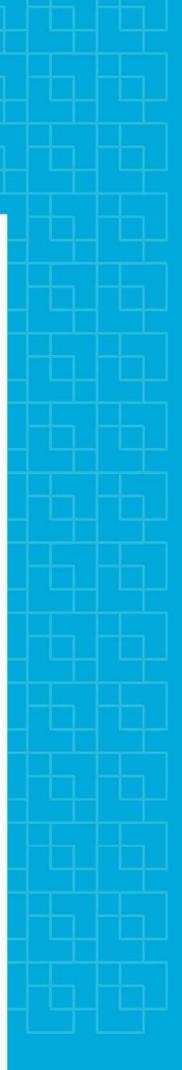


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The Estrada Doctrine: The Resilience and Evolution of a Key Instrument of Mexican Foreign Policy



Luis Ignacio Gutierrez Reyes Retana MSc International Relations

The Estrada Doctrine: The Resilience and Evolution of a Key Instrument of Mexican Foreign Policy

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NORAGRIC Department of International Environment and Development Studies The Faculty of Landscape and Society

P.O. Box 5003 N-1432 Ås Norway

Phone: +47 67 23 00 00 Fax: +47 67 23 06 91

Website: https://www.nmbu.no/en/faculty/landsam/department/noragric

Declaration:

I, Luis Ignacio Gutierrez Reyes Retana, declare that this thesis is a result of my research investigation and findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any kind of academic degree.

Signature:

Date:

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To my wife Ida, my motivation to achieve this end.

Thank you.

List of Acronyms

IO, International Organization

NGO, Non-Governmental Organization

FPA, Foreign Policy Analysis

FPCh, Foreign Policy Change

IR, International Relations

AMLO, Andres Manuel Lopez Obrador

PROMEXICO, Promoción de Mexico

FDI, Foreign Direct Investment

US, United States

FP, Foreign Policy

SRE, Secretaria de Relaciones Exteriores

RQ, Research Question

SRQ, Sub Research question

CIDE

CPEUM, Constitución Política de los Estados Unidos Mexicanos

EU, European Union

WWI, World War I

WWII, World War II

UN, United Nations

Km, Kilometres

GDP, Gross Domestic Product

IMF, International Monetary Fund

OECD, Organization for Economic Co-Operation and Development

TWB, The World Bank

FTA, Free Trade Agreement APRI, Agreement for the Promotion and Reciprocal Protection of Investment WTO, World Trade Organization APEC, Asia-Pacific Economic Cooperation Mecanism SEGOB, Secretaria de Gobierno NAFTA, North American Free Trade Agreement USMCA, United Statesm Mexico and Canada Agreement PEMEX, Petroleos Mexicanos OPANAL, Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean USSR. IM, Merida Initiative TCO, Transnational Organized Crime organizations PNR, Partido Nacional revolucionario PRI. Partido Revolucionario Institucional PAN, Partido Accion Nacional PRD, Partido de la Revolucion Democratica CTM, Confederacion de Trabajadores de Mexico UNAM, Universidad Nacional Autonoma de Mexico SHCP, Secretaria de Hacienda y Credito Publico INI, Instituto Nacional Indigena MORENA, Movimiento de Regeneracion Nacional

IPADE, El Instituto Panamericano de Alta Dirección de Empresa

OEA, Organización de Estados Americanos

CNDH, Comision Nacional de los Derechos Humanos

UPR, Universal Periodic

Section I: Introduction, Methodology and Theoretical Approach

1. Introduction

In recent months, decisions regarding the foreign policy of Mexico have been in the world's "spotlight". The unrestricted support granted to Nicolas Maduro's regime in Venezuela and the asylum eagerly granted to Evo Morales condemning an alleged coup d'état in Bolivia, have highlighted the imminently pro-left and populist character of the government led by Andres Manuel Lopez Obrador. The president and his secretary of foreign relations Marcelo Ebrard explain these political decisions through their adoption or re-adoption of the "Original" Estrada Doctrine, which according to their interpretation had been corrupted during previous neoliberal governments. One of Lopez Obrador's campaign slogans was that "there's no better foreign policy than the domestic policy,". This was intended as a political statement to signal that a country like Mexico should take into account its own interests and own social conditions when conducting foreign policy. This sudden implementation of the Estrada doctrine core original principles and an emphasis on domestic policy raises internal and international doubts about the current situation of the Mexico's foreign policy.

The importance that the current government gives to the implementation of the Estrada doctrine as a guide for Mexican foreign policy requires further consideration. In this thesis I aim to study the current implementation of the Doctrine and to explore the changes that have been made to this key instrument of Mexican foreign policy leading up to the present. The Estrada Doctrine is one of the most important international policy doctrines in America, which responded to a time of decolonization, revolution and intervention. It is still in force in Mexico today, where historical experiences have shaped the national identity behind foreign policy and forged a path toward its institutionalization based on the goal of maintaining a neutral profile with regards to international and internal problems since its constitutional status (1988). Article 89. Fr X of the Mexican Constitution emphasize principles of non-intervention, selfdetermination, peaceful conflict resolution, the condemnation of the use of force, legal equality between states, international peace and security, international development cooperation and more recently respect, protection, and promotion of human rights.

I argue that the current government's claim that a strict or "original" interpretation of the doctrine is not only misleading given the doctrine earlier use and out of step with the political and social reality of the world. There are now few countries in which their governments achieve power through the revolution or by coup d'état, and the moment of decolonization has almost

come to an end. Secondly the "strict" interpretation of the Estrada contradicts legal norms in today's environment human-rights oriented globalized world. This is a world in which the international community through IOs, NGOs, and other actors continuously generate reports on all the issues considered of global concern.

1In discussing these points, the thesis will establish what the current interpretation of the Estrada Doctrine is, and how it is has been employed in different periods of history in order to become a symbol of national identity in Mexican foreign policy.

The thesis studies the Estrada Doctrine from a foreign policy perspective. As such, the thesis highlights how decisions that are made in the larger sphere of Mexican foreign policy have a role in determining how the doctrine is materialized in practice.

The thesis will be directed in particular by a Foreign Policy Analysis (FPA) approach. I propose that this approach is appropriate given the interdisciplinary nature of the topic and taking in consideration the unique way in which this frame of analysis can help to open the "black box" of decision making (Ligth, 1994). FPA is the study of how states -through individuals that lead them- make foreign policy, execute foreign policy, and react to the foreign policies of other states.

The Estrada doctrine has been in force for the last 90 years. In order to explain how it has reached to its current status, I will employ a Foreign policy Change (FPCh) perspective. FPCh is a sub field of IR, based on multicausality, multidisciplinary and analysis at multiple levels from FPA. The "change" (evolution) of the doctrine will be analysed in this study through selected levels of explanation: International system, domestic factors, bureaucratic politics, norms and culture; and the charisma of an individual leader.

Foreign policy in practice constitutes an activity through which the State determines the objectives it aspires to achieve in the international arena, for which it establishes the mechanisms it considers most suitable to guide its actions within the framework of its external agenda. The object of foreign policy doctrine is to provide a framework of axiomatic principles that generates rules for the conduct of foreign policy through decisions on international relations for an extended period of time. For most of the cases they are unilateral declarations of policy design to elicit domestic public support, with the tendency to become institutionalized and restructure bureaucracies in order to implement them (Overholt & Chou, 1974).

In Mexico, the Estrada doctrine has guided the country's foreign policy, generating an institutional infrastructure around it. The first purpose of the doctrine is to serve as axiomatic policy guidelines for domestic decision makers and bureaucrats; a second purpose is to announce basic policy to foreign governments. Policy doctrines are normally structured through simply, concise and lucid strategic statements. These rules allow the political leadership of a nation to deal with a situation and to explain the actions of a nation to other nations. They therefore have to be abstract and flexible. According to Overholt: "all enduring doctrines are subject to serious reinterpretations and variation of emphasis as domestic and foreign exigencies change" (Overholt, 1974, 18), that's why flexibility is necessary, because doctrines expect to guide foreign policy for long periods of time under diverse exigences in a complex world, where the public opinion, interest and attitudes are in constant change.

The Estrada doctrine has been instrumental to Mexican foreign policy and be seen as connected to three diametrically opposed different political currents. Therefore, the particular interpretation of the doctrine becomes relevant. Flexibility and abstraction are evident in the Estrada Doctrine. It has mutated from a liberal standpoint towards a highly defensive neorealist approach (as it will be discussed later) and lately even as a constructivist tool for populist purposes. In AMLO's words "not to interfere in the internal affairs of another State" but with the main objective of being treated with reciprocity or put simply: "I don't get involved in your business, don't get in mine".

In the study of International Relations, identity and foreign policy are interlaced. States pursue a particular national identity to support its foreign policy choices. Simultaneously the policy choices that the states execute emphasize the identity that is used to justify the policies (Hansen, 2013). In this thesis I will try to analyse the political use of the Estrada doctrine on AMLO identity/nationalism, taking into consideration that an emphasis on a particular national identity makes certain foreign policy choices look natural and intuitive.

It is important to acknowledge the recent change in foreign policy, and take into consideration that previous administrations pushed for Mexico to have a more central role in the International arena i.e. promoting cooperation and free trade with strategic countries, using cultural and public diplomacy to leverage an attractive image of the country abroad. As an example of this, Mexico has shown great commitment to achieving the Millennium Development Goals and subsequently the 2030 Agenda for Sustainable Development. A key change made by the AMLO administration was also to dismantle PROMEXICO and its 48 offices and more than 400 workers around the world.

PROMEXICO was a trust fund of the Federal government (dependent of the Secretary of Economy) used to promote international trade and investment, encourage the exportation of national products and supports the internationalization of Mexican companies and guide for foreign direct investment (FDI) into the country. The explanation for this action in AMLO words was that "it is no longer convenient from the point of view of the national economy or the public interest". He also added that this was done: "because they kept very expensive offices and, the same nepotism, pure "recommended", pure "junior", who went abroad to live at the expense of the treasury, just "snob" people.... now the embassies need to take care of the promotion" (without the additional staffing to do it).

Without doubt the Estrada doctrine was a watershed and a necessary tool in the historical context of its time, but it is important to discuss its application in relation to the framework of the Mexican constitution. It is also important to consider the context of signed treaties, the rules of international law and the participation of Mexico in international institutions.

In this thesis I aim to not only advance analytical considerations within the theoretical realm, but to contribute to public debates on Mexican foreign policy frameworks and lines of action that can assist a clearer normative framing. The thesis studies the mutation or evolution of axiomatic principles, asserting their quality as flexible or abstract. This maleability is, as I suggest in my conclusions, a convenience for decision-makers.

1.1 Contextualizing the Estrada Doctrine

While there has been much research on the historical and legal importance of the Estrada doctrine, few researchers have taken into consideration the mutation that has occurred during its use in different historical stages.

In order to achieve the purpose of this study, it has been important to find definitions of foreign policy doctrines, their nature and ways of implementation. To my surprise I discovered that there are not many authors who study them as such. Commonly writers jump to particular moments of application. For example, the Calvo-Drago doctrine (1902) in Argentina, Hallstein (1955) and Ulbricht (1970) in Germany, the Paasikivi-Kekkonen (1946) Doctrine in Finland, among others. The most detailed studies have been carried out on American (US) foreign policy

doctrines whereby the most studied doctrine is undoubtedly the Monroe doctrine. The Monroe doctrine was considered to be in force for 110 years (1823-1933).

From my perspective the most valuable contribution to the definition and implementation of foreign policy doctrines is the study carried out by Overholt (1974). Overholt states that the object of FP doctrine is to "provide a framework of axiomatic principles that generate rules for the conduct of foreign policy through decisions on international relations for an extended period of time" (Overholt, 1974 PAGE). The study also provides an explanation regarding their flexible and abstract nature. Doctrines also give a benchmark from which to measure the success or failure of a government's FP strategy over time (Morin & Paquin, 2018).

Due to its long life, the Estrada doctrine has been studied from different angles of analysis. One of the first scholars to study it was Phillip C. Jessup (1931) who wrote an article for The American Journal of International Law. Besides a theoretical approach to the doctrine in terms of sovereignty and law, he comments that the doctrine enables continuity. While other states maybe considering recognizing or not recognizing the new de facto government, Mexico will merely continue its diplomatic representation without expressing any opinion as to recognition, *vel non*. If some circumstance, other than the mere change of government, gives umbrage to Mexico, the Mexican diplomats will be withdrawn (Jessup, 1931).

Jessup's historical literature review on the Estrada Doctrine was vast, especially in its exploration of the reasons for its creation, and the excellent diplomatic work that put it into practice. Authors such as Sepulveda (1986), Silva (2011), Cardoso (1980) and the archival research for the Secretaría de Relaciones Exteriores (SRE) carried out by Fabela (1919) provide a detailed narrative of the processes, events and factors that originated the doctrine.

Having read these works I have made the decision that my analysis must be based on material acts i.e. the way the doctrine is materialized or implemented in actions of foreign policy. I have found "Foreign Policy in the Twenty-First Century" by Christopher Hill (2016) to be the most appropriate, due to its clarity. This work has acted as a general guide to the development of the research in this thesis. In addition to presenting in a practical way the basic concepts of the topic, they are laid out by Hill in evolutionary way. Hill has a clear way of establishing the relationship between "Agency and structure" and gives attention (being a general guide to the subject) to different approaches such as "FP policies, the evolution of FPA, the actors, bureaucracy in FP , the implementation of FP through power "(Hill, 2016), and others that are relevant to this study.

It is important to note that unlike other Latin American countries, Mexico does not have a domestic tradition of addressing issues of foreign policy methodically using theoretical IR approaches. The major texts that expound on and debate Mexican foreign policy have mostly been written by the diplomats themselves e.g Castaneda (1994); Pellicer (1999); Tello (1975); Villanueva (2019).

In the course of exploring the literature on Foreign Policy in general, I discovered Foreign policy analysis (FPA) to be a particularly interesting approach to the subject. This is a sub field of International Relations. It is is summary "the study of how states (through individuals that lead them) make foreign policy, execute foreign policy, and react to the foreign policies of other states" (Potter, 2010. P 2). "The single most important contribution of FPA to IR theory is to identify the point of theoretical intersection between the primary determinants of state behaviour: material and ideational factors. The point of intersection is not the state, it is human decision makers" (Hudson, 2005).

What caught my attention was the unique way in which FPA opens the "black box" of the state and examines it by taking into account the different units in order to establish the process of decision making" (Ligth, 1994. P 93). FPA, by using a scientific method that generate "if/then" statements about behaviour tests the hypothesis that "the outputs of foreign policy are to some degree determined by the nature of the decision-making process (Hill, 2016. P 12)". Methodologically FPA largely abandoned universalized theory-building in favor of historical methods and qualitative analysis (Neack et al. 1995). I propose in this thesis that this eclectic and interdisciplinary approach is a valid means to connect IR with other social sciences and is consequently relevant for this thesis. In words of Valerie Hudson "IR requires a theory of human political choice …and one area within the study of IR that has begun to develop such a theoretical perspective is Foreign Policy Analysis" (Hudson, 1995. P 210)

Theories analysing foreign policy can be organized into three categories i.e. systemic theories, societal theories, and state-centric theories (Barkdull & Harris, 2002). The systemic theories aimed to analyse and explain foreign policy through the importance and the influence of international system. The societal theories define foreign policy as a product of the combination of culture and domestic politics of the state, highlighting the importance of domestic political factors over foreign policy; and state-centric theories examine the structure of the state, and the leaders (individuals) who transmit and implement foreign policies.

In order to establish whether the method was aligned with the FPA, I resorted to the publication of Philip B.K. Potter (2017) "Methods of Foreign Policy Analysis" where he acknowledges that the primary weapon in the arsenal of second-generation FPA researchers is the qualitative case study. Potter also recognizes archival research, content analysis and interviews as 3 out of four methods to gather qualitative data as the raw material needed for analysis.

Foreign Policy Change (FPCh) comes handy in order to achieve the purpose of this study i.e. to study how and why the Estrada doctrine has mutated or evolved and acknowledging that foreign policy is not a static middle-rage concept of FPA. In the words of Valerie Hudson "IR requires a theory of human political choice the area within the study of IR that has begun to develop such theoretical perspective is Foreign policy Analysis" (Hudson, 1995. P. 210)

As implied in its nomenclature, FPCh tries to explain the changes that the foreign policy undergoes over a period of time, but this middle rage concept bases its analysis on "levels of explanation" for the sake of understanding what caused such changes. The models derived from the FPCh are designed from "the perspective of the unit located in the international system, and they construct multi causal explanations based on factors drawn from different levels of analysis" (Gustavsson, 1999. P. 77). FPCh does not fragment foreign policies into several parts but adds adjective to the whole (Collier and Levitsky, 1997).

These so-called levels of analysis inspired Kenneth Waltz's (1959) notable work "Man, the State and War" published in 1959, where he differentiates three levels of analysis: the individual level, the national level and the international system.

The process to select the FPCh model that fit the particular needs of this research was complicated, for which 7 relevant models were identified:

notable presidents in this regard are:

- The model of foreign policy restructuring by Hostli (1982).
- The model of stabilizers located in the policy making system by Goldmann (1988).
- The model of decision-making system as an intervening variable by Hermann (1990).
- The model of diachronic interplay between agency and structure by Carlsnaes (1992)
- The model of change conditioned by the state internal and external strength by Skidsmore (1994)

- The model based on the premise that periods of stability are regularly succeed bi periods of transition by Rosati (1994)
- The alternative three step model by Gustavsson (1999).

Each and every one of the previous models provide different innovative approaches in their time. So, in summary, I will explain the particular characteristics of the models based on the three broad categories i.e. "Checklist models", followed by the "structural constraints models"; and finally, the "Cyclical models" (Gustavsson, 1999).

The checklist models are based on three analytical steps (1) identifying background factors, (2) impose cognitive and decision-making factors, and (3) connecting them to a typology of foreign policy change. In the model of foreign policy restructuring Hostli (1982) identifies "independent factors" such as domestic, external historical and cultural; secondly, he identifies the "intervening factors" which are personality, perceptions, elite attitudes and policy making process. He is, however, less clear about the interactions or relations between the two sets of factors. Hermann's (1990) model consist on 4 different levels (sources) of analysis: Leaders, bureaucratic advocacy, domestic restructuring and external shock. The model is carried out by seven stages from the recognition of a FP problem, to the implementation of new policy (Hermann, 1990). Both academics mention an in-between step as being the "decision making process.

The structural constraints models "focus more on the intermediate step, identifying the factors that might stabilize the existing policy and prevent pressure for change from working its way through the system" (Gustavsson, 1999. P 78). The model of stabilizers located in the policy making system is the idea of the "stabilizers" within the causal "sources-process-change" causal sequence. These stabilizers are cognitive, political, administrative and international (Goldmann, 1988). On the other hand, Skidsmore's model is founded on a theoretical approach to explain FP, built from realist theory and institutional theory. The realist approach assumes that states adjust to the "balance of power", and the institutional approach comes with the notion that most effective way to fulfil the states incapacity to respond to international changes is through institutions. The model presents two dichotomies and 4 scenarios: whether the state is strong (1) or weak (2) regarding its position in the International system; and whether the state is strong (3) or weak (4) with the society (Skidsmore, 1994). The possible four scenarios will be 1-3. 1-4, 2-3 and 2-4. The study differentiates these changes as "Evolutionary" (2-3) vs

"Sporadic" (1-4) according to the circumstances, in which one dominates the other under. The other two possible combination have a more uncertain pattern.

The third category are the Cyclical models. They are referred to as "Cyclical" because they are based on the study of long periods of time in order to detect recurrent patterns in the processes that led to FPCh (Gustavsson, 1999). Two models belong to this category. First is the model of diachronic interplay between agency and structure which is based on methodological individualism three step procedure, and the way these conditions influence the action in question i.e. intentional, dispositional and structural conditions. And the actions that these conditions influence are decision making preferences, causal statements or preferences shaped by values and perception and additional causal statements influenced by institutional and structural conditions (Carlsnaes, 1992). It should be noted that there is no evidence that this model has been used or tested in any academic analysis. The second cyclical model is Rosati's model based on a dialectical understanding of politics. The rationale of this theory is that periods of stability are occasionally interrupted by periods of transition, taking in consideration the gradual change of the international system, the domestic society and the state. The premise of this theory is that policy gradually becomes dysfunctional (Rosati, 1994).

Outside those categories is a three-step model. This consists in identifying a number of "sources", that are mediated by "individual decision makers" who act within the "decision making process in order to bring about a change of policy (Gustavsson, 1999). According to Gustavsson (1999), FPCh is premised on the rationale that "systemic changes set the basic parameters for state action, but individual states will react or respond differently to the same incentives. Therefore, what is needed is an approach that observes the combined importance of international and domestic structural conditions, political agency and decision-making process" (Gustavsson, 1999. P83). Gustavsson was the first to stress the simultaneous occurrence of changes in fundamental structural conditions, strategic political leadership, and the presence of a crisis of some kind. Before him existing models studied those elements but did not include all of them (Figure 1).

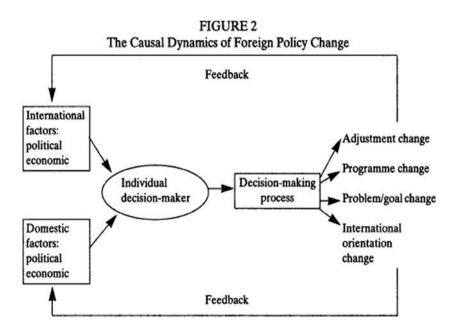


Figure 1 (Gustavsson, 1999).

1.2 Research Questions

The research questions are structured such that there is one overarching question which encompasses the entire study and three sub-questions that essentially break down and further clarify particular aspects. The questions are formulated on the basis of defining foreign policy (what), approaches to foreign policy (why) and analysing foreign policy (how).

Overarching Research Question:

RQ: What is the current framework of the Estrada Doctrine, and how has it mutated as a national symbol of Mexican foreign policy?

Sub-questions:

SRQ 1: What is the Estrada Doctrine and how has been applied as a guideline to Mexican Foreign policy?

SQR 2: How have domestic and international factors influenced understandings and use of the Estrada Doctrine, and how normative requirements regarding foreign policy changed since the original implementation of the Estrada doctrine?

SRQ 3: What interpretations of the Estrada Doctrine are currently being employed and how do they relate to different ideological-political standpoints in Mexico?

1.3 Structure of the thesis

This thesis consists of 7 chapters segmented in 4 sections followed by the conclusion. These sections are differentiated according to their purposes, aligned to respond to the RQ and SRQs that motivate this study.

Section 1, *Introduction, Methodology and Theoretical Approach* serves as an introduction aiming to contextualize the topic and state the RQ and the SRQs. The chapter lays out the theoretical foundations to the study and the conceptual framework that will inform the rest of the thesis. In this section, the methodology that has been applied is summarizes, and identification of threats to potential validity are made. The methods for data collection and its analysis are also explained in this section.

Section 2 *The Estrada Doctrine: Background and Conception* will explain the historical and political foundations of the doctrine. I summarize here the definition of the Estrada doctrine, and the most relevant acts through which the doctrine has been generated as a governing instrument of Mexican Foreign Policy. These political acts are studied chronologically and take in consideration the historical context in which they occurred.

Section 3, *The evolution of the Estrada Doctrine* will demonstrate the evolution of Estrada doctrine. I outline the process of its "change", according to different levels of explanation inspired by a FPCh approach: International system, domestic factors, individual leader and normative changes.

Section 4, *The actual use of the Estrada doctrine*, takes in consideration the results of the prior section, and employs a constructivist approach to determine the current interpretation, framework and political use of the Estrada doctrine. I establish the current interpretation of the Doctrine Estrada according to the main political currents of Mexico (left, center and right). Analysis is also made of the populist political use of the doctrine as an identity marker in the official discourse. This section will be followed by the conclusion and bibliography.

1.3 Theoretical approaches

Theorizing the Estrada Doctrine/Mexican foreign policy

The approach used in this thesis is drawn from a foreign policy perspective (Mexican foreign policy decisions). Doctrines by themselves are just axiomatic guidelines that materialize in foreign policy decisions.

In order to approach the pragmatic interpretation and implementation of the Estrada doctrine in Mexican foreign policy, it is necessary to address the subject from an interdisciplinary perspective. As such this thesis draw on considerations of geopolitics, economics, politics, and internal and external factors. The fundamental theoretical basis of this study will be Foreign policy analysis (FPA). This acts a continuous "bridging discipline" translating abstract theory into concrete problems, and Foreign Policy Change (FPCh) figuring out the mutation of the Estrada Doctrine on the basis of four levels of explanation.

IR theories will constantly appear in the thesis, from the background, the historical implementation, to the political use of the Estrada doctrine, and more importantly when the international system is revised regarding the doctrine.

Foreign policy can be defined simply as a policy pursued by a nation in its dealings with other nations, designed to achieve national objectives. But foreign policy can be much more complicated than that, Carlsnaes will define it as: "... those actions which, expressed in the form of explicitly stated goals, commitments and/or directives, and pursued by governmental representatives acting on behalf of their sovereign communities, are directed towards objectives, conditions and actors – both governmental and non-governmental – which they want to affect, and which lie beyond their territorial legitimacy (Carlsnaes, 2002, 335)". According to Moldelski (1962) the five basic concepts in foreign policy are: "policy makers, aims, principles, power to implement, the context of in which foreign policy is formulated and implemented" (Modelsky, 1962, 12.)

In the Mexican case, as we will see in the background of the Estrada Doctrine (Chapter 4), Foreign Policy and the use of diplomacy were important means of defense against the pressures and threats of US imperialism. The Mexican foreign policy model was a proof that when exercised over time and with skill excellent results can be yielded. For Isidro Fabela (1919) "diplomatic efforts were effective as the almost only defence in cases of confrontation with the United States, both in previous and future cases".

The object of a FP doctrine is to provide a framework of axiomatic principles that generates rules for the conduct of foreign policy through decisions on international relations for an extended period of time. For most of the cases they are unilateral declarations of policy design

to elicit domestic public support, with the tendency to become institutionalized and restructure bureaucracies in order to implement them (Overholt & Chou, 1974).

The first purpose of doctrines is to serve as axiomatic policy guidelines for domestic decisionmakers and bureaucrats; a second purpose is to announce basic policy to foreign governments. Normally they are structured on the basis of simple, concise and lucid strategic statements.

These rules allow the political leadership of a nation to deal with a situation and to explain the actions of a nation to other nations. They therefore have to be abstract and flexible. According to Overholt: "all enduring doctrines are subject to serious reinterpretations and variation of emphasis as domestic and foreign exigencies change" (Overholt, 1974, 12). This is why flexibility is necessary i.e. doctrines are meant to guide foreign policy for long periods of time under diverse exigences in a complex world, where the public opinion, interest and attitudes are in constant change.

Foreign Policy Analysis (FPA)

Foreign policy analysis is the study of how states (through the individuals that lead them) make foreign policy, execute foreign policy, and react to the foreign policies of other states. The FPA adopts the realist paradigm, or the assumption of a state-centric international system, it acknowledges other actors within the system, but its primary focus in the transactions that take place among states. Therefore, their basic units are nation-states which interact in the anarchic International system. Anarchy is interpreted here simply as where units don't have a central ruler or states doesn't report to higher authority (Light, 1994).

Nevertheless, FPA differ with realism in the statement that states relations are motivated by the pursuit of power. The FPA analysts consents that power relations are a mayor force or instrument for foreign policy, but not the only one. They conceive of a broader picture with other types of relations and other policy instruments. Another standpoint difference is the conception of the state as a "rational actor", in fact finding an explanation for what may appear as "irrational decision" is of FPA concern.

What makes foreign policy analysts different and unique is the way in which they open the "black box" of the state and examine it by taking into account the different units in order to establish the process of decision making (Ligth, 1994). FPA, by using a scientific method that

generate "if/then" statements about behaviour, tests the hypothesis that "the outputs of foreign policy are to some degree determined by the nature of the decision-making process (Hill, 2016. P 12)". At the same time FPA links the micro level of politics with the macro level of the International system.

A significant debate in social science has focused on the relationship between structure and agency, and whether agents are shaped by structures. Addressing the Agency-structure problem, the FPA standpoint is that causation always involves both structures and agents, and that the two kinds of phenomena help constitute each other in a perpetual process of interaction (Giddens, 1979). "Foreign policy making is a complex process of interaction between many actors, differently embedded in a wide range of different structures (Hill, 2013)". To complete or understand Hill's statement complementary definitions are needed i.e.

Structure: "Sets off actors which make up the multiple environments in which agents operate» (Hill, 2016:47). It exists everywhere in our society (level) But it is in flux, influenced by agency.

Agency: "Entities capable of decisions and actions in any given context" (Hill, 2016, 47). Individuals or collective make difference. But they do not act in the vacuum, they are constrained by structural environment.

One of the reasons why I decide make use of FPA is because of its interdisciplinarity and flexibility. A major problem can be how actors can have or lived different foreign and domestic environments, which can difficult the integration of policies for example. Hudson, for instance, argues that FPA is more multi-level and multi-factorial in its approach than IR scholarship (Hudson 2007).

Although FPCh is often depicted as a handicap, it can, under certain conditions, be an advantage. Foreign policies that adapt swiftly to changes in the international environment can benefit from this flexibility (Merke et. al, 2020). The historical pragmatic approached by using a FPCh method of this study should be delineated from IR analytical focus (what is to be explained) and not just by theoretical approach (Beach, 2012).

There are several IR theories with different perspectives of how anarchy influences interactions between states. The use of theory according to the posture of Baylis, Smith and Owens, will state, "is such a simplifier device" (Baylis, 2017), that allows you to decide what facts matter, or not, in the complex task of understanding the world. Theories help you interpret everything

without any preconceived thinking, stigma or tendentious background (family, country, social stratification, etc.) in order to be as explicit as possible. To just stick to the visible facts will be like finding a needle in haystack, whereas theories will filter the different (or even probable) behaviours and point out the ones that matter the most. (Baylis, Smith & Owens, 2017). The following provides a brief introduction to the core assumptions and arguments of the IR theories used in this thesis

The three main realisms:

Classical Realism: Power is rooted in the nature of humanity; states are continuously engaged to increase capabilities. Absence of an International state (Anarchy) generates appetite for power. International politics equals evil. State behaviour is based on "rational microfoundations" or decisions taken by leaders in special situations, always seeking their favour or interests (Morgenthau, 1948).

Neorealism: Systems are composed of structure of their interacting units: political structures. From ordering perspective, remains anarchic; from character, the "self-help" means that all states or units remained functionally alike; and from distribution the system can be bipolar or multipolar. This theory is not based on the leaders, there are multiple variables for international outcomes, except the minimal assumption that "states seek to survive", it allows microfoundations. State behaviour is not all rational, it can be a product of socialization, where states can follow norms if is in their advantage, or those norms can become internalized (Waltz,1979).

Defensive Structural Realism: This theory comes from Neorealism minimal assumption about state motivation (security search in anarchic system). The world is made up of states that seek the appropriate amount of power, and signal others that they intend not to harm. This theory is pro "status quo" and is based on the "balance of threat theory" from Walt, where in the anarchy states form alliances in order to protect themselves (Walt,1987).

Offensive Structural Realism: States face an uncertain International environment in which any state might use its power to harm another. Security requires to acquire as much power compared to others as possible. The ultimate safety is being the most powerful state (Mearsheimer, 2001).

Mearscheimer highlights the five assumptions for offensive structural realism i.e. the international system is anarchic, great power possesses offensive military capability, states are never certain about other states intention, survival is the primary goal and great powers are

rational actors. Careful timing, buck-passing, information allowed the to-be hegemon to succeed (Mearscheimer, 2001).

Constructivism

Social Constructivism is based on the main assumption that the fundamental structures of International politics are socially constructed by cognitive structures which give meaning to the material world (Alder, 1997). Social structures are made up of elements, such as shared knowledge, material resources and practices. The other main assumption is to change the way we think about International relations so as to bring about greater international security (Baylis, 2017).

Social constructivists accept many of the assumptions of neo-realism. They accept that states are the key referent in the study of international security (but they recognize the importance of non-state actors; that international system is anarchic; that states have a fundamental wish to survive; and that states attempt to behave rationally (Lin, 2011). However, they reject the view that structure consist only of material capabilities. They stress the importance of social structure defined in terms of shared knowledge and practices as well as material capabilities (Baylis, Smith & Owens. 2017).

Wendt argues that security dilemma is a social structure composed of intersubjective understandings in which states are so distrustful that they make worst-case assumptions about each other's intentions, and, as a result, define their interests in self-help terms (Wendt, 1999). Consequently, the best way to obtain real security should be through education, social and culture construction, given that the key principle of social constructivism is that international politics is shaped by collective values, persuasive ideas, culture identities, and social norms. Constructivists think that transnational norms constrain in world politics. International institutions are the key in the promotion of world peace, a powerful force for stability.

Constructivism differ from that of realists, who argue that the anarchic structure of the international system determines the behaviour of states. Constructivists, on the other hand, argue that 'anarchy is what states make of it' (Wendt, 1992). This means that anarchy can be interpreted in different ways depending on the meaning that actors assign to it.

Neoliberalism

The Neoliberal theory offers another approach on how anarchy influences International interactions. Neoliberal supporters argue that trade interdependence and cross border

exchanges lead to mutual dependence. They claim the democratic states have a tendency to be more peaceful the authoritarian states. Another group claims that trust (trough institutionalism) impairs anarchy. Regimes not only are consistent with self-interest but may under some conditions even be necessary to its effective pursuit. They facilitate the smooth operation of decentralized international political systems and therefore perform an important function for states. In world political economy characterized by growing interdependence, they may become increasingly useful for governments that wish to solve common problems and pursue complementary purposes without subordinating themselves to hierarchical systems of control (Keohane, 1984).

2 Methodology

2.1 Research design

The Research Design could be summarised as qualitative research that employs an inductive approach. It combines the use of primary and secondary data relying on individual interpretations of social reality. My interdisciplinary approach includes purposive, theoretical, opportunistic and snowball approaches actualized through structured and semi structured interviews.

Qualitative research, because emphasize in words or descriptions rather than quantification in the collection and analysis of data. (Bryman, 697). An inductive reasoning that starts from specific representative observations tended to derivate in a general conclusion is been used. Also an inductive view of the relationship between theory and research. (Walliman, 2010,).

Case study design because it is studying a specific social group, community. It is also convenient to pick a small number of examples within the RQ context make assessments and comparisons. Also we are no claiming for generalizability, is more about the quality of theoretical analysis of some intensive and representative investigation into few cases (Walliman, 2010,). Unlike grounded theory, the case study model provides an in-depth look at one test subject. The subject in this case is Mexico (as a State). Data is collected from various sources and compiled using the details to create a bigger conclusion.

A study case for Berg and Lunde is "A method involving systematically gathering information about a particular person, social setting, event or group to permit the research to effectively understand how the subject operates or functions" (Berg & Lunde, 2012. P.325). A study case allow this study to adopt an interdisciplinary approach within the social sciences in order to answer the research questions.

This thesis aims to innovate in terms of the methodology used to evaluate the evolution of the Estrada Doctrine. To achieve such a task, it is essential to find a method that allows us to answer the question: How can we conceptually and empirically account for change in the interpretation and implementation of the Estrada doctrine?

One of the purposes of this thesis is to analyse the changes occurred on the interpretation and implementation of the Estrada doctrine, delimiting different factors on a historical Chronological analysis of empirical foreign policy events. Methodologically FPA largely abandons universalized theory-building in favour of historical methods and qualitative analysis (Neack, 1999)

The dynamic of the analysis is then to describe understand how those factors influence the evolution of the doctrine. The goal is reach inference, which is the process where the research "give use of known facts in the form of observable data to learn about a broader phenomenon" (Beach, 2012). The inference can be descriptive or causal.

Due to the unique nature of this study, the common practice in FPA of using comparative method is not possible because the doctrine is particular to the Mexican FP. However, the study of historical phenomena will serve as a comparative agent in order to contrast the changes.

Hermann defines change as a fundamental and radical foreign policy redirection. Moreover, sources of change depend on context. Thus, it is better to start by identifying what kind of changes took place. The step is followed up by using theories that look at sources of foreign policy. By doing so, a review of FPA combined with identified changes is the rationality behind explaining changes.

The FPCh model that will be applied for the analysis of this thesis was designed "costume made" for the particular case, with four strategically selected hypothesis or independent variables. The model is based on Gustavsson's (1999) three steeps model analytic base (mentioned in Chapter 1), having in mind that "understanding and integrating change into analyses of foreign policy, requires accounting for its impact in relation to individual decision makers, institutions and structures of decision making as well as the wider socio-political and external context within which such change occurs" (Alden & Aran, 2017. P 14).

The dependent variable is what the researcher wants to measure or explain. For the purpose of this study the dependant variable is the interpretation on the use of the Estrada Doctrine. As explained before the way to materialize the Estrada doctrine in order to measure and be able to analyse, this dependant variable will be the Mexican Foreign policy, that has been impacted or guided by the doctrine for the past 90 years.

The independent variable or explanatory variable is the one that seek to provide explanation to the dependant variable. 4 hypothesis or independent variables will be use, as levels of analysys or explanation for change in this thesis. The International System, Individual leader, domestic factors and normative changes.

2.2 Sampling approaches

The sampling approach was based on non-probability samples, those are the norm in most of qualitative research (Berg and Lune, 2013).

Purposive sampling, also known as judgmental, selective, or subjective sampling, is a form of non-probability sampling in which researchers rely on their own judgment when choosing members of the population to participate in their study. Researchers use purposive sampling when they want to access a particular subset of people, as all participants of a study are selected because they fit a particular profile.

2.3 Methods for data collection.

Literature Study

I define literature here as books, academic articles, official statements, newspapers, written interviews, public documents, blogs, and media available information. I was in possession of some books about IR, foreign policy and Mexican history and politics before starting the process of data collection. The literature review on those books gave me ideas of how to address the thesis topic, and also lead me to further literature sources.

First, I identify a tentative set of articles and books and start a snowballing process by looking mainly at reference lists and abstracts till I got the newer papers on the topic. In order to achieve proper snowballing, I made use of main libraries such as Blindern (UIO), Diechmans and universitys syllabi that could provide subjects relevant to the thesis.

Parallel to this snowball review, I started a purposive literature search by mixing key words in the database search, such as *like doctrine, foreign policy, FPA, FPCh, mexican FP, Estrada Doctrine, AMLO, etc.* followed by truncation command like *and, in* and *or*. Google scholar, SAGE, JSTOR, etc.

Significant parts of my thesis started with internet sources, which in order to preserve the validity and reliability of the data I always checked from different sources, always privileging the ones with a quality standard that are considered reputable.

The most challenging to find was the biographies and biographic articles of the presidents needed for the *psychobiography* analysis of the leader in chapter 5. This because the most famous are "novelized", so I also found diaries from those presidents in order to contrast them with the prior looking for impartiality.

Archival research

Within qualitative case study Archival research is a route to gather original source material. Archives from the SRE where I found the diaries of the Foreign Policy former secretaries, presidential collections, specialized university libraries like CIDE studies have been very relevant for the conception of this thesis. Thus, secondary data, some of the documents retrieved from the named platforms were extremally detailed, especially the ones from the SRE, in those not just events where clarified also the environments around them.

Legal research

The primary source for the legal research process was the Mexican Constitution, Jurisprudence, Treaties, the Chart of the UN, Chart of the OAS, as well as their resolutions, all of these sources were accessible from official internet pages.

More complicated to find was the Secondary authority, due to the topic of Constitutional mutation, Doctrine of mutation, and legal treatises about International Law. Explanatory statements, discourses and commissions discussions from the Senate and the Federal Congress where helpful to understand the reforms on the constitutional articles relevant to the Estrada doctrine.

Interview

For the interviews I was looking for very specific information, so I selected the subjects in the basis of the expertise or knowledge in the field, also taking in consideration their "status" as

specialists in the political parties or structures that they belong. It can be said that in some cases I did snowball sampling in order to get to them. All the interviewees listed are opinion leaders in their political parties, all have a legislative-careers (deputies, senators) at the federal level and knowledge of of international relations. Those who are classified as diplomatic representatives, have a vast knowledge in the field of international relations and in turn currently hold first-level positions at the Mexican embassy in Norway. They furthermore come from the diplomatic service career, which entails impartial training separate from the interests of particular political parties. All of them can be considered "key informants".

While following the line of inquiry, the interviewees, showing off their political skills, guided the structured interview towards a talk, in which each of the questions was answered. With one of the interviewees, it was enough to ask 3 questions and the talk oversaw answering all the questions. This gave the intended method a form of a guided conversations approach rather than a structured query.

Most of the interviews were conducted in Mexico in early 2020. In order to arrange these interviews, I made use of various political relationships that I established through my own career as a lawyer, politician and Municipal, State and Federal bureaucrat. Initially, I spoke with representatives of the parties in the state of Guanajuato to ask them about the ideal profiles for the purposes of the interviews. These representatives immediately contacted me with the secretaries of those who would be the subjects, to whom I had to explain the nature of my research and the scope of my study. I must say that everyone was very kind, and after two weeks I had managed to make appointments for the interviews. The meetings and interviews with the political representatives took place in Guanajuato and Mexico City. The interview with the diplomatic representative was held in the city of Oslo, Norway.

Those interviewed for the purposes of this thesis were: for the PAN, Juan Carlos Romero Hicks; PRI, Francisco Arroyo Vieyra, MORENA, Miguel Chico and on behalf of the SRE the interviewee preferred to remain anonymous

2.4 Data analysis, four hypotheses.

The international system.

In order to analyse the impact of the international system, or the international events that may have been the cause of changes in the Estrada doctrine. The analysis of the data will come as a cause-effect, providing important information about the impact of the international events to the chronological evolution of the Estrada doctrine. IR theories will provide the analytic framework for this level of explanation. The main events selected consist of distinctive events or acts involving changes in the course of Mexican foreign policy, and these are:

- The aftermath of the First World War and the League of Nations
- The Second World War, UN and "The Mexican miracle".
- The end of the cold war
- 9/11
- Wave of populism, conservatism and nationalist-driven foreign policies.

The Individual leader.

This study adopts the premise that the decisions made by the actor in this situation are multidetermined by multiple conscious and unconscious meanings, and the most effective way examine this aspect is through a Psychobiographical approach. How individuality or "Psychotic truth" led them to follow certain distinctive patterns in decision making will be analysed (Volkan, 1977).

If we take into account the most radical variations in the Estrada Doctrine over time, the most notable presidents in this regard are:

- Lazaro Cardenas del Rio (1934-1940)
- Carlos Salinas de Gortari (1988-1994)
- Andres Manuel Lopez Obrador (2018- to date).

During those mandates, the country experienced radical changes in foreign policy and therefore in the conception of the guidelines of the Estrada Doctrine. This level will give information about the impact of a leader's subjective perspective on the use and perception of the doctrine.

Domestic factors (Regime change)

In Mexico three political parties have led political regimes and these have different and highly identifiable ideologies: Left (MORENA), Centre (PRI) and Right (PAN).

To carry out an analysis of foreign policy which takes into account the impact on the change of regimes, it is necessary to specify the magnitude or intensity and type of change. This when historically there has been a change in orientation and structures between regimes. *Formal*; This implies that there is a change of regime within the party or faction that governs, without there being a significant alteration in foreign policy. *Gradual*; This occurs when there is a change or replacement of the group that governs by another of a different orientation. This implies changes in foreign policy, but it will coexist with elements of continuity and change, which will take place gradually, making the necessary changes analyzing the necessary structural changes. And *Radical*; changes are general immediately due to the total breakdown of principles and ideologies between regimes, the entire structure changes in a very short time. It normally implies a change in the party (Lasagna, 1995).

Normative changes

Three principles emerge from the theoretical and practical definition of the Estrada Doctrine which relate to the legal framework regarding the implementation of the doctrine in the context of foreign relations:

- The principle of non-intervention
- The safeguard of human rights and the *prohomine* principle
- Institutionalization and international treaties

Using the doctrine of constitutional mutations which considers that the reform procedure is sometimes insufficient in achieving the adaptation of the constitution to reality, or at the speed required by reality (Uribe & Correa, 2012). This study will revise all the normative changes that the three principles have experience from the conception of the doctrine, and how these changes regulate or limited the interpretation and implementation of the doctrine.

2.5 Ethical considerations

"No one resides outside discourses. Nor can anyone step outside discourses and describe social reality from an objective perspective. Researchers, like everyone else, are part and products of their social environments" (Jørgensen & Phillips, 2002, pp. 22-23). Therefore, although this study, all descriptions of society, are subjective interpretations. I recognize that my own positionality as a citizen of Mexico, with a particular political background and from a specific region of Mexico could be a source of bias in the selection, analysis, and interpretation of the texts.

As a Mexican citizen I have been exposed to certain discourses most likely affecting my ability to distance myself from my personal emotions and preconceptions. In this research project, I intend to map out how certain articulations of Mexican national identity have affected its foreign policy actions thru the implementation of the Estrada doctrine, not to draw judgements on the *rightness* or *wrongness* of those policies.

Although my personal attachment with the subject matter could be a source of weakness, it can also be seen as a source of strength since my knowledge, experiences, and language skills thru eleven years working at the three levels of Mexican government enables me to go beyond the literal interpretations of the texts and to complement them with cultural and historical context (Neumann, 2006).

During the interviews I was always careful not to interrupt my interviewees, to not gesture or have any attitude (approval, disapproval) about the ideas presented in the interview. I have been active in Mexican politics, and they knew it. Before beginning the actual interviews, I pointed out in a friendly way that I am retired from politics and that I intended to carry out neutral and impartial academic investigation.

Section II: The Estrada Doctrine, background and conception.

3. The Estrada doctrine.

In order to study the theoretical nature of the Estrada doctrine, as well as delimit it in terms of its transformation and current field of implementation, it is essential to consider the factors and circumstances that generated it. For this reason, we will begin this analysis with some background information on the doctrine.

3.1 Background

The dictatorship of General Porfirio Diaz (1884-1911), marked a period of peace and political stability in Mexico after decades of civil wars and the wars against the United States and France. During this period, due to the president's excessive fascination with western culture, Mexico expanded its international ties. The president, who had been Secretary of Development, Colonization and Industry (1880-1881), had a determination to modernize the country, and bring Mexico into the first world, especially in the economic and cultural spheres. This vision was reflected in the construction of innumerable large public buildings throughout the national territory and the creation of an extensive railway infrastructure. However, Diaz and his

ideologues knew that, although posing a possible threat, the only way to materialize their vision would be linked to the need for foreign capital and investment, and therefore foreign interests.

Diaz made the structural and legal changes necessary for the privatization of mining, railroads and public services for foreign capital and created a tax haven in Mexico. Diplomatic relations with Great Britain, France and Germany, which had been frozen due to the official nonrecognition of Mexican debts by de facto governments, were re-established; said debts were renegotiated and new credit lines were made available to the Mexican government (Cardozo, 1980). Upon Diaz's arrival to the Presidency in 1884, foreign investments in Mexico amounted to 110 million pesos; by the end of the dictatorship in 1911 they amounted to 3.4 billion pesos (Rosenzweig, 1965). Unfortunately, and as a consequence of these and other actions, this period in Mexico was marked by authoritarianism, social inequality and the absence of fundamental freedoms, which would later give rise to the Mexican revolution.

After four years of the revolutionary process in Mexico, in October 1915 the President of the United States, Woodrow Wilson, gave de facto recognition to the Government of General Venustiano Carranza, conditional on Carranza showing "good behavior" towards American interests (Gutierrez, 2007). This act gave Carranza the confidence to lead the revolutionary process without external pressure, and this would later materialize in the 1917 constitution.

The Political Constitution of the United Mexican States of 1917 is to this day the fundamental norm that legally governs the country. It establishes the limits and defines the relations between the powers of the federation: legislative, executive and judicial powers, among the three different levels of government — the federal, state, and municipal. Furthermore, it lays the foundations for government and for the organization of the institutions in which power resides, establishing the basis of Mexican society: the rights and duties of the Mexican people. It should be noted that it is the first constitution in history that includes reference to social rights, embodied in articles 3, 27 and 123, this as a consequence of the popular demands manifested during the Mexican revolution (political constitution of the states United Mexicans, 1917).

Due to the promulgation of the constitution, the tension between Mexico and the United States, as well as with the great powers with economic interests in the country, gradually increased to the point that they tried to force the government to back down from its Magna Carta. Constitutional postulates regarding the nation's ownership of its soil and subsoil resources, labor regulations and the right of rebellion sparked a direct confrontation between these powers because they directly affected their compatriots who were owners and investors in oil, mining, banks, and agricultural properties, among others (Gaytan, 2019).

The position of Mexico before the First World War remained firm on the promotion of its neutrality, non-intervention and the free self-determination of the peoples. The foreign secretary created a diplomatic union with the neutral nations. In turn, he appointed consuls, plenipotentiary envoys and ambassadors in Latin America to reinforce the principles of neutrality in the area, instructing national diplomatic personnel to enhance the promotion of Mexico as guarantor of good relations between these countries. (Serrano, 2019).

Carranza, on Mexico's position towards the World War, commented: "Mexico, completely oblivious to the interests for which the European peoples fight, and respectful of and respected by all nations, will continue, observing the strictest neutrality, since this has been and will be the uncompromising standard of their conduct" (Carranza, 1917).

Derived from the actions previously exposed, Carranza in his presidential message presented to the Congress of the Union on September 1, 1918, outlined what would be the bases of the Carranza Doctrine, summarized in the following fundamental ideas:

I. All nations are equal before the law. Consequently, they must mutually and scrupulously respect their institutions, their laws and their sovereignty, strictly and without exception submitting to the universal principle of non-intervention.

II. Nationals and foreigners must be equal before the sovereignty of the State in which they are located; consequently, no individual should claim a better situation than that of the citizens of the country where he is going to settle and not make his status as a foreigner a title of protection and privilege.

III. The laws of the States must be uniform and similar as far as possible, without establishing distinctions on the basis of nationality, except in relation to the exercise of sovereignty.

IV. Diplomacy must look after the general interests of civilization and the establishment of universal fellowship; it must not serve for the protection of private interests, nor put at their service the strength and majesty of nations. Nor should it serve to exert pressure on the governments of weak countries, in order to obtain modifications to the laws that are not convenient for the subjects of powerful countries" (Fabela, 1919, 5).

This approach to legal equality between nations based on constitutional precepts comes at a time when the right to decide on national affairs was precarious, due to the latent threat of military intervention. From an IR point of view, the Carranza Doctrine has imminent overtones and tendencies adopted from a classical Liberalism approach, since its proposals for behaviour and international coexistence responded to choices based on a moral duty consistent with "Kantian" universal hospitality; and that through these "categorical imperatives", diplomacy would reach the most general interests of civilization and brotherhood among peoples.

After Carranza, the Alvaro Obregón government continually suffered from extenuating external pressure, especially from the United States, which executed everything from "soft power" actions to "cohersive diplomacy" to attempts to persuade the Mexican government to desist from the application of its Constitution. The lack of recognition of the Obregón government, the pressure from the bankers to pay the debts owed, and the claims for the damages caused to foreign interests during the armed struggle, combined to make the Mexican government reverse the application of the law by signing the so-called Bucareli Agreementsⁱ, which involved commitments that lead the Obregón government to backtrack on the application of article 27, although without changing the letter of the Constitution.

As the Bucareli agreements were not a formal treaty, they were ignored by the following Mexican President Plutarco Elias Calles' administration. This government enacted the oil law of 1925, causing a new confrontation with the powers whose citizens were affected in Mexico.

Subsequently, President Calles and the American Ambassador Morrow built a new relationship between countries, opening new fronts of agreement that prevented the national usufruct of natural resources, as stipulated in the Constitution. What has been dubbed the Calles-Morrow Agreementⁱⁱ was yet another setback in effective law enforcement when President Calles, fully pressured by the United States, ordered the courts to declare the oil law unconstitutional (Meyer, 2004).

3.2 The conception and rise of the Estrada Doctrine

At the end of the First World War the position of the United States was established as the hegemonic leader of the world. Its relationship with the American countries was demarcated

by the principles of the Monroe Doctrineⁱⁱⁱ, which had been accepted by European countries and by the newly created League of Nations. Because of this the US continued to maximize its hegemony with his power to intervene with the mission of "maintaining order and promoting good government". Thus, with a realist (or offensive structural realism) attitude it treated the countries of the continent as subjects due to the state of defencelessness in which they were. in the words of Ken booth "the survival plus".

Economic foreign dependence was not questioned, especially in the United States, but it was expected to be restricted to the private sphere. In the political and legal field, the relations of the Mexican governments with the rest of the countries of the world should take place on an equal footing (Cordoba, 1973).

During the first years of the twentieth century, the Mexican Revolution brought serious problems for Mexico's international relations due to the way in which successive governments such as those of Huerta, Carranza and Obregon became de facto governments (Silva, 2011). Within this political uncertainty, internal affairs were continuously affected by the United States' decision to favour one or another warring party.

Mexico's request to join the League of Nations was denied under pressure from Great Britain, because the government was questioned on the ground of non-recognition of the US (Sepulveda, 1986). As a response, in 1930, Mexico's Foreign Secretary, Genaro Estrada within the 5- Inter American Conference of Santiago de Chile, in 1923, proposed a policy of non-intervention for Mexican foreign policy, known today as the Estrada Doctrine:

"After a very careful study of the subject, the Government of Mexico has transmitted instructions to its Ministers or Chargés d'Affaires (...), informing them that the Mexican Government is issuing no declarations in the sense of grants of recognition, since that nation considers that such a course is an insulting practice and one which, in addition to the fact that it offends the sovereignty of other nations, implies that judgment of some sort may be passed upon the internal affairs of those nations by other governments, inasmuch as the latter assume, in effect, an attitude of criticism, when they decide, favorably or unfavorably, as to the legal qualification of foreign regimes" (Estrada, 1930).

Jessup (1931) suggests the following actions from Mexico in a hypothetical case: "a successful revolution takes place in State X; while other states maybe considering recognizing or not recognizing the new de facto government, Mexico will merely continue its diplomatic representation without expressing any opinion as to recognition, vel non. If some circumstance,

other than the mere change of government, gives umbrage to Mexico, the Mexican diplomats will be withdrawn" (Jessup, 1931).

The Estrada Doctrine implies that recognition of a government should be based on its de facto existence, rather than on its legitimacy. It claimed that foreign governments should not judge, positively or negatively, governments or changes in governments in other nations, because it would imply an insulting and offensive breach to that nation's sovereignty.

The Mexican government declared that it would, as it saw fit, continue its relations with any country in which a political upheaval had taken place "and in so doing it does not pronounce judgement, either precipitately or a posteriori, regarding the right of foreign nations to accept, maintain or replace their governments or authorities".

The Estrada doctrine and its policy of non-intervention is enshrined in the Mexican Constitution in the following article:

"Article 89. The powers and duties of the President are the following:

X. To lead the foreign policy; to make and execute international treaties; as well as to end, condemn, suspend, modify, amend, withdraw reservations and make interpretative declarations relating to such treaties and conventions, requiring the authorization of the Senate. For these purposes, the President of the Republic shall observe the following principles: the right to self-determination; non-intervention; peaceful solution of controversies; outlawing the use of force or threat in international relations; equal rights of States; international cooperation for development; respect for and protection and promotion of human rights; and the struggle for international peace and security" (CPEUM, 2020).

It is important to say that the aforementioned Carranza Doctrine, and the ideals embodied by Benito Juárez in his internationally known phrase: "Both in people and in nations, respect for the rights of others is peace." Comprise the basis of the Estrada Doctrine.

The genius of the action of Don Genaro Estrada lies more in the timing of the Doctrine's presentation, at the level of the international arena, evidencing and eradicating the imperialist aspect of the Monroe doctrine. In a certain way, using diplomacy as a tool, America was defeated at its own game.

Section III: The evolution of the Estrada Doctrine.

4.1. The International System

4.1.1. Placing Mexico in the International System.

For Hill, the International system operates on three logics: "The logic of economics, The logic of politics and the logic of knowledge" (Hill, 2003. P.165).

Placing the Estrada Doctrine within the international system mentioned above will only be possible through an analysis of Mexico itself.

Mexico is one of the 193 sovereign state members of the United Nations. Sovereignty for Krasner has four distinctive attributes: "international legal sovereignty as international recognition from states; Westphalian sovereignty as the principle of non-interference, domestic sovereignty as the ability of a state to maintain the monopoly of the use of violence within its territory, interdependent sovereignty as the capacity of a government to control the intraborders movements of any kind (Krassner, 1999)". Through this definition we arrive at particular points that are relevant to the explanation of the international system i.e. the recognition of states by states, the fact that they have territory of their own and that they can govern themselves within their territory, and the most important for our study is that is not a superior actor than states, therefore the structure of the system is anarchic.

Mexico may be measured as a sovereign unit of the International system within these definitions. According to Waltz the "foreign policy determinations are "shaped by the very presence of other states as well as by interactions with them" (Waltz, 1979. P. 65), exemplifying that within interactions sovereign recognition is given.

4.1.2 The symbiotic relationship between Mexico and the United States (The Remora and the Shark)

Díaz-Cayeros and Selee (2010) list three "truths" about the current U.S.- Mexico relationship: intense interdependence, high complexity, and asymmetry. These truths have led to an unconventional relationship, depicted as "a mixture of foreign and domestic policy, an intermestic relationship ... as the diplomatic agenda is primarily driven by domestic considerations in each country" (Díaz-Cayeros and Selee 2010, 4–5).

"There is no doubt that over the course of Mexican foreign policy history, the relationship with the United States has been a crucial factor in the formation of the national psyche" (Castañeda, 1961. P. 267).

As has been explained during this study, the Mexican American relationship up to the Second World War was frankly one of an imperialist nature. The Americans took advantage of many situations to take over much of the Mexican territory with their military power and until 1938 they controlled the wealth of the Mexican subsoil and likewise monopolized the great industries of the time.

After the first world war, Mexico a process of emancipation from foreign interests started. This was manifested through the implementation of the Estrada Doctrine and the expropriation of oil in (1938)

WWII marked a change in the relations between the two countries. In particular Presidents Roosevelt and Truman recognized Mexican importance to the US and stayed visibly away from Mexican domestic policy. Due to the world's bipolarity, resulting from WWII, The US has consistently accepted the need for economic and social stability in its neighbouring country. Additionally, since the period of Mexican industrialisation American investments have played a fundamental role in the Mexican economy and created an undeniable economic dependence.

In FP issues, Mexico has not always followed American policies, which in some way has benefited both countries. In 1994, the North American Free Trade Agreement (NAFTA) was signed, and this has brought about a constant economic growth for Mexico, and currently it is the second country in imports and the third in exports for the United States. From the time of the formation of NAFTA, Mexico has been aligning itself to more liberal and democratic political positions to align with the American ones. However, with the triumph of populism both by Trump on the American side and by AMLO in Mexico, issues such as "The Wall" and the Mexican support of the Maduro government in Venezuela and Evo Morales in Bolivia indicate the possibility for divergences in the future. However, Mexico is increasingly more dependent on the US in my opinion. Proof of this is visible in the signing of the new NAFTA agreement, which is now called the *Agreement between the United States, Mexico and Canada* (USMCA) in which Mexico gave up part of its "sovereignty" by giving the US the jurisdiction to intervene in labour matters within Mexican territory.

This is evidence of a symbiotic but also clear "Bandwagoning" or paternalistic attitude of the United States towards Mexico. The balance of power (or balancing) is the cornerstone theory of the neorealist paradigm. Although there are variants in the balance of power, the basic idea is that the state naturally tends to balance against a rising power, often by joining military alliances, in order to secure itself in an anarchic world (Waltz, 1979)

4.1.3 Event based International System Analysis.

H1: International transcendental events will push for a change on the interpretation and the use of the Estrada doctrine.

In order to analyse the impact of the international system, or the international events that may have been the cause of changes in the Estrada doctrine, those considered most relevant are selected. This is due to the longevity of the doctrine, which has been implemented for over ninety years. In turn, this study differentiates between events of global significance and factors or changes within the system. The main events selected consist of distinctive events or acts involving changes in the course of Mexican foreign policy, and these are:

4.1.3.1 The aftermath of WWI and the League of Nations

The Carranza government was recognized de jure by the United States on 31 August 1917 as a direct consequence of the Zimmermann telegram^{iv}. This telegram was written in Germany and it invited Mexico to ally with them in WW1 in return for the possibility of a return to Mexico of territory previously lost to the United States. Recognition was necessary to ensure Mexican neutrality in the World War (Patterson, 1999). This telegram was the final reason that pushed the US towards the great war. In addition, this official recognition of the Mexican government under Carranza made it necessary for the Americans to accept the validity of the new 1917 Constitution and as this contained some of the guiding principles of the future Estrada Doctrine, the conditions for the doctrine's formation were created.

World War I (WWI) had more political consequences than any other proceeding war. It resulted in the downfall of four monarchies: Russia (1917), Germany (1918), Austria-Hungary (1918) and Turkey (1922). WWI also greatly contributed to the Bolshevik rise to power in Russia and the triumph of fascism in Italy. It ignited colonial revolts in the Middle East and in Southeast Asia. Another, more positive result of WW1, was the creation of "The League of Nations^v". American participation in WW1 helped shape the nation's status as a self-proclaimed defender of freedom and democracy worldwide and radically altered U.S. foreign policy. Curiously, despite President Wilson's efforts to establish and promote the League, for which he was awarded the Nobel Peace Prize in October 1919, the US never joined. Senate Republicans led by Henry Cabot Lodge wanted a League with the reservation that only Congress could take the U.S. into war (Levinovitz, 2001). One year later in 1920, Warren Harding won the presidential election on the promise of staying out of global affairs, and by arguing that the United States needed normalcy and a focus on internal problems. Therefore, they focused on building the domestic economy by supporting business growth, encouraging industrial expansion, imposing tariffs on imported products and limiting immigration.

The world had changed, and Mexico was going to take advantage of the isolation of American foreign policy, first by signing the "Bucareli Treaty"in 1923, and secondly (in secret) the "Calles-Morrow agreement" (explained above) in 1927, which gave Mexico a breathing space on American interventionism and provided the opportunity to lay the foundations for a critical moment in the Country's history : *La Expropiacion Petrolera*, , the expropriation or nationalization of the oil industry

On the International level, after waiting for eleven years, in 1931 Mexico was finally accepted into the League of Nations and took advantage of this window to implement and proclaim the "Non-intervention" ideals of the Estrada doctrine on all possible platforms.

After the "Great Depression" of 1929, the Mexican economy collapsed, to the extent that by 1932 national GDP dropped 16%. Exports declined and there was a massive repatriation of undocumented Mexican workers from the US.

In 1934 General Lazaro Cardenas became president and immediately the phase of industrialization in Mexico began. Having plenty of labour power without work, the "National Polytechnic Institute" (IPN) was created to educate industrial technicians. Also, with the creation of "the National Finance Bank" (NAFINSA), entrepreneurs were encouraged to invest in the industry.

Mexico's defensive foreign policy strategy was very cautious at the end of WW1, due to the fact that Mexico felt protected by the US as a consequence of the Zimmerman telegram. This feeling of security was confirmed in 1933 with the launching of "The good neighbor policy^{vi}" by American President Franklin D. Roosevelt. The policy defined the US policy as "one opposed to armed intervention" (Roosevelt, 1933).

On international platforms, Mexico continued to spread the ideals of the Estrada Doctrine and in 1936, during the "Inter-American conference for the maintenance of peace", the Mexican military corps promoted an initiative called "Additional Protocol Relating to Non-Intervention" which was a specific precautionary measure for what was to come in 1938.

In 1938, after two years of constant struggles between unions and foreign companies, General Cardenas finally put into practice the provisions of Article 27 of the constitution and proceeded to nationalize all oil reserves in an act known as "The Mexican oil expropriation ". Simultaneously, the government formed Mexican Petroleum or "PEMEX", a State-owned Company that would become a symbol of national progress.

Immediately the foreign companies began lobbying to try to raise all kinds of embargos towards Mexico. President Roosevelt stood firm with the "Good neighbor policy" and did not directly intervene in favor of American companies. There was a boycott of Mexican products for subsequent years, especially by Great Britain and the Netherlands. However, with the outbreak of WWII and the support of Mexico for the allied countries, these nations even helped to resolve disputes with the private companies.

Taking advantage of foreign policy mechanisms, politics and ideas, Mexico ended by nationalizing oil and controlling the largest unions in the country. The creation of PEMEX led the economic development of the country for decades. Furthermore, this act without precedent exalted a nationalist sentiment that, as we will see in subsequent chapters, politicians still make use of to date.

4.1.3.2. WWII, UN and "The Mexican miracle".

During WWII, the US and Mexico negotiated an agreement to be allies during the conflict. This agreement was beneficial for both because Mexico sold an unprecedented amount of raw material to the US, as well as metals needed for armaments. In addition to this, in 1942 Presidents Roosevelt and Avila Camacho signed a bilateral program called the "Bracero^{vii}" program through which Mexican agricultural labour was hired in the United States. Political scientist Manuel Garcia y Griego mentions that the Contract Labour Program "left an important legacy for the economies, migration patterns, and politics of the United States and Mexico" (Garcia, 1992. P. 56).

During the so-called "Mexican miracle" the country adopted an economic model called "import substitution industrialization" aiming to protect and promote the development of national industries. Mexico experienced exponential growth or a "boom" in which industry expanded its production rapidly (Crandall, 2004) Mexico's inward-looking development strategy produced sustained economic growth of 3 to 4 percent and modest 3 percent inflation annually from the 1940s until the 1950s. Mexico's strong economic performance continued into the 1960s, when GDP growth averaged about 7 percent overall and about 3 percent per capita. Consumer price inflation averaged only 3 percent annually. The government spent heavily on infrastructure. By 1950 Mexico's road network had expanded to 21,000 kilometres and large-scale dam building for hydroelectric power and flood control were initiated.

The end of WWII brought about definitive changes in the international power structure, giving way to what was known as bipolarity, as a consequence of the concentration of political and military power in the United States and in the Soviet Union. The intense cooperation experienced by Mexico and the United States during the war removed the fear of direct intervention, and this opened a new stage in the foreign policy of these countries (Gaytan, 2015).

Within this new context of bipolarity, Mexico did not have to unrestrictedly follow American foreign policy. As long as the "Cold War" continued, the Americans would always seek a good relationship with Mexico, firstly because of their geographical relationship, and secondly because the development of Mexico was convenient for the US, among other reasons because illegal immigration was starting to become a bigger problem. In 1954 The "Operation Wetback^{viii}" initiative repatriated more than a million with the consensus of the Mexican government (Hernandez 2006).

Mexico for the first time experienced a certain security and freedom of action and so joined various international Organizations and Institutions (which will be analysed later) and its FP served to project development, progress and emancipation from the United States. This situation also gave Mexico an important leadership role in Latin America.

Mexican FP due to its canons Mexico did not break relations with Cuba in 1962, during and after the "Cuban missile crisis", and because of this the Mexican diplomatic service was able to play a fundamental role as "Historic promoter of nuclear disarmament and non-proliferation".

Mexican diplomatic representation mediated the "Treaty of Tlatelolco" in 1967, which in turn created the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), based in Mexico City, to monitor its implementation. The direction of the Tlatelolco treaty earned the Mexican Alfonso Garcia Robles the "Nobel Peace Prize" in 1982.

Mexico has always been a strong defender of international cooperation through multilateral institutions. Although the mere fact of belonging to an international organization and accepting to give up a small part of your sovereignty appears to go directly against the ideals of the "original" Doctrine, this "change" is, in fact, simply a mutation or adaptation to the effects of the international environment, taking into account all the exogenous factors that marked this period of analysis.

In this post WWII-Cold war period, the Estrada doctrine was emulated by the majority of Latin American countries. This point is when the advantages of its content gain more recognition as a nationalistic force since there is an observable transition of the United States' attitude towards Mexico, from that of dominating imperialist to respectful neighbor.

4.1.3.3 The end of the Cold War

The 70s were marked by an era of economic deterioration for Mexico. Although during the administrations of Luis Echeverria (1970-1976) and Jose Lopez Portillo (1976-1982) a growth of approximately 6% was maintained, the economy deteriorated mainly due to fiscal wastefulness combined with the 1973 oil shock, that increased inflation and upset the balance of payments. All this was accompanied by a "leftist" policy that tended to generate mistrust in foreign investors who withdrew their funds. This eventually forced a devaluation of the Peso in 1982 when the Mexican peso went from 22 to 70 per dollar. US Treasury and Federal Reserve officials, fearing that a Mexican default might lead to bank failures and subsequent global financial crisis, intervened to an unprecedented degree in the negotiations between the IMF and Mexico. "The United States offered direct financial support and worked through diplomatic channels to insist that Mexico accept an IMF adjustment program, as a way of bailing out US banks" (Kershaw, 2017. P.294).

Subsequently, the administration of Miguel de la Madrid (1982-1988) in which public spending was drastically reduced, exports were stimulated, but economic growth was almost nil (.1% GDP growth per year). By the end of the administration in 1988 the stabilization strategy

imposed by De la Madrid had worked and inflation was under control, however these positive developments were inadequate to attract foreign investment and return capital.

The fall of Berlin Wall (1989) and the dissolution of the Soviet Union (1991) marked the end of the Cold War and brought a decisive change on the balance of power. The US remained the only world hegemonic power and the entire ideology of international communism collapsed alongside the USSR. This created a gap regarding the international aspects of the countries that were directly benefited by the Soviet empire. Some of these countries sought the shelter of the Americans and some were orphaned and suffered economic consequences from which they have not yet fully recovered. However, this was not the case in Mexico, which benefited even more from its geographical position with the US and its neighbour status.

A radical change occurred as soon as Carlos Salinas de Gortari (1988-1994) took office. Mexican politics, both internal and external, opened up to capitalism in a way never seen before in the country. Salinas' plan for sustained growth was to boost the investment share of GDP and encourage private investment through denationalization of state enterprises and deregulation of the economy. This Neoliberal wave laid the foundation for the North American Free Trade Agreement (NAFTA).

Mexican foreign policy, during this historical stage, was dedicated to generating important economic ties for the development of the country. Among the most important was the signing of NAFTA in 1994 and in 2000 the EU-Mexico Global Agreement, a Free Trade Agreement covering trade in goods and trade in services, which came into force in October 2000, after being negotiated since 1997.

Here we may see a clear example of the evolution or mutation of the Estrada Doctrine, because in order for these two international agreements to be carried out, various aspects of sovereignty needed to be surrendered. The EU-Mexico Global Agreement was the first pact that Mexico had ever accepted that conditions the relationship on respect for democracy and human rights (Szymanski, 2005). This gives a twist to the classical precepts of the Estrada Doctrine.

Another clear example of the mutation of the Estrada doctrine is the fact that until the first half of the 1990s Mexico strongly rejected the presence of international observers in its electoral processes, considering their presence to be a challenge to national sovereignty; Today the country not only invites international observers, but also sends representatives to other countries. On the other hand, Mexican diplomacy was still strongly influenced by the Estrada Doctrine during this same period. It guided Mexican involvement in the peace processes in Latin America in the 80s, helping to finalize the signature of Peace Accords in El Salvador and Guatemala in the 90s. These historical actions serve to demonstrate the leadership of Mexican diplomacy in the region that it still had at this time.

4.1.3.4 The Attack on the Twin Towers: 9/11

The terrorist attacks of September 11th, 2001 on the World Trade Centre in New York City shook the world. The US had shown an unacceptable vulnerability and so needed to start a "securitization" campaign immediately. Securitization is "an extreme version of politicization that enables extraordinary means to be used in the name of security" (Buzan, 1998).

On September 21 President Bush addressed a message that would impact global foreign relations: "Every nation, in every region, now has a decision to make. Either you are with us, or you are with the terrorists." (Bush, 2001).

Mexico was part of the UN Security Council during part of the case study on Iraq disarmament that end as Iraq war. Mexico initially supported for further inspections and hinted that it would support an American led military campaign if it were backed by the UN. Mexico stood firm on the Estrada doctrine and did not vote in favor of the military campaign even though the US threatened to toughen the FP's normally soft touch with Mexico (specifically by tightening immigration policies and making some oil decisions which excluded Mexico).

In March 2003 the United States government announced that "diplomacy had failed" and that it would proceed with a "coalition of the willing" to rid Iraq, under Saddam Hussein, of the weapons of mass destruction the US insisted it possessed.

At its outset President Vicente Fox heavily criticized the war and Mexican diplomats described their conversations with US officials as hostile in tone and that Washington was demonstrating little concern for the constraints of the Mexican government. As a result of this stance, Security measures came to reflected a tightening of immigration policy during the remainder of the Vicente Fox government (ended 2006).

At the time of change of government in Mexico (2006), it became possible to renew the good spirits of the neighbouring country and in 2007, George W. Bush and Felipe Calderon signed the *Plan Mexico*, that in the subsequent years changed its name to *The Merida Initiative* which

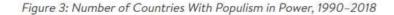
in essence was composed of four main goals: 1. Disrupting organized criminal groups, 2. Institutionalizing the rule of law while practicing human rights, 3. Creating a 21th century border and 4. Building strong and resilient communities. (US Department of State, 2015).

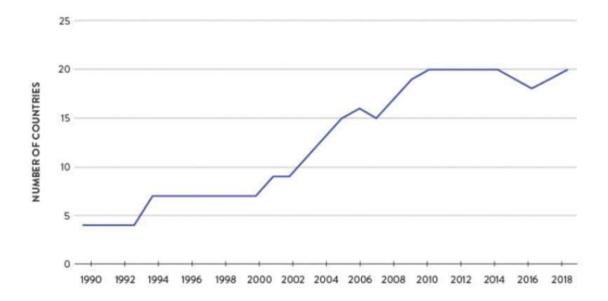
The IM (The Merida Initiative) has helped the army by supplying technological infrastructure and weaponry. The main use of the resources both national and international (US) have been to battle against drug traffickers, trying to target the leaders and confiscate drugs/resources rather than any application that could lead to a betterment or fortification of democracy, institutions or education. This strategy missed the key problems in Mexico i.e. corruption, poor rule of law and impunity. Given that Mexico is known for its high levels of impunity, corrupt authorities, ineffective norms and weak social control mechanisms, it can be considered to be a fragile state; Mexico has become a paradise for Transnational Organized Crime organizations (TCOs). It provides an ideal environment for them to settle and grow. The drug cartels are also considered to be TCOs because their illicit activities cross national borders, have their network in several territories covered by laws from more than two states.

Although Mexico initially and with some hesitation held firm to the guidelines of the Estrada Doctrine within the UN Security Council, it finally had to subjugate itself to American ideas and accept the aid in an attempt to control the problem of drug trafficking. This put into question again the doctrinal precepts on National sovereignty. Unfortunately, after 13 years (2007-2020) and more than 300,000 deaths, the problem is not even close to being solved.

4.1.3.5 Populism, conservatism and nationalist driven foreign policies.

Since 1990, there have been 46 populist leaders or political parties that have held executive office in 33 countries. The peak period for populists in power was between 2010 and 2014, and again in 2018, when 20 populist leaders held executive office (Kyle, 2018).





In order to generate a complete contemporary definition of Populism, the Scholar Michael Magcamit (2007) collects, identifies and defines the functions of populism in a variety of ways: "(1) as a catch-all ideology that separates "the pure people" from "the corrupt elite"; (2) as the logic of "the people"; (3) as an anti-status quo discourse; (4) as the preferred organizational strategy of personalistic leaders; and (5) as a "political style" that is performed and enacted by populist leaders. Each of these definitions highlights specific aspects of the phenomenon, while masking other aspects".

Under this ideology or practice, the idea that democracy is a virtuous collective, gives rise to ideas about the ideal role of the leader, the restoration or rescue of sovereignty and the conspiracies that impede the economic and social realization of the will of the people. A populist is one who flatters the people, who is the spokesperson of the people (who are adorned with outstanding moral attributes) and harasses his adversaries with the label of enemies of the Nation. According to Enrique Krause, populism is "the demagogic use of democracy, to end that democracy" (Krause, 2018).The populist needs to generate an atmosphere of chaos, uncertainty and insecurity in order to convince the voters that the primary objective of their foreign policies is to secure the interests of the country and its people under the presumption that they will place the national interest above all other form of interest (Magcamit, 2017). In light of the prior concept that xenophobia is one of the pillars of populism, an environment of this type is suitable for the implementation of a realist foreign policy.

Populism triumphed anew in Mexico on the 1- of July 2018 when Andres Manuel Lopez Obrador, (AMLO), won the country's general elections. He took advantage of a country tired of corruption and increasing divisions between rich and poor . He positioned his central idea on Socio-Economic populist foundations which exalts the central "us vs. them" conflict as between economic classes. In this case this meant the "wise people" or masses vs "fifi's" or despotic wealthy classes.

It has been cited in the Mexican populist movement that there was little or no application of the precepts of the Estrada Doctrine during the period of Neoliberal mandates. This particular doctrine is very convenient for a populist government, first because of its emphasis on nationalism, second because of the inclination towards xenophobia characterised by this populist government as well as by the doctrine and third and most importantly because it uses sovereignty as its central axis. The precept of Non-interference in the internal affairs of another State implies another main objective which is to be treated with reciprocity in this regard. For these three reasons, shades of the original Estrada Doctrine have come into consideration again following a 90 year lapse.

Consideration of the original Estrada Doctrine in this new political climate raises many legal questions. However, if we put the Mexican populist movement into an international context, the doctrine's philosophical evolution is clear.

Curiously, it is the first time that economic profitability is not the focus of Mexican foreign relations. Xenophobic policy has brought about the closure of the PROMEXICO offices around the world and the president has not attended any of the international meetings within the framework of the international institutions or associations in which Mexico has membership.

4.1.4 Theorizing (IR) the evolution of the Estrada Doctrine in the international system.

"Identity, sovereignty, and development marked the traditional view of relationships abroad in the name of national interest" (Krauze, 2018).

In order to do an "International System" analysis of the evolution of the Estrada doctrine, this study will apply the IR theories listed in the conceptual framework on Section 1. Theories are the vehicle or prisms to understand the decisions, behaviors or stands that actors take. They have been conceived in a specific historic period under specific circumstances, thus history

plays a very significant role in the conception of the constant changing (or constant growing) discipline of International Relations (Waever, O, 2013).

Theorize, as a simplifier device" will make you interpret everything without any preconceived thinking, stigma or tendentious background (Baylis et al., 2017). Also, some of the historical episodes referenced at Section 2 will be revised. Before starting the analysis I would like to emphasize that Mexico's foreign policy has historically been marked by two permanent objectives: "first, to affirm sovereignty and identity; and second, to seek economic and human resources to boost development, once a republican, federal system of government had been consolidated" (Lajous Vargas 2012, 17). Since Independence, Mexico's attitude to the outside world has been cautious and reserved, its international policy essentially defensive." (Castañeda, 1961. P. 267).

The Estrada doctrine has eminently inspired origins from classical liberalism, incorporating ideals from Benito Juarez and recovering the Carranza doctrine. It could be said that he has a Kantian inspiration in search of "perpetual peace" basing the foreign policy on moral choices and moral sense of duty. Nonintervention may be equated with the "categorical imperative" which says that "the law of the world should be based or limited by conditions of universal hospitality" (Kant, 1785).

Despite its liberal composition, the Estrada doctrine was always carried out as an imminently defensive measure in the international system. From a perspective of Neorealism, supported by Waltz's expression that there are multiple variables for international outcome, "except the minimal assumption that states seek to survive", allowing micro-foundations (Waltz, 1979). meaning that states behavior is not all rational, states acts according to what they can. The Estrada doctrine is put into practice at a precise moment, within a reduced window in which the only weapon the country had was diplomacy.

The doctrine was first conceived as a diplomatic shield against American imperialism., which sought to establish itself as the world hegemonic leader, expanding its offensive military capacity and protecting its investments abroad (offensive structural realism), therefore, the implementation by Mexico of the doctrine comes from the assumption that in the international system each unit must seek its safety at all costs. At that historic moment, Mexico sought to strengthen its sovereignty, trying to amass enough power to be able to emancipate itself from the United States. Mexican American relations were forged during the first years of the doctrine's implementation, especially during the Calles government, which reassured the

neighbour to the north by ensuring their economic interests in Mexico. This fact is due to a standpoint of defensive structural realism, where countries try to balance the "balance of threat", and the most conventional way is the formation of alliances to protect themselves (Waltz, 1979)

The period between the end of the World War II and the end of the Cold War can be theorized as the peak of the life of the Estrada doctrine. During these years of bipolarity, the "free" use of the doctrine allowed Mexico to position itself in International Organizations. Due to the use of the doctrine the Mexican foreign policy draw a line on the principle of non-intervention and remained faithful to the principle, (except for some cases in which human rights and internal factors were predominant) and thus remained safe in this bipolar period. From all Realist perspectives there is no monopoly on power in world politics, each actor (State) adopts "self-help" measures to ensure their existence in the anarchic system. Anarchy is defined as "the overreaching constraint of world politics, anarchy does not mean chaos or disorder, but instead the absence of centralized or legitimate authority" (Drezner, 2015. P. 37)

After the Cold War and with the rising of the US as a solo hegemon, Mexican FP give used of Bandwagoning, another central theory of neorealism, is the opposite of balancing. It describes the inclination of a weak state to side with a hegemonic or threatening power to maximize its material gains and to ensure its own survival. A weak state bandwagon when it estimates that the costs of opposing or balancing a hegemonic power exceed the anticipated benefits of supporting it (Walt 1988; Mearsheimer 2001).

After the bipolar period of the Cold War, the doctrine mutated its interpretation towards a much more *liberal* approach, prioritizing human rights and democratic rule in order to get foreign investments. Nowadays, since the triumph of populism in Mexico, it has mutated again and has gone back to something much more similar to the strict non-intervention principle, but this time from a *constructivist* approach, which identifies the doctrine as a highly moral national symbol of national identity that is currently influencing the country's foreign policy.

4.2 Individual Leader (Decision Maker).

Obviously, individuals do not always play a determining role. Their influence varies as a function of specific circumstances. Carl Von Clausewitz specifies that the leader need "the intuition of a genius in order to rapidly change political, strategic or tactical circumstances"; Theory gives the insight to formulate the strategy but "leadership demands a distinguished

intellect and strength of character" in order to implement theory that will become strategy (Von Clausterwitz, 1832)

The presidential figure in Mexico has practically not changed its "vertical structure" in terms of power since 1917. The checks and balances established in Article 49 of the Mexican Constitution has divided the democratic system into three branches: Executive, Legislative and Judicial. Regarding international relations, the often-cited Art. 89 Fr.X is clear regarding the weight of power establishing "... the powers and duties of the President" as the following: "X. To lead foreign policy...."

This concentration of power makes an analysis of the personality of the president relevant, since, realistically, they concentrate power concerning foreign policy in a "unipersonal" way. For Malamud (2015), due to this FP power concentration, president-to-president interactions in Latin America can be understood as a dominant type of diplomacy, namely "interpresidentialism" (Malamund, 2015).

This study considers the analysis of the Individual leader or decision maker very important when it comes to FP as an individual's background and past experience may generate very personal emotions that have important effects on the decision-making process. Foreign relations are not immune to this consideration. This study adopts the premise that the decisions made by the actor in this situation are multi-determined by multiple conscious and unconscious meanings, and the most effective way examine this aspect is through a *psychobiographical* approach under the hypothesis that the personality and character of the president can influence as an agent of change of the understandings and use of the doctrine

For Schultz, "the aim of psychobiography is simply (and extremally complicated) the understanding of a person", the aim is to analyse and historically understand people, in this case leaders, and to uncover their possible private motives behind their public acts. Whether those acts involve the making or the adoption of political decisions (Schultz, 2005, 5).

It is not my intention to offer any minutely detailed psychographic analyses here. This study will examine the selected examples of three presidents of Mexico who were instrumental in the formation and evolution of the Estrada Doctrine. How individuality or "Psychotic truth" led them to follow certain distinctive patterns in decision making will be analysed (Volkan, 1977). Also, this analysis will try to resolve questions and motivations that led certain leaders to take decisions that can be considered as apparently irrational (Volkan, 1977). This psychobiographical analysis will follow a *total life* approach and is not only based on family and

background experiences, but also on possible influences from the time period of the decision making, thus hoping that it is possible to identify the confluence of factors during the life of the analysed that influenced the decision making process.

If we take into account the most radical variations in the Estrada Doctrine over time, the most notable presidents in this regard are: Lazaro Cardenas del Rio (1934-1940), Carlos Salinas de Gortari (1988-1994) and Andres Manuel Lopez Obrador (2018- to date). This is because during these mandates, the country experienced radical changes in foreign policy and therefore in the conception of the guidelines of the Estrada Doctrine.

4.2.1. Lazaro Cardenas del Rio: Oil Expropriation and Spanish exile.

The presidential term of General Lazaro Cardenas del Rio was marked by two fundamental political events in terms of foreign relations which implied of the application of the Estrada Doctrine. The first was the oil expropriation, which, as already mentioned, consisted of the nationalization of all petroleum reserves, facilities, and foreign oil companies (mostly American and British) in Mexico on March 18, 1938.

Without a doubt, the decision-making process around this event should not have been easy, since the country depended essentially on foreign investments. but before examining the decision-making process, we will first analyze the personality of General Cardenas.

Lazaro Cardenas was born in the year 1895 in the community of Jiquilpann, Michoacan as the son of a grocer and the oldest of eight brothers. Cardenas just coursed until the fourth year of primary school. During his childhood he helped his grandfather (a retired military man, who had fought against the French) to cultivate the land and that exposed him from an early age to life with the indigenous people who worked there. At age twelve, confronting his father who wanted him to continue studying, he began his first job at the local revenue office. At the age of fourteen, his father died, a circumstance that forced him to assume the responsibility of head of the family. In that year he changed his job to become a typographer for the printing press *La Economica*" where he came into contact with the revolutionary and liberal texts, which would have a decisive influence on his political ideas. In 1913, at the age of eighteen, he was reported for printing a prohibited revolutionary manifesto, and was left with the only option of enlisting in the armed forces against President Victoriano Huerta. Later in the army, he met General Pluarco Elias Calles, who esteemed him and made him his *protégé* and apprentice, who wrote notes and messages for the General. Calles referred to him as "Chamaco" (little one). After

that, Cardenas fought in favour of the army of Carranza. However, observing that none of the actions contained in the 1917 constitution were being carried out, he decisively declared himself to be against the president and adhered to the "Agua Prieta plan", which was an armed movement against Carranza. Some years later his mentor became president of Mexico and this connection promoted him to the rank of General Brigadier. Holding that position, he intervened by order of Calles on repeated occasions to quell uprisings between unions and oil companies, always prioritizing dialogue, and this led him to make friends within union spheres. In 1928, he became Governor of the State of Michoacan, where he began an arduous agrarian reform program which aimed to return land to the indigenous and rural workers so that they could work it and could subsist on the fruits of it. The indigenous people of Michoacan nicknamed him "Tata Lazaro" (Father Lazaro in Nahuatl). Two years later he became the President of the political party National Revolutionary Party (PNR), now PRI. In 1933, again supported by his mentor Calles (who was known at this time as the main leader of the "Maximato"), he became a candidate for the Presidency of Mexico (Perez, 2018).

It should be noted that Lazaro Cardenas was silent as a child, and this gave him the nickname "El Mudo" (The Mute). Within his biographies it is noted that he was very orderly and knew how to listen, and this generated sympathy especially with those who had some kind of problem (Krauze, 1987). It is also mentioned that he had a strong and steadfast personality, and that he did not let personal affections cloud his judgment (Anguiano, 1975).

His campaign motto was "I am the one who must go to them, because they cannot come to me", and his campaign was the first in the history of Mexico with a rhetoric directed towards the masses and not at the elites. This caused him to travel 27,000 km throughout the national territory. In 1934 he became president of Mexico and established a series of policies to favour the Mexican countryside and began to suppress plenipotentiary powers of public officials. For example, from 1934, he suppressed the immobility of judicial magistrates, reforming his term in office to be limited to terms of office for six years. Cardenas implemented a presidential austerity measure by moving from Chapultepec Castle, which he turned into a free public museum, which would exhibit the greatest nationalist works to date, with the explanation that "art is for all Mexicans".

This type of measure was not agreeable to his mentor, Ex-President Plutarco Elias Calles, who had a close relationship with the Americans, and he spoke with his protégé, asking him to maintain support of the elite and submit to their demands. Cardenas categorically ignored

Calles' recommendations, and such was the confrontation between them that in 1936 Cardenas exiled Calles from the country, generating what he would ultimately define as "a very painful personal rupture, for the national benefit." Later he founded the National Confederation of Mexican Workers (CTM) and with its support he carried out the Expropriation of Mexican oil in 1936.

Analysing the factors that determined the personality of Cardenas, we cannot fail to observe the nationalism and the respect for the army that his grandfather instilled in him. It is also necessary to establish that he always maintained a liberal and revolutionary ideology inspired mainly by the socialist precepts of equality and to emphasize the fact that during his life he had to stand up to his father figures, President Carranza and his mentor Plutarco Elias Calles; this undoubtedly served as character building experience while planning and carrying out the process of expropriation.

It is also possible here to allude to the analysis of emotions to what Hoslti calls "Heurestic shortcuts, as a method that can be used for a more direct examination of how leaders cognition influences foreign policy is to study the stereotypes that they hold with regard to foreign Stereotypes, sometimes referred to as images in FPA, are heuristic shortcuts that are conveyed culturally or shaped by the initial contact with foreign countries. Once they are deeprooted, stereotypes tend to persist even against the will of those who wish to be free of them "(Holsti 1962).

Cardenas lived through his military and political life in an era of American imperialism and this undoubtedly generated a stereotype of the US as the invader (Alexander, 2005). In this regard, the axiomatic foundations of the Estrada Doctrine rang very true to Cardenas as they aligned in every way to justify the expropriation of the oil industry. The doctrine reflected growing Mexican nationalist sentiment and in addition, the interpretation of the doctrine took advantage of the conjuncture of the policy of the good neighbor of Roosevelt so Cardenas became emboldened enough to challenge the imperialist yoke by implementing Article 27 of the Mexican Constitution and thus to nationalize the goods. Cardenas, as on previous occasions, faced a paternalistic (US) figure head-on.

The second important historical FP event within the period of the Cardenas government that implied influence of the Estrada Doctrine was that of "Spanish Exile ".

In 1936 the Spanish civil war broke out with the coup d'état lead by General Francisco Franco in a cunning attack on democracy against the government of the Second Republic. This movement divided the Iberian country and in the bloody conflict many innocent people were killed. Cardenas, in contradiction to the axiomatic principles of the Estrada Doctrine, declared his disapproval and roundly condemned the acts of General Franco in the league of nations, and he authorized the sale of Mexican arms (allegedly gifted). Later, in 1937, Cardenas received a group of 456 children of Spanish republicans, dubbed "Los niños de Morelia". In the years to come and as a result of Cardenas' position on the subject, the Mexican government was to accept many republican Spanish refugees. We could use the "heuristic shortcut" here to explain that the stereotype image that Cardenas had of Spain is different from the imperialist one; to a large extent Spain has provided the basis for Mexican culture and in this case the "paternalistic" figure of historical Spain was perceived to be reborn in Franco's regime. The Spanish Second Republic, on the other hand, could be seen to parallel revolutionary Mexico.

This was the only exception to the Estrada Doctrine identified within the foreign policy of Cardenas, who fully followed the Doctrine when he opposed the invasion China by Japan in 1937. He condemned the "Munich Pact" (1938), condemned the fascist aggression of Italy towards Ethiopia in the League of Nations in 1936, offered asylum to Leon Trotski in 1937, censured the Soviet aggression toward Finland and after the attack on Pearl Harbor (1941), and broke relations with the axis countries, approving the air and maritime traffic of the allies on land, sea and Mexican air space.

Finishing his mandate, he wrote in his diary (owned by the nation) "I made an effort to serve my country and with greater persistence the needy people I cancelled many privileges and distributed a good part of the wealth that was in few hands" (Cardenas, 1942, 22).

4.2.2. Carlos Salinas de Gortari, NAFTA and the economic expansion.

Carlos Salinas de Gortari was born in 1948 to a wealthy family in an environment close to politics and culture. When they were three and five years old respectively, he and his older brother Raul, participated in a tragic accident when they accidentally fired a rifle on a domestic worker, who would lose her life. His father, who would achieve important positions in politics such as Senator and State Secretary, was obsessed with the idea of being president of Mexico, an obsession that he would instil in his children.

In 1966 Carlos began his studies in Economics at the National Autonomous University of Mexico (UNAM), the most respected university in Mexico. Among his teachers was one who would later become President of Mexico, Miguel de la Madrid Hurtado.

After graduating from the UNAM, Carlos Salinas, who was an outstanding student, attended Harvard University where he obtained the title of Master of Public Administration and a second one in Political Economy. Four years later he obtained a PhD. in Political Economy and Government with honors from Harvard.

At the end of his Harvard experience, he returned to Mexico to work at the Secretary of Finance and Public Credit (SHCP) until 1981, when his former teacher Miguel Aleman Valdez invited him to be one of his campaign directors while running for the Presidency of Mexico. After winning the campaign, the president appointed him as Secretary of Programming and Budget. Simultaneously, he was emerging as the leader of a political group within the PRI called "The Technocrats" that consisted of young economists educated abroad and with enough technical knowledge to manage the economic variables of the country.

Salinas is said to have been the most important economic adviser during the Miguel Aleman government, and he became the PRI candidate for the Mexican presidency in 1988. That moment marks him because his father, who had always had a predilection and favoritism towards his brother Raul, upon learning of his candidacy asked for forgiveness and thanked him for carrying out the "family dream".

He assumed the presidency in 1988 amidst the most controversial elections in the history of Mexico. His hand in power was immediately seen by considerably reducing the foreign debt and privatizing more than 1000 unproductive nationalised companies that represented an economic burden for the country. In turn, he instigated the "Solidarity" program, which has been the largest in terms of infrastructure in the history of Mexico. And perhaps the most important part of his mandate was the negotiation and signing of NAFTA with the United States and Canada. It should be noted that his work team was characterized by having highly trained people in each of the secretaries.

Having studied economics his profile was profoundly prone to neoliberalism. Although he always said that through his knowledge and the implementation of his social programs he did not consider himself a neoliberal but "liberal-social" he always showed rejection of populism, but nevertheless he insisted that the inferiority complex established in the subconscious of Mexicans needed to be removed, because he was of the opinion that Mexico was capable of anything, and aiming for this "New nationalism" he stated: "we will be considered "first world" at the end of the mandate. Also, Carlos Salinas always resented what everyone called the

electoral fraud of '88, which materialized in an excessive need to bring Mexico to levels never seen before, this to offset the perception of the people regarding his dubious coming to power.

In Salinas' third government report he stated that:

"... Foreign policy continues to be based on the defence of the traditional principles that have sustained it. However, there is a new interpretation of the specific ways of applying these principles. For the current administration, non-intervention should not mean immobility or justification for what is in violation of the principles that it is intended to defend; Mexico will not confuse the defence of its principles with an interpretation that favours those who oppress their peoples. To be faithful to the principles is not to condone the violation of human rights anywhere in the world. The respect of the nations that we demand for ourselves does not consent to what goes against our own values. Non-intervention and self-determination of try to disfigure the foreign policy of Mexico in this regard, is to defend today those who were criticized yesterday. This is an inconsistency that our international policy does not admit; that is why we act according to principles and not in defense of the interests or visions of small groups, but of the national interest" (Salinas de Gortari, 1991).

In order to understand his interpretation and use of the Estrada Doctrine, we must take into account that the end of the cold war and the beginning of the hegemony of the United States served as incentives and determinants for Salinas' foreign policy. As we can see in the speech previously exposed, the positions of foreign relations changed from what had been a cautious period to one that was much more liberal, opening up Mexico as well as the modern market with intense negotiations. Now it was about using all possible legitimization methods on the global scene and of course towards the United States. Salinas knew that NAFTA was the gateway to foreign capital; he considered that he never completely abandoned the traditional practices of Mexican foreign policy, but simply re-interpret them, making them more "Globalized", Mexican nationalism was redefined as "progressive nationalism". The sceptics were undoubtedly won over to these changes with a policy that maintained the nationalist principles but inducing very correct syllogisms where it reveals the original intention of the doctrine (imminently liberal), making it appear that it cannot be applied rigidly to countries where fundamental rights are violated. In addition, in terms of foreign policy, he never ceased to have a predominant role in Latin America where Mexican consensus-based diplomacy played an active and decisive role in the peace processes in Guatemala and El Salvador, always

trying to be seen as a regional leader (Velazquez, 2007). During his presidency Mexico also signed free-trade agreements with Venezuela, Bolivia and Colombia.

A common measurement tool used within Psychobiography is the level of "cognitive complexity". Within Carlos Salinas this was very high, and according to Morin, quality "made him more comfortable with ambiguous situations, surround themselves with advisors who are not afraid to express their differences, adapt more easily to changing situations, consider a broader repertoire of action, find more suitable analogies for a given situation, show greater respect for international standards, are more willing to negotiate agreements with their adversaries less likely to resort to military force" (Morin, 2018)

Salinas' profile is of an autocratic leader, not necessarily transparent personality, who always tries to get away with things. This turned out to be a very advantageous quality in matters of efficiency since it absolutely controlled the country. Salinas is considered, in political slang, to be a genius: demanding, dominant, controlling, but also very suspicious. The constant hunger for power and achievements that he had always ingrained in him led him to change to a country, which for a time had the reflectors and recognition of the entire world. However, like Icarus, Mexico exceeded its capabilities, and its six-year term ended with a Mexico immersed problems of devaluation and with the Ejército Zapatista de Reconstruccion Nacional (EZLN), a guerrilla movement that came into being as a result of the government's neglect of its indigenous peoples.

4.4.3. Andres Manuel Lopez Obrador (AMLO) and the reestablishment of the "Original" Estrada Doctrine

Andres Manuel Lopez Obrador was born in Macuspana, Tabasco in 1953; of a family with seven brothers, he was the firstborn. His maternal grandfather was a Spanish refugee, who allegedly had a superiority complex based on her origins and whom he apparently disliked, and his paternal grandparents was of indigenous ancestry. He was the first child in a middleclass family, he studied elementary school in the only primary school in the town where indigenous people attended and, in the afternoons, he helped at his parents' small store. Later he studied middle and high school in public schools in Villahermosa, the capital of the state.

At 19 years old, he went to the capital to study a degree in public accounting and administration. During this period, he lived in what became known as "the house of the Tabasco student" where he also lived with indigenous scholars of the State Government. There he met Carlos Pellicer who became his mentor. Pellicer was a well-known writer and politician, who was also an indigenous social fighter and educator. Together with artists of the time such as Diego Rivera, and Jose Clemente Orozco among others he founded the "Solidarity group of the labor movement" with socialist ideas. AMLO, as he later became known, has always said that his favourite authors are Pellicer and Leon Tolstoy (Krauze, 2006).

AMLO began his political career at the PRI where he was state delegate for the National Indigenous Institute (INI) and President of the State indigenist steering Committee in Tabasco. His socialist ideas did not find a home within the PRI, so he decided to leave the political party. In 1988 he was a candidate for governor of Tabasco with a coalition of socialist parties (which included three of the four really small leftist parties), he lost that election against the PRI by a margin of 21% against 78%. At the end of the election he joined the largest leftist party of the country, the Democratic Revolution Party (PRD) and published the book "Tabasco, Victim of a fraud". After this publication he began what was his first great march, named "Exodus for Democracy" by walking from Villahermosa to Mexico City and this ended with the annulment of the election results in three municipalities in Tabasco by the electoral court.

In 1994 he returned as a candidate for the Government of Tabasco, but this left him defeated for the second time. On this occasion he organized the "Caravan for Democracy", demanding the annulment of the election. AMLO, in a political move, took advantage of the context of the partial privatization of PEMEX to popularize his caravan that ended at Mexico City with 40,000 people. AMLO's popularity increased considerably and in 2000 he won the elections to be the Head of Government of the Federal District (Mexico City). After an administration of varying success, he ran for the presidency of Mexico for the first time in 2006.

Lopez Obrador lost in his first attempt to be the President of Mexico to Felipe Calderon of the Partido Accion Nacional (PAN). After having lost his judicial challenge to the election results, AMLO decreed (and even self-proclaimed his oath of office from the office of the president) on November 20, 2006 a "Legitimate Presidency", that obviously did not last but led to him winning more popularity. During that period 2006-2012, he carried out several protest actions including occupations of Congress, sit-ins, public accusations of several members of the government, and he angrily dismissed the oil reforms which were being implemented during this period. In 2012 he again stood as a candidate for the presidency of Mexico and for the second time he lost the election against Enrique Pena Nieto of the PRI. After this, he resigned

from the PRD and formed his own political party named *Movimiento de Regeneracion Nacional* (MORENA). In 2018, he sought the presidency for the third time and achieved it with a vote of 53% of the votes. His party placed a majority both in the Chamber of Deputies and Senators.

AMLO has always had a very peculiar conception of national sovereignty, one which he has described in his publications, for "public debt leads to the loss of sovereignty", since the more holders of public bonds exist, the more the government will have to be accountable to foreign investors and banks. This vision is diametrically opposed to that of Carlos Salinas (Lopez Obrador, 1999, 2004).

Under this premise, the interpretation of the Estrada Doctrine rhetorically returned to its root form as is manifested in his support towards Maduro in Venezuela and the giving of asylum of Evo Morales, exiled from Bolivia. Undoubtedly AMLO's personality, profile and emotions contributed to the radical change in Mexican foreign policy. In addition, Lopez Obrador very intelligently has collected the Estrada Doctrine as a bulwark of Mexican nationalism and has embedded it into his imminent nationalist and populist political rhetoric.

AMLO's character has always led him to be on the side of the unprotected, normally in positions against the government, and this has given him extraordinary results, to the point of taking him to the Mexican presidency. This in turn has generated the need for a kind of "constant fight" attitude.

As a good populist there is no middle ground in his absolutist speech; terms like "always" and "all" indicate a lower degree of complexity and more general, absolute and coarse mental categories, therefore he generally perceives the world dichotomously in this manner. He is quick to identify foreign powers as enemies and as evil, and to see internal powers as friends and good (Morin, 2018). The same line of thought as the previously mentioned provides a constant polarization of "the wise poor vs the elites".

On the other hand, his profile shows that he does not fall into provocations and prefers to resolve conflicts before engaging in them. He is accustomed to always imposing his own way of working. Ramón Morales (2018), expert in political and academic discourse at the Universidad Panamericana, assures us that "AMLO is an elusive person, he does not get hooked and avoids duels, especially if it is with competitive people like Donald Trump, who only want to appear and win at all costs. Therefore, generally, he treats others with tact and diplomacy.

When it comes to the reestablishment of the Original Estrada Doctrine as an axiomatic guide to Mexican relations, many, including Human Rights Watch, have seen Mexico's position as ideologically driven, seeking to shield a like-minded leftist leader from international pressure (HRW, 2019).

4.3 Domestic Factors

Foreign policy must be seen as a dynamic function of internal politics, as both are inextricably interconnected. In relation to the subject at hand, we may comment that the Estrada Doctrine has been interpreted and applied with the biases of ideologies typical of political parties.

Political parties are represented in three essential agents for making foreign policy decisions: the executive, the senate, and the cabinet. As mentioned above, due to article 89 Fr. X, the executive has the power or authority to direct foreign policy in Mexico. Supposedly this faculty is shared with the Senate through certain processes of checks and balances that in prectice doesn't really exists

In Mexico, in accordance with article 76 of the Constitution the Senate of the Republic is in charge of analysing the foreign policy decisions made by the President and approving the international treaties and diplomatic conventions that it signs, as well as the appointments of ambassadors and consuls. Although the Senate in actual practice is widely endorsed by the executive, it has 8 commissions related to foreign policy, which are undoubtedly an open forum for opposition parties to expose their concerns and contraventions to the current national at the international level.

The cabinet depends on approval and are subject to the president, but they represent an essential factor advising the executive in making decisions. The Secretary of Foreign Relations has always come from the same political party as the president of the republic.

In order to analyse the domestic factors that can generate change in the interpretation and implementation of the Estrada doctrine into the Mexican FP, I have decided to focus on a figure that combines the three actors previously mentioned and that in practice is called *Political Regime*. A regime is the name usually given to a Government or sequence of governments in which power remains essentially in the hands of the same group, including within the divisions of each political party (Lawson, 1993). A regime can be the controlling body of political power

and its relations within a society. This body determines who has access to political power and how those who are in power impose their ideas and deal with those who are not (Fishman, 1990)

In addition to the distinction of political parties in power, it is important to highlight that the political regimes has historically concentrated, except for the Vicente Fox government (2000), the majority of the representation within the Senate of the Republic and within all regimes, the political party in power has appointed the majority of representatives within the Cabinet.

A political regime is made up of: 1) the ideologies, values, principles and beliefs that underpin the overall project of the regime; 2) the norms or rules that regulate the political life and define the spaces and competences of the actors involved in the process of elaborating authoritarian decisions; and 3) the structures of authority, which refer to the set of roles that express the way in which those who hold political office will behave (Morlino, 1985).

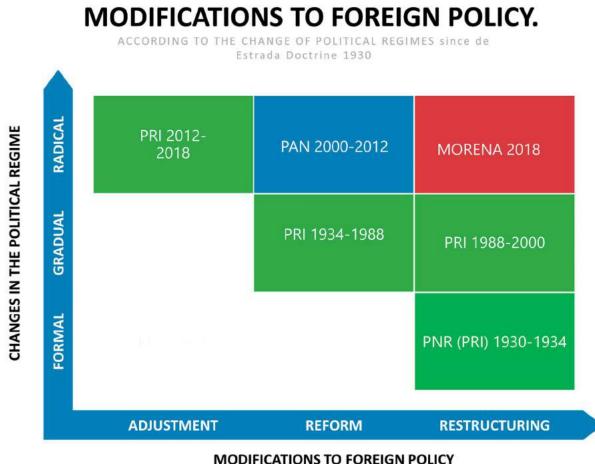
It is prudent to make the clarification that the definition of "Political Regime" to which we refer, in Mexico and in Latin American countries has a pejorative connotation, because it is normally used to signal authoritarian governments. Within this study, the definition of "political regime" will not be used in a pejorative sense and it will not have any qualifying function.

4.3.1 Analysing the impact of regime change

In Mexico three political parties have led political regimes and these have different and highly identifiable ideologies: Left (MORENA), Centre (PRI) and Right (PAN).

To carry out an analysis of foreign policy which takes into account the impact on the change of regimes, it is necessary to specify the magnitude or intensity and type of change. This when historically there has been a change in orientation and structures between regimes. *Formal*; This implies that there is a change of regime within the party or faction that governs, without there being a significant alteration in foreign policy. *Gradual*; This occurs when there is a change or replacement of the group that governs by another of a different orientation. This implies changes in foreign policy, but it will coexist with elements of continuity and change, which will take place gradually, making the necessary changes analyzing the necessary structural changes. And *Radical*; changes are general immediately due to the total breakdown

of principles and ideologies between regimes, the entire structure chans in a very short time. It normally implies a change in the party (Lasagna, 1995).



Mobiliterions to Foreign Fe



PNR (PRI) 1930-1934

When General Pascual Ortiz Rubio took over the presidency of the republic in 1930, although he did not come from a different party (PNR) and the change is categorized as "formal" in terms of the above definitions, there was a major restructuring of Mexico's foreign relations and the implementation of the Estrada Doctrine flag that restructuring. This regime distanced itself from "Maximato" and laid the foundations for promoting Mexico at an international level. This distancing nullified the Calles-Morrow pact, generating the beginning of the process of emancipation of the united states. This regime also created the framework for the formal institutionalization of the Ministry of Foreign Affairs.

PRI 1934-1988

In the regime that begins with the government of Lazaro Cardenas, there is no change of political party in power, since the PNR becomes the PRI, but there is a replacement or change in the ruling group. This new group has a very different ideology with paternalistic overtones.

This new mindset places new importance on the tenets of the Estrada doctrine as it implies a reform of the entire Mexican foreign affairs system that is crowned with the implementation of Article 27 of the constitution and the oil expropriation. This reform within the way to act of Mexico, would define the country foreign policy for the next 54 years.

Much of the nationalist meaning associated with the Estrada doctrine comes from the period of the nationalisation of the oil industry. This historical period has become romanticised within popular Mexican culture as marking the end of American imperialistic dominance. During those years Mexico stood out as the leader of Latin America in matters of foreign policy, and the Estrada Doctrine was emulated by several countries during that time and the UN even adopted the principle of non-intervention in 1965.

PRI 1988-2000

In 1988 Carlos Salinas de Gortari assumed power. There was no change of party, but there was one of regime: The group denominated "technocrats" changed the PRI's centralist and paternalistic ideology for a more internationalist one, especially from an economic point of view. It was considered a "Modernizing structural change towards a neoliberal foreign policy" (Ramirez, 2017).

This change generated an imminent turning point in the interpretation of the Estrada Doctrine. However, the new regime recognized the nationalist importance of the doctrine and did not completely discard it, but revaluated it and gave it different nuances, giving use of the abstraction and flexibility that is inherent to any doctrine. NAFTA and later the signing of the free trade agreement with the EU in which Mexico reinforced its international commitment to human rights as the guiding axis of any international interaction.

PAN 2000-2012

The PAN regime turned the conception of the doctrine around radically. After 80 years a political party other than the PRI finally was able to take power. The liberal and neoliberalist

ideals of the PAN party were implemented in the SRE. This period cannot be considered a restructuring, but it can be seen as a reform because the previous, PRI, regime had already begun to give a more liberal look to the practice of foreign relations.

The Estrada Doctrine was practically relegated; it was only used by the PAN in an attempt to manipulate public opinion for political purposes. In 2003 Fox declared against the incursion of the United States to Iraq, because that was the year for mid-term elections and the decision to challenge American interests was very profitable at the polls. Generally, the PAN party considered that the practices of the doctrine were one more instrument that the PRI party had used to maintain the hegemony and power in the country.

To this day, the Estrada Doctrine does not include nor has adopted the "democratic" side into its axiomatic values; what is essential to date for the PAN to consider it in force.

PRI 2012-2018

In his inauguration Enrique Peña Nieto (2012) defined "consolidation of the position of Mexico in the world "as a goal of his foreign policy. Although his win brought about a change of political party, and is considered a radical change of regime, the regime of the so-called "New PRI" maintained many of the internationalist positions of the PAN and the modifications to foreign policy actions may be considered as merely adjustments.

The PRI during this period found a way to fully incorporate the Estrada Doctrine as the axiomatic guideline for its foreign policy, but nevertheless, always the regime always respected international agreements and maintained respect for human rights.

The goals in terms of foreign relations of this regime were based on 4 objectives 1. Expand and strengthen Mexico's presence in the world. 2. Promote the value of Mexico in the world through economic, tourist diffusion and cultural activities. 3. Reaffirm the country's commitment to free trade, capital mobility and productive integration. 4. To watch over the interests of Mexicans abroad and protect the rights of foreigners in the national territory (National development plan, 2012).

During this period of government, economic issues were prioritized, highlighting the country's participation in the Trans-Pacific Strategic Economic Association Agreement (TPP) and in the

Pacific Alliance (Villamar, 2013). The partial privatization of oil was also carried out during this political term.

The ideology of this "New PRI" took up ideologies of centralism and paternalism again but now with a broader global agenda, where it aimed to enable the country to receive more foreign investment and it understood that the way to ensure foreign capital investment was to comply with international treaties, adapting the precepts of the Estrada Doctrine to a more internationalist agenda.

MORENA 2018- Present

MORENA's regime objective is to provide an alternative nation to the neoliberal model of the previous decades. Its ideology is based on leftist positions, which seek to drive development through social initiative. Revolutionary Nationalism prioritizes state participation by displacing corporatism, leaving the State as the main promoter of the economy (Gamboa, 2015).

With AMLO there has been a 180 degrees turnabout in terms of foreign relations. For the new president, it is important to assume the tenets of the "Original Estrada Doctrine", and he asserted by supporting Nicolas Maduro in Venezuela and condemning a coup d'état to Evo Morales in Bolivia. Both positions opposed the stance of the OAS. For the Mexican president and the Secretary of Foreign Relations, the application of the original Estrada doctrine does not contravene the provisions of Art. 89 Fr. X of the Constitution.

Some inconsistencies have marked the application of the Estrada Doctrine during the current government. An example of this is that in order to sign the restructuring of the USMCA in 2020 (formerly NAFTA) Mexico ceded, under pressure from President Trump, to legitimize foreign panels to determine certain labour controversies, ruling over Mexican law in Mexican lands. This submission contrasts with the principles of sovereignty framed by the Estrada Doctrine (section IV will give further explanation).

4.4 Constitutional and normative changes

Constitutional changes are the fourth level of analysis in this study. Three principles emerge from the theoretical and practical definition of the Estrada Doctrine which relate to the legal framework regarding the implementation of the doctrine in the context of foreign relations: the principle of non-intervention, which can be extended to the dilemma of sovereignty in the case of humanitarian intervention; the safeguard of human rights and the *prohomine* principle; and lastly, cases of institutionalization and international treaties.

In order to carry out the analysis, it must be understood that constitutional amendments are made through formal and informal processes. Reforms represent the normal process, while mutations occur as part of the informal process, in which the alteration of the constitution (or of the sense of the norm) is made effective, even though the text itself as stated in the constitution remains the same. This kind of change has its origin in parliamentary, administrative or jurisdictional practice. In the words of José Alfonso da Silva, "constitutional changes must be understood as implicit non-formal changes to the constitution through which constitutional provisions adapt to reality, without undergoing any alteration in its text, but in its content or the way in which is it comprehended"(Silva, 1999, p. 2).

The doctrine of constitutional mutations considers that the reform procedure is sometimes insufficient in achieving the adaptation of the constitution to reality, or at the speed required by reality (Uribe, 2012). For the traditional theory it is not feasible to recognize the informal modifications, since they do not undergo the legal process: However, authors such as Klaus Stern sustain that in the daily practice Executive, Legislative and Judicial powers in Mexico, a number of specific problems have to be solved that do not find a solution in the Constitution, or the application of the norm is imminently incorrect or impractical, because it does not conform to current reality.

For the famous German jurist Georg Jellineck, who was the first great exponent of the doctrine of constitutional mutations, constitutional rigidity, in many cases, constitutes an insufficient guarantee to ensure the normative power of the Constitution. Furthermore, constitutional mutations suppose the operated change for unintentional acts that do not expressly alter the text of the constitution (Jellineck, 1906). On the other hand, Laband, another German author, argues that although the constitutions is a set of legal norms in a strict sense, the action of the state has the ability to transform them without being formally modified, being that these changes occur through the uses and customs of the public powers.

There are classifications on constitutional mutations, the most current being the one provided by Vicente Benitez, who states that mutation can occur due to"... a) political practices; b) bylaws authorized by the same constitution or by other types of legal acts; c) mutations introduced through the constitutionality block and d) coming from interpretations of constitutional clauses through jurisprudence" (Benitez, 2011, p. 306).

In the case of Mexico, mutations may not always be accepted, as constitutional supremacy and power must always be respected (Carpizo, 2011). The Mexican Constitution is very rigid, although the number of amendments indicates otherwise. This is due to the 80-year hegemony of the PRI as the sole political party in power. Constitutional mutation is a recurring practice throughout the world, for example, in Italy it is applied under the name of "Implicit Constitution" and not of "Historical Constitution" making the application of the law more dynamic, adjusting to social changes and founded on the values of social coexistence.

4.4.1 The principle of Non-intervention

The principle of non-intervention is a basic guiding axis of the Estrada Doctrine, inspired by the international policy of the aforementioned Carranza Doctrine, which can be summarized in the following statements: all countries are equal; they must mutually respect their institutions, their laws and sovereignty; and that no country should intervene in any way and for any reason in the internal affairs of another. This Principle would function as a national paradigm in the area of Mexico's foreign relations and it the main tool of Mexican foreign policy since September 27, 1930, when Don Genaro Estrada sent a circular to diplomatic representations regarding the proceeding measures to be taken after the coups occurred in South America, the latest of which happened in Argentina, but further considering what happened in Bolivia and Peru in the same year.

The customary practice of the principle of non-intervention remained applicable with the character of "Constitutional mutation", in the sense of it not being reflected in the Magna Carta. However, according to Article 133 of the Mexican Constitution of 1917:

Art. 133. This Constitution, the Congressional Laws that emanate from it, and all the treaties that have been made and that will be made by the President of the Republic, with the approval of the Congress, will be the supreme law of the entire Union. The judges of each State will comply with the Constitution, Laws and Treaties, despite the contrary provisions that may exist in the constitutions or laws of the different States (CPEUM, 1917).

In conclusion, although the non-intervention principle discussed did not work in the Mexican constitution, it did exist in the 1933 Convention on the Rights and Duties of States (Montevideo Convention), where it was established that "No State has the right to intervene in the internal

or external affairs of another", complemented by the Protocol of Buenos Aires of 1936 when it was added that "in case of violation of the provisions of this article by any of the parties, mutual consultation would take place, in order to exchange ideas and seek a peaceful settlement procedure ". On the other hand, when the UN was created in 1945, the principle was stipulated in the Letter of San Francisco in Art 2.7 and after the General Assembly adopted the principle it was stated in its 1965 resolution, number 2131 that:

"No State has the right to intervene directly or indirectly, and for whatever reason, in the internal and external affairs of any other. Therefore, not only armed intervention, but any other forms of interference or menacing threat to the personality of the State, or the political, economic and cultural elements that constitute them, are condemned" (UN, 1965).

Subsequently, at the 1970 General Assembly number 2625, it was to be added that failure to comply with the preceding resolutions would constitute a violation of International Law.

At the same time, it must be considered that in addition to the UN, the most representative international organization for Mexico is the OAS, and that within its 1948 Organization Letter stipulates that:

"No State or group of States has the right to intervene, directly or indirectly, and for whatever reason in the internal and external affairs of any other" (OAS, 1948).

Mexico maintained the principle of non-intervention without including it in the constitutional text until 1988, when under the administration of President Miguel de la Madrid Hurtado, Art. 89 Fr.X the constitution was reformed. Miguel de la Madrid Hurtado, in his explanatory statement, argued that no foreign interest is entitled to impose its will on another and that Mexico's foreign policy had always been conducted with respect for the principles proposed in the reform. This earned respect for Mexico and turned it into a country which was known always to invite dialogue and negotiation (Leal, 2016).

According to the 1988 reform, Art.89 Fr.X was as follows:

Article 89. The powers and duties of the President are the following:

X. To lead the foreign policy; to make and execute international treaties; as well as to end, condemn, suspend, modify, amend, withdraw reservations and make interpretative declarations relating to such treaties and conventions, requiring the authorization of the Senate. For these purposes, the President of the Republic shall oversee the following principles: the right to self-determination; non-intervention; peaceful solution of controversies; outlawing the use of force or threat in international relations; equal rights of States; international cooperation for development and the struggle for international peace and security "(CPEUM, 1988).

This historical moment represented the climax of the Estrada Doctrine. In that its principles were raised to the constitutional level, it made strict application of the doctrine obligatory. Previously, even though it had been considered the basis of foreign relations, it is undeniable that some presidents did not feel constrained by the principle of non-intervention which was simply put aside, in the words of Gutierrez Babylon "even on the mere theoretical level, international political interaction is almost unthinkable without generating some kind of friction with the scope reserved for other states" (Gutierrez, 2005, p. 79). From that moment the axiomatic character of the Estrada Doctrine was materialized in law, doubts were raised about the practicality or pragmatic value of having kept it out of the constitution. For example, the former secretary of foreign relations Emilio O. Rabasa (1970-1975), said that during his term in office he had considered proposing its annexation to the constitution, but after having discussed it with experts in the field it had become clear to him that it was better to have it tied up with Article 133 in an indirect way rather than directly in a constitutional article. In addition, he thought that dating from the 1988 reform, every new president or regime would want to reform the article by establishing their preferences (Rabasa, 2005). From an IR perspective, raising the doctrine to constitutional status ensured advantages such as better diffusion, an understanding of its scope and meaning, and a more rigorous analysis of both the theoreticallegal and the practical-political fields (Gómez-Robledo 2001, p 197).

The factor that would become of importance and that was not considered in 1988 is that a year later the cold would end and a radical change in the perception of non-intervention would challenge the textual application of the recently reformed article.

At the end of the cold war, the flexibility of the principles of the Estrada doctrine began, the first evidence of this occurred in 2001 in the city of Lima, which was the Inter-American Democratic Charter was signed, a document which began to align democratic principles regarding the strict use of non-intervention, asserting that it is not a dichotomy, but that both principles can coexist. In its first determined criterion the Charter establishes:

"The letter from the United States Organization recognizes that representative democracy is essential for the stability, peace, and development of the region, and that one of the obstacles

of the OAS is to promote and consolidate representative democracy while respecting the principle of non-intervention" (OAS, 2001).

During the debates that took place while the letter was being drafted, the Secretary of Foreign Relations of Mexico, Jorge G. Castañeda (First Secretary of Foreign Relations of the PAN), stated that the Charter represented a great step forward in the construction of the "new international architecture", which in the past, the tacit acceptance of non-intervention had favoured authoritarian and dictatorial regimes, and tolerance for such governments should have completely disappeared (OAS, 2001). By signing this letter, Mexico committed to abide by the provisions, otherwise its right to participate in the OAS could be suspended.

This change of legal course diminished the use of the framework of the original Estrada doctrine since now values of democracy prevail. Although Article 89 Fr. X. does not stipulate it verbatim to date, by "constitutional mutation" and according to what is stipulated in Article 133 regarding international agreements and treaties, it would be understood that Mexico should legally follow the mentioned guidelines and preponderate or at least surpass democracy and the principle of non-intervention. This is a clear example of the mutation or evolution of the doctrine, since it has not completely lost validity, but in this case constitutional factors limit its use, therefore, it has changed from its "original" state.

4.4.2 Mexico and Human Rights.

The National Human Rights Commission (CNDH) was created in Mexico in 1990. Two years later, it was raised to the constitutional rank (Article 101). The country's first opening to international scrutiny took place in 1994 when international observers were invited on the occasion of the presidential elections (and in subsequent elections). Mexico accepted the contentious jurisdiction of the Inter-American Court of Human Rights in the year 2000. After the alternation in power in 2000, the government of President Vicente Fox urged the High Commission of Human Rights of the UN to create a representative office in Mexico (Gil, 2001). After this, with the signing of the Rome Statute, which allowed for the birth of the International Criminal Court, the Mexican government ratified it in 2005. Nevertheless, this was done with certain reservations in constitutional article 21. Mexico thus began a new era in what concerns human rights that culminated in the constitutional reform of 2011, which adds one more principle of Mexican foreign policy: the protection and promotion of human rights, according to the "*Prohomine* or *Propersonae* Principle".

The Constitutional reform of 2011 of matters regarding human rights of was substantial, as various articles were reformed. However, the most important changes regarding foreign policy and therefore the interpretation and implementation of the Estrada Doctrine were those established in what is highlighted within of the following items:

Chapter I

Human Rights and Guarantees

Article 1. In the United Mexican States, <u>all individuals shall be entitled to the human rights</u> granted by this Constitution and the international treaties signed by the Mexican State, as well <u>as to the guarantees for the protection of these rights</u>. Such human rights shall not be restricted or suspended, except for the cases and under the conditions established by this Constitution itself.

The provisions relating to human rights shall be interpreted according to this Constitution and the international treaties on the subject, working in favour of the broader protection of people at all times.

<u>All authorities, in their areas of competence, are obliged to promote, respect, protect and</u> <u>guarantee Human Rights, in accordance with the principles of universality, interdependence,</u> <u>indivisibility and progressiveness. As a consequence, the State must prevent, investigate,</u> <u>penalize and rectify violations to Human Rights, according to the law.</u>

Slavery shall be forbidden in Mexico. Every individual who is considered as a slave in a foreign country shall be freed and protected under the law on entry into the country.

Any form of discrimination, based on ethnic or national origin, gender, age, disabilities, social status, medical conditions, religion, opinions, <u>sexual orientation</u>, marital status, or any other form, which violates human dignity or seeks to annul or diminish the rights and freedoms of the people is prohibited" (CPEUM, 2011).

The most important reform is undoubtedly that of Article. 1 of the Constitution which consisted mainly of the point that from the time of its approval the State does not grant these rights, but recognizes them, relating this approach with the interpretation of the *propersonae* principle in allegiance with the world's main conventions on the subject. The article recognizes the elementary principles of human rights of "universality, interdependence, indivisibility, and

progressiveness". In turn, the reform obliges the competent authorities to "Promote, respect, protect and guarantee human rights".

Article 89. The powers and duties of the President are the following:

X. To lead the foreign policy; to make and execute international treaties; as well as to end, condemn, suspend, modify, amend, withdraw reservations and make interpretative declarations relating to such treaties and conventions, requiring the authorization of the Senate. For these purposes, the President of the Republic shall observe the following principles: the right to self-determination; non-intervention; a peaceful solution to controversies; outlawing the use of force or threat in international relations; equal rights of States; international cooperation for development; the respect, protection and promotion of human rights; and the struggle for international peace and security "(CPEUM, 2019).

The impact of the reform inserting Article 89. Fr X. which refers to "the respect, protection and promotion of human rights", limits the implementation of the Estrada Doctrine in that it positions human rights as a priority in law. I am of the opinion that the reform could have been more explicit and contain the phrase "Prioritizing the respect, protection, and promotion of human rights" and thus be completely aligned with what is already contained in Article 1 of the constitution.

Another constitutional article that has a far-reaching impact on the practice of Mexican foreign policy and confines itself to the topics of non-intervention and human rights is 133:

Article 133. This Constitution, the laws derived from and enacted by the Congress of the Union, and all the treaties made and executed by the President of the Republic, with the approval of the Senate, shall be the supreme law of the country. The judges of each state shall observe the Constitution, the laws derived from it and the treaties, despite any contradictory provision that may appear in the constitutions or laws of the state" (CPEUM, 2020).

Regarding the relevant treaties, international law establishes the fundamental principle of *pacta sunt servanda* in article 27 of the 1969 Vienna Convention, which establishes that "a State may not invoke the provisions of its domestic law as justification for non-compliance with a treaty "(Vienna Convention, 1969), a provision that is ratified by Mexican jurisprudence.

Nevertheless, it must also be clarified that the aforementioned Convention, in Article 46, establishes the possibility of protecting the internal rules of fundamental importance regarding the competence to create treaties. This is a case that leads to the invalidation of treaties, which

implies there is a supremacy of the Constitution (Becerra, 2000). In the Mexican legal system, the above is reflected in the jurisprudential thesis 192867 of the Supreme Court of Justice of the Nation, derived from Amparo 1475/98 which states that:

"International Treaties are located hierarchically above federal laws and below the Federal Constitution."

Derived from what was stated previously, on occasions and for merely political reasons, the Mexican Exterior Relations Secretariat (SRE) and the President of Mexico have validated the provisions of the previous jurisdictional thesis to justify certain actions in foreign policy, taking advantage of the legal flexibility possible within the interpretation of the constitution.

On the other hand, the problem regarding compliance with treaties lies in the fact that the international legal system is composed of norms, processes and institutions; and the interactions of these elements generate international law authority, legitimacy, and effectiveness (Ku, 2014). The main flaw in the international legal system is its "self-enforcing" character, meaning that is implemented and entered into effect by the threat of sanctions by the system stakeholders, but is hardly ever taken any further.

Understanding it from a strictly legal point of view, either by "constitutional mutation" (Art.1), by having signed International Treaties (USMCA, Mexico-EU FTA), or by belonging to International Organizations (UN, OAS), I do not have the least doubt that the protection of Human Rights reduces or generates irregular application of the principle of Non-intervention.

4.4.3 The dilemma of the UN Peacekeeping operations

The application of the Estrada Doctrine and its axiomatic principles has historically presented many dilemmas. For example, the Jurisdictional participation in Argentina regarding the issue of *vulture funds(2014)*, the position in the United Nations in relation to the conflict in Syria (2011), the signing of the Free Trade Agreement between Mexico and the United States (1992), and its special section on Human Rights, Mexico's position regarding the *coup d'état* in Honduras (2009), the Universal Periodic Review (2006) by the UN, to name a few. However, the most discussed dilemma in recent times in relation to Mexican foreign policy at the international level lies in the pressure from the UN for Mexico to participate in UN military operations for peace by sending troops. For years this dilemma has existed, which on the one hand implies that Mexico is eager to participate in UN activities in order to gain prestige within the organization and aspire to positions of greater responsibility; On the other hand, there is the

position which understands that the principle of non-intervention stipulated in the constitution is a noble restraining factor that, within what is feasible, fosters international isolation (Becerra, 2000).

In order to cooled down this dilemma and make the most of it, in 1999 (during the process of signing the Free Trade Agreement between Mexico and the US), the SRE bureaucracy produced the "bulletin 203/99" which dictates:

"1. Mexico has never participated, nor will it participate, with troops in the United Nations peacekeeping operations. This is for constitutional reasons. 2. The Government of Mexico has stated on countless occasions that the foreign policy of the Republic strictly adheres to the constitutional principles of peaceful settlement of disputes and non-intervention" (SRE, 1999).

Initially, bulletin 203/99 generated much criticisms, for example, that of Mariano Aguirre, former director of the Norwegian Centre for Conflict Resolution (NOREF), who stated that "it is somewhat contradictory to refrain from participating in certain UN activities because of an anachronistic interpretation of a principle that, in fact, in addition to not being exclusive or originating from the Mexican legal framework, is also contemplated by the international organizations to which our country belongs "(Appel, 2014).

International pressure generated much controversy, which caused debates, forums, resignations of officials, etc. Finally, President Enrique Peña Nieto decided in 2014 to announce the participation of Mexico in Peacekeeping operations by sending *Blue Helmets*. During the 2012-2018 presidential term, the Mexican government invested heavily in establishing a more "modern" perception of Mexican foreign relations, which is why, within the framework of the UN General Assembly, which took place in September 2014, the then president stated that Mexico was willing to actively participate in the transformation of the United Nations and that peacekeeping operations are the instrument to help countries overcome conflicts through reconstruction efforts, humanitarian assistance and security, and because of this, "Mexico has made the decision to participate in the peacekeeping operations of the UN, carrying out humanitarian tasks for the benefit of the civilian population. Our participation will be in accordance with the normative principles of foreign policy established in our constitution"(UN, 2014)

This decision of the president caused unrest among domestic political actors, especially those belonging to the Democratic Revolutionary Party (PRD) and the representatives of the Mexican political left-wing. Such was the case of the Federal Deputy Amalia Hernández who, making

use of the voice in the plenary session of the Chamber of Deputies in the context of the discussion of the reform of the Refugee Law, stated that "little by little Mexico is moving away from the pacifist tradition of non-intervention, as proof we have the participation of Mexican troops as Blue Helmets, which is not justified. Our constitution does not exempt its fair compliance for humanitarian reasons" (Chamber of Deputies, 2014).

For his part, from the Senate of the Republic left-wing Senator Manuel Bartlett, who belongs to the Labour Party, pointed out that, "What the president said at the United Nations is absolutely contrary to the interests of the country, (...) regarding the missions of peace, we all know that they are war missions. The Constitution does not allow it; we cannot allow Mexican soldiers to be sent, while they are citizens of Mexico" (Chamber of Senators, 2014).

4.4.4 Normative current standpoint of the Estrada doctrine

The principle of Non-intervention has served as a "wild card" in complex situations in which Mexico has not wanted to take sides, but in turn, it has also been a check on the free development of Mexican diplomacy, which at times has avoided compromising its prestige on the international scene in favour of presenting itself as the recognized "champion of non-intervention by self-assignment" (Gutierrez, 2005).

Since the end of the Cold War, the imperious need for the application of Non-intervention has suffered historical variations. Currently, its role is to ensure that the principle is not confused with blindness in the face of violations of universal values that the constitution itself defends. As a result, the phenomenon of Constitutional mutation has interpreted criteria according to new realities as they present themselves, adapting to the normative legal reality and the constant pragmatic necessities.

In the explanatory memorandum for reform to Article. 89 Fr.X. of 1988, it was pointed out that "the constitutional norm must converge with the needs of the people and will have to adjust to the transformations experienced by societies" (Senate, 1988). To clarify, Non-intervention has not lost its validity; it remains as an international imperative not to interfere in the internal affairs of another State. However, now there is a global acceptance that human rights and the promotion of democracy are attenuating the principle.

As of today, Article 89 Fr. X, despite the 2011 reform regarding human rights, remains abstract. Within this abstraction lies the application of the Estrada Doctrine, the principles of

which are currently being faced with challenges and must yield against other contemporary values. According to the law and as previously analysed, Mexico has the obligation to comply with its treaties and assume its constitutional and international responsibility.

From my point of view, it was a mistake to translate the Estrada doctrine in the Constitution, I understand that when this happened (1988) the Cold War was not yet over and it was good to have a shield to avoid meddling in other people's problems inherent in bipolarity in which one lived. However, because it rose to constitutional rank, it generated a dichotomy regarding its use as an instrument of foreign policy. This deprived the government of the flexibility to apply it under previous valuation of mitigating and aggravating circumstances. In this way, the dichotomy that is generated is simply: it is applied or it is not applied.

This should not be misunderstood as an open letter in order to interfere in the affairs of other States; It is true that freeing the Mexican State from constitutional limitations would position it in a position not to censor itself in its efforts to stand out on the international scene. The respect for the principle of non-intervention cannot be understood as tacit consent to an authoritarian regime that has broken the democratic order.

In order to reconcile the above, I would like to further consider Cesar Sepulveda's reflection on the subject: "In any case it is decided that the rule of non-intervention deserves exceptions, the purpose of the intervention, the means employed, the proportion between the end and the means and the authority of the person who undertakes it and leave room for the satisfaction of responsibilities regarding its origin and consequences" (Sepulveda, 1993).

Section IV: The political use of the Estrada Doctrine.

5.1 Estrada Doctrine For Whom?

Through the interviews carried out, I found that the characteristics of the Estrada doctrine, are perceived and interpreted differently by the political parties, as well as within the bureaucracy of the Secretaria de Relaciones Exteriores (SRE) Just as we saw in the previous analysis, each regime has used the flexibility and abstraction of the concepts in the doctrine according to their partisan interests.

The interviews were conducted to identify the current perception of the doctrine. The purpose of this has been to attempt to understand the actual role of the doctrine in modern Mexican

politics. It was very interesting to see how ideological trends are so marked in the interpretations of each party.

The nature of the Doctrine in the neoliberal interpretation of the PAN, focuses on the liberal essence of the doctrine and even appeals to its continuity, but, only as long as attributes of democracy and the rule of law are added. If this does not happen, for this party it is simply irrelevant.

In turn, the liberal aspect of the PAN party is noted when the interviewee talked about being good and respectful with other counties in this globalized world, and that part of being good and respectful of their sovereignty lies, in his opinion, in attacking and pointing out when imminent violations happen in other countries. The Congressman reflected that "you cannot have an attitude that everyone should be able to do what they want, because in a global world or one that claims to be part of a global community, the chain is as strong as the weakest link.".

The PRI's version of the doctrine romanticizes its historical importance, but always thinks of it as a bulwark of Mexican foreign relations that always supports the principles of sovereignty, its own and that of others. However, the interviewee was doubtful as to the "constitutionality" of an outdated interpretation of the current doctrine. The former Senator and Congressman emphasized that Art. 1 of the constitution, on human rights, must be respected, as well as the international treaties that, when accepted, are elevated to constitutional quality; this is the reason why it is necessary to be very cautious regarding the process of decision making in foreign policy. For him, Art. 89. Fr.X embraces the fundamental principles of the Doctrine but is "very vague" regarding the weighing of human rights. He also considers it prudent to reform the article in order to also extend the scope to include environmental rights, to which Mexico has bound itself in international treaties.

For MORENA, the principles of the Estrada Doctrine represent the basis of Mexican foreign relations. Furthermore, it exalts the doctrine as an "anti-imperialist symbol" and protector at all costs of "national sovereignty". For those of MORENA, the impact of the implementation of the "original" doctrine promoted Mexico as the leader of Latin America in FP issues, so it is important not only to keep it alive, but also to return to its origins.

From the point of view of this interviewee, who is considered a professional in the diplomatic area, the Estrada doctrine is undoubtedly a benchmark and symbol of institutionalized foreign policy. He understands the interpretative-flexible nature of the doctrine and moves away from political points of view to focus on practicality in the implementation of the doctrine, which,

for him, must be accompanied by an urgent but executable legalization, which follow specific guidelines for the development of foreign policy. From his point of view, the use of the doctrine has elevated Mexico with a certain respected position, but this has not necessarily always been maintained due to the doctrine's irregular use. In this global world, especially in economic matters, it is good to have certainties.

Taking into account the IR theory, making the exercise of matching the interpretations of the doctrine from the different political currents, we could say that the PRI has a vision from realism, the PAN from liberalism and MORENA from constructivism.

INTERVIEWS CODEX

POLITICAL PARTIES AND BEAUREAUCRACY OUTLINES

QUESTIONS	PRI		MORENA		PAN		SRE	
Is the ED important for Mexican Foreign policy? In what sense?	Axiomatic principles, FP Identity.	YES	Nationalism, symbol of Mexican FP.	YES	Important benchmark of the Mexican FP.	YES	Historical pillar of FP, base for SRE framework.	YES
Do you agree with the principles of the Art.89 Fr. X of the constitution? What would you change about its current status	Clarifying the preponderance of Human Rights	YES	Must maintain current situation.	YES	Attributes of democracy and rule of law must be added.	NO/ YES	Yes, but they need to be aligned to new challenges.	YES
The strict use of the ED is considered current? What principles would contravene?	As long as prohomine principle and Intl. treaties are respected.	NO/ YES	Is aligned with the Constitution.	YES	Not in the strict sense, but keep the essence and update	NO	Because its flexibility and abstraction	YES
Do you agree with the re- implementation of the "original" ED guidelines? Why?	It is not aligned with the country's regulatory framework	NO	Its use is justified in the Art. 89 Fr. X of the Constitution.	YES	Completely inapplicable.	NO	The original version is outdated in many ways.	NO
Does the Mexican position regarding Venezuela comply with the ED? Why?	It is a visceral position against the doctrine and the constitution.	NO	Is made by the law and the principles of the ED.	YES	Does not take in accoun the asamblea of Venezuela . Mexico "offers" asylum without the qualification of "coup d'état".	NO	It was a hasty decision, it was may factors at stake .	NO
Does the asylum that was granted to Evo Morales comply with the ED framework? Why?	Mexico acted against no intervention. Mexico always give asylum.	NO/ YES	A "coup d'état" occurre against legitimate government	id, YES		NO	Asylum can be justified, the procedure cannot	NO/ YES

Figure. 4.

5.2 The Estrada Doctrine in *praxis*

Each of the levels of analysis within the FPCH model was concluded during the period of the present administration (2018-present). Thus, there already exists a basis for the analysis of the current use of the Estrada Doctrine as the basic axiological instrument of Mexican foreign policy.

The analysis will be carried out using the approach of Roberto Miranda (1988) who, making use of a three-dimensional report, contrasts the use of foreign policy doctrines from three different angles: the ideological (political), what was said (speech) and what was done (foreign policy actions) (Miranda, 1988). The dynamics of the analysis will be to position a political idea of the current administration, exemplified by Official, mostly presidential, Quotes, and the section will describe the three most significant foreign policy events of this administration and the use that was given to the doctrine in these three situations. I do this in order to empirically materialize the use of the Doctrine in the current administration and thus answer the second part of the RQ.

The fascination of the present administration for the Estrada Doctrine: Populist discourse.

AMLOs populist agenda consists of four elements: Leadership, personified in the social activist; Identity, accompanied by an exaggerated nostalgia for a better past; Fear, based on securitization (in this case sovereignty), and Enemies, in this case domestic and international neoliberalism.

Identity is affirmed by converting differences into otherness, the cultural limits of "self" is defined in relation to how the "other" is portrayed (Neumann, 1999). The other does not share the characteristics that the "self" attributes to itself. This division of society places people in two homogeneous and antagonistic groups, his followers are "the good and wise people", and those against him are "corrupted, neoliberal elites".

"Our wise people knew how to understand that it was time to change that neoliberal policy (...). Neoliberalism is synonymous, in the case of Mexico, with corruption and theft" AMLO (VP, 2019)

"The neoliberal policy was a failure, the privatization policy benefited a minority, but it hurt an entire people" AMLO (Que es, 2019) The Estrada doctrine undoubtedly represents a national symbol. In addition being used as a banner of response at a time of decolonization, revolution and intervention, the doctrine has given Mexico international recognition. As such, reference to it either in practice or in rhetoric has always been highly advantageous from a political point of view.

National identity is "a socially constructed image that a political community uses to portray itself. It is made up of a set of elements, including constitutive norms, comparative categories, collective aspirations and cognitive references" (Abdelal et al., 2006). In studies of International Relations, identity and foreign policy are interlaced. States strive to project a particular national identity to support its foreign policy choices. Simultaneously, the policy choices that the state executes resonate with the identity that is used to justify its policies (Hansen, 2013). In this study, I am attempting to analyse the political use of the Estrada Doctrine in AMLO's discourse on identity/nationalism and to identify how certain of his foreign policy choices seem natural and intuitive when understood in this context.

"It is a principle based on when the Republic triumphs, after defeating the foreign invaders, when Juarez triumphantly enters, the triumph of the Liberal Movement, the defeat of conservatism; when it is reaffirmed that Mexico was going to be a free, independent, sovereign country It is when that memorable speech is delivered, the phrase that synthesizes what our foreign policy is: Between people, between individuals and between nations, respect for others' rights is peace". AMLO, 2019

Once national identities have been created, they tend to remain stable. They are often referred to in political discourses, media culture, education, and others. They are institutionalized and continually reinforced in a dynamic of "path dependency" (Morin & Paquin, 2018).

"Our foreign policy is exemplary; it is something recognized everywhere, and they are beginning to say again, as was said before, that Mexico is the older brother of Latin America and the Caribbean. As for the United States, it is the same; there is a respectful relationship", AMLO (Mexico, 2020)

Mexican scholars from the Centro de Investigacion y Docencia Economicas (CIDE) carried out a survey called *The Americas and the world, 2018,* in which they studied the public opinion and political culture of Mexico and the American countries; International relations and foreign policy were the main topic. The project began in 2004 and is repeated annually, the latest report in 2017 confirmed that in general terms the Mexican public is significantly more concerned

with domestic issues (59%) than with International ones (35%), while Mexican political leaders declared themselves to be more concerned about International Issues with 89% (Maldonado et al, 2018, p. 13). This shows that Mexican foreign policy is not considered to be a very important issue by the general population, and that it remains a space for elite decision making (Villanueva, 2019). Another part of the survey asked what exactly the foreign policy objectives should be, to which the Mexican participants answered: promotion of the culture, 71%; protection of the environment, 70% promotion of Mexican products, 68%; fight against drug trafficking, 64%; protection of Mexican interests overseas, 60%, and attraction of foreign investment, 60% (Maldonado et al, 2018, p. 24).

Knowing that the majority of Mexicans lack interest in foreign relations is crucial for the current government, this help to support the isolationism inherent in populism. with this foundation AMLO is currently promoting a discourse with the government as the guiding axis of the economy.

"The best foreign policy is a good domestic policy". AMLO, 2 018 (Fernandez, 2018)

The populist needs to generate an atmosphere of chaos, uncertainty and insecurity in order to convince the voters that the primary objective of their foreign policies is to secure the interest of the country and its people under the presumption that they will place the national interest above all other form of interest (Magcamit, 2017).

"The time has passed when presidents were put on or taken off from abroad, at the whim of hegemony. Not anymore, I mean, those are other times. Peoples have to determine for themselves. That is the most appropriate thing, it is not to be for or against, it is non-intervention, self-determination of the peoples". AMLO (Mexico, 2019)

There have been various internal political reactions to the current administration's emphasis on returning to the original form of the Estrada Doctrine, under the textual application of Art 89 Fr. X. The reasons for its application may simply be attributed to a convenience of populist overtones. However, as the PAN interviewee points out:

"Historically the doctrine has been applied with biases of political parties" (Romero, 2020).

Something that caught my attention is that all interviewees welcome the continuity of the doctrine although some of them propose changes, additions or different interpretations such as:

"The doctrine must persist; it is a national symbol. but always respecting Art. 1 of the constitution. I was part of the congress when the reforms were carried out to implement the prohomine principle to the constitution, and the reform to Art 89 that was carried out, we thought at the time that it would be enough to interpret the order of prelation of principles" (Arroyo, 2020)

"the essence of the doctrine must be preserved, but if attributes of democracy and respect for the rule of law are not added to it, it is currently inapplicable" (*Romero*, 2020)

"The doctrine is a banner of the Mexican foreign service, but it is urgent that it be regulated in such a way that it recovers its flexibility, since for diplomatic purposes it limits the taking of sides in certain international contexts", (SRE, anonymous, 2020)

5.3 Three situations, three different application of doctrine.

Venezuela

On January of 2019 a political and economic crisis happened in Venezuela when Juan Guaidó, head of the country's National Assembly, declared himself interim president with the the backing of more than 50 countries, including the US and most of Latin America. Nicolas Maduro retains the loyalty of most of the military and important allies such as China and Russia, and Bolivia, Cuba and Nicaragua in the Americas.

To this situation, Mexico declined to recognise Juan Guaidó as interim president of Venezuela and has adopted a neutral position as regards his battle for power with incumbent President Maduro. This stance was unique among the major powers in the Americas, and the Lima group, which Mexico forms part of. The official statement came from the Mexican Foreign Sub-Secretary Maximiliano Reyes, which stated:

"The Government of Mexico, in faithful compliance of the constitutional principles of foreign policy, will abstain from issuing any kind of pronouncement regarding the legitimacy of the Venezuelan government. Self-determination and non-intervention are constitutional principles that Mexico will follow" Maximiliano Reyes SRE, 2019

The decision of Mexico was very controversial because the Lima group was formed in 2017 in order to condemn the breakdown of democratic order in Venezuela. Also in June 2018 (prior to the AMLO administration) Mexico voted in favour of OAS Resolution 2929/2018. This

Resolution declares "that the electoral process as implemented in Venezuela, which concluded on May 20, 2018, lacks legitimacy, for not complying with international standards, for not having met the participation of all Venezuelan political actors, and for being carried out without the necessary guarantees for a free, fair, transparent and democratic process" (OAS,2018).

"It must be understood that it is not a matter of sympathy, it is a matter that has to do with our foreign policy [...] And the conservatives would like us to get involved in these cases, but they remain silent when they also commit abuses by related governments to conservatism ", AMLO (Jimenez, 2019).

"Our position is the same; it is what our Constitution establishes. We are not going to move from there, because we have to be respectful of the principles of non-intervention, of selfdetermination of the peoples, of peaceful solution of the controversies. This has been applied for a long time in Mexican foreign policy; they are basic principles. When these principles have not been applied, it doesn't look good", AMLO (No vamos, 2019)

Mexico remained immovable, preponderant of its interpretation of Art.89. Fr.X of the Mexican Constitution which leaves out of the normative balance the obvious violations of human rights committed in Venezuela. The president did not yield to the statements of the U.S. Vice President Mike Pence who urged Mexico to recognize opposition leader Juan Guaido as Venezuela's rightful president. A return to a strict interpretation of the Estrada Doctrine materialized in this action of Mexican Foreign policy.

When carrying out the interview with the representative of the PRI for this purpose, he was asked what his opinion about the actions of Mexican foreign policy regarding the issue of Venezuela was, contextualizing it within the practice of the Estrada doctrine. To which he replied:

"We have to overcome the false dilemma between respect for sovereignty and that of promoting and respecting human rights. The doctrine must persist; it is a national symbol, but always respecting Art. 1 of the constitution. I was part of the congress when the reforms to implement the prohomine principle to the constitution, and the reform to Art 89 that was carried out. We thought at the time that it would be enough to interpret the order of prelation of principles" (Arroyo, 2020)

Bolivia

Communique 396/19 SRE. Statement by the Secretary of Foreign Relations, Marcelo Ebrard Casaubon, on behalf of the Government of Mexico:

"As you know, a report by the Organization of American States (OAS) was released in relation to the recent electoral process, after which President Evo Morales proposed that new elections be held, which the Government of Mexico saw very well "(....)" Subsequently, the Bolivian army asked for the resignation of President Evo Morales, who decided to present his resignation to avoid a civil war. Therefore, it is a coup because the army asked for the resignation of the president and that violates the constitutional order in that country. Those are the facts. (.....) "Consequently, the position that Mexico has defined is to claim and demand respect for constitutional order and democracy in Bolivia." Ebrard, (Exteriores, 2019).

Initially, it seems that this acted in accordance with the principles of the Estrada Doctrine, since Mexico maintains relations with the legitimately elected government until the end of its term, which would appear to be logical. However, looking at it from another perspective within the principles of the Estrada Doctrine, in which circumstances or under what jurisdiction does the Mexican Government have the power to determine if this was a coup, or not. It should be noted that Mexico's was the first government or organization to classify it in this way. If we stick to the (legal) facts, President Evo Morales resigned his post, therefore, just the manifestation on the events will constitute direct intervention by Mexico towards Bolivia.

"Evo is not only our brother, who represents the indigenous people, Evo was the victim of a coup d'état and from Mexico to the world we support democracy yes, militarism no" AMLO (MX, 2020).

Active high rank politicians from the opposition, in this case from the PAN have a strong opinion about the situation of Evo Morales in Bolivia and the standpoint of Mexican Foreign policy in this regard. During his interview PAN Congressman Romero Hicks let me know his opinion when, he pointed out that:

"What happened with Bolivia is an imminent contradiction to the Estrada Doctrine, since without mediating an internal judicial response, what happened is described as a coup d'état, which to this day has only been described that way by Ebrard and Amlo" (*Romero*, 2020) "The president (AMLO) gives him (Evo Morales) preferential treatment; he lets him hold political meetings from Mexico. And it is Evo who, according to OAS observers, is the alleged architect of electoral fraud in Bolivia" (Romero, 2020).

USMCA

Days prior to the signing of the USMCA, after two and a half years of negotiations, some reporters drew attention to the fact that Art 31-A.5 states that the signing countries agree to constant verification in labor matters, as well as the active installation of panels for the resolution of labor disputes. These panels will be given when the national processes are exhausted without the controversies having been resolved. The controversies that are settled by these panels will be based on the American application of the law, in which the companies will maintain the character of "guilty" until proven otherwise, while in the Mexican jurisdiction it is applied inversely: the company is "innocent" until proven otherwise.

Consent to such reform in the treaty undoubtedly represents a gap in matters of sovereignty, since the jurisdiction of labor matters would be subject to the review of foreigners. The person in charge of the negotiations on the Mexican side, Jesus Seade Kuri stated the following:

"Giving faculties to labor panels is a civilized way to share sovereignty in that small area" Seade Kuri, 2019

After the Senate signed it, the President celebrated the agreement and declared:

"Our sovereignty is safe, that was the limit, the border that was drawn and that is achieved" AMLO, 2019

The next day, at a press conference, the President was questioned about alleged concessions of national sovereignty for the signing of the treaty for the issues previously mentioned, to which he replied:

"They tried to include the energy issue, and that was an issue that did not enter into the negotiation, because oil cannot be compromised. There was a voluminous proposal in the treaty about energy, and we managed to argue for its elimination, and there was only one paragraph that states that oil and energy resources belong to the Mexican nation "AMLO, 2019 (Monroy, 2019)

The president's response seems politically ingenious to me, since he does not answer the question that was asked, but he does bring to light a topic that has been de facto untouched since the oil expropriation of 1938, and that is that is the fact that natural and underground resources belong only and exclusively to the nation. After cleverly sowing this new "achievement" into the negotiation, he never answered the question relating to sovereignty.

Regarding the way in which the USMCA signature process was carried out, the PAN interviewee told me:

"Everything related to the USMCA's labor reviews was done in the dark. Nothing in particular was reported to the Senate; the Senate has eight foreign relations committees which are completely stopped and without real attributes. Counterweights in foreign policy are urgently needed" (*Romero*, 2020)

Political parties opposed to the ruler have complained about the fact that "The administration is using the principle in an irregular and arbitrary way. That does not inspire security for foreign interests, especially economic ones" (Arroyo, 2020). However, although it is true that in the past the estrada doctrine has had its moments of exception, Mexico broke ties with Chile during the government of Pinochet, openly criticized Franco dictatorship in Spain, help to overthrow Somoza in Nicaragua. However, these events were always inspired by the protection of human rights.

6. Conclusions

The Estrada Doctrine has guided Mexican foreign policy for ninety years. As we know, the international system and domestic and normative factors are not static, and in order to stay viable, the doctrine has had to evolve by adapting to different demands and by mutating its axiomatic principles in order to provide a framework that still generates practical rules for the conduct of foreign policy.

To establish how the Estrada Doctrine has mutated, the approach used in this thesis was drawn from a foreign policy perspective with Mexico as the focus. This is presented, under the premise that FP doctrines materialize when foreign policy changes. An innovative custom-made FPCh methodology was implemented in order to fulfil the question of how I could conceptually and empirically account for change in the interpretation and implementation of the Estrada Doctrine. This FPCh analysis has its analytical base in "the three steps model" of Gustavsson (1999), using four levels of explanatory hypotheses, developed with the purpose of analysing and explaining the changes which occurred in the use and interpretation of the doctrine.

The first level of analysis was built on the hypothesis that international transcendental events would tend to promote change in the interpretation and the use of the Estrada Doctrine. This hypothesis was amply proven by the analysis. The five events chosen to be analyzed, through an act-effect dynamic, significantly impacted Mexico's position on the international stage, prompting changes in the strategy of Mexican foreign policy, and consequently in the conceptualization of the doctrine.

It was interesting to explore and discover how the doctrine has evolved and resisted evolution within the framework of IR theorization, since its role has changed due to the pressures inherent in the international system. The doctrine was conceived as a diplomatic shield against American imperialism. Despite the fact that its origins were eminently inspired by *classical liberalism*, from the time of its original implementation it was carried out as a defensive measure within the International system, this outlook of Mexican foreign policy emerged from a *defensive structural realism* outlook, in which countries seek to survive by using the concept of "balance of threat" (Waltz, 1979). After the end of the bipolar period of the Cold War, the doctrine mutated its interpretation towards a much more *liberal* approach, prioritizing human rights and democratic rule. Nowadays, since the triumph of populism in Mexico, it has mutated again and has gone back to something much more similar to the strict non-intervention principle, but this time from a *constructivist* approach, which identifies the doctrine as a highly moral national symbol of national identity that is currently influencing the country's foreign policy.

The individual leader as the second level, explained under the hypothesis that the personality and character of the president can influence the interpretation and use of the doctrine and act as an agent of change. This analysis was carried out through a *psychobiographical* approach. This level of analysis took into account the concentration of power that the presidential figure has in Mexico, and I concentrated on those presidents who, according to constitutional powers, have lead foreign policy in a quasi-personal way. I chose to examine the three most representative presidents in regard to their application of historical changes in the application of the doctrine.

The analysis at this level identifies the agents of change. Although I think the doctrine's revision under these circumstances is relevant, it is impossible to know for sure whether it was personality influences what affected the decision-making process. In addition, generating a detailed psychobiographical profile is way out of my faculties, so I cannot say that the hypothesis was proved in terms of validity and reliability.

Domestic factors comprised the third level of explanation according to the FPCh design and for which I chose as a hypothesis the impact on the alternation of regimes as a factor of change. I decided to focus on the regime, that figure combines the three essential agents for foreign policy decisions: the executive, the senate, and the cabinet. Analysing the magnitude or intensity and type of change, I can say that the hypothesis was properly tested, since positioning the changes in regime as formal, gradual or radical; and by measuring modifications to foreign policy such as adjustment, reform or restructuring, I have been able to reach a materialized result.

Normative change was the last level of analysis. In this case it could be seen as logical that the changes either in the constitution or generalized norms were going to impact on the implementation of the doctrine. Nevertheless, it is vital for this study to acknowledge how the norm limits and regulates the application of the doctrine.

The legal theory of constitutional mutation was used to lay the foundations for this analysis. The principle of non-intervention and its constitutional character were delimited chronologically and exhaustively. The inclusion of the prohomine principle to the constitution and the effects of the protection of human rights were also analysed.

It was determined that Article 89 Fr. X, despite the 2011 reform regarding human rights, remains abstract. Within this abstraction lies the legal framework for the application of the Estrada Doctrine, the principles of which are currently being faced with challenges and may have to yield against other contemporary values. According to the law, and as previously analysed, Mexico currently has the obligation to comply with its treaties and assume its constitutional and international responsibility.

In the current political term, the Estrada Doctrine has been applied according to the populist interests of the government which, due to its historical impact, has known how to find a use for it as a symbol of identity. It has given Mexico international recognition; both the president and the secretary of foreign relations have positioned the doctrine at the centre of Mexico's current foreign policy, using it as a moral guideline and to make controversial choices seem natural and intuitive. It is being used to feed the dynamic of path dependency by constantly referring to it in political discourses, media culture, and education.

Mexico's populist foreign policy is currently focused on domestic consumption. On the one hand, it satisfies these internal consumers with the application of glorified historical principles and, on the other, it has the power to make use of the flexibility and abstraction of the doctrine to act pragmatically, prioritizing the interests of the country.

The administration is using the principle in an irregular and arbitrary way for its own purposes. Although it is true historically that the Estrada doctrine had its moments of exception, Mexico has applied it to break ties with Chile during the government of Pinochet, openly criticize Franco's dictatorship in Spain, and help to overthrow Somoza in Nicaragua, these events were always inspired by the protection of human rights.

As a result, there is no unified theory of change, nor even a limited yet consistent set of variables to explain it. Explanations of which factor or level of analysis is more determinant, or if any factor by itself has or will make an impact on the use or interpretation of the doctrine is not provided by this case study. It is hoped that the thesis provides a good understanding of the Estrada Doctrine through its evolution and mutation, recognizing how factors of change have impacted the interpretation and use of the doctrine. Hopefully, more studies in the future will establish generalizable results.

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¹ Bucareli Treaty, signed on 1923, was an agreement between the countries of México and United States. It was officially called "Convención Especial de Reclamaciones". The treaty sought to channel the demands

of U.S. citizens for alleged damage to their property caused by internal wars of the Mexican Revolution during the period between 1910 and 1921 (Trujillo, 1966).

¹¹ Calles Morrow Agreement, signed in 1927, it was a substantive arrangement between the authoritarianism that was consolidating in Mexico and the Washington government; the former guaranteed Mexican stability and assumed responsibility for the process of building a strong regime, and the latter accepted relative independence of Mexican politics to give legitimacy and sustenance to that regime. That tacit agreement lasted the rest of the century and withstood tests as difficult as the oil expropriation (Meyer, 2004)

^{III} Monroe Doctrine, signed in 1823, cornerstone of U.S. foreign policy enunciated by Pres. James Monroe in his annual message to Congress. Declaring that the Old World and New World had different systems and must remain distinct spheres, Monroe made four basic points: (1) the United States would not interfere in the internal affairs of or the wars between European powers; (2) the United States recognized and would not interfere with existing colonies and dependencies in the Western Hemisphere; (3) the Western Hemisphere was closed to future colonization; and (4) any attempt by a European power to oppress or control any nation in the Western Hemisphere would be viewed as a hostile act against the United States (Encyclopedia Britannica).

^{iv} The Zimmermann Telegram (January, 1917) was part of an effort carried out by the Germans to postpone the transportation of supplies and other war materials from the United States to the Allied Powers that were at war with Germany (Tuchman, 1958) The main purpose of the telegram was to make the Mexican government declare war on the United States in hopes of tying down American forces and slowing the export of American arms. Mexico would recover Texas, Arizona, and New Mexico. The telegram was intercepted and decoded by British intelligence. (Katz, 1981)

^v The "League of Nations" was the first worldwide intergovernmental organisation whose principal mission was to maintain world peace. It was founded on 10 January 1920 following the Paris Peace Conference. The organisation's primary goals, as stated in its Covenant, included preventing wars through collective security and disarmament and settling international disputes through negotiation and arbitration (Tomuschat, 1995).

^{vi} The good neighbour policy's main principle was that of non-intervention and non-interference in the domestic affairs of Latin America. In an effort to denounce past U.S. During his inaugural on March, 1933, Roosevelt announced that "In the field of World policy, I would dedicate this nation to the policy of the good neighbor, the neighbor who resolutely respects himself and, because he does so, respects the rights of others, the neighbor who respects his obligations and respects the sanctity of his agreements in and with a World of neighbors" (Roosevelt, 1933). ^{vii} The bracero program (meaning "manual laborer" or "one who works using his arms") was a series of laws and diplomatic agreements, initiated in1942 during WWII. The United States signed the Mexican Farm Labor Agreement with Mexico.[1] The agreement guaranteed decent living conditions (sanitation, adequate shelter and food), and a minimum wage of 30 cents an hour, as well as protections from forced military service, and guaranteed part of wages were to be put into a private savings account in Mexico (Koestler).

viii Operation Wetback was an immigration law enforcement initiative created by Joseph Swing, the Director of the United States Immigration and Naturalization Service (INS), in cooperation with the Mexican government. The program was implemented in May 1954 operation used military-style tactics to remove Mexican immigrants (some of them American citizens) from the United States (Hernandez, 2006).

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