

CIVIL SOCIETY AND POLITICAL TRANSITION IN MEXICO

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Theoretical Problems Confronting the Analysis of Processes of Democratization

The Mexican authoritarian regime is the world's oldest and the only remaining product of the social revolutions inaugurating this century. Its amazing tenacity amidst the waves of democratization that swept the world in the last fifteen years calls for an unconventional explanation. Indeed, the regime in Mexico, has weathered both the crisis of developmentalism (which deeply affected the South American dictatorships) and the consequences of neoliberalism (which caused several problems in the so-called new democracies) without any significant challenges to its stability and without yielding to demands for substantial political concessions.

Today virtually all social and political actors agree on one point: the octogenarian regime totters in a terminal crisis, and in the current political stalemate, the alternative facing the country is either true democracy or a new, even stronger, form of authoritarianism.

How civil society might intervene in this process beyond mere mobilization, the limited role most theories of transition allow it, should be considered. The existence of social movements claiming autonomy from the state and the market will not be enough to ensure their permanence and institutionalization. The unstable character of a civil society composed of social movements acting without operative civil, political, and social rights limits its transformative potential. The paths of growth, institutionalization, and permanence Mexican civil society now follows will define the scope and forms of the probable transition to democracy.

In addressing the relationships between democratization and the development of civil society in Latin America, we confront two difficulties: On the one hand, theories of transition to democracy focus on political negotiations between powerholders and democratic actors, ignoring both the normative learning processes democratization entails and the emergence of social actors whose development is the only guarantee of long-term, substantive democratization.¹ On the other hand, recent theories of civil society, which assume sets of rights and democratic institutions already consolidated in Western countries, lack articulated conceptual strategies to analyze the case of nations where profound socio-cultural cleavages cut across the social fabric and determine the persistence of personal and collective dependence.² Theories of transition have recently been criticized both immanently³ and from the

¹ . Leonardo Avritzer, "Transition to Democracy and Political Culture: An Analysis of the Conflict Between Civil and Political Society in Post-Authoritarian Brazil," *Constellations* 2:2 (October 1995): 242-267.

² . Alberto Olvera, *Regime Transition, Democratization, and Civil Society in Mexico*. Ph. D. Dissertation, New School for Social Research (November, 1995).

³ . Guillermo O'Donnell, "Transitions, Continuities and Paradoxes" and Scott Mainwaring, "Transitions to democracy and democratic consolidation: theoretical and comparative issues" in: *Issues in Democratic*

perspective of a different conception of democracy.⁴ Theories of civil society have been less discussed in the context of Latin America.

Arato and Cohen define civil society as “the institutional framework of a modern lifeworld stabilized by fundamental rights, which will include within their scope the spheres of the public and the private (from a lifeworld point of view).⁵ The “public” encompasses the public sphere, which is the actual terrain of normative learning process. The public sphere refers to a set of arenas and sites where free (from systemic constraints) communicative interaction can be approximated in social praxis. The private is the terrain of familial and interpersonal relations.⁶

This institutional definition of civil society follows Habermas’s theoretical-historical claim of the primacy of lifeworld over system.⁷ It establishes civil society’s sociological terrain and agents, and allows for an interpretation of their democratizing potential that gets past the institutional deficit encumbering many new social movement theories.⁸ However, it also shares with Habermas’s theory a historically specific character. Only in the West have fundamental rights been effectively institutionalized and eventually extended in successive waves of juridification to the fields of political, social, and economic freedoms and entitlements. In the rest of the world, Western institutions were often formally adopted but in fact ignored or merely functionally utilized as a new instrument of domination.

Therefore, a second dimension of the concept of civil society may be better suited to countries where rights are insufficiently institutionalized. Arato and Cohen consider social movements to be the active, constructive part of modern civil societies, insofar as they push forward new values, identities, and cultural paradigms.⁹ In the modern West, social movements profit from established rights while departing from normalized institutions to introduce new “codes” that challenge the dominant self-interpretations of society.¹⁰

Yet a corrective is needed to the Western understanding of civil society. Elsewhere, social movements follow of two main trends: First, class- or group- based social movements (working class, peasant, urban dweller movements). In the developed world, these movements spearheaded the universal extension of civil and political rights and the institutionalization and universalization of social rights. The virtual absence (or segmentation, partiality, or conditioning) of these rights in the “Third World” makes class-based social movements primary agents of democratization. In historical-comparative terms, these movements have been culturally less influential, politically less autonomous, and socially less representative in the “Third World”

Consolidation: The New South American Democracies in Comparative Perspective, de. Scott Mainwaring, Guillermo O’Donnell, and Samuel Valenzuela (Notre Dame: University of Notre Dame Press, 1992).

⁴ . Avritzer y Alberto J. Olvera R. “El concepto de Sociedad Civil en el Estudio de la Transición Democrática,” in *Revista Mexicana de Sociología*, Año LIV, No. 4, (1992).

⁵ . Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory* (Cambridge: MIT Press, 1992), 492.

⁶ . Jürgen Habermas, *The Structural Transformation of the Public Sphere* (Cambridge, MA.: MIT Press, 1989). See also Craig Calhoun, ed., *Habermas and the Public Sphere* (Cambridge, MA.: MIT Press, 1992).

⁷ . J. Habermas, *The Theory of Communicative Action* (Boston : Beacon Press, 1984/1987).

⁸ . Jean Cohen, “Strategy or Identity: New Theoretical Paradigms and Contemporary Social Movements,” *Social Research* 52:4 (1985).

⁹ . See Cohen and Arato, *Civil Society*, Chapter XI.

¹⁰ . Alberto Melucci, *Nomads of the Present. Social Movements and Individual Needs in Contemporary Society* (Philadelphia, PA.: Temple University Press, 1989). Also see Melucci’s, “A Strange Kind of Newness: What’s ‘New’ in New Social Movements?” in: E. Larana, H. Johnstonm, and R. Gusfield, eds., *New Social Movements* (Philadelphia, PA.: Temple University Press, 1994): 101-132.

countries than in the “West”. This very weakness partially explains the lack of universal rights and elementary social justice there. The development, empowerment, growth, and institutionalization of class-based movements remains an unfinished project without which the stabilization of rights will not be achieved, even under democratic governments.

The second type of social movements are the socio-cultural ones. But outside the West, such movements operate without the rule of law, democracy, and social justice. Without these preconditions, their aspirations for new universal values, lifestyles, and concepts of progress carry little social, political, and cultural weight. The politics of influence - Western social movements’ privileged mechanism - requires a public sphere within which to publicize new societal claims; modern parties permeable to new demands; social spaces and fields where new lifestyles can be experimented with; and a pluralistic culture open to the new and able to incorporate what is becoming socially and morally acceptable.¹¹ These factors only barely exist in Latin America, or they are operative only for small elites, usually dissociated from the majority population. For this reason, most cultural movements in Latin America direct their attention to the basics: rights, justice, and democracy.

Civil society as a movement has then two forms: (a) “popular civil society,” which comprises class social movements;¹² and (b) a set of urban cultural movements that combine “postmaterialist” values with a concern with the undelivered promises of modernity. In Latin America, these not only address the same problems (albeit for different reasons, and with different methods), but also face the same instability caused by the absence of rights and democratic institutions. Thus the greatest challenge for civil society as a movement is its institutionalization, that is, the operationalization and universalization of rights.

If anything, the Latin American experience shows that precisely where people are extremely unequal, old political practices and traditions based on links of personal or collective dependence (clientelismo, corporatism, patrimonialism) can coexist with formally democratic regimes. And because structural inequality implies enormous problems of social integration, democracy cannot stabilize itself, despite the institutional engineering of elites. All these factors, linked by communication problems arising from diffuse local cultures and forms of knowledge, must be analyzed to assess the potentials and problems of the institutionalization of civil society.¹³

In Latin America, political traditions and institutions such as clientelism, corporatism and patrimonialism will persist side by side with modern forms of political participation and representation. The risks of instrumentalization are therefore enormous, insofar as political actors have a high degree of structural autonomy from society. Therefore, the first dilemma of substantive democratization is how to slow social polarization and the marginalization of an increasing share of the population.

This task is more difficult as neoliberalism, with all its sequels of state shrinking, privatization of state enterprises and even of social policies, encourages the privatistic and individualistic tendencies of

¹¹ . See Cohen and Arato, *Civil Society* , Chapter XI.

¹² . Nicolás Lynch , *Social Movements and Transition to Democracy in Peru* , Ph. D. Dissertation, New School for Social Research, (1991). See also Philip D. Oxborn, *Organizing Civil Society: The Popular Sectors and the Struggle for Democracy in Chile* (University Park: Pennsylvania State University Press, 1995).

¹³ . See Lomnitz for a creative and useful conceptualization of “local” cultures and various forms of cultural institutionalization in regional settings. Claudio Lomnitz-Adler, *Exits from the Labyrinth* (Los Angeles, CA.: University of California University Press, 1992).

modern social actors.¹⁴ There is a tendency to abandon ideology and centralization at the very moment when the question of social justice might have been pushed to the forefront.¹⁵ Amid these historical contradictions, Latin American civil societies are struggling for recognition and democratization. As we will see below, in Mexico the constraints are as strong as the popular democratic aspirations.

The Historical Origins of the Mexican Authoritarian Regime and its Effects on the National Political Culture

The enormous difficulties confronting the rise of democracy and civil society in contemporary Mexico can only be understood by tracing liberalism's defeat in Mexican political culture and institutions back to their origins.¹⁶ Oddly enough, the liberal legacy was rejected in practice at the same time that its formal democratic principles were institutionalized at the constitutional level.¹⁷ The contradiction between the simultaneous formal legalization of democracy and the *de facto* institution of authoritarian rule defines the very essence of politics in Mexico.

The regime established in the aftermath of the Revolution of 1917 initiated two major historical projects: an antiliberal program of social and political inclusion, making the state itself the nexus of social integration; and an antiliberal program of national development through which the state historically assumed the steering and execution of the country's economic modernization.¹⁸ This rejection of liberalism amounted to fusing state and society, on the one hand, and state and economy, on the other. The intermediate spheres of economic and political society virtually disappeared in the concomitant absence of operative legal institutions.¹⁹

The institutions of the developmental-authoritarian state contributing most to the overpoliticization and manipulation of collective identities, the shutdown of spaces for normative political discussion, and the segmented institutionalization of rights included:

(a) Revolutionary legitimacy as the political foundation of a neopatrimonial regime where legality was bypassed or ignored.

¹⁴ . Norbert Lechner, "La (problemática) invocación de la Sociedad Civil." Unpublished manuscript, 1994.

¹⁵ .Marcelo Cavarozzi, "Oportunidades perdidas y aprendizajes en curso: la política argentina," Paper presented at the 19th Congress of the Latin American Studies Association, Washington, 1995.

¹⁶ . Jesús Reyes Heróles, *El liberalismo mexicano* (México: Fondo de Cultura Económica, 1966). See also Francois Guerra, *México: del Antiguo Régimen a la Revolución*, (2 vol) (México: F.C.E., 1989).

¹⁷ . Indeed, after Independence, Mexico followed the very common Third World practice of institutional imitation. The Constitutions of 1824 and 1857 were remarkably liberal, democratic, federal and republican manifestos whose relationship with actual political practice was null. On the "imaginary" character of Mexican citizens in 19th Century Mexico, see Fernando Escalante, *Ciudadanos Imaginarios* (México: El Colegio de México, 1992). On the contradiction between liberalism and patrimonial rulership, see Francois Guerra, *México del Antiguo Régimen a la Revolución* (2 vol), (México: F.C.E., 1989) and Alan Knight, *The Mexican Revolution* (2 vol) (Lincoln, EN.: University of Nebraska Press, 1986).

¹⁸ . Arnaldo Córdova, *La ideología de la Revolución Mexicana* (México: De. Era, 1976).

¹⁹ . Olvera, *Regime Transition* .

- (b) A corporatist model of state-society fusion, which promoted particularism, clientelism, and segmentation in the application of rights.
- (c) A contradiction between the neopatrimonial character of the state (guaranteed by an extreme form of presidentialism) and the formal democracy prescribed in the constitution, leading to structural electoral fraud and thus to a rupture between legality and legitimacy.
- (d) A linkage of substantive justice and state promotion of economic modernization, encouraging massive state intervention in the economy, and official patronage over the bourgeoisie.
- (e) The state's monopoly of the public sphere and installment of official ideology in the educational system, in cultural production, and in forms of national identity-creation.

Given these features, it becomes clear that the Mexican modernization acquired a character both particular and connected to the experience of most Third World countries. Indeed, the slow modernization of the economy as well as the even slower rationalization of the state proceeded in isolation from any rationalization process in the sociocultural sphere of society, its "lifeworld". The law became above all a way to guarantee the sovereignty of the state over social and economic actors, whether national or foreign. The market was understood not as an autonomous sphere with independent forms of coordination, but as a way to pursue modernization. Rights were applied in a segmental and selective fashion, without their being able to constitute a form defense or demarcation of society.

The strategic assimilation of traditional forms of mediation between state and society (such as clientelism and patrimonialism) reinforced the institutions and conventions that isolated politics from modern forms of popular participation. The institutional and ideological framework thus created severely limited the scope of "legitimate and valid" social action, which was much more restricted than what the rights clauses established in the letter of the law. Limited spaces of action, strict demarcation of valid action, and monopolization of public life hindered the stabilization of modern lifeworld institutions throughout the rise and consolidation of the developmental-authoritarian state.

Emergence and Collapse of a Popular Civil Society and the Turn Toward Electoral Politics, 1982 - 1988

The vast social change brought about by country's economic development gradually undermined the regime's foundations.²⁰ The regime's crisis, with origins reaching back to 1968, combined two main factors: (a) The exhaustion of the economic model based on particularist arrangements, indiscriminate protectionism, and lack of societal control over state investments; that is, the end of the developmental capacity of the fusion between the state and economy; (b) the emergence of new social actors who

²⁰ . During the period 1940-1980, the Mexican economy grew at a rate of 6.8% a year. Population increased constantly at a median annual rate of 3%, from 16 million in 1940 to 35 million in 1960, when, for the first time, urban and rural population reached an equilibrium (50% each). In 1980, there were 67 million inhabitants, 66% urban, and 82 million in 1990, with almost 80% living in the cities. The Indian population diminished from 20% to 5% during the same time span. Economic development meant rapid industrialization and urbanization, concentrated above all in Mexico City, and in several other large and medium-sized cities. The society's class composition changed as well. Peasants diminished from 75% of the work force (in 1940) to 27% (in 1980) the working class increased from 18% of the work force to 25% during that same period, which meant the creation of almost 3 million new jobs. The rest have been incorporated to the service sector, commerce, and the informal urban economy.

could not be coopted through traditional means; that is, the impossibility of maintaining the fusion between state and society. The prolonged crisis of the Mexican regime mainly rose from ongoing processes of differentiation of the economy, state, and society, ultimately leading to a legitimation crisis.²¹

President Luis Echeverría's administration (1970-1976) marked the beginning of a new wave of social movements around the country and the emergence of a new tradition of autonomous association. Worker, urban-dweller, peasant, student and middle-class movements sprouted up around the country; entrepreneurs began to create autonomous associations; and an overall process of liberalization permitted relative freedoms of association, expression and the press. Only electoral politics remained untouched. In 1977, the first significant political reform in the regime's history was initiated.

The origins of civil society, meaning the emergence of class-associative movements differentiating themselves from state and market institutions, can be found in this period. However, two factors limited their transformative potential and determined the weakness of this version of civil society:

a) Structural changes did not lead to the creation of new forms of collective action. The revolutionary origin of the regime, its inclusive character and its systemic flexibility to negotiate with, absorb or repress social movements led to an accepted tradition of mass mobilization and radical language in the public sphere.

b) The leftist, professional political leadership of most popular social movements led to their frequent instrumentalization, radicalization, and absorption into the regime's ideology of the supremacy of substantive principles of justice. Further, the lack of contact between emerging social movements and national political parties strictly limited their scope and influence to local settings and made them appear as expressions of social particularism.

The economic crisis of 1982 took all social actors by surprise.²² Having enjoyed five years of accelerated growth and low inflation, Mexico awoke from the oilboom dream: the country had no foreign-exchange reserves; it was unable to pay off its external debt; and inflation grew exponentially. A structural economic crisis defined the entire decade.

The extended economic crisis altered the objective conditions affecting the developing social movements. Now opportunities for clientelistic bargaining in unions and urban associations vanished along with the state's capacity to coopt popular movements as resources grew scarce. The conflict-ridden nationalization of the bank system in 1982 alienated some sectors of the bourgeoisie, and the devastating effects of frequent devaluations in Northern Mexico (where daily life was linked to the value of the dollar) led to the mobilization of the middle classes and of small and medium entrepreneurs alike.

Independent unions were not prepared to face the terrible economic crisis of the mid-eighties. When firms began to lay-off workers and real wages fell freely, virtually all the independent industrial

²¹ . Olvera, *Regime Transition*.

²² . The GNP fell by 4.5% in 1983 and 1986, and showed an average zero growth between 1983 and 1988. Real wages decreased an average of 35%. Public investment in education and health suffered a 45% decrease in real terms. The share of labor in the total national income plummeted from 46% to 30%. The collapse of living standards had no precedent in Mexican history since the Revolution of 1910. See Sylvia Maxfield, *Governing Capital* (Ithaca: Cornell University Press, 1990).

unions simultaneously collapsed, defenseless to the state's onslaught amid a momentary loss of internal credibility and legitimacy.²³

Meanwhile, rural civil society development was plagued with at least three kinds of trouble. First, the social movements were growing atomistically, disaggregated in time and space and therefore without local or regional webs of political support, means to influence public opinion, or enough power to gain advanced local relevance over traditional actors. Second, their main arena of development, the creation of "self-managed" peasant economic organizations, was highly unstable, depending as it did on government economic support and being poorly positioned in the market. Their other locus of development, the consumer associations organized around the state system of good distribution also depended on public resources and was severely restricted in its activities.²⁴ Third, the economic character of these associations gave them a trade union profile and forced them to develop technical, administrative and political capacities rare among the peasants. Technicians, professional activists, members of NGOs, and peasants with professional backgrounds took over the organizations and completely dominated daily operations.²⁵

Urban popular movements consolidated organizationally and expanded their sphere of action. All leftist groups were able to create an urban clientele as immigration to the cities continued and the problem of urban land ownership became more urgent. The oldest groups opened a second front of action following the earthquake in Mexico City in 1985: "urban reorganization." At the same time, the upper middle-classes initiated some "self-management" experiments in high-income neighborhoods to ensure security services and acceptable state maintenance of urban facilities. The "new" social movements (human rights, environmental, and feminist movements) had limited influence, being only in an initial phase of development.

Entrepreneurs and conservative middle-class groups rebelled in their own way. Devaluation, inflation and state intervention combined to make life unbearable in the early eighties. So they turned to electoral politics as a way out of what they perceived as state abuse and impotence. The already existing links between the Partido Accion Nacional (PAN) and some conservative middle-class groups made participating in the PAN appear as an acceptable alternative. Given that the rationale behind this new wave of participation was to control the government, it assumed a civic character at the outset.

The public justification of this political activism was the search for the rule of law. Therefore, for the first time since the Cardenista period, the rupture between legality and legitimacy became the axis of public political action, and democracy the main aspiration, at least for active citizens in the north. In 1983, the government allowed for more or less free local elections in Chihuahua, a northern state, as a kind of experiment. The PAN won all the urban mayorships. These results discouraged further experimentation, and the government reentrenched its normal electoral fraud. This response radicalized sectors of middle-classes, and the PAN became an authentic democratic opposition, attracting more and

²³ . Enrique de la Garza, "Los sindicatos en América Latina frente a la reestructuración productiva y los ajustes neoliberales," *El Cotidiano* 64 (1994).

²⁴ . Gustavo Gordillo, *Movimientos Campesinos y Política Agraria en México* (Siglo XXI, 1988).

²⁵ . Most of these associations were seen by their rank- and-file members as a kind of state agency in terms of their functions and of the virtual impossibility to control the activities of their leaders-administrators. See Alberto Olvera and Cristina Millán, "Neocorporativismo y Democracia en la Transformación Institucional de la Cafeticultura: El caso de Veracruz." *Cuadernos Agrarios* 4:2 (1994):53-69.

more followers.²⁶ Participation in the Pan became the way to do politics for the conservative middle-classes, and the way to establish relationships with the people. Workers and peasants also voted for the PAN, given the dearth of credible alternatives on left. The very reality of structural fraud seemed a convincing reason to avoid electoral participation, and therefore most popular social movements maintained their antipolitical politics.

Neoliberalism, Crisis of Legitimation, and the Emergence of a Modern Civil Society

In the period 1988-1994, three fundamental changes took place in Mexico. First, at the systemic level, the turn towards neoliberalism led to profound changes in the economy and to several constitutional revisions that legalized the state's retreat from its activist role in the economy and reproduction of society. These phenomena deepened both the processes of differentiation of the state, economy, and society, and the ongoing legitimation crisis. Second, for the first time since the Revolution of 1917, a party system consolidated and democracy appeared as a potential means for a regime change. Third, several civic-cultural movements spread across the country, creating a civil society centered on the struggle for political rights, democracy, and the rule of law. The combination of these factors created a real opening for a democratic transition and for the stabilization of a modern civil society. However, even at this stage, political society was unable to anchor its action in civil society, leading to a weak and unstable party system.

In Mexico, neoliberalism meant opening the doors to three great transformations: the integration of the Mexican economy into the world market (which implied complementary integration into the United States' economy as a subordinate partner);²⁷ the privatization of public enterprises and an overall state withdrawal from the economy; and an amendment to the Constitution purging it of its antiliberal substance, thus lifting limitations on the mobility of capital.²⁸ All three were completed during President Carlos Salinas's administration, between 1989 and 1994, and built on the far-reaching economic adjustments already carried through between 1983-1988.

The symbolic and legal effect both of the privatization of public enterprises and ejido lands and the declared end of the agrarian reform was enormous. These measures meant that the state relinquished both its pact with the peasants and its mission to control and steer the market. These two principles had formed the foundation of the revolutionary project and its antiliberal tenor. Abandoning them implied recognizing the dissolution of the regime's ideological foundations and endorsing a classical version of liberalism.

²⁶ . Soledad Loaeza, *El llamado de las urnas* (México: Cal y Arena, 1989).

²⁷ . This was what the North American Free Trade Agreement (NAFTA) meant: constitutionally-backed legal guarantees that in the long term there would remain unchanged, clear rules for capital, regardless of any possible political shifts. NAFTA represented the breakdown of the traditional Mexican concept of sovereignty. Indeed, in Mexico, national sovereignty was always understood as autonomy vis-à-vis the United States.

²⁸ . Between 1988 and 1994, 54 constitutional amendments and 225 amendments to secondary or regulatory laws were enacted. The amendments to Article 27 allowed privatization of some of the main public enterprises and part of the banking system. Some of these changes led to the end of agrarian reform and to the beginning of the privatization of the ejido lands (January 1993). In practice, these amendments amounted to a virtual process of constitution-making.

The profundity and pace of the neoliberal economic changes were, however, not matched by political changes of comparable liberal content. On the contrary. Even if liberalization was pursued in the political public sphere, any actual democratization was deliberately postponed so as to forestall its inevitable attendants: political limitations of the sovereign state, and citizen oversight of the economic transformation.

From 1989 to 1993, most states and municipalities became arenas of post-electoral struggles. The federal government preserved the ability to recognize (or not) opposition victories, and campaigns were openly unequal, with the official party controlling all resources. Only after complex and prolonged negotiations were some opposition victories accepted. Thus the PAN obtained for the first time in history three governorships and dozens of mayoralties, whereas the left-wing party Partido de la Revolución Democrática (PRD) had to stage enormous popular mobilizations to defend its victories in municipal elections.

President Salinas saw in the PRD the main enemy of modernization. In mid 1989, the PRD was created through a strategic alliance between communists, radical nationalists, old populists, social democrats, and social movement activists, all under the charismatic leadership of Cuauhtémoc Cárdenas, son of the creator of the modern Mexican state, President Lázaro Cárdenas (1934-1940). Cárdenas who was short of defeating the PRI in the Presidential elections of 1988, seemed to offer a vehicle to recover old political identities deconstructed by the neoliberal policies. The PRD strategically promoted the quick collapse of the regime, but its politics of confrontation failed to attract the urban electorate. The PRD's plea to recover the necessary nexus between morality (understood as fidelity to the "project of the Revolution") and legitimacy proved unattractive to the people.

Contrarily, the PAN acted pragmatically and openly sought alliance with President Salinas. The PAN backed all the constitutional reforms promoted by Salinas - insofar as they had originally been proposed by the PAN itself. This programmatic alliance was strategically undertaken with a long-term transition in view, the axis of which was control of state and local governments. This alliance produced some positive results, but it also compromised the PAN's critique of the contradiction between legality and legitimacy.

The enormous weight of political traditions and entrenched interests within the regime created a great obstacle to all reforms carried out from above. Consequently, Salinas endeavored to fashion a parallel political apparatus through a new social-clientelistic program called Solidarity (Programa Nacional de Solidaridad). Its stated aim was to involve the poor in designing and controlling public works through organized local committees. The intention was to open a direct channel of negotiation between the state and established social organizations, or to offer favorable conditions to create them where they did not exist.

The regime decided to refurbish its substantive legitimacy by modernizing clientelism. The government's strategy presupposed the gulf separating the emerging civil society from the remaining traditional elements. The latter were prominent enough to guarantee electoral majority to the party that secured its loyalty. The "modern" PRI was thus guaranteeing dependable electoral support by exploiting the marginalized, traditional part of society. In fact, the actual practice of Solidarity shows the state bureaucracy at all levels using the old clientelistic methods attaching state "favor" directly to official party

and personal or group loyalty.²⁹ The urgent need to win local elections at whatever cost reinforced this natural tendency, which also exposed the profound roots of paternalistic and clientelistic practices in the national political culture.

Thus was the old fusion between state, economy and society modernized at a new level of differentiation, but its consequence was a crisis of legitimacy rooted at two levels: morality, due to the crumbling of the foundational myth of the search for social justice; and legality, due to the unacceptability of electoral fraud in normal politics.

With civil and political society lacking modern forms of coordination, the implementation of an authentic party system could not realize its positive potential. Political actors' relationship to civil society was developed through projects of political instrumentalization. The state attempted to revive populism by establishing a direct relationship between state welfare agencies and organized local groups. But, unable to supply guarantees for these groups' institutionalization and permanence, this project failed. For the political left, meanwhile, the persistence of a corporatist tradition encouraged the forging of clientelistic links between the PRD and the movements. Such continuity with the clientelist past, however, was rejected by most new social movements, which strove for greater autonomy from political society. On the political right, civil society was viewed with suspicion, considered an unpredictable mass of movements susceptible to instrumentalization and antithetical to the modern citizen the PAN wanted to address.

All the same, the two main opposition parties were able to begin to consolidate themselves as viable alternatives to a regime unable to maintain its monopoly on politics and adapt itself to an increasingly active, though irregular, citizen participation. This fact encouraged both the opposition parties and most political analysts to view the transition to democracy as an autonomous process with no intrinsic connections to other societal elements. Taking theories of transition to democracy at face value, politicians and intellectuals alike came to regard democracy as an achievement of elite bargaining with no concern for the empowerment of civil society or for the resolution of the problems of representation weak political parties still faced. The provisional and tentative character of the neoliberal solution to the problems of legitimation and of reproduction of the regime came to the fore suddenly in 1994 and 1995, when both the economic and the political foundations of the neoliberal project collapsed.

Elections and Crisis: From Hope to Despair, 1994-1995

On the first day of 1994, several hundred armed Indians, organized in what they called *Ejército Zapatista de Liberación Nacional* (EZLN), occupied the municipal buildings in three cities in the southern state of Chiapas. After two days of occupation, they fled the cities, pursued by the federal army. A ten-day localized war erupted, until President Salinas called an end to it and opened

²⁹ . Middlebrook, K., Cook and J. Molinar, eds., *The Politics of Economic Restructuring: State-Society Relations and Regime Change in Mexico*, Center for U.S.-Mexican Studies (San Diego: University of California Press, 1994).

negotiations with the EZLN, leaving it in the possession of some “liberated territories” in remote, uninhabited areas.

Several human rights groups arrived in Chiapas to offer protection to the members of the EZLN. A solidarity movement emanating from both cities and countryside grew to massive proportions. After three months of negotiations with the government, whose representative was former PRI presidential hopeful Manuel Camacho, the EZLN decided to reject its concessions.³⁰

With the assassination of PRI presidential candidate Luis D. Colosio in late March 1994 the regime faced another crisis, this time from within. Salinas managed to install a second candidate, Ernesto Zedillo, Colosio’s campaign chief and the former Secretary of Education. The sudden and arbitrary change of the party’s official candidate resulted in the isolation of Zedillo, who was personally attached to no group or political program. It seemed that the PRI might, lose the presidential election.

Simultaneously, another significant national movement emerged, the *Alianza Cívica Nacional*. In April 1994, the *Convergencia de Organismos Civiles por la Democracia*, the *Movimiento Ciudadano por la Democracia*, several technical support groups, certain progressive Christian groups, and an important number of intellectuals decided to join forces in an effort to monitor the conduct of the presidential elections. Over 400 civic groups joined in the project. As a result, the *Alianza Cívica* was formed, and very soon local chapters were created in 30 out of 31 Mexican states.

Previously, new human rights groups and hundreds of NGOs had spread throughout country. Between January 1990 and November 1994, 121 new human rights groups were created, almost 50% of the current total (250).³¹ Even though we do not have numbers for NGOs working in other areas, there is general agreement that their number increased almost in the same proportion.

This new associative tendency was the result of several processes occurring at both national and international levels. At the national level, several important changes took place in political culture: disenchantment with the PRD, with party politics in general and with the ecclesial communities; the collapse of the “popular” universities and the relationships between student and popular movements in general; the wane of fundamentalism as a new generation of young professionals’ searched for concrete ways to “help”, “support” or organize, the dispossessed; the renovation of the international social agenda to critically address more and more social issues after the end of the Cold War; the opportunity to experiment with new forms of social interaction both among middle-class cadres (the carriers of

³⁰ . The government offered to promote changes in the state constitution in Chiapas, to create new municipalities in the area dominated by the EZLN, to buy land to hand over to the peasants, to initiate local development projects, and even to carry out extraordinary elections in the state of Chiapas. The sitting governor left office in the process. As a matter of fact, the entire political structure in Chiapas collapsed in the ensuing state of ferment. Dozens of mayors were driven out of office by movements with no relationship to the EZLN; hundreds of land occupations took place over the entire territory; the local ruling elite split into several factions. See Luis Hernández, *Chiapas: la Guerra y la Paz* (México: ADN Editores, 1995). But the government was not willing to accept any of EZLN’s demands with a nation-wide target; among others, these included complete withdrawal of the government from the electoral process, and a call for constitution-making. Even though 95% of its overall demands were thus accepted, the EZLN decided nevertheless to reject further bargaining, setting its hopes on a future national political movement.

³¹ . A third of them work with the population at large, 16% are specialized in Indian peoples, 10% in children, 8% in women, 5% in peasants and 5% in youngsters, among other constituencies. Almost 50% of all the groups take as their main concern training vulnerable sectors of the population, offering informal courses and practical advice. See Hernández, *Chiapas*. Also see Sergio Aguayo and Luz Paula Parra, “Los Organismos No Gubernamentales de Derechos Humanos en México.” Unpublished Manuscript, 1995-

Knowledge and technical skills) and between them and the target population. All these pointed to a self-limitation and depolitization of social action, and to the emergence of a new concept of personal commitment. Now, short-term efficacy in specific projects, a disposition to experiment and a focus on specialized support to a target population became measures of success.

Alianza analyzed the electoral campaigns and pointed to the extreme inequality of resources, press coverage, and television time favoring the PRI. The moral critique of an electoral process openly disadvantageous to the opposition reinforced the demand to separate the government from the official party. Pressed from all sides, the government consented to the opposition's demands for electoral reform in April 1994, four months before the election. Without rescinding government control over the process, the reform nevertheless opened space for civic intervention.³²

The new law also limited campaign expenditure, yet without creating effective control mechanisms. For the first time, *Observadores Electorales* (Electoral Observers) were legalized, assuming a function the civic groups had been performing since 1991. At the time, the regime also needed to ensure some degree of electoral legitimacy, given that a contested election like that of 1988 would no doubt have legitimized the EZLN's call for a popular civic insurrection. Despite its limitations, the reform helped to publicize the problems plaguing the electoral process and to spread the idea of citizen controls over the regime's political action more generally.

The ensuing electoral campaigns were vibrant and massive. The three principal parties found widespread interest among the citizens, and for the first time in Mexican history a public debate between the three main candidates took place. Political violence within the regime and the still unresolved war in Chiapas created an atmosphere of high stakes. Until the very end, the election results were hard to predict, even with several polls indicating a PRI victory.

The results surprised everyone. The record 77% voter turnout was unheard of. The PRI emerged as the winner with 49.7% of the valid votes, the PAN secured 26.6%, and the PRD 17.8% of the total vote. The rest of the vote was split between six other parties.

Alianza Cívica detected no large scale fraud on election day, with the exception of two districts (out of 300). Thus the results were more or less validated. The manner in which the PRI had obtained its votes, however, remained problematic: namely, the strikingly unequal conditions of competition favoring the PRI, and its violations of electoral laws. But insofar as the violations were impossible to prove, and since the opposition parties had accepted the rules of the game, there was no way to invalidate the overall results.

³² . *The Consejo General of the Instituto Federal Electoral* (General Council of the Federal Electoral Institute), the body in charge of directing the electoral process, underwent changes in its composition. If previously the parties, and through them, the government, possessed total control (because of the numerous semi-official parties), in the new law six *Consejeros Ciudadanos* (Citizen Counselors) would constitute the majority within that body, with the remaining five positions filled by two representatives from the Chamber of Deputies, two from the Chamber of Senators (in both cases one from the majority and one from the first minority party), and one from the executive power. The *Consejeros Ciudadanos* would be appointed by the Chamber of Deputies from the list presented by the parties. At the level of electoral districts, and of the so-called *Consejos Locales*, organs that would oversee federal elections at the state level, only the respective *Consejeros Ciudadanos* could vote (Fernández, Alvarado and Sánchez, de., 1995).

Zedillo and the Explosion of the Crisis

Since the electoral results were not contested, it seemed that the regime would be able to manage the transition to democracy demanded by social and political actors smoothly. However, mounting tensions within the regime in the aftermath of the assassination of Luis Donaldo Colosio and the breakdown of normal processes of elite succession led to unexpected consequences.

First, president-elect Ernesto Zedillo's main political broker, Francisco Ruiz Massieu, was killed in late September 1994. Second, he failed to form a cabinet to represent the different cliques and tendencies within the PRI, which in the meantime were nearly waging internecine warfare in a struggle for influence over the party. Zedillo was internally isolated and under enormous pressure from outgoing president Salinas. In this situation, Zedillo began his term as the weakest president of the postrevolutionary era, despite his novel status as one with authentic electoral legitimacy. Moreover, three additional factors conspired against the transition plan seemingly supported by all political actors:

a) The Collapse of the Economy

The unexpected and sudden devaluation of the Mexican currency on December 20, 1994 occurred only three weeks after Zedillo had taken oath. This event, for which the government was totally unprepared, was followed by an almost unbelievable chain of blunders in economic policy, all of which culminated in the collapse of the economy and the emergency financial intervention of the IMF and the United States government. The need to impose an austere economy policy quickly plummeted the Zedillo government's popularity, inducing the PAN to take distance from it, thus weakening the alliance between the two parties.³³ The massive support granted by the U.S. government and the IMF in the form of fresh credits and guarantees helped to avert an international crisis like that of 1982, but the conditions for aid they imposed were the toughest in Mexico's history. Sovereignty in economic policy-making was thus completely lost.

b) The Internal Disintegration of the Regime

The political weakness of Zedillo, who never could build an internal coalition, prompted the resignation of three main cabinet members within the first five months of his government, as well as an open confrontation with former president Salinas on two fronts: over who was to be blamed for the crisis of the neoliberal model; and over the imprisonment of Salinas's brother, charged with masterminding the

³³ . The consequences of devaluation reached catastrophic dimensions due to the unbelievable inability of the government to offer any credible emergency plan. The neocorporatist framework Salinas had developed to legitimize his economic policy, the so called *Pacto para la Estabilidad y el Crecimiento Económico* , collapsed as the entrepreneurial and union representatives refused to back a shock-type economic adjustment. The only alternative left to the government was to request support from the IMF and the United States government, if it was to avoid major default, which again would have had dramatic consequences for the "emergent markets."

assassination of Ruiz Massieu.³⁴ At the same time, Zedillo was unable to resolve certain electoral problems, inherited from President Salinas's term, concerning several local elections.

It was clear that in the midst of a brutal recession and without profound changes in the PRI, the official party would be unable to win any more or less clean elections. This was confirmed by its defeat in the next local elections, held in late July in the state of Baja California Norte, the first state won by the opposition (PAN) back in 1989. The PAN won again, and the PRI elite, already panicked, started to call for a return to the security of past arrangements.

c) The Persistence of the Chiapas Problem

The new government launched a military offensive against the EZLN in February 1995, hoping for a surprise detention of all EZLN leaders. The government immediately faced massive and rapid popular opposition to a violent solution. After a period of military and judicial offensives, the government scaled back its position.³⁵ The EZLN, forced to hide in the impenetrable countryside, having lost its former "liberated areas", and learning from its past mistakes, moderated its radical discourse and stressed its Indian composition and demands along with its commitment to democracy. The intervention of Congress into the conflict and the ensuing new talks helped the EZLN regain influence over public opinion and reaffirm its strategy of self-limitation. Several rounds of talks have been held since then, and an agenda on substantive matters has finally been set. Yet it is not clear what the legal status of an eventual consensus would be (if any), nor has the relationship between the Chiapas talks and the more general negotiations between the parties at both the Congressional level and in roundtable discussions been clarified.

We can now consider the current dilemmas of the transition to democracy. First, the consequences of the global crisis have meant a deepening of the already operative tendencies to economic, social, political and cultural polarization in the country. This has weakened social actors and facilitated the renewal of clientelism. At the same time, the conditions for transition seem favorable, since the regime is today under enormous pressure internally and externally and cannot survive in its present form.

The country's future depends on a balance between these two tendencies. Five main factors will determine the outcome: the profundity and length of the economic crisis; the outcome of struggles within the regime; the nature and operativity of the probable pact between regime and opposition; the external

³⁴. Salinas staged a one-day public hunger strike to protest what he considered unfair assessments of his responsibility for the economic crisis. He even publicly defended his implicated brother. After one day of negotiations, he left the country with no known plans to return.

³⁵. In order to find a way out of the legal and political position the government had placed itself in, President Zedillo invited Congress to intervene in the conflict. There already existed a *Comisión Nacional de Intermediación* (National Intermediary Commission), created at the time of the first round of talks in 1994, headed by the bishop of San Cristóbal and consisting of a set of civic figures. This time, the strategy was to recruit the help of a plural congressional commission to create a law aimed at circumventing the arrest orders issued by a judge against the EZLN leaders. Such a law was written and adopted (*Ley para la Pacificación, la Concordia y la Paz en Chiapas*), with negotiations soon starting again, this time with the participation of all the political parties. The failure of Zedillo's offensive plan increased the unpopularity of the government.

pressures from international financial capital and the government of the United States; the institutionalization and growth of civil society. I will concentrate on this last issue in my conclusion.

Towards a Balance: A View of the Recent Changes in Civil Society and the Process of Democratic Transition

In the seventies and eighties, popular social movements engaged in strongly antipolitical politics. This allowed the government to maintain its monopoly over politics. In practice, most social movements avoided total defeat (with the exception of independent unions) by learning to limit themselves, but their routinization again accentuated their *de facto* affinity with “normal politics”, that is, with clientelism and political instrumentalization.

The economic crisis of the eighties and the continual state offensive weakened this popular version of civil society. The movements that were able to survive, like the “new peasant movement”, shifted their orientation to economics, seeking in the market stability that politics was unable to guarantee. Such projects, however, failed with the collapse of the market, and most of their initiatives were coopted by the Salinas government.

New kinds of movements appeared in the late eighties and early nineties, precisely as formerly autonomous movements were almost completely defeated or routinized. They were urban-cultural, and most of them directed their activities toward the defense of human rights or the promotion of local social and economic development. As a consequence of a specific learning process, they formed networks and alliances whose effect was to publicize and extend their action.

The urban cultural movements of this period were “new” insofar they made the regime’s authoritarian character visible and publicized democratic values as something genuinely new in the Mexican political culture. They were also novel in ideologically transcending local and economic aims; rather, their self-understanding was universalist, and they were plural, principled actors. They were organized as loose networks without formal institutionalization. In furthering their aims, they appealed to the public sphere of society.

These movements criticized the regime in a novel way: they not only denounced the contradiction between legitimacy and legality, but also broke the regime’s monopoly over social policy. By proposing and even implementing (at however small a scale) new kinds of social policy, urban cultural movements asserted to the struggle for rights and democracy without instrumental political aims, these movements created a new moral power.

Two strategies to stabilize the potentials of this version of civil society have been proposed. One is the creation of a “fourth power” to ensure legal and fair elections. Generalized civic control over the electoral process coupled with new electoral laws ensuring level conditions of political competition could end the regime’s veto power of election results and its discretionary financing of the official party.

The second form of institutionalization is the juridification and institutionalization of civil groups. Some NGOs and deputies from all parties are pressing for legislation categorizing social and civic organizations that offer public services as “public interest” groups, therefore entitling them to tax exemptions, some financial support from the government, and even some vote in planning and evaluating social programs. The challenge that remains is the preservation of the autonomy of civic groups under such legal conditions.

The contrast between the relative success of the sociocultural component of civil society and the weakness of its class/trade union part is striking. This is a problem for the stabilization of civil society at large. Associational life through trade unions has become almost impossible. The conspicuous weakness of class representation has allowed brutal economic measures to escape immediate social response.

Popular movements have advanced two countermeasures to neoliberalism. One is the formation of rural trade union associations. These combine elements of the old self-managed peasant enterprises with a new call for authentic trade union representation. Thus they have managed to become important players in defining sectoral policies. The most successful (and almost unique) of these is the *Coordinadora Nacional de Organizaciones Cafetaleras* (CNOC). *El Barzón* is another movement which, departing from the model of its agrarian predecessors, has developed into a multiclass and multisectoral front. This version of civil society needs a new institutional set-up to assert its voice; thus it struggles for democracy at the level of class representation. This is a global demand whose achievement could launch a new wave of social mobilization.

The second alternative has been open rebellion. The *Ejército Zapatista de Liberación Nacional* represents the reactivation of completely neglected social actors: the Indian population. Despite its local character, the armed insurrection of certain Indian communities in Chiapas, under professional political direction, turned out to be a timely expression of the needs of the poorest peasants in the country, as well as an affirmation of ethnic collective identities. Though the EZLN has not yet developed either into a new political movement or into an indigenous autonomy movement, it could potentially take either road. The possibility of creating a new set of Indian rights centered on the principle of political and cultural autonomy could stabilize this version of civil society.

Given the new cultural and political climate, an invigorated period of social mobilization could initiate authentic class associationism. To that end, urban cultural movements should maintain trade unions free from repression. This is the only way to make social and associational rights effective and allow authentic class-associative practices to flourish all over the country. One sector of civil society alone cannot guarantee its own permanence as a relevant social actor, advance the democratization of public life, and overcome social injustice. Without alliances and mutual empowerment, it will be impossible to achieve a universal enforcement of rights and promote the reflexive operation of institutions designed to protect them.

External pressures from civil society and public opinion may prevent the derailment of elite bargaining and/or its complete insulation from societal influences. That is the direction most urban cultural movements are currently pursuing. However, their present weakness, which has granted the regime leeway to count on economic recovery, can be politically dangerous. The inorganic character of likely popular response, once patience has run out, could lead to uncontrolled violence and tip the balance of forces within the regime in favor of hardliners.

The current tension between the growth and consolidation of civil society and the expansion of the public sphere on the one hand, and the increased social anxiety arising from the economic crisis on the other, exposes the danger inherent in the present conjuncture.

Time matters a lot. Political actors seem to understand the urgent need for answers, but resistances within the PRI may prove greater than those confronting authoritarian forces in other countries. Indeed, the Mexican regime is far more entrenched in daily life; it is highly institutionalized, overarching, involved in all areas of social reproduction. Its transformation will be a long-term process, even in the event of a smooth transition.

The positive side of the current transition is that all relevant political and social actors recognize the need for a democratic solution to the country's dilemmas. Even the entrepreneurs' associations have voiced democratic aspirations, urging political reform. Only those factions of the bourgeoisie that benefitted from the neoliberal trend now support the state. The bourgeoisie is profoundly split and has lost confidence in the rulers and even in the entrepreneurs' organizations as being too compromised by their relationship with the state. Independent organization of entrepreneurs are on the rise. Thus, no actors are only longer calling for an authoritarian solution. Achievement of autonomy by independent popular actors would be the final blow to authoritarian control of society, and chances look good for a transition to democracy in Mexico.