

MEXICO CITY'S BOROUGHES: NOT YET LOCAL GOVERNMENTS¹

BAIRROS DA CIDADE DO MÉXICO: AINDA NÃO CONSIDERADOS GOVERNOS LOCAIS

Benjamin Méndez Bahena²Ana Laura Salguero³**Abstract**

The present article analyzes recent decentralization and recentralization processes in some countries and the trends observed in Mexico, where Mexico City, the national capital, was recently recognized as a federal state, and after 90 years without municipal governments, the city's territorial divisions were established as boroughs. In this context, the powers of the Mexican municipalities are compared with those of the boroughs (formerly called delegations) to determine the requisites that they still lack to be a true local government with full political, fiscal, and administrative powers. The new government shall demonstrate its decentralizing vocation.

Keywords: decentralization, local government, Mexico City, recentralization

Resumo

O presente artigo analisa os recentes processos de descentralização e recentralização em alguns países e as tendências observadas no México, onde a Cidade do México, capital nacional, foi recentemente reconhecida como um estado federal e, após 90 anos sem governos municipais, as divisões territoriais da cidade foram estabelecidas como municípios. Nesse contexto, os poderes dos municípios mexicanos são comparados com os dos distritos (anteriormente denominados delegações) para determinar os requisitos que ainda carecem de ser um verdadeiro governo local

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com plenos poderes políticos, fiscais e administrativos. O novo governo deve demonstrar sua vocação descentralizante.

Palavras-chave: descentralização, governo local, Cidade do México, recentralização

1. Decentralization and power: a current topic

Decentralization is the transfer of functions from an entity high in the political structure, usually the national government in federal countries, to an entity in a lower hierarchy, which can be subnational or local. It responds to the federalist principle of subsidiarity establishing that tasks must be carried out at the lowest possible political level to place them closer to the citizens, hoping to stimulate local development (Olsen, 2007). The transferred competences can belong to one or more political, fiscal, or administrative domains (Olsen, 2007; Falleti, 2010; Tulchin, 2012; Aalen & Muriaas, 2017).

It is a formally or informally organized process involving various political actors, which is why it can take place suddenly or gradually; it can be weak when irrelevant functions are transferred or strong if they are substantial and endow real autonomy and power. Despite such agreement, the process can develop further than planned as an expression of a struggle for power among the different political actors in each country, which is reflected by the outcome of electoral processes and the use of conjunctural phenomena, as in the case of Colombia (Tulchin, 2012), or the way in which a group attains power, or due to the influence of external phenomena such as guidelines issued by multilateral organizations.

The decentralization of functions involves the transfer of power; therefore, actors who lose their privileges often express disagreement. The opposition of displaced public officials, economic groups, and political leaders is expressed by different actions, which can be small individual acts or generalized efforts using all available sources and forms of power, including political and economic strategies; discursive and symbolic threats; coded threats; bribes and intimidation; actual violence, or the use of communication media, that is, a repertoire of domination intended to eliminate or decrease the effects of decentralization (Poteete & Ribot, 2010).

Decentralization can also encounter setbacks, a phenomenon known as recentralization (Olmeda & Armesto, 2017; Riedl & Dickovick, 2014) that consists in the return of certain functions to the national government. This can take the form of an *explicit* recentralization, involving normative changes to be legalized, or a *subtle* recentralization, in which the power balance changes as a result of small measures enacted during execution that do not entail modifying the normative instruments.

Dickovick and Eaton (2013:1454) identified four subtle recentralization strategies: a) policy strategies involving the implementation of national social programs that bypass state-level authorities by directly linking the national government with the programs' beneficiaries to obtain political revenue; b) bureaucratic strategies in which national bureaucracies are manipulated to advance recentralization objectives; c) use of national organizations such as the electoral institution or the army to limit subnational or local autonomy; d) 'societal strategies' intended to mobilize actors who support recentralization.

A decentralization process does not always translate into increased power at the subnational and local levels, and the redistribution of authority can also change due to political action by actors in these levels and their allies (Falleti, 2010). However, subnational governments can sometimes refrain from resisting or even support recentralization processes. This occurs when government income is low and the involved functions are administrative, for example, when tasked with the collection of an unpopular tax, provided that the national government increases transfers. This position is comfortable because the act of collecting the tax tends to result in a loss of supporters. They support the recentralization of the tax in exchange for decentralized spending. On the other hand, they are not willing to lose political prerogatives (Olmeda & Armesto, 2017).

In the light of the foregoing, the present discussion assumes that the scope of decentralization, as proposed by national governments, responds to appraisals concerning the maintenance of the regime and partisan power made by both the ruling party and the opposition. These appraisals are focused on each party's knowledge and expectations of penetration into the different regions of a country, and they involve not taking actions that would support the opponent, but also estimating one's alternatives (Aalen & Muriaas, 2017). Under this rationale, a ruling party promotes decentralization processes when it considers that doing so will strengthen its position at the subnational level, but it inhibits the processes if its dominance is considerable (Aalen & Muriaas, 2017; Riedl & Dickovick, 2014).

We also share Falleti's (2010) thesis in that the evolution of intergovernmental power balance is determined by the sequence in which political, fiscal, and administrative responsibilities are transferred. When political decentralization takes place first, subnational or local actors become empowered and will try to negotiate increased powers in the fiscal and administrative spheres. However, when administrative decentralization takes the lead, the national government retains bargaining power when the time comes to examine the fiscal and political environments, although subnational or local governments may try to obtain a little more.

During the 1960s and 1970s, a number of African and Asian countries underwent “decentralization” processes; these processes failed because in reality they were limited to a de-concentration of functions toward regional offices reporting to the central government and they lacked clear objectives, sufficient resources, and opposition from the high bureaucracy (Olsen, 2007).

Subsequently, during the 1980s and 1990s, the decentralization of functions from national to subnational or municipal governments became a global trend, motivated by the principle of subsidiarity and the need for greater efficiency. Among the instruments used in these processes are vertical and horizontal specialization methods (Culebro, 2014). The results of decentralization in regions with different levels of development and political systems have been heterogeneous; therefore, a closer look at multidisciplinary and comparative studies to differentiate positive and unexpected effects is today a necessity (Montecinos, 2005). For example, research needs to address the consequences of the absence of basic conditions to implement reforms in many countries, such as a solid administrative capacity, a developed competitive market, strong ethical capital in the public sector, or clear boundaries between the public and private sectors (Christensen & Laegreid, 2005). In certain countries, such as Colombia and Brazil, the process has made significant progress, although results are far from optimal; in Argentina, these processes are very limited, and in Mexico, they are moderate but relevant (Falleti, 2010).

In view of the meager results, the policies used in certain countries show that decentralization can move forward or backward when the national government yields or recovers functions because the process is ultimately an expression of political struggle (Dardanelli, 2018; Aalen & Muriaas, 2017). Evidence of recentralization processes has emerged recently in different parts of the world, which has been documented by Leonard, Nazarov, and Vakulenko (2016) in the Russian Federation; Simonet (2016) concerning the health care system in France, or Malesky, Nietz, and Tran (2014) in Vietnam, who highlighted improvements in transportation, health, and communications taking place after the recentralization process of the provision of public services by eliminating the Popular Councils in 99 districts throughout the country. Cravacuore (2014) has reported on a recentralizing trend in Latin America.

However, recent cases of decentralization have also been described. There are three interesting studies in Africa, where there were struggles for independence still raged in 1960. Aalen and Muriaas (2017) examined the use of political decentralization as a power strategy in three cases of post-conflict African states and stated that subnational government elections usually take place when a group (i.e., an insurgent such as in Ethiopia) comes into power, or by negotiation (i.e., South Africa) supported by a strong social base, but they are avoided when the same group governs before

and after a peace agreement (i.e., Angola). In Botswana and Senegal, Poteete and Ribot 2011 analyzed the resources used by groups in power to oppose income decentralization programs in the form of community-based management of local natural resources. Focusing on subnational elections and the creation of local administrative districts, especially in Ethiopia, Botswana, Ghana, and Benin, Riedl and Dickovick (2014) pointed out that the degree of decentralization achieved depends to a large extent on the type of political party system in the country.

The history of Latin America during the nineteenth century was characterized by the predominance of strong centralist governments, and military coups and authoritarian governments were frequent during the twentieth century. Four recent experiences in the region are remarkable; this paper will focus on the case of Mexico City. In Uruguay, a decentralization process initiated in 1996 created municipalities whose authorities were elected for the first time in 2010, and there is currently much debate on the extent of the fiscal and administrative decentralization (Ruiz & Selios, 2018). In Uruguay, the progress of decentralization has been slow, and the most important measures are less than a decade old (González, 2015). In October 2020, Regional Governors will be elected for the first time in Chile. They will serve for four years and will replace the Intendants, appointed by the President of the Republic (Act No. 21,073).

These processes have fueled academic debate. Two books were recently published by the Autonomous University of Chile. In the first of these, edited by Vial and Hernández (2017), many researchers examine decentralization using a wide range of sectoral themes and approaches. In the second book, edited by Grin, Hernández, and Abrucio (2017), the authors use a metropolitan point of view to analyze governance and decentralization in nine Latin American cities; based on differences in political systems, powers assigned to local governments, cultural traditions, and the institutional apparatus design, these studies are divided into four groups: the decentralized municipal model (Rio de Janeiro, Sao Paulo, and Medellín), the deconcentrated special model (Bogotá and Quito), the special decentralized model (Mexico City and Buenos Aires), and the decentralized fragmented model (Lima and Santiago). Also from the metropolitan perspective, Pérez (2013) analyzed the governance structure and mechanisms in twenty metropolitan areas throughout the planet to present a proposal to reform Mexican metropolises; this study addresses government decentralization.

In Spain, Gallego (2016) edited a book on the impact of decentralization on three different models of regulation and provision of three public services (health care, education, dependency⁴) in

⁴ People who due to age, illness, or disability require help from others for everyday activities (Act 39/2006, December 14, on the promotion of personal autonomy and assistance to people in situations of dependency in Andalusia, Spain)

the autonomous communities, especially in Andalusia, Catalonia, Madrid, and the Basque Country. These studies highlight the preponderance of the governing party's program and the ideology adopted by the government in the design and management of institutional and policy models, in contrast with their low budgetary allocation and weight of citizen valuation.

In a complex multinational exercise, Dardanelli, et. al. (2018) have advanced in the design of a conceptual, methodological, and conceptual framework to examine long-term stability in the distribution of responsibility by level of government in six federations, considered by the authors as constitutionally stable and democratic for more than six decades: Australia, Canada, Germany, India, Switzerland, and the United States.

2. Decentralization and municipal powers in Mexico

Between 1950 and 1970, the 'Mexican Miracle,' or stabilizing development policy, achieved high rates of economic growth, low inflation, and a strong currency, which increased consumption levels among large segments of the population. The exhaustion of this model triggered a deep political and economic crisis that made the need to decentralize functions evident. However, the resistance presented by the Institutional Revolutionary Party (PRI) delayed the process.

By law, Mexico is a federal country⁵. However, for more than three decades, the country has been subjected to various administrative reforms promoted by a political class driven by a centralizing vocation. After analyzing the trajectories of change of these reforms, Cejudo & Pardo (2016) conclude that their design was the result of competing, segmented logics guided by short-term phenomena instead of the product of straightforward public management decisions. Three trends can be currently observed. The first is the emergence of a centralizing turn characterized by unfinished procedures, which are reversed, resulting in conflicting trajectories, confusion among public servants, and conflict at all levels of government. Its expression has been the emergence of new norms and institutions that return to the federation administrative processes previously transferred to subnational entities, such as teachers' payroll, acquisition of drugs, elections, the right to information, and citizen security. A second trend consists in the growing autonomy of the executive branch, which is motivated by mistrust in the impartiality of top-level public officials in matters of potential conflict of interest, such as the assessment of the education system, social development programs, or the

<http://www.juntadeandalucia.es/organismos/igualdadypoliticassociales/areas/dependencia/leydependencia.html>.

⁵ "... a representative, democratic, secular, and federal Republic composed of free and sovereign states in all matters concerning its internal regime, in addition to Mexico City, united in a federation ..." (Congress, 2017 art 40).

competition or telecommunications policies. The third trend, still in its infancy, refers to efforts made to build new mechanisms to control the exercise of public power, such as anti-corruption systems (Cejudo & Pardo, 2016: 62).

Cabrero (2010) examines three emblematic cases of relocation of powers to states and municipalities. The first concerns the health sector, which began in 1983, the second refers to the education sector in 1992, and the third is the process of decentralization of anti-poverty programs in 1994. Different processes reveal improvisation in all three cases. The problems that arose during the implementation of this decentralization process were addressed using centralizing measures.

The PRI's loss of majority status in Congress' lower chamber in 1997 was one of the central drivers of the 1999 reform, which gave municipalities a wide range of competencies but was ineffective in terms of local development because the capacity to undertake these prerogatives failed to be reflected on local growth; nevertheless, it should be pointed out that this outcome was beneficial for the main political actors.

Thus, the federal government is currently responsible for defense and national security, foreign relations, fiscal coordination, foreign trade, monetary policy, education, environment, health care, and regional development. Its sources of financing are taxes on income (ISR), added value (VAT), capital, fuels, and emissions, in addition to those derived from the customs offices. The responsibilities of subnational governments are education, health care, social security, support to and supervision of municipal governments, regional development programs, industrial and agricultural development, and the management of natural resources, the environment, and interstate communication routes; their financing consists of taxes on income, production, inheritance, added value (optional), alcohol, tobacco, and pasta, as well as part of the taxes on fuel and emissions, vehicle licenses and other taxes, business property, and urban megaprojects.

Table 1 systematizes the responsibilities of municipal governments, including those derived from the 2014 reform⁶. As can be appreciated, the municipality is recognized as a government entity and has the power to manage its own resources and issue regulations. It is required to provide public services and has four sources of financing, in addition to the prerogatives of regulating land use and participating in planning. Many of these functions are not carried out, and numerous municipal governments are utterly unprepared to conduct them.

⁶. A senator can now be re-elected for two consecutive periods, a total of 12 years in office; federal congresspeople, for four successive periods, or a total of 16 years (Article 59). Municipal presidents can be elected on one consecutive occasion if they are nominated by the same party or cease to be members before halfway through the term. Governors were given authority to assume the responsibility of public security.

Table 1**Municipal prerogatives in Mexico**

Fraction I

Municipalities governed by a directly elected municipal council (a municipal president, councilor, and syndics, by law per entity). Re-election for one consecutive term, postulated by their party or coalition*.

Fraction II

Municipalities with legal personality, will manage their patrimony, with powers to issue police and government proclamations, regulations, notices, and administrative orders to organize the municipal public administration and regulate issues, procedures, functions, and public services of their competence and ensure citizen and neighborhood participation.

Fraction III

a) Drinking water, sewage, wastewater treatment and disposal; b) Street lighting; c) Cleaning, collection, transportation, treatment, and final disposal of waste; d) Markets and supply centers; e) Cemeteries; f) Butcheries; g) Streets, parks, and gardens, and their equipment; h) Public security, municipal preventive police, and traffic police; i) Additional items determined by local Legislatures according to the territorial and socioeconomic conditions of the municipalities, as well as their administrative and financial capacity.

Municipalities can associate or yield a service to the State; indigenous communities can coordinate themselves and create associations.

Fraction IV

They will manage their patrimony, which consists of their assets, contributions, participation, and income from the services they provide. State legislatures propose rates and fees for taxes, rights, contributions for improvements, and create tables of land appraisal and construction to real estate.

Fraction V

a) Formulate, approve, and administer zoning and municipal urban development plans; b) Participate in the creation and administration of territorial reserves; c) Participate in the formulation of regional development plans; d) Authorize, control, and monitor land use; e) Intervene in the regularization of urban land tenure; f) Grant construction licenses and permits; g) Participate in the creation and administration of protected ecological areas and the preparation and application of management programs; h) Intervene in the formulation and application of

public transportation programs when these affect their territory; i) Establish agreements for the administration and custody of federal zones.

Fraction VI

Participate in the planning of metropolitan areas.

Fraction VII

Preventive police, reporting to the President. Municipal. Reports to the Governor in exceptional cases*.

Source: Prepared by the authors based on CPEUM (2017).

Notes. * (DOF, 2014c).

Signs of a centralizing trend emerged in several areas of public administration (Blancas, 2014). In December 2013, teacher payroll management was re-centralized as a result of a reform to the Fiscal Coordination Law (DOF, 2013), which now states: that the Contribution Fund for Educational Payroll and Operating Expenditure will be administered by the Secretariat of Finance and Public Credit (Article 25, section VIII). In February 2014, a constitutional reform (DOF, 2014a) replaced the Federal Electoral Institute with the National Electoral Institute, which was authorized to intervene in federal and local electoral processes (article 41, fraction V, section B). The National Code of Criminal Procedure (DOF, 2014b) entered into force in March 2014 to unify national-level laws concerning the investigation, prosecution, and criminal punishment (article 2). The Financial Discipline Law for Mexican States and Municipalities was issued in April 2016 (DOF, 2016a) with the purpose of establishing fiscal criteria and financial responsibility for the states in the federation and their municipalities in order to achieve the sustainable management of public finances at these levels (article 1). Two cases of re-centralization of subnational-municipal government attributions have been documented in the case of the State of Mexico. The first, from 2001, concerns the territorial regulation of powers (Isunza & Méndez, 2011), and the second, from 2013, is focused on lodging taxes (Martínez & Carrera, 2015).

A similar process permeates the government system from top to bottom, that is, from the federal to the state level, from the state to the municipality and, in many cases, from the latter to its municipalities. Frequently, the main population in the municipality holds most of its resources and has the best services and infrastructure, and it attracts most of the investment, whereas the poorest municipalities are allocated meager amounts of the budget to develop remote populations, quite conspicuously in the more poverty-stricken areas of Oaxaca (Velasco & Méndez, 2016).

One of the common traits of this long and eventful decentralization process has been the lack of an institutional design model to guide the process from the diagnostic phase to the gradual creation of the skills required by the states and municipalities to take on the role of decentralizing; such model should also analyze the problems derived from differences in sociopolitical and economic conditions at subnational and local levels.

3. Powers of Mexico City's political delegations

In 1928, during the final phase of the long war among warlords that took place at the end of the 1910-1917 civil war, known as the Mexican Revolution, President-elect Álvaro Obregón promoted a constitutional reform that dissolved the municipal regime in Mexico City, whose population was around 1 million 200 thousand inhabitants (INEGI, 1994). From then until 1997, the capital of the country was governed by officials appointed by the President of the Republic as regents and delegates (Rodríguez, 2017).

After 69 years, a political reform allowed the inhabitants to elect these authorities, and in 1997, Cuauhtémoc Cárdenas, nominated by the Party of the Democratic Revolution (PRD), became the first Head of Government of the Federal District for a period of three years. The amendment stipulates that the term of the following election would be six years, and it indicates that the first delegation heads would be appointed by the Head of Government to serve for three years with the opportunity of being elected as of the following period.

As a result of the 2000 election, Andrés Manuel López Obrador, also from the PRD, took office as Head of Government govern for a period of six years; Marcelo Ebrard, also from the PRD, won the election in 2006. Since then, the PRI has won one or two of the 16 delegations.

This electoral trend showed not only the presence of political turnover in the country, represented by the change of governing party, but the possibility of political transition understood as the interval between the dissolution of an authoritarian political regime and the emergence of some form of democracy; during a period of this type, the different political actors will harshly dispute over and define the rules and procedures that will allow for the installation of democratic institutions (Mellado, 2001: 28-29).

The transition has come into being so slowly that an exceptional regime, politically and administratively unlike the rest of the country, prevailed in the Federal District even after the Political Reform of 1996. Five issues stand out in this regard. The first refers to the lack of a local constitution; the second, to the scope and limits of the powers of the local legislative body; the third, to the concurrence of federal and local legislative attributions in the issuance of Laws for the Federal

District; the fourth, to the peculiar distribution of powers between the state government and the delegations; and the fifth, to the implications for citizen security. These issues reflect the participation of the Executive, Legislative, and Judicial branches of the Federal Government in the administration of the Federal District.

This section explores the fourth issue: the political peculiarity resulting from an incomplete reform that allowed for the election of the Head of Government, delegation heads, and assembly members, but all of them had limited powers (Gaceta, 1994). Thus, in the 1990s, a federal entity (political state) was administered by the Federal District Government (GDF) and had a series of powers in the executive, legislative, and judicial spheres (Article 42 of the Statute of Government describes the powers of the Legislative Assembly, and 67 and 70 the Head of Government's, in addition to the Organic Law of the Superior Court of Justice of the Federal District); with some exceptions, these powers were similar to those of any other member of the federation. The Federal District was composed of 16 political-administrative bodies known as delegations, similar to municipal governments, and the Delegation Head began to be elected by the citizenry in 2000⁷. This position was equivalent to that of a mayor, but with limited powers (Article 117 of the Government Statute) since it lacked a series of attributions, most notably the following four:

Firstly, municipalities were authorized to issue police and government proclamations (Article 115, fraction II of the General Constitution), but not the delegations, since such attribution pertained to the Federal District Government. The same applied to water supply, sewage, public security, and traffic services (Article 115, section III of the general Constitution).

Secondly, municipalities drew up their own budgets according to laws issued by state legislatures that also reviewed their public accounts (Article 115, section IV, subsection c) of the general Constitution); by contrast, in Mexico City, delegations had little control over their budgets, and handed over a proposal to the Head of Government (Article 117, section VII of the Statute of Government), who would submit it to the Legislative Assembly for approval (Article 67, section XII of the Government Statute). Delegations gave notice of their expenditure to the Head of Government (Article 112 of the Government Statute), and the Legislative Assembly oversaw their public accounts (Article 42, section XIX of the Government Statute).

In the 31 federal entities, municipalities are authorized to collect taxes on real estate property (Article 115, section IV, subsection a) of the general Constitution), which accounts for the highest percentage of municipal revenues throughout the country. In the case of the delegations, this power

⁷ The Reform established that the first Head of Government appointed the Delegation Heads in 1997.

was assigned to the state-level government: the GDF (Article 95 of the Government Statute). Delegations were, therefore, subordinated to the state-level government because their largest possible source of income was unavailable, and they had to request financial resources from different levels of government to implement their government program.

Thirdly, delegations lacked a *cabildo* or councilor body to allow for proportional participation in government tasks and citizen administration of political parties other than the winner in the election.

Finally, citizen security was also beyond the delegations' attributions. In this area, municipalities are responsible for the prevention of crime and have an *ad hoc* police corporation, but the investigative role is an attribution of the Public Prosecutor's Office, which responds to the state or federal government depending on the type of crime. Municipalities also lack the power to punish crime since, again, this is an attribution of the federal- or state-level judicial system. However, the Federal District's delegations lacked a 'municipal' police force because the Statute mandated the existence of a unified preventive police force for the whole entity (articles 34 and 35).

Table 2 presents a comparison of the functions assigned to state municipalities and to the Federal District's delegations. Data on municipalities were taken from constitutional article 115; for delegations, data were taken from the Law on Urban Development of the Federal District and the Organic Law on Public Administration in the Federal District. Delegations have minor or no attributions in seven of the 13 areas considered in the present study. The opposite is true in four areas. The shaded areas in the table indicate the lesser degree of attribution in each topic.

Table 2				
Comparison of attributions between municipalities and Federal District delegations				
Areas of Authority	Municipalities (CPEUM)		Delegations	
			LDUDF and LOAPDF	
Zoning and urban development plans	Art. 115 F-V	Drafting, approval, and management	Art. 36 (LDUDF)	Participation in creation
Territorial reserves and ecological reserve areas	Art. 115 F-V	Participation in creation and administration	Art. 39 F-XX and LXI (LOAPDF)	Propose acquisitions and implement preservation and restoration actions

Regional development plans and territorial management programs	Art. 115 F-V	Participation	Art. 39 F-XXXVII (LOAPDF)	Promote modifications
Use of soil	Art. 115 F-V	Authorize, control, and monitor	No powers	
Urban land tenure	Art. 115 F-V	Regulation	Art. 39 F-XXIV (LOAPDF)	Coordinate for regulatory process
Licenses, permits, and authorizations for construction projects	Art. 115 F-V	Granting	Art. 117 F-V (EGDF)	Granting and revoking
Licenses for condominium fusion, subdivision, and re-division into lots			Art. 8 F-III (LDUDF)	Issuance
			Art. 39 F-II (LOAPDF)	Issuance of licenses
Certificates, permits, zoning advice, urban impact, urban furniture	No powers		Art. 87 (LDUDF)	Issuance
Transportation programs	Art. 115 F-V	Formulation and application of programs	No powers	
Execution of agreements	Art. 115 F-V	federal and ecological zones	No powers	
Administrative penalties	No powers		Art. 117 F-VI	Establishing
			Art. 8 F-VII (LDUDF)	Apply
Program projects	No powers		Art. 8 F-I (LDUDF)	Participation, development, and modification

Nomenclature	No powers	Art. 19 (LDUDF)	Processing, installation, and maintenance
		Art. 39 F-IV (LOAPDF)	Authorizing
Registration and cataloging of historical, cultural, material, natural, rural, and urban territory heritage	No powers	No powers	

These seven areas are other examples, in addition to the four previously described, of the lack of powers that characterized delegations. Therefore, it has been argued that the delegations were, in fact, an administrative body rather than a local government.

In sum, the Federal District's legislation facilitated the federal government's constant influence on the institutional life of one of the entities comprising the national pact.

4. The boroughs of Mexico City

Several proposals for a new reform recognizing Mexico City as a federal entity appeared between 1997 and 2016. These reforms sought full rights for the entity and local governments endowed with powers similar to those of municipalities. Finally, a decree was published in January 2016 declaring that Mexico City⁸ was a federal state, seat of the powers of the union, and capital of the Mexican United States (DOF, 2016b, article 44); its government was bestowed on local powers in the terms established in the Political Constitution of Mexico City (article 122, section A). The governments of the territorial demarcations in Mexico City were bestowed on boroughs (*alcaldías*) (article 122 section A, fraction VI), defined as administrative and political bodies composed of a mayor and a council elected by universal, free, secret, and direct vote for a period of three years (Article 122, section A, fraction VI, section a), whose integration and administrative organization and powers are established in the Constitution and local laws (article 122 section A, subsection VI).

The decree established that one hundred congresspeople would be in charge of reviewing the draft constitution sent by the Head of Government (transitory article 7, fraction F). Sixty of these

⁸ The fourteenth transitory article states that all references in the Constitution and other legal systems to the Federal District should be understood as references to Mexico City.

were elected in proportion to the votes obtained by the political parties in the process (transitory article seven, fraction A); 14 were appointed by the Senate (transitory article seven, fraction B); 14 were appointed by the low chamber of congress (transitory article seven, section C); six were appointed by the President of the Republic (transitory article seven, fraction D), and six were appointed by the Head of Government (transitory article seven, fraction E). This composition overrepresented some political parties and underrepresented others.

Table 3 describes the composition of the Constituent Assembly after the election on June 5, 2016. The decree issuing the Political Constitution of Mexico City (CPCDMX) was published on February 5, 2017 (Gaceta, 2017), and it was enacted on September 17, 2018. After its approval, several challenges to its articles were submitted to the Supreme Court of Justice of the Nation (SCJN). The range of questionings reflects the issues most debated during the preparation of the CPCDMX. These challenges were associated with the positions of the main political actors on the degree of decentralization that Mexico City should or should not have as a government⁹, but none concerned the fundamental powers of the boroughs (Orozco, 2017). The SCJN completed the analysis of these controversies on September 10, 2019¹⁰. A particular characteristic of the CPCDMX (art 12) is its rights-based approach (Abramovich & Courtis, 2006; Abramovich & Pautassi, 2009).

⁹ Table 2, elaborated by Orozco (2017), accurately reflects the essential aspects of the contestations.

¹⁰ See: <http://www.internet2.scjn.gob.mx/red2/comunicados/noticia.asp?id=5955>

References

AALLEN Lovise & MURIAAS Ragnhild (2017). Power calculations and political Decentralisation in African post-conflict states. **International Political Science Review**, vol. 38 (1) 56-69. Ed. Sage, UK.

ABRAMOVICH, V. & COURTIS, C. (2006). **Los derechos sociales como derechos**. En Abramovich, V. y Courtis, C. El umbral de la Ciudadanía, el significado de los derechos sociales en el Estado social Constitucional (pp. 1-46). Buenos Aires: Del Puerto.

ABRAMOVICH, V. & PAUTASSI, L. (2009). Cap. 7. **El enfoque de derechos y la institucionalidad de las políticas sociales**. En Abramovich, V. y Pautassi, L. (comps.). La revisión judicial de las políticas sociales. Estudio de casos (pp. 2-43). Buenos Aires: Editores del Puerto.

ALDF (2017). Asamblea Legislativa del Distrito Federal. **Ley Orgánica de Alcaldías**. Dictamen aprobado por el Pleno, aprobada el 19 de diciembre de 2017.

BLANCAS, Edgar (2014). Tragedia y farsa en la descentralización en México: La experiencia de treinta años Desde la hacienda municipal. En: **Revista Iberoamericana de Estudios Municipales** N°10, año V. Ed. Universidad Autónoma de Chile-Instituto Chileno de Estudios Municipales. <http://www.revistariem.cl/index.php/riem/issue/view/13>

CABRERO, Enrique (2010). Gobierno y política local en México: luces y sombras de las reformas descentralizadoras. En: **Política y Sociedad**, 2010, Vol. 47 Núm. 3. Universidad Complutense de Madrid, España. En: <http://revistas.ucm.es/index.php/POSO/article/viewFile/POSO1010330165A/21540>

CEJUDO, Guillermo & PARDO María (2016) “**Tres décadas de reformas administrativas en México**”. En: Pardo, Carmen y Cejudo Guillermo (Eds.) *Trayectorias de reformas administrativas en México: legados y conexiones*. Ed. El Colegio de México, México.

CHRISTENSEN, Tom & LAEGREID, Per (2005). El estado fragmentado: los retos de combinar eficiencia, normas institucionales y democracia. En: **Gestión y Política Pública**, vol. XIV, núm. 3, julio-diciembre. Centro de Investigación y Docencia Económicas, A.C. Distrito Federal, México

CONGRESO, 2017. Congreso de la Unión. **Constitución Política de los Estados Unidos Mexicanos**. http://www.diputados.gob.mx/LeyesBiblio/pdf/1_150917.pdf

CRAVACUORE, D. (2014), “**La recentralización emergente en América Latina**”, en Fidel, C. y Villar, A. (comp) *Miradas y Controversias del Desarrollo Territorial en Argentina. Aproximación a un Enfoque Analítico*, ISBN 987-987-1650-86-6. Buenos Aires, Ediciones del Centro Cultural de la Cooperación – Universidad Nacional de Quilmes. <http://avillar.blog.unq.edu.ar/wp-content/uploads/sites/28/2014/03/UNQ-Desarrollo territorial Enfoque-anal%C3%ADtico-2014.pdf>

CULEBRO, Jorge (2014). Modernización administrativa y post-nueva gestión pública. De los dilemas y tensiones hacia las nuevas formas de coordinación y regulación. En **Revista Mexicana de Análisis Político y Administración Pública**, Volumen III, número 1, enero-junio. Ed. Universidad de Guanajuato, México. En: <http://www.remap.ugto.mx/index.php/remap/article/viewFile/69/63> .

DARDANELLI Paolo, KINCAID John, FENNA Alan, KAISER André, Lecours André & Singh Ajay Kumar (2018). Conceptualizing, Measuring, and Theorizing Dynamic De/Centralization in Federations. **Publius: The Journal of Federalism**, Volume 49 number 1, pp.1-29.

DICKOVICK Tyler & EATON Kent (2013) Latin America’s Resurgent Centre: National Government Strategies after Decentralisation, **The Journal of Development Studies**, 49:11, 1453-1466, DOI: 10.1080/00220388.2013.797073

DIARIO OFICIAL DE LA FEDERACIÓN (DOF) (2013). **DECRETO por el que se reforman y adicionan diversas disposiciones de la Ley de Coordinación Fiscal y de la Ley General de Contabilidad Gubernamental**. En: <http://www.dof.gob.mx/notadetalle.php?codigo=5324940yfecha=09/12/2013yprint=true>

DIARIO OFICIAL DE LA FEDERACIÓN (DOF) (2014a). **DECRETO por el que se reforman, adicionan y derogan diversas disposiciones de la Constitución Política de Los Estados Unidos Mexicanos, en materia político-electoral**. En: <http://www.dof.gob.mx/notadetalle.php?codigo=5332025yfecha=10/02/2014>

DIARIO OFICIAL DE LA FEDERACIÓN (DOF) (2014b). **Código Nacional de Procedimientos Penales**. En: <http://www.dof.gob.mx/notadetalle.php?codigo=5334903yfecha=05/03/2014yprint=true>

DIARIO OFICIAL DE LA FEDERACIÓN (DOF) (2016a). **Ley de Disciplina Financiera de las Entidades Federativas y los Municipios** (DOF, 2016^a)

DIARIO OFICIAL DE LA FEDERACIÓN (DOF) (2016b). **Decreto por el que se declaran reformadas y derogadas diversas disposiciones de la Constitución Política de los Estados Unidos Mexicanos, en materia de la reforma política de la Ciudad de México**. En: http://dof.gob.mx/nota_detalle.php?codigo=5424043&fecha=29/01/2016&print=true

DIARIO OFICIAL DE LA FEDERACIÓN DOF (2016c) **Ley General de Asentamientos Humanos, Ordenamiento Territorial y Desarrollo Urbano, México**, Diario Oficial de la Federación. En: http://www.diputados.gob.mx/LeyesBiblio/ref/lgahotdu/LGAHOTDU_orig_28nov16.pdf.

EMPLASA (2014). **“Estudio Comparativo sobre Gobernanza Metropolitana”**. Disponible en: https://www.metropolis.org/sites/default/files/media_root/publications/estudio_comparativo_esp_24122014.pdf, consultado el 04 de mayo de 2017.

FALLETI Tulia (2010). **Decentralization and Subnational Politics in Latin America**. Cambridge, UK: Cambridge University Press.

FLORENTINO & FERNÁNDEZ (2017). Exploring Metropolitan Governance: The Balance between the Institutional Context and the Planning Practices. **Civil Engineering and Architecture** 5(1): 26-36, 2017.

GACETA OFICIAL DE LA CIUDAD DE MÉXICO (2018a). **Ley orgánica de Alcaldías de la Ciudad de México**. En: http://www.paot.org.mx/centro/leyes/df/pdf/2018/LEY_ORGANICA_ALCALDIAS_CDMX.pdf

GACETA OFICIAL DE LA CIUDAD DE MÉXICO (2018b). **Ley de Transición de la Procuraduría General de Justicia a la Fiscalía General de Justicia de la Ciudad de México**. En: https://data.consejeria.cdmx.gob.mx/images/leyes/leyes/Ley_de_Transicion_de_PGJ_a_FGJCDMX.pdf

GACETA OFICIAL DE LA CIUDAD DE MÉXICO (2017). **Constitución Política de la Ciudad de México**. En: <http://www.cdmx.gob.mx/storage/app/uploads/public/59a/588/5d9/59a5885d9b2c7133832865.pdf>

GACETA OFICIAL DEL DISTRITO FEDERAL (1994). **Estatuto de Gobierno del Distrito Federal**. <http://www.df.gob.mx/leyes/normatividad.html?materia=1&apartado=1>

GALLEGO, Raquel (Dir.) (2016). **Descentralización y desigualdad en el estado autonómico**. Ed. Tirant lo Blanch, Valencia, España.

GONZÁLEZ, Ignacio (2015). **La descentralización y su estudio. Una mirada de los avances recientes a nivel regional y nacional**. Ed. Desarrollo, Participación y Ciudadanía–Investigación para el Desarrollo, Asunción.

GRIN Eduardo, HERNÁNDEZ José & ABRUCIO Fernando (Ed.) (2017). **El gobierno de las grandes ciudades. Gobernanza y descentralización en las metrópolis de América Latina**. Ed. Centro Latinoamericano de Administración para el Desarrollo (CLAD)- Universidad Autónoma de Chile,

Santiago. http://cdn-ua.hostingreactor.com/ua_ichem/wp-content/uploads/2017/04/libro-las-grandes-ciudadades-web.pdf

INEGI (1994). Instituto Nacional de Estadística, Geografía e Informática. **Estadísticas Históricas de México. Tomo I.** http://internet.contenidos.inegi.org.mx/contenidos/productos/prod_serv/contenidos/espanol/bvinegi/productos/integracion/pais/historicas/EHM1.pdf

ISUNZA Georgina & MÉNDEZ, Benjamín (2011). “Desarrollo inmobiliario y gobiernos locales en la periferia de la Ciudad de México”. En: **Eure**, 37 (111), 107-129. Ed. Instituto de Estudios Urbanos y Territoriales, Pontificia Universidad Católica de Chile, Santiago.

LEONARD Carol, NAZAROV Zafar & VAKULENKO Elena (2016). The impact of sub-national institutions. Recentralization and regional growth in the Russian Federation (2001–2008). *Economics of Transition*, **The European Bank for Reconstruction and Development** Volume 24(3), Blackwell Publishing, Oxford, UK.

MALESKY Edmund, NGUYEN Cuong & TRAN Anh (2014). The Impact of Recentralization on Public Services: A Difference-in-Differences Analysis of the Abolition of Elected Councils in Vietnam. **American Political Science Review**, Vol. 108 (1). Ed. Sage, UK.

MARTÍNEZ, María & CARRERA, Ady (2015). **La descentralización fiscal en las ciudades mexiquenses: el caso del impuesto sobre hospedaje**. Ponencia presentada en el XX Congreso Internacional del CLAD sobre la Reforma del Estado y de la Administración Pública, Lima, Perú, 10- 13 nov. 2015.

MELLADO Hernández, Roberto (2001). **Participación ciudadana institucionalizada y gobernabilidad en la ciudad de México**. Ed. Plaza y Valdés, México.

MONTECINOS, Egon (2005). Los estudios de descentralización en América Latina: una revisión sobre el estado actual de la temática. *Revista Eure*, Vol. XXXI, Nº 93. Santiago de Chile.

OLMEDA Juan & ARMESTO Alejandra (2017). La recentralización y los gobernadores: ¿por qué no siempre se oponen? Analizando el caso de México. **Foro Internacional** 227, LVII, 2017 (1), 109-148. Ed El Colegio De México

OLSEN Hans Bjørn (2007). **Decentralization and local governance. Module 1: definitions and concepts.** https://www.eda.admin.ch/content/dam/deza/en/documents/publikationen/Diverses/167288-decentralisation-local-governance_EN.pdf

OROZCO, E. (2017), **Las impugnaciones a la Constitución Política de la Ciudad de México.** Temas Estratégicos No. 46. Instituto Belisario Domínguez, Senado de la República, México. En: <http://bibliodigitalibd.senado.gob.mx/bitstream/handle/123456789/3500/RTE%2046%20FINAL.pdf?sequence=1&isAllowed=y>

PÉREZ Daniel (2013). **Las zonas metropolitanas de México. Estructuración urbana, gobierno y gobernanza.** Ed. Universidad Autónoma Metropolitana, México.

POTEETE Amy & RIBOT Jesse (2011) Repertoires of Domination: Decentralization as Process in Botswana and Senegal. **World Development** Vol. 39, No. 3, Pp. 439–449. Elsevier Ltd.

RIEDL Rachel & DICKOVICK J. (2014) Party Systems and Decentralization in Africa. **Studies in Comparative International Development**, vol 49 issue 3 pp. 321-342. Springer, New York.

RODRÍGUEZ Kuri Ariel (2017). **Representación política del Distrito Federal, 1930-1985.** En: Terrones, María Eugenia (Coord.) Ciudad de México. La política como voluntad y representación, 1800-2012. Ed. Instituto de Investigaciones Dr. José María Luis Mora, México.

RUIZ Matías & SELIOS Lucía (2018). **La descentralización municipal en las percepciones de los líderes de opinión.** Programa Uruguay Integra, Oficina de Planeamiento y Presupuesto. http://www.otu.opp.gub.uy/sites/default/files/docsBiblioteca/02_La%20descentralizaci%C3%B3n_municipal_0.pdf

SIMONET Daniel (2016). Recentralization and vertical alignment in the French healthcare system. **Journal of Public Affairs.** Ed. John Wiley y Sons, Ltd.

TULCHIN, Joseph (2012). Decentralization and its discontents. **Latin American Research Review**, Vol. 47, No. 2 (2012), pp. 191-199.

VELASCO, Jorge Luis & MÉNDEZ, Benjamín (2016). “**Proyectos comunitarios en Santiago Chazumba, Oaxaca**”. En: Méndez, Benjamín y Ramos, Ana Luz (Coords.) Investigación y propuestas en municipios de Oaxaca. Ed. Gasca, México.

VIAL, Camilo & HERNÁNDEZ, José (Eds.) (2017). **¿Para qué descentralizar? Centralismo y políticas públicas en Chile; Análisis y Evaluación por sectores**. Ed. Universidad Autónoma de Chile-Instituto Chileno de Estudios Municipales.

Table 3								
Percentage of votes and appointed constituent congresspeople by political party								
Party	% vote s	electe d	Appointe d by Senators	Appointed by Congresspeop le	Appointe d by President	Appointe d by GDF*	Tota l seat s	% seat s
National Regeneratio n Movement	33.0 6	22	0	0	0	0	22	22
Party of the Democratic Revolution	28.9 9	19	2	2	0	2	25	25
National Action Party	10.3	7	5	3	0	0	15	15
Institutional Revolutiona ry Party	7.75	5	6	5	6	0	22	22
Social Encounter Party	3.47	2	0	1	0	0	3	3
New Alliance Party	2.79	2	0	1	0	0	3	3
Citizen Movement	2.10	1	0	1	0	0	2	2
Mexican Green Ecologist Party	1.54	1	1	1	0	0	3	3
Labor Party	.93	0	0	0	0	0	0	0
Independen t Candidates	8.90	1	0	0	0	4	1	5
Total	100	60	14	14	6	6	100	100

Source: https://en.wikipedia.org/wiki/Consolidation_of_the_Ciudad_de_M%C3%A9xico and <http://www.excelsior.com.mx/special/assembly-constituent/members>

The Organic Law for Mexico City's Boroughs was approved on December 19, 2017, by the plenary of the Legislative Assembly of the Federal District, but it could not be published due to seven contestations to its text received by the SCJN (Orozco, 2017). The law was finally published in May 2018 (Gaceta, 2018a).

In its eleventh and twelfth transitory articles, the CPMCM establishes a deadline on December 31, 2017 for the approval of secondary legislation by the Legislative Assembly of the Federal District to regulate the executive, legislative, and judicial branches of Mexico City and its local governments, the boroughs. As a newly created federal entity, all of Mexico City's laws should be established by the deadline.

The transformation of the Prosecutor's Office of the Federal District into the Attorney General's Office of Mexico City is a remarkable example of this complex process of institutional redesign, regulated by the Transition Law (Gaceta, 2018b), expected to be completed in January 2020. The Institute of Democratic Planning and Foresight of Mexico City; the Citizens' Advisory Council on Programming; the Evaluation Council of Mexico City; the Economic, Social and Environmental Council of Mexico City; the Metropolitan Development Council, and the Public Defense Institute will also be created, among other bodies. Some of these laws will likely motivate the review of the powers of local governments. The process was still incomplete in November 2019.

Under the new legislation, the borough is recognized as the local government, its authorities are elected by the citizenry, it has a legal personality, and its budget and administration are autonomous; the mayor and council are elected by universal, free, secret, and direct vote for a three-year term (article 53 CPCDMX). The boroughs will administer labor relations in all areas except public security, which will be under the authority of the Mexico City government (Article 53, Section B, number 3, fraction c, subsection iv LOA) (ALDF, 2017). In terms of citizen security, instead of a separate police corporation for each borough, a single force will be responsible for the entire city.

The boroughs will administer a budget composed of four headings: a) participations, federal funds, and other resources provided by the federation; b) income derived from the provision of services within the scope of their powers; c) resources approved by the Mexico City Congress, and d) resources obtained in facilities located in the borough, owned by the Government of Mexico City,

and administered by the borough. Boroughs are not allowed to acquire debt (art. 55, CPCDMX). This means that they lack financial autonomy: most of their resources come from allocations determined for their budgets according to the Mexico City’s expenditure budget (CCDMX, art. 21, fraction D).

Its powers are divided into three types: exclusive, in coordination with the Mexico City government or other authorities, and subordinated to the Mexico City government. Table 4 presents a comparison between the powers in the areas of public services and territorial regulation in municipalities and boroughs, which have existed in Mexico City since September 15, 2018. There are four relevant public services (drainage and sewerage; solid waste management and cleaning services; cemeteries, and butcheries) in which boroughs have fewer attributions than municipalities, and the opposite is true in two others (education and health care).

The second part of the table, which presents territorial regulation competencies, shows three domains (zoning and urban development plans; certificates, permits, and zoning and urban planning opinions; urban impact, urban furniture, and administrative penalties) in which boroughs have more powers than municipalities. However, in the other two domains (land use and urban land tenure), boroughs have fewer attributions. The shaded areas in the table indicate the lesser degree of attribution in each topic.

Table 4
Comparison of responsibilities in municipalities and boroughs

Public services		
Areas of Authority	Municipalities	Boroughs
	CPEUM	CPCDMX and LOA
Drainage, sewerage	In their charge, with the option of coordinating and partnering to provide the service	Executing public works programs in coordination
Solid waste and street cleaning services	In their charge, with the option of coordinating and partnering to provide the service	Providing treatment in coordination Individuals cannot be licensed

Cemetery	In their charge, with the option of coordinating and partnering to provide the service	Supervising, administratively verifying, and applying penalties
Butchery	In their charge, with the option of coordinating and partnering to provide the service	No attributions
Education	No attributions	Building, establishing, and operating art schools Rehabilitating and maintaining schools in coordination
Health care	No attributions	Delivering the service in coordination with CDMX
Territorial regulation		
Zoning and urban development plans	Drafting, approval, and management	Elaborating the POT with the Council's feedback during the first three months of the administration Formulating proposals for territorial planning programs in coordination based on local constitution procedures and relevant law Creating plans and programs for the development, investment, and operation of hydraulic infrastructure, water, sanitation, and mobility; urban equipment and street furniture Monitoring and verifying
Use of soil	Authorize, control, and monitor	Expressing opinions on land use changes Participating in the issuance of certificates Monitoring in coordination with Mexico City government

Certificates, permits, zoning advice, urban impact, urban furniture	No powers	Overseeing and revoking permissions
Administrative penalties	No powers	Applying penalties associated with construction, ecological protection, land use, and urban development In coordination, applying penalties associated with the environment, street furniture, urban development, and tourism
Registration and cataloging of historical, cultural, material, natural, rural, and urban territory heritage	No powers	Drafting

Prepared by the authors using information from the Political Constitution of the United Mexican States, the Political Constitution of Mexico City, and the Organic Law for Boroughs (CDMX).

Although boroughs have the power to issue proclamations (art. 4), they lack government functions. Among other functions, the councilors approve the borough’s draft budget (art 98) and its government program, supervise administrative units, and approve partial programs (LOA, art 104).

Concerning multilevel governance (Florentino & Fernández, 2017; Emplasa, 2014), the CPCDMX establishes three types of coordination among boroughs, for instance, the Mexico City government and Metropolitan Coordination. The former has very limited operational mechanisms, and the latter is analogous to a complaints mailbox since regulations or other norms regulating the coordination are still not in place, for example, those concerning lighting and pothole repairs in main streets; these activities are probably being addressed via agreements or specific arrangements.

The CPMCMX specifies the creation of a Metropolitan Development Council where different types of agreements can be established to manage issues associated with metropolitan and regional coordination, such as those related to human settlements, environmental management, mobility, transportation, water, sanitation, waste management, citizen security, health care, education, and other powers defined as concurrent (art. 19 CPCDMX). In this regard, the 2017 Urban Development Act of the Federal District, which must be changed to align with the CPCDMX, will play a role in this area, as well as federal regulations such as the General Law on Human Settlements, Territorial Order and Urban Development (LGAHOTDU) (DOF, 2016c).

A product of this interaction is the Law on Metropolitan Development for the Mexico City Metropolitan Area, approved by the CDMX Congress on October 1, 2019, and signed by the Congress of the Union. The states of Mexico and Hidalgo are also expected to approve the proposal and forward it to the Congress of Union for further approval so that it can be published in the Official Journal of the Federation. The initial draft of this proposal was created by the governments of these two states and Mexico City's. Boroughs will yield some of their powers to other levels of government when this law is approved; however, such transfer is not necessarily an expression of recentralization, but rather an intergovernmental relations agreement aimed at higher efficiency.

5. Conclusions

Theoretical analyses and case studies focused on top-down decentralization of political, fiscal, and administrative functions toward local governments are still a valid approach to public administration. At present, different local governments throughout the world are recentralizing powers to the federal level, but decentralizing processes can also be observed in different countries. These two opposite processes are an expression of the political struggle in each nation, and the most appropriate placement of certain government functions and actions are debated. Efficiency and the principle of subsidiarity are at the core of this issue, and the positions assumed by the political actors in power, but also by their opponents, can be explained by each's strategies in terms of regime maintenance and partisan power. As part of that rationale, they propose either to deepen or to retract powers, to support them or to resist their implementation. This logic also defines the sequence in which administrative, fiscal, or political functions are bestowed upon a level of government and the scope of such functions.

Although recentralization currently seems to be the predominant trend in the planet and in Latin America, decentralization processes are underway in Mexico, Chile, Uruguay, and Paraguay. Within the context of decentralization inertia that begun more than three decades ago in Mexico,

which has been at odds with a recentralizing trend over the last decade, Mexico City was recognized and given full rights as one of the 32 federal entities that make up the Mexican federation. The current boroughs, which replaced the delegations, are also a product of this reform.

In the midst of controversies and resistance among different groups, a constituent congress was established, and the complex process of giving birth to a new entity began. The Constitution of Mexico City and the Boroughs Act are already in place, and the institutional design of the Attorney General's Office is in progress, but the rest of the public administration needs to be built, including the absolutely indispensable metropolitan-level instruments needed by a 21-million inhabitant megalopolis, whose law is being created by the Congresses of three entities. This process will have a clear impact on the prerogatives that local authorities will eventually have, so their functions are still, to some extent, uncertain.

At this point, the boroughs have acquired important responsibilities, closer to those of municipalities. But the most important progress is their existence as a level of government. At present, two important limitations stand out: The first, and undoubtedly the most significant, is that they lack sufficient funding sources to prepare their own budget instead of requesting it from the Mexico City Congress. The second concerns responsibilities associated with the provision of services, an area still to be fully defined.

Therefore, it can be stated that the current decentralization process in Mexico City, which is the opposite of what can be observed in the rest of the country, has not yet produced a true local government with full powers in the political, fiscal, and administrative spheres. As boroughs, the former delegations have come closer to such status, but they still lack powers comparable to those granted to Mexican municipalities. This is yet another chapter in the endless history of decentralization in Mexico.

The 2018 elections created a new political map. Andrés Manuel López Obrador was the overwhelming winner of the Presidency of the Republic. His party also won majority status in both the lower and higher chambers. Mexico City's political structure followed the same trend. The decentralizing vocation of the current government, as well as Morena's, the new hegemonic party in the capital and throughout the country, will be put to the test in the following months.

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