

Colombia's devolution sparked 25 years of democratization

Reforms changed the face of cities but underfunded key services

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DESPITE ITS LONG-STANDING BATTLE WITH DRUG LORDS AND factional fighting, Colombia has succeeded in instituting the direct election of its mayors and governors in a 20-year democratisation process that is still changing the face of the nation in 2008.

The move to direct elections of mayors and governors has had a lasting impact on Colombia's politics. It opened the political system to many groups. New political parties and movements have sprung up, vowing to clean up public administration, root out corruption, end one-man rule by city mayors, and offer more accountability.

Previously, mayors were appointed by state governors, who were appointed by the president.

But the changes are not enough to call the decentralization process "devolution." Colombia's 32 regions and its cities have few powers, though these powers are set out and fully protected in the constitution adopted in 1991. There are few taxes that the regions and cities can raise. However, the changes in a quarter century have been impressive.

One local star in the transfer of powers to the cities is Sergio Fajardo, a mathematics professor who was a popular mayor of Medellin from 2003-07. Fajardo focused on helping the poor, building public infrastructure and improving their commute to work and is credited with the turnaround of a city once considered the most dangerous in Latin America. Medellin is no longer viewed as the drug capital of South America, thanks in part to Fajardo.

The people today expect far more from municipal administrations than they did two decades ago. This is true of the major cities, but also of the many mid-size urban centres, which have

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Colombia's President Alvaro Uribe gestures during a meeting with U.S. Commerce Secretary Carlos Gutierrez. Uribe launched a raid on a FARC camp in Ecuador in April, 2008, causing protests from several Latin American governments.

undergone considerable transformations, mainly because of incentives created by democratization and the increasing power of the municipal order of government.

The current decentralization campaign began in Colombia in the mid 1980s. It was part of Latin America's return to democracy and was a result of pressures to diminish the size of central governments. It ushered in a region-wide trend toward leaner, more decentralized states.

Forces disarm

Colombians were weary of decades of internal warfare. Decentralization was promoted as a means of instilling peace among the various warring factions and as an incentive to lay down their arms and in exchange, gain powers in regional governments.

It was viewed as a win-win by the right wing of the Conservative party and originally, also by the extreme left, represented by various guerrilla groups – particularly the powerful rebel group known as the FARC.

The Conservative Party government of President Belisario Betancur (1982-86) initiated peace talks with three guerrilla groups in 1983. Within this context, the proposal to initiate a decentralization process took off. Decentralization – which soon became entrenched in the Constitution of 1991 – was seen as bait to lure guerrilla groups to the negotiation table and, by others within Congress, as a way to enhance their political prospects once the Liberals returned to power, as they did in 1986.

In 1998, Conservative President Andres Pastrana began a series of peace talks with FARC, resulting in a so-called "demilitarized zone" for the rebels in Colombia. But after more than three years of negotiations, Pastrana ended the talks in February 2002, following a series of high-profile guerrilla attacks by FARC. The Colombian army then moved in to occupy the demilitarized zone.

FARC then responded with the kidnapping of such high-

level hostages as Colombian Senator Ingrid Betancourt at the end of February 2002. This action raised the ante. Cities all across the nation mounted massive demonstrations with Colombians of all stripes and ideological persuasions opposing the kidnappings.

Civil conflict in Colombia was a confusing array of overlapping alliances. Guerrilla groups and so-called “paramilitary” groups had been funded by the drug trade for years. Colombian drug cartels even used miniature submarines costing \$2 million each to make cocaine deliveries. Although many were captured by the Colombian or U.S. navies, those subs that slipped through were able to deliver \$250 million worth of cocaine to Mexico.



A banner in Medellín calls for the release of Colombian politician Ingrid Betancourt, who was kidnapped by FARC guerrillas in February 2002.

On the extreme right, the 26,000-member AUC paramilitary group laid down its weapons between 2002 and 2006 in return for benefits such as reduced jail terms. But after demobilizing, the paramilitary groups strengthened their networks of political power and control of land.

Municipal elements led reform

Like some other Latin American countries, decentralization in Colombia initially had a strong municipal bias. A new statute for municipal administration was approved in 1985 and the direct election of mayors was approved in 1986.

Significant funding from the central government fuelled the decentralization process.

Juan Camilo Restrepo, the former minister of finance, said in 1998, that “close to a third of the central government’s increased spending during the 1990-98 period is accounted for by the accumulated additional obligations related to territorial transfers, some entrenched in the constitution, others coming from ordinary law.”

Some argue that the constitution drafted in 1991 by an elected constituent assembly changed the dynamics of the decentralization process to one of devolution by giving regional governments a few constitutional areas of competency, although their taxation power was limited only to taxes on

alcohol, tobacco, and lotteries.

The constituent assembly that preceded the ’91 constitution represented multiple minorities – including the left, the indigenous movement and the non-Catholic Christian population – which banded together with progressive factions of the Liberal party to implement a dramatic opening of the Colombian political system.

Key changes involved extending the decentralization process to the regional governments, with governors elected by popular vote for the first time in 1991.

The constitution also included rules mandating that a fixed (and increasing) proportion of national revenue be transferred to subnational entities, thereby guaranteeing that political and fiscal decentralization would go together. This has sparked considerable debate, with some blaming the fiscal deficits of the late 1990s on this revenue distribution scheme.

Simplifying revenue transfers

A 2001 law simplified revenue transfers and slashed the proportion of national revenue going directly to regions and municipalities, to 37.2 per cent from 46.5 per cent. The debate on transfers continues, with the central government seeking to cut them and the opposition defending the gains entrenched in the 1991 constitution. Discussion has focused on rules for improving revenue distribution rather than reversing the process of decentralization.

The process of decentralization has had important long-term consequences. It has opened the system to new actors who were previously excluded and has created a vibrant political scene at the regional and local levels. New opportunities for popular participation

have opened as well as new avenues for advancing the political careers of leaders from outside the capital city of Bogotá. Since the reforms, many national level leaders have arrived on the scene after starting their political careers as mayors or governors.

Not all is positive, however. Along with opening the political system to new entrants, some of the most harmful political forces (including drug dealers, paramilitary groups and remaining guerrilla groups) took full advantage of the political spaces opened up by decentralization, and have become entrenched centres of power.

As the stakes have been raised in local and regional elections, violence and intimidation during electoral contests have reached new heights. New-found autonomy from the central government has not always furthered the best interests of the people, and has often served regional elites, local politicians, or both. Additionally, although the mayors and governors have higher levels of education than their predecessors, there are nonetheless troubling reports of increased corruption and abuse of public funds. The good news though is that with new electoral accountability, cities have seen unpopular mayors thrown out. Overall, the balance seems to weigh more heavily on the positive side.

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Demands for accountability

There is still concern about the adequacy of procedures for financial accountability given to regions and cities. Ex-finance minister Rudolf Hommes told the leading national newspaper, *El Tiempo*, in 2006: “Since the constitutional changes of 1991 – which gave local governments the power and responsibility to make autonomous decisions in the areas of education, health and basic services, while transferring national resources so

that those local and regional governments could adequately fulfill those obligations ... there was a prevailing sense that the control mechanisms to ensure that the mayors and governors would fulfill those constitutional responsibilities were lacking.”

But despite internal pressures, Colombia does not have the kind of territorial concentration of linguistic, ethnic or religious identities that could threaten to break the country apart. There are no strong minority groups to oppose the current unitary government structure, or to demand a federal system. Nevertheless,

the centralized governance that prevailed since the late 19th century contributed significantly to the country’s many decades of internal conflicts.

Many pundits agree that since the early 1980s, Colombia has taken dramatic steps in the right direction. If the past 20 years is to serve as a roadmap for the future, Colombia needs to keep moving down the road in the direction of a more deeply decentralized structure, in which the interests, identities and demands of all inhabitants find meaningful expression at the national level. 