REVISITING THE POLICY FIELD THROUGH THE LENSC OF MEXICAN SCHOLARS

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Abstract: In this article, it is argued that public policy studies found fertile ground in Mexico upon their arrival in the early 1990s. They stimulated Mexican scholars to discuss two notions that had been taken for granted in Western countries, but that turned out to be novel concepts in Mexico: policy-oriented governance and governing the public interest. The policy field in Mexico made further progress by considering three features that characterize the country’s political and administrative background. First, the salience of the State as the most important policymaking actor, which, paradoxically, lacks the institutional capacities to become a more effective one. Second, informal rules inherited from Mexico’s authoritarian period still strongly influence the behavior of people and organized groups. Finally, social inequality influences Mexico’s policymaking by demobilizing social sectors that could act in favor of the poor, preventing governments from enforcing the law, or letting street-level bureaucracies apply selective enforcement criteria in discretionary ways.

Keywords: public policy theory; Mexico; informal institutions; social inequality.

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1. Introduction

Despite being a young discipline, the field of public policy has proliferated worldwide during the last three decades. Today, the concept of public policy has permeated the language of academics, public officials, journalists, and leaders of non-governmental organizations, among others. Although the discipline originated mainly in Anglo-Saxon countries, since the 1990s, Mexico and other Latin American countries have adopted the public policy approach to understanding government decision-making. Nowadays, public policy studies have acquired a relevant place within the teaching and research agendas. In Mexico, the discipline arrived barely three decades ago, when the country was undergoing an economic and political transition favorable for an optimistic reception of the public policy approach, which opened a new research agenda and professional programs at the graduate level in Mexican universities.

This article argues that when the public policy field arrived in Mexico in the early 1990s, it stimulated Mexican scholars to discuss two novel notions: a) the idea of a “policy-oriented governance” that opposed the formalist, rigid, and centralist vision that predominated in public administration studies and practice in Mexico, and b) the concept of “governing for the public interest”, which provided the public policy approach with an ethical basis beyond its well-known rationalistic orientation. The first notion conceived the exercise of government as a deliberate act seeking to solve specific policy problems by using explicit policy tools and pursuing socially recognized criteria and values. The second notion recognized that the publicness of public policy transcends its governmental dimension since it has more to do

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1 I appreciate the comments and observations of the anonymous reviewers from Foro Internacional, as well as those of Enrique Cabrero and the participants of the research seminar of the Department of Sociopolitical and Legal Studies at ITESO.
with protecting the collective realm, thereby offering arguments in support of democratic accountability. However, the enthusiasm that prevailed initially among pioneer Mexican authors was tempered by others who signaled that the public policy approach entails risks and limitations when adopted in a context such as Mexico, culturally and institutionally distant from the United States. Through broader use of empirical methods, critical authors demonstrated that the standard assumptions of the public policy approach should be adjusted when applied to other settings, emphasizing three elements: the nature of the Mexican State, the weakness of formal institutions in the face of informal practices, and the issue of social inequality. Scholars highlighted the preeminent role of the State in Mexico, whose intervention in multiple social and economic fields is justified by society in a much broader way than in the United States. Paradoxically, despite such high expectations, the actual capacity of the State to translate its purposes into concrete results is extremely limited, due not only to technical and resource weaknesses but also to the fact that informal rules governing political and social interactions are often more influential than formal constitutional arrangements. Informal rules often affect people’s behavior, hence original policy goals are distorted. In addition, Mexico and Latin America generally present very high levels of social inequality. This phenomenon has polarized society with harmful effects on the most disadvantaged groups, as their interests tend to be excluded from decision-making. In short, critical Mexican policy scholars acknowledge the usefulness of the public policy approach but call for caution when trying to transfer the concepts and methods of the discipline to contexts other than the country where they originated.

Before discussing the Mexican response to the policy approach, the following section presents some of the most salient propositions derived from the American public policy school, highlighting how the new discipline attempted to improve the rationality of public decision-making while preserving democratic ideals.
2. KEY PROPOSITIONS IN MAINSTREAM PUBLIC POLICY LITERATURE

First proposition: A public policy is an action of the State to intentionally modify the status quo

Although many American authors have not spent much time defining the concept of “public policy” and are comfortable understanding it simply as “anything that a government chooses to do or not do”2, currently, there seems to be a consensus that public policies are courses of action or inaction chosen by government authorities that respond to a situation classified as a public issue3. This means that not every government activity should be classified as public policy: government organizations commonly carry out countless routines mandated by law whose purposes are often unclear to society and public officials. “Policy sciences,” the new scholarly discipline that emerged in the United States in the early 1950s, aimed to understand how governments establish policy goals and mobilize scarce resources to achieve them. Harold Lasswell, a pioneering author in the field, argued that the policy process had become an object of study in its own right, requiring the contributions of different academic disciplines to improve the rationality of policy decision-making. Laswell advocated for a new science whose resources should be allocated to understanding fundamental human problems to promote human dignity. In other words, he advocated an academic discipline committed to democratic ideals, which implied that one of the major tasks of the policy approach would be to clarify the value goals behind public choices, such as economic efficiency, social equity, and others. However, Lasswell clearly stated that once policy goals had been

Defined, researchers should proceed with the highest levels of academic objectivity by using scientific modeling and quantitative methods. He pointed out that the policy sciences did not only consist of merely describing and explaining how public policies proceed, but also understanding the relevance of information and knowledge in crafting policy.

Public policy scholarship has evolved in different directions from Lasswell’s time to the present. One stream of literature has made important contributions to describing and explaining the policy process, emphasizing the actors, institutions, and dynamics involved at every stage, as will be discussed later in this article. Another has been more clearly devoted to producing evidence to inform the policy debate in specific sectors, such as the extensive literature published in the _Journal of Policy Analysis and Management_. To summarize, public policy analysis aims to be more than just a discipline seeking to describe and explain government behavior. Rather, it is intended to become a prescriptive and normative science capable of improving actual decision-making processes.

Second proposition: Public policy seeks to improve government decisions from the standpoint of instrumental rationality; however, this perspective is insufficient to meet the demands of the political process.

Given the practical and prescriptive orientation of public policy studies—aiming to identify the factors that cause policy issues and the appropriate tools to modify them—instrumental

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rationality became an important paradigm for the discipline\textsuperscript{7}. This strategy had to follow a series of steps similar to those of the scientific method, beginning by determining the goals to be achieved, then identifying the alternatives available for their achievement, comparing these alternatives based on criteria such as social equity or efficiency, selecting the option that best meets those objectives and criteria, evaluating the results actually achieved, and deriving lessons for an eventual policy redesign\textsuperscript{8}.

Although the rationalist approach was welcome among policy scholars, critical voices started to question its assumptions and usefulness in explaining government decision-making in democratic regimes—especially those of a pluralistic nature, such as that of the United States\textsuperscript{9}. The first criticism was that rationalism overstated the human capacity for information processing, given that the conventional approach assumes people and organizations have an enormous capacity to acquire, process, and interpret information regarding policy issues, the alternatives available to modify them, the evaluation criteria, and the risks and uncertainty involved in adopting a policy option, among other elements. Critics claimed that such cognitive abilities were simply inexistent among humans. Herbert Simon coined the alternative notion of “bounded rationality,” which agrees that people can define their objectives, but can hardly identify all the available means to achieve them. Instead of finding the optimal solutions to their problems, people are happy when they find satisfactory ways to achieve their goals\textsuperscript{10}.


\textsuperscript{10} Herbert Simon, \textit{Administrative Behavior}, New York, The Free Press, 4\textsuperscript{th} ed., 1997.
The second criticism of rationalism is that it is simply incompatible with the functioning of political systems such as that of the United States, characterized by many actors, where power is fragmented among various institutions to avoid excessive concentration and players who possess unequal resources seek different objectives\(^{11}\). Critical scholars claimed that rationalist policy analysis cannot say what problems society should prioritize and what criteria to evaluate policy alternatives should be used\(^{12}\). In short, the allegation was that instrumental rationality is unfit to address value issues, as these are political questions\(^{13}\). In democratic regimes, political interaction mechanisms (inter-party competition, debate, negotiation, consensus, dissent) define the social and economic issues deserving government attention, to what extent people are willing to tolerate a burden in exchange for a good, how much taxpayer money should be allocated to address a problem, and what policy tools are socially acceptable to try and solve it.

Critics of rationalism also challenged the prevailing notion of the role of policy analysis. Contrary to the conventional wisdom that assumed that policy analysis should be used to find the appropriate technical solutions to policy problems, critics postulated that it was more of an artisanal than a scientific endeavor\(^{14}\), and that its true role was to contribute to elaborating arguments for or against policy options debated in the political arena. In other words, policy analysis is not a politically neutral task, because it forms part of the broader political context. It is used by contending interests as a tool

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\(^{13}\) Stone, *op. cit*.

of persuasion and can potentially promote public deliberation and collective learning.\footnote{Giandomenico Majone, *Evidencia, argumentación y persuasión en la formulación de políticas*, Mexico, Fondo de Cultura Económica, 1997.}

Currently, the public policy field is not dominated by a central paradigm; rather, there are various theoretical approaches from which the discipline has been built. However, all of them coincide in pointing out that instrumental rationality is but one of the many criteria that guide decision-making. One major approach is organizational, based on the premise that organizations, including those in the public sector, are not machine entities that execute decisions. Rather, they are human creations with a life of their own and a considerable degree of autonomy.\footnote{James G. March & Johan P. Olsen, *Rediscovering Institutions*, New York, The Free Press, 2010.} Their performance depends on their routines and practices, so their decisions are highly inertial.\footnote{Graham T. Allison, “Conceptual Models and the Cuban Missile Crisis,” *American Political Science Review*, 63 (1969), pp. 689-718.} Despite the rigidity of their regulatory framework, organizations enjoy discretion. All of these features imply that organizations wield a decisive influence on public policy-making. Adjacent to the organizational approach, institutionalist theories have also influenced the policy field. Based on the premise that institutions provide the rules of the game in a society in order to restrict and shape human interaction,\footnote{Douglas C. North, *Institutions, Institutional Change and Economic Performance (Policy Economy of Institutions and Decisions)*, Cambridge, Cambridge University Press, 1990.} institutionalist theories postulate that both formal and informal rules affect individual and collective behavior either through incentives that appeal to people’s rational behavior, or through cultural norms that lend meaning to action.\footnote{Walter W. Powell & Paul DiMaggio (Eds.), *The New Institutionalism in Organizational Analysis*, Chicago, The University of Chicago Press, 1991.} Another perspective in the study of public policy is constructivism, which postulates that, beyond material factors, humans
respond to shared ideas and beliefs that lend meaning to their actions and decisions. Therefore, public policy should also be understood as a struggle for social meaning \(^{20}\). Just as Majone emphasized that policy analysis is an instrument of persuasion \(^{21}\), constructivism posits that social narratives can affect the entire policymaking process, beginning with how the target populations of policies are socially constructed and how this impacts policy design; for example, by defining which people deserve to enjoy programs’ benefits and who should bear the costs \(^{22}\).

Third proposition: Policy fragmentation is the natural consequence of a process in which actions are derived from multiple rationales

In opposition to the rationalistic policy approach, the field of public policy developed an alternative approach known as “incrementalism” \(^{23}\). As a policy design method, incrementalism does not seek to identify the root causes of problems or design optimal solutions, as this were beyond the reach of people acting under bounded rationality conditions. It consists of designing policy alternatives that, rather than representing a radical divergence from current solutions, deviate only marginally from them. After introducing such a small change, policy designers will observe whether or not the issue was transformed according to their expectations. If not, they can return to the previous state and try new options, but these should also be incremental. The main advantage of incrementalism, according to its advocates, is that it minimizes the cost of making wrong decisions. In contrast, the effects


\(^{21}\) Majone, *op. cit*.


\(^{23}\) Lindblom, *op. cit*. 
of radical policy change can be too costly and sometimes irreversible. Furthermore, they claim that incrementalism is the only feasible policy design method in a pluralistic political system where power is overly dispersed, characterized by both the participation of multiple actors with different visions and interests and the dispersion of power. Within such a context, public policies are not derived from an exhaustive analysis, but rather are the product of negotiations and mutual adjustments between actors.

This vision of policymaking in pluralistic democracies has given rise to a vast literature on the various components of the policy process, ranging from agenda-setting to policy formulation, implementation, and evaluation. Why do certain policy issues capture government decision-makers’ attention while others do not? One of the main contributions to answering this question parts from the premise that governments usually function as “organized anarchies”. That is, organizations are scarcely able to define their goals (problematic preferences), do not know how to achieve them (uncertain technologies), and make decisions through the participation of multiple actors (fluid participation). It concludes that problems and their solutions are more likely to enter the government agenda when actors advocating certain policy issues (“policy entrepreneurs”) take advantage of the opening of “policy windows” (critical junctures where government officials are more responsive to policy demands) to advance their proposals. However, these proposals should comply with three features: a) they should be framed in such a way that they resonate with public opinion, b) they should be regarded as technically feasible by “policy communities,” and c) key policy decision-makers must find them attractive to their political interests. These findings demonstrate that


agenda setting is not rational and well-structured, but rather a highly fragmented process in which the optimal solutions are not necessarily those that end up being adopted.

Policy implementation studies also reveal that the absence of a unified rationale leads to fragmentation. The pioneering study by Pressman and Wildavsky shows that even a well-designed policy can fail to ensure successful results because implementation is complex and unpredictable\textsuperscript{26}. A sound implementation process requires the cooperation of many actors. However, these might be unwilling or unable to collaborate for different reasons: some may have competing priorities, others may lack sufficient resources to participate, and many may wield discretionary powers in their interpretation of the mandates; all of which generates delays and distortions of the original public policy objectives. Since then, policy literature has seriously questioned the ability of government elites to control the implementation of the policies they promote\textsuperscript{27}.

Several scholars have attempted to identify the factors that hinder policy implementation, seeking to make practical recommendations for public managers. For many of them, the key explanatory variable is bureaucratic discretion in the interpretation of policy mandates or performance of actions that do not necessarily contribute to policy goals. It has been hypothesized that expanding bureaucratic discretion increases the chances of distorted policy goals\textsuperscript{28}. This situation occurs especially with regards to “street-level bureaucracies,” namely public servants (teachers, doctors, social service workers).


workers, police officers) who directly interact with target populations\textsuperscript{29}. These actors enjoy broad discretion in that they can decide, for example, whether to penalize a motorist who violates traffic rules, whether a low-income family is eligible to receive social support, or whether a patient requires specific medical treatment. In addition, they are highly autonomous, because their hierarchical superiors cannot easily monitor their work. Finally, street-level bureaucrats have objectives of their own that do not necessarily coincide with policy goals. Therefore, they are highly prone to derail policies during implementation. According to top-down implementation scholars, the crucial managerial dilemma is to control bureaucratic discretion through sanctions, incentives, and monitoring systems.

However, other scholars argue that bureaucratic discretion is inevitable and should not necessarily be seen as a disadvantage\textsuperscript{30}. On the contrary, they claim that street-level bureaucracies are very well-informed about the problems that target populations face at the local level, given their physical proximity and their daily interaction. They deliberately exercise their discretionary power to cope with adverse work conditions such as scarce resources, translate vague objectives into concrete actions, and deal with situations where the target population refuses to comply with policy directives. Faced with many pressures, street-level workers have no choice but to tap into their discretionary power in order to simplify their work. Considering the major role of street-level bureaucrats, a different perspective, labeled the “bottom-up” policy implementation approach, emerged. It suggests that policy design should consider the viewpoint of policy executors, since no other actor possesses better information than they do.


\textsuperscript{30} Maynard-Moody \textit{et al.}, \textit{idem}. 
regarding micro-level issues. One of the relevant models within this approach is “retrospective mapping,” which proposes that policy design should begin by identifying the problems arising in the interaction between street-level workers and target populations. Policy creators should identify the goals to be met at that lowest interaction level and determine whether the resources needed to achieve those goals are available, or higher levels should provide them. Once they have determined this, policy designers should move up to the next hierarchical level in the implementation network and pose those same questions. Following such a bottom-up approach, the final design will widely differ from a policy conceived from the top, because problematic behaviors will shift at every level of interaction.

The bottom-up approach has also been subject to different criticisms arguing that, in a democracy, it is not admissible that policy goals be defined by non-elected public officials. Nevertheless, the approach allows us to realize the impossibility of imposing from above a single rationale that permeates the entire implementation process. Even if elected leaders have the political legitimacy to define the strategic goals of their administration, the implementation stage will inevitably end up transforming those objectives.

3. The Mexican response to policy approaches

When public policy studies arrived in Mexico in the early 1990s, the ground was fertile for their reception because important economic and political changes were taking place. One of these was the crisis of the state intervention model. According to its critics, recurring economic crises were derived

from irresponsible public spending decisions, bureaucratic inefficiency, and misguided regulations that prevented economic competition. As a reaction to these issues, Mexico embarked on a process of economic deregulation, reduced public spending, and more open trade, seeking to improve economic efficiency by strengthening market competitiveness. The economic-instrumental approach to public policy analysis appealed to free-market advocates, as it offered useful methods for analyzing government intervention and resource allocation decisions such as cost-benefit analysis, as well as other decision-making tools. At the same time, Mexico was undergoing a process of political aperture that led to the end of the one-party regime that had dominated public life in Mexico for 70 years. The legitimacy crisis faced by the regime in the late 1960s gave rise to a gradual opening that made possible a greater partisan plurality, given the demand for a reliable electoral system and governmental accountability. The field of public policy was also attractive for scholars and practitioners interested in expanding democracy in Mexico. In addition to its analytical methods, the discipline emphasized that democracies in governance required broadening the inclusion of diverse actors, strict application of the law, equal protection, providing sound arguments to explain policy decisions, and a commitment to protect the public interest.

It is widely recognized that Luis F. Aguilar Villanueva is the pioneering author of the public policy approach in Mexico and Latin America. In 1992 and 1993, he published four volumes of an anthology dedicated to introducing students, scholars, and practitioners to the field. In addition to pro-

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35. Luis F. Aguilar Villanueva, “Estudio introductorio,” in *El estudio de las políticas públicas*, Mexico, Porrúa, 1992, pp.15-74; Luis F. Aguilar Villa-
viding Spanish translations of classic public policy texts, each volume offered an introductory study where Aguilar presented an overview of the topic at hand, established his personal views, and applied the concepts and theories of the policy field to an interpretation of Mexico’s political and administrative context. He defined public policy as follows: “A public policy is the decision made by a legitimate authority adopted within its legitimate field of jurisdiction and in accordance with legally established procedures, binding on all associated citizens, and expressed in various ways: laws, sentences, administrative acts.” Mauricio Merino, another acclaimed Mexican policy scholar, defined it as “a deliberate intervention by the State to correct or modify a social or economic situation that has been recognized as a public issue.” Mén dez Martínez considered that public policy refers only to situations in which the State faces a specific problem and in response, executes a strategy to solve it through specific incentives and mechanisms. Furthermore, he argued that a policy can be measured in terms of its intensity or degree of activism, depending on the number of elements it explicitly contains (for example, the problem’s diagnosis, the resources needed to operate, the implementation plan, and the conditions for evaluation). We may observe that all these definitions are fully consistent with the first proposition of the mainstream literature discussed previously, given that they emphasize the...
intentional nature of public policy, its aspiration to modify a socially unacceptable situation, and the need to introduce specific mechanisms in order to change behaviors. However, although Mexican scholars endorsed some of the propositions of the Western policy literature, pioneering authors like Aguilar claimed that public policy studies represented a new approach to understanding the task of governing, quite different from the one that had prevailed in Mexico under its authoritarian system, based on the notions of “policy-oriented governance” and “governing in the public interest.”

Policy-oriented governance

This notion proposes that the government cannot and should not intervene in all matters. Instead of conceiving of the State as the principal actor responsible for the economic and social development of a country, an idea that had justified the government’s generalized intervention in private and social affairs, this policy approach conceives of the government as an instrument of society to generate solutions to specific problems that neither the market nor organized citizens are able to correct. By constitutional design, the State controls important resources such as the authority to inhibit or induce behavior, the power to impose tax obligations to finance public goods, and, ultimately, a monopoly on the coercion required to impose sanctions. Therefore, it is evident that the State is a useful toolbox for solving efficiency and equity issues. Since each public problem has specific causes and effects, alternative solutions must also be differentiated, meaning they should apply those tools of intervention (corrective taxes, regulations, fiscal incentives, macro laws, etc.) that prove capable of modifying the causes underlying the problem at hand. In short, the policy approach calls for

40 I use the concepts “government” and “State” interchangeably here.
strategic government interventions, not indiscriminate intrusions justified in the name of abstract values that only mask an authoritarian nature.

A second proposal is that the State, despite all of its unquestionable attributes, is an insufficient means to address the multiple and complex social and economic issues people face, especially in countries like Mexico where the public sector lacks the necessary capacities (political, institutional, fiscal, technical, administrative, and informational) to properly diagnose problems, design effective alternate solutions, and ensure cooperation between their agencies for well-ordered policy implementation. Several Mexican authors highlight that elaborating public policy requires the participation of many other non-governmental actors capable of contributing valuable resources during the process. More than a decade after having published his public policy anthology, Aguilar emphasized the impossibility of governmental control of society. Instead, he used the term “public governance” to stress the need for interdependent relationships between governments, private companies, and citizen organizations to jointly define policy goals and co-produce initiatives of public value\(^\text{41}\). Along the same lines, Cabrero proposes using the “public action” concept to analyze municipal governance in Mexico, emphasizing that managing public policy at the local level requires building interaction channels between multiple actors\(^\text{42}\).

A third proposal is that public policy is more than an instrumental endeavor used to process information, measure alternatives, estimate impacts, and control implementation through managerial techniques. Mexican policy scholars highlight that public policy is a social construct closely related to the political context. Therefore, it also involves coping with conflict, constructing narratives and arguments, and


persuading policy stakeholders. For example, Arellano and Blanco point out that public policy should “commit to an inclusive, deliberative process that implies that the debate on evidence and techniques forms a substantive part of the process” 43. Others emphasize that defining the problem constitutes the “hard core” of the policy process, because this stage also identifies the values and crucial assumptions on which the remaining components will rest. The policy’s hard core constitutes its central argumentative basis and, consequently, its main ethical support 44. Some suggest, closely following Lasswell’s original ideas, that public policymaking cannot be based exclusively on instrumental rationality, as it also requires a moral perspective to be taken seriously, especially under a democracy 45.

Governing in the public interest

Assimilation of the public policy approach in Mexico and Latin America meant special emphasis on the public dimension of said policies. In addition to asserting rationale in government decision-making, the approach drew attention to the public nature of policies. How do we understand “the publicness” of public policies? Are policies public only because they are adopted and executed through the powers of the State? Or is it because public policy affects the interests and well-being of a very broad sector of people? One of the most cited Latin American texts in the conceptualization of the term “public” is that of Rabotnikof, 46 who defines three

43 David Arellano Gault & Felipe Blanco, Políticas públicas y democracia, Mexico, Instituto Federal Electoral, 2013.
44 Merino, op. cit.
46 Nora Rabotnikof, En busca de un lugar común. El espacio público en la teoría política contemporánea, Mexico, Universidad Autónoma de México-Instituto de Investigaciones Filosóficas, 2005.
main meanings: a) whatever relates to the general interest, as opposed to the private or individual interest; b) whatever develops in the light of day: anything that is manifest and ostensible, as opposed to what is secret or hidden; and c) whatever is of common use, accessible to all, as opposed to what is closed or exclusive, reserved only to some people. From these three perspectives, a policy is public when it tries to modify a situation that affects the interests of an entire community, for example, a pollution situation that damages their health. Furthermore, such a policy should also be considered public if it requires actions to be financed through taxpayers’ money, which should also be transparent, given that people have the right to know what their governments do, why they do it, and what results are obtained. A policy is also public whenever it promotes inclusion by improving people’s access to goods and services to which they are entitled, such as public streets, parks, or beaches, especially for the socially disadvantaged population.

The “publicness” of public policy’ stretches beyond the State’s sphere. The Mexican public policy school agrees that protecting the public domain is an ethical imperative: “Every time one acts against any of those three principles, the public domain is corrupted, and politics loses the best of its purposes.” Moreover, recovering and reactivating the public nature of public administration implies, among other things, “requiring that public policies preserve their orientation towards the interest and public benefit of the political community (in opposition to the particularistic traditions of clienteles and perks, with or without corporatized recipients) and demanding that citizens take part in the deliberation of public affairs and the implementation and evaluation of public policies.”

48 Merino, op. cit.
49 Aguilar Villanueva, Gobernanza y gestión, op. cit., pp. XX-42.
The risks and limitations of the policy approach

Despite the enthusiasm generated by the arrival of the public policy approach in Mexico, some authors began to warn that its uncritical adoption entailed the risk of failing to interpret the Mexican political and administrative reality adequately. A seminal work was introduced by Enrique Cabrero, in which he claimed that the public policy school had an “appellation of origin” because its concepts were strongly based on the United States’ culture, institutions, and political practices. Cabrero argued that the standard public policy cycle could not automatically be transferred outside the American context to explain the functioning of the public policy process. For example, the process of policy agenda-setting in countries like Mexico is comparatively more impermeable to societal input, as governmental actors have a stronger influence in defining problems and formulating solutions. Although non-governmental organizations have acquired more involvement in policy development due to Mexico’s political liberalization, their participation still requires the acquiescence of key government actors. Cabrero argued that a serious conceptual effort is required to adapt the standard policy models to countries outside the United States. Other scholars warned that adopting the policy approach to the government sphere in Mexico could be merely superficial, a way of covering up old authoritarian practices with new language: “change the name to continue doing the same.” Meanwhile, other authors argued that despite the obvious policymaking differences between Western and Third World countries, there are converging elements: a) policy agendas are responsive to pressure from organized society, even in non-democratic settings; b) timing is always a strategic resource for actors

51 Merino, op. cit.
in shaping public policy agendas, and c) implementation issues are generally similar\textsuperscript{52}. In any case, there seems to be a consensus that it is necessary to develop a specific conceptual framework to study the public policy process in Latin America, considering three fundamental factors: a) the nature of the State and its relationship with other societal actors, b) the informal nature of many institutions and how they influence public policy, and c) the policy consequences of socioeconomic inequalities\textsuperscript{53}.

The State as a leading, yet weak actor

Well before the arrival of the public policy approach in Mexico, Latin American scholars asserted that the State wielded a greater influence on policy design than all other social actors\textsuperscript{54}. Against the pluralist vision that prevailed in American political science during the first half of the twentieth century, according to which the State is a neutral arena where the demands of social groups are settled, Oszlak and O’Donnell claimed that the State should be understood as an actor in its own right, capable of setting its own policy goals independently of other social groups. Proof of this is its ability to initiate policies autonomously, determining whether or not an issue or question will be the object of its intervention. They acknowledged that the State is not a monolithic entity, but a group of diverse actors invested with institutional authority competing to ensure that their policy preferences will prevail, which in turn produces inconsistent and conflicting policies. Policy elites (elected politicians driving policy decisions and


\textsuperscript{53} Susan Franceschet & Jordi Diez, \textit{Comparative Public Policy in Latin America}, Toronto, University of Toronto Press, 2012.

designated officials leading policy planning and execution) are the most important State actors because they generally trigger reform processes in non-Western countries: they place issues on the government agenda, controlling the terms of policy discussion through technical arguments based on information generally under their control\(^{55}\).

Apart from being a relatively autonomous entity, the State in Latin America has been expected to perform an active role in policymaking, particularly after democratization. For example, local governments in Mexico have increased their importance because of decentralization policies put forward by the federal government since the early 1980s, but also since their electoral landscapes became highly competitive throughout the 1990s. Those two factors, combined with other multilevel mechanisms—such as legal frameworks, financial transfers, and political parties—have encouraged local authorities to increase the number of policy domains they are willing to undertake, well beyond the functions stated in the constitution, including employment creation, education, healthcare, and others\(^{56}\). Despite its policy activism, there is a consensus that the capacity of the Latin American State to implement public policy is limited. This weakness in terms of capacity becomes evident when we consider the gaps between goals and actual results. In extreme cases, the State has shown itself incapable of monopolizing the use of force in some regions due to the presence of parallel powers that wield violence\(^{57}\). An illustrative example of this is Mexico’s low tax revenue —one of the lowest in Latin America,


\(^{57}\) Susan Franceschet & Jordi Diez (Eds.), *Comparative Public Policy in Latin America*, Toronto, University of Toronto Press, 2012.
considering the size of its economy\textsuperscript{58}. One factor that explains the State’s weakness is the absence of a stable and professional public bureaucracy. In Mexico, public administration is not supported by a meritocratic professional career system based on skills and competencies, rather than political considerations\textsuperscript{59}. Despite its importance in ensuring the success of policies, implementing a professional career service has faced several hurdles. One such obstacle is the entrenched practice among political parties of rewarding electoral activists with jobs in the public bureaucracy\textsuperscript{60}. In the case of municipal governments, at the start of the 21\textsuperscript{st} century, it was estimated that barely 30\% of the country’s municipalities had administrative units in charge of personnel administration that fulfilled the conventional functions of recruitment, selection, hiring, induction to the position, training and development, and performance incentives.\textsuperscript{61} Deficiencies are also evident when we observe the low level of formal training among public servants: in 2021, more than one million people were working in municipal governments, of which 43\% had the highest level of secondary education\textsuperscript{62}. Finally, there is abundant evidence of extreme fragmentation

\textsuperscript{58} Total tax collection in Mexico in 2019 as a percentage of GDP was 16.3\%, while countries such as Argentina, Brazil or Chile achieved levels of tax collection, respectively, of 28.2\%, 32.5\%, and 20.9\% (OECD, Global Revenue Statistics Database).


\textsuperscript{62} Censo Nacional de Gobiernos Municipales y Demarcaciones Territoriales de la Ciudad de México, Tabulados Básicos, Instituto Nacional de Estadística y Geografía (Inegi), (2021 consultation).
in the design and implementation of public policies in Mexico. Public programs are rarely crafted as a logical response to specific social problems, but rather tend to be short-term reactions to various political pressures. Public organizations have a highly vertical vision of public management, implying that most are unwilling to cooperate with other agencies to implement complex policies that require significant coordination.

Institutional laxity and informal rules

Despite its democratic transition process, Mexico’s governments and individuals continue to engage in practices of the old authoritarian regime, such as: clientelism, patronage, corruption, and the personal and patrimonial use of public power. Horizontal accountability institutions have been ineffective in controlling such practices, which has in turn eroded popular support for democracy, created a climate of mistrust towards those institutions, and instigated the perception that the political regime is one “of weak obediences.”

What consequences do informal practices have on creating and implementing public policy? Let us take clientelism as an example. If we assume that the government has a political monopoly over resources that voters value, clientelism creates a relationship between the government and the electorate based on providing private, indivisible goods in exchange for

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64 Carlos Moreno Jaimes, “Fragmented policymaking in Mexico: the design of social programs in a subnational case”, Gestión y Análisis de Políticas Públicas (2021), pp. 131-145.
66 Pedro Medellín, La política de las políticas públicas: propuesta teórica y metodología para el estudio de las políticas públicas en países de frágil institucionalidad, Santiago de Chile, Cepal, 2004.
political support\textsuperscript{67}. Clientelism negatively affects the public interest because it discourages investing in collective goods. It also contributes to making antipoverty policies fail, since the benefits of the programs are not allocated to those most in need of them, but rather to those who have electoral mobilization capacities. A similar informal institution is patronage, the patrimonial distribution of government resources in exchange for political support, which includes assigning public jobs to remunerate the electoral activism of campaign teams\textsuperscript{68}. As argued by Jorge Nef, patronage is part of Latin American’s administrative culture, in which practices such as “friendly connections” (amiguismo) and “godfatherhood” (compadrazgo) contribute to the lack of transparency and distrust of strangers surrounding public administration\textsuperscript{69}. Another phenomenon of electoral democracies such as Mexico is political corruption, understood as the abuse of public power for private benefit\textsuperscript{70}. Corruption is not an isolated event derived from the opportunistic behavior of public servants who manage to evade administrative controls, but rather a widespread phenomenon, a social regime rooted in social habits and culturally legitimized\textsuperscript{71}. As pointed out, the predominance of all


these informal institutions can be understood as “reciprocity pacts” where the involved players tolerate clientelism, patronimonalism, or corruption, expecting to eventually benefit from these practices. They can also be framed as a collective action problem where the parties involved know in advance that, in the long term, the adoption of formal rules of universal application would be preferable. However, they refrain from denouncing those who break those rules for fear of suffering social retaliation and depriving themselves of the opportunity to thrive through socially harmful practices.

The importance of informal institutions in Mexico is clearly explained in a recent article on policies addressing the problem of child homelessness in Mexico City. The authors argue that the creation of a Law for Alternative Care for Girls, Boys, and Adolescents in 2015, whose goal was to improve the services for homeless children, not only fell short of achieving effective policy coordination but also disrupted the established informal networks that had previously been addressing the issue in Mexico City. This suggests that when legislation is crafted without properly assessing the existing informal norms and practices, it can have detrimental consequences for the targeted population. Another piece on Mexico’s local governments shows that corruption has acquired a high level of consolidation, implying that corrupt practices


have reached a level of stability that makes them self-sustaining and difficult to reverse. The authors argue that corruption 1) operates in the form of networks, and 2) has become part of the organizational culture, while 3) opacity is the main feature of governmental processes, and 4) the system of bureaucratic appointments prevents the efficacy of accountability mechanisms.

Social inequality

Although Mexico is the fourteenth largest economy in the world, more than 50 million people live in poverty, and 21% of total income is controlled by 1% of the richest people in the country. Besides its economic effects, social inequality has social and political consequences because it distorts the rules of the political game in favor of the richest and most privileged people, even in democratic regimes. Therefore, it can hardly be assumed that, under high social inequality, public policies adopted by democratic institutions reflect what the majority wants since the most disadvantaged social groups are excluded from participating in the agenda-setting process. One avenue of exclusion has been to prevent inequality from becoming a central policy issue capable of mobilizing broad social sectors. Such mobilization, however, is less likely when the bonds of social cohesion and solidarity between classes weaken, which has occurred in Mexico and other countries. For example, anti-poverty programs have

75 Meza, *art. cit.*
been framed from an individual choice perspective (poverty derives from people’s mistaken behavior), thereby creating a rhetoric of stigmatization. Furthermore, physical segregation between the rich, the poor, and the middle class in urban areas has undermined opportunities for interaction and interclass political mobilization to champion policies against the detrimental effects of inequality.

Social inequality affects not only the process of policy agenda-setting but also the willingness of political actors to enforce the law. In the absence of solid welfare redistribution mechanisms, as is often the case in Latin America, politicians deliberatively choose to let people disobey the laws as a way to mobilize them electorally. This has been defined by the term “forbearance”: an “intentional and revocable government leniency toward violations of the law.” Social inequality also strongly affects day-to-day interactions between street-level bureaucracies and ordinary citizens. For example, it has been demonstrated that police officers in Mexico City enforce the law selectively, depending on the socioeconomic status of automobile drivers: they are more likely to solicit bribes from low-income individuals, whereas they tend to let wealthier motorists go unpunished, without asking them for bribes or imposing any fines. Police officers’ selective behavior concerns their perception that richer drivers are well-connected, and they might use their influence to obtain revenge if officers issue them a ticket. It has been pointed out that in Mexico, socially disadvantaged people are more likely to bear the heaviest burdens from bureaucratic dysfunctions, such as


denying them access to basic rights and benefits\textsuperscript{82}. The concept of “low trust bureaucracy” has been coined to point out that, in Latin America, bureaucracies are unreliable mechanisms in terms of gaining access to public services, and that they amplify social inequality\textsuperscript{83}.

4. Conclusions

This article has argued that public policy studies found fertile ground in Mexico upon their arrival in the early 1990s. They stimulated Mexican scholars to discuss two notions that had been taken for granted in Western countries, but that turned out to be novel concepts in a regime of authoritarian tradition like Mexico: policy-oriented governance and governing in the public interest. Those two notions helped the discipline gain a broader ethical perspective beyond its more conventional instrumental approach. Afterward, the policy field in Mexico made further progress by considering three features that characterize the country’s political and administrative background. First, the salience of the State as the most important policymaking actor, which, paradoxically, lacks the institutional capacity to become more effective. Second, informal rules inherited from Mexico’s authoritarian period still strongly influence the behavior of people and organized groups. Those informal institutions explain the persistence of entrenched practices such as corruption, clientelism, or patronage. Although they are generally deemed detrimental to good government performance, they cannot be eliminated simply by replacing them through new legal


frameworks: the real challenge is to develop a new basis of social trust based on the principle of universalism. Finally, social inequality is another factor that influences Mexico’s policymaking through different channels, such as delimiting the actors that participate in the process of policy agenda-setting, demobilizing social sectors that could act in favor of the poor, preventing governments from enforcing the law or allowing street-level bureaucracies to apply selective enforcement criteria in discretionary manners.

Although mainstream public policy theories, concepts, and models have allowed the academic community to describe, categorize, and generate interesting hypotheses regarding Mexico’s policy process, their explanatory power will remain limited unless a further effort is made to consider how the three contextual features discussed in this article (the weakness of State institutions, the prevalence of informal practices, and the consequences of social inequality) can contribute to developing new conceptual paths and enriching the theoretical policy debate. For example, in Mexico, there is a consensus that the State should play a stronger role in promoting basic social rights such as healthcare, education, and social welfare, which can be justified in confronting the problem of social inequality. However, considering the low levels of professionalization in the bureaucracies responsible for delivering services and social benefits and the propensity of local actors to resort to clientelistic practices, what precise government intervention mechanisms should be recommended to deal with a complex policy implementation? In short, the particularities of the context of Mexico and Latin America have opened up an interesting vein of research for analyzing public policies beyond conventional perspectives.
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