook," trans. Ethan Puc, *Facebook* (blog), 2023, https://www.facebook.com/USCGGuadalajara/.

[140] U.S. Consulate Monterrey, "Facebook," trans. Ethan Puc, *Facebook* (blog), 2023, https://www.facebook.com/usconsulatemonterrey/.

[141] U.S. Consulate Tijuana, "Facebook," *Facebook* (blog), 2023, https://www.facebook.com/ConsuladoEstadosUnidosTijuana/.

events and highlight the key themes discussed in this report. We think that embassies from other democratic countries may well be able to carry out similar efforts, though we understand that the US has by far the largest presence around Mexico.

7.5. Conferences and Similar Events

As mentioned above, conferences can offer an important opportunity for civil society organizations, media, industry, and strong democratic governments to showcase accomplishments and data, share tactics for navigating challenges in democracy and continuing to uphold democracy. The U.S. has been very active in this area. It hosted the 9th Summit of the Americas in 2022, as well as two Summits for Democracy under the Biden Administration. These summits not only emphasized the importance of democracy, but also provided excellent opportunities to spread messages and ideas about how to combat democratic backsliding.[142] The U.S. made a special effort to include a wide range of countries and leaders in the process. Continuation of such conferences can be very important to upholding democracy globally. Additionally, the Organization of American States hosts similar conferences and seminars that emphasize peacebuilding, for example, called the "Inter-American Peace Forum".[143]

This research team believes that the U.S., working with democratic governments and partners, should organize conferences with a similar focus on democracy and best practices for democratic systems based on a wide range of experiences. The series of conferences could focus on the region and even have a session on threats outside of the region to demonstrate the broad concern about democracy around the world. Partners from Europe and the Americas, along with international organizations and foundations, should be encouraged to join the effort.

One aspect of such conferences should focus on the work of NGOs and CSOs that share similar values across Europe and other nations in the Americas. We recognize this would be a challenge for any one embassy to organize, requiring both funding and staff, but think such a conference could have a very positive impact.

NGOs in the Americas	NGOs in Europe
National Endowment for Democracy	European Endowment for Democracy
Committee to Protect Journalists	Reporters Without Borders
Mexico Evalua	European Policy Center
Mexican Institute for Competitiveness	Rights and Humanity

[142] U.S. Department of State, "Summit of the Americas," U.S. Department of State, June 23, 2022, https://www.state.gov/summit-of-the-americas/.
[143] Organization of American States, "Overview of OAS Country Programs/Projects," OAS, 2023, https://www.oas.org/OOCPP/Projects/Search.aspx?lang=en.

(IMCO)	
Open Society Foundations	International Society for Human Rights
Article 19	International Institute for Democracy and Electoral Assistance (IDEA)
Transparencia Mexicana	Transparency International EU

Conferences could be held at universities, for example. CSOs, NGOs, and other institutions that represent democratic nations from the Americas and Europe could be involved. Examples of these nations, based on their score from Freedom House, are Uruguay, Costa Rica, Norway, and Finland.[144]

7.6 Social Media, Traditional Media, and International Press

The research team strongly believes that efforts to support a free and open media while developing even stronger social media messaging about good democratic practices and civic participation would be vital for work moving forward.

Strong civil societies uphold democracy, and one critical component of civil society is a strong and free media. **According to Freedom House, social media has increased the playing field for "civic discussion," but it has also been a dangerous tool for actors with an intent to spread disinformation.[145]** In Mexico, social media campaigns targeting those who oppose current administrations have been common since 2018, and under AMLO, Mexico's government has used similar tactics. For example, there are reports that "semibots" have been launched against AMLO's opposition.[146] In addition, an investigation rep[orted that Notimex, the state news agency, created a network of fake accounts to attack prominent journalists who opposed the administration.[147] Most recently, press reporting has highlighted reports of spying by authorities on the media and those working on human rights.

[144] Freedom House, "Explore the Map - Global Freedom Status," Freedom House, https://freedomhouse.org/explore-the-map?type=fiw&year=2023.
[145] Adrian Shahbaz and Allie Funk, "The Crisis of Social Media," Freedom House, November 4, 2019, https://freedomhouse.org/report/freedom-net/2019/crisis-social-media.
[146] Freedom House, "Mexico: Freedom on the Net 2019 Country Report," Freedom House, 2019, https://freedomhouse.org/country/mexico/freedom-net/2019.
[147] José Miguel Vivanco, "Mexico President López Obrador Frets about the Spreading Virus of Fake News, but Not COVID-19," Human Rights Watch (The Dallas Morning News, June 16, 2020), https://www.hrw.org/news/2020/06/16/mexico-president-lopez-obrador-frets-about-spreading-virus-fake-news-not-covid-19.

Currently, 87% of Mexicans get their news from the internet and 68% get the news directly from social media.[148] The news industry in Mexico is generally believed to be untrustworthy, with only 37% trusting a select few sources; CNN, Milenio News, and El Universal rank in the top three.[149] Ensuring continued access to credible information is essential for maintaining public debates and instilling participation in protests and campaigns against corruption.

The U.S. and other democracies should continue to support organizations that promote these values. With over half of the population obtaining their news through social media, it is pertinent to emphasize social media campaigns. The youngest voting demographic, ages 18-29, is nearly 30% of the voting population. As of 2015, 96% of Mexicans between the ages of 20-30 use at least one social media platform.[150] There is an increasing reliance on social media as a news source at the same time as the largest social media user demographic is becoming eligible to vote. Due to that change, it is important to provide credible information that can inform the youth's voting behavior.

USAID currently funds México Evalúa through initiatives that target evaluations of the criminal justice system.[151] In the team's conversation with México Evalúa their spokesperson underscored the importance of these programs that promote public access to these evaluations.[152] Additionally, the National Endowment for Democracy provides grant funding for journalism initiatives that publish "high impact stories" in the media.[153] These initiatives are important to provide integral information to the public, but they should emphasize the importance of dissemination of these stories through social media.

Not only should the U.S. and other democracies continue to support reliable and respected CSOs and NGOs that utilize social media to disseminate evidence to the public, but they should consider promoting and supporting campaigns about best democratic and civic participation practices. We suggest that the US and others consider how to carry out civic and democratic participation campaigns on official web pages as well as through social media channels to reach a broader audience. This could be an effort to partner among several democracies and pro-democracy organizations.

Like how the U.S. Embassy in Mexico promoted the Cities Summit of the Americas on its Facebook page, the research team recommends increased social media campaigns that promote new initiatives that the U.S. and international partners, including NGOs and foreign partners, can

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[148] María Elena Gutiérrez-Renteria, "Mexico," Reuters Institute for the Study of Journalism, June 15, 2022, https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2022/mexico.

[149] Ibid.

[150] María Elena Gutiérrez-Renteria, "Mexico," Reuters Institute for the Study of Journalism, June 15, 2022, https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2022/mexico.

[151] México Evalúa, "Nuestros Donantes: Donativos Por Proyecto 2019," México Evalúa, 2023, https://www.mexicoevalua.org/nuestros-donantes/.

[152] Diplomacy Lab Interview with Edna Jaime. Personal, April 12, 2023.

[153] National Endowment for Democracy, "Mexico 2021," NED, February 12, 2022, https://www.ned.org/region/latin-america-and-caribbean/mexico-2021/.

promote.[154] These social media campaign partnerships should use similar formats to the *Social Media Toolkit: Summit for Democracy*, with coordinated tags, phrases, joint messaging, and sample posts.[155]

Similarly, the U.S. and its partners—perhaps including international and regional organizations—should consider ways to promote 'get out to vote' campaigns during crucial elections in Mexico, with the emphasis on voter turnout in nonpartisan campaign formats. However, we also understand that Mexicans need to be in the lead in many of these efforts with support from international partners.

In this connection, the international media is widely recirculated in Mexican traditional and social media. Many in the middle class care what the world thinks, as do younger educated voters looking to their future. Thus, it remains important that the international media continues well-informed coverage of electoral and democratic reform debates in Mexico.

Additional segmented and targeting polling will help the US and other embassies and organizations better design social and traditional media messages over the months ahead. It is important to have a good understanding of what different segments of Mexico's population think about different aspects of Mexico's democracy, as well as regarding U.S. and international actions and attitudes vis-à-vis Mexico. This sophisticated understanding will help to target social media and other messaging most effectively.

In doing social media outreach, as well as through public speaking mentioned above, the team advises the US should include appropriate material and commentaries about the challenges that the U.S. continues to face regarding democratic practices and polarization regarding them. This will add legitimacy to the messages being sent by also acknowledging any evidence of backsliding within the U.S. or any other democracy dealing with internal debates over its democratic system. .

The research team notes that the long and at times contentious US-Mexico relationship and the deeply connected nature of bilateral relations means that guiding what the US says about Mexico's democracy will be a sensitive and delicate process. The team has faith that the skilled US team will find ways to help reinforce public understanding of and support for the key practices and pillars of democracy while underscoring the importance and value of strong, respectful bilateral relations for both countries.

7.7 Working on Longer Term Educational Programming

As an effort not only to integrate young people into policy and governance, but also to promote the tenants of a healthy democracy, the Department of State, as well as other democratic governments, should continue to support and implement programs to educate students and young

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[154] U.S. Embassy Mexico, "Facebook," *Facebook* (blog), April 24, 2023, https://www.facebook.com/mexico.usembassy/.

[155] U.S. Department of State, "Social Media Toolkit: Summit for Democracy - United States Department of State," U.S. Department of State, December 3, 2021, https://www.state.gov/dipnote-u-s-department-of-state-official-blog/social-media-toolkit-summit-for-democracy/.

professionals who will shape the future of democracy. Research finds a strong positive correlation between general education and a transition to democracy.[156] Therefore, informing students about the importance and inner workings of democracy is critical to maintaining democracy into the future.

The Jóvenes en Acción Program, sponsored by the U.S. government, currently hosts a 10-month civic education and leadership program with Mexican student participants from diverse backgrounds.[157] This program includes a four-week exchange experience in the U.S. and covers a wide array of subtopics, such as human rights, social disintegration, and gang-related violence.[158] Additionally, the National Endowment for Democracy hosts a grant for "Fostering the Political Participation of Youth" that monitors and aids youth who aspire to work in the government.[159] Furthermore, the existing US International Visitor Leadership Program (IVLP) sends an average of 130 current or rising Mexican leaders in government, politics, NGOs, education, and other fields each year to spend two-three weeks in the U.S. to meet and confer with their counterparts.[160] The research team recommends continuing to utilize these and similar programs in promoting democracy within Mexico. They hope other democracies will also continue to offer and expand such opportunities to younger Mexicans.

In the months ahead leading up to the July 2024 general election, the team also recommends priority efforts to increase the number of IVLP participants selected from Mexico and focus more programs on the key pillars of a strong democracy.

Building from the concepts of these examples, the team also proposes that the U.S. consider creating a new "Democracy Fellowship Program" for young academics, politicians, and other advocates for democracy, human rights, and anti-corruption, especially individuals from underserved communities. This program could also include an exchange program to involve young American participants in dialogues about U.S.-Mexican citizen diplomacy. It would be designed to offer education and training on issues pertinent to democracy and its sustainability. Ideally, participants would be pursuing or have recently completed some higher education and have studied a relevant area.

The purpose of this program would be to foster a deeper value and appreciation for democracy and to help shape the next generation of democracy defenders. With the expectation that participants aspire to work and contribute to the relevant democratic institutions, including the Mexican government, their education and exposure to the democratic pillars, threats to democracy (perhaps in both Mexico and the U.S.), as well as what works to support democracy in-country and across the globe will lay the foundation for the next generation of leaders to prioritize

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[156] Edward L. Glaeser, Giacomo A. Ponzetto, and Andrei Shleifer, "Why Does Democracy Need Education?," *Journal of Economic Growth* 12, no. 2 (2007): pp. 77-99, https://doi.org/10.1007/s10887-007-9015-1, 79.

[157] World Learning, Inc., "Jóvenes En Acción Program," World Learning, April 6, 2023, https://www.worldlearning.org/program/jovenes-en-accion-program/.

[158] Ibid.

[159] National Endowment for Democracy, "Mexico 2021."

[160] Trochtat, "International Visitor Leadership Program (IVLP)," U.S. Embassy & Consulates In Mexico, May 18, 2021, https://mx.usembassy.gov/international-visitor-leadership-program-ivlp/.

democracy. While you will know better than this team how to organize or fund this program, the US government might be able to partner with institutions like NED and/or universities with democracy programs in order to fund, implement, and host these programs.

8. Conclusion

All the research, interviews, and conversations that this American University research team undertook underscored how complex and complicated it is to support democracy and resist "democratic backsliding." The local citizenry are the key actors in this process. There is no single formula for success. Numerous global studies highlight democratic backsliding in every region of the world, including Europe and the U.S. But citizens around the world have found ways to reinforce democracy and to help and support each other successfully even across borders.

The research team has also come to appreciate the vital importance of the U.S.-Mexico relationship which touches so many lives in both countries every day and holds great promise for the future. Thus, the research team hopes that they identified important lessons from global studies about the key pillars of democracy, about Mexico's path to democracy and about the current standing of Mexico's democracy will be of value as Mexicans and their international friends and partners work through the challenges ahead.

The team acknowledges that the report does not dive into the intricacies of the inner workings of Mexican governance, and that the recommendations are influenced by limited perspectives on the U.S. government's programming and ongoing activities and our limited perspective on the kinds of pro-democracy activities being undertaken by other countries and international actors.

Nevertheless, the team hopes this report will be beneficial in creating and implementing policies to help bolster the state of democracy in Mexico and to strengthen Mexico's relations with the United States and its other democratic partners.

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