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Democracy, governability and citizenship in local governments

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Introduction

The current specific character of the State in its conventional dynamic, along with the issue of governability in our time and political context demands to tackle the discussion of the State, democracy, and the so-called governability crisis from a dynamic and institutional perspective, instead from a formal or legal one. The problems and challenges of modernization, democratization, governability, institutionalization, and State reform, are mandatory if we assume that our governments have a hard time introducing system changes, reforms, or innovations and in the meanwhile maintaining the gained legitimacy through office or management in a climate of uncertainty, institutional exhaustion, and local government deterioration.

The study of State, government, and society allows us to explain the issue of ungovernability of our democracy. The governability crisis is brewed, ensues and develops from the moment these institutions are not fully complying with their function, and to this must be added the decay of local government, representation and forms of participation, of the State's income, the considerable rise of corruption and its corollary, that is expressed in the general deterioration of the institutions and living standards, as well of expectations.

Democracy as governability means, firstly, to establish a periodic review of the State's intervention role, since this is the main factor of democratic stability and development.

Secondly, in a simultaneous way to the study of the State's role in the creation of an environment of stability, growth, development, order, and

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governability, the attention on the role and functions traditionally fulfilled by its government levels and instances deserves special attention, since they are fundamental for transition, democratization, liberalization, and governability itself.

We address the ideas from a set of common evidences, from comparison of differences of structure, institution and government agencies, there are no case studies as ideal types. This is an effort to explain democracy and governability. Institutional changes are product of a change in actors, socialization, and culture itself; respectively in the environment, culture and values. We assume that the current ungovernability issues and democracy frailty have their origins in a weak local government, in the absence of civil and civic rights, and truly representative associations, in an unwavering social capital, without diminishing of the so-called politic parties crisis, from the moment these organization have stopped responding efficiently and processing the demands society does to the State.

Democracy and governability

Because of its dynamic and liberties, democracy has faults and flaws that make it vulnerable, but in time allow perfecting. Moreover if we seek efficiency, decisional effectiveness or economic growth and development, a dictatorship can give it to a greater extent. Mediocrity can be the price of democracy. In states with weak institution openness to political participation through electoral institutions can destabilize political systems. To Huntington,¹ the increase of politic participation processes, joint by the absence of institution modernization becomes an authoritarian transition.

As a type of political regime, democracy keeps a number of empirical ties that make it more or less democratic, by the manner of its political acting towards election rules and towards the response to social demands, that is to say, by the stability or democratic governability procurement.

A democratic regime is vulnerable because it is democratic: “when there are many protagonists, structures, processes that must act, and be democratic, being in tune is not always easy, and their harmony is never given for granted. If so, in a democracy it is always possible that something goes the wrong way”.²

Within the operation of the State, governability refers to a situation in which a set of favorable conditions and the government action concur, environmental or intrinsic to it, that is to say, a situation that will stay secured to the extent that a government can simultaneously keep legitimacy and

¹ Samuel Huntington, *El orden político en las sociedades en cambio*, Buenos Aires, Paidós, 1992, pp. 13-91.

² Gianfranco Pasquino, *La democracia exigente*, Bolonia, Il Mulino, 1997, p. 101.

promote development.³ Governability doesn't only mean the capacity to rule effectively, but also means the quality of the interaction established with social actors. Governability would be, in that case, highly democratic and horizontal: this vision upholds that governability is the support of social actors, democratic consensus, and scenarios that allow the government's condition.⁴

Therefore, governability is not the same thing as democratic governability.⁵ That is, governability as an abstract concept means, initially, the capacity to rule and that the political authorities' decisions are obeyed. That is to say, that a domination relation exists and lasts. As Weber⁶ used to say, all domination relations are based on the belief that the authorities' mandate must be obeyed because it is somehow legitimate. Domination is carried out and supported by force and violence, but these are not enough, there must be a legitimacy and acceptance component. If this is not the case, it is impossible to execute force constantly and on all dominated, because domination would be unstable. It doesn't matter, as for now, which are the basis of legitimacy, what matters is that it exists in all political systems. In this way ensuring governability of a political system with an authoritarian regime may mean to ensure through force the submission of a group of people by another, regardless of democratic and consensual relations with social actors. This is why it is important to distinguish several less abstract concepts such as authoritarian governability and democratic governability. Democratic governability is more complex; it requires the satisfaction of other requirements such as representation, and vertical and horizontal accountability. In this sense, ensuring democratic governability means to obtain support and therefore satisfy demands and form democratic consensus.⁷

Democratic governability represents a working democracy, the same that shall be set forth as the social matrix of citizenship and political equality.⁸ That is to say, it is established as the institutional capacity to ensure the exercise of citizens. In this sense, governability is achieved because the developed action of parties and State.

Governability, as a real situation and condition of our governments is a problematic phenomenon, due mainly to the factors that take part in the

³ Xavier Arbós y Giner, Salvador, *La gobernabilidad. Ciudadanía y democracia en la encrucijada mundial*, México, Siglo XXI, 2005, pp. 6-8.

⁴ *Ibíd*; pp. 51-65.

⁵ TN: Even though "democratic governance" is commonly preferred to "democratic governability" in the English language, since the author stresses the difference between these two concepts ("governability" and "governance"), the first one is used throughout this article.

⁶ Max Weber, *Economía y sociedad*, México, FCE, 1998.

⁷ Robert Dahl, *La poliarquía. Participación y oposición*, Madrid, Tecnós, 2002.

⁸ Robert Dahl, *La igualdad política*, México, FCE, 2008.

creation of a certain legitimacy that, next to a certain level of effectiveness of the government, it allows us to talk about conditions of order and a functioning State, bearing in mind that we cannot limit ourselves to limit the discussion around the formal democratic rules.⁹

Hence that governance is carried out within a highly political context, characterized by multiple values that put on pressure on those who make the decisions. Thus, politics is not only a general phenomenon, typical of any organization; it is also a macro social phenomenon of correlation and distribution of power in both government areas and pressure groups that affect decision-making in public organizations within the democratic context. It should be noted that this democratic context must exist within the Rule of Law and a true balance of powers; if not, we cannot speak of a democracy.

Governance links the government and the public administration; it is a set of processes, conditions, values, capacities, and contexts whose object is to create, design, implement, and evaluate several courses of action (government options) to take care of, regulate and respond to citizen's needs. Analysis on matters of governance cannot just be prescriptive: they should be, at least deliberately by deduction. This is the most important reason to stay close to empirical realities: prescription cannot be separated from description. The execution of a public project is the result of actions set in motion by a group of strategically inter-dependent organizations.

Governance is the fundamental center to understand the relation between the Government with the citizens; since the public administration is in charge, it is the central point of the government process. Modern organizations act within the frame of a world that is changing because of the convergence of a variety of actors whose participation, within a notion of global village, exercise their influence.

New scenarios in which governance unfolds claim a curricular distinction of educational levels; all this according to the professional requirements of government, because of a range of new collective civil groups of highly participative private initiative, and of public sector relations that are more complex and close.

Within the political system in its different areas, we can see that politics itself tends to transform, although what is truly tangible is the transformation of a model of politics. One of the indicators of this process is the emergence of new actors and new action guidelines that by their very nature and logic compromise traditional institutional politics, represented mainly by parties. This process involves a restructuration of terms, frames, and political universes of citizens.

⁹ Douglass North, *Instituciones, cambio institucional y desempeño económico*, México, FCE, 1995.

The paths of the State give an account of the need to amalgamate political changes, form of Government, and its administrative regime, with its institutions' certainty. Narrowing discretion of power, of resource distribution, and access to public function needs a revision of the achievements that have already been made. It is not enough to analyze political chance or public organization's reform by themselves. Political change –as an expression of a stable and lasting political alternation- and the so-called State reform –of its agencies and public administration- are not justified by themselves, but because they are necessary in order to guarantee institutional development or certainty. Institutions are imperative to States, and cannot be renounced. Not only because of evident political, economic, and social mistakes, but because in countries with weak institutions the best way to procure governability is through a political pact or a new institutional arrangement that focuses on development.¹⁰

Since the late eighties, municipal governments are a clear example of how rulers of opposition political parties have frequently accessed power. This formal modification, a result of society's action, suggests social change phenomena that result from a new relationship between the Government and society.¹¹ A new institutional arrangement must be able to convene and mobilize consensus of a broad scope of renewed right-left, centre-left, and centre-right forces. This must necessarily include significant changes in local government.

Democratic governance and citizenship

Governance and governability are concepts that define new practices of collective action and new ways of public action that are no longer based on domination or legitimate violence but on bargain and association, on ethical and moral principles or in classical institutions with parallel practices. Either through the emphasis of the relation between human rights, democracy, and poverty reduction, through making the public institutions' performance a priority, looking for the institutional and structural causes that prevent poverty reduction, or through considering the government's stability a priority.

The optimistic view on social change sees participatory citizens, responsible and willing to build their own destiny. Social participation is defined as a human right and a pressing need in order to achieve change, as and participation in government as the need to recognize all citizens' right as an individual and a member of an interest group.¹²

¹⁰ Antonio Sánchez Bernal, *Cambio institucional y desempeño de los gobiernos municipales en México*, México, Plaza y Valdés, 2008.

¹¹ Mauricio Merino, (Coord.), *En busca de la democracia municipal. La participación ciudadana en el gobierno local mexicano*, México, El Colegio de México, 1994.

¹² Blas Tomic, *Participación popular y desarrollo en la base*, Chile, Organización Internacional del Trabajo, 1987, p. 159.

This also means that society must guarantee citizens simultaneously two things: firstly, enough institutional channels that allow them to participate in decision-making and activities that affect their social condition; secondly, media access and the resources they need to make good use of these opportunities. On the other hand, Mills¹³ is not that optimistic, and establishes a clear separation between public and masses to explain social action. In the first case people and social sectors exchange points of view opinions among themselves and both with authorities, and this consequently derives into actions.

Those who participate in this process are conscious individuals that turn their personal concerns into social matters; unfortunately they do not constitute majority. On the other hand, in a mass society reality individuals cannot manifest, they cannot transcend from everyday life or express personal concerns: individuals lose independence and their wish to be independent. The hallmarks of this kind of society are insecurity and disorientation. The old trend of a public that organizes to stand up for their causes and channel their demands through the local government's agenda is increasingly stopped being done because of how inefficiency they have proven to be; their call and response capacity is losing ground every passing day.

The difference between induced, coerced, and spontaneous participation is that spontaneous participation is more desirable, since it depends on local initiative and voluntary effort; besides, it emulates biases against participation, inherent to external support. By mobilizing local support from the inside, spontaneous participation strengthens the community and promotes authentic development.

Today, local public administration must fulfill citizen demands due to the fact that citizens are increasingly more politicized and informed. It is no longer a silent, passive, or indifferent society, on the contrary: more active, organized and entrepreneurial. They do not accept conventional explanations, repeated evasions, or unexplained inefficiencies or recurrent insufficiencies: they now claim open local and government institutions, which forces public management to introduce changes that support an effective network system.

The absence of a democratic administration produces skepticism and distrust of the population on the governance capacity of bureaucrats. They constantly are seen as self-interested, distant from social welfare, and administratively inefficient; in consequence, the population sees the local government administrative structures as inadequate that even attack government functions. This is why along to legal proposals and administrative reforms they seek credibility as to the administrative capacity

¹³ Wright Mills, *La élite del poder*, México, FCE, 1991, p. 59.

of governments in order to respond to society, besides reinforcing ethical and moral basis of government action.¹⁴

In the contemporary world, political control rights, clearly established social obligation, ideals, and professionalization of public service usually determine the basis of a democratic public administration. These conquests need to be complemented and emphasized through government actions. It is necessary as well to establish the use of political-administrative power within the limits of the common good, besides guaranteeing mechanisms of participation, supervision, and control that enable the democratic use of power.

Affirmative actions are still necessary to fulfill public interest's demands, when using correctly the supports. In these actions, demands are made to the State, in its traditional functions as well as justice, public safety, health and education (these of chief importance to make more efficient social policies). Today it is all about perfecting the mechanisms by which public policies are formulated and executed, as well as those by which a new relation between the government and society is institutionalized. However, the effectiveness of their implementation depends on an appropriate comprehension and adaptation to the social and economic environment.

Even though today's Municipal public administration is richer and has had important administrative conquests, it is not immune to the pressures of more and better services. On one hand governments have to face a social and economic environment that is turbulent, variable, with an acute resources shortage, and hostile to any administrative action that is consistent with social obligations.

On the other hand, the democratic politic environment creates demands and expectations on a new public administration, and even tendencies that expect a new role of the State. These tendencies have been verified over the years and placed in the public debate by the press. They are not made up by contextual factors that quickly evaporate, but by elements that constitute the social, economic, and political mold in which modern public administration is built.

Amongst the most pressing environmental factors in the context of a new configuration of government management, we can currently point out the following: determined by democratic forms of government management, new expectations regarding an efficient and effective performance of the public administration, demands on more and better government services, acceptance of a new role of the State with resized functions, pressure to deconcentrate the State's administrative machinery or decentralize community governance, improve politicization of officials that, as a class or

¹⁴ Samuel Schmidt, *México: la nueva gobernabilidad*, México, CEPACOM, 2005.

group, articulate collective interests to interfere in public policy, pressures to reconstruct ethics in the public matters management, and demands for increasing transparency and public responsibility in government authorities' actions.

The government must accomplish legality and effectiveness of public administration in the social area through the establishment of democratic ties with society, and the definition of limits and compromises of its functions. In this way, a democratic public administration procures new forms of control on public decision, by monitoring the process of formulation, implementation, and evaluation of public policies it is possible to guarantee congruence between social demands and government programs.

The democratic perspective proposes a new basis for action and legitimacy in public administration. This legitimacy depends now less on technocratic legal-administrative rationality, and more on new relations between the government and society, besides the commitments to social, economic and political development.

Citizenship and social capital

Citizenship is not merely a legal condition or of the delimitation of state powers by the State's recognition of a set of individual rights and duties, of a political pact and consent on a type of domination, in sum of a set of civil institutions. It also needs a history, a culture, a language, or a shared way of life, a sense of belonging is necessary, a form of participation, shared civic institutions. In the Mexican municipality we can find citizen participation in key local decision-making and a series of complex social networks.

Citizenship is built on data or historical backgrounds that are the series of links between a defined set of social actors, the link's characteristics as a whole have the property of promoting social interpretations of the behavior of the actors involved. Hence the plausibility of a theory of social society, understood as a relatively complex framework of institutions connected to a centennial historic tradition. The primacy of citizenship is the historical recovery of the formation process of a democratic State. Construction of a civil society is a result of radical social transformations, of the transit from an authoritarian political system to a democratic one.¹⁵

Citizenship is the historical tradition of the problematic concatenation of civic and civil virtues (deliberation, participation, action, and solidarity), and the understanding of a new institutional frame. The horizon of a plural, open and citizen world, the commitment and need to assume it interacts

¹⁵ Patricia López-Rodríguez e Isidro Soloaga (Comps.), *Capital social y política pública en México*, México, El Colegio de México, 2012.

with the generation of civic and civil virtues as well with institutions in a newfound liberal and democratic rule of law.

Optimism on the strengthening of civil society is somewhat excessive. The formula may suggest: the larger the State is, the less civil society and vice versa. The other gains what one loses. The first idea is associated with a liberal perspective, where society is civil because the individual is autonomous of the State and this, is set apart from the individual because of its condition of rule of law, whilst the second involves the existence of civil society through a combined action of social, political, and economic institutions in a public sphere. That is to say, civil society exists fully when the State is a part of it in the first sense. Otherwise, it would have a precarious or mitigated form, as in totalitarian regimes. An example of this case is the corporatist model.

Education and shared experience are two important resources to build citizenship, to get people to adjust to cultural changes: therefore, the design and implementation of programs that stimulate participation or formation of citizens is insufficient. When there is harmony between strategy, enough knowledge of the empirical problems, training of the people involved in cultural change, a set of rules, networks, and organizations through which people have access to scarce resources that facilitate decision-making, the probabilities of constituting a social capital that guarantees the presence of a civic community and optimal democratic institutions performance increases.

According to Bourdieu¹⁶ an indicative condition of a social capital is that the differences of all community members are shared through networks or significantly numerous relations with the aim of meeting. On the other hand, Putnam¹⁷ states that democratic institutions must be responsible and efficient, be sensitive to social demands, and effective when it comes to achieving objectives in a context of scarce resources. To Putnam the socio/cultural context of a community is the product of a historical pattern. History is a factor that causes the existence of a civic community. Trust, networking, and rules can mix up social efficiency in order to facilitate everyday actions, they constitute social capital and the main cause of an efficient operation of democratic institutions.

The citizen condition of current societies is due to the way broad sets of networks physically interconnected through telematics support work, in which a set of values, individual and collective, personal and group data,

¹⁶ Pierre, Bourdieu, *Las estructuras sociales de la economía*, Buenos Aires, Manantial, 2001.

¹⁷ Robert, Putnam, Robert Leonardi y Raffaella Nanneti, *Making democracy work. Civic traditions in modern Italy*, New Jersey, Princeton University Press, 1993, p. 167.

are shared in order to influence political, economic or social decision-making. Information and experiences are shared with the intention of establishing a coordination and cooperation that allows a mutual benefit and to formalize benefits through the incorporation of certain rules and values.¹⁸ Social capital is the socio-historical heritage accumulated from generation to generation that allows to connect the past with the present and future of societies, to share a set of bonds. When different types of citizen bonds are broadened we can build a citizenship. Social capital is not a synonym of citizenship; it is either related to it or its consequence.

If we wish to accomplish a new functioning model the people involved must be educated and trained without the need to wait for instructions: changing the behavior of inferior ranks is not enough. The key to a successful change lays in revolutionizing behaviors, and in order to achieve this complex task, the State must change its way of thinking. Instead of specializing, it must respond to this complexity by developing the simplicity of structures and processes.¹⁹

Ordering people to change does not work. Building a new public culture means: changing beliefs, attitudes, values, and the structure of public institutions in such a way that it is easier for them to adapt to new technologies and challenges.

The institution is believed to be the means where the individual can or cannot satisfy his or her needs. It is on this satisfaction or lack of it that their motivation in the task, dedication, and performance will depend. But there is still another potential dimension to make use of this knowledge: sharing with actors that will bear most of the modernization. The desire to be efficient goes beyond duty; it produces citizens who are serving more positive results. This knowledge-sharing process is built on confidence.

Effort must consequently be directed in three directions: preparation, evaluation and entertainment. If we wish to change they way decisions are made, we have to transform the attitude of its members and interpersonal relations; exorbitant spending and lack of knowledge when preparing decisions is a major concern. There is uncertainty and disorientation, with a certain amount of intuition on ethics, the way it works, its responsibilities and accountability.

In this crisis of trust and legitimacy, people with leadership and a will to articulate a new image that adjusts to the circumstances and have internal and external credibility are scarce. Organizational change is the capacity to perceive and address the changes and their reflections on people and

¹⁸ Félix, Requena Santos, *Redes sociales y sociedad civil*, Madrid, Centro de Investigaciones Sociológicas, 2008.

¹⁹ José Natividad González Parás, y Armando Labra Manjarrez (Coords.), *La gobernabilidad democrática en México*, México, INAP, 2000.

institutions, of adapting to what new facts suggest, and, if possible, to anticipate them. New facts become vital in this sense.

The change process within institutions is a feature of live organisms. Life is a synonym for change. This is why public or private institutions must adapt to internal and external changes, and in order to do that they must introduce changes in their structures.

Due to this, the study of public organizations and their presence in society has gained renewed interest, especially in countries that are vulnerable to international change. It is then risky to say that change and organizational complexity are not characteristic of our times. We speak of modernization of public administration under the premise of inherent conflict in organizations, from several points of view. However, it is imperative to determine which are the reference points that cause this change. We can start from three different categories of analysis: efficiency, effectiveness, and legitimacy. Municipal public life is characterized by having widely-known actors and informal social networks to which they belong is important to rate regional democracy, social capital of citizens on power groups influence on shaping citizenship.

Government actions are not the product of a lineal, incremental, total, or limited rationality; on the contrary, they are result of a constant bargaining process between public and private actors that exchange resources and information in order to influence its political and administrative result.²⁰

Administrative systems, bureaucratic machineries, public managers, civil service career, or government are State apparatus that seek to create and recreate its legitimacy. Efficiency, legitimacy, legality, functionality, or administrative rationalization, are some tendencies that are to be achieved with the proper act of the government and its dominance in politics. Legitimacy in municipal administrative structure changes is due to constant social changes, not to legality.

Community-State mutations, integration of economic blocs, increase of economic inequality, cultural segregation, social multiculturalism, are realities that demand the reassessment of the State, as we know it. The rational choice paradigm,²¹ the postulates of the minimal State theory,²² or new institutionalism²³ have the political claim to reassess the State in an uncertain world.

²⁰ Ismael Blanco, y Ricard Gomà (Coords.), *Gobiernos locales y redes participativas*, Barcelona, Ariel, 2002.

²¹ James Buchanan, y Gordon Tullock, *El cálculo del consenso*, Buenos Aires, Planeta-Agostini, 1993.

²² Robert Nozick, *Anarquía, Estado y Utopía*, México, FCE, 1990.

²³ James March, y Johan Olsen, *El redescubrimiento de las instituciones. La base organizativa de la política*, México, FCE, 1997.

Georg Sorensen's thesis²⁴ is that we live turbulent times as a result of the end of the Cold War and the beginning of a contingent context in which the State is witness of new realities: terrorism, identity struggles, globalization, regionalization, governance, social media, political networks, responsibility, transparency and accountability, good governance, new sovereignty, withdrawal of the State, economic and political integration, post-national State, democratic governance, liberalization, and democratization. In this context, the State's administration adapts to new axes: a) administration democratization; b) principal-agent relationship; c) networking vision; d) management and responsibility, and e) implementation of public capacities.²⁵

On this respect Charles Tilly²⁶ poses that "public policy quality in a regime depends significantly on relations between people's basic confidence networks and government strategies of rulers". Confidence –as well as confidence networks- is inherent to the legitimacy of government actions or of policies. Thus, public policies are a product of consensus amongst rulers, government agents, governments, political actors, and the regime.

A claim of efficacy for problem solving always underlies policies. However, in order that policies build trust in the public sphere, it is important that rulers or elected authorities are known; it is essential that government agents and political actors speak in the name of Government; and an active role of non-governmental entities is crucial. In this sense, in order to build a confidence network around the results of the State's tasks, all involved agents must work together. The context of everyday life that has tacit meanings, routine practices, forms of direct participation and an everyday democracy is the municipality.

Following Adam Smith, Tilly²⁷ suggests that confidence networking in "commercial countries" work on kinship. However, as civilizations advance networks based solely on kinship are weakened and give way to more complex relations, such as politically active associations or the incorporation, as well as career of the network members in public administration. The network's members obtain personal benefits and protection against possible eventualities, something that they would not get elsewhere. Assumptions of rational choice, Game Theory or economic new institutionalism are present in the analysis of Charles Tilly, since networks

²⁴ Georg Sorensen, *La transformación del Estado. Más allá del mito del repliegue*, México, Tirant lo blanch, 2011.

²⁵ Ricardo Uvalle Berrones, "Condiciones, procesos y tendencias de la administración pública contemporánea", en *Convergencia*, Vol. 16, Núm. 49, enero-abril, Facultad de Ciencias Políticas y Sociales, Universidad Autónoma del Estado de México, 2009.

²⁶ Charles Tilly, *Confianza y gobierno*, Buenos Aires, Amorrortu, 2010, p. 20.

²⁷ *Ibid.*

are the result of individual cost and benefit calculations of relationships between agents and principals or diminishing transaction costs.

Connections between public policy and trust networks may vary. On one end, trust networks operate within the government, since they are regular units that the government apparatus itself conducts and determines. On the other hand, trust networks operate outside the government, out of its view with no monitoring controls. These networks change positions in order to zoom in or out of public policy: when the trust network lives under the protection of a relatively autonomous intermediary they can zoom out of it; on the contrary, when the trust network is connected to government, it can help satisfy demands presented to political authorities.

According to the organization structure, these can operate under at least three schemes: 1) authoritatively; 2) cooperatively, and 3) through trust networks. To Tilly in trust networks long-term risk is valued differently and human conditions are retrieved, that is to say, trust networks store, produce, and capitalize the network's experiences. Individual or group participation in the construction of the network infrastructure promotes creation and recreation of social capital. On the contrary, when public policy encourages mistrust or when social processes determine human relations and privilege misdeeds, the social capital shall be null. "The long history we have investigated suggests that, as long high capacity States that resort to capital and commitment as incentives for participation subsist, the contingent integration of trust networks to public policy shall subsist too".²⁸

Contingent public policy does not legitimize government actions, it does not generate social capital, does not reestablish the relation between confidence-legitimacy-government, does not promote trust networks, does not generate institutions, does not create instituting value.

According to Claude Lefort,²⁹ political and administrative efficiency cannot be reduced to legal institutions or mechanisms that legitimize the decision-making of either majority or minority. The idea and democratic context of legitimacy presuppose and are legitimized when faced to concepts such as respect for individuality, representation, institutions, political parties, participation, human rights, tolerance, or sovereignty. The idea suggests that democratic institutions, transparent, legitimate or homogeneous subordinate the individual to social cohesion. The search for a political and administrative legitimacy, through the defense of national sovereignty to achieve social harmony, and a defense of individual rights and freedoms, is unfinished if it is not equivalent to common interest, to political freedom. To Lefort,³⁰ the essence of politics is revealed in individual and political

²⁸ *Ibidem*, p. 255.

²⁹ Claude Lefort, *La invención democrática*, Buenos Aires, Nueva Visión, 1990.

³⁰ Claude Lefort, *El arte de escribir y lo político*, Barcelona, Herder, 2007.

freedom, individuals and citizens, as well as civil and civic values reveal it. The entirety of the argument is the ultimate foundation of legitimacy in a modern democracy.

When human actions are constituted by experiences based on individual and political freedom a new adventure begins; a new way of feeling and learning, certainties are qualified, and knowledge is put into question. The society institution is put into question by a law, by a power, or in a State. A new idea arises, a new experience, new principles that transcend customs, traditions, and heterogeneity that accompany the domination of individuals by law, society, the State, and all organizations that impose established values. Legitimacy in a modern democracy is constituted as a process with neither beginning nor end. Indetermination of legitimacy drifts apart from any empirical fact, from any demand satisfaction quantification, or from the fulfillment percentage of certain obligations.

Society determination, society as history, society with unique referents, and determination of empirical facts reduce democracy to totalitarianism. Power indetermination exalts individual and political freedom, preserves the questioning of any single explanation of legitimation: in modern democracy legitimacy is born in every action; it cannot be reduced to political, administrative, economic, cultural, social events or of any other kind. According to Claude Lefort,³¹ legitimacy is a symbolic mutation, a sphere that no one can occupy for once and for all. Legitimacy is a circumstance inaugurated by modern democracy in the early 19th century; democracy is not only a form of government, but a form of society. Lefort states that the main challenge of a democratic society is the dissolution of certainties, the collapse of indicators that determine people with a good or bad behavior. Democracy leads the individual, it encourages, inspires, it submits him or her to the challenge of creating his or her own foundations that recognize his or her own institution: this is the case of democracy. Foundations of democracy have foundational traits that make it indeterminable; uncertainty is inherent to all forms of democratic societies. Democracy and its legitimacy have a symbolic order, a political order that is made and remade by individuals.

Accountability, transparency, legitimacy, legality shall have to be rethought in its civic value, in its character, and foundational nature of the constitution of political rights as human rights, not as actions or government policies, furthermore as inherent to the society form, as part of a social issue. In a democratic society human rights are linked to an integral conception of society, they are not only individual rights, natural rights, social rights, rights of citizens, constitutional rights, or individual guarantees, they express the person's dignity, of political rights than when questioned, society's form is questioned too.

³¹ *Ibidem.*

Conclusions

Models of democracy claim the revision of two moments: on one hand, to establish how a democratic system arises; and on the other hand, to establish how to improve the conditions of democracy and governability. The transition to democracy is not a unique or uniform process; it not always involves the same elements. This means that the variable correlation does not necessarily entail a cause and effect relationship.

Political transitions are not the precedent of political liberalization, just as liberalization is not a mandatory precondition of democratization. The democracy's prerequisites are not its preconditions. The consolidation of democracy is a matter of procedure, of a diminution of uncertainty through transparent and recognized institutions.

Institutionalization of democracy requires a sense of national identity and the strengthening of local government, through a reassessment of forms of participation and representation; it is fundamental that governments take into consideration the society's social capital. The failure or success of social policies depends largely on the existence or absence of social capital. Construction and conscious adoption of democratic institutions by both political actors and voters; this requires the abandonment of the idea of functional requirements of democracy such as literacy, economic stability, civic values, a stable and homogeneous culture, just to mention some. The country that attempts to achieve these prerequisites is more close to stagnation than to development. That is, there are as many roads to democracy as causes. Finally, it is necessary that the different forces reach a well-thought, deliberate, and explicit consensus on the democratic institutions that will rule democratic life. When all participants in the political process are obliged to live under certain institutions, tolerance, coexistence and democratic governability will be ensured.

In Mexico it is inevitable to rethink the party system to strengthen it, to develop public space for the institutionalized struggle for political power, and to create institutions that allow the organization of credible, transparent, and equal elections. However, a reform or set of electoral reforms and presence of local, state, and national elections do not necessarily mean transition to democracy has been achieved, as important as they are. Elections and democracy are not synonyms. Elections are a means to exercise democracy, they are not democracy by themselves; it has many manifestations.

In the past, there have been corrupt elections, however, democracy remains and is materialized in non-electoral actions. To talk about the problem of democracy in Mexico has at least three connotations: 1) recognition of exhaustion of the political system; 2) deterioration and crisis of the political

parties system; 3) recognition of the absence of the necessary legal framework and institutional infrastructure to develop credible, efficient, and honest elections; and 4) the undisputed strengthening of local government, in its institutional, legal, administrative, patrimony, autonomic and resource framework.

In this sense, we propose that the registered institutional changes are the consequences of a gradual change. Institutions, environment, socialization processes, and individuals are the variables that make up this slow modification.

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