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**Forms of Participatory Democracy:
An Analytical Framework based on the experiences
of Bolivia, Brazil and Colombia**

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FORMS OF PARTICIPATORY DEMOCRACY: AN ANALYTICAL FRAMEWORK BASED ON THE EXPERIENCES OF BOLIVIA, BRAZIL AND COLOMBIA¹

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SUMMARY

Based on the experiences of Colombia, Brazil and Bolivia, the paper proposes a general analytical framework for participatory mechanisms. The analysis is oriented to detect the incentives in each system and the ethics and behavior sustaining them. It investigates about the sustainability of participatory democracy, in the face of tensions with representative democracy. The article presents a theoretical framework built from these experiences of institutional design and political practice, and confronts it against the theoretical conceptualizations of participatory democracy in Bobbio, Sartori, Elster and Nino, among others. In this context, different ways in which those schemes can be inserted in the political systems become apparent, along with the variables that result from combining elements of direct, representative and participatory democracy”.

Key words: Democracy, Participation, participatory budgets, local government.

JEL Classification: D700, D710, D730, H720, H790, P490, P500

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RESUMEN

A partir de la experiencia de Colombia, Brasil y Bolivia, el artículo propone un marco de análisis general de esquemas de democracia participativa. El análisis está orientado a detectar los incentivos presentes en cada uno de los sistemas y la ética y el comportamiento que sostiene estas instituciones. Investiga además su sostenibilidad al enfrentar tensiones en su interacción con la democracia representativa. El artículo presenta un marco teórico a partir de estas experiencias de diseño institucional y prácticas políticas, y su comparación con las conceptualizaciones teóricas de democracia participativa de Bobbio, Sartori, Elster y Nino, entre otros. En este análisis se resaltan las diferentes maneras en que tales sistemas políticos son introducidos, así como las variables que resultan de la combinación entre democracia directa, participativa y representativa

Key words: Democracia, participación, agenda de participación, gobierno local.

JEL Classification: D700, D710, D730, H720, H790, P490, P500

1. INTRODUCTION

In the last two decades of the twentieth century, many countries of the world adopted decentralization policies.² Decentralization was viewed as a way of closely detecting the needs of the population for the design of governmental action, a means of citizen control of the public sphere, and a recognition of regional and, especially, local autonomy.³ In general, however, decentralization transferred power solely from central to regional or local governments, not to citizens.

When some of the first decentralization experiences were already ongoing, there was an attempt to correct *a posteriori* the mentioned shortcomings, complementing decentralization with the introduction of participatory mechanisms. In more recent experiences, participatory mechanisms were adopted simultaneously with decentralization. New forms of participation democracy were introduced alleging limitations in representative democracy institutions, the loss of prestige of political parties, and the intention of decentralizing beyond local governments to yield power to small communities and citizens.

This paper compares three variants of participatory democracy adopted in the course of the last decade in Brazil, Bolivia and Colombia. It establishes the scope and magnitude of collective action granted to participatory mechanisms; analyzes their conflicts with previously set structures of representative democracy, and makes an appraisal of their stability and chances of continuity. Finally, it presents a constructed theoretical frame from these experiences and their confrontation with some theoretical conceptualizations of participatory, representative and direct forms of democracy.

Participatory models developed in these three countries have common characteristics. They were developed in conjunction with decentralization, though the two reforms were not always simultaneous; the main decisions at stake concerned public investment; deliberation mechanisms rather than voting mechanisms were implemented as the central instruments of participatory democracy, though in some cases referenda and mandate revoking elections were also authorized, as complements to representative and participatory institutions.

There is a remarkable consensus among interviewed people in these three countries about advances obtained in the quality of decision-making, and in the general efficiency of the political processes achieved as a result of these reforms.⁴ Improvements were in general related to changes in information flows and incentives: incentives for obtaining better information have been embodied in decision-making, and have fostered a longer run vision in public officials; revelation of citizen preferences has improved, and officials have more incentives to inform the public about their projects. Structural reasons also appear to be related to the improvements in the quality of decision making. In a context of patrimonialism or clientele politics, citizen participation seems to be more efficient than checks and balances among elected repre-

² Actually, "From 75 developing or transitional countries with a population larger than 5 million, all except 12 claim to be involved in processes of political power to local government units". Dillinger (1994). P.1

³ Forero et al. (1997).

⁴ These advances were also documented for the Bolivian case by the research of Faguet (2000).

sentatives, in terms of getting government action closer to citizens' demands, controlling government and preventing or detecting corruption.

Nonetheless, there are also substantial differences between the adopted forms of participatory democracy in these countries. Both formal design and informal practices of the implanted participatory adjustments differ considerably from one country to another, showing that the participatory form of democracy does not adopt a single structure and admits several variants and options. Comparative analysis of these options allows us to analyze the impact of formal adoption of participatory mechanisms on the prevailing political practices in each country.

The following section compares informal political institutions in each of the three countries at the moment participatory democracy mechanisms were implanted. The three following sections briefly describe participatory mechanisms presently at work in Brazil, Bolivia and Colombia through a comparative analysis that emphasizes common aspects and differences presented by the three participatory schemes, in terms of several analytical dimensions. From there, a characterization of participatory democracy types inferred from the studied cases is confronted with some theoretical formulations of participatory democracy (Bobbio, Sartori and Nino, mainly). We conclude with a proposal for a typology of forms of democracy (especially participatory), that incorporates the developed analytical dimensions of the study of the three Latin American experiences. Finally, a characterization of the dynamics in each scheme is attempted, underlining some institutional keys that allow us to anticipate the sustainability of different classes of participatory democracy.

2. INFORMAL TRADITIONAL STRUCTURES: PATRIMONIALISM, CLIENTELISM AND CORPORATISM

New institutionalism concentrates attention on the relationships between formal and informal institutions. In the analysis of forms of democracy, informal institutions refer to customs derived from exercising democracy, political practices and the routines of the political process, among others. According to Zenger et.al. (2001), while "formal institutions define the normative system designed by the administration or the impression or model of behavior, informal institutions define the real behavior of participants" p.5.

The relation between these two types of institutions is perhaps still more complex. Informal institutions arise from formal ones, but changes in formal institutions operate in a context of previous customs and political processes that cannot be ignored.

Two central consequences result from this approach. On the one hand, public decisions occur in a formal frame but they also respond to informal institutions (practices and customs): patterns of communication and interaction of actors as well as the interpretation of personal obligations arising from public decisions are clear examples of this. On the other, the relation between formal and informal institutions cannot be interpreted by reducing it to the possibility of formal institutional purity being filtered, or by simply giving rise to the gestation of informal practices filtering formal institutional action. In a historical context, preexisting political practices can be immune or see themselves altered (reinforced or diminished) by formal political reforms. With reform, a new

balance between traditional political practices and formal institutions is established. In this vision, the informal political regime always precedes the formal act of creation of a new institution, and it can be modified or disappear only under certain conditions.

In the cases of Brazil, Colombia and Bolivia, diverse historical analyses agree on the fact that patrimonialism, clientelism and corporatism respectively define the political practices prevailing at the moment in which participatory democracy reforms were made.⁵ None of these prevailing political practices was ever written in the law, but they describe the political regimes of these countries more deeply than their own constitutional texts. The three characterizations have been the object of discussion in each country, but common characteristics have emerged from debates on each of these phenomena and are the best reference point to analyze the impact of a formal change like the introduction of participatory democracy instruments on embedded informal political practices generally perceived as the origin of corruption.

Fedozzi (1999) characterizes patrimonialism in Brazil the definition developed by Weber (1992). Patrimonialism arises from the patriarchal (domestic) domain; it is oriented by tradition, and exerted as a right of those who govern: political administration is considered a personal affair of the sovereign, and therefore there is no clear differentiation between the public and private spheres (p. 42). The sovereign places administration in the hands of another individual he trusts, and this relation is reproduced in the different levels of administration and between the administrator and the citizen. This context allows for arbitrary actions by the administrator; justice is provided under personal considerations, and a system of privileges is established (Weber 1992, p.188). Based on historical studies from several authors, Akutsu et. al. (2000) claim that the Brazilian state was implanted on a patrimonialist and centralizing model. For that reason, it was always powerful, authoritarian, self-legitimized, and established a relation of total subordination from society. It never defined clear limits between the public and the private, and turned land and public positions into a currency of political exchange (p.7).⁶ In this type of political arrangement there is no space for direct or total citizenship and the State is free from accountability to society.

Clientelism in Colombia has been characterized as the private appropriation of public resources with political aims (Leal and Dávila 1994, p.47). According to these authors, clientelism is the modern and developed version of the domination and influence previously exerted by the *cacique* or local boss. In the former traditional model, resources involved in political exchange were the private property of the *cacique*, generally a landowner. This primitive political relation evolved towards clientelism, a practice under which resources involved in political transactions are no longer private but public. "Modern political and mercantile clientelism is fed by the State and maintained by the old and widespread social value of loyalty". This characterization can be enriched by saying that, in the most recent phase of the representative democracy, a generalized exchange of votes for private favors takes place, financed with public resources. The

⁵ See Fedozzi (1999), Leal (1989) and (1994), and Molina (1994) respectively for characterizations of patrimonialism in Brasil, clientelism in Colombia and corporatism in Bolivia.

⁶ Quoting Amorim (2000). *Etica na esfera pública: a busca da nova relacoes Estado/Sociedade*. Revista de Servicio Publico, Año 41, N. 2

beneficiaries of these favors can be individuals or relatively small communities compared to the magnitude of the electoral district.⁷ Sudarsky (2001) analyzes Colombian clientelism as a modern form of patrimonialism. He emphasizes the lack of independent access of citizens to the political centers and the chain reproduction in patron-client relations - first in the economic and soon after in the political spheres. The exchanges that characterize political relations are simultaneously specific and generalized: favors are exchanged for favors or for votes, and favors are given as proof of loyalty (Mauss 1967). Following Scott (1972), Sudarsky establishes a correspondence between forms of patrimonialism and economic development stages. According to the survey on which his research is based, clientelism is the predominant structure in Colombia, although in certain urban regions he finds an evolution towards modern republicanism. According to Sudarsky, the political-cultural system is vaccinated against an open representation of interests. This can explain the low identification indices of elected politicians by their electoral districts, a result found in the survey on which he bases his interpretative work. The result of this is, according to Sudarsky, a general weakness of representative democracy

Molina (1994, p.16) understands corporatism in Bolivia as a rule that defines who participates in political decision-making through a process of the cooptation. Following Duverger (1970), he defines cooptation as the process in which predecessors indicate their successors, or a group of well-known leaders indicates who will exert certain functions, once an exercise of public validation is carried out. This public validation is generally a popular vote that Molina interprets as an "election among the elected", that prevents the access of agents outside power circles. According to the author, this has allowed state resource control without public supervision, which is possible as long as a certain level of social order is maintained. Cooptation has survived from ancient political systems to modern formal democracies. It operates by maintaining power in the hands of a few rulers. Under the corporative rule, the chosen one is not in debt with his voters but with those who appointed him as a successor (p. 18). In the case of Bolivia, separation of powers has resulted in parallel processes of cooptation in the legislative and judicial systems, in the organizations of public control and, more importantly, in the powers that Molina identifies as "real power factors": the Armed Forces, the Catholic Church, the Confederation of Private Industrialists, Parliament and the Bolivian Workers Union (p. 19). In the absence of strong political parties, consensus between these real power factors is constantly sought in order to solve social and political crises.⁸ The corporative structure is also replicated in a fractal pattern in the provinces.

There are conceptual connections between clientelism, patrimonialism and corporatism. The prevailing political relations in each of these countries show real combinations of these phenomena. In Brazil and Bolivia, Fedozzi and Molina respectively detect exchanges that can be characterized as clientelist. Sudarsky (2001) relates Colombian clientelism to neo-patrimonialism. In recent political crises in Colombia, several authors have indicated forms of corporatist power

⁷ Forero et al. (2000)

⁸ The historical observation of the Bolivian case by Molina meets the definition of a neo-corporatist society developed in an Italian debate, informed by Bobbio (1997): "...they defined a neocorporatist society as a way of solving social conflicts using a procedure, which under the agreement of large organizations, has nothing to do with political representation, and on the contrary, is a typical expression of "representation of interests" (p. 32)

and rent-seeking behavior among corporative groups.⁹ From an analytical point of view, it is useful to distinguish and characterize these three elements to understand the impact of newly-created participatory institutions.

These informal institutions are perceived as catalysts for corruption. They result in a generalization of arbitrary actions on the part of the rulers; a handling of justice based on personal considerations; a generalized system of privileges: the private appropriation of public resources for political aims; restrictions in citizen access to decision making; the exchange of votes for favors and the absence of popular control, among others. These elements brought together finally lead to a system of weak representative democracy. Exclusion was characterized as a common element in the three countries, in spite of coexisting with different informal institutions. Citizens did not have the space to take part in the discussion, decision-making, nor the control of their fulfillment.

From a comparative viewpoint, differences emerge among the characterization of political practices of the three countries, but there is also a common thread. In a certain way, a latent political phenomenon is present in all three countries but, according to special circumstances in each country, the magnitude of each dimension differs and for that reason it is important to maintain the distinction.

The prevalence of these informal political practices triggered a crisis of representative democracy in last the two decades of the 20th century. Societies demanded reforms. Instead of an adjustment in representative democratic institutions or a drastic curtailment of the previously described political practices, the chosen path was that of participatory democracy mechanisms. Each country introduced in its own way, direct channels of citizen participation in its democratic system and directly involved the population in making certain public decisions. With the creation and initiation of participatory democracy mechanisms, these three countries interpreted, in their own way, the general definition of political participation proposed by Sartori: "to personally take part, in an active, decided and self-sought way; by one's own will and not induced by others" (Sartori 1994, p. 74).

The interaction between institutions shows that more than playing a filter role, informal institutions historically precede the creation of formal institutions. When they emerge from a reformist political consensus, as was the case in these three countries, reforms try to correct faults of the preexisting political process and offer as solution a new institutional balance. The proposed structure involves new formal institutions, accompanied with mechanisms of representative democracy, but in which political practices are also present. The formal mechanisms alter the evolution of the informal practices. Their functionality or effectiveness depends on this interaction.

We can ask how reforms increase or deteriorate the political regime's global functionality, and analyze the degree of complementariness or substitution presented by formal and informal institutions.

⁹ See for example Wiesner (1997), specially the chapter on education, and Garay (1999)

3. PARTICIPATION MECHANISMS: DESCRIPTION AND COMPARATIVE ANALYSIS

The first three sections describe and display some indicators of the reach of participatory mechanisms in each country. The last section presents a comparative structural analysis of these schemes

THE PARTICIPATORY BUDGETS OF BRAZIL

The Brazilian Constitution makes only an indirect reference to participatory democracy, without defining the public decisions that could be their object or the mechanisms by which citizens would take part in them. Although they have remote antecedents, these participatory principles have been developed in the last thirteen years, mainly in those municipalities governed by mayors from the Workers Party, which has adopted them as a flagship program.

However, participatory democracy had precedents in Brazil. Some experiments of participation occurred at the end of the 1970's and beginning of the 1980's,¹⁰ as a means to exert pressure on the federal and state governments, then controlled by the military. Cities like Lages, Piracicaba and others in the state of Minas Gerais created community centers and opened consultation processes with the people between 1977 and 1982. These experiments did not consolidate. The Federal Government's indifference, as well as lack of party continuity in local government, explain the brevity of these experiences. However, in 1988 a new Constitution increased fiscal transfers and a wave of adjustment plans hit state capitals, then overwhelmed by financial crises. At the same time leftist local leaders affiliated with the Workers Party obtained power, and experiments in local participatory budgets began anew.¹¹

Today, following a survey by Polis (mentioned in Paiva 2001), an estimated 140 municipalities are involved in participatory budget schemes. Mayors belonging to the Workers Party govern in 71 of them.¹² According to Polis, these experiences have been unequal in terms of people participation indices, commitment from authorities, continuity and results.

Two of the most remarkable experiences of participatory budgets appear in the cities of Porto Alegre and Belo Horizonte. The process began in 1989 in Porto Alegre and in 1993 in Belo Horizonte. Sao Paulo started participatory budget exercises in 2001, after the election of a mayor from the Workers Party. Its participatory budget is centered on education and health, sectors that cover nearly 20 % of the investment budget in South America's largest city. The state of Rio Grande do Sul has also implemented a process of participatory budget in the last three years. 188.533 citizens were involved in the elaboration of the 1999 participatory budget. For the year 2000 the number increased to 281,926 participants. In that year, 13,987 delegates were elected and 670 assemblies were held (26 more than the previous year). In Porto Alegre, 780 citizens participated in the process in 1989 and 7,610 in 1992.¹³ Between 1994 and 1999

¹⁰ Specially in municipalities governed by the MDB (Brazilian Democratic Movement)

¹¹ In 1988, 32 mayors belonging to left wing parties were elected; in 1992, 53; and in 1996, 115.

¹² In 2000, the Workers Party won the election in 187 municipalities and in 5 states (Esnal 2001).

¹³ Fedozzi (2000), p.14.

participants increased from 11,247 to 20,724.¹⁴ It is worth mentioning other participatory democracy processes apart from those centered on local budgets. They are processes of a national character with exercises at national, state and local levels. They prepare sectoral participatory plans in health and education. Some critics indicate a decrease in national government aid to this process (Polis).

Porto Alegre presents one of the most evolved and stable systems of participatory budgeting. It has existed from 1989, and it is taken as a model by other cities and small municipalities. In this paradigmatic case, citizen participation is executed in two stages.

First, it begins with an open hearing in which the local government presents general information on the city budget. Subregional and thematic plenary assemblies follow. The sub regional open assemblies determine their own investment priorities. Towards the end of the first stage, the popular assemblies choose delegates, and these in turn elect councilors.

In the second stage, the delegates and especially the councilors, who articulate the investment budget, play a determinant role. District Budget Forums establish priority lists of infrastructure projects for each investment category. The City Council approves a global budget, but the participatory council group approves specific projects in a close negotiation with the local government.

The participatory process is always developed in presence of the local government, who summons other actors and holds the initiative. However, since priorities are fixed by open assemblies and delegates and councilors are only elected when the process is advanced, the first stage of the scheme can be characterized as a participatory democracy without intermediaries and engaged in interaction with the State. In the second stage citizen representatives (intermediaries) enter the game, modifying the form of participatory democracy practiced.

POPULAR PARTICIPATION IN BOLIVIA

The Popular Participation Law¹⁵ was approved in 1994. Decentralization and participatory democracy were implemented simultaneously. Two hundred new municipalities were formally created by the law. Before 1994 only 114 were recognized and these covered only the urban fraction of the territory. In practice, only 24 worked properly.¹⁶ The central government carried out important resource transfers to the municipalities, while citizen participation in the planning and budgetary process was imposed as condition to local governments. The field of action of popular participation includes the municipality development plan, which includes the annual budgetary process as well as the definition of medium and long-term development strategies.

Popular organizations (13,800) representing farmers, indigenous peoples and urban dwellers have become involved in the participation process, and have elected delegates to the 311 "Municipal Oversight Committees".¹⁷ Formal power of these organizations is considerable. They are authorized by law to initiate proceedings against local mayors, which can lead to a suspen-

¹⁴ Gobierno do Estado de Rio Grande do Sul (2000).

¹⁵ Law 1551, April 20th 1994.

¹⁶ Molina C. H., interview of July 26th 2001.

¹⁷ Ministerio (2000), p. 369.

sion of resource transfers from the central government to the municipality. Nevertheless, the lack of gradualism in this punishment has presented obstacles to the normal exercise of government or has inhibited the committees' willingness to resort to sanctions, even when they have sufficient reasons to do so.¹⁸ From the beginning of the process, popular participation was seen as a complement to representative democracy and was thought as a means to integrate indigenous and farmer communities to economic and social decision making.¹⁹ Thanks to the establishment of these participatory mechanisms and to the creation of small municipalities with some degree of autonomy, indigenous people have acquired local power in some small municipalities where they compose a clear majority of the population; in other localities they are in the minority, and conflicts have emerged between them and the mixed-race population; in others, such as convention, political agreements have been reached between indigenous and mixed-race groups.²⁰

The formulation of municipal development plans has the intention of identifying social demands. It is developed in three stages: diagnosis, definition of a strategic vision of development and definition of priorities. Members of the committees are involved directly throughout the process. The final result of the deliberation process may not agree with the plan approved by the municipal council, but in such cases the Oversight Committee can initiate proceedings to suspend resource transfers to the municipality.²¹ The municipal council can in turn apply a "constructive censorship vote" that allows it to revoke the election of the mayor. Some important investment projects, especially those financed by international sources, have as a condition for their execution that they are developed within popular participation processes.

The participation process consists of a sequence of workshops, with the occasional intervention of technical instances: a promotional workshop organized by local authorities; diagnosis workshops; sub-local (at district level) validation and definition of district priorities; a municipal workshop which aggregates demands from whole districts, presents and negotiates them with authorities; systematization of the diagnosis by a technical team which elaborates a program proposal and an execution strategy; finally, a municipal workshop for proposal validation.²²

Throughout all phases of the participatory planning process, the main agents are the representatives of social organizations. Open assemblies are sometimes summoned, but the decisions are made by those who have been previously elected as members of the Oversight Committees. Participatory democracy in Bolivia can thus be seen as a form that involves intermediaries, just like the second stage of participatory budgets in Brazil.

Bolivian participatory planning covers the totality of municipality investment. Nevertheless, the rigidities resulting from previous commitments and law-mandated specified destinations for certain resources diminish the real proportion of public fund allocation determined by participatory processes. The Central Government transfers 20% of its rents to municipalities, and today it is esti-

¹⁸ Interviews with C.H. Molina; M. Galindo; the Vice-president of the La Paz Oversight Committee, and the President of the Santa Cruz Committee, July 2001.

¹⁹ Galindo (2000).

²⁰ Interviews with C.H. Molina, July 2001.

²¹ Ministerio (2001b), p. 45-46

²² Galindo (2000)

mated that 38% of total public investment is executed locally and is subject to participatory deliberation.²³ In addition, an important part of resources originating from debt relief programs agreed upon with foreign creditors must be invested locally and discussed by the Oversight Committees.

Participation schemes have had an uneven development in the different regions. In small cities there is generally more popular participation than in big cities. However, in the city of Cochabamba the process has been very wide and strong from the beginning; in La Paz, the creation of sub-districts could improve the relatively low indices of participation observed nowadays. On the other hand, small municipalities have begun to associate.

At the beginning of the process, mayors were successful in the cooptation of participating committee members in exchange for particular favors. Promulgation of Law 2028 of 1999, creating the Social Control Fund and ensuring independent funds for the operation of Committees, managed to increase their autonomy.²⁴

Openness to participation is not so widespread in the case of departmental and national plans. Today departmental planning is in the hands of provincial leaders. Each department has designed its own consultation process. The national development plan is defined by the central government, and consultations are made with different sectors and regions, but it is a narrow process that does not reach the base.

Among the achievements of democratic transformation in Bolivia, evaluations highlight “the appearance of a democratic embeddedness around the life of municipalities, and a culture that promotes bases for municipal projection and organization”. The planning process has been strengthened. In 1999, 55% of municipalities had a Municipal Development Plan; 100% presented their Annual Operative Programming; methodological instruments for the formulation and support of MDPs and District Indigenous Development Plans were created.²⁵ In 2000, 91.7% of the 314 municipal sections were in the process of formulating Municipal Development Plans.

Another important achievement of this democratic scheme in Bolivia is the multiethnic recognition of society, through the recognition of legal existence given to Territorial Grass-Roots Organizations: Indigenous towns, peasant communities and neighborhood associations. In the municipal elections of 1995, many indigenous and peasant groups became involved in municipal elections and were elected to municipal governments. 464 councilmen, from a total of 1624 elected were peasants or indigenous. Their presence extended across 200 of the 311 municipalities of the country. 79 of their candidates were elected mayors. At the beginning of 1997, 29 were removed, equivalent to 37%, but 21 were replaced by peasant-indigenous peoples.²⁶

PARTICIPATORY PLANNING IN COLOMBIA

The Constitution of 1991 created the National Participatory Planning Council, and a Territorial Council in each of the 32 departments and 1067 municipalities. It also ordered the cre-

²³ Interview with F. Caballero, Julio 2001

²⁴ Same interview

²⁵ Ministerio (1999e), p. 1.

²⁶ Ministerio (1999a), p. 27 .

ation of a National Participatory Planning System. Additionally, there was a significant boost to a decentralization process that begun in the 1980's by which central resources are transferred to local governments for investment, especially in health and education, and elections for mayors are held. Law 152, approved by the Congress in 1994, detailed the composition and functions of these councils. However, as part of a general process of constitutional counter-reform occurring since then,²⁷ the law restricted the initial scope of participatory planning.²⁸

In the present scheme, each plan is initially outlined by the executive agency of the municipal, departmental or national government; afterwards, it is debated in the respective Council of Participatory Planning, which gives an opinion on the plan; it is then reviewed by the Executive, and later it is presented to the corresponding legislative body for formal approval as a national law or local statute (according to the level of government).

Councils are integrated by representatives of economic and social sectors, ethnic groups, environmental, educational and cultural organizations, and also of the geographic regions or zones. Diversity of representation is the characteristic of these councils. Election of its members begins with the executive calling on each sector to present a short list of candidates, from which the executive chooses. Opinions produced by the Council on development plans are not legally binding for the executive. Nor is there any coercive legal instrument to oversee proper execution of the plans. Nevertheless, the political influence of these councils has occasionally allowed them to go beyond their purely consultative functions, both at a national level and in those localities where the council maintains close relationship with grass-root organizations. In addition to their function of providing opinions on development plans, participatory councils are also in charge of approving zoning plans in municipalities, a function in which their decision does have a legally binding character.

Other democratic reforms have complemented participatory planning. It is now possible to hold a referendum on citizen-originated initiatives. Mayors and governors are chosen by open election and, under certain conditions, citizens can revoke their election. Candidates must register their "Government programs" when presenting themselves to elections and are legally compelled to follow these programs if elected (so-called "programmatic vote").

The Councils of Participatory Planning have experienced different results. In some localities and departments, they have simply played the formal role of submitting an approving opinion on the plan, previously written by the mayor. In others, substantial modifications of the plan have been obtained due to recommendations presented by the Councils of Planning. Conflict between participatory councils and executive or legislative bodies has been frequent.

Estimations on the number of participants in the planning process in Colombia are substantially inferior to those made in Bolivia or Brazil.²⁹ The limitation of the participatory council's power to submit recommendations, in spite of its creation by constitutional mandate, has disincentivated participatory planning. An adaptive reaction of several governmental agencies,

²⁷ Forero, González, Jiménez and Cárdenas (2000).

²⁸ Angarita (1997).

²⁹ Consejo Nacional de Planeación (1999).

fearing concentration of power in these participatory councils, has been the proliferation of sectoral Participation Councils without any force or cohesion. The Councils of Participatory Planning, on the other hand, have had an important influence on the programmatic agendas presented by mayoral candidates before the elections. In 2000, the councils of participatory planning persuaded several or all mayoral candidates in 100 municipalities to include programs issues resulting from participatory assemblies in their government. It is worth mentioning that mayoral elections, transfer of central resources to the municipalities, and participatory democracy have met with the hostility of armed participants in the Colombian conflict. Guerrilla and right wing paramilitary groups have attacked participatory democracy and weakened decentralization with acts and threats of violence against elected mayors.³⁰ In 2002, they went as far as demanding the resignation of more than 100 mayors in different zones of the country.

Although the Councils of Participatory Planning frequently summon open popular assemblies, it is the appointed Councilors who make the decisions. The scheme can be considered as a form of participatory democracy through intermediaries from the different social sectors. The fact that Councilors are appointed by the executive branch of the government, from short lists presented at each level, instead of elected, restricts participatory democracy.

A National System of Participatory Planning, encompassing the Councils and in charge of appointing Councilors at all levels across the country, has had an independent development, and was initially summoned by the National Council of Participatory Planning, without intervention of governmental authorities.

A survey covering 677 municipalities (of a total of 1092) found that 71,9% of them have created Territorial Planning Councils (487 municipalities).³¹

The Colombian National System of Participatory Planning supports the work of the National Council in evaluating development plans. Between 1994 and 2000, widespread processes of consultation with society took place to evaluate government plans. 40 public hearings took place in 1994 and 62 in 1998. Exercises, called "citizen trails", took place in 1997 in nearly 30% of the municipalities of the country, where the local councils of participatory planning called on the people to meet in order to present proposals to candidates who were running for public office. The second consultation cycle, in 2001 and 2002, involved 70% of the municipalities.

In addition to the constitutional scheme of participatory councils, other participatory experiments of importance have taken place in Colombia. One of them is the elaboration of the National Culture Plan in the year 2000. 543 municipalities prepared 769 declarations from municipal culture meetings. 32 departmental forums, seven regional, and a national cultural forum were held as well. In this case, the Government, rather than organisms of participation,

³⁰ Forero (2000).

³¹ First National Territorial Planning Council Survey, (Primera Encuesta Nacional de Consejos Territoriales de Planeación). October 2001. The authorities' lack of knowledge of the new constitutional norms is the main reason why these councils do not exist in 56% of the 101 municipalities lacking this organism. In 27 % of municipalities the survey reveals lack of interest by the administration, the Municipal Council or the population sectors and groups. In the rest of municipalities, political instability (armed conflict or frequent change of mayors) has prevented the consolidation of territorial planning councils.

summoned the forums and assemblies, which facilitated the availability of resources to ensure high levels of participation. In the case of the Council and the National Participatory Planning System, the councils themselves are in charge of summoning participants, and the availability of resources is more limited.

COMPARISON OF INSTITUTIONS

A comparative analysis of the characteristics of participatory democracy mechanisms in Brazil, Bolivia and Colombia follows. The comparison is addressed in several analytical dimensions that allow us to emphasize crucial similarities and differences between these schemes.

Colombia and Bolivia have unitary and centralized constitutions, whereas Brazil is a Federation of States. However, in all three countries participation was developed along with decentralization reform; the latter seems to be a necessary previous condition for participatory democracy, because the local level seems to be where participatory mechanisms work best. In all three schemes, deliberation is the fundamental mechanism to obtain consensus. The main decisions taken in the participation process concern public investment. As for results, the three schemes have generated incentives that induce different authors to provide and use more precise information in public decisions. They have also promoted a more long-term vision among public officials, improved citizens' revelation of preferences, and given civil employees more incentives to inform the public on their projects. Principles invoked to justify participation are similar in the three countries: a better identification of social demands, development of synergy, governance, and transparency in decision making and project execution.

However, there are substantial differences in the design (formal) and practice (informal) of participatory democracy in these countries.

The Colombian scheme of participatory planning is a constitutional mandate; in Bolivia it is a law, and in Brazil a voluntary cession of power from the mayor as a result of policy practiced by a political party in more than half the jurisdictions where it won elections, although in some cases mayors from other parties have also adopted participatory budgets. Nevertheless, the hierarchy occupied by participatory democracy in the legal pyramid does not maintain a direct relation with the economic importance or the stability that can be predicted about these processes.

In most Brazilian cities, the process begins with direct citizen participation in open assemblies, and becomes representative towards the end of the first stage. In Colombia and Bolivia, participation begins with the election of representatives from sectors and sub-regions. Although it is customary that these representatives carry out public hearings, it is not a functional characteristic of those schemes, as is the case in Brazil.

In Colombia and Bolivia participation is centered around development plans (including their budgetary consequences), whereas the citizens of Brazil decide directly on the budget, without a formal process of planning. In practice, Bolivian oversight committees have caused important changes in the orientation of budgets, while this has not been the case in Colombia.³²

³² Faguet (2000) and Forero (2000)

In Bolivia and Brazil, citizen decisions are legally binding at the local level, whereas in Colombia they only make recommendations. Participant citizens are themselves forced to rely on their political connections or on citizen pressure to induce the government to accept their recommendations. But the way in which citizen mandate is legally binding differs in Bolivia and Brazil. The main strength of citizen participation in Bolivia is their prerogative to suspend resource transfers from the central government to local executive authorities. This power is reinforced by the City Council's right to revoke the election of the mayor, through a "constructive censorship vote". The procedure to force resource transfer suspension is complicated. The City Council, the Departmental Assembly and even the National Senate must participate in a process that takes between six months and one year. The reversion of a transfer suspension order requires the same process, once its cause has been removed. In Brazil, the power of the participatory assemblies and councils stems from the voluntary concession of the mayor, who yields the power of proposing a global budget to the City Council and of choosing specific projects to citizen participation.

In Bolivia, the process begins with the election of representatives from popular organizations and later, of sub-districts. In Colombia, candidate short-lists are proposed by civil organizations from each sector and the executive chooses councilors among those candidates. In Brazil, the executive summons citizens to open assemblies. Priorities are discussed in these assemblies and afterwards delegates and councilors are elected. In a second stage, the elected councilors discuss and approve a budget prepared by the mayor, based on the participatory exercise.

Conflicts between mayors and participatory organisms are more frequent in Colombia and Bolivia than in Brazil.³³ A simple explanatory hypothesis could be suggested. The Constitution and the Law make it compulsory for all mayors in the country (and the case of Colombia, governors and President) to submit their plans to participatory bodies. In Brazil, it is the mayor who decides to partially yield his power to the citizens. Since participation is a right in Colombia and Bolivia, and a concession from the executive in Brazil, demands from participants are more prone to generate conflict in the former. Nevertheless, Brazilian mayors face a significant risk of reversion due to participant disappointment.

Brazil has experienced few attempts to coordinate operations among the different processes of local participatory budgets. Except for exchanges of experiences and a minimum level of coordination between state and municipal participatory budgeting in the state of Rio Grande do Sul and the municipality of Porto Alegre and other smaller ones, the processes have been carried in total independence between localities. The Bolivian case is different. Departmental-level planning has included the presence of representatives from local oversight committees. More important yet, some municipalities are creating associations that allow them to undertake larger investment projects in which they share an interest. In this country, nevertheless, national planning is a governmental exercise with very little consultation with non-governmental associations. The Participatory Planning National System was thought in the Colombian constitution as a coordinating instance. The central government's lack of capacity to coordinate regionally-elected governors and locally-elected mayors has opened the possibility of Participa-

³³ See Ministerio (1999b) and IEPRI (1996) p. 19 for an analysis of these conflicts in Bolivia and Colombia respectively.

tory Councils coordinating functions between the three levels. Some initial steps have been taken in this direction.³⁴ Even so, coordination between plans from different geographic levels and neighboring municipalities and regions is still an unsolved problem in the three countries.

There are costs of the political process of participatory democracy. In addition to the operating costs of new organisms, one must also take into account the unpaid time of participants as well as certain delays in the execution of official procedures as a result of these new mechanisms. However, as shown by the Bolivian experience, the portion of these expenses that must be picked up by the government is relatively low, compared to the amount of public investment decided through the participatory processes. The cost of maintaining the process, of paying consultants and providing training to participants, had reached 16 million dollars from the beginning of the process to mid-2001. Another US\$ 7 million were spent in planning, accounting, and education of local government officials. This amount is a very small fraction of the previously-mentioned investment totaling US \$2 billion discussed by participatory organisms in Bolivia during the last seven years.³⁵ The national cost of the Colombian government's participatory planning was of only US\$ 750,000 in the presidential period 1998-2002.³⁶

4. FORMS OF DEMOCRACY: A PROPOSAL FOR INDUCTIVE CATEGORIZATION

The three democratic systems implemented in Brazil, Bolivia and Colombia have been denominated "participatory", in the sense that they involve citizens in an active deliberative process in a personal and voluntary way. Nonetheless there are clear differences between them. This diversity of characteristics encompassed by the concept of participatory democracy leads, under an analytical criteria, to the proposal of a typology of democracies. Our interest is centered in abstracting structural elements that are theoretically useful to characterize forms and types of democracy.

In his study on the theory of democracy, Linz (1998) proposes a classification of democracies taking into account the tradition of democratic institutions in each society: consolidated democracies, democracies established at the end of World War II, third wave, recent transition, new democracies and democracies in construction. He also creates a category for countries without democracy but in transition. This historical but linear vision, rather than centering on the structural differences of democratic institutions, focuses on their state of maturity.

Democratic participation structures in the three countries indicate some analytical dimensions that may lead to such categorization. The fundamental common characteristic of participatory schemes is deliberation. The presence of deliberative mechanisms instead of voting mechanisms is fundamental. In some cases, these spaces of deliberation are complemented with referenda and possibility of mandate recall.

³⁴ Forero (2000).

³⁵ Interview with F. Caballero, July 24 2001

³⁶ Data provided by Consejo Nacional de Planeación Participativa (National Participatory Planning Council).

Important differences between the formal structures of each system were identified. In Brazil, the process begins with direct citizen participation in open deliberative assemblies, and soon it advances to a stage in which the citizen is represented by delegates and councilors. In Colombia and Bolivia, participation begins with the election of representatives from sectors and sub-regions. Although it is customary that these representatives carry out public hearings, is not a functional characteristic of those schemes, like in Brazil.

In our analysis, intermediation and deliberation appear as two analytical dimensions that allow us to classify democracies. Albeit separately, these two criteria have been used to differentiate types from democracy in political theory. Bobbio (1997) makes a distinction between representative democracy and direct democracy according to whether decisions are made by citizens or their representatives. Representative democracy means that collective deliberations (...) are not done directly by those who are part of the collectivity, but by people elected for this purpose. (p. 52). Bobbio takes the nonexistence of intermediaries as a condition for direct democracy: "between deliberative individuals and the deliberation in which they are involved, there is no intermediary". Bobbio defines participatory democracy as an "intermediate form".

Nino (1996) emphasizes the other criterion we have identified and defines deliberative democracy. Deliberation is a process where preferences and opinions are not static. These are developed and evolve with interaction. Deliberative democracy allows for an egalitarian discussion, inter-subjective and free, and the exchange of ideas to make a collective decision (p.161). Although these conditions are difficult to satisfy in actual political processes, the possibility of deliberation among those who are ultimately concerned by the decisions (citizens), allows Nino to distinguish between deliberative and non-deliberative democracy. In our analysis, deliberation appears as the main common characteristic of the studied models, and we propose it as a criterion of definition for participatory democracy.

In practice, and particularly in the studied cases, different democratic systems combine with each other. Since there are intermediaries, an element of representative democracy is present. As deliberation occurs, it is a participatory democracy. When citizens participate directly and by their own will in the deliberative process, as in the Brazilian case, they practice direct democracy. The three models are participatory, but differentiated.

In order to locate each participatory model, it is worth opening a new dimension of analysis: the presence of authorities in the process of citizen participation. In Brazil, the process is always developed in interaction with the local government, which summons citizens and has a strong initiative in all the participatory process. In Bolivia, authorities organize the initial participation workshops and accompany the process. In Colombia, councillors are designated by the executive branch of the government, from short lists presented by the organizations. Thus, participatory organisms from the three countries interact with authorities, but this is a circumstance that could be absent in another scheme. Federal processes or purely direct Systems like the *ágora*, are examples of democratic processes without presence of authorities. The constitution of the Colombian National Planning System without invitation from governmental authority is another example of this possibility. The presence of authority can also be differentiated by taking into account its role in the process, according to whether or not it is in charge of summoning citizens to participate. This would once again expand the proposed classification system.

It is possible to introduce another distinction: in Brazil, delegates and councilors are directly elected by citizens who participate in the assemblies; in Colombia, representatives are appointed by the Executive from short lists presented by the organizations of the respective sector. One is a model in which authorities have a direct effect on the election of the citizen representatives.

Composing the different criteria that arise from common characteristics and differences between these countries, we reach a definition of the three main forms of democracy and different types of participatory democracy. Pure, direct democracy implies citizen deliberation and no intermediaries; it is the case of the *ágora* and the founding processes by which constitutions are agreed upon. Representative democracy appears when there are intermediaries, and there is no deliberation between citizens; in this great category many subcategorizations would fit, for example, to distinguish parliamentary from presidential regimes. In this essay, we delved further into the classification of participatory democracy types. A first type of participatory democracy appears when there are intermediaries of the citizens and the former can summon citizens to deliberation. These intermediaries usually culminate the decision-making process. In a referendum, there are neither deliberations nor intermediaries of the citizens. According to this classification, the referendum is not a form of direct democracy since there is no citizen deliberation to allow for changes in opinions or preferences that can lead to a consensus or dissent.

When, in addition to the possibility of deliberation and the presence of intermediaries, we introduce the criterion of citizen independence and interaction of participatory organisms with authorities, three types of participatory democracy can be defined (Diagram 1): In the P-i type, there are no intermediaries and there is deliberation, but democracy is not direct because an elected authority interacts with citizens during the process. This is the case of the first stage in Brazil. In the P-ii type, one finds deliberation between citizens, intermediaries, and interaction with an authority or government elected through the channels of representative democracy; this is the case of Colombia, Bolivia and of the second stage of participatory budgets in Brazil.³⁷ In the P-iii type, there is citizen deliberation and there are intermediaries, but there is no relation with the authorities; this is the case of some federal constitutional processes and describes the process of foundation of the Colombian National Participatory Planning System.

In the P-ii and P-iii types of participatory democracy, one can introduce a distinction between participatory democracy with intermediaries elected openly among citizens, and processes in which these intermediaries are elected or designated by corporative organizations. This distinction will allow differentiation between the three analyzed countries. Also, in schemes in which deliberation takes place in the presence of elected authorities, it is possible to differentiate between participatory processes in which the Government summons participatory councils and assemblies, and processes in which the initiative is left to the councils themselves or to citizens. The following two graphs illustrate how fundamental criteria lead to the definition of democracy's fundamental forms (representative, direct, participatory and referendum) while subsidiary criteria lead to distinguish between different types of participatory democracy, the latter defined as a democracy where

³⁷ Note that if in a process labelled as participatory, citizen representatives do not invite citizens to discuss the decisions that need to be taken, the type of democracy practiced here is no longer participatory and is undistinguishable from representative democracy.

Types of Democracy	No citizen deliberation	Citizen deliberation
With intermediaries	Representative (Parliamentary or Presidential system,...)	Part-II. Interaction with authority <i>(Colombia Bolivia)</i> Part-III <i>(Federalist Process) Colombia SNP</i>
Without intermediaries	Referendum	Pure Direct Democracy <i>Ágora</i> (Brasil) Stage 1 Part-I. Interaction with authority

Part I, Part II and Part III are types of participatory democracy

Types of participatory Democracy (deliberative)	Without interaction with elected authority	Interaction with elected authority
With intermediaries	Participative <i>Ejs: federative processes; Colombia (Participative Planificación National System)</i>	Participativa-II. <i>(Colombia Bolivia, Brasil IIe)</i> Concertation Processes <i>(prices and salaries)</i>
Without intermediaries	Direct Democracy (Ágora)	“Negociación de levantamientos” <i>(Comuneros s. XVIII Civic strikes)</i> Participative-I <i>(Brasil Stage I)</i>

deliberation takes place. Examples appear for each of the categories. The proposed classification leads one to reflect on the nature of concertation. In the concertation organisms, decision-making power is shared between the government and society. In the case of participatory democracy, the participatory council or committee is independent in its operation and decisions from the government. There is an additional non-denominated category: it corresponds to a process that occurs without intermediaries, in interaction with the authorities and in which citizens do not have autonomy. Although this category does not have a denomination and we do not know of it being the permanent form of democracy in any country, it can describe one of the situations that may occur when, after a popular uprising interrupts legality, a non-organized citizen community enters in negotiation with the government.

5. THE DYNAMICS OF NEW PARTICIPATION INSTITUTIONS

1. INFORMATION AND INCENTIVES

Due to the generalized presence of political practices such as patrimonialism, clientelism and corporatism, participatory planning and budgets are instruments that solve problems of information and incentives in these countries' political systems. Participatory planning modifies information equilibrium. It has been shown that decentralization improves the general availability of information for decision-making.³⁸ Nevertheless, the implicit assumption of that argument is that local agents are individuals or units with a structure of internal government that perfectly provides for the communication of information from individuals, families or small sub-communities at a local level. This does not correspond to reality. Although decentralization transfers decision-making to local elected authorities, this is not a sufficient condition to involve all citizens in information flows. On the other hand, participation mechanisms often include social control devices. As a greater number of citizens makes closer contact with budgets and plans, their appreciation of the operation of the authority improves, and this generates a powerful incentive to improve the quality of the government.

Citizen participation is, therefore, a mechanism that improves the revelation of preferences and its use in public investment decisions. This is clearly seen in the Bolivian case. Analyzing the experience of decentralization in that country, where decentralization and participatory democracy reforms occurred paralleled, Faguet (2000) points to an improvement in the quality of public investments and a budget increase for the social sectors, mainly education and health. The Ministry of Sustainable Development and Planning of Bolivia (1999d) emphasizes the impact of popular participation in the increase of municipal resources: since the application of the 1997 Participation Law these resources have increased in a cumulative percentage that reaches 158%; before the Law, 92% of co-participation resources benefited main cities and only 8% went to the rest of the department, but from 1995 to 1999 this relation changed in favor of the rest of the department, which became the recipient of 61% of these resources; public investment in municipalities evolved to a situation where 21% of investment was executed by municipalities themselves, 48% by departments and 17% by the nation, compared to

³⁸ For a literature review, see Forero et al. (1997), chapter 3.

the 1994 figure where 79% of the total was central government investment, (p.15-16). That increase in investments and resources for municipalities and departments is additionally reflected in an advance in the social field: municipal governments increased their investment in health, education and basic sanitation from 50 million US dollars in 1994 to 235 million in 1996, while per capita investment increased from US\$ 9.03 in 1994 to US\$ 32.14 in 1996. These results should not be attributed exclusively to decentralization. In Brazil, the capacity to guarantee investment resources has increased after the financial crisis that gave origin to participatory budgets was resolved. In Porto Alegre, Brazil, investment expenditure between 1989 and 1998 went from 4 million dollars to US \$44 million.³⁹

From another perspective, although it is not always the case, the consecutive election of mayors from the Workers Party in Porto Alegre and in many other Brazilian municipalities shows voter satisfaction with the participatory scheme. Likewise, the Workers Party holds the participatory budget policy as a political flag. Local government officials attribute the political ascent of this idea to a closer two-way communication with the people in those cities where participatory budgets are practiced.⁴⁰ In Porto Alegre favorable citizen perception increased consistently, from 12.5% in April 1990 to 61.6% in December 1992. Unfavorable perception fell in the same period from 40,9% to 5.5%.⁴¹

In Colombia, there have been changes in local, departmental and national development plans as a result of criticisms expressed by participatory planning councils.⁴² Citizens are better informed about projects under execution and on budget limitations, while government officials collect more precise information on specific demands from each sub-region or district.

Elected governments practicing participatory democracy have more incentives to carry out a good government. In the case of Porto Alegre, where the participatory budget is normally associated to the party promoting it, the government party has established important political networks. There is also greater visibility of government actions among the people and in the mass media.

Citizens who participate have the incentive to influence public expenditure and to make sure it generates a benefit for their own community. In Colombia, several participatory council leaders have been elected mayors and, in at least five cases, governors. The presidents of two oversight committees in Bolivia expressed in interviews that popular participation could be the starting point of their political careers.⁴³

The favorable impact of participation on the quality of public administration is perceived by citizens and councilors in the three countries, although they are incipient processes with moderate results. This reinforces government officials' incentives towards good government. According to a survey held in Bolivia in 1998, 36% of social demands are included in the annual operation plans.⁴⁴ On the other hand, of 749 people covered by a survey in the cities of

³⁹ Becker (2000).

⁴⁰ Interview with the Gaplan Coordinator in Porto Alegre, and the Participatory Budget Coordinator in Sao Paulo, July 30 and August 1, 2001.

⁴¹ Fedozzi (2000). p. 160

⁴² IEPRI (1996), p. 21.

⁴³ July 24 to July 26, 2001.

La Paz and El Alto, only 7% considered that neighbors had an influence on community decisions (49% felt they had no influence and 44% thought they had little⁴⁵); 89% of the interviewed people did not know of any project financed by the city government in their neighborhood.

In Porto Alegre, according to a survey done among participants in the Regional and Theme Assemblies of 1995, 47.6% considered themselves satisfied by Executive accountability on projects and services given priority by the communities in the previous year; 51.8% were satisfied by information and explanations offered by the Executive on the participatory budget; 50.6% felt their decisions are *always* oriented by their representatives in the Participatory Budget organisms; 33% have the impression that they *always* decide on projects and services of the Participatory Budget (27.33% almost always, 23.8% sometimes, and 0.64% never). Additionally, in Brazil there seems to be a trend to perceive greater benefits for the community when those responding to the survey have been in the participatory process longer. Thus, in 1995, among those who had been in the process for a year, 58.14% considered they benefited from city government projects, whereas among those with six years of participation, 72.73% felt they had received benefits.⁴⁶

In Colombia, the first national survey of the Territorial Participation Councils (TPC) shows that 48.6% of interviewees believe their opinions on development plans are welcomed in their totality by the administration while 24.3% believe they are partially welcome. Additionally, according to 18.9% of the interviewed councillors, the TPC has a high incidence in public management in their municipalities. 48.7% believe it has a moderate impact, and 25.5% think it is low. Only 5.1% think it has no impact. Although those involved in the process think it brings about benefits, it is not widely known by citizens not directly participating. In 2002, of 1557 people interviewed in the Colombian capital, only 12% said they knew about the invitation to participate in the elaboration of the local development plan. Within this small percentage, 17% claimed to have actively participated in the process.⁴⁷

2. INITIAL CONDITIONS AND PERMANENT SEQUELS IN INSTITUTIONAL DESIGN

In all countries studied, initial conditions played an important role in shaping the specific form of participatory democracy adopted. Fleeting circumstances and situations left permanent signs in the participatory schemes.

In 1989, when the Workers Party obtained power in Porto Alegre, the city was in the middle of a financial crisis. 98% of the budget left after paying debt was assigned to paying for the bureaucracy.⁴⁸ The political rallying cry was then to “reverse investment priorities”, and expectations of change were widely spread across communitarian organizations workers movements. The elected party’s decision was to discuss the financial situation in the public arena and to

⁴⁴ This is highlighted, nonetheless, as a “qualitative and quantitative advance that shows a different perspective on the assignation of State resources in the country”. Ministerio (2000b).

⁴⁵ Ministerio (1999c).

⁴⁶ Fedozzi (1999).

⁴⁷ EL TIEMPO, 22 April 2002

request help from the people in finding a solution to the crisis. The center of the discussion was then the annual budget. The participatory budget appeared in the middle of the annual budget discussion, and this has left sequels. Even today, the center of discussion is the following year's budget, although meetings have begun to debate development strategies that cover a wider horizon. Cities that adopted participatory budgets in more recent times, like Sao Paulo, have also made emphasis on annual budgets, perhaps because the experience of other municipalities has been based on this idea.

In Bolivia, popular participation took place simultaneously with decentralization. A positive feedback for both processes resulted from this. Participatory democracy, in the form of Oversight Committees, was seen by mayors as part of the legal package that guaranteed resource transfers from the central government. The implementation of decentralization in Bolivia had been delayed, but this ended up being an advantage: popular support for decentralization was greater and participatory planning was based on quite solid foundations. Both processes are mutually supportive, and this makes it more difficult, although not impossible, to reverse the changes.

When Colombia proclaimed a new Constitution in 1991, the composition of the Constituent Assembly was quite peculiar. First, those who were at the time members of Congress were prohibited from participating in the Assembly. Second, a guerrilla group (M-19) had just signed a peace agreement with the government and was at the peak of its political popularity, reflected in its strong representation in the Constituent Assembly. Many reforms included in the new Constitution reflect the absence of the traditional political classes in the Constituent Assembly. One of them is participatory democracy. As a result, when Congress re-assembled with new leaders, giving way to traditional ones (the old electoral powers weighed strongly in the parliamentary elections held just after the new Constitution was promulgated, and the M-19 lost many of the seats it had in the Assembly), a counter-reform process followed immediately. In the 1995 Congressional sessions, parliamentarians' distrust of participatory democracy became evident, since many saw it as a breeding ground for political competitors. There has also been a movement to slow down the decentralization process. The constitutional mandate that increases resource transfers to local and regional governments was finally overturned in 2001, after several previous attempts. Somehow, the political situation in which participatory democracy and deep decentralization were approved in 1991 was quite particular, and these reforms did not count on the support of traditional politicians, who felt they were "excluded by assault" in 1991.

3. OTHER CONFLICTS WITH REPRESENTATIVE DEMOCRACY

This is not the only confrontation between participatory democracy and representative democracy to appear in these countries. In Colombia, the relations between executive authority and the Councils of participatory planning present a variety of situations. Some mayors have agreed to modify their development plans in response to recommendations from the participation council; others have refused to pay attention to the suggestions of these organisms. In one city, the participatory council structured a different plan from the one elaborated by the city government, and in the end the municipal council finally approved the plan formulated by the

⁴⁸ Interview with the Gaplan coordinator

council of participation instead of the project presented by the mayor.⁴⁹

In Bolivia, the main confrontations of oversight committees occur with mayors. In 1997 and 1998, 250 proceedings against mayors were initiated by the oversight committees.⁵⁰ Between 1995 and 1999, 248 mayors were removed from their positions (80%). In departments such as La Paz the percentage was 93%. Instability in the mayor's office is a chronic problem, often associated with the existence of popular participation schemes and "constructive censorship votes".⁵¹ Yet, this instability can also be seen as a positive aspect of the new institutions. Instability is in many cases the result of mismanagement or corruption problems that previously went unnoticed by citizens and are now the object of public debate.

In Brazil, clashes between mayors and the participatory budget councils are not common. Nevertheless, some *veredores* (members of the municipal council) often try to introduce projects of their interest in the global budget, without the acceptance of those projects by regional and district assemblies.⁵² Mayors rely on the participatory budget councils to reject these changes.

4. AMBIGUITY, POLITICAL RISK AND SUSTAINABILITY

In a study on *Audacious Reforms in Latin America*, Grindle (2000) asks why, if participatory reforms increase risk and ambiguity of future public decisions, they still receive the endorsement of political leaders. The reason why the author thinks that uncertainty and ambiguity increase with these types of reforms is because they generally increase the number of people who are making decisions about the distribution of political power. They also tend to increase the number of public positions and the possibility that different parties or interests may occupy or demand these positions. Therefore, these reforms exacerbate competition for power and future political influence" (p 24). The question can also be considered in general terms. Does participatory democracy increase global uncertainty, risk and ambiguity? Some decisions made by participatory bodies in these countries would suggest it is not easy to explain this question univocally.

In 1995 the Colombian National Council of Participatory Planning discussed rural security cooperatives, a policy proposed by the Government to aid self-defense initiatives by medium-sized and wealthy farmers. Although very diverse sectors were represented in the Council, from labor unions and peasant organizations to industrial and agricultural business associations, initial polarization in the discussion evolved towards a consensus and a deeper and objective analysis of the problem and the consequences of this policy. This illustrates that diversity is not always an obstacle for making better decisions. In 2001, in the incipient participatory budget process of Sao Paulo, the rapid election of four advisors between 41 delegates in a sub-region of the city contrasts with the difficulties to reach a general agreement in the neighboring sub-region where six delegates had to elect four advisors. These experiences raise doubts on some aspects of the previous question, as they show that diver-

⁴⁹ Sudarsky (2001) has shown that in the Colombian case there is no observed relationship between "a weak participatory democracy and a dislocated participatory democracy". P. 272

⁵⁰ Ministerio (1999b), p. 20.

⁵¹ Ministerio (1999c), p.23.

⁵² Consejo de Presupuesto Participativo (Participatory Budget Council) , session of 31 July 2001

sity does not necessarily mean greater difficulty to obtain consensus. The collegiate and deliberative process of decision-making in assemblies, councils and committees may in fact ensure policy continuity, although - as Grindle suggests - politicians' individual interests are not guaranteed under the new institutional schemes.

5. GOVERNANCE

Participatory democracy improves governance in at least two critical aspects of the political process. An increasing weakness of national governments is a clearly observed trend in many Latin American countries. The governance problem in these countries is in the agenda of many political parties and independent candidates in the subcontinent. Participatory democracy reforms carried out in some of these countries are seen as a way to improve governance. Actually, strategic development project, especially those that require decentralized actions from civil society, may have greater probability of success if they are discussed and approved within participatory democracy schemes: information received by citizens in participatory processes can give them the necessary signals so that their individual actions converge towards the macro directions indicated by the Government.

Participatory assemblies, councils and the committees are not just an arena to build consensus between civil society and the Government. They are also a space for the arbitration of contradictory interests between different sectors of society. In participatory democracy, this arbitration happens in an open scene and not through the lobby channels before members of the parliamentary body. Inequalities in economic power can be attenuated, if the participatory and open system is compared to that of a traditional representative democracy with lobby.

6. PARTICIPATORY DEMOCRACY VS. CHECKS AND BALANCES

Participatory democracy reforms weakened the existing schemes of patrimonialism, corporatism and clientelism in these countries. In the case of patrimonialism, public discussion of projects directly limits the arbitrary decisions of an executive authority that considers public affairs as personal. The cost of favors that the elected official must distribute to guarantee his political survival increases as the number of participant citizens grows. This makes it less probable that politicians will retain patrimonialism.

When clientelist relations occur, participatory democracy increases the number of people and sectors to whom a local politician must dedicate part of the public budget to guarantee his re-election. This induces him to offer public goods rather than private benefit goods.⁵³ Likewise, participatory democracy takes away from the elected politician the power to fund specific projects that would give him votes to guarantee his reelection. These two changes would be in harmony with the appearance of modern political institutions. Nevertheless, this result depends critically on the existence of an important number of grass roots organizations in each sector, or of very wide citizen assemblies.

⁵³ Verdier and Robinson (2000) developed a model where there is an inverse relationship between the number of voters and clientelism.

Corporatism has also been challenged by participatory democracy. It has allowed and encouraged the mobilization of grass roots organizations and halted the entrance of traditional corporative hierarchies. This happens more easily in the local than in the national scene. If planning or participatory budgets are regional or national, there is a greater risk of traditional hierarchies weakly connected with communities and grass-root organizations entering participatory organisms.

In practice, these analytical hypotheses have been at least partially verified in the three countries of this study. In Brazil, public discussion of small investment projects is effectively preventing the appropriation of public resources by the *vereadores*, as a means to obtain political yields.⁵⁴ In the case of the most moderate Colombian participatory reforms in municipalities and regions such as the Middle Magdalena, where popular participation is very high, the effect of participatory democracy in local investment has been surprising. Both mayors and legislative bodies respect the recommendations of the planning council. In municipalities where participation is poor and civil society is weak, the simple existence of formal participation rules has been innocuous.⁵⁵ In Bolivia, although the participatory oversight committees are corporately formed, there is a great difference between the traditional corporatism of the powerful national organizations with scant popular bases, and the participation of thousands of grass-roots organizations in the oversight committees.⁵⁶

It is worth asking if participatory democracy is indispensable for controlling and making public decisions. In great modern societies, this problem of institutional design has been solved through institutions of representative democracy, mediated by the separation of powers and a regulated system of checks and balances. This is usually seen as the only way to diminish the risks of representative democratic institutions. Nevertheless, a scheme of checks and balances is not a guarantee of political institution efficiency, especially when political relations do not evolve towards contractual rules and civic republicanism - as is the case of societies under patrimonialism, clientelism or corporatism - and when a cognoscitive vacuum prevents modernization.⁵⁷ When the public sphere is viewed as something personal, as happens under patrimonialism, the checks and balances of a formal representative democracy can promote an oligarchic government. When favors are exchanged for political support, and this relation is accepted as part of the political game, there is no reason why political controls exerted by independent powers would not be affected as well. When political power is in the hands of powerful exclusive corporations, private interests may conspire to damage the public interest.

The experiences of Brazil, Bolivia and Colombia show a series of alternatives to checks and balances schemes that could weaken patrimonial, clientelist or corporatist relations. Instead of creating great and powerful control organisms, which would likewise require greater control on themselves, it is possible to achieve better government accountability through oversight com-

⁵⁴ As is clearly shown in the session of 31 July 2001 of the Consejo de Presupuesto Participativo (Participatory Budget Council) of Porto Alegre. The Council rejected several proposals from *vereadores* (members of the local legislative council) to change the city budget.

⁵⁵ Forero (2000).

⁵⁶ According to C.H. Molina, this makes the difference between corporatism and the new institutions of participatory democracy. Interview, July (2001).

⁵⁷ Sudarsky (2001) underlines the importance of education as a precondition for the appearance of civic republicanism.

mittees and participation councils. In addition to control, participation organisms guarantee a better informed decision process. Social diversity present in the assemblies and collegiate bodies of participatory democracy has shown to be an asset improving the quality of public policies. However, formal participatory democracy can also fail as a regulating system when the number of participants is small and when the relation between participatory democracy and representative democracy is weak.

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