

# AN OVERVIEW ABOUT THE MAZE OF SOCIAL POLICY IN MEXICO: THE EXPLORATIVE CASE OF VULNERABLE YOUTH

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## Resumen

Este trabajo de tipo exploratorio, sobre la política social actual en México, pretende promover la discusión e investigación sobre la coordinación y la integración de programas sociales. Se presenta una síntesis sobre la política social, dirigiéndose hacia prácticas actuales de esta política en América Latina, y se identificó a la población vulnerable. Dado que muchos programas de asistencia social están concentradas en individuos de las poblaciones pobres. El objetivo fue examinar como los jóvenes pueden obtener acceso a estos programas, si no son incluidos en sistema familiar. En el informe, jóvenes sin familia son huérfanos, jóvenes con hogar temporal, jóvenes de la calle, y jóvenes sin acompañantes de los padres que son inmigrantes o refugiados. Por este fin, analizamos varias políticas sociales en este reporte y otros investigaciones relacionadas. Se resaltan algunas de las inconsistencias sobre los mecanismos de coordinación interinstitucional, como un punto de partida para futuras investigaciones, sobre cómo mejorar la coordinación entre instituciones de gobierno y sociedad civil. Esta coordinación mejorada contribuirá y ultimadamente dará la habilidad de los jóvenes vulnerables para navegar los problemas y utilizar los beneficios que ofrecen condiciones óptimas para su desarrollo.

## Abstract

This paper sets out to explore the current social policy in Mexico to promote the discussion and research toward improved coordination and integration of social programs. We begin by introducing a brief summary of public social policy, addressing current policy practices in Latin American, and identifying the vulnerable population to which our research is focused on. Because many of social assistance programs are specifically targeted at poor and low-income individuals, our goal was to examine how youth can access these programs if they are not part of a family system. In the report, youth without families are orphans, foster children, street children, and unaccompanied migrant and refugee youth under the age of 18. To this end, looking across the various social policies addressed in this review and the associated recent research, we have highlighted some inconsistencies to initiate discussions and further research on mechanisms to improve coordination between government institutions and civil society. This improved coordination will contribute, ultimately, to the ability of vulnerable youth to navigate problems and utilize the benefits that offer optimal conditions for their development.

## Key Words

Social Policy 1; Mexico 2; Vulnerable Youth 3; Social Welfare 4; Children's Rights 5

## INTRODUCTION

### How one defines social policy

Social policy refers to the guidelines and interventions for changing, maintenance or creation of living conditions that are conducive to human welfare: It is education, health, housing, employment and food for all people [1]. Social policy is a part of a larger public policy that has to do with social issues.

Healthy social policies will help communities improve the conditions under which people live: secure, safe, adequate and sustainable livelihoods, quality of life, and environments, including housing, education, nutrition, child care, transportation, and necessary community and personal social and health services.

#### *Social Policy in Latin America*

Recently, the social economy of Latin America has begun to focus on the needs of ordinary people of the region. For this reason it is largely associated with a “post-neoliberal” phase of policy making [2]. This shift is what characterized the move away from neoliberalism to post neoliberalism and has led to a new focus on addressing many long-lasting social deficits. Across the region Latin American countries are making renewed efforts to tackle poverty by implementing cash transfer programs [3].

Conditional Cash Transfer programs (CCTs) deliver cash to families living in poverty with conditions by beneficiaries [4]. The conditionality makes this new neo-liberalism program an instrument for longer-term human capital investments as well as short-term social assistance [5].

Directing benefits to the poor or vulnerable is a critical feature of any reviewed CCT program [5]. Many CCTs focus primarily on both geographical and household targeting to help the poor access their basic rights for food, health, and education services. The key to these types of programs is to have a family structure or household in order to access the benefits. This is an important factor for

our research because we are investigating the access to social programs for those without families or households.

- *Vulnerable population*

Mexico’s population is 107.5 million with 39.2 million under the age of 18 [6], so it’s safe to say that overall the population is remarkably young. Over half of these children and adolescents live in poverty and have significant gaps in their access to social security and food [6].

In the last few decades, Mexico has made significant progress in improving the living conditions of children in the country; however, still it needs to intensify efforts to better the lives of the homeless children and adolescents who are living in poverty to ensure they have the same opportunities and equalities as others. For the purpose of the research, we identify youth without families to be orphans, foster children, street children, and unaccompanied migrant or refugee youth.

According to the Population and Housing Census conducted in 2010 by the Institute of National Statistics and Geography (INEGI), there are 24,616 children and adolescents housed in foster homes and orphanages [7]. The actual number of children and adolescents who lack parental care in Mexico is still unknown. There are a few sources out there referring to more than 400,000 cases of homeless youth, but there are no confirmed figures. This number is extremely disproportionate to the record indicating that nearly 30,000 are living in residential institutions [7]. For this reason, we decided to focus our research on these vulnerable, unaccounted youth and explore the public social policy concerning their accessibility to social welfare programs.

The aim of this article is to review existing laws and regulations that make up social policy in Mexico in order to begin to understand the maze of regulations and restrictions that are “theoretically” fulfilling the rights of these children and adolescents in the country. Due to time constraints, the research is intended to be exploratory in order to build a base for further research toward improved coordination and

integration of social programs for Mexico's vulnerable youth.

## METHODS AND MATERIALS

For the purpose of this investigation we began researching the major constituents of social policies in Mexico. Our goal was to understand how Mexico's social system works for children and adolescents, specifically, those without families. We begin our research by identifying the main social policies in Mexico. The relevant federal laws concerning children's rights, including health, welfare and education, were collected from the Diaro Oficial de la Federación. The articles for the review were gathered from the digital libraries of the University of Guanajuato and the University of Texas at El Paso. In our search, we used a combination of the following words: (1) social policy (2) Mexico; (3) children's rights; (4) vulnerable youth; (5) social welfare.

Once we had enough information of the laws and current research, we began constructing a map of the social policies identifying the actors (laws), stakeholders (government institutions, civil societies and private organizations), beneficiaries (vulnerable youth), and the rules of the game. Our overarching goal was to get a better look at the labyrinth of social policy and how each law or program may be connected to recognize the processes of receiving social benefits if one was not a part of a family system or under the care of the state. We quickly narrowed our investigation to the following laws that directly associate with vulnerable populations: (1) General Law on the Rights of Children and Adolescents, (2) Prospera, (3) Social Assistance Act, and (4) General Law of Health. From there they were separated into two categories social welfare and healthcare. The following paragraphs will give a brief description of the laws in order to understand why they are significant for our research.

### Social Welfare

The General Law on the Rights of Children and Adolescents was adopted in December 2014 and represents the one of the most important recent legislative process in the area of children in

Mexico's history [6]. This law is very important for our research because it gives special attention to vulnerable groups and sees all children as right holders. Article twenty five, states, "a child or an adolescent deprived of his/her family is entitled to receive state protection," [7]. It goes further to set guidelines to provide protection of children deprived of their family means through institutionalized welfare centers [8].

Prospera (previously Oportunidades) is the main component of the Mexican Federal Government's social security policy strategy. As a conditional cash program, Prospera provides support for education, healthcare, nutrition and income under a scheme of co-responsibility in which families take an active part [4]. In order to receive benefits from this social program, individuals and families must adhere to the conditions and must be registered with the civil registry [4]. For this reason, many youth without families' can't access this program.

Those that are excluded from Prospera or social security may be eligible for social assistance under the Social Assistance Act. Article four, section one, describes subjects of social assistance specifically mentioning children and adolescents who are in an at-risk situation or affected by: abandonment, living on the streets, victims of abuse or exploitation, orphans, migrants, and refugees [10]. This law is particularly beneficial for vulnerable youth if they have means to access it.

According to the law of Social Assistance, the National System for Integral Family Development (SNDIF) is responsible for ensuring that children and adolescents receive food, health care, and education [10]. SNDIF is program that is run independently in each of the 32 Mexican states and it is the responsibility of state and municipal Integral Family Development (DIF) offices to implement programs [7]. While each state independently runs their own program, the DIF National System and its entities are at all times responsible for monitoring the situation of the placement for children and adolescents.

### Healthcare

The Mexican Constitution provides that every person has the right to health protection [11]. Furthermore, the Constitution provides that

children have the right to satisfy their nutritional, health, educational, and recreational needs [11]. According to the General Health law, in accordance with the priorities of the National Health System, will ensure quantitative and qualitative health services to the most vulnerable groups [12].

From our review we identified three levels of healthcare: Seguro Popular, a universal health insurance plan provided by the states and open to all residents with no access to social security; The Mexican Social Security Institute (IMSS), a public health care system; and the Institute for Social Security and Services for State Employees (ISSSTE), health care and social security for federal and state employees [11].

## RESULTS AND DISCUSSION

Our first observation, from what we could gather, is that there is little known about this population of 'vulnerable youth', who tend to be largely invisible in institutional records and national statistics. In spite of the fact that there has been progress made in several of the social policies, adequate information is lacking on child shelters, adoptions, refugee/migrant youth, as well as unregistered boys and girls [13]. This lack of information represents an obstacle to fulfilling and respecting the rights of children and adolescents and helping them access to quality basic services.

As a result of our exploration of the various laws affecting social policy, we found several gaps in the public systems that care for children and adolescents in Mexico. Our first notation was that a majority of the social programs designed to protect the rights of children require a parent or guardian in order to access the benefits. Prospera is the main social assistance program in Mexico, but without family the only way to access social care is through social assistance [4]. Through our exploratory investigation we found that Mexico's National System for Integral Family Development is a very complex system. DIF is the arm of the state to take care of children without families and each state DIF program consists of their own set of laws covering qualification, requirements, and filing rules that are too complicated to explain in this

short report. Not to mention the decrees and other head-scratchers that can nonetheless discourage even the most capable from applying. We also had trouble finding regulations to ensure that the individual states are following the rules set forth by National DIF.

It also appears that there is segmentation in the health care system and inequalities in health services. For example, the National Health System medical care is handled by different institutions, each with their own criteria for access and care [11]. SPSS, IMSS, and ISSSTE function in parallel and there is little connection among them. Also, the SPSS out of pocket expenses remain very high. This presents a risk focus on the availability, access and acceptability for youth without parents or guardians.

When programs are designed with different mandates and eligibility requirements specific to each, unintended consequences may result. These unintended consequences may include a lack of national coordination and integration among the key players in the programs which can result in support challenges for many children and adolescents living outside of a family structure. Many adults find themselves struggling to navigate a maze of policies and programs, so how are we to expect the youth to do it. Thus, as a result of policy and definitional inconsistencies and variations, the very programs designed to provide necessary social support for vulnerable youth may present barriers to access health, education, and food benefits for the most vulnerable of youth.

## CONCLUSIONS

The objective of the research was to initiate discussion and start to build a foundation for further research on ways to improve coordination between social programs targeting vulnerable youth. Regulations and rules are an inevitable yet essential part of providing social assistance, but with nonstop new requirements they soon create a maze that will leave one's head spinning. There are certainly specific challenges in ensuring that all the children in the country enjoy the same level of rights and protection and Mexico is heading in the right direction, but there are a significant number of youth that are falling through the gaps. Our

recommendation is that there must be more research done academically in order to evaluate these gaps in social policy, in order to begin the work to improve coordination between agencies.

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