Quality of Democracy and Game Theory: Explaining the Consolidation of the Mexican Hybrid Regime

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Abstract

This article presents several mechanisms that explain the fragility of some dimensions of Mexican democracy. Three empirical problems that constitute challenges to the Mexican democratisation process are explored using game theory: a) the 2006 post-electoral context; b) the fight against drug cartels; and c) the collaboration between citizens and cartels. Each case is linked to a dimension of the quality of democracy: political participation for the first case, and rule of law for the second and third cases. The main argument is that these institutional challenges contribute to the consolidation of a hybrid regime. The article deploys three distinct applications of game theory: to show how the incompatibility between observable behavior and the logic of a game helps to infer types of rationality; to describe how the situational logic determines the interaction between actors; and to display how the interaction of different preferences causes distinct outcomes.

Keywords

Game Theory; Hybrid Regimes; Political Participation; Qualities of Democracy; Rule of Law

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Introduction

A quality democracy is one that guarantees adequate levels of freedom and equality (Morlino 2012, 195). The deepening of democracy constitutes the sub-process following transition and consolidation. Its relevance lies not only in its novelty for Latin America, but in the fact that, as Leonardo Morlino (2012, 191) suggests, regimes with democratic deficits, such as hybrids, can become democratic through the improvement of the dimensions that make up the quality of democracy. As Bermeo (2016, 14) states, coups d'état are not the norm in democratic regressions today: the form these regressions take in many countries is through gradual changes. These gradual changes can produce hybrid or ambiguously democratic institutional arrangements (Bermeo 2016, 6). Hybrid regimes are a real empirical possibility since, as Morlino (2012, 49) has stated, democratisation is not a linear process, but can lead to diverse outcomes, including arrangements marked by institutional uncertainty and ambiguity. A similar insight is offered by Diamond (2002, 24) when he states, following O'Donnell and Schmitter (1986), that transition processes are accompanied by different degrees of uncertainty, the results of which may lead to various types of hybrid regimes. These regimes are deviations from their predecessors but, at the same time, they are neither fully authoritarian, nor totally democratic (Morlino 2012, 55); rather, they combine authoritarian and democratic features. Morlino defines hybrid regimes as a "set of ambiguous institutions that maintain aspects of the past' (2012, 55), a past that could have been authoritarian, traditional, or even democratic (2012, 55).

However, one of the conceptual challenges is to specify whether we are facing a singular type of regime in a strict sense, or a transitional process towards another type of regime (Morlino, 2012, 49). One way, although not the only one, in which a hybrid regime can be differentiated from a transitional phase is by analyzing the number of years a country has been partially free (Morlino, 2012, 57-59). If a country has been partially free for at least two years, but less than ten, we are in the presence of a transitional period. If the country has been partially free for at least ten years, we are facing a case of a hybrid regime (Morlino 2012, 57). Based on data from Freedom House, Morlino (2012) classified Mexico as a hybrid regime in transition to democracy, since, by the year 2010, Mexico had already experienced a transitional period for 11 years. However, the data considered only reaches 2010, so, based on this approach, Mexico would have gone from being a regime in transition to democracy towards a case of a more persistent hybrid regime: 20 partially free years in total by the beginning of 2020. Freedom House data confirm that by 2020 Mexico would still be partially free. Additionally, it has been labelled an electoral democracy² since 2000 (Freedom House 2020).

The perpetuation of a hybrid regime and the challenges to the Mexican democratisation process require an explanation. What mechanisms explain the weakness of the quality of Mexican democracy and the consequent perpetuation of a hybrid regime? The objective of this article is to offer only some mechanisms that explain the weakness of two dimensions of the quality of democracy: political participation and the rule of law. It addresses three empirical problems associated with these dimensions: post-electoral instability, the strengthening of drug cartels, and the collaboration between drug cartels and citizens. The emphasis is on the political landscape since 2006, when former President Felipe Calderón came to power after a controversial election and initiated the "War on Drugs". I address the three cases from static Game Theory (GT). Each case aims to answer a specific question: 1) why did the uncertain post-electoral scenario in 2006 did not result in violence? 2) why is it so difficult to combat drug cartels? and 3) why do citizens collaborate with drug cartels? Each of these cases displays three different modalities of GT: 1) the inference of the type of rationality that drives actors and how this mechanism is useful to explain the outcome of political processes (first case); 2) the description of the situational logic that involves actors and how its deviation can have deleterious consequences (second case); and 3) the description of how different configurations of preferences aid to the understanding of types of interactions and types of actors (third case). One novelty of this article is the link between analytical narratives and the field of the quality of democracy.

Game theory, processes, analytical narratives

A question that emerges when evaluating democratic deepening is what the most adequate methodological tool is to achieve this (Morlino 2012, 191). Although Leonardo Morlino (2012) has favored research designs aimed at comparing countries through the study of their qualities, analytical narratives (Bates et al. 2000) — as an approach that uses case studies to identify causal mechanisms — constitute an area of opportunity that remains insufficiently explored in terms of studying democratic quality, particularly in the Latin American region. The use of rational choice models is not a novelty in social sciences. Representative works by authors such as Buchanan and Tullock (1993), Coleman (1994), Axelrod (1986), Ostrom (2011), Kuran (1997), Goldstone (1997), to name just a few, can be cited in this respect. Some authors have gone as far as systematising the positive study of

² I.e. democracies in which there is effective political competition, but are not minimally liberal in terms of civil liberties.

politics (see Hinich and Munger, 2003; and Shepsle, 2016). While a select group of rationalist authors have focused on understanding political transition through GT – namely, Josep Colomer (1998), in the case of Spain, or in a more theoretical level, Adam Przeworski (1995), focusing on the different results that a process of democratic opening can go through – there has been little discussion in the Latin American region on the methodological and theoretical links between the study of the quality of democracy and GT.

One of the reasons for this reluctance lies in the fact that rational choice theory – as the theory from which analytical narratives stem – is rooted on Methodological Individualism (MI) and causal mechanisms, whereas studies on the quality of democracy have implicitly remained at the level of systemic analysis, centered on units such as groups, functions, structures, systems and subsystems. Moreover, authors such as Laurence Whitehead (2011) have argued that physical metaphors – and certainly GT could fall into this category – are insufficient for an understanding of democratisation, and that the study of this phenomenon should be approached from biological metaphors and an interpretative perspective. This displays that not only the concept of democracy is a contentious one, but also that there is a dispute over which the best approach to democratization processes is. However, one of the advantages GT analysis provides is that it allows us to "break down" the great questions of comparative politics into their procedural elements (Geddes, 2003). What do analytical narratives have to offer for an understanding of the quality of democracy, and in particular, for institutional contexts that can be categorised as hybrid? GT and analytical narratives are useful tools to unveil the logic behind several empirical problems peculiar to the eight qualities (Morlino, 2012) that constitute the study of the quality of democracy (rule of law, electoral accountability, inter-institutional accountability, participation, competition, freedom, equality, and responsiveness). It, consequently, aims to elucidate why it is so difficult to strengthen the different qualities in hybrid contexts such as México, i.e., in institutional arrangements marked by profound democratic challenges, not through measurement, but through a qualitative methodology focused on processes.

GT is a suitable tool for addressing political and social phenomena that involve strategic interactions. This tool, associated with MI and positivism, is part of the arsenal of both quantitative and qualitative methods. As a qualitative tool, GT calls upon interpretation to reconstruct the mechanisms that constitute strategic interaction analysis: preferences, strategies and equilibria. The reconstruction of processes occurs through the interpretation of behaviors and situational logics, as well as through a deep knowledge of the cases' history. Causal mechanisms (Elster 2003; 2010) are at the core of GT, but this approach has been

criticised by authors such as Morlino (2012) due to the determinism to which it leads. For Morlino (2012, 20), democratisation processes are always uncertain open processes, and we should, in case we make use of the mechanisms approach, "(...) embed the mechanism/s we are able to find into a meaningful 'process', where time, timing, and sequencing, when singled out, are essential components" (2012, 20). However, the causal mechanisms approach is far from being deterministic, at least for authors such as Jon Elster (2003, 18), for whom prediction does not constitute the aim of mechanisms. For Elster (1997, first part), the adequate type of explanation for social sciences, is not a causal one, – prone to determinism – or a functionalist one, but rather an intentional one. The intentional explanation involves the study of the various mechanisms and motivations that guide the individual actors' behavior. It also focuses on how the interaction of mechanisms and motivations results in aggregate phenomena, both intentional and unintentional. Consequently, this approach can shed light on an aggregate phenomenon such as democratization.

Following Geddes (2003, 53-57), GT is useful to understand the phenomena associated with the sub-processes that make up a larger process: democratization. Although GT models have the disadvantage of leaving out many contextual and historical characteristics, they manage to simplify the main elements of a process well, emphasising the components that provide a process with dynamism, namely the actors. A game, as any model, serves to simplify the main components of a process – and therefore, it is also a process – as well as to reveal the underlying logic of the interaction between two or more actors. It also serves to describe the sub-processes in an empirical situation, as when each of the outcomes of a static game represents a different interaction, i.e., a sub-process. If GT – as an approach that resorts to mechanisms – is not deterministic, and is compatible with the concept of process, we can state that it is a useful methodological tool for the understanding of the processes that comprise the study of democratic quality.

The eight dimensions to study the quality of democracy mentioned above contain specific puzzles and empirical problems that take the form of processes whose logic must be revealed through the identification of causal mechanisms. This article applies the static version of GT to all three cases. In this version, a Nash equilibrium means a real or hypothetical situation in which none of the players has an incentive to change strategy without at least one losing by doing so. In turn, a dominant strategy refers to the best response each player has to any of the opposing player's decision. I reconstruct the three aforementioned conflicts as processes with these concepts in mind. The final aim is to answer the above questions associated with the dimensions of the rule of law and political

participation. Conversely, this article falls within the tradition of analytical narratives (Bates et al. 2000). Analytical narratives are part of those methodological efforts aimed at making explanatory, rather than descriptive, case studies, and in general, qualitative methods.

Mexico as a hybrid regime

The discussion about which subtype of hybrid regime would best characterise the Mexican case is not fully resolved, but this analysis would have to take into account the country's institutional past, and the institutional arrangements that remain as a legacy of authoritarianism, as well as the political and social effects of the democratisation process. Furthermore, the presence of actors without clear nor direct political pretensions, but financial motivations, namely drug cartels, seriously threaten individual freedoms, the rule of law, and the functioning of government. Thus, a pending research agenda would have to reflect on the usefulness of the concept of a hybrid regime within a context in which violence is mainly promoted by drug cartels, and the way in which this influences the democratisation process.

Conversely, the perpetuation of Mexico's profound institutional challenges stems from the type of democratisation process it has experienced. The literature on political change and transition in Mexico displays a certain consensus that this type of transition occurred through a gradual process of negotiating the rules of the game (Becerra, Salazar and Woldenberg 2000), in particular, electoral reforms (Merino 2003). Unlike other transitions resulting from an explicit institutional agreement (Sartori 2003, 222), the Mexican case, as Merino (2003 18-29) has stated, was a voted, gradual transition that still carries institutional atavisms from the past, which were not founded according to democratic prescriptions. In the absence of a founding moment (Woldenberg 2012, 14) that would give way to a new political order, the transition process inaugurated in 2000 (with the triumph of the National Action Party [PAN]) perpetuated an institutional logic that hinders democratic deepening. In the electoral sphere, the accusations of electoral fraud and manipulation at both the local and federal levels have never disappeared, although not to the extent that prevailed when the hegemonic party system (Institutional Revolutionary Party [PRI]) dominated. The conflict following the 2006 presidential elections showed that, in the context of very closed electoral processes, the institutions in charge of organising elections have difficulty in providing electoral certainty and generating confidence. Post-electoral political participation is one of the dimensions of the quality of democracy affected by this institutional fragility, especially as the possibility of political violence emerges.

The analysis of the strengthening of drug cartels – a phenomenon that became a major issue on the public agenda at the end of 2006³ – as an indication of the weakness of the rule of law is equally important. The 2000 transition reduced neither the levels of corruption, nor the weakness of the rule of law. As Astorga and Shirk (2010, 7) have stated, democratic pluralism and decentralization of power resulted in the reconfiguration of previously forged equilibria between the state and criminal groups. This result is not surprising, since, following Ugalde (2011), democracy was established in a context covered by institutional arrangements that allow corruption and clientelism, which grant state and non-state actors greater independence. As Ugalde (2012, 68) recounts, while Mexico's independence had the consequence of freeing the military and *caciques* – actors who then acted with impunity – from the vice-royal control, something similar occurred when the hegemonic party system dissolved. The institutional equilibria that kept social violence at tolerable levels disappeared, and actors with the capacity to openly challenge the state emerged. The drug cartels' strength and violent methods are an indirect legacy of the past: they are not a legacy of the hegemonic party system, but of the effects of its absence.

Although the emphasis placed on these two dimensions of the quality of democracy is not sufficient to outline a general view of the institutional challenges whose interaction perpetuates a hybrid regime in Mexico (which would require an assessment of the eight dimensions of the quality of democracy), it does provide a preliminary analysis to this case.

The Post-Electoral Context of the 2006 Presidential Elections

In July 2006, the difference between the winning candidate, Felipe Calderón (PAN, political right), and the second place, the left-wing leader, Andrés Manuel López Obrador (AMLO) (Coalición por el Bien de Todos [CPBT]), was only 0.56 % of the total vote, even though by March AMLO was 10 points ahead of Calderón in the polls preceding the election (Crespo 2008, 21-22). As José Antonio Crespo (2008, 21) points out, closed election results are a breeding ground for uncertainty and mistrust in electoral institutions. In some cases, for instance, in Kenya in 2007, the results led to political violence (Crespo 2008, 27). However, the effect of closed elections depends mainly on the prevailing institutional arrangement (Crespo 2008, 25). Following Crespo (2008), it is in presidential systems (as zero-sum games) where a closed result creates incentives for the runner up not to accept the electoral count and denouncing "(...) any anomaly, irregularity, inequity or act of partiality of

³ Mainly due to the war against drug cartels initiated in 2006 by former president Felipe Caldéron. 2006 marks the tipping point in the escalation of violence.

the electoral authorities that could have been decisive in the final verdict" (Crespo 2008, 25), augmenting the suspicion of fraud among the loser's supporters.

The closeness of the election's results, the accusations of irregularities during the electoral process, the intrusion of former president Vicente Fox (PAN, 2000-2006) in it, and AMLO's impeachment process, also promoted by Fox in 2005, resulted in the wide dissemination of the idea of fraud held by AMLO's followers (Crespo 2008, 21). The postelection scenario did not lead to violence, but was marked by deep polarisation (Crespo 2008, 27). The main demand of AMLO and the CPBT was a thorough recount of all the ballot boxes. For two months, until September 5, when the Electoral Court of the Judicial Power of the Federation (TEPJF) gave its final resolution, in which it declared Felipe Calderón as President Elect (Crespo 2008, 71), there were a series of mobilisations and actions promoted by AMLO - who had reiterated being in favor of "peaceful civil resistance" - and his supporters, mainly in downtown Mexico City, with the purpose of making their discontent visible. The result of the sense of aggravation stemming from the decisions of the electoral institutions consisted of taking over avenues and setting up camps blocking them. In the documentary "EL FRAUDE DEL 2006" AMLO stated that anger and indignation were shared feelings in the social movement created after July 2 -and he includes himself as a participant in this movement. According to AMLO, these feelings were channeled through the aforementioned mobilisations and takeovers, and violence was, thus, avoided (peaceful civil resistance). In addition to the effects that these actions had on transportation and trade, AMLO's supporters' unconditional backing, and the emergence of solidarity and decentralised forms of organisation became the defining characteristics of this social movement, as Elena Poniatowska (2007, first chapter) recounts. These features reinforce what Morlino (2012, 202) and Elster (2010, 432) state: in social movements arise not only instrumental motivations, but also others aimed at strengthening identities as well as the search for benefits obtained during the process.

Crespo (2008, 22-23) posits that, although one of AMLO's mistakes during this electoral process was the construction of a confrontational anti-business discourse, which gave the opposition a resource to label him as "a danger for Mexico", and drove away the moderate electorate that supported him, this same discourse strengthened his hardline voters' support. One sector of those hard-liners was willing to drive the movement to its ultimate consequences, resorting to radical actions, but AMLO always tried to frame his followers' behaviors in a way that, although disruptive to the daily routine of Mexico City, could not be typecast as violent. Various accounts in Poniatowska's (2007) chronicle show that one sector

of this movement not only declared a categorical commitment to AMLO (2007, 42), but also preferred, unlike AMLO, more radical actions (2007, 44, 54). The social discontent and preference for more belligerent actions, which were beyond AMLO's capacity to control, increased after September 5, when the TEPJF declared Felipe Calderón President Elect (Poniatowska 2007, 290-291, 304-305). According to the documentary "EL FRAUDE DEL 2006" Mitofsky, a pollster, conducted a national survey after the election to find out the percentage of Mexicans who would support an armed rebellion led by AMLO. The result was that 13.2 % citizens (approximately 10 million Mexicans in 2006) were in favor of that option. While political competition and the rule of law are dimensions of the quality of democracy that could be affected by such a conflict, the focus of this analysis is on finding out why despite this polarised result, this conflict did not lead to a process of collective action that resorted to violence.

Although violence has been described as a type of resource used by contentious collective action (Tarrow 2011, 99), for Morlino (2012, 202), quality political participation, be it conventional or unconventional, is only non-violent, given that for him violence is against the law and can lead to more violence. However, what defines political participation as violent or non-violent? One of the variables that helps us define this, although not the only one, is the type of rationality that governs actors. The interaction between one political leader and their supporters, in the context of electoral fraud accusations, is a way of discerning the type of a political leader's rationality and how it could be a determining factor triggering political violence or not. In order to infer AMLO's type of rationality, I will compare his behavior against GT model prescriptions.

After September 5, AMLO had two options: not to accept the results and stay within the Peaceful Civil Resistance (P), or not to accept the results by taking a more disruptive position (R). AMLO showed a preference for staying in (P) while his sympathisers did the same, but the difference between a strategy of peaceful civil resistance and more forceful actions is not so great, so his second preference is that both he and his sympathizers go for more forceful actions (R, R). In reality, a collective disruptive action led by him was part of the set of options that AMLO considered effective in reversing the electoral result. In the documentary "EL FRAUDE DEL 2006" the interviewer asks AMLO if he would agree that there was another "dangerous" (i.e. violent) way that AMLO preferred in order to "stop the fraud", even if AMLO's preferred option (peaceful civil resistance) did not work. AMLO nods to the interviewer's question and wonders whether not choosing the disruptive option turned out to be more costly in the end. Third, AMLO prefers to remain in (P), regardless

of what his sympathisers do, which is (R). The last option AMLO prefers is to opt for a disruptive position (R), while his supporters go for (P), given that this is contradictory.

Similarly, an important sector of AMLO's supporters, the hard-liners, faced two options: opting for a position of political moderation, following the example of "peaceful civil resistance" proposed by AMLO (P), or for a radical position (R). As previously stated, an important sector of AMLO's sympathisers preferred that both they and he choose (R). The perseverance of those who participated in the encampments and street-taking in Mexico City during July, August, and September, demonstrates his sympathisers' deep dissatisfaction, and their choice to remain within (R), despite AMLO's preference (P) (second preference). If this is not possible, and if they have to opt for the peaceful way, they prefer that both they and AMLO opt for (P). Their last preference, which is a contradiction for both, is opting for (P) while AMLO chooses (R).

Figure 1: AMLO's preferences

AMLO Hard-liners Payments

P P 4

R R R 3

P R 2

R P 1

Figure 2: Hard-liners' preferences

AMLO	Hard-liners	Payments
R	R	4
P	R	3
P	P	2
R	P	1

Figure 3: Game between AMLO and hard-liners

AMLO/Hard-liners	P	R
P	4, 2	2, 3
R	1, 1	<u>3, 4</u>

Source (Figures 1 to 3): author

The only equilibrium in the payment matrix is (3, 4), in which both AMLO, and his hard-line sector, opt for (R). However, in practical terms, AMLO decided to remain in (P), and with this choice, he oriented his supporters towards the same option. The climate of post-electoral polarisation was contained during the following months, but the episode put in evidence the low credibility of the institutions in charge of organising elections in the contexts of closed results, as well as the predisposition for disruptive behavior that can jeopardize the quality of democracy via using violence as a political resource. Diverse mechanisms may be involved in this outcome, so their understanding would require further exploration. AMLO's behavior could have resulted from what Robert Axelrod (1986) understands as "the shadow of the future"; that is, the certainty of finding himself again in cooperation dilemmas with opponents in the future. According to this concept, respect for the adverse election results can be seen as cooperative behavior in the part of AMLO. This

outcome could also be the product of the burnout experienced by this social movement. However, the logical inference that results from modeling these preferences is that a behavior deviating from the situational logic of the game would indicate another type of rationality: a rationality that does not align with the prescriptions of the game and that reflects a concern for the well-being of others (avoiding violence). As AMLO himself relates in the documentary "EL FRAUDE DEL 2006", he found himself in a dilemma: while he did not consider it fair to accept the results, he was concerned that the social movement he led would become radicalised and lead to violence. AMLO's decision to remain in (P), despite an important sector of his sympathisers' willingness to follow radical actions, would provide evidence of a non-instrumental rationality. This outcome also reveals that GT, as an approach anchored in assumptions of instrumental rationality, may be compatible with the internalist tradition of rational choice (Elster 2010), by allowing us to observe that actors who do not behave according to the situational logic prescribed by the model may be guided by a different rationality, as opposed to the logic of the game.

Drug cartels and the Chicken Game: the state's defeat?

Morlino (2012, 197-198) states that the rule of law comprises sub-dimensions such as the effective fight against illegality and the maintenance of order. Why is it so difficult to fight illegality, specifically drug cartels in Mexico? By emphasizing how past decisions and opportunities define the present, the notion of Path Dependence is an adequate tool to approach this question by focusing on the options available to the government to fight drug cartels. In Mexico, drug cartels act as informal enterprises that mainly seek economic benefits and resort to violence to confront other competitors. Although criminal organizations have long existed in Mexico, it was not until 2006 that they reappeared in the form of strong drug cartels, and, mainly due to the increase in violence between them, became a priority issue in public opinion. Within months of becoming president, partially due to his need to gain legitimacy after a questionable election, Felipe Calderón (PAN, 2006-2012) launched a policy of direct combat that had the effect of escalating confrontations between cartels and displacing violence between states (Chabat 2010, 30). However, as Valdés posits (2016, 364), the fragmentation and proliferation of cartels did not begin in 2006, but in the late 1980s, when the government arrested the heads of the Pacific Cartel. Similarly, the firepower and organizational sophistication of these criminal groups began in the late 1990s (Valdés 2016, 367), with the emergence Los Zetas Cartel, as the armed wing of The Gulf Cartel, as a symptomatic example soon emulated by the other cartels. Apparently, Calderón's strategy was the mechanism that unleashed a logic that had been latent.

For Chabat (2016), Calderón faced a narrow array of options regarding drug cartels: tolerate them, the preferred option of previous governments, or face them openly. By preferring the latter, Calderón's administration triggered a logic of open confrontation between the federal government and drug cartels, in which the latter have become opponents with the zeal to take this game to its ultimate consequences. What kind of game is it? By looking at the two actors' behavior, it can be best described as a Chicken Game. This is characterized by a situation in which two actors compete until one of them, "the chicken", desists first (Colomer 2009, 66), and gives up. Since each actor seeks to force the other to cooperate, defined as giving up, this game has two equilibria (Colomer 2009, 66). In each of them, one player wins and the other one behaves as the chicken. According to the description above, since 2006, the federal government has had two options: direct military-style confrontation (C), or a strategy of tolerance that may involve an explicit or tacit agreement (T). While both, Felipe Calderón and Enrique Peña Nieto (PRI, 2012-2018) privileged (C), AMLO (MORENA [National Regeneration Movement], 2018-2024), at least discursively, has emphasized that he opposes this strategy. Similarly, the drug cartels' two options which result from the set-up of the Chicken Game are: to take a violent position (V), or to consider the possibility of some kind of agreement with the federal government (A) – a position in which their violence decreases.

The preferences for the federal government would look as follows. Its first option is to fight drug cartels (C) while drug cartels take a non-violent position that here takes the form of some possible agreement (A). The federal government's second option is the possibility of an agreement (T), and if it has to do so, it prefers not to be the "fool of the game", that is, that drug cartels also promote some agreement (A). Thirdly, the government prefers a non-confrontational position, which here takes the form of tolerance (T), while drug cartels remain in their aggressive position (V). The last thing the federal government prefers is a situation of open confrontation with drug cartels, that is, a situation in which it chooses (C) and drug cartels (V). Drug cartels have the following preferences. Their first preference is to choose a position of aggressiveness (V), and if they do so, they prefer that it be in front of a non-defiant federal government, that is (T). Secondly, they prefer to reach a non-confrontational arrangement (A), as long as the government goes for (T). Thirdly, cartels prefer an agreement (A), while the federal government goes for (C), this is so because the last option they prefer is to embark in a direct confrontation (V) while the federal government responds in kind with (C).

Figure 4: Government preferences

Government	Drug cartels	Payments
С	A	4
Т	A	3
Т	V	2
С	V	1

Figure 5: Cartels' preferences

Government	Drug cartels	Payments
Т	V	4
Т	A	3
С	A	2
С	V	1

Figure 6: Game between government and cartels

Government/Cartels	V	A
С	1, 1	<u>4, 2</u>
Т	<u>2, 4</u>	3, 3

Source (Figures 4 to 6): author

Having opted for open confrontation, Calderón established a situational logic that delimits what government actors can do. Since 2006, drug cartels have remained in (V) and the federal government in (C). Each actor seeks a different equilibrium: (2, 4) for drug cartels, and (4, 2) for the federal government. In certain stages of the game, the state has dominated it, forcing some criminal groups to establish themselves in the (4, 2) equilibrium, but this is not a predominant tendency. The state's position in (C) was inevitable to postpone. Some reasons that, according to Chabat (2016, 34), made it impossible for Calderón to opt for tolerance, are: 1) an agreement with drug cartels was feasible in a system for which accountability was not a priority (that is, before Mexico's political transition in 2000), but not in a system with greater openness; 2) the current strengthening of drug cartels complicates the feasibility of accepting any agreement; and 3) public opinion has demanded that the federal government openly fight drug cartels. These same reasons make it difficult for AMLO to make a choice other than (C). Let us suppose, however, that an agreement could be promoted, and so focus on (3, 3). This is not an equilibrium, since each actor has incentives to move to a different option. In the case of drug cartels, they want to move towards (V). This is because they have strengthened to the point of not needing any agreement with the federal government. In addition, the reasons listed above make it difficult for the federal government to search for (3, 3). While at the federal level it is possible to model this strategic interaction, at the state and municipal level, some government actors have had no choice but to collaborate and subordinate themselves to the cartels. The rational choice for public officials has been to submit to this criminal logic. The passivity of the state and municipal administrations could be explained, in addition to their institutional weakness and the imposition of conditions of drug cartels, by their decision not to play a Chicken Game.

AMLO's government faces the same set of options as Calderón and Peña Nieto: confrontation or tolerance. It also faces serious challenges: just between December 2018 and October 2019, 28,396 were killed in Mexico (Zuckermann 2019). If an agreement is not feasible, what other options are available? A third alternative is,as AMLO has emphasised, a strategy of social development ("a departure from the neoliberal economic model") that rebuilds the social fabric and reduces inequality – a discourse that has characterised him at least since the beginning of 2000. However, this is a long-term strategy. A fourth possibility refers to the legal combat of cartels, either, through the legalisation of some drugs, or the dismantling of their power networks and financial circuits, but these options are barely being analyzed in the national public security agenda.

At least for much of 2019, AMLO has seemed to avoid a logic of open conflict against cartels. During the 2018 election campaign, and subsequently – once he had won the elections – AMLO has even included the idea of "national reconciliation" and "social forgiveness" in his discourse, with the tacit aim of reducing violence. In practice, this means avoiding open confrontation, as could be observed in the events that occurred in the state of Sinaloa in October 2019, in which confrontations between criminal groups and the Mexican Army, due to the arrest of the son of the most powerful cartel leader in Mexico, resulted in the release of the detainee following orders from the federal government. Either because of the strength of drug cartels, which has forced the government not to wish to enter into a game of violence, or because of the inability to understand the situational logic in which it finds itself (one that forces AMLO to openly confront the drug cartels), in some episodes of this game the federal government has assumed the role of the chicken.

A preliminary explanation for this deviation could be found if we include a mechanism that goes beyond instrumental rationality in the game; for example, magical thinking, that is, according to Elster (2010, 151), "the tendency to believe that one can exert causal influence on outcomes that, in reality, are beyond one's control", say, by choosing to cooperate in a Prisoner's Dilemma in the belief that this will elicit the cooperative behavior of the opponent (Elster 2010, 151), or desiderative thinking, i.e., the influence of desires on belief formation (Elster 2010, 155). However, although AMLO may have distinct preferences, or seek a different game, the situational logic is that of a Chicken Game, and this points towards, at least in the short term, one only option, which is open confrontation. Unlike the previous case, in which AMLO started a game with his supporters whose logic he ends up rejecting, in this one AMLO is prey to a logic that limits what he can do. What

follows is that, in some situations, the players of a game are vehicles of the intrinsic interactive logic, and that their deviation can have disastrous consequences.

Collaboration with drug cartels in Mexico

The rule of law is an aspect of the quality of democracy that is affected by illegal behavior such as society's collaboration with drug cartels. The latter is a recurrent behavior in non-liberal contexts such as Mexico's, but it is not always the result of the intentionality of the actors but rather of the imposition of preferences by the opposing participant in the game. Although the interaction between Mexican society and drug cartels has a long history in this country, it is a phenomenon that is insufficiently discussed in political science. This interaction is not exclusive to the period of the war against drug cartels, initiated in 2006. For decades a social fabric has been built in the form of negative social capital that articulates the interests of criminal groups with the needs of the Mexican population. Not only so, but in some contexts, criminal groups have replaced the state and established unique forms of social and even political order. Although a more profound analysis is needed as to what extent cartels need formal political power, criminal groups promote singular forms of social organisation, whose authority is often constructed on fear, based on resources such as racketeering, extortion, offering security against other criminal groups, and in general, through the construction of negative social capital. These forms of organization constitute serious challenges to the advancement of the country's democratization since they threaten the very concept of citizenship.

Why do citizens collaborate with drug cartels? Only an empirical examination would shed light on the way in which the mechanisms involved in such a complex phenomenon as the collaboration of citizens with criminal groups operate causally. One of the variables that such an analysis would have to include is the type of model of interaction that criminal groups establish with citizens (Schedler 2015, 124). Such an analysis would have to explore the configuration of preferences (types of preferences) of each player and the games resulting from the interaction of strategies. The following is an example, based on a theoretical reflection, of how the construction of these models of strategic interaction can help to understand the collaboration between the above-mentioned actors. These models allow for a first approach to singular cases of the Mexican context, so they could be reformulated once they are empirically contrasted.

Let us suppose, counterfactually, a society immersed in a situational logic in which suddenly drug cartels begin to disrupt the tranquility of that context by resorting to racketeering, extortion, kidnapping, and other illicit activities. Since in this hypothetical

context the invasion of drug cartels constitutes a non-routine phenomenon⁴, it can be assumed that society's preferences will remain stable at first. Let us suppose that in the face of this irruption, citizens can choose between non-cooperation (NC) or cooperation (C). Non-cooperation means that citizens are willing to denounce criminal groups to the police, but it can also mean that, in the absence of the rule of law, as it regularly occurs in Mexico, they are willing to organize citizen defense groups to contain criminal groups - a phenomenon that has become common in recent years in states such as Guerrero and Michoacán. Cooperation, on the other hand, means that citizens can be part of a criminal social system in which they can obtain a direct benefit from cooperation. In a context in which drug cartels are just gaining ground, it is likely that society will opt for (NC) as its first preference (however, if the cartel shows totally non-cooperative preferences from the beginning, society will probably opt for (C), given the costs of confronting the cartels). Conversely, let us think that drug cartels can opt between a position of coexistence (C) and one of aggressiveness (A). Coexistence means including society in the construction of a criminal social fabric, rewarding citizens who collaborate in their criminal activities. The position of aggressiveness implies that drug cartels carry out actions mainly steered by economic motivations such as kidnapping, extortion, and racketeering that promote fear and harm to citizens.

In this hypothetical scenario of drug cartels' irruption, citizens prefer to opt for a position of non-involvement with drug cartels, and if they do, they prefer to face a non-violent drug cartel (NC, C). However, since non-cooperation can generate a violent position on the part of drug cartels, their second preference, is to opt for passivity, and if they do so, they prefer to face drug cartels that choose a position of cooperation (C, C). If they have to deal with a position of aggressiveness on the part of the drug cartels, citizens prefer a position of non-cooperation (NC, A) because passivity (C, A), which is very costly, is deemed as a possibility of last resort. (NC, A), a situation that in a different context can be very costly since it means a non-cooperative relationship, is not constituted as the fourth preference because, again, the assumption is that drug cartels irrupt a setting where there is no previous interaction.

For their part, drug cartels, following a logic of profit, prefer a position of attack in the first place, and if they do, they prefer passive citizens (C, A). However, given that a position of attack does not generate social legitimacy (a goal sought by some cartels, for

⁴ Actually, this abrupt penetration is not a phenomenon far from the Mexican reality since one of the consequences of the war against drug cartels is the displacement of cartels from one state to another.

example, the Sinaloa Cartel in Sinaloa, or the extinct Valencia Cartel in Michoacán), their second preference, is to opt for a position of coexistence, and if they do, they prefer that citizens also cooperate (C, C). If they do not find a context in which the articulation of a network of illicit cooperation with citizens is possible, they prefer a position of attack (NC, A), over being the fool of the game (NC, C).

Citizens Drug cartels Payments Citizens NC C 4 C C 3 NC Α 2 C Α 1 Drug cartels Citizens С Drug cartels Α 4 C С 3 NC Α 2 NC C 1

Figure 7: Fictitious preferences of citizens and drug cartels

Figure 8: Game between citizens and drug cartels

Citizens/drug cartels	С	A
С	3, 3	1, 4
NC	4, 1	<u>2, 2</u>

Source (Figures 7 and 8): author

The result of these preferences, as shown in the payment matrix above, is a Prisoner's Dilemma in which, as is known, the equilibrium is at (2, 2), and is a result of neither party wishing to be the fool of the game. In this logic, a first solution for understanding the cooperative behavior of society towards drug cartels lies in what Axelrod (1986) calls continuous replays. In some Mexican states, citizens and drug cartels have developed a symbiotic relationship. Some drug cartels such as those whose model of interaction is based on social legitimacy, build a social fabric that generates incentives for citizens to accept a logic of cooperation. This situation can be identified in (3, 3), and represents a situation in which citizens are passive and drug cartels seeks coexistence. This result is a product of the constant interaction between citizens and drug cartel, of the confidence created that no actor will change its strategy and of the expectation of meeting again in the future. It is also a product of the threat that if citizens change their strategy to (NC), which gives them a benefit of 4, and 1 for drug cartels, the latter will move to a position of attack. This produces a "return" to conflict situation (2, 2). Likewise, the threat of citizens towards drug cartels, is

that if drug cartels opt for the position of attack, which gives them a benefit of 4, and 1 for the citizens, they will opt for a position of NC, which in turn will affect the social legitimacy of drug cartels. Thus, although in principle citizens may not wish to get involved nor tolerate drug cartels; and although drug cartels are guided by strong economic motivations, both actors understand that given the constant interaction it is necessary to learn to coexist harmoniously.

Although it is possible that collaboration with drug cartels is a product of some citizens engaging into a logic of constant interaction, the problem with this game lies in the fact that it does not take into account that: 1) even assuming that citizens do not want to get involved with drugs cartels and are not permissive with them either, drug cartels, with their capacity to implement systematic violence, can force citizens to change their preferences, forcing them to opt for passivity from the beginning (particularly in the case of cartels who display violent preferences); and 2) in non-liberal contexts, the preferences defined by institutional arrangements (and actually followed by citizens) may be oriented from the beginning towards collaboration with drug cartels, without the need for social learning – replays – or the imposition of preferences – violence from the beginning of interaction. Therefore, in contexts of institutional weakness, it is more reasonable to attribute to citizens, preferences that are strongly oriented towards stability and passivity. These preferences would appear as follows:

Figure 9: Citizens' preferences for passivity

Citizens	Drug cartels	Payments
С	С	4
С	A	3
NC	С	2
NC	A	1

Figure 10: Second game between citizens and drug cartels

Citizens/drug	С	A
cartels		
С	4, 3	<u>3, 4</u>
NC	2, 1	1, 2

Source (Figures 9 and 10): author

If we keep drug cartels' preferences constant, the following game results. Unlike the previous one, now the equilibrium is in (C, A), that is, on in which citizens remain passive or cooperative in the face of aggressive drug cartels. Citizens collaborate, either because they

are immersed in a situational logic of preference imposition, or because they wish, free of any external pressure, to be part of the criminal system of drug cartels. In the Mexican context, the collaboration of citizens with drug cartels cannot be explained without the presence (to different extents) of three mechanisms: replays, imposition of preferences, and illicit preferences. The first game is useful for situations in which the interaction model put in place by the drug cartels is not so violent; their preferences can promote a certain degree of cooperation. The second model, logic of domination, is useful for "repressive models" (Schedler 2015, 124).

Conclusions

The study of democratisation and of the sub-processes that constitute this phenomenon is one of the subfields of greatest interest in contemporary political science. These processes have been mainly explored from a number of versions of the comparative tradition. In Mexico, where the direction of political change and the characteristics of the country's institutional arrangements are still uncertain, in order to explain the logic of the main challenges of the democratisation agenda, innovations in terms of theoretical and methodological approaches are appropriate. In theoretical-methodological terms, this article has outlined a direction that a research agenda on the study of the empirical problems associated with the distinct dimensions of the quality of democracy in the Mexican context could embark on. This proposal does not seek to measure the dimensions of the quality of democracy but rather to show how the analysis of concrete cases (processes) serves to identify the mechanisms that explain the strengthening or weakening of these dimensions. To demonstrate its usefulness, I have oriented the analysis towards some of the challenges of the Mexican political context (a hybrid regime). In particular, I have presented three cases linked to two dimensions of the quality of democracy: political participation and the rule of law.

These cases constitute only an initial exploration and provide a source of hypotheses to conduct further research which may reveal the logic of such complex phenomena. A more systematic analysis would shed light on the thorough reasons that explain the actors' strategies in the three cases studied as well as the resulting equilibria. Although the approach formulated makes use of the language of GT, it is compatible with the internalist tradition of rational choice (Elster 2010), mainly in the first and second cases: the first case shows how AMLO moves away from the logic of a game that he had initially promoted; the second shows how AMLO, unlike in the previous game, refuses to be part of a game that has enough power to drag players into its logic.

A possible criticism is that the scope of the analysis may be limited to local explanations, i.e. singular cases, while the essence of studies on the quality of democracy is the search for patterns that result from the analysis of a large number of cases through different versions of the comparative method. Nevertheless, games also have comparative functions: as all ideal types (McKeown 1999), they can be contrasted with empirical phenomena in order to discern which contextual conditions explain the deviation from the model, and thus explain the case. Beyond that, GT models could be compatible with a comparative design, not focused on variables, but on games. This compatibility would require an in-depth comparative analysis on the building blocks of a game: actors, preferences, strategies, and equilibria.

Further studies may delve into a number of sub-themes that have only been mentioned here: the connection between GT and non-rational motivations; a more systematic exploration on whether GT is an approach completely anchored in the MI, or whether it can be argued that in some contexts GT logic is seemingly more like a structuralist logic in which individuals are simply vehicles of a larger force (second case); and, in general, the effects of criminal violence promoted by drug cartels on Mexico's democratisation process.

Further research should not only explore the consolidation of the Mexican hybrid regime, but also venture into a conceptual reflection of what type of hybrid regime best characterizes the country at stake. This question becomes even more relevant after 2018, when a majority of the electorate decided to give the opportunity to a party-movement (MORENA) and its leader, AMLO, the eternal left-wing opponent with populist overtones, to govern. Thus, an additional question for reflection would be whether left populisms may affect the process of democratization as well as the consolidation of hybrid regimes.

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