LOCAL PARTICIPATORY DEMOCRACY IN LATIN AMERICA.
LESSONS FROM MEXICO AND COLOMBIA

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Abstract: The decentralization process promoted through the 1990s in indigenous regions of Mexico and Colombia, have striking similarities. In both cases, participatory democracy is seen as a prerequisite for sustainable development. In both cases too, communitarian traditions are given official recognition as legitimate forms of local governance. Some contradictions inevitably arise, and the search for a more efficient public management often leads to imposing standard institutional devices that significantly reduce local citizens and authorities’ leeway. Nevertheless, the turnkey participatory devices promoted by central governments and multilateral agencies often induce original and non predicted forms of appropriation and reinvention.

Some lessons and recommendations for future action can the drawn from this comparison. First, the promotion of sustainable development should mobilize local and specific forms of social organization, and avoid searching for “best practices” likely to be exported elsewhere. Second, decentralized and participatory development supposes the pre-existence of a strong, stable and legitimate State. Third, any development assistance, even “social”, should consider and consciously deal with power relations and politics. Forth, any development strategy should be programmed on a long-term base.

Keywords: participatory democracy, decentralization, democratization, indigenous rights, Latin America, Colombia, Mexico

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In Latin America the concept of «participatory democracy», or rather «citizen participation», first appeared in the second half of the 1980s, at a time when initial steps towards decentralization were being taken. This held true in particular for Brazil and Colombia, but also for Bolivia and Ecuador. In other countries, such as the Central American nations or Mexico, decentralization occurred during the same period, but references to participatory democracy were less explicit. Yet even in the latter cases, decentralization was always presented as a vehicle for greater democratization. Narrowing the gap between citizens and political decisions was considered as a guarantee of both democracy and administrative efficiency. The reasoning behind the decentralization measures was that if citizens were to be involved in decisions concerning the allocation of public funds, then these allocations – since they would correspond more closely to the beneficiaries’ needs – would appear more legitimate and thus be more efficacious.

The first purpose of this paper is to provide some insight into this decentralizing, participatory “wave”. I will then concentrate on the effects these measures have had in the indigenous regions of Mexico and Colombia. The reason for choosing this particular context for analysis is the fact that in these areas such decision-making processes existed well before the participatory policies inaugurated in the 1980s. In these cases, the state sought to include traditional practices in the “modern” framework of a decentralized handling of public affairs. Yet, inevitably, the process ran into obstacles: terminology gave rise to contradictory interpretations and procedural misunderstandings. These contradictions and misunderstandings mark the limits of governmental policies designed to “promote” citizen participation; at the same time they account for the innovative situations created when such policies are grafted onto local procedures.

The State and the promotion of citizen participation: the need for efficiency versus the quest for legitimacy

In Mexico decentralization first became a subject of political debate in the 1970s, but it was not until the early 1980s that the first reforms went into effect. President Miguel de la Madrid (1982-1988) made of decentralization his primary objective by
pushing for amendment of Article 115\(^1\) of the federal constitution and by taking steps to decentralize in the health and education areas. These measures remained, however, largely symbolic, for they were not accompanied by an increase in funds allocated to the federated states and the municipalities. It is only from 1989 on that the federal government undertook a genuine decentralization of its budget. The PRONASOL\(^2\) program of President Carlos Salinas de Gortari (1988-1994) and the Nuevo Federalismo\(^3\) launched by President Ernesto Zedillo Ponce de Léon (1994-2000) entailed a redistribution of federal government funds of which an ever increasing proportion was administered directly by the municipalities. In Colombia, President Belisario Betancur (1982-1986) instigated the first decentralizing reform. In 1986, the Colombian legislative assembly passed Law 11, that provided for the election of mayors (\textit{alcaldes}) by direct suffrage and enlarged the powers of the municipalities.\(^4\) The law also established a number of procedures based on participation.\(^5\) But it was in 1991, when a new constitution was enacted, that the participatory aspect of reform was given primary importance. Article 1 of the constitution declares that “Colombia is a constitutional social state organized in the form of a unitary republic, decentralized, […] democratic, 

\(^1\) The article of the Mexican federal constitution that determines the organization and attributions of the \textit{municipios} (municipalities). \textit{Cf. Constitución Política de los Estados Unidos Mexicanos}, Mexico, IFE, 2000, pp. 103-110.

\(^2\) \textit{Programa Nacional de Solidaridad} (National Solidarity Program). An anti-poverty program instituted in 1988 by Carlos Salinas de Gortari, intended primarily for the construction of basic infrastructures in the underdeveloped regions (urban or rural) that were most in need.

\(^3\) Nuevo Federalismo. A national program of decentralization and social policy. Contrary to the PRONASOL that advocated, above all, a form of decentralization that would benefit civil society, the New Federalism program emphasized the reallocation of responsibilities and resources between the three levels of the federation (the central government, the federated states and the \textit{municipios}). The reforms enacted in education and health care were expanded to cover other public programs: social development, agriculture and rural development, ecology and the managing of natural resources, communications and transportation, tourism, energy, and finally agrarian reform. The program provided as well for in-depth reform of the fiscal system so as to ensure a better distribution of the federal budget and grant the states and the municipalities the means to raise tax revenues of their own.

\(^4\) Law 11 was enforced beginning with the municipal elections of 1988. Up to then the mayors had been named by the state governors. As for the latter, they were named by the president of the republic up to 1991.

\(^5\) The law created the “local action juntas” (\textit{juntas de acción local}, JALs) in the recently created inframunicipal subdivisions called \textit{comunas} (in the urban municipalities) or \textit{corregimientos} (in the rural municipalities). The JALs consist of seven members elected by universal suffrage. Among other duties they are expected to propose projects for inclusion in the municipal planning and to supervise the functioning of public services. The law also included provisions for “consultation of the people” and “municipal referendums”.

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participatory and pluralistic". The municipalities were granted new powers authorizing them to fix their own administrative rules, raise taxes and control the handling of funds transferred by the central government. In regard to the native communities, Law 60 of 1993 re-established the resguardo as a separate “territorial entity”, to be administered by the “traditional” authorities in cabildos indígenas. The law also provided for the transfer of special funds – via the municipalities or the departments in which the resguardos were located – funds that were to be employed as decided by the members of the cabildos, in consultation with the inhabitants of each of the territories concerned.

The evolution was much the same in the two countries, even if the conditions and historical context differed considerably. In Mexico, decentralization was the equivalent of “municipalization”, despite the fact that the federated states also benefited from substantial transfers of powers and financial resources (particularly as regards social policies, education and health). In Colombia – at least in those regions where the indigenous population was concentrated – the resguardos (the newly created as well as those already in existence that the state officially recognized) were, along with the municipalities, the primary beneficiaries of decentralization in terms of administrative autonomy. In both cases local management of the funds transferred by the central government was to be subject to direct decision-making participation by the inhabitants of the community in question. The institutional context that the law stipulated for this process was the cabildo abierto in Colombia and the Consejo de desarrollo social municipal in Mexico. Apart from the difference in title, the principles on which these new institutions were based and the ways in which they functioned were similar. The

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7 A colonial institution that set aside parcels of land consisting of several hectares; these areas had throughout history been inhabited by a majority of Indians who enjoyed a certain degree of government autonomy, as well as collective control over land use. One or more resguardos can be included within one municipality or straddle two municipalities, or even two departments. The number of resguardos has constantly risen since they were first written into the constitution. The most recent statistics available list 638 resguardos covering nearly 300,000 square kilometres, close to one fourth of the nation’s territory (1,141,748 square kilometres).
8 Indigenous municipal councils.
10 Literally “Open Municipal Council”. It refers to municipal council meetings that are open to all the inhabitants of the municipality in question.
11 Council for Municipal Social Development.
local authorities were called on to organize meetings with all the citizens of their district, including as well delegates of local organizations (associative, cooperative etc.), and representatives of private companies, government departments or public agencies directly concerned by the funds being transferred (Ministry of Social Development, Health, Public Facilities etc.). These meetings were in most cases held annually. I will return later to the question of how they actually functioned. What is of interest here is to underscore the similitude in terms of the timing of “participatory decentralization” in the two countries and the similitude in terms of the institutional structures adopted.

The similarities were obviously no coincidence. Parallel evolutions taking place in neighbouring countries indicate that the movement was widespread and based on a set of common factors. Without going so far as to establish a hierarchy or a relation of cause and effect, two ingredients strike me as essential in this process. First of all, in Mexico as in Colombia, the decline in state tax revenues brought about by changes in the global economy (in particular the fall in oil prices that began in the early 1980s) had the effect of “paralyzing” the patronage system that, thanks to the permeability of the dominant political parties, had ensured a form of social mobility and thereby the legitimacy of the regime. In the two countries, patronage—a system of asymmetric exchange of favours within a pyramidal structure—was the principal motor of integration and political stability. It is this relationship that explains in great measure how the PRI managed to extend its hegemony over a period of more than 70 years. The lavish oil revenues as well as agrarian reform—or rather the constantly reiterated promise of agrarian reform—enabled the post-revolutionary regime to maintain, over the years, vast “networks” of loyal supporters. In Colombia, even if the regional oligarchies had always been stronger than their Mexican counterparts, the bipartisan system of the National Front,12 established in 1958, likewise retained its ascendancy by building on a hierarchical network of patronage that linked together local bosses and the leaders of the two parties via a myriad of intermediaries at all levels of the political and administrative structures.13

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12 The liberal party and the conservative party took turns occupying the presidency and shared the administrative posts between them.
The change in global economic conditions and the excessive debt burdens of both countries combined to cut off the funding for the patronage network, causing it to “crumble” into a multitude of micro-networks that were barely interconnected.\(^\text{14}\) The restructuring measures advocated by the international financial agencies only accentuated this tendency, since governments, in order to profit from new credits, had to implement “austerity” budgets and privatize a certain number of public or semi-public enterprises which up to then had served as sources of patronage funding. Politics continued to operate on a basically patronage model, but one that was largely dismantled and increasingly incapable of guaranteeing the stability of a hierarchical system that was breaking apart.\(^\text{15}\)

A second factor can shed light on the recourse to decentralization and to procedures that provided for “non-partisan” citizen participation, namely the extensive changes that had affected these two societies. In Mexico, from the 1930s to the 1950s, the state pushed through a developmental program that in a few decades transformed a society that was in majority made up of peasants into an industrialized, urbanized nation. A sizable working class emerged, closely controlled by the PRI. Middle class city-dwellers, who were the primary beneficiaries of the regime, grew in geometric proportions throughout the 1950s and 1960s. The policies in favour of the indigenous population that were instituted as early as the 1940s, contributed to form a new cultivated indigenous elite in quest of qualified jobs and political representation. This diversification of Mexican society resulted in the emergence of new social agents that stood outside the corporatist channels of the national populist regime. Confronted by an increasingly closed political system, these protagonists became spokesmen for social reforms and identity claims similar to those of social movements in Northern societies. The demand for democratization was often tinged with a certain “simplistic” ideology in the case of those who claimed to be Marxist but who made a point of indicating their rejection of armed combat. In addition, the movements within the Catholic Church close to the post-Vatican II “option in favour of the poor” also tended to think highly of community organization; they actively supported such organizations in the form of “grassroots religious

\(^\text{14}\) Gutiérrez Sanín, “Dilemas y paradojas…”, \textit{op. cit.}, p. 46.
\(^\text{15}\) \textit{Ibid.}
communities” and looked with favour on the indigenous communities which they found
to be animated by the same ideal. In a convergence of cross-currents, these approaches
to politics coincided in the 1980s with the arrival of neo-liberal ideas imported by the
new technocratic elite trained in the United States, which were to be taken up by a
political class eager to compensate for the erosion of patronage contacts and to find
substitutes for the centralized corporatism that they no longer had the means to finance.

In Colombia the situation was quite different: the state had never embodied a
national-populist project and therefore had never served as the primary motor of
economic development and the (trans)formation of society. The liberal party and
conservative party networks of allegiance predated the development of the central
government, unlike in Mexico where the state was behind the creation of the PRI. In
addition, the disintegration of the patronage system was to a greater degree due to the
paralysis of a bipartisan system that was no longer capable of representing a society in
the throes of profound change. Another factor should be cited here: the increasing
strength of irregular armed forces (guerrillas and paramilitary militia) and their control of
whole regions of the nation’s territory as well as the exponential increase, from the 1980s
on, of trafficking in drugs (the two phenomena being closely linked). The war economy
and drugs provided alternative financial resources for patronage networks; the State and
the political parties were reduced to competing on an equal footing with others for control
of the territory and the monopoly of legitimate violence.

In both cases the end result was similar: a widespread conviction that alternative
forms of territorial administration and political participation had to be found. And once
again, in each of the two countries, protagonists whose motives were in no way similar
appeared to converge, as if by design, on the same strategic objective: create procedures
and forums for collective debate. For some, these innovations would serve as the means
to circumvent a swollen and corrupt government; for others, they would provide political
institutions with renewed legitimacy. From the point of view of the State itself, the quest
for greater efficiency in the management of public funds (do better with less) went
together with the aim of winning back a certain measure of legitimacy that the worn-out

16 Yvon Le Bot, Violence de la modernité en Amérique latine. Indianité, société et pouvoir, Paris, Karthala,
1994.
recipes of patronage were no longer capable of providing. From the point of view of the peripheral “civilian” agents (regional social movements, indigenous organizations, NGOs etc.), the ideal of local democracy, freed from the meddling of a patronage system considered as both unproductive and restrictive, suited their aim of finding better ways to handle the allocation of public funds, however sharply they might be reduced.

Finally, the decision taken by international financial sponsors to upgrade the level of credits and of development assistance contributed to turn the ideal of participatory democracy into a standard model and spread it throughout the Latin American subcontinent in conjunction with the decentralizing reforms and new anti-poverty programs that were being put into effect. One must not, however overestimate the influence of international organizations (the World Bank, the IMF, the IADB and the UNPD) and of multilateral organizations (the EU, the OAS etc.). The latter did play a crucial role in the spread of new standards of “good governance”: the fact that foreign aid was granted only if certain management techniques were adopted did lend these techniques an aura of legitimacy. But it would be a mistake to conclude that the participatory norms and practices were invented out of the blue by these institutional experts and passed on by government elites anxious to find favour with their generous benefactors. The modes and techniques of “governance” were developed through a dialectical process that drew on diverse social and ideological currents (in this case the “grassroots ideology” of “popular” movements of the 1970s and 1980s, the Christian and indigenous neo-communitarian movements, the neo-liberal conception of a “modest”, decentralized state and so on)– currents which converged during a period of economic penury, a fact which rendered them all the more pertinent in that they promised both material and symbolic benefits. The international agency experts (some of whom had taken part in the “anti-establishment” movements of the preceding decade) brought with them ideas influenced by their own experience in the field. Their “recommendations” concerning the advantages –both political and financial– of direct citizen involvement in the administration of the decentralized public budgets were favourably received by top-ranking international civil servants, all the more so since this approach confirmed their own conclusions concerning the paralysing nature of bloated state governments, and the built-in corruption of its administrators and regional political leaders. From that point on,
the actions undertaken by the international organizations had a snowball effect; decentralization and participation became the twin watchwords that extended to regions that had never known procedures of the kind. Thus it was that the UN pointed to the participatory budgeting process of Porto Alegre as a “best practice”, prompting its adoption by several cities in Latin America and elsewhere.\(^{18}\) The effects of such feedback between local societies and international bodies are legion and cannot be reduced to an idea planted by remote control in people’s heads by some special interest group acting in an unequivocal and concerted manner.

### The vicissitudes of participatory decentralization in indigenous regions of Mexico and Colombia

A comparison between two regions heavily populated by indigenous (the state of Oaxaca\(^ {19} \) in Mexico and the Cauca Department\(^ {20} \) in Colombia) can serve to illustrate the ambiguous results of decentralised participatory policies. In the two cases, the government transferred directly to the municipal authorities (traditional or not) a part of the national budget. The distribution of these funds was to be the subject of consultation between the local authorities and the inhabitants of the communities concerned. In the two countries, these provisions were phrased in terms that vaunted the merits of a diversity of ethnocultural forms of expression, including a diversity of deliberative practices. In other words, the decisions concerning public spending could be taken in accordance with traditional customs (the *usos y costumbres*). The rules governing these transfers amounted to full-fledged acceptance of the diversity of participatory procedures. As we shall see, however, the terms in which this acceptance was phrased considerably limited the leeway accorded the local authorities and the local population, but it did,

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\(^{18}\) Porto Alegro’s “participatory budget” was considered by the UN as one of the forty most commendable urban innovations in the world and was singled out by the Habitat II Conference in Istanbul in 1996. This conference included the adoption of participatory budgets as one of its recommendations. Cf. Marion Gret and Yves Sintomer, *Porto Alegre. L’espoir d’une autre démocratie*, Paris, La Découverte, 2002, p. 65.

\(^{19}\) Oaxaca is one of the 32 federated states of Mexico; it is situated in southern Mexico, bordering the state of Chiapas. It has a population of 3.5 million of which roughly 50% (1.2 million) are Indian (INEGI, *XII Censo general de población y vivienda*, 2000).

\(^{20}\) Cauca is of Colombia’s 33 departments; it is situated south-west of Bogota and has a population of 1.3 million of which 15% (190,069) are Indian (Base DNP, *Población y área indígena por departamento*, 2001).
nonetheless, produce a new dynamics that re-invented community participatory traditions.

**Decentralization and the recognition of “traditional” local institutions**

In the Program for National Development 1995-2000, Ernesto Zedillo introduced the New Federalism as “the form of political organization best suited to reinforce democracy, reaffirm national unity and promote a more balanced and just society”.

Included in the plan was a revamping of functions, responsibilities and budgetary resources in favour of the federated states and the municipalities. The latter were both to benefit from greater prerogatives in fiscal matters, and in particular the administrative powers of the municipalities were to be reinforced. A decree passed by the federal congress in August of 1997 made of New Federalism the official government program. Unlike the PRONASOL which embodied a form of decentralization that benefited civil society, the New Federalism program emphasized the redistribution of responsibilities and resources between the three levels of government. The reform that had been carried out in education and healthcare was extended to include other areas of public policy: social development, agriculture and rural planning, ecology and the management of natural resources, communications and transportation, tourism, energy, and final agrarian reform.

The program also provided for a complete overhaul of the fiscal system so as to ensure an improved distribution of the federal budget and increased opportunities for the states and municipalities to raise their own tax receipts.

The municipio deserves particular attention. An increasing number of anti-poverty programs were directly assigned to the municipalities via the Fund for Municipal Social Development (FDSM). The FDSM took over the core programs that had been included in the Funds for Municipal Solidarity (FMS), created in 1989. They were designed to finance urban and rural infrastructures, which could include such things as opening up a road, building a school, or installing a system for drinking water or irrigation. The mode

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22 Ibid., pp. 60-62.
24 Ibid., pp. 12-14.
25 Fondos de desarrollo social municipal.
26 Fondos municipale de desarrollo
of operation was relatively simple: in each municipality, the authorities were required to set up a Committee for Municipal Social Development (CDSM)\(^{27}\) including representatives of the *agencias municipales*\(^{28}\) along with representatives of local grassroots organizations when appropriate. The mayor presided over the CDSM, which was responsible for consulting the inhabitants of the municipality in order to choose which public works were to be given priority. The projects were chosen from a “menu” very similar to the one established for the FMS, which included a fairly complete list of basic infrastructure equipment that could be financed with FDSM aid. The requirement that the inhabitants of each locality “participate” in the elaboration of the municipal development plan was thus clearly stated but no explanation was furnished as to the exact role this “participation” was to play in the decision-making process. Was it to be simply a question of asking the inhabitants for their opinion, with the municipal authorities—and in particular the mayor—keeping for themselves the real power of decision? Or was it to be a genuine consultation, with the local authorities obliged to adhere, more or less closely, to the assembly’s recommendations? The question remained open. The result in practice was the adoption of a wide range of different procedures, with the collective deliberations accorded differing degrees of importance in the final decision.

In fact, in the indigenous regions of Oaxaca, the CDSM and the collective planning of public works were merely superimposed on the traditional procedures of community assemblies. In other words, it amounted to another name tag that in the first instance did not result in the creation of a new method, but described what the authorities and the community were in the habit of doing. This traditional process of consultation was an inheritance of the colonial period, but one that over the centuries had constantly undergone profound transformations. Contrary to what Indianist rhetoric and a certain school of “engagés” anthropologists would have us believe, the traditional forms of deliberation were, from the very beginning, hybrid in nature: the consensus method (*el acuerdo*) derived from the “talk sessions” of African society, was often combined with

\(^{27}\) *Consejo de desarrollo social municipal.*

\(^{28}\) The Mexican municipalities are subdivided into administrative districts called *agencias municipales* or *agencias de policía*, depending on the number of inhabitants. In the rural municipalities these are most often villages that are independent of the central municipal district. The village inhabitants meet in assembly to choose their authorities, as is the custom in the central administrative districts; neither the mayor nor the councilmen of the central district have any say in the village elections.
the principle of majority rule determined by individual voting. The endless discussions between elders, during which everyone spoke at once with the oldest and most respected member assigned to produce a “synthesis” to which all the assembly members could agree—this tradition had gradually given way to a more systematic method of deliberation whereby a number of spokesmen or opinion leaders presented their proposals in turn, which were then submitted to general debate until one of them was adopted by majority vote, but not necessarily unanimously. The balance between the consensus principle and the majority vote principle could vary from one assembly to the next, depending on the kind of issue that was to be decided, but unanimity was always an important community ideal. Thus, in regard to questions crucial for the survival of the community, such as the mapping of the land and determination of its use, the authorities and the most prestigious leaders of the community were always called on to seek the solution that would, to the greatest degree possible, take every person’s opinion into account. But votes were always taken in the course of debate, even if they were simply a way of ratifying agreements that had already won majority approval. The vote itself could take various forms (by raising one’s hand, by marking “sticks” on a blackboard or by means of ballots), but it was almost always public.  

The procedures used in assembly decisions have a history that is rarely retraced by ethnologists eager to interpret them as vestiges of a pre-Colombian past. It is, however, perfectly possible to trace how these procedures developed and the uses to which they were put. Consultation as a decision-making method—one limited to the elders or those having occupied posts of responsibility (either religious or civil)—dates from the introduction of the repúblicas de indios  and the cabildos, corporate bodies that were supposed to serve as representatives of the indigenous population and establish liaison with the colonial authorities from the 15th century on. For nearly a century the duties that fell to the cabildos were monopolized by a noble cast, descendants of former caciques or Indian chiefs. Little by little the category of those who exercised these responsibilities was to be opened to all the adult males of the community, commensurate

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30 Indian republics. A sort of substitute for the municipio in regions where the Indian population is in the majority.
with their contribution to the financing of Catholic rites.\footnote{John K. Chance and William B. Taylor, “Cofradías and Cargos: An Historical Perspective on the Mesoamerican Civil-Religious Hierarchy”, American Ethnologist, no. 12, 1985, pp. 1-26.} The hierarchical relations underwent change and the assemblies gradually began to function as forums for collective decision that were not limited to the authorities. In fact, the latter were no longer chosen by the elders, but elected by all the adult members of the community. It should be added that before decentralization the majority of public works in most of the indigenous municipalities were carried out by the villagers themselves in the form of community service. Widespread poverty contributed, to a considerable extent, to the institutionalization of the “community assemblies” – open to all – as decision-making bodies, to the detriment of the cabildo or the council of elders. From the authorities’ point of view, a decision was applicable only if the majority of the people were prepared to contribute to its implementation; the participation of community members was thus a way of guaranteeing that they would take part in putting the measures adopted into effect.\footnote{David Recondo, Multiculturalisme et démocratie au Mexique, op. cit.}

But the deliberative procedures that one can observe today in the indigenous communities of Oaxaca also bear the traces of the modifications introduced from 1930 on by school teachers and by the civil servants involved in agrarian reform. The idea of a quorum, the drawing up of an agenda, the election of moderators and assessors at the start of each assembly, and the keeping of minutes were procedures borrowed directly from the post-revolutionary agrarian assemblies set up to manage the ejidos or community lands and were similar as well to the procedures governing the assemblies organized by the teachers’ union. The ear-splitting cacophony described by the anthropologists gave way to give-and-take exchange of opinions closely controlled by rules of procedure destined to reassure the state representatives as to the legality of the decisions taken.\footnote{Ibid.}

Participatory decentralization was thus grafted onto these deliberative traditions which were already the result of fusions. The CDSM is the equivalent of a cabildo sitting in full session. The CDSM convokes the community assembly at the start of each year so as to inform the members of the amount of the annual budget. In certain municipalities, the authorities present their proposals, which are then voted on by the assembly; in other
municipalities it is the members themselves who suggest what projects are to be undertaken. In all cases, the projects are listed in order of priority. The decisions are taken by a vote in which all the members take part except for the authorities who preside the meeting. The minutes of the assembly are then annexed to the description of the projects selected and sent to the central administration for approval.

In Colombia the process was similar. Decentralization took place in two stages. The procedures set up by the 1986 reform (in particular the JALs) were similar to the Mexican CDSMs, the only difference being an increased emphasis on consultation and supervision rather than actual decision taking. Nevertheless, a reform of this nature, as in Mexico, provided the opportunity to introduce—if the local authorities agreed—procedures for concerted programming of public funds. But the process was a delicate one, depending to a great degree on the willingness of the mayors, who could, in the last analysis, ignore the recommendations of the juntas. Nonetheless, it represented a significant change given the fact that the Colombian government had always exercised highly centralized control. It was not until the new constitution came into effect in 1991 that participatory decentralization became one of the primary elements—at least in symbolic terms—of the country’s political system. As mentioned above, the Colombian political system was known from then on as a “participatory democracy”. It is, in this regard, the first Latin American country (before even Bolivia and Venezuela) in which citizen participation other than voting was the established norm for governmental procedures on a nationwide level. The methods of democratic participation were stipulated in Article 103 of the constitution: “elections, plebiscites, referendums, consultation of the people, open municipal councils, legislative initiative, and repeal of mandates”. ⁴ On the local level it was the open municipal council (cabildo abierto) which served as the framework for citizens to share in the decisions taken by the authorities. This disposition went well beyond the former juntas since from this point on public expenditures could not be programmed without the local population’s agreement. The Colombian reform would appear on the face of it to carry the process further than in the case of Mexico. Citizen participation in decisions was no longer simply an option, with the municipal authorities, promoted to the rank of CDSMs, free to take into account or to

⁴ Constitución Política de Colombia, op. cit., p. 51.
ignore the recommendations formulated by the inhabitants summoned to the annual meeting. It would seem then that the standards set by the framers of the 1991 constitution went well beyond what had existed up to then, while in Mexico – at least in the case of the indigenous municipalities – the recourse to the *cabildo abierto* in the form of village assemblies was common practice even before decentralization was inaugurated. The novelty of the Colombian participatory process was heightened by another key innovation: the official recognition – and the creation as well – of *resguardos*, an institution of colonial origin akin to the Mexican *repúblicas de indios*. The traditional *cabildos* were thus granted a legal status which they did not possess before 1991. Statute 60 adopted in 1963, provided provisional guidelines for the functioning of these “indigenous territorial entities” and in particular for the management of the public funds that were transferred to them. A regional planning law (*ley de ordenamiento territorial*) was supposed to be adopted at the same time, but in 2005, it still has not been passed. The current regulations have nonetheless made it possible for the *cabildos* to manage, via the municipalities or the departmental governments, the funds over which they have sole control and which they can allocate as they please, in the areas specified by the law. As in Mexico a “menu” of acceptable projects is drawn up, but the traditional authorities, within these fairly flexible limits and in consultation with the citizens of the *resguardo*, are free to elaborate their own spending programs. Unlike the Mexican case, it is explicitly stated that “citizen participation” must be implemented in accordance with the traditions of each of the *resguardos* – which means that no standard set of procedures has to be respected. In a strictly formal sense, the indigenous authorities are not required as in Mexico to “go through the motions” of setting up a CDSM. They have only to transmit their projects to the central administration of the municipality without specifying the manner in which they have been decided on.  

Actually, in Cauca, the traditional procedures are similar to those of the indigenous *municipios* of Oaxaca. These communities have long been familiar with assembly procedures; the most varied sorts of questions touching on matter of general interest are systematically submitted for discussion. The assemblies thus are broader-based than the *cabildo* which remains a select, collegial group. All the “eligible” adults –

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including women in most cases– take part. It is these assemblies that decide what projects or public works to finance on the budget allocated to the resguardo. The methods of deliberating resemble those employed in the Oaxaca communities; they are derived from the same hybrid origins fashioned over time by successive borrowings and reformulations. Decisions are ratified by a roll call vote after lengthy discussions during which conflicting opinions, sometimes radically opposed, are presented in turn. Even if the idea of a consensus does remain the ideal, majority rule is sufficiently anchored in custom so that in most cases the vote determines which proposal will be selected rather serving as an indication of unanimous agreement.36

**Supervised participation**

Participatory decentralization, in Mexico as in Colombia, suffers from the same shortcomings: not only is there little leeway in choosing what funds are to be spent on, but the higher-level administrative authorities (the state governors in the case of Mexico, the mayors and departmental governors in the case of Colombia) supervise the local authorities (the indigenous municipios and the resguardos). These two factors considerably limit the control that the assemblies exercise over the decisions to be taken.

Even if, in Colombia, the list of areas in which the funds can be spent is more inclusive, the due dates for payments to be respected and the accounting rules laid down by the central administration create a situation largely similar to that of Mexico.37 Communities and community leaders end up by preferring expenditures for the construction of public facilities (roads, sewers, water purification plants, electrification, upgrading of public areas etc.) to the detriment of longer-term projects (agriculture, education, marketing of local products etc.). The fact that spending is on an annual basis

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36 The definitions of citizenship vary from one community to the next. As a general rule, a person is a citizen – which entails both the right and the obligation to attend community assembly meetings – if he is the head of a household – adult or not – having fulfilled the collective community requirements (community work, dues, etc.). The participation of women varies greatly. In certain municipalities they have been citizens since 1930 or 1940; elsewhere it is only recently that they have acquired the right to deliberate and vote in the village assemblies. At present, in Oaxaca women are “active” citizens in 70% of the traditional municipios. Cf. María C. Velásquez, El nombramiento, op. cit.

37 The funds transferred to the resguardos are invested in everything from education to the acquisition of new land, including the financing of basic infrastructures, improvement of living conditions, culture, justice, or institutional development. Cf. The official site of the National Planification Department, [http://www.dnp.gov.co/](http://www.dnp.gov.co/) under the headings “Desarrollo territorial” and “Diversidad étnica y cultural”.

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combined with the difficulties encountered in justifying expenditures for projects the results of which are more uncertain and more difficult to quantify, induce communities to prefer construction projects that can be completed in less than a year. The choice of “short-term hard-built” projects is also due to the fact that the local traditional authorities have mandates that are relatively brief—annual or tri-annual at best—there being no municipal administration capable of following up on long-term planning.

In this regard the case of Colombia is somewhat exceptional: the resguardo authorities cannot manage directly the budget that has been transferred. It is the mayor of the municipality in which the resguardo is situated—or, if the resguardo “overlaps” two departments, the governor of one of the departments—who is entitled to receive and administer the transferred funds. These funds are, to be sure, placed in a separate account and reserved exclusively for each resguardo, but the resguardo officials cannot dispose of them without the authorization of the mayor or the governor in question. Once the resguardo assembly has established its spending program it has to be approved by the mayor. In principle, the latter is supposed only to verify that the planned expenditures fall within the areas specified by law and to make sure that the money has been spent as planned. But resguardo officials often complain of the pressure exercised by mayors in regard to the choice of projects or the demands they make for political and/or material favours in return, in classic patronage style. Community spokesmen have been asking, for over ten years, that the cabildos and the resguardos be placed on the same footing as a municipality and be authorized to handle their budget in a totally independent manner.38

In addition to the supervision by “higher” authorities, a second factor has acted to “parasitize” participatory procedures, namely widespread patronage, which, in both Mexico and Colombia, still plays the determining role in political relations despite the profound changes which the governments and the regimes of the two countries have undergone. As we have said, even if the patronage networks have to a certain extent been broken up, this does not mean that patronage has disappeared; on the contrary, it has intensified as the “bosses” acquire more autonomy and resources diminish. The participatory provisions were often presented as a way to promote the development of a form of citizenship free from the “shackles” of patronage. It was thought that the

38 Ibid., Virginie Laurent, op. cit., p. 443.
deliberative assemblies would provide the solution, since they would bring together autonomous individuals—or at least individuals bound only by horizontal solidarity—who would convince their fellow citizens, or be convinced by them, on the basis of reasoned argument. This ideal, akin to Habermas’s model of society, is however far from the realities of the community in which the inequalities of social status and the relations of dependence combine to maintain a dense, fluid network of patronage ties. The forums for participation, in this case the assemblies, are not immune to the unequal balance of power and influence. In fact the combination of decentralization policies and the “bonus” accorded to participatory methods of decision-making has contributed to further multiply micro-networks of patronage that have found fertile breeding grounds in the relative autonomy of the municipos (in Mexico) and the resguardos (in Colombia).\(^{39}\)

*The paradoxical creation of new forums for deliberation*

The joint policies of decentralization and promotion of citizen participation have not, however, had only negative effects on local deliberative procedures. The “veneer” of a new terminology when applied to traditional procedures contributed as well to the emergence of a new dynamics of participation and new areas for its implementation.

First of all, in certain cases, the allocation of financial resources, in conjunction with the regulations governing the participatory process, have given new life to participation by transforming the assembly from a gathering reserved for a limited number (elders, municipal officials, males, inhabitants of the central administrative district of the municipality etc.) into one that includes a sizeable number of people who up to then had been excluded from the decision-making process. It is true, for instance, of the *Sierra norte* municipalities in Oaxaca or again the Pacific coast municipalities. In these two regions, the assemblies had been, up to 1990, controlled by the municipal authorities together with a few of the more affluent families with better political connections. The caciques or local “bosses” were commonplace, even if they did not have as much power as their predecessors in the years 1930 to 1970, when the institutionalization of the post-revolutionary regime was in full swing. In addition, the only assemblies that included a majority of the citizens were for the purpose of

\(^{39}\) Francisco Gutiérrez Sanín, “Dilemas y paradojas…”, *op. cit.*
designating the municipal authorities —once a year (Sierra norte) or once every three years (Pacific coast). Even in the case of these assemblies the level of attendance was often very low. Most of the time the assembly served only to ratify decisions that the community leaders and authorities had already taken. It was not then a genuine forum in which decisions were reached through deliberation. Whole sectors of the community were excluded from the assemblies: women, inhabitants of outlying districts, religious dissidents, non-natives). The citizens who had the right to speak and to vote were therefore relatively few in number and did not represent the inhabitants of the municipality as a whole.\textsuperscript{40}

The rehabilitation, in 1995, of traditional methods of designating the municipal officials, followed by the “participatory municipalization” of that part of the federal budget earmarked for the development of basic infrastructures and anti-poverty programs, contributed to revitalize the procedures of the community assemblies. The change did not always come about peacefully. On the contrary, in most cases the marginalized elements of society mobilized to demand the right to examine the way in which the municipal budget was being distributed. The inhabitants of the outlying districts were the most vehement in this regard. In municipalities such as Santiago Ixtayutla in the Pacific region, where the assembly was limited to a dozen or so inhabitants of the central district with close ties to the merchant families, the inhabitants of the outlying districts, who up to then had been penalized by an arbitrary, unfair allocation of public resources, organized a vigorous protest movement in 1998 and 1999 that brought about a radical change in the assembly’s prerogatives and mode of functioning.\textsuperscript{41}

This example is of interest because of the fact that the struggle for participation in political decisions did not result in the rejection of local traditions but rather a re-invention of those traditions. The “candidates” for inclusion in decision making contrived new procedures for participation in the name of traditions which they accused their adversaries —the caciques— of having betrayed. Some historians have spoken of “the paradoxical invention of modernity” when describing the ways in which social, cultural

\textsuperscript{40} David Recondo, \textit{op. cit.}
\textsuperscript{41} \textit{Ibid.}
or political innovations have often been accompanied by invoking or “recycling” certain values and forms of behaviour anchored in the past, although the past referred to might well have been “reconstructed or simply invented”. This holds true in particular in Europe from the end of the 18th century on. The development of the modern state and colonial expansion went hand in hand with “a process of ritualization and formalization” of “fragments of a more or less fantasized past” in both the mother country and the colonies. The same holds true for contemporary Mexico. The insistence on identity recognition and in particular the call for the defence of tradition also contributed to redefine the public arena and transform the political system.

In this connection Santiago Ixtayutla is a particularly interesting example. In protest against the strict control exercised over the decision making by the municipal authorities, more than 2000 inhabitants of the central administrative district and the outlying communities organized to demand that the elections be annulled and that an assembly including “all the citizens of the municipio” be held. The novel feature of this movement lies in the fact that the protestors accused the outgoing mayor and his allies – both local and regional – of having “violated community law” in naming his successor. It was said that the mayor who had been designated according to tradition by the elders had been assassinated – by bewitchment! In making their claims they were in fact reaffirming that, before the caciques had changed the rules, elections were held as follows: the elders named the municipal authorities, taking into account the “career” of those who had already exercised community responsibilities. The choice was then submitted to a village assembly, whose role was to ratify the decisions already taken by the elders rather than to elect other candidates. Nothing new so far. The Ixtayutla procedures resembled those of most of the traditional rural and Indian municipios, in which the officials were designated by a relatively small group of elders and central district inhabitants. The protestors seemed to be siding with their adversaries when they declared that “traditionally the Ixtayutla communities do not take part in the election of

43 Ibid. p. 49.
44 A municipality nestled in the mountains close to the Pacific coast.
authorities”.47 “True”, admitted one of their spokesmen, “but that’s the way it was before the caciques broke community law”.48 Since then, he went on, the caciques had corrupted the elders by offering them money or other material advantages so as to influence their decisions. In order to put an end to this “corrupt tradition”, the protesters proposed that the elections of municipal authorities be accomplished by an assembly including all the communities of the municipio and that the elders “serve once again as a counsellors to the authorities”.49 What we have here is a perfect example of “the invention of a tradition”.50 The protesters claim to be the defenders of a tradition that the caciques had “violated”, while at the same time inventing another tradition that had little basis in custom. The “general community assembly” is conceived of as a genuine forum for deliberation and election, and the elders are merely “counsellors” and not the ones who decide. In other words, recourse to a form of legitimacy based on tradition provided a way to promote far more active and open citizen participation –including that of women– in the election of local authorities.51

While, in this case, the conflict was limited to the designation of municipal officials, it formed nonetheless part of a more general dynamic that has redefined the methods of community decision making. The protest movements have gone beyond election issues to embrace the whole conception of the purpose and functioning of deliberative procedures. In all such cases, decentralization, coupled with the recognition by the government of “traditional forms of participation” have contributed to foster this re-interpretation of political mores so as to make them more participatory.52

Similar developments took place in the Cauca region of Colombia. The transfer of funds directly into the hands of the resguardos resulted, from the very start, in considerable restructuring within the communities. While the situation varied greatly from one resguardo to the next, forums for deliberation took on renewed importance. From that time on investing in the deliberative process was “worth the time and trouble”, since it was a matter of selecting which projects and which districts would benefit from

47 Ibid.
48 Ibid.
49 Ibid.
51 David Recondo, op. cit.
52 Ibid.
the transferred funds. Simultaneously the influx of public money fostered more active competition for election to posts in the cabildos or in the associations that grouped together several cabildos created so as to share the resources allocated by the central government. The very idea of what constituted power and how it was to be exercised was transformed by these developments. The posts carried with them not only symbolic rewards (prestige) but also material rewards: the indigenous authorities of the resguardos were in a position to derive personal profit from transactions (bribes, overbilling in allocating building contracts etc.) with the complicity of the regional authorities (the mayor or department governor) who were in charge of administering the funds. These types of arrangements became common practice once the new administrative procedures were set up.53

But the influx of money has also stimulated the formation of organizations above the community level. Thus in an area lying north of Popayán, in Cauca, the indigenous authorities created an association of cabildos (ACIN, asociación de cabildos del norte del Cauca) which included officials of several municipalities (Toribío, Jambaló and Santander de Quilichao) and several resguardos of the region. Transmunicipal coordination enabled them to swing the balance of power with the department governor in their favor. In addition, the legal status of the association was such that they could negotiate supplementary budget transfers from the central administration as well as from international organizations such as the IADB or the UNDP. In this Cauca department the indigenous authorities constructed what amounted to a participatory “pyramid” with three levels: cabildos, district councils, and regional councils. Every two years the cabildos of each region of Cauca, designate the delegates who will sit on the district council; the latter, in turn, choose the delegates who are to become members of the Cauca regional indigenous council (the CRIC). This system, instituted in 1990, now functions smoothly. It facilitates the coordination of projects and public policies that concern the totality of the indigenous districts, making the most of the funds that are transferred without the constraints that the narrowly focused policies of the resguardos imposed. At the same time, negotiations are conducted at every level of the pyramid, since the members of the district councils meet in assembly every year and a regional congress is held every four

years. The latter provides a fitting occasion for the indigenous authorities to draw up a four-year development plan.

**Conclusion and policy recommendation**

The comparison between the ways in which participatory decentralization has been implemented in the indigenous regions of southern Mexico and south-western Colombia provides a striking example of the ambiguities inherent in the dissemination of political norms in the contemporary world. On first sight the same hierarchical relations (between the central government and the local governments, but also between the latter and “civil society”) and the same provisions for participatory planning of public expenditures appear to have been imposed upon very different existing political procedures. The fact that the conditions set for the distribution of development funds were largely similar could lead one to conclude that the result would conform to a single model with identical decision-making procedures, technical and managerial in nature rather than political. Yet a closer analysis, more alert to disparities, reveals the complex ways in which the new procedures for participation in decision making have been appropriated and developed on the basis of traditional models that are themselves in constant mutation. The development and implementation of participatory procedures then appear as a complex set of interactions between protagonists (on the local, state and international levels) and the wide range of political practices that they bring to bear. Finally, none of those involved emerge unaffected by the hybridization of participatory cultures that these complex transactions produce.

But the comparison also provides a second lesson in the form of a paradox: it is in Colombia, where the official pronouncements concerning “participatory democracy” are the most eloquent and the most frequent that local decision making is more closely supervised by the higher levels of government; whereas in Mexico, where the purely administrative aspects of decentralization have taken precedence over the participatory element, the municipalities have been able to breathe new life into their deliberating procedures, while maintaining a conventional façade for the benefit of outside observers.

What lessons can be drawn from this comparative analysis? Beyond procedural and mere institutional design, some practical observations arise:
1. Development agencies should not think in terms of “best practices”. Participative decentralization is certainly a necessary mean to promote social development, but there no standard model likely to the suitable to all regional and local contexts over the world. Therefore, any development strategy should acknowledge local and specific conceptions and practices of governance, and prevent from exporting it elsewhere as a turnkey solution. Besides, only a bottom-up process of participatory decision-making is likely to create the base for a more even and sustainable development. Readymade devices imported and imposed by central governments onto local constituencies can’t but prevent any virtuous change.

2. The bottom-up focus of development strategies should not neglect the importance of the State and the necessity of a legitimate central government capable of steering the overall process of territorial development. Decentralization paradigm should not be conceived as a mean to bypass the State but, on the contrary, to consolidate it. In Latin America, like in most countries of Sub-Saharan Africa, decentralization has had the negative effect of undermining already feeble States. The overall concept of “stateness” should therefore be thought of more thoroughly.

3. Any development promotion strategy should overtly take into consideration power and politics. Decentralization and participation is not just about reducing bureaucracy and make it more efficient. It is above all a matter of power sharing, and should be considered as such. The participation paradigm has therefore to be linked to an institutional design that guarantees transparency and accountability in public management so as to prevent the exacerbation of patronage and corruption.

4. Any sustainable development requires a constant and lengthy process of external assistance. The latter should be conceived as a real (and not just rhetorical) accompaniment of the strategies set up by local actors to promote development. International, multilateral and bilateral assistance has often been applied on a short-term base. A long-term base, equivalent to at least a generation, is essential to enable the socialization –and therefore overall acceptance– of new “traditions”.

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