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STUDY SPACE SYMPOSIUM ARTICLES

Ethics and Citizenship Culture in Bogotá's Urban Administration

Mario Nogueira de Oliveira*

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I. INTRODUCTION

Colombia is a deliberative democracy still “under construction.” During the better part of the past two decades, the country, and more specifically the capital Bogotá, has had unique and impressive experiences with *cultura ciudadana*, or citizenship culture. This is a new political phenomenon that has impressed politicians and scholars because of its effectiveness and its power to produce social improvements. Citizenship culture employs relatively simple, yet highly effective initiatives such as using public spaces for education, creating public transportation solutions like bike lanes and a new bus system, renovating and constructing parks and libraries, and offering free entrance to museums and cultural activities.¹ In this article I intend to: (1) present a description of citizenship culture, and its relevance and effectiveness when applied to the political arena; (2) analyze the arguments asserting that some achievements in Bogotá are *not* a result of

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1. See generally Juan Felipe Parra & Oscar Julián Corzo, *Impacto del Plan Nacional de Lectura y Bibliotecas sobre el número de libros leídos*, in *HÁBITOS DE LECTURA: ASISTENCIA A BIBLIOTECAS Y CONSUMO DE LIBROS EN COLOMBIA 215* (Bernardo Recamán Santos ed., Impreso en Colombia por Arte y Fotolito 2006).

citizenship culture; (3) show that a strong relationship exists between the implementation of citizenship culture and a national political plan to reorganize the Colombian state and its civil society; and (4) demonstrate why the citizenship culture plan was more effective than a similar plan, “Rio Cidade,” which was attempted in Rio de Janeiro, Brazil, during the same period. In conclusion, I will argue that Bogotá’s superior results are due to efforts that were lacking in the Brazilian “Rio Cidade” plan, such as civic responsibility and citizenship education.

II. CITIZENSHIP CULTURE: ORIGINS, IDEALS, DEVELOPMENT

In the recent past, Bogotá was known as one of the most violent cities in the western world. However, it is also known as the location of one of the most innovative urban administrations in Latin America. A man outside the traditional political party system, the former president of Colombia’s National University, Antanas Mockus, started the administration.

A professor of philosophy and mathematics, and twice-elected mayor of Bogotá, Mockus was at the forefront of the citizenship culture movement.² He defined citizenship culture as “programs and projects that together expressed the main priority of a local government clearly oriented to citizenship civility. Such priority arose from the acknowledgement of a dissociation in law, morality and culture.”³ As with morality and law, culture, especially cultural change, is a very efficient tool to positively influence civic behavior. Mockus cites cultural change, along with law and morality, as a catalyst and incentive for conscious positive changes by citizens who share a minimal set of rules, thereby encouraging a sense of social inclusion—of belonging to a city.⁴ As a result of this

2. Jesús Martín Barbero, *Los Laberintos Urbanos Del Miedo*, 56 *UNIVERSITAS HUMANÍSTICAS* 69, 78 (2003) (Colom.); see also Rocío Londoño, *De la cortesía a la cultura ciudadana*, in *BOGOTÁ: EL RENACER DE UNA CIUDAD* 129, 132 (Gerard Martin et al. eds., 2007) [hereinafter Londoño, *De la cortesía*]. Mockus served his first term during 1995-1997, and his second term during 2001-2003. See Antanas Mockus, *Ampliación de los modos de hacer política*, UNIVERSIDAD NACIONAL DE COLOMBIA, at 7 (2005), <http://www.ceri-sciencespo.com/archive/mai05/artam.pdf> [hereinafter Mockus, *Ampliación*].

3. Antanas Mockus, *Cambio cultural voluntario hacia la paz*, in *EDUCACIÓN PARA LA PAZ: UNA PEDAGOGÍA PARA CONSOLIDAR LA DEMOCRACIA SOCIAL Y PARTICIPATIVA* 13, 18-19 (Héctor Fabio Ospino et al. eds., Cooperativa Editorial Magisterio 1999).

4. See Antanas Mockus, *Armonizar ley, moral y cultura: Cultura ciudadana, prioridad de gobierno con resultados en prevención y control de violencia en Bogotá, 1995-1997*, at 4-5 (1999) [hereinafter Mockus, *Arominzar ley*] (unpublished manuscript, on file with The Inter-American Development Bank), available at <http://www.iadb.org/sds/doc/2104spa.pdf>.

feeling of community, “people consciously respect common goods and acknowledge citizenship rights and duties.”⁵ If Mockus’s thesis is correct and its results are sound, this new way to approach politics and urban policies, as experienced in Bogotá, sends a strong signal to traditional politicians and skeptical citizens that “changing deep beliefs and habits might become a crucial constituent part of public administration.”⁶

According to the author Rocio Londoño, when Mockus started his first term as mayor, the city administration did not have accurate, systematically-gathered information about the violence and crime that severely affected social life in Bogotá.⁷ In 1996, the Mockus government created the Urban Culture Observatory, as part of the Institute of Tourism and Culture, to conduct research and provide information for guiding future security policies.⁸ Another author, Christina Rojas, discusses security issues in Bogotá and adds that civic culture improved its residents’ quality of life and more importantly, saved the lives of at least 2,000 people each year.⁹ According to her research, the implementation period of civic culture reduced the number of deaths attributed to homicides and traffic accidents in Bogotá by half.¹⁰ Profoundly challenging problems such as poverty, unemployment, and social inequality still remain unsolved. However, life in Bogotá has become much safer due to citizenship culture’s highly innovative pedagogical and communication strategies.¹¹

The Observatory of Urban Culture was first established as a small group of scholars tasked with identifying the primary concerns, developing measurement tools for the collected data, and stimulating strengthened academic works on related themes.¹² These scholars defined three priorities for their work: (1) violence and delinquency; (2) quality of life; and (3) cultural offerings and

5. *See id.*

6. Londoño, *De la cortesía*, *supra* note 2, at 134.

7. *See* Rocio Londoño, *Líneas de investigación e intervención en los programas de cultura ciudadana de Bogotá (1995-1997, 2001-2004)*, PENSAR IBEROAMÉRICA REVISTA DE CULTURA, Jun.-Sept. 2003, available at <http://www.oei.es/pensariberoamerica/ric04a08.htm> [hereinafter Londoño, *Líneas de investigación*].

8. *See id.*

9. Cristina Rojas, *Forging Civic Culture in Bogota City 1* (Inter-Am. Dev. Bank & Japan Int’l Cooperation Agency, Working Paper, 2002), available at http://www.adb.org/Documents/Events/2002/Citizen_Participation/Colombia.pdf.

10. *Id.*

11. *Id.*

12. *See generally id.* at 14 (citing OBSERVATORIO DE CULTURA URBANA, COMISIÓN DE CULTURA URBANA, LA CULTURA CIUDADANA EN BOGOTÁ: RESULTADOS DE LA PRIMERA APLICACIÓN DEL SISTEMA DE MEDICIÓN 10 (2002)).

usage. As a result of their efforts, and after three public outreaches to academic institutions and social researchers in general, they were able to choose the projects of greatest interest to city inhabitants, the city administration, and the academic community.¹³

After Mockus's first administrative term in Bogotá, the newly-elected mayor, Enrique Peñalosa, established a new development plan but did not continue the work of the Observatory.¹⁴ Peñalosa's plan was called "*For the Bogotá We Want*" ("Por la Bogotá que queremos"). Its main initiatives included the construction and renewal of public spaces and the creation of *Transmilenio*, a new mass transit system for Bogotá.¹⁵ Mockus's reelection in 2000, allowed citizenship culture once again to become the main concern for the city administration.

The administration transitioned from its original focus on security and rules of civility to groups of policies such as *cultura tributaria* ("tributary culture") and *cultura democrática de las personas residentes en Bogotá* ("Bogotá inhabitants' democratic culture"). The development plan thus generated was named *Bogotá para vivir todos del mismo lado* ("Bogotá, all living on the same side"). It incorporated a set of actions and policies to encourage art and other cultural expressions, to promote public recreation, sports, and the utilization of public spaces, and to improve peaceful interaction among city residents.¹⁶ The plan included six programs: (I) identify proper social norms and identify public good; (II) promote the sanctity of life; (III) collaborate with good will; (IV) support democratic procedures for decision-making; (V) organize at the grassroots level to influence policy; and (VI) communicate a respect for life and fair play.¹⁷

13. Londoño, *Líneas de investigación*, supra note 7.

14. *Id.* ("Pese a los buenos resultados obtenidos en sus dos años de existencia, el proceso de consolidación del Observatorio no continuó durante la administración del Alcalde Enrique Peñalosa, quien sucedió a Antanas Mockus y Paul Bromberg. Como las prioridades del nuevo Plan de desarrollo "Por la Bogotá que queremos" eran la construcción y recuperación del espacio público y el diseño de un nuevo sistema de transporte masivo denominado Transmilenio, el programa de Cultura Ciudadana no tuvo continuidad y el Observatorio fue sustituido por una oficina de investigaciones cuya labor se concentró en contratar algunos estudios y sondeos de opinión, medir la asistencia a los eventos culturales organizados por el Instituto de Cultura y Turismo (IDCT) y publicar libros sobre temas muy diversos.")

15. *Id.*

16. *Id.*

17. Plan de Desarrollo: Económico, Social y de Obras Públicas Bogotá D.C. 2001-2004 "BOGOTA para VIVIR todos del mismo lado" [Bogotá, all living on the same side], June 1, 2001 Decreto Distrital No. 440 de 2001 (Bogotá, Colom.), available at

The Observatory expanded its action and started collaborating with different institutions in order to implement citizenship culture programs and to establish measurement tools to identify social impact, effectiveness, and overall results of its many initiatives.¹⁸ The city administration aimed at constructing more efficient bridges between observation and action and at establishing a team of technicians that could guarantee the continuation of successful programs.¹⁹

Antonás Mockus, discussing his actions as mayor, stated that citizenship culture included struggling against cynicism and distrust, a feeling ingrained in the daily attitude of Bogotá's inhabitants as a precautionary or defensive mechanism.²⁰ He explained the feeling this way: if a person must have social relations with a stranger, and if the person's belief is that the unknown citizen is going to cheat him or her, then the person can use rational calculation and decide that the only alternative is to cheat the stranger. Such preventive distrust and cheating clearly shows a deeply ingrained pre-existing pessimism.²¹

Mockus has written that he intended for citizenship culture to instill self-awareness in Bogotanos, leading to better social behavior and better treatment of public space.²² More profoundly, he also believed that the movement against distrust and pessimism, coupled with the other actions under citizenship culture programs, could result in a considerable reduction in homicide rates, as well as in death rates in traffic accidents.²³

Rojas asserts that as a pedagogue, Mockus was convinced of the critical importance of disseminating knowledge, and the key role of the educator as a person able to translate knowledge from one context to another. As president of the National University, his aim was to teach students to become "good translators," which he defined as persons able to act effectively in different situations, cultures and learning environments.²⁴

Reflecting on Mockus's own experience as an educator, the

http://www.sdp.gov.co/www/resources/qha_pd_2001_2004_bvtl.pdf ("Apreciar las normas y admirar lo bueno[;] . . . Vida sagrada[;] . . . Aportar de buena gana[;] . . . Procedimientos para decidir[;] . . . Organizarse para influir y para aprender[;] . . . Comunicar vida y jugar limpio.").

18. Londoño, *Líneas de investigación*, *supra* note 7.

19. *Id.*

20. Mockus, *Ampliación*, *supra* note 2, at 2-3.

21. *Id.*

22. See Londoño, *Líneas de investigación*, *supra* note 7.

23. *Id.*

24. Rojas, *supra* note 9, at 9.

Development Plan for the period 1995-97 explicitly addressed the theme of “construction of a city” as reflected in its title, *Formar Ciudad* (“To Form a City”).²⁵ As one of the intellectuals who contributed to the Mockus administration, Dr. Martín-Barbero²⁶ explained that the population of Bogotá abandoned the streets and public spaces in the 1980’s and early 1990’s because of urban disrepair, ugliness, and dirtiness.²⁷ In order to keep urban spaces pleasant, the Mockus administration established activities to educate people so that they would see urban space as their own.

Four goals were then created for citizenship culture: (1) improving obedience to rules of civility; (2) improving some citizens’ capacity to teach others to accomplish their duties peacefully; (3) improving citizens’ capacity to solve conflicts peacefully; and (4) improving citizens’ communication skills—expression and interpretation—through art, culture, recreation and sports.²⁸

With these four goals in mind, citizenship culture developed some educational actions, including:

1. Citizenship cards: Thousands of white cards were printed with a hand showing the thumb pointing up and red cards with the thumb pointing down. Drivers and walkers could show their cards to others, thereby recognizing others’ behaviors in public spaces. The citizenship cards allowed people to acknowledge public behavior peacefully. There were also cards printed with a face and an upward-pointing thumb for congratulating and thanking good public

25. *Id.* at 8.

26. Jesús Martín-Barbero, *Aventuras de un cartógrafo mestizo en el campo de la comunicación*, REVISTA LATINA DE COMUNICACIÓN SOCIAL, July 1999, available at <http://www.ull.es/publicaciones/latina/a1999fjl/64jmb.htm> (“Narraré sucintamente una experiencia de comunicación con Bogotá, y a su través con el país. Invitado por las gentes que, desde el Instituto Distrital de Cultura y Turismo, habían puesto en marcha las políticas culturales de la administración Antanas Mockus (un profesor de filosofía y matemáticas que llegó a la alcaldía de Bogotá desde la Rectoría de la Universidad Nacional y cuyo programa de gobierno se denominó ‘Formar ciudad’) para evaluar y asesorar esas políticas.”).

27. Jesús Martín Barbero, *Investigador en Comunicación*, 04 REVISTA TEÍNA, Apr.-June 2004, <http://www.revistateina.com/teina/web/Teina4/dossiermartinbarbero.htm> (“[Y]o siempre planteé que no es la televisión la que atrae sino que la calle, con la inseguridad, la que expulsa; es ésta, con su falta de acogimiento, con su fealdad y suciedad. En otras palabras: la degradación de nuestras ciudades relacionada con el déficit de las finanzas públicas y la enorme dificultad de equilibrar los presupuestos para asumir determinados desafíos que el crecimiento de estas urbes suponen. No es tanto una operación de la televisión sino una operación de la ciudad, incluso más: de la sociedad.”).

28. Mockus, Arominzar ley, *supra* note 4, at 11.

- behavior.²⁹
2. Mime artists and pedestrian lanes: Mime artists controlled car traffic, teaching drivers to respect the lanes.³⁰
 3. Violence reporting: Previously, violence information for Bogotá was gathered from three different institutions with wide-ranging variances in statistical data. During the citizenship culture period, the City Security Council was encouraged and directed to work together to produce one summary violence report per incident for use in making evaluations, analyses, and decisions.³¹
 4. Voluntary disarmament: With the guiding theme of "May guns rest in peace this Christmas," a campaign was launched to stimulate the voluntary donations of guns by the citizens of Bogotá with remarkable results. At the end of this campaign, 2,538 guns had been collected and were subsequently melted down and cast into baby spoons, each with the inscription *arma fui* ("I was a gun").³²
 5. Citizens educated by police officers: The government provided two months of training for 4,750 police officers on topics that included fundamental rights and mediating conflicts. The police officers helped educate citizens and improve the relationship between civil population and police agents.³³
 6. Civility seedbeds: Citizens were invited to work on their own ideas to reform the Bogotá Police Code. The objective was to develop social consciousness about rules of civility and the importance of adherence to them. For each urban problem, authorities and citizens, whether they were involved directly or not, were invited to exchange roles in order to more fully understand the problem utilizing different perspectives. Approximately 18,000 people took part in the program during a two-year period. The results were printed and 300,000 folders were distributed throughout the city.³⁴
 7. Cultural events in public spaces: Some examples of promoting the use of public space were the *Septimazos*: activities stimulating the population's presence in the center of

29. *Id.* at 9.

30. *Id.* at 15.

31. *Id.* at 15-16.

32. *Id.* at 18.

33. *Id.* at 20.

34. *Id.* at 21.

Bogotá, promoting commerce in *Calle Real*, and creating alternatives for public space usage (e.g., Carrera Séptima, a main city thoroughfare, was closed to cars and was utilized for a variety of art events);³⁵ cinema in public space: films about Bogotá's architectural memory were shown in parks; music in places of religious worship: Catholic, Presbyterian, Lutheran, Anglican and Orthodox churches were open to all inhabitants for attending music recitals; *rock al parque*: outdoor rock festivals; and *Rap and Roll*: music and peaceful interaction between two audiences that used to be intolerant of one another.³⁶

III. ARGUMENTS AGAINST ACHIEVEMENTS OF CITIZENSHIP CULTURE

As often occurs with innovative practices or progressive philosophies that challenge hegemonic political tenets, citizenship culture in Bogotá attracted not only proponents but also strong opponents. These critics allege the existence of a right-wing bias to the programs.³⁷ The political and academic oppositions challenged quantitative data showing successful results of these civic policies, casting doubt about the credibility of the movement and of its leaders, Mockus and Peñalosa.³⁸ Some critics point to key achievements that are generally attributed to citizenship culture projects, as instead being the effects of national civic improvement processes underway in Colombia since 1991, and perhaps even

35. *Id.* at 26. Mockus described *Septimazos* as: "actividades promovidas para retornar el centro de la ciudad, promover el comercio en la Calle Real y generar alternativas de uso de la ciudad y del espacio público; se cerraba la principal vía de la ciudad o carrera 7ª desde la Avenida Jiménez hasta la Calle 24 y se ubicaban tarimas para la presentación de distintos espectáculos." *Id.*

36. *Id.* Much more about educational programs developed in Bogotá can be found in another work by Antanas Mockus. See generally ANTANAS MOCKUS, INTER-AM. DEV. BANK, CULTURA CIUDADANA, PROGRAMA CONTRA LA VIOLENCIA EN SANTA FE DE BOGOTÁ, COLOMBIA, 1995-1997, at 1 (2001), available at http://www.iadb.org/sds/doc/Cultura_ciudadana.pdf.

37. See, e.g., Guillermo Hoyos Vásquez, *La Comunicación: la Competencia Ciudadana*, in CIUDADANÍAS EN FORMACIÓN 135 (Guillermo Hoyos Vásquez & Alexander Ruiz Silva eds. 2008) (arguing that the idea of citizenship education was executed in Bogotá in recent past and now constitutes a sort of "citizenship schooling" ("*una escolarización de la ciudadanía*")). Casas Dupuy and González listed several works that can be used to deny Mockus's arguments. See generally Pablo Casas Dupuy & Paola González Cepero, *Políticas de seguridad y reducción del homicidio en Bogotá: Mito y realidad*, in SEGURIDAD URBANA Y POLICÍA EN COLOMBIA 235, 261 n.13, 262 n.16 (Pablo Casas Dupuy et al. eds., Fundación Seguridad y Democracia 2005).

38. See Casas Dupuy & González, *supra* note 37, at 244; see also discussion regarding Peñalosa, *supra* note 14.

earlier.³⁹

Reports regarding diminishing urban violence, for example, are challenged in a report by Casas Dupuy and González.⁴⁰ They say that all essays and documents that aim to show the decrease in the number of homicides in Bogotá due to Mockus and Peñalosa's urban policies base their analyses on statistics from 1995 and fail to consider information before that year.⁴¹ According to these critics, graphic data depicting best-case scenarios from 1992 were utilized but did not reflect previous historical findings. Casas Dupuy and González argue that the choice to focus on these periods is an arbitrary strategy, as if nothing before 1995 would have been related to the development shown in the analyses.⁴² These critics maintain that those reports have not made reference to the great social improvement that occurred in Bogotá and other parts of Colombia between 1984 and 1992. They suggest that this extended period of improvement, and not citizenship culture, is the primary explanation for the decrease in homicide rates in later studies.⁴³

According to their article, a greater decrease in homicide rates occurred between 1993 and 1995, before the emergence of any policy made by Mockus or Peñalosa. Between 1993 and 1996, there was a 35% decrease in Bogotá homicides. In Medellín, between 1989 and 1993, there was a 43% reduction in homicide rates, and a 37% decrease in Cali.⁴⁴

Furthermore, they point out that Mockus started his first administration in 1995, two years after the homicide reduction trend began. Peñalosa was elected mayor in 1998, with Mockus's re-election in 2000.⁴⁵ Casas Dupuy and González contend that if these reductions were due to Mockus's programs, they would have started at least one year after the beginning of such programs and not one year before them.⁴⁶ Thus, Casas Dupuy and González conclude that citizenship culture has not caused the decrease in violence in Bogotá.

Their argument may be synthesized as: (1) other cities, espe-

39. See generally Pablo Casas Dupuy, *Reformas y contrarreformas en la policía Colombiana*, in *SEGURIDAD URBANA Y POLICÍA EN COLOMBIA*, *supra* note 37, at 1.

40. Casas Dupuy & González, *supra* note 37, at 245.

41. *Id.*

42. *Id.*

43. *Id.*

44. *Id.* at 266.

45. *Id.* at 247.

46. *Id.*

cially Medellín, were not governed by Mockus nor Peñalosa, yet the homicide rates in those cities declined faster than in Bogotá; and (2) the national homicide rate in Colombia decreased even though citizenship culture did not take place in most of the country. Their point is that between 1984 and 1991, events transpired throughout the country that reduced violence in its main cities, e.g., the weakening of drug dealing and the decline of paramilitary movements and guerrillas.⁴⁷ Also, there was an improvement in national security dating to 1993 and new political actions created by the Constitution of 1991.⁴⁸ The homicide rates in Colombia as a whole dropped to the same levels as from 1960 to 1984.⁴⁹

Still, according to Casas Dupuy and González, homicide rates spiked to high levels between 1984 and 1991 due to the expansion of the drug cartels, growth of guerrilla groups, the emergence of “social cleansing” groups, and the beginning of the paramilitary activities.⁵⁰ Between 1993 and 1995, violence diminished in direct correlation with the repression and demise of drug cartels and “social cleansing” groups.⁵¹ Also, between 1988 and 1994, national Colombian statistics for incidents of violence and homicide indicate significant rates of decline as the government suppressed the activities of paramilitary groups.⁵² The authors argue that this national data indicates that rates of decline were not due primarily to the political and social initiatives in the capital.⁵³

IV. CONCURRENCE BETWEEN CITIZENSHIP CULTURE AND A NATIONAL POLITICAL PLAN AS A REPLY TO CRITICISMS

Mockus candidly acknowledges that his work in Bogotá occurred in conjunction with an entirely new political change in Colombia, but he rejects arguments like those presented above. In his article, *Ampliación de los Modos de Hacer Política* (“Extension of the Ways of Doing Politics”), he wrote that the country was fortunate because the Colombian Constitution was reformed in 1991 and was “clearly against an old Colombian political usage, namely, *clientelism*.”⁵⁴ The fight against bad political practices

47. *Id.* at 253-55.

48. *Id.* at 255.

49. *Id.* at 238-39.

50. *Id.* at 253-54.

51. *Id.* at 239.

52. *Id.*

53. *Id.* at 239-40.

54. Mockus, *supra* note 2, at 8. According to Brian Kermath, clientelism “refers to a form of social organization common in many developing regions characterized by

like clientelism was a point that the 1991 Constitution and the Mockus administration had in common. Mockus wrote that old clientelism was replaced by what he calls "honored communication and public expression of aggregated concerns."⁵⁵ Mockus also explains that the concept of clientelism encompasses the use of public resources in order to accomplish private favors.⁵⁶ He emphasizes that in 1991, the Colombian Constitution set forth a new Organic Statute (Decreto-Ley 1421 de 1993) with respect to Bogotá that ended the co-administration between the government and the District Council (*Consejo Districtal*).⁵⁷ From 1993 forward, city councilors did not participate in decisions about which contracting companies would work for Bogotá's administration because competencies were clearly limited. This led to the exchanging of favors diminishing considerably.⁵⁸

'patron-client' relationships. In such places, relatively powerful and rich 'patrons' promise to provide relatively powerless and poor 'clients' with jobs, protection, infrastructure, and other benefits in exchange for votes and other forms of loyalty including labor. While this definition suggests a kind of 'socioeconomic mutualism,' these relationships are typically exploitative, often resulting in the perpetual indebtedness of the clients in what is described as a 'debt-peonage' relationship." Brian Kermath, *What is Clientelism?*, GEM STUDENT AMBASSADOR PROGRAM, 2005, http://www.uwsp.edu/cnr/gem/ambassador/what_is_clientelism.htm.

55. Mockus, *supra* note 2, at 8. "Los favores además han sido tradicionalmente usados para desmovilizar los reclamos colectivos. Para suerte nuestra, la Constitución, la ley colombiana y aún más la ley estatutaria de Bogotá aprobada en 1993 y vigente hasta el presente son notoriamente anti-clientelistas. ¿Qué puede entonces remplazar el clientelismo? Lo remplazan la comunicación honrada, la expresión pública de intereses agregados, clarificados, validados en discusión abierta y la administración pública eficaz. También la superación del clientelismo es vital para la supervivencia y el desarrollo de procesos muy variados de cooperación (así sean efímeros como las acciones colectivas o estables como los partidos). Una vez que alguien le paga a la gente por asistir a misa, la misa se desvirtúa. Seguramente hay a veces prácticas eclesiales clientelares, pero la noción de ciudadanía supone un interés y unas habilidades que excluyen el uso de ciertos incentivos como la compra de votos." *Id.*

56. *Id.*

57. *Id.*; DECRETO 1421 DE 1993, D.O. 40.958 de Julio 22 de 1993 (Colom.), available at <http://www.alcaldiabogota.gov.co/sisjur/normas/Normal.jsp?i=9027>.

58. Mockus, *supra* note 2, at 6-7. "En Bogotá, se pudo vislumbrar—aunque fuera de manera incipiente—que la ampliación o la restricción de los códigos permite reducir el efecto de inercias (de corrupción como en la antigua Secretaría de Tránsito), de amenazas (como las de las FARC a las que pudimos responder portando un chaleco antibala con un hueco en forma de corazón en el correspondiente lugar), evitar los pseudos-equilibrios basados en la capacidad de hacerse mutuo daño (con políticos clientelistas y con las mismas FARC), evitar la depredación oportunista guiada por el corto plazo (reducción drástica de la nómina, nombramientos por mérito y contratación por concurso) y para ayudar superar el atajismo en las relaciones con transportadores y urbanizadores. . . . Obviamente la independencia de poderes, subrayada por la ley de la ciudad que le prohíbe al Consejo entrometerse de cualquier

Significant changes began in the late 1980s and early 1990s when the Constitutional Assembly modified the 1886 Constitution. According to Pilar Gaitán, the composition of the Constitutional Assembly defined the content and orientation of the 1991 Constitution.⁵⁹ The Assembly was the best response to a process of generalized violence and also a response to a deep crisis within the political regime. The Assembly had two main purposes: (1) to strengthen and modernize the state in order to regain the monopoly of power and make viable the search for peace and a movement of national reconciliation; and (2) to democratize the political regime, providing legitimacy, democratic representation and efficiency.⁶⁰ With these two purposes, Colombia intended to achieve the reconstruction of the administration of justice, political decentralization, together with fair fiscal policies and popular participation—the main axes of the new Constitution.⁶¹

These axes were totally in accordance with the citizenship culture proposed by Mockus. As Rojas wrote:

The phrase “citizen participation” is found in almost all areas (economic, administrative, political and social) of the 1991 Constitution. According to Article 2, the state has a constitutional mandate to ensure citizens’ participation in decisions related to the economic, political, administrative and cultural aspects of the nation. Specifically, the Constitution provides that the state would legislate to guarantee citizens’ oversight of the results of public management at all levels of administration (art. 270). *Veedurias* (citizen oversight committees) are established for the review of public sector management and they have control, oversight and fiscal functions. The main goal is to ensure that public management is implemented according to the established purposes and to ensure the efficiency and social equity of public spending. Civil organizations and communities can establish, without state support, temporary citizens oversight committees to exercise control of public projects.⁶²

Explaining the main transformations after the 1991 Constitution, Gaitán highlights four points that made Colombian democ-

manera en asuntos de competencia exclusiva de otras autoridades, se manifiesta en la posibilidad de negar gratuitamente un proyecto.” *Id.* (footnote omitted).

59. Pilar Gaitán Pavia, *Las Transformaciones del Regimen Político en Colombia: ¿Hacia Una Democracia Representativa?*, in *DEMOCRACIA Y REESTRUCTURACIÓN ECONÓMICA EN AMÉRICA LATINA* 295, 310 (Pilar Gaitán et al. Eds., 1996).

60. *Id.*

61. *Id.*

62. Rojas, *supra* note 9, at 4 (footnote omitted).

racy much more inclusive than the political regime that had existed since 1958. She emphasizes: (1) the validation of the right to social and political organization, the rights of political parties to function within a constitutional framework, and the validation of the right to political opposition, as well as the ending of bipartisanship; (2) the acknowledgement of civic participation as the guiding principle of the new Constitution and the validation of a considerable number of citizenship rights as well as the validation of a series of mechanisms that made citizenship participation viable; (3) the creation of a set of institutions designed to enforce accountability and monitor the limits of political power; and (4) the Congressional reform, since the previous Congress was a symbol of the ancient order.⁶³

Mockus considered ways to improve the educational level of the citizens of Bogotá. This was also a concern of the Colombian Constitution. As Ileana Salcedo points out, the Constitution of 1991 treats education as a human right;⁶⁴ therefore, education became both a means to personal improvement and a pathway to advanced achievement in the sciences, technology and culture. Thus, a better-educated Colombian citizenry would live in an atmosphere of respect for human rights, peace, and democracy. The citizenry would strive for infrastructural improvements and advances in culture, science, technology, recreation, and environ-

63. Gaitán, *supra* note 59, at 311-12.

64. Ileana Marlitt Melo Salcedo, *Reconocimiento Jurídico y Concepto del Derecho a la Educación en la Constitución Política de Colombia*, in *DERECHO A LA EDUCACIÓN Y CIUDADANÍA DEMOCRÁTICA: EL DERECHO A LA EDUCACIÓN COMO DESARROLLO CONSTITUCIONAL DEL PENSAMIENTO REPUBLICANO CÍVICO* 297, 297 (Joaquín González Ibáñez ed., 2007); see *CONSTITUCIÓN POLÍTICA DE COLOMBIA* 1991 art. 67, available at <http://web.presidencia.gov.co/constitucion/index.pdf> ("La educación es un derecho de la persona y un servicio público que tiene una función social: con ella se busca el acceso al conocimiento, a la ciencia, a la técnica, y a los demás bienes y valores de la cultura. La educación formará al colombiano en el respeto a los derechos humanos, a la paz y a la democracia; y en la práctica del trabajo y la recreación, para el mejoramiento cultural, científico, tecnológico y para la protección del ambiente. El Estado, la sociedad y la familia son responsables de la educación, que será obligatoria entre los cinco y los quince años de edad y que comprenderá como mínimo, un año de preescolar y nueve de educación básica. La educación será gratuita en las instituciones del Estado, sin perjuicio del cobro de derechos académicos a quienes puedan sufragarlos. Corresponde al Estado regular y ejercer la suprema inspección y vigilancia de la educación con el fin de velar por su calidad, por el cumplimiento de sus fines y por la mejor formación moral, intelectual y física de los educandos; garantizar el adecuado cubrimiento del servicio y asegurar a los menores las condiciones necesarias para su acceso y permanencia en el sistema educativo. La Nación y las entidades territoriales participarán en la dirección, financiación y administración de los servicios educativos estatales, en los términos que señalen la Constitución y la ley.").

mental protection.⁶⁵

V. CITIZENSHIP CULTURE *VERSUS* RIO-CIDADE

Bogotá and its twenty city divisions (*localidades*) implemented plans that focused on creating and increasing respect for institutions, laws, public services, and government officials in conjunction with the construction of improved physical structures and the development of more functional public spaces.⁶⁶ The plans all lead to a greater public respect for these spaces and to a public acknowledgement of citizen rights and duties.⁶⁷

In the 1990's, Rio de Janeiro was the first city in Brazil that was administered in a way that sought to attract new investments from different sources, including attracting international investment. The concept of selling a good and profitable image of a city, known as "city marketing," is a much-studied issue in Brazil and elsewhere.⁶⁸ Arantes referred to cities in such a process in Brazil as city-merchandise.⁶⁹ City marketing was the general idea behind the projects and actions that comprised the *Strategic Plan for Rio de Janeiro City: Rio Always Rio* in 1996, which was developed by

65. See generally Juny Montoya & Juan Sebastián Hoyos, *La Educación en la Constitución Colombiana de 1991*, in DERECHO A LA EDUCACIÓN Y CIUDADANÍA DEMOCRÁTICA: EL DERECHO A LA EDUCACIÓN COMO DESARROLLO CONSTITUCIONAL DEL PENSAMIENTO REPUBLICANO CÍVICO, *supra* note 64, at 405.

66. Martín-Barbero, *supra* note 26. ("[L]a experiencia me puso ante una política de 'cultura ciudadana' que durante tres años tuvo como objeto-eje la cultura cotidiana, ésa que tejen las relaciones de los ciudadanos, desde la relación con el chófer del bus a las de los funcionarios con los usuarios de los servicios públicos, pasando por las relaciones de las pandillas de jóvenes con los vecinos del barrio o las de los constructores y la gente con el espacio público. Fue a partir de ahí, de las reglas de 'ordenamiento de la cultura ciudadana' que fueron desarrollándose las políticas sobre culturas especializadas, es decir las culturas del arte. Y fue a partir del movimiento de 'cultura ciudadana' que muchos artistas de la plástica, la música, la danza, el video, el teatro o la literatura, replantearon el sentido de su propio trabajo, pues se reencontraron con su ser de ciudadanos a través de un trabajo creativo que entrelazó su propia producción con las prácticas expresivas mediante las cuales las asociaciones de vecinos o las pandillas juveniles tejían los lazos de pertenencia al territorio de los barrios, o recobraban memorias, es decir reinventaban y rehacían sus identidades.").

67. *Id.*

68. See Márcio Piñon de Oliveira, *Projeto Rio Cidade: Intervenção Urbanística, Planejamento Urbano e Restrição à Cidadania na Cidade do Rio de Janeiro*, SCRIPTA NOVA REVISTA ELECTRÓNICA DE GEOGRAFÍA Y CIENCIAS SOCIALES, Aug. 1, 2008, available at <http://www.ub.es/geocrit/sn/sn-270/sn-270-117.htm>; see also MARCELO LOPES DE SOUZA & GLAUCO BRUCE RODRIGUES, PLANEJAMENTO URBANO E ATIVISMOS SOCIAIS 53 (2004).

69. OTÍLIA BEATRIZ FIORI ARANTES ET AL., A CIDADE DO PENSAMENTO ÚNICO: DESMANCHANDO CONSENSOS (2d ed. 2000).

Mayor Cesar Maia and his follower Mayor Luiz Paulo Conde.⁷⁰ Cesar Maia won city elections in 1992 and started his term on January 1, 1993. Maia's tenure ended in January 1, 1997, when Luiz Paulo Conde, formerly Cesar Maia's Secretary of Urbanism (*Secretário de Urbanismo*), started his term as Mayor. His predecessor strongly supported him during his campaign.⁷¹ Cesar Maia subsequently returned to the mayoralty and remained in office until January 1, 2009. Another of Maia's former assistants, Eduardo Paes, is currently the Mayor.

According to Souza and Rodrigues, the most recent efforts to improve Rio's urban area were less focused on urban space organization and more centered on increasing the city's economic competitiveness.⁷² The authors argue that those efforts follow conservative plans developed between 1902 and 1906 by Francisco Pereira Passos, as well as the Agache city plan in 1930 and the Doxiadis plan in 1965⁷³. The Agache plan is cited as an extreme example of a conservative work, as slums (*favelas*) were seen as a disease.⁷⁴ In Doxiadis's words: "their leprosy maculates stain the neighborhoods by the beach and the most charming places."⁷⁵

Souza and Rodrigues also notice a very peculiar feature in Rio de Janeiro's actual city marketing. The city improvements in Rio-Cidade are not executed following an overarching master plan but are accomplished according to more narrowly focused strategic plans (*planos estratégicos*).⁷⁶ Such plans do not include methods and procedures designed to support fairness in social organization, nor are they designed in such a way as to address issues of

70. Oliveira, *supra* note 68.

71. *Id.*

72. SOUZA & RODRIGUES, *supra* note 68, at 53-54.

73. *Id.* at 37-38.

74. *Id.* at 38.

75. *Id.*

76. See Oliveira, *supra* note 68. "Nos anos 1990 . . . há uma mudança do gerenciamento para o empresariamento na administração urbana. Este empresariamento das cidades, também denominado de empreendedorismo urbano, apresenta como característica central 'a noção de *parceria público-privada* na qual as tradicionais reivindicações locais estão integradas com a utilização dos poderes públicos locais para tentar atrair fontes externas de financiamento, novos investimentos diretos ou novas fontes geradoras de emprego.' Para tanto, será necessária a promoção da cidade e de sua imagem junto ao mercado mundial com objetivo de atrair novos investimentos. A este fenômeno de promoção e venda da imagem da cidade, Borja e Forn chamaram de *city marketing*. Assim, tornou-se comum, portanto, falar-se hoje em *planos estratégicos* que promovam a imagem das cidades e as preparem, por meio de um planejamento urbano de 'novo tipo', e ressaltem suas potencialidades para a atração de investimentos." *Id.* (citations omitted).

environmental preservation. Rather, they tend to consist of a grouping of generalized intentions and goals. For example, a number of big urban projects might be lumped together and jointly promoted through a media campaign consisting of TV advertisements and songs.⁷⁷ After the lack of a master plan was widely criticized in Rio-Cidade, a statement was added in Article 162 of the Brazilian Constitution that makes director plans (*planos diretores*) mandatory for every city with more than 20,000 inhabitants.⁷⁸

The strategic plan intended to create a city better able to meet the demands of contemporary city-marketing, but in fact, it was shown in various forms of media that urban violence in Rio actually increased during the same period.⁷⁹ Parks started closing at night and were surrounded by fences.⁸⁰ Living in private and closed areas of the city and using private security forces increased quickly among middle and upper classes.⁸¹ Making the city more “beautiful” increased social control over public spaces and over the population that use them, thus using “beautification” as a rationale for increased social control.

Comparing the changes effected both in Rio and Bogotá, we must note that social exclusion remains a profound problem in both cases. Consider for example, the still unresolved fate of the evicted inhabitants of “El Cartucho.” This extremely poor area in Bogotá, previously known as the site of all sorts of social ills, was razed and replaced by a huge—and unpopular—public park.⁸²

77. SOUZA & RODRIGUES, *supra* note 68, at 59.

78. *Id.*

79. See generally CECILIA COIMBRA, OPERAÇÃO RIO: O MITO DAS CLASSES PERIGOSAS: UM ESTUDO SOBRE A VIOLÊNCIA URBANA, A MÍDIA IMPRESSA E OS DISCURSOS DE SEGURANÇA PÚBLICA (2001).

80. There is a well-known work about this point by Teresa Caldeira. Although it is a study focused in São Paulo, she states that what is said about walls, fences, private security guards and a new private order can also be extended to Rio de Janeiro. TERESA P. R. CALDEIRA, CITY OF WALLS: CRIME, SEGREGATION, AND CITIZENSHIP IN SÃO PAULO 256-57 (University of California Press 2000). For more information on different sorts of barriers in public spaces, see *id.* at 297-335.

81. SOUZA & RODRIGUES, *supra* note 68, at 57.

82. Hugo Acero, *Seguridad y Convivencia en Bogotá: Logros y Retos 1995-2001*, in SEGURIDAD CIUDADANA: ¿ESPEJISMO O REALIDAD? 451, 468 (Fernando Carrión ed., 2002), available at <http://www.flacso.org.ec/docs/sfseguridadciudadana.pdf>. “En esta misma línea, a través del programa Renovación Urbana, se intervino el sitio más crítico de la ciudad, conocido como El Cartucho, donde se expendían y comercializaban drogas, armas y se organizaban actividades delictivas. Este sitio, conocido en otras ciudades como ‘ollas’, se había constituido en el lugar donde se desarrollaban actividades delictivas, sin que las autoridades distritales y nacionales pudiesen hacer algo, hasta que en el año 1998 se tomó la decisión de acabar con el lugar de raíz

However, even if this attempt to improve the city failed, is it sufficient justification to say that the whole project failed? The question needs to be addressed in this and in numerous similar cases throughout the region. Improvement of urban spaces and social life in Bogotá was achieved with citizenship culture, despite many attempts to minimize the work's ethical value, even trying to label the program as a conservative effort to make the city more beautiful.

That said, in the case of Bogotá, the true achievements of citizenship culture reside not in parks, whether popular or unpopular, but in the enduring improvements made to citizens' lives through education and efforts at social inclusion.⁸³ These achievements are certainly limited but just as certainly real. The true beauty of a city resides in an educated population imbued with a sense of civic responsibility and social participation. Absent the attainment of such a goal, at least to some significant degree, all other changes to a city's infrastructure must be seen as merely cosmetic.

para construir allí un parque. La intervención de este sitio se ha realizado desde los ámbitos social, policial y administrativo y los resultados han sido importantes en materia de reducción de los índices de violencia y delincuencia de la ciudad y de reinserción social de los ciudadanos que habitan esta zona." *Id.*

83. Mockus, *Ampliación*, *supra* note 2, at 16. "La ciudadanía se construye en la mutua regulación entre desconocidos (aprender a corregir amablemente, aprender a dejarse corregir) pero también en la relación entre ciudadano y Estado. Asumir al ciudadano como eje significó atenderlo mejor (reduciendo de hora y media a media hora o a cinco minutos la demora en el pago de servicios para las personas sin cuenta bancaria), rendirle cuentas, abrirle más canales de interacción (presenciales, telefónicos, vía Internet), hacer de cada acción una oportunidad de aprendizaje y buscar validación externa. Significó también promover la autorregulación y la corresponsabilidad (enfoque de 'cultura ciudadana') también en lo relacionado con la gestión pública. Ese enfoque, que busca armonizar ley, moral y cultura, llevó a adoptar estas fórmulas: 'Recursos públicos, recursos sagrados' y una más genérica: 'lo público es sagrado'. *Id.*

