STUDY SPACE SYMPOSIUM ARTICLES

Ethics and Citizenship Culture in Bogota's Urban Administration

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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 Bogota, 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 Bogota are *not* a result of

1. *See generally* Juan Felipe Parra & Oscar Julian Corzo, *lmpacto del Plan Nacional de Lectura y Bibliotecas sobre el numero de libros le£dos, in* HABITos DE LECTURA: ASISTENCIA A BIBLIOTECAS Y CONSUMO DE LIBROS EN COLOMBIA 215 (Bernardo Recaman Santos ed., lmpreso 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 Bogota'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, Bogota 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 Bogota, 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

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2. Jesus Martin Barbero, *Los Laberintos Urbanos Del Miedo,* 56 UNIVERSITAS HuMANfSTICAS 69, 78 (2003) (Colom.); *see also* Rocio Londono, *De la cortesia a la cultura ciudadana, in* BoGOTA: EL RENACER DE UNA CIUDAD 129, 132 (Gerard Martin et al. eds., 2007) [hereinafter Londono, *De la cortesia].* Mockus served his first term during 1995-1997, and his second term during 2001-2003. *See* Antanas Mockus, *Ampliaci6n de los modos de hacer politica,* UNIVERSIDAD NACIONAL DE CoLOMBIA, at 7 (2005), http://www.ceri-sciencespo.com/archive/mai05/artam.pdf [hereinafter Mockus, *Ampliaci6n].*

3. Antanas Mockus, *Cambia cultural voluntario hacia lapaz, in* EDUCACI6N PARA LA PAZ: UNA PEDAGOGfA PARA CONSOLIDAR LA DEMOCRACIA SOCIAL Y PARTICIPATIVA 13, 18-19 (Hector 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 prevenci6n y control de violencia en Bogota, 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 Bogota, 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 Londono, 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 Bogota.[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 Bogota 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 Bogota by half.[10] Profoundly challenging problems such as poverty, unemployment, and social inequality still remain unsolved. However, life in Bogota 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. Londono, *De la cortesia, supra* note 2, at 134.

7. *See* Rocio Londono, *Lineas de investigaci6n e intervenci6n en los programas de cultura ciudadana de Bogota (1995-1997, 2001-2004),* PENSAR IBEROAMERICA REVISTA DE CuLTURA, Jun.-Sept. 2003, *available at* http://www.oei.es/pensariberoamerica/ric04 a08.htm [hereinafter Londono, *Lineas de investigaci6n*].

8. *See id.*

9. Cristina Rojas, *Forging Civic Culture in Bogota City* 1 (Inter-Am. Dev. Bank & Japan lnt'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 0BSERVATORIO DE CULTURA URBANA, COMISION DE CULTURA URBANA, LA CULTURA CruDADANA EN BoGOTA: RESULTADOS DE LA PRIMERA APLICACION DEL SISTEMA DE MEDICION 10 (2002)).

usage. As a result of their efforts, and after three public out-reaches 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]

Mter Mockus's first administrative term in Bogota, the newly-elected mayor, Enrique Peii.alosa, established a new development plan but did not continue the work of the Observatory.[14] Peii.alosa's plan was called *"For the Bogota We Want"* ("Por la Bogota que queremos"). Its main initiatives included the construction and renewal of public spaces and the creation of *Transmilenio,* a new mass transit system for Bogota.[15] Mockus's re-election 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 democratica de las personas residentes en Bogota* ("Bogota inhabitants' democratic culture"). The development plan thus generated was named *Bogota para vivir todos del mismo lado* ("Bogota, 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]

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13. Londono, *Lineas de investigaci6n, supra* note 7.

14. *Id.* ("Pese a los buenos resultados obtenidos en sus dos aiios de existencia, el proceso de consolidacion del Observatorio no continuo durante la administracion del Alcalde Enrique Peiialosa, quien sucedio a Antanas Mockus y Paul Bromberg. Como las prioridades del nuevo Plan de desarrollo "Por la Bogota que queremos" eran la construccion y recuperacion del espacio publico y el diseiio 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 concentro en contratar algunos estudios y sondeos de opinion, medir la asistencia a los eventos culturales organizados por el Instituto de Cultura y Turismo (IDCT) y publicar libros sobre temas muy diversos.").

15. *ld.*

16. *Id.*

17. Plan de Desarrollo: Economico, Social y de Obras Publicas Bogota D.C. 2001-2004 "BOGOTA para VIVIR todos del mismo lado" [Bogota, all living on the same side], June 1, 2001 Decreto Distrital No. 440 de 2001 (Bogota, 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]

Antonas Mockus, discussing his actions as mayor, stated that citizenship culture included struggling against cynicism and distrust, a feeling ingrained in the daily attitude of Bogota'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

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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. Londono, *Lineas de investigaci6n, supra* note 7.
19. *ld.*
20. Mockus, *Ampliaci6n, supra* note 2, at 2-3.
21. *ld.*
22. *See* Londono, *L{neas de investigaci6n, supra* note 7.
23. *Id.*
24. Rojas, *supra* note 9, at 9.

Bogota, promoting commerce in *Calle Real,* and creating 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. Martin-Barbero[26] explained that the population of Bogota 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

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25. *ld.* at 8.

26. Jesus Martin-Barbero, *Aventuras de un cart6grafo mestizo en el campo de la comunicaci6n,* REVISTA LATINA DE CoMUNICACI6N SociAL, July 1999, *available at* http://www.ull.es/publicacionesllatina/a1999fjl/64jmb.htm ("Narran sucintamente una experiencia de comunicaci6n con Bogota, y a su traves con el pais. Invitado por las gentes que, desde el Instituto Distrital de Cultura y Turismo, habian puesto en marcha las politicas culturales de la administraci6n Antanas Mockus (un profesor de filosofia y matematicas que lleg6 a la alcaldia de Bogota desde la Rectoria de la Universidad Nacional y cuyo programa de gobierno se denomin6 'Formar ciudad') para evaluar y asesorar esas politicas.").

27. Jesus Martin Barbero, *Investigador en Comunicaci6n,* 04 REVISTA TEfNA, Apr.-June 2004, http://www.revistateina.com/teina/webtreina4/dossiermartinbarbero.htm ("[Y)o siempre plantee que no es la televisi6n la que atrae sino que la calle, con la inseguridad, la que expulsa; es esta, con su falta de acogimiento, con su fealdad y suciedad. En otras palabras: la degradaci6n de nuestras ciudades relacionada con el deficit de las finanzas publicas y la enorme dificultad de equilibrar los presupuestos para asumir determinados desafios que el crecimiento de estas urbes suponen. Noes tanto una operaci6n de la televisi6n sino una operaci6n de la ciudad, incluso mas: 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 Bogota 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 Bogota 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 Bogota 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

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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.

Bogota, promoting commerce in *Calle Real,* and creating alternatives for public space usage (e.g.,Carrera Setima, a main city thoroughfare, was closed to cars and was utilized for a variety of art events);[35] cinema in public space: films about Bogota'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 Bogota 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 Peiialosa.[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 altemativas de uso de la ciudad y del espacio publico; se cerraba la principal via de la ciudad o carrera 7• desde la Avenida Jimenez hasta la Calle 24 y se ubicaban tarimas para la presentaci6n de distintos espectaculos." *Id.*

36. *Id.* Much more about educational programs developed in Bogota can be found in another work by Antanas Mockus. See *generally* ANTANAS MocKUs, INTER-AM. DEv. BANK, CULTURA CIUDADANA, PROGRAMA CONTRA ʟᴀ VIOLENCIA EN SANTA FE DE BoGOTA, CoLOMBIA, 1995-1997, at 1 (2001), *available at* http://www.iadb.org/sds/doc/Cultura ciudadana.pdf.

37. *See, e.g.,* Guillermo Hoyos Vasquez, *La Comunicaci6n: la Competencia Ciudadana, in* CmoADANfAS EN FORMACI6N 135 (Guillermo Hoyos Vasquez & Alexander Ruiz Silva eds. 2008) (arguing that the idea of citizenship education was executed in Bogota in recent past and now constitutes a sort of "citizenship schooling" *("una escolarizaci6n de la ciudadania")).* Casas Dupuy and Gonzalez listed several works that can be used to deny Mockus's arguments. *See generally* Pablo Casas Dupuy & Paola Gonzalez Cepero, *Politicas de seguridad y reduceion del homicidio en Bogota: Mito y realidad, in* SEGURIDAD URBANA ʏ POLICfA EN CoLOMBIA 235, 261 n.13, 262 n.16 (Pablo Casas Dupuy et al. eds., Fundaci6n Seguridad y Democracia 2005).

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

earlier.[39]

Reports regarding diminishing urban violence, for example, are challenged in a report by Casas Dupuy and Gonzalez.[40] They say that all essays and documents that aim to show the decrease in the number of homicides in Bogota due to Mockus and Pefi.alosa'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 Gonzalez 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 Bogota 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 Pefi.alosa. Between 1993 and 1996, there was a 35% decrease in Bogota homicides. In Medellin, 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. Pefi.alosa was elected mayor in 1998, with Mockus's re-election in 2000.[45] Casas Dupuy and Gonzalez 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 Gonzalez con-clude that citizenship culture has not caused the decrease in vio-lence in Bogota.

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

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39. *See generally* Pablo Casas Dupuy, *Reformas y contrarreformas en la policia Colombiana, in* SEGURIDAD URBANA Y POLÍCfA EN CoLOMBIA, *supra* note 37, at 1.
40. Casas Dupuy & Gonzalez, supra note 37, at 245.
41. *Id.*
42. *Id.*
43. *Id.*
44. *Id.* at 266.
45. *Id*. at 247.
46. *Id.*

Significant changes began in the late 1980s and early 1990s the homicide rates in those cities declined faster than in Bogota; 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 ofparamilitary 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 Gonzalez, 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 capitaP[53]

IV.   CoNCURRENCE BETWEEN CITIZENSHIP CuLTURE AND A NATIONAL PoLITICAL PLAN AS A REPLY TO CRITICISMS

Mockus candidly acknowledges that his work in Bogota occurred in conjunction with an entirely new political change in Colombia, but he rejects arguments like those presented above. In his article, *Ampliaci6n de los Modos de Hacer Politica* ("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

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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 (Decreta-Ley 1421 de 1993) with respect to Bogota 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 Bogota'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 ademas han sido tradicionalmente usados para desmovilizar los reclamos colectivos. Para suerte nuestra, la Constituci6n, la ley colombiana y aun mas la ley estatutaria de Bogota aprobada en 1993 y vigente hasta el presente son notoriamente anti-clientelistas. l,Que puede entonces remplazar el clientelismo? Lo remplazan la comunicaci6n honrada, la expresi6n publica de intereses agregados, clarificados, validados en discusi6n abierta y la administraci6n publica eficaz. Tambien la superaci6n del clientelismo es vital para la supervivencia y el desarrollo de procesos muy variados de cooperaci6n (asi sean efimeros 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 desvirtua. Seguramente hay a veces practicas eclesiales clientelares, pero la noci6n de ciudadania supone un interes y unas habilidades que excluyen el uso de ciertos incentivos como la compra de votos." *ld.*

56. *Id.*

57. *ld.;* DECRETO 1421 DE 1993, D.O. 40.958 de Julio 22 de 1993 (Colom.), *available at* http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=9027.

58. Mockus, *supra* note 2, at 6-7. "En Bogota, se pudo vislumbrar-aunque fuera de manera incipiente-que la ampliaci6n o la restricci6n de los c6digos permite reducir el efecto de inercias (de corrupci6n como en la antigua Secretaria de Transito), de amenazas (como las de las FARC a las que pudimos responder portando un chaleco antibala con un hueco en forma de coraz6n en el correspondiente lugar), evitar los pseudos-equilibrios basados en la capacidad de hacerse mutuo daii.o (con politicos clientelistas y con las mismas FARC), evitar la depredaci6n oportunista guiada por el corto plazo (reducci6n drastica de la n6mina, nombramientos por merito y contrataci6n 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 prohibe 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 Gaitan, 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, Gaitan highlights four points that made Colombian democ-

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

59. Pilar Gaitan Pavia, *Las Transformaciones del Regimen Politico en Colombia: t,Hacia Una Democracia Representativa?, in* DEMOCRACIA Y REESTRUCTURACI6N EcoN6MICA EN AMERICA LATINA 295, 310 (Pilar Gaitan et al. Eds., 1996).

60. */d.*

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 bipartisanism; (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 Bogota. 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-

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

64. Ileana Marlitt Melo Salcedo, *Reconocimiento Juridico y Concepto del Derecho a la Educaci6n en la Constituci6n Politica de Colombia, in* DERECHO A ʟᴀ EoucACION ʏ CruDADANfA DEMOCRATICA: EL DERECHO A LA EoucACION COMO DESARROLLO CoNSTITUCIONAL DEL PENSAMIENTO REPUBLICANO Cfvrco 297, 297 (Joaquin Gonzalez Ibariez ed., 2007); *see* CoNSTITUCION PoLfTICA DE CoLOMBIA 1991 art. 67, *available at* http://web.presidencia.gov.co/constitucion/index.pdf ("La educaci6n es un derecho de la persona y un servicio publico que tiene una funci6n social: con ella se busca el acceso al conocimiento, a la ciencia, a la tecnica, y a los demas bienes y valores de la cultura. La educaci6n formara al colombiano en el respeto a los derechos humanos, a la paz y a la democracia; y en la paactica del trabajo y la recreaci6n, para el mejoramiento cultural, cientifico, tecnol6gico y para la protecci6n del ambiente. El Estado, la sociedad y la familia son responsables de la educaci6n, que sera obligatoria entre los cinco y los quince aftos de edad y que comprendera como minimo, un aiio de preescolar y nueve de educaci6n basica. La educaci6n sera gratuita en las instituciones del Estado, sin perjuicio del cobro de derechos academicos a quienes puedan sufragarlos. Corresponde al Estado regular y ejercer la suprema inspecci6n y vigilancia de la educaci6n con el fin de velar por su calidad, por el cumplimiento de sus fines y por la mejor formaci6n moral, intelectual y fisica 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 Naci6n y las entidades territoriales participaran en la direcci6n, financiaci6n y administraci6n de los servicios educativos estatales, en los terminos que seiialen la Constituci6n y la ley.").

mental protection.[65]

V.   CITIZENSHIP CuLTURE *VERsus* Rm-CIDADE

Bogota and its twenty city divisions *(localidades)* imple-
mented plans that focused on creating and increasing respect for
institutions, laws, public services, and government officials in con-
junction 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 invest-
ment. 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 Sebastian Hoyos, *La Educaci6n en la
Constituci6n Colombiana de 1991, in* DERECHO A LA EDUCACI6N Y CIUDADANfA
DEMOCR.ATICA: EL DERECHO A LA EoucAci6N coMo DESARROLLO CoNSTITUCIONAL DEL
PENSAMIENTO REPUBLICANO CtviCo, *supra* note 64, at 405.

66. Martin-Barbero, *supra* note 26. ("[L]a experiencia me puso ante una politica de
'cultura ciudadana' que durante tres aiios tuvo como objeto-eje la cultura cotidiana,
esa que tejen las relaciones de los ciudadanos, desde la relaci6n con el ch6fer del bus a
las de los funcionarios con los usuarios de los servicios publicos, pasando por las
relaciones de las pandillas de j6venes con los vecinos del barrio o las de los
constructores y la gente con el espacio publico. Fue a partir de ahf, de las reglas de
'ordenamiento de la cultura ciudadana' que fueron desarrollandose las politicas sobre
culturas especializadas, es decir las culturas del arte. Y fue a partir del movimiento de
'cultura ciudadana' que muchos artistas de la plastica, la musica, 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 traves de un trabajo creative que entrelaz6
su propia producci6n con las practicas expresivas mediante las cuales las asociaciones
de vecinos o las pandillas juveniles tejfan los lazos de pertenecfa al territorio de los
barrios, o recobraban memorias, es decir reinventaban y rehacfan sus identidades.").

67. *Id.*

68. *See* Marcio Pinon de Oliveira, *Projeto Rio Cidade: Intervenr;ao Urbanistica,
Planejamento Urbano e Restrir;ao à Cidadania na Cidade do Rio de Janeiro,* ScRIPTA
NovA REVISTA ELECTR6NICA DE GEOGRAFfA Y CIENCIAS SociALES, Aug. 1, 2008,
available at httpJ/www.ub.es/geocritJsn/sn-270/sn-270-117.htm; *see also* MARcELO
LoPES DE SouZA & GLAuco BRUCE RoDRIGUEs, PLANEJAMENTO URBANO E ATIVISMOS
SOCIAlS 53 (2004).

69. 0TfLIA BEATRIZ FIORI ARANTEs ET AL., A CmADE DO PENSAMENTO UNico:
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 *(Secretario 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 1965[73]. 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 estrategicos).*[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

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70. Oliveira, *supra* note 68.

71. *!d.*

72. SouZA & RoDRIGUEs, *supra* note 68, at 53-54.

73. *!d.* at 37-38.

74. *!d.* at 38.

75. Id.

76. *See* Oliveira, *supra* note 68. "Nos anos 1990 . . . ha uma mudana do *gerenciamento* para o *empresariamento* na administra ao urbana. Este empresariamento das cidades, tambem denominado de empreendedorismo urbano, apresenta como carcteristica central 'a no ao de *parceria publico-privada* na qual as tradicionais reivindica oes locais estao integradas com a utiliza ao dos poderes publicos locais para tentar atrair fontes externas de financiamento, novos investimentos diretos ou novas fontes geradoras de emprego.' Para tanto, sera necessaria a promo ao da cidade e de sua imagem junto ao mercado mundial com objetivo de atrair novos investimentos. A este fenomeno de promo ao e venda da imagem da cidade, Bo:rja e Forn chamaram de *city marketing.* Assim, tornou-se comum, portanto, falar-se hoje em *planos estrategicos* que promovam a imagem das cidades e as preparem, por meio de urn planejamento urbano de 'novo tipo', e ressaltem suas potencialidades para a atra ao de investimentos." *ld.* (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] Mter 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 Bogota, 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 Bogota, previously known as the site of all sorts of social ills, was razed and replaced by a huge-and unpopular-public park.[82]

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77. SouzA & RoDRIGUES, *supra* note 68, at 59.

78. *Id.*

79. *See generally* CECILIA COIMBRA, 0PERAQAO Rro: O MITO DAS CLASSES PERIGOSAS: UM ESTUDO SOBRE A VIOLENCIA URBANA, A MfDIA IMPRESSA E OS DISCURSOS DE SEGURANQA P0BLICA (2001).

80. There is a well-known work about this point by Teresa Caldeira. Although it is a study focused in Sao 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 SA.o 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 Conuiuencia en Bogota: Logros y Retos 1995-2001, in* SEGURIDAD CruDADANA: ¡,ESPEJISMO o REALIDAD? 451, 468 (Fernando Carrion ed., 2002), *available at* http://www.flacso.org.er/docs/sfseguridadciudadana.pdf. "En esta misma linea, a traves del programa Renovacion Urbana, se intervino el sitio mas critico de la ciudad, conocido como El Cartucho, donde se expendian y comercializaban drogas, armas y se organizaban actividades delictivas. Este sitio, conocido en otras ciudades como 'ollas', se habia constituido en el lugar donde se desarrollaban actividades delincuenciales, sin que las autoridades distritales y nacionales pudiesen hacer algo, hasta que en el aiio 1998 se tomo la decision de acabar con ellugar de raiz

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 Bogota 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 Bogota, 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.

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para construir alli un parque. La intervenci6n de este sitio se ha realizado desde los ambitos social, policial y administrativo y los resultados han sido importantes en materia de reducci6n de los indices de violencia y delincuencia de la ciudad y de reinserci6n social de los ciudadanos que habitan esta zona." *Id.*

83. Mockus, *Ampliaci6n, supra* note 2, at 16. "La ciudadania se construye en la mutua regulaci6n entre desconocidos (aprender a corregir amablemente, aprender a dejarse corregir) pero tambien en la relaci6n entre ciudadano y Estado. Asumir al ciudadano como eje signific6 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 mas canales de interacci6n (presenciales, telef6nicos, via Intemet), hacer de cada acci6n una oportunidad de aprendizaje y buscar validaci6n extema. Signific6 tambien promover la autorregulaci6n y la corresponsabilidad (enfoque de 'cultura ciudadana') tambien en lo relacionado con la gesti6n publica. Ese enfoque, que busca armonizar ley, moral y cultura, llev6 a adoptar estas formulas: 'Recursos publicos, recursos sagrados' y una mas generica: 'lo publico es sagrado'. *Id.*