Colombia’s devolution sparked 25 years of democratization

Reforms changed the face of cities but underfunded key services

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 democratization 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 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 political officials as the hangings of President Uribe’s political advisor and the bombing of his plane. Uribe has called FARC a “terrorist group” and referred to the rebellion as “the third world war.”

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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 Medellin 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 Bogota. 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.

MOROCCO [FROM PAGE 18]

Empowering local governments to deliver better services leads to one important question: are the financial and human resource capabilities sufficient to meet the challenges that the country is facing? Morocco’s rapid urbanization is accompanied by an increasing need for municipal investment in the areas of infrastructure, sanitation, water and electricity services, transportation and urban development.

“The investment needed to meet increasing demand would require not only an increase in (its) own (internally generated) revenues, but improved ability to borrow and attract private investment,” said Mostapha El Haya, a member of the majority in the Casablanca City Council, in an interview with the Casablanca newspaper Al Massae on March 15. “It would also require stronger municipal human resources capability,” said Said Essaadi, an opposition member of the city’s council, in an interview with Al Massae on the same day.

Prospects for regional autonomy
With moves to amend the urban laws and to provide financial and human resources for cities and towns, municipal government reform is off to a good start in Morocco. The next area for the legislature to take on will most likely be regional government, a reform that might possibly begin in the unlikely location of Western Sahara.

However, any effort to accelerate decentralization or regional autonomy in Morocco through reforming decentralization laws will not be sufficient if accompanying measures are not implemented. Other legislation, such as the law governing political parties and the electoral law need to be reviewed to include more democratic practices and procedures inside political parties and to reduce corrupt practices during elections. Such a review should not only reduce vote buying and corruption during elections, but should also contribute to improved democratic and transparent procedures inside political parties, which would encourage more qualified candidates to run for municipal seats.

MALAYSIA [FROM PAGE 28]

and also the federal Public Works Minister, and one of four ministers toppled in the election.

Indian-Malay anger at their economic and political marginalization had manifested itself in a massive demonstration in Kuala Lumpur last November, organized by a group calling itself the Hindu Rights Action Front.

Chinese-Malaysians were unhappy with the sluggish economy and the inability of the National Front government under Prime Minister Badawi to promote Malaysia’s competitiveness regionally.

They were also incensed by the actions of the Youth leader of the Malay party in the National Front who, brandishing an unsheathed double-edged Malayan dagger in his party’s assembly, had called for bringing back pro-Malay affirmative action policies.

There were also concerns about inflation caused by the hikes in fuel prices, rising crime rates, alleged corruption and abuses by National Front leaders in the local councils and state governments.

These urban issues perhaps explain why the more developed states of Penang, Selangor and Perak, as well as ten out of eleven seats in the Federal Territory of Kuala Lumpur fell to the opposition.

In Penang, Lim Guan Eng, 47, the Democratic Action Party’s secretary-general, has been appointed the new chief minister. This most unlikely of chief ministers is now tasked with fostering harmonious relations with the National Front federal government that had detained him.

He has declared that he will review many of the “megaprojects” that the National Front state government had approved. In the state of Selangor, his counterpart from the People’s Justice Party is also reviewing the water privatization project of his National Front predecessor on grounds that the people and the state do not appear to be benefiting from the agreement signed.

For Malaysia to build upon the election outcome, and strengthen the federation, it is expected the federal government in Kuala Lumpur will curtail the coalition’s practice of encroaching on the powers of state governments.