Strengthening of federalism and management of intergovernmental relationships on the border between the Federal District and the State of Mexico. A reflection

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Introduction

Explaining the current conditions of the federal pact established in the Mexican Political Constitution in 1824, consolidated in 1857 and redesigned in 1917¹ means talking about a purely normative tradition

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¹ "The legal origins of federalism date back to 1824, on October 4th Congress enacted the Constitution of the United Mexican States; in its 4th article it states: 'The Mexican nation adopts as its form of government a popular federal representative republic' The supreme power of the federation is divided into Legislative power, Executive power and Judiciary power and each state shall do the same. Later on, on February 5th 1857, the General Constituent Congress enacted the Federal Constitution of the United Mexican States, its 40th article stated 'It is the will of the Mexican people to organize themselves into a federal, democratic, representative Republic composed of free and sovereign States in all that concerns their internal government but united in a Federation established according to the principles of this fundamental law'. Its full validity was interrupted between 1858 and 1860 due to the Three Years' War, and between 1862 to 1867 because of the French intervention and the empire. During Benito Juarez's government, when he returned to Mexico City, the constitutional order was established and the national territory was reinstated, divided into 27 states, three territories and the Federal District.

The Mexican Revolution which started in 1920 and overthrew General Porfirio Díaz did not adopt this type of constitutional government. The new February 5th 1917 Constitution included guarantees and fundamental social rights and articles 40 and 41 which dealt with national sovereignty and form of government were not amended. The aforementioned constitution established the current division of 31 states and the Federal District and recognized that the Supreme Court is in charge of solving conflicts among the nation's powers, the Federation and states (article 106)". Ziccardi, A. (2004). "El federalismo y las regiones: una perspectiva municipal". In Bieber, L. E. (coordinator) (2004). Regionalismo y federalismo. Aspectos históricos y desafíos actuales en México, Alemania y otros países europeos. Mexico: COLMEX; Servicio Alemán de intercambio Académico UNAM, Facultad de Filosofía y Letras. p.p. 127.
of what we understand as Mexican federalism in legal-administrative terms; however, the real consummation or execution factor has more to do with the political will that promotes it. As Daniel Elazar states:

…a political-institutional definition of the federal systems has to take into account two relationship moments that have to do with its creation, functioning, conservation and dynamics: the political moment and the legal-constitutional moment. Both moments merge into one another to integrate the ever moving image of federal systems...²

The country’s current problem in regards to establishing a real way of exercising federalism’s constitutional characteristic, becomes more and more imponderable before the demands of a wide and continuous development required by municipal authorities; some of these demands have been forgotten and others have never been fully developed and many have stopped exercising or never have exercised what is stated in Article 115th of our Carta Magna: “For their internal government, the States shall adopt the popular, representative, republican form of government, with the free Municipality as the basis of their territorial division and political and administrative organization…”³ Without a doubt, this normative element still has to be strengthened in daily practice and the exercise of the government.

This becomes more and more urgent if we remember that we are part of a democratizing context; that is, the fact that political areas are competing in the alternation games, also forces the opening and consolidation of local development spaces as a sine qua non condition for democratic pluralism, adding to the already exiting political and government challenges.

The condition and possibility of favoring real correlation and cooperation spaces between different government levels demands democratic civility among these; evidently, managing this civility is found between rulers and the accepted political-administrative commitment. Following Elazar in the words of José María Serna:

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…the political aspect is found in the conflict and agreement process that leads to the concentration of power by federal organs or the return of powers to local bodies. It can also be found in the coordination and cooperation that happens in decision making processes to perform state functions, this makes up, as Elazar states, the federal system: power of its own and shared one…

Thus, we must say that within the field of relationships among different levels of government and cooperation schemes that are badly needed in this country, we can find the one in the central zone of the country, the complicated relationship between the Federal District, Metropolitan Area of the Valley of Mexico and the State of Mexico.

Without a doubt, the condition and management of an adequate cooperation relationship between these is essential to achieve conditions that promote democratic governance for the inhabitants of these regions; taking into consideration that their borders share important services such as public transportation which gives service to the central area of the Federal District and suburban municipalities of the State of Mexico such as Chalco, Valle de Chalco, La Paz, Ixtapaluca, Huixquilucan, Naucalpan, Atizapán, Nicolás Romero, Cuautitlán, Ecatepec, Coacalco, Tlalnepantla and Netzahualcóyotl City; cleaning services, public security or housing, to mention some of them. Or essential services for Mexico City like the drinking-water supply which mostly comes from external sources like the water systems of Lerma and Cutzamala which are located in the State of Mexico.

The central argument of this essay is the problems that are brought on by the absence of a strong federalism and intergovernmental relationships that take place between the Federal District –where we not only have a local government, but also federal authorities intervene because of the establishment of its powers- and the government of the State of Mexico with its municipalities. Without a doubt, the complexity is great and the nodal point of Mexico would turn into an un gov ernable body if these authorities cannot coexist and cooperate.

1. Main problem: political-administrative centralization vs. democratization.

Firstly, we are still part of a centralist dynamic due to our Colonial past which placed its livelihood and progress conditions in the ima-

4 Elazar, D. J. Ibid.
Range of the Crown and denied favorable conditions for the growth and strengthening of the Colonies. Undoubtedly, this centralist tradition accompanies us as a lifestyle and a stigma; besides there is an absence of democratic processes which recurrently reproduce centralist schemes in government actions by the Federal Executive and these were subsequently copied by the government of all states. This situation was consolidated and operated throughout the 20th century in Mexico: Mexican presidential schemes and principles of authoritarian nature and the substantial burden brought on by control of power through the hegemonic party which had an absolute control of the Federal Congress and local legislative bodies, as well as the control wielded by the Federal Treasury of the municipalities' budget, denying the autonomy of regional orders and cancelling the democratic proposal established by the Political Constitution. We could say that:

...the absence of democracy was the main characteristic of the former authoritarian system, but not by far the only one. Other important features were economic and political centralism and stagnation of the regime's basic institutions that practically killed federalism...

...Autonomy was not a federal concession, but an essential condition to allow rulers to ensure political stability of the states and to perform as intermediaries with the federal government...\(^5\)

These circumstances made it impossible to define the possible democratic relationships between different government levels. Nonetheless, the trigger for this was the reverse process; that is, the electoral political process that started in the late eighties, after the political process in 1988 and the subsequent elections included local alternation conditions, gradually undermining the hegemonic power of the Institutional Revolutionary Party. This reverse phenomenon puts forward that “...liberalization and political pluralization were not only gradual, but also concentric: they start in the outskirts and provinces to later on reach the center and the Federation itself. Proof of this is that many municipalities already experienced alternation,

several governors had to deal with divided governments and the Republic’s capital did not.”

Thus, the power of municipal presidents and the image of governors now wielded an important political connotation, especially before the loss of the President’s leadership of the party during the last years of Ernesto Zedillo’s government; power was scattered to other bodies of power and levels of government due to the absence of presidential leadership and constitutional reforms that were enacted in 1997 to modify and ensure institutional mechanisms of division and equilibrium of powers to reach alternation in the Federal Executive, this would be achieved on July 2000.

We also have to mention the substantial changes that started in 1995 and came into effect two years later, 1997, just before the intermediate elections of Zedillo’s government, when the normative mechanisms to elect Head of Government of the Federal District and leave behind capital regents, whose image and job were, for decades, closely connected to the presence and control of the Executive Power. On the other hand, we cannot omit the transformation of the Assembly of Representatives of the Federal District into the Legislative Assembly of the Federal District through the Political Reform implemented in the country’s capital.

While it appears that the dynamics of democratization had favorable effects in the Federal District to lighten the burden of the strong centralist tradition through democratizing political processes; there is still a perennial struggle within states and their regional desegregations, despite having achieved federal alternation of democratic regimes.

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7 The Executive’s concentration of power is reduced in the last two decades of the 20th century with the following actions: “…the Executive no longer exercised electoral functions, they were incorporated into an autonomous constitutional body and their jurisdictional aspect to the Judiciary Power; the strengthening of auditing faculties of Congress over the Executive and other bodies of the State through reforms that gave birth to the Federation’s Superior Audit; the consolidation of the Nation’s Supreme Court of Justice as constitutional court and the current independence of the Judiciary Power; the transformation of the Federal District from a mere administrative office into a federal entity with strong and legitimate authorities; and an increase in the number of public employees whose appointment needs to be approved or ratified by any of the Chambers of the Congress of the Union and reforms that took place in the last twenty years to the political-legal regime of municipalities…” Ibidem. p p. 367-368.
States like the State of Mexico are still ruled by internal centralist control schemes. These are fertile soil for institutional designs that lead to decentralization and to address federalism even in ambivalent postures in light of a democratic environment.8

In this sense, how to establish an institutional design on the margins of Mexican federalism that favors and promotes adequate intergovernmental relationships between the Federal District, Metropolitan Area of the Valley of Mexico; the State of Mexico and its municipalities? Consequently, to answer this question we could speak of an adequate distribution of competences, connected to the structuring of intergovernmental relationships relevant to the Mexican federal system.9

2. Intergovernmental relationships: the pattern of the political-administrative democratic connection in the context of federalism.

The aforementioned question makes us think about the way public problems related to citizen demands have been repeatedly addressed with normative elements which in most cases constrain their solution and management of immediate attention, without it implying control conditions of favoritism in the resolution of public affairs. However, it would imply the consideration of actual evaluation aspects of management of highly democratizing environments of citizens and government bodies, ergo:

…democratization of participation and representation structures took by surprise government bodies, its employees and organizations. This democratization can be understood also as an inevitable substitute of the end of the era of unique arrangements, which came to pass in

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8 Mauricio Merino is speaking of the term (de)centralization. “Pickvance and Preteceille consequently coined a useful term to describe what they saw [this refers to difficulties faced by the so-called ‘cooperative federalism’ after the German unification]: the State’s (de)centralization. Nonetheless, it is an ambivalent term that reflects the product of those six experiences: every one of those case had, at one time or another, state power decentralization processes –in local government levels and civil society- and reverse centralization decision processes, without having contradictions between both directions of change...” See Merino, M.(2000) “Los municipios de México: Más allá de la democracia”. In Méndez, J.L. (comp). (2000). Lecturas básicas de administración y políticas públicas. Mexico: El Colegio de México. p.p. 412.

1982; since then, the difference of opinions between the government’s upper echelon and specific social groups gave electoral processes a different meaning.¹⁰

The expansion of democratic spaces also brought on new management and relationship between government level schemes and even though these were complex they started to define new Federalism mechanisms.¹¹ What definitely favors this definition has to do with the proposal of a Compensatory Federalism; which in the strict sense of the term “…assumes that the best way to manage collective interests is through political communities which can be small isolated towns or big cities. The possibility of success of any governance model or public policy system is conditioned by the idea of proximity to the public….”¹² This democratic sense has to do with forms of citizen participation, without forgetting the political-administrative responsibility to establish an adequate distribution of municipal functions taking into account their autonomous nature. The latter seen as a substantial element of growth, development and stability in individual and collective contexts and related to human groups and territories.

And even though there may be conditions to favor municipal autonomy and establish adequate relationships among government levels, it is undeniable that the correlation between political forces and the definition of partisan positions influence and generate conflicts that do not allow correct administrative management or fulfillment of agreements to achieve intergovernmental coordination. In this sense, it is important to take into account a distinctive and sensitive feature of intergovernmental relationships (RIG’s¹³): the human element. Deil S. Wright, states that relationships between governments do not exist, these are established between people that head government units.¹⁴ Thus, the possibility to establish cooperation and understan-

¹¹ José Sosa also writes the following essays on Mexican Federalism: Federalismo desde el centro, Federalismo estatal y Federalismo compensatorio. Ibidem. p.p. 62-63
¹² Ibidem. p.p. 62
¹³ See Bañón, R. and Carrillo, E. (comps.) (1997). La nueva Administración Pública. Madrid: Alianza Editorial. p.p. 127. They state that “the notion of intergovernmental relationships follows, in its most strict sense, the definition of William Anderson (1960): “an important body of activities or interactions occurring between governmental units of all types and levels within the [United States] federal system”. Anderson refers to the US’s federal system where this concept appears in the thirties”. Ibid.
ding or rupture and failure points will be determined by political and knowledge of public space skills of rulers and political actors that take part in agreements or government negotiations.

This point of view seems to attack the democratic principle of participation and citizen demand, but, on the contrary, in a strict sense it resorts to democratic pluralism and political competition elements. This is why we conclude the following:

...Electoral process have a decisive influence on city halls, evidence shows that there is a close relationship between the kind of connection established between them and state governments and adherence or not to the same party. Changes in one or more levels results in, with some exceptions, the integration of cooperation or conflict networks based on party identity.\textsuperscript{15}

As Wright states\textsuperscript{16}, intergovernmental relationships have their own rules which directly refer to pragmatism and deliberate emotional or rational action of political and governmental actors as people who undeniably participate in public-decision making processes to consolidate cooperation among levels of government or widen the gap. All of this without forgetting that the political dimension can favor or hinder the actors' interaction.

In this sense, governmental relationships express certain degree of autonomy and decentralization of political-administrative decisions in an institutional and democratic context. Hence: “The integrity of the parties is respected through territorial distribution of power among different government bodies designed to protect the existence and authority of all of them. Transcendental negotiations are made and developed from negotiations among parties”.\textsuperscript{17} Nonetheless, if we pay heed to Wright’s argument, RIG’s are constituted by the human element; thus, possible collaboration elements can be limited.

\textsuperscript{16} Ibid.
3. Dilemma: cooperative federalism; competition or rupture. Intergovernmental management as meeting point.

Objectively, it is essential to know that intergovernmental relationships are key elements to inescapable collaboration networks, as José Sosa states, their own historical and practical application made them into “intergovernmental management” which is called intergovernmental management networks, “gig”; which could not be more favorable for the modern way of administering and taking responsibility of public goods. “Intergovernmental management therefore implies greater involvement of all actors and making collective decisions with shared risks and responsibilities…”18 This will undoubtedly lead to solve core problems in local development and later on achieve shared goals among those involved levels, with specific breakdown of responsibilities, commitments and results into participative political competence and successful management schemes.

In this sense, Sosa mentions that “gig” phenomena can be considered as a subsequent phase “…to the formation of intergovernmental relationship networks…”19, this means greater challenges and commitments to achieve the solution of problems and delivery of results. In turn, this broadly involves “…shared management structure which can only come from previous exchanges of interaction which have built the network’s main capital: mutual trust”.20 This is where the condition to achieve and maintain intergovernmental becomes important. The possibility of mutual trust can only be created in an environment that includes institutional order, free of internal or external elements that inhibit it such as partisan interests or groups which have ambitions that are not related to the growth or development of the governments involved.

Thus, intergovernmental relationships besides having the evaluative element connected to mutual trust also require the normative factor that ensures and promotes the achievement of goals and exchange among the administrative-political levels by taking into account there is another important element: the democratizing value that forces the generation of joint management that addresses social needs generated by the population, focused on areas prone to be government legitimacy detractors due to the absence or lack of management.

19 Ibid.
20 Ibidem. P. 70.
This is why besides aspects related to democracy, citizen participation in the election of rulers there must be a commitment line, not an imaginary but a concrete one in which governments manage appropriately their organizational, administrative, planning and collaboration functions. We already pride ourselves in being a democratizing society because of the political changes generated in the last couple of years; however, it seems that federalism and political-administrative decentralization processes have not been fully developed, this hinder healthy and effective intergovernmental relationships for government management. There are still some that question federalism and state:

To summarize, as a theoretical and operational concept, federalism… presents the following ambiguities: there are several political models that can be federal; it should seek simultaneous respect for unity and diversity, it includes government structures and procedures; it is a socio-cultural and political phenomenon, it includes ends and means and covers limited and general goals.

One criticism points out its excessive legalist aspect which is inadequate in the study of political behavior or too abstract to be scientifically defined correctly…This aspect responds to the fact that the first analyses on federalism were developed by administrative law or public law…21

If federalism responds to these characteristics, then we would find ourselves moving backwards before other trends which are more open and support citizenization of public areas; the real question is: do intergovernmental relationships exist without federalism? The latter becomes *sine qua non* condition to consolidate them. A profound condition of the sense of federalism should favor cooperation channels with democratizing and greater citizen participation processes in public decisions.

4. Intergovernmental relationships on the border between the Federal District and the State of Mexico. A reflection.

According to the aforementioned, the structural framework of the complex relationships between the Federal District’s government, the

State of Mexico and its municipalities and the Federal Government of course could generate deep concerns in relation to management cooperation mechanisms that could favor the development and promotion of the most affected suburban regions in the Federal District and the State of Mexico. Especially the border area which houses the most troublesome boroughs of Mexico City: Iztapalapa and Gustavo A. Madero and municipalities of the State of Mexico which still exhibit regional development problems such as Chalco, Valle de Chalco, Ixtapaluca and Tlalnepantla, among others.

The line that separates or connects the possibility of promoting their economic and social development can be as thin as the political will of their rulers; this is why it requires wide and committed actions alongside government responsibility in the sphere of their competence which promotes their full compliance so as to maintain and increase governance conditions in local areas, as reliable strength reflecting its legitimacy.

Strengthening Mexican federalism and joint cooperation elements in the region where the Federal District and the State of Mexico come together, along with disaggregation of power is a challenge that cannot be put off and that has to be addressed to consolidate and develop intergovernmental schemes that favor adequate collaboration. Problems are diverse: the complex Cutzamala drinking water system that supplies Mexico City and the Valley of Mexico, landfills, suburban public transportation, public security, housing, pollution, work and educational spaces that both authorities share, municipal ones from the State of Mexico and the ones from the boroughs of the Federal District.

Some current data states:

The last population census of the National Institute of Statistics and Geography (INEGI) revealed that the metropolitan area of the Valley of Mexico—which includes the Federal District, 59 municipalities of the State of Mexico and one of Hidalgo—houses over 20,000,000 inhabitants. **Almost 9,000,000 people live in the Federal District, meanwhile the municipalities of the State of Mexico that make up this area house over 11,000,000 people.**
According to INEGI’s data, the Federal District is one of the states that receives more migrants. **Almost 80% of the people who decided to stop living in the capital moved to one of the municipalities of the State of Mexico**\(^{22}\).

Even though we are not fully aware if these situations, they are of substantial value to generate, thanks to modern intergovernmental management, public policies that benefit the population. The following statement proves that this situation is a reality: “…Ixtapaluca and Tecamac are the two municipalities which have had the largest population growth in Latin America in the last decade according to data from the federal government.”\(^{23}\) All of this means the construction of new houses for people who live in the State of Mexico and work in the Federal District displaced due to high housing costs in the capital and who now face transportation problems of shuttling between the two states and the costs this entails. Later on the statement also mentions: “The minimum cost of a bus fare in Mexico City is $3 pesos (0.25 dollars); however, in the State of Mexico this price rises up to $10 pesos (0.85 dollars)\(^{24}\). These costs have been reduced by the construction of the suburban train, public work “…that had an initial investment of 7,766 million pesos and benefits approximately 300,000 people every day”\(^{25}\). This situation reflects one of the many problems that have to be solved or improved in the border between the Federal District, the Valley of Mexico and the State of Mexico where local and federal authorities wield power because of the social complexity involved. This is why intergovernmental coordination becomes a core factor to lighten the political-administrative load in the solution of problems.

Coordination means the presence of a duality of authorities or areas of power which have common goals: the coordination factor and the common interest that affects social and material reality. In this sense, coordination is also an agreement between at least two wills, by beco-


\(^{23}\) Ibid.

\(^{24}\) Ibid.

\(^{25}\) Ibid.
ming concrete resources can be better taken advantage of and public matters can be managed better through government’s effectiveness.26

However, there have been other problems which have clearly and disturbingly been affected by the political position of actors of the three government levels, like the supply of drinking water for the country’s capital through the Cutzamala system where the federal, state and municipal level have participated directly through administrative bodies such as the Ministry of Environment and Natural Resources (SEMARNAT), National Water Commission (CONAGUA), Federal District’s Government (GDF), Water System of Mexico City (SACM), the Government of the State of Mexico and Water Commission of the State of Mexico (CAEM); as well as municipal governments.

This is without a doubt an undisputable example of political will to address relevant public matters considering that administrative-political actors that lead each government body have political positions that do not agree with each other and that could cause serious conflicts when trying to solve such a delicate problem as the provision of drinking water to Mexico City.

In this case, intergovernmental collaboration and coordination is essential because “…it is the key to improve the fulfillment of some State tasks…where the effects of the connections between government organizations, their structural contents, consequences of public policies and the behavior of some participants”.27 These aspects could be extrapolated to other problems that have been identified or not in the borders between the Federal District, Metropolitan Area of the Valley of Mexico and the State of Mexico; all of this actually requires urban planning to establish boundary conditions between them.

On the subject, the Coordination of the Environmental Program of the National Polytechnic Institute (IPN), has identified serious situations regarding the supply of drinking water to Mexico City, the IPN states:


27 Ibid.
Drinking water sources to satisfy the needs of 20 million inhabitants in the Metropolitan Area of the Valley of Mexico (16 boroughs of the Federal District and 59 suburban municipalities) are not enough; this is why many neighborhoods get their water from pipes and inadequate distribution shifts for which they pay higher prices, and the neighborhoods which do not have water supply problems do have external and internal leaks and so much water is wasted (up to 35%). Mexico City’s population consumes a greater amount of liters of water per person (more than 336) due to consumption inefficiency, as well as lack of control to avoid the installation of illegal faucets and lack of real measurements of consumption.28

IPN states that it is a serious multi-organizational problem of government action, on the one hand we have the normative element and on the other hand we have “...the existence of some variables that affect the result of public activities due to the fact that they have to connect with different government spheres. Relationships between governments are affected not only by formal or legal processes, but also by actors and their different interests...”29 We can see that international relationships are very important to consolidate government actions. Without a doubt Richard Rose’s30 phrase “public policies join that which constitutions divide” speaks the truth about institutional actors’ political and administrative co-responsibility in the making of public decisions.

Conclusions

Government actions seem controversially complex when referring to normative elements framed in federalist constitutional order which tacitly defines territorial competences as well as political and administrative ones in different bodies and levels of government. In a strict sense, federalism refers to democracy, decentralization and promotes interaction processes between states’ competences and

30 Rose, R. "From Government at the Center to Nation Wide Government", in Mény, Y. and Wright V. [No imprint]. Cited in Ibid.
autonomies to reach a convergence point to favor more effective government processes that positively impact diverse aspects of state areas, especially among citizens.

However, the statement that refers to federalism cannot cover all of the expectations, especially the ones that refer to intergovernmental coordination. In Mexico, federalism has not matured enough to ensure that RIGs make government management more plausible and effective. And even though normative and theoretical elements have more soundness and stronger terms, facts connected to situations that make clear limited intergovernmental collaboration are common in Mexican contexts. These situations are especially important for intergovernmental cooperation and coordination that should exist and be assured for border areas between the Federal District, the Metropolitan Area of the Valley of Mexico and the State of Mexico.

Transportation, housing and water supply issues that have been mentioned here lead us to the following reflection. Insofar as intergovernmental cooperation networks are established between different government levels, better citizen participation areas will be promoted and consolidated so as to implement public policies that will benefit the population. That is, federalism is born from a constitutionally democratic principle; RIG’s have a democratizing element as mechanisms to ensure inclusive decision making processes. That is to say solve common problems in regards to public environment provided by governments. This needs highly committed governments and rulers with state orders and with the constitutional democratic principle so that RIG’s can be seen as factors that ensure, solve and address demands.

This essay has only addressed some ideas that can be the beginning of a thorough research to promote intergovernmental cooperation; this way it can be spread throughout the country as a federal commitment to promote action and responsibility of public administrations in this millennia.

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**Hemerography**


**Mesography**

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Strengthening of federalism and management...


