



CONSTITUTIONAL SYSTEMS OF THE WORLD

The Constitution of Mexico

A Contextual Analysis

José María Serna de la Garza

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THE CONSTITUTION OF MEXICO

This book provides an overview of Mexico's political evolution since it became independent from Spain in 1821, and its current constitutional arrangements, principles and structures. The aim is to explain this evolution as the result of struggles between the interests and ideologies of different groups within Mexican society, each with a different political vision of how the state should be organised. Chapter 1 reviews Mexico's constitutional trajectory, and explains why democracy, republicanism, federalism, separation of state and Church, protection of fundamental rights and the Nation's ownership of mineral resources first became constitutional principles. Chapters 2, 3, 4 and 5 deal respectively with democracy and the electoral system, and the legislative, executive and judicial branches of federal government. Chapter 6 introduces the institutional structure of Mexico's federal system, while Chapter 7 discusses the rules, principles and institutions for the protection of human rights. Chapter 8 examines the constitutional regime of Mexico's economy. The conclusion explains how a series of factors has combined to produce a gap between the formal Constitution and what can be seen as the living constitution; bridging that gap presents Mexican politics and society with one of its great contemporary challenges.

Constitutional Systems of the World

General Editors: Peter Leyland and Andrew Harding

Associate Editors: Benjamin L Berger and Grégoire Webber

In the era of globalisation, issues of constitutional law and good governance are being seen increasingly as vital issues in all types of society. Since the end of the Cold War, there have been dramatic developments in democratic and legal reform, and post-conflict societies are also in the throes of reconstructing their governance systems. Even societies already firmly based on constitutional governance and the rule of law have undergone constitutional change and experimentation with new forms of governance; and their constitutional systems are increasingly subjected to comparative analysis and transplantation. Constitutional texts for practically every country in the world are now easily available on the internet. However, texts which enable one to understand the true context, purposes, interpretation and incidents of a constitutional system are much harder to locate, and are often extremely detailed and descriptive. This series seeks to provide scholars and students with accessible introductions to the constitutional systems of the world, supplying both a road map for the novice and, at the same time, a deeper understanding of the key historical, political and legal events which have shaped the constitutional landscape of each country. Each book in this series deals with a single country, or a group of countries with a common constitutional history, and each author is an expert in their field.

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In memory of Jorge Carpizo (1944–2012)

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