

Abstract in English

The Ph.D. thesis, titled “Phenomenon of the Mexican Presidentialism in the context of Economic and Political Transformation, 1980-2015”, analyzes the evolution of the presidential system of the United States of Mexico in terms of the economic and political transformations between 1980 and 2015. It analyzes the impacts on legislative, executive and judiciary branches of powers. Moreover, it includes a historical and sociological analysis of presidentialism and its impact on the three branches of power.

The Mexican Constitution of 1917 developed the legal stability of the Mexican presidential system. Due to the historical origins of state development since pre-Columbian period, the presidential system had been established over the three centuries under the Spanish colony’s rule until the independence period up to the 20th century. It is one of the most stable systems in the world. Every six years, from 1934, stable transfer of power and the permanence of the office occur. At that time, there have never been any assassinations.

Nevertheless, the Mexican contemporary presidential system has been undergoing constant transformation since the beginning of the 21st century in terms of the influence of presidentialism, parliamentarism or federalism, especially neo-constitutionalism, which is a dominant paradigm in the theory of the rule of law in Mexico and the region.

The research question is: How is the evolution of impacts and scope of the presidential influence on the executive, legislative and judiciary branches of power in Mexico due to political and economic transformations in the period 1980-2015?

The hypothesis of this doctoral thesis is the assumption that system of Mexican presidentialism, which is anti-democratic in its structure, impacts the legislative and judiciary branches of power despite economic and political transformations. In the eighties, the Congress was largely an institution subordinated to the President. However, the Congress acquired a scope of legislative instruments in order to exercise influence on the president’s office and its functioning. Similar process occurred with respect to the Supreme Court. It settled disputes in the past according to the presidential position and often against the opposition. However, the Supreme Court began to settle disputes in a substantive, politically independent manner since 1994.

The methodology is based on legal methods such as linguistic and teleological interpretation of normative acts. In addition, a mixed methodology has been applied such as Qualitative Comparative Analysis (QCA), which might be a useful tool for analysis of the Supreme Court's jurisprudence.

The results lead me to the conclusion that with regards to political transformation, the constitutional legislative and judicial authorities have been developed despite these changes in the shadow of presidentialism. This coexistence of elements from the past such as an authoritarian hegemonic party, and the new ones transforming reality such as a modernizing presidentialism is a foundation upon which the Mexican modern system develops.

The doctrinal and programmatic elements that define the principle of the Mexican "phenomenon of presidentialism" come from three interrelated main sources. The first is a capitalist and free market model implemented after 2000s, during the technocratic administrations in the period of Vicente Fox, Felipe Calderon and Enrique Peña Nieto. This principle focuses on the role of the highest executive power as the one which apparently reduces its supervision and influence on state institutions. The second, paternalistic and populist, coexists on the normative and programming level due to programs of social development such as PDHO and PROSPERA. The third one, historical and national, consists of certain symbols and myths, especially inspired in the independent period of the 19th century, the Mexican Revolution and the Lázaro Cárdenas' administration. The last one shapes the contemporary model of the presidential system.

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