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Decentralizing Decentralization: Mexico's Invisible Fourth Level of the State[1]

Where does the state leave off and society begin? To be more precise, when one looks at forms of representation and participation that bridge state and society, at what point do they represent the state to society, versus representing society to the state? For national governments and international development agencies, whether and how to permit direct stakeholder participation is usually determined by bureaucratic discretion and ad hoc political bargaining. In contrast, in increasing numbers of local governments, grassroots movements are claiming the *right* to participate in decision-making and oversight. These democratic aspirations often focus on transforming local governance. In many of Latin America's cities, for example, participatory budgeting has been praised from the far left to the World Bank as a means for citizens to exercise direct democratic influence over resource allocation. But do such local governance innovations represent waves of the future or isolated enclaves? The determinants of the process of horizontal diffusion of local governance innovations remain poorly understood, and participatory budgeting has yet to sink deep roots in rural areas. More generally, it is safe to say that the democratization of local governance in rural areas remains very much a work in progress, even under national regimes that have experienced competitive elections for many years.

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This study focuses on one of the territorial dimensions of account-ability politics by problematizing the question of 'what counts' as local government. As decentralization increasingly devolves more resources to lower levels of government, the incentives for contesting control over local government increase.[2] To frame this question in terms of state–society relations, is village government a bottom-up form of societal representation, or is it a top-down instrument of state control over the community?[3] How local is local, anyway? Rural districts, counties, *panchayats*, and municipalities are often treated by policy analysts and political scientists as the 'most local' level of government, yet these bodies may exclude other forms of local territorial representation.[4]

Mexico's federal system of governance is based on three constitutionally recognized levels of government. The emerging literature on intergovernmental relations focuses mainly on federal–state relations, to a lesser degree on state and federal relations with municipalities, and even less on the ramifications for intramunicipal power relations.[5] The point of departure here is that while the municipality is often described in Mexico as the level of government 'closest to the people', much of

[2] The now enormous literature on decentralization focuses mainly on states and large cities, with the notable exception of the large body of research on India. For cross-national comparisons, see Crook and Manor (1998) and Ribot and Larson (2005). For recent studies that specifically focus on the democratization of a level of rural government that is closer to the village than most, the *barangay* in the Philippines, see Estrella and Iszatt (2004). For development studies of rural municipalities in Latin America, see Cameron (2005), Fox and Moguel (1995), Fox and Aranda (1996), Litvack, Ahmad, and Bird (1998), Rowland (2001), and Tendler (1997). For comparative overviews of the political dynamics of decentralization in Latin America, see Eaton (2004, 2006), Gibson (2004), Montero and Samuels (2004), and Oxhorn, Tulchin, and Selee (2004).

[3] In parts of rural Africa, for example, what appear to be forms of customary rule and therefore societal representation often turn out to be legacies of colonial indirect rule, state-regulated forms of top-down governance that end up competing with territorial forms of citizenship-based representation (Ribot 2004).

[4] Even if village government is representative of the majority of the community, in some sense, by what criteria would it be considered the most local expression of the state, versus an expression of society? Uphoff and Krishna, for example, in their discussion of state–society relations as a potentially nonzero-sum relationship, locate local government at the state–society interface, but explicitly put it in the societal box (2004: 361). Any effort to draw a strict boundary between state and society at this 'most local' level of rural government would be artificial, given their high degree of interpenetration, yet two key indicators are relevant for considering village government to be in some sense a branch of the state. First, are local leaders named from above, by higher level officials? Second, does village government administer funds that come from higher levels of government? If the answer to at least one of these questions is yes, then it is fair to say that such bodies have a significant degree of 'stateness'.

[5] See, among others, Beer (2003, 2005), Díaz Cayeros (2003, 2004), Díaz Cayeros and Silva Castañeda (2004), Flamand (2004), Joumard (2005), Rodríguez (1999), Rodríguez and Ward (1995), Ward and Rodríguez (1999), and Webb and Giugale (2000). Some overviews of recent changes in Mexican governance do not address decentralization at all (e.g. Peschard-Sverdrup and Rioff (2005).

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the countryside is also governed by a 'fourth level' that administers villages *within* municipalities.[6]

Mexico's Submunicipal Rural Governance Regimes

Long before national democratization, municipal government was often the most contested elected office in Mexico. While a few rural municipalities were among the first to break the PRI's electoral monopoly, urban municipal democratization generally led while rural municipal democratization lagged.[7] After the 1988 presidential election, hundreds of opposition activists were killed as they campaigned for municipal democratization, notably in Michoacan, Guerrero, and Chiapas. A decade later, most rural municipalities experienced less violent electoral politics.[8] But for many living outside town centers, the right to self-governance was more elusive than access to partisan competition.

This chapter focuses on the contestation of power over Mexico's 'submunicipal' governments, with a focus on rural and indigenous regions. The main argument is that the struggle over local rural democracy and village autonomy constitutes an unresolved, ongoing form of 'regime change'. Legally, Mexico's states determine submunicipal governance structures, and they are remarkably evenly divided between elected and appointed regimes. As this chapter's concluding review of state legislation shows, as of 2006, thirteen states had elected systems, in thirteen states submunicipal officials were named by the municipal authorities, and four states had mixed systems, in which different layers of submunicipal leaders are chosen through different means. Notably, during the 1996–2006 decade, only four states passed laws that involved any formal changes in 'submunicipal regime'. Most of the focus here, however, is on actual practices of local autonomy.

This layer of *submunicipal* governance has been visible only to anthropologists—and to the millions of citizens who live in villages.[9] As a result, both journalistic and scholarly coverage of 'local' power struggles involving a given municipality often creates the impression

[6] Olmedo is one of the few specialists in Mexican municipal governance to refer explicitly to the 'fourth level of the state' (1999*a*, 1999*b*).

[7] See, for example, Cornelius, Eisenstadt, and Hindley (1999), Fox and Hernández (1992), López Monjardin (1986), Paré (1990), Rubin (1997), and Ward and Rodríguez, (1995).

[8] Statistical evidence suggests that municipal democratization has been driven mainly by a process of horizontal diffusion (Hiskey and Canache 2005).

[9] For example, the intensely studied municipality of Tepoztlán, Morelos is characterized by political and economic inequality between the district seat and its 'subject communities' (Martin 2005: 16).

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that such conflicts unfold within a single community. Consider the Atenco conflict, which attracted worldwide attention in 2001. Militant local resistance to the expropriation of farmland to build a new Mexico City airport is widely described in the terms of the implicitly homogeneous community of San Salvador Atenco—the name of the municipal center. Yet the displacement was to affect not one, but thirteen *ejidos*, and the movement involved a regional convergence of thirteen '*pueblos*', in this case distinct communities within the municipality. The organization that led the campaign is called the *Frente de Pueblos en Defensa de la Tierra* (The Coalition of Communities in Defense of the Land), 'a movement that brought together regional struggles that were not limited to land' (PRODH 2006). To use the name of the municipal center is certainly convenient shorthand, but from an analytical point of view this practice renders invisible the question of how these different communities came together. Yet, as discussed in previous chapters, the process of 'scaling up' collective identities and action from the village to regional level is at the center of the question of how the rural poor can be represented vis-à-vis the state.

These submunicipal leaders are legally considered to be 'municipal auxiliaries' and they usually lack much in the way of formal authority—except when government social development funds are supposed to be invested outside the town center. Beyond the issues of official powers and who controls the public 'micro' finances, however, is the question of who will represent the interests of rural people who live outside of *cabeceras municipales*, or town centers? Until the 1990s, the key local leaders were agrarian authorities, those elected to govern *ejidos* and agrarian communities. *Ejido* powers mattered a great deal as they were empowered with sufficient resources to be economic actors, but after the Salinas era reforms, the role of many *ejidos* was limited to administering land titles—as detailed in southern Narayit in Chapter 3.[10] In the context of a de facto dual power system of local territorial governance, just as *ejidos* became less relevant, relatively large injections of social investment funds made municipal authorities more significant. As a result, it appears that many rural citizens have shifted the focus of their microdemocratic concerns from agrarian to municipal governance. Where these dual structures of territorial governance overlap and are both democratic, they point in the same direction—as in the case of the Atenco airport campaign, when the

[10] For initial overviews of the impacts of the *ejido* reforms, see Cornelius and Myhre (1998) and Randall (1996).

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FPDT had the support of both the submunicipal delegations and the leaders of the affected *ejidos*.[11]

The question of how these jurisdictions should be represented cuts across the conventional ideological spectrum—as does the issue of decentralization more generally. For example, Subcomandante Marcos recently stated his case to an indigenous Mazahua community in the state of Mexico:

It's the *pueblo* who should be in charge.[12] Why do we want some #$%#$ lawyer, who comes from somewhere else, who doesn't even know the folks here, if the folks themselves can organize and put one of their own in, and take turns [governing]. That's the way we do it in the Zapatista communities in Chiapas. There it's not the government of the Republic that's in charge, not the state, and not the municipal [government], it's the communities themselves that name their authorities. That's the way it should be here, because who better knows the problems of La Marquesa? The very same folks of La Marquesa. That way, if the person in charge begins to take the wrong path, we're watching him, and if he's getting rich, we can kick him out (cited in Bellinghausen 2006*c*).

While the rejection of federal authority gives this argument its revolutionary edge, a similar self-governance-from-below discourse has been echoed for years by one notable voice from deep within the state. As Raúl Olmedo (1999*b*: 1–2), founding director of the Interior Ministry's Center for Municipal Studies, put it:

The Mexican municipality in its current form, though it is said to be the level of government closest to the community, continues to be an abstraction and is not really the direct government of the community. . . . The current municipality is the legacy of the . . . Conquest and the Colonial period and was designed to impede community organization, and even to intentionally disorganize society, to weaken it to be able to dominate it. . . . [Since the 1980s,] electoral democratization [of the municipality] has not changed its centralized and colonialist structure: power continues to be concentrated in the municipal center and the actual communities—rural and urban, continue to lack the right to govern themselves. . . . The demand for autonomous [local] government has been taken up by the indigenous peoples, but also by neighborhood citizens' organizations in large cities.

In rural areas, these submunicipal jurisdictions are called municipal 'agencies', 'commissions' or 'delegations'. These territories are in turn divided into smaller jurisdictions, sometimes known as *rancherías*,

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[11] Personal email communication, Javier Salinas, *La Jornada* correspondent, May 22, 2006.

[12] Note that in Mexican political discourse the term 'pueblo' means both 'community' and 'people'.

subdelegations, or police agencies. Those who govern the agencies are known as 'municipal agents', but whose agents are they? From the point of view of democratic governance, the key question is: *do they represent the village to the municipality, or do they represent the municipality to the village?*

Mexico currently has 2,438 municipalities (as of 2006), and 85 percent of them are rural.[13] While national and state policymakers often favor the fusion of the small municipalities, Mexican municipal advocates contend that Mexico does not have enough to represent rural citizens effectively.[14] Rural *municipios* are closer to 'counties' than to 'towns', and most include at least several, sometimes dozens of distinct communities. Almost 25 million Mexicans still live in localities of fewer than 2,500 inhabitants, which legally are too small to constitute municipalities (2000 data, cited in CONAPO 2001). While many of Mexico's almost 200,000 officially designated 'localities' are tiny hamlets, most of this population lives in larger villages. Because these villages cannot constitute their own 'free municipalities'—to use the classic prerevolutionary Mexican phrase—millions of rural people live in communities that are 'unfree', that is, they are politically subordinate to town centers. This dynamic leads both to persistent efforts by subordinate communities to split off and launch their own municipalities (sometimes known as 'remunicipalization') and to ongoing tensions between town centers and outlying villages.[15] This review of the available literature suggests that these intramunicipal tensions are exacerbated by at least three factors: persistent local authoritarian rule, increased funding flows to municipal governments, and ethnic differences between town center elites and outlying villagers.

In Mexico's indigenous regions, municipal *cabeceras* are often located in *mestizo*-controlled market towns that have centuries of history as

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[13] For background on Mexican municipalities, see the government's Institute for Federalism and Municipal Development—http://www.e-local.gob.mx/wb2/INAFED/ INAF_Inicio and the Network of Researchers on Mexican Local Government—http:// www.iglom.iteso.mx/.

[14] Carlos Rodríguez, director of one of Mexico's leading municipal development NGOs, points to Spain, with more than 8,000 and France with more than 36,000, noting that each country has a smaller territory and population than Mexico (2004: 1). On the Centro de Servicios Municipales 'Heriberto Jara', founded in 1990, see http://www. cesemheribertojara.org.mx/.

[15] The primary focus here is on the issue of submunicipal autonomy because local demands for the creation of new municipalities are rarely successful. New municipalities must be approved by state legislatures. Such decisions would be politically costly for congressional representatives because they involve taking territory and power away from existing mayors, often from the same party—while creating incentives for more breakaway campaigns. For an overview of 'remunicipalization' trends, see Rodríguez (2004). In Chiapas, the state government pursued 'remunicipalization' in 1999 in the context of counterinsurgency strategy (Leyva and Burguete, forthcoming).

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centers of racial and economic domination of the surrounding villages. In addition, intermunicipal boundaries in these regions were often drawn to reinforce the town center's power, which ended up dividing communities that share ethnic identities and ancestral land claims. The de facto apartheid legacy of colonial town centers in Mexico's indigenous regions came to worldwide attention with the Chiapas rebellion. San Cristóbal's tradition of forbidding indigenous people from walking on the sidewalk until the mid-twentieth century was emblematic. During the first days of the rebellion, while in command of seven *cabeceras* in Chiapas, the rebels destroyed the police stations and trashed the files of town halls, but little else. The masked Indians whose hammers whacked away at the Altamirano 'municipal palace' resonated with images of the collective dismantling of the Berlin Wall.[16]

In Chiapas, where *mestizo* ranchers and farmers had monopolized local political power, the municipality was far from the level of government 'closest to the people'. Instead, 'local government' had long been the embodiment of racial and economic exclusion. Many indigenous communities had retained their own colonial era institutions of self-governance, some of which managed to govern the smaller highland municipalities through the nineteenth century. In 1921, however, a new state constitution eliminated 59 of the state's 116 municipalities, subordinating them to largely *mestizo*-run town centers (Burguete 2004: 148). By mid-twentieth century, the postrevolutionary regime also developed means of indirect rule through bilingual indigenous intermediaries, often teachers or other professionals, who could rule with impunity in exchange for delivering votes and stability (Rus 1994).

This chapter explores territorial governance of (or by) the rural poor by analyzing the changing power relations between municipal *cabeceras* and outlying villages.[17] The analysis follows three complementary subnational comparative strategies. The first is to analyze how municipal governments decide how to invest their newly increased budgets for social investment, based on a comparison of rural municipalities in Oaxaca's indigenous regions. The second approach compares the contested balance of power between town centers and villages across four of Mexico's most low-income, rural states—Chiapas, Hidalgo, Guerrero, and Oaxaca—analyzing both laws and actual practices. The third approach steps back to the national level, comparing

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[16] See the photo in *La Jornada*, January 4, 1994, as well as Burguete (1998).

[17] Though large rural municipalities are organized through multiple territorial layers, the focus here is on the level of governance immediately below the municipality.

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the state laws that regulate submunicipal governance for all of Mexico's states, including an analysis of change in these laws over the last two decades. These three strategies combine to reveal Mexico's usually invisible fourth level of governance.

Participatory Budgeting in Rural Mexico:
Oaxacan Experiences[18]

On paper, participatory budgeting in Mexico is not new. The constitutional framework for municipal governance has included provisions for broadly representative Municipal Development Planning Councils to make infrastructure investment decisions since 1983, though in practice they were rarely activated (Selee 2006; Ziccardi 2004).[19] Municipal investment budgets grew substantially in the late 1990s as Mexico's decentralization deepened. In practice, however, in rural Mexico, the dominant pattern for the allocation of these funds involved: 'The municipal budget ends up staying in the municipal center, leaving communities and villages abandoned, lacking the financial and organizational resources to develop themselves' (Olmedo 1999*b*: 6).[20]

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[18] This section summarizes field research carried out between 1992 and 1994. For quantitative data analysis, institutional description, detailed case studies, and methodological discussion, see Fox and Aranda (1996*a*, 1996*b*).

[19] In the early 1990s, Mexico began a national program of specifically rural municipal social infrastructure investments that was in principle based on community public debate and decision-making over resource allocation. The Municipal Solidarity Funds program of demand-driven community development block grants was launched within the multipronged National Solidarity Program (Pronasol). Though the Solidarity program ended in 1994 with the term of out-going president Carlos Salinas de Gortari, the municipal funds component, like many others, continued on under a new name.

[20] A comparative World Bank assessment of rural investment funds in Mexico, Brazil, and Colombia explained the political economy of this dynamic:

Local government's primary concern is likely to be vote appeal and patronage. . . . If civil society is weak, then there will be no checks on local officials pursuing these objectives. Even if civil society is reasonably strong, it may function primarily in the urban areas [of rural districts]. If this is true, then 'rational' local politicians will focus on satisfying urban voters and patrons, and neglect the concerns of rural people. . . . Thus, unless rural civil society is reasonably strong, elected officials will likely discriminate against poor rural areas, retain the power to make decisions, and reward their financial backers with municipal contracts. The goal of strengthening municipal government is thus best achieved by taking action to strengthen civil society. (Wiens and Guagdani 1998: 11–12)

This analysis had little impact on actual design and practices of the World Bank and the Inter-American Development Bank's substantial loans to Mexico for rural municipal funds in the 1990s (see Chapters 6 and 7). Lacking prior evidence of the capacity of rural local governments, the multilateral development banks essentially experimented with billions of dollars before eventually concluding that accountability, transparency, and participation were relevant (Fox 1996*b*, 1997, 2000*a*).

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Behind the scenes, in the mid-1990s, Social Development Ministry policymakers, together with World Bank staff, used the federal government's discretionary administrative power to make policy changes to intervene in the balance of power between state, municipal, and submunicipal governments. Their goal was to make social investments more geographically targeted to low-income rural areas. The changes included:

1. using relative poverty levels to allocate Municipal Funds *between* states;
2. making public explicit formulas for allocating funds between municipalities *within* states thereby limiting the potential for discretionary biases by state authorities;
3. encouraging better antipoverty targeting *within* municipalities by capping the fraction allowed for town centers at 25 percent; and
4. setting a sliding scale for varying levels of community counterpart contributions intended to encourage higher social-impact investments (participants had to contribute a larger share of the cost of projects that either were less directly related to fighting poverty or were not public goods).[21]

These last two local measures created incentives for broader citizen participation in outlying villages by potentially bringing antipoverty funds within their reach. The geographic targeting measures created an unprecedented new entitlement for outlying villages, which in turn created an accountability benchmark that served to encourage participation.

These pro-targeting provisions were rolled back, however, as a little noticed consequence of a national 1998 decentralization law that increased municipal autonomy. Opposition parties, notably the National Action Party, were increasingly winning elections in large and medium-sized cities; for them, greater municipal autonomy was a democratic advance. For rural municipalities, however, the same national law removed most of the checks and balances that had limited town centers' power over outlying villages (Fox 2002). More systematic research is needed to determine the degree to which entitlements to villages in the 1990s triggered claims on municipal resources, but the

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[21] If the sliding scale for counterpart contributions required a significantly higher local investment to build a lower-impact project (such as a sports field) than a higher-impact project (like a drinking water system), that targeting measure potentially magnified the voice of the less well-off citizens who needed water. In principle, this interaction could engender *virtuous circles* in which broader participation then encourages more equitable and accountable local government performance, which then demonstrates the payoff from sustained participation.

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press accounts cited below suggest that village claims on town centers are now widespread.

Field research examined whether this pattern characterized rural municipalities in Oaxaca, where local government is widely considered to be more participatory and accountable than in much of rural Mexico. Rural municipalities in Oaxaca are much smaller and more numerous than in any other Mexican state, so local government there actually is often close to the people. In addition, in most small towns and villages, the state's indigenous population has long governed itself by non-Western local political institutions, and this de facto parallel system was recognized legally by the state government in 1995.[22] At the same time, some local governments are still dominated by authoritarian elites linked to the postrevolutionary ruling party, as in the Mixe region (e.g. Regino 2006). Other municipalities are involved in contested processes of transition from customary law to political party competition, with pro-democratic forces on one side or the other, depending on local circumstances (Velásquez 2005).

The field research generated two data sets, each aggregating qualitative indicators that focused on whether village level project selection decisions were made top-down (by state government or town center officials) or bottom-up (within the community). The first data set permitted statewide generalizations about which combination of actors actually made project selection decisions, and covered a stratified sample of 50 rural local governments (more than 10 percent of the state's rural municipalities). The second data set permitted more in-depth analysis of the relationship between decision-making processes and development outcomes, based on a sample of 145 local projects.

Assessing the impact of the Municipal Funds' pro-participation institutional design features turned out to be difficult because the question presumes that they were actually implemented. For example, the Municipal Development Planning Councils were intended to be more inclusive than conventional town councils, since they were also supposed to include village-level project committee leaders. Yet the Oaxaca field study found that the Municipal Councils were rarely fully operational: they only met in 54 percent of the cases, and then more often in the larger towns.[23] Their presence and degree of authority was quite

[22] The 1995 state law ratified existing local customary law (e.g. Bautista Cruz 2005). On Oaxaca's distinctive system of local governance, which includes the option of selecting authorities through nonpartisan communitarian processes, see Anaya Muñoz (2004, 2005), Díaz Montes (1992, 2002), EDUCA (2005), Flores Cruz (2002), Hernández Díaz (forthcoming), Hernández Navarro (1999), and Velásquez (2000*a*, 2000*b*). On Oaxacan indigenous civil society, see Hernández Díaz (2001).

[23] Fox and Aranda, op cit, p. 22. Where they worked, however, they contributed greatly to decentralizing the decentralization process.

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uneven because in many municipalities they potentially constituted a counterweight to traditionally centralized local authority. Indeed, that was their goal. Creating institutional counterweights to decentralize the decentralization process from above proved easier said than done. This tension is observed nationwide as well, where the degree to which the Municipal Development Councils even exist varies widely.[24]

Local Project Decision-Making

In Oaxaca, 418 of the 570 municipalities are governed by community assemblies, and the rest are governed by conventional party competition. Some in both categories have achieved stable democratic municipal 'regimes', while others are blocked or remain in transition. The municipal funds program worked well in those towns that had consolidated electoral democracy, but those with unresolved electoral conflicts experienced less community participation in municipal development projects.

In practice, the official program structure, composed of new municipal councils and local committees, was largely folded into existing organs of local government. Most rural Oaxaca communities already had their own active local public works committees, as part of their ethnically based system of rotating community responsibilities. In most of rural Oaxaca, these unpaid, often full-time positions are chosen through community consensus. Until the federal government began the municipal investment program, most of their funding came from local contributions, supplemented by migrant remittances.[25] In the smaller villages, most Municipal Funds projects were taken on by these preexisting committees led by municipal authorities, such as the town council or the local municipal agent.

The statewide sample found that participatory community bodies made the key project decisions in 58 percent of the municipalities— a relatively high rate for Mexican social programs at that time.[26]

[24] Puebla ranks as the state with the highest rate of council formation, with 204 of 217 municipalities, whereas in neighboring Veracruz, only 19 of 210 municipalities have such councils (Ziccardi 2004: 260).

[25] On the changing roles of migrants in indigenous community governance, see Kearney and Besserer (2004), Maldonado (2004), and Robles Camacho (2004).

[26] See Fox and Aranda (1996*a*: 24). Though Oaxaca is widely considered in Mexico to have a relatively dense rural civil society, social and civic organizations rarely participated in the formal Municipal Funds decision-making process. In contrast to one of the initial hypotheses, the presence of strong membership organizations had little impact on the project decision-making process, playing a role in only 8% of the cases reported. Nor did they appear in the case studies of municipalities where grassroots groups were known to be active. This absence was not only the result of a failure to

However, state government officials significantly influenced project choices in at least 38 percent of the municipalities. Because communities were largely dependent on state government officials for information about the program options and procedures, for technical assistance (if any), and for acceptance of expense receipts, these higher-level officials held de facto veto power over community project choices. State government officials often encouraged communities to choose less ambitious projects. The following scenario was quite common: State government officials convened community assemblies to define local public works priorities. These officials would respond to the prioritized list by indicating which projects were too expensive, which required technical assistance that they were unwilling to provide, which would take more than the limited time available, and which were acceptable. At the symbolic level, it is also notable that Municipal Funds checks were personally handed to the mayors by the governor himself in 86 percent of the municipalities surveyed. This reinforced the perception of municipal funds as politically discretionary rather than entitlement-based investments.

Project level analysis found significant imbalances between investments in town centers and outlying villages. Positive social impact, broadly defined, was found in 56 percent of the projects observed. Community assembly decision-making produced disproportionately better projects, while project selections by mayors and external actors produced tended to produce lower impact projects. Most projects carried out by committees composed entirely of local citizens were successful (70 percent), while just under half (47 percent) of the projects carried out by committees with local officials had significant impact. If more participation can be taken as a rough indicator of local social capital, then this outcome is consistent with the conventional wisdom. However, Oaxaca's smaller, more remote villages, which would also generally be expected to have denser levels of social capital, also turned out to have *fewer* significant projects and more project failures than the municipal centers. In terms of observed impact, three-quarters of projects in town centers were successful (74 percent), in contrast to a 50 percent success rate in outlying villages. Imbalances in project budgets appear to have been quite relevant; in 1992 average projects

disseminate the fact that productive projects could be included in the project menu; it was also due to the widely held traditional conception of the division of labor between the duties of local government and the role of producer and other social organizations. Local government is widely seen to be responsible for service provision, while producer groups are expected to focus on economic activities. In municipalities where social organizations were strong, however, their members did participate actively in Municipal Funds projects as individual citizens.

in town centers received about *three times* the average amount for projects in outlying areas.[27] Nevertheless, outlying villages began to receive government social funds for the first time, and in the course of the following decade increasing numbers of communities attempted to transform these entitlements into rights.

The Oaxaca study suggested that a process of reciprocal interaction between citizen action and institutional change drives this decentralization of decentralization. On the one hand, the breadth and density of grassroots civic organizations and practices shapes rural citizens' capacity to hold municipal governments accountable. On the other hand, by creating incentives and disincentives for participation, local governance institutions in turn influence the capacity of grassroots communities to exercise voice.

Comparing Submunicipal Regime Dynamics Across Four States[28]

The second research strategy involves an empirical comparison of the patterns found in indigenous regions of four of Mexico's most rural states. The assessments synthesize the results of field research, press reports, and interviews with rural development policymakers, community leaders, and NGO activists. The main finding is that in all four states, submunicipal regimes are in the midst of long-term, unresolved transitions, involving both widespread protest and persistent repression. Rural municipal governance in these four states still falls short of democratized decentralization. To document more precise trends would require much more comprehensive and in-depth empirical research, based on the kinds of representative samples used in the earlier statewide Oaxacan study.

Oaxaca

Oaxaca stands out as the Mexican state whose laws have gone the furthest toward recognizing indigenous rights to self-governance. Municipalities are allowed to decide whether to govern themselves through partisan balloting or through diverse forms of normative law, widely known as *usos y costumbres* systems. For more than a decade, 418 of

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[27] See Fox and Aranda (1996*a*: 47) for further discussion. These findings suggest that participatory community decision-making over how to spend miniscule amounts of money turned out not to be enough to produce significant increases in access to public goods. In other words, *social capital is not enough*.

[28] This section draws on ideas first discussed in Fox (1999, 2002*a*).

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Oaxaca's 570 municipalities are governed by non-Western community decision-making and do not require the intermediation of political parties.[29] Local autonomy in Oaxaca holds both for municipalities and for most submunicipal jurisdictions.

The social foundations of rural governance in Oaxaca, as in much of rural Mexico, are also influenced by the diverse web of relations between local government and agrarian community governance, which manages land rights. In some cases, municipal territory coincides with *ejido* or agrarian community lands. In Oaxaca, some municipalities include several agrarian communities, or several agencies which overlap with their own agrarian communities. In a few cases, agrarian communities include more than one municipality.[30] Intercommunity conflicts over agrarian boundaries raise crosscutting issues for rural municipal and submunicipal governance.[31]

In some regions, indigenous municipalities have come together to form regional coalitions, to increase their bargaining power with the state and federal government, as in the cases of the United Front of Municipal Presidents of the Sierra Mazateca, and the coalition of local agents within the large municipality of Miahuatlán. Yet few such coalitions have sustained autonomy over multiple mayoral terms. The most consolidated and long-lasting regional experience is in the Zoogocho Sector of the northern highlands, whose municipal and agrarian authorities have sustained a regional coalition for more than a decade. In this body, submunicipal authorities are fully represented, and at different times have led the regional coalition.[32] When Murat was governor (1998–2004), a rare pro-indigenous rights official in the state government tried to encourage the formation of these regional governance coalitions. As he put it:

the point of departure was that the unions of municipalities, or municipalities and [agrarian] communities had potential and support. They had a series of definitions that could be interpreted by the state apparatus as a process of micro-regional or regional planning for indigenous peoples. . . . At first we proposed to work, in the first year, with 242 of them, from nine peoples, integrated into 23 associations, to be able to create a state regional development program for unions of municipalities and indigenous communities. . . . This proposal

[29] See references in note 20. For a comparison with other states, see Assies, Ramírez Sevilla, and Ventura Patiño (2006).

[30] Personal email communication, April 10, 2006 with Oaxacan municipal development specialist Fernando Melo.

[31] Intervillage land conflicts in Oaxaca have a long history of provoking bloody conflicts. Historians and agrarian experts stress the responsibility of federal authorities in either ignoring or exacerbating these conflicts (e.g. Dennis 1987).

[32] López and Robles Camacho (n.d.) and Personal email communication, Fernando Melo, May 15, 2006.

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went back and forth with the representative of the State Planning Council. His response was that by 'orders' of the governor, investments should be made municipality by municipality, because there were not enough resources to meet the demand, and if [allocation] were done based on proposals, that could create an alternative political force that afterwards could not be controlled. (Moreno Derbez 2006: 5)

The state government's 'divide-and-conquer' approach to local government was also underscored by Governor Murat's removal from power of 25 percent of the state's mayors during his term (del Collado 2003).

The exclusion of rural citizens is not imposed exclusively from above, however. Several forms of locally based exclusion persist as well. First, local bosses continue to use violence with impunity in a significant number of Oaxacan municipalities, under both the *usos y costumbres* and political party regimes. For a notable example, an outgoing mayor in the Pinotepa region felt sufficiently secure to gun down a leading opposition candidate to succeed him, apparently because of her threat to audit his administration. He shot her in the back in the local medical clinic, declaring 'I'm tired of you and I'm going to kill you' (Ruíz and Habana 2004). State authorities did not rush to apprehend the gunman. Local PRI bosses often count on state government authorities to side with them against communities that attempt to exercise their autonomy—as in the case of the arrest of village leaders in the Mixe region (Recondo forthcoming; Regino 2006; Ruíz Arrazola 2006*b*).

Second, women continue to be treated as less than full citizens by many—though not all—indigenous village governance systems. Historically, indigenous women were excluded from voice and vote in Oaxacan village governments, but recent studies show a significant shift towards broader female civic participation. According to the most comprehensive survey, in 10 percent of the Oaxacan municipalities governed by the nonpartisan system, women are completely excluded, both from the right to vote and speak in assemblies and the right to be elected. In 9 percent of the cases they cannot vote but can hold community leadership positions. In 21 percent, they can vote but their level of participation is low. In 60 percent, they can vote, participate in public life, and hold leadership positions (Velásquez 2004). In some villages women can exercise an indirect right to vote, but only in representation of migrant husbands. In others, married women lose the right to vote (Cuellar 2002). For those women who do exercise leadership, reprisals are not uncommon (Dalton 2005).[33] In one case of a gendered transition

[33] For context, however, it is worth noting that while the percentage of mayors of Oaxaca's indigenous municipalities who are female is very low, it is low throughout Mexico. A recent UN study found that only 3.5% of Mexico's municipalities are governed by women, one of the lowest rates in Latin America (Anzar 2005).

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to submunicipal democracy in the Mixteca region, women found allies among male migrants who returned to comply with their local civic leadership duties. The returning men had formal clout but lacked information about local politics, while the women had the information but lacked voting rights, so they found common ground to unseat local bosses (Maldonado and Artía 2004). Overall, while citizenship rights remain clearly gendered in municipal and submunicipal governance in Oaxaca, the regime is nevertheless in transition, and quite different from the pattern of complete exclusion one would have found just two decades ago.

A third persistent pattern of exclusion in Oaxaca's rural local governance system is much more subtle. While many Oaxacan villages are indeed self-governing vis-à-vis the *cabeceras*, their voice in selecting town center authorities varies. In principle, all residents of a municipality vote for the municipal authorities, but this is not necessarily the case in Oaxaca, especially if the town center is also governed by community assembly rather than balloting. In other words, in Oaxaca's nonpartisan governance system, villages often retain their local self-governance at the cost of being excluded from the right to participate in the selection of the municipal authorities—who are the gatekeepers for federal investment funds. In this sense, there appears to be a significant trade-off between autonomy and scale, with village self-governance accepted as long as they remain de facto disenfranchised from decision-making at the municipal center. When *agencias* working within the *usos y costumbres* system do manage to participate in municipal politics, the losers do not always quietly withdraw. For example, in the case of San Martín Intuyoso, where the winner repeatedly won the majority of the vote with support in the municipality's three *agencias*, at least four people were shot to death at the new mayor's first town council meeting. Shortly before the shots were fired, the mayor-elect, Antonio López Martínez said 'if something happens to me or to other *compañeros*', [the Governor's regional subdelegate] will be responsible. In his view, the state government backed the local bosses 'who have always controlled the town hall' (Ruíz and Rojas 2005).[34]

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[34] Such conflicts over local autonomy between *agencias* and municipal centers cut across ideological lines, as in a recent case of villagers from Ejido Zapata who attempted to force their way into the city hall of Juchitán, long under the control of the Coalition of Workers, Students and Peasants of the Isthmus (COCEI). They were protesting the COCEI mayor's 'unwillingness to call a new assembly to elect a new municipal agent, after the majority of villagers voted to impeach [the current agent], who is accused of mishandling community funds'. In spite of the COCEI's earlier history as a paradigm case of local, independent, indigenous-led democratization, town police beat twenty of the protesters (Ruíz Arrazola 2006*a*).

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The Oaxacan experience suggests the importance of distinguishing between submunicipal autonomy, on the one hand, and the accountability of municipal and state governments to villagers on the other—especially when it comes to resource allocation. One revealing indicator (and determinant) of the balance of power involves the municipal fund program's degree of public transparency. In the state of Oaxaca, for example, a decade after the field research reported above was carried out, federal guidelines required the state government to make public the amounts of the annual grants allocated to each municipality. This would allow mayors to know how much funding their towns and villages were due, and would permit them to compare their funding levels with other municipalities with similar characteristics. The data was also highly relevant for *agencia* leaders, to permit them to assess funding distribution patterns. The state government formally complied with this transparency requirement, insofar as the state government's Finance Ministry published the data in the official state bulletin. Under normal circumstances, this bulletin would not circulate far outside state government offices, but officials did not want to take any chances that this data would reach municipal leaders. In 2003, the state Finance Ministry purchased almost the entire press run of that issue of the government bulletin. Nevertheless, at least one copy reached a Oaxacan public interest group, which published all the funding data as a special supplement of a local independent newspaper, for distribution to municipal leaders statewide (Trasparencia 2003). Local NGOs have continued to disseminate information about municipal funds to community leaders, in an effort to provide them with the tools needed to hold both municipal authorities and state government officials accountable (EDUCA/Trasparencia 2005).

Guerrero

Guerrero's system of submunicipal governance is a hybrid that includes two levels. Formally, district '*comisarios*' (commissioners) are elected, and mandated to form a municipal advisory council of commissioners. In municipalities with over 20,000 inhabitants, the mayor has the discretionary power to create districts to be administered by appointed 'delegates', who can simultaneously be elected town councilors (*regidores*).[35] While this provision appears to be designed primarily for urban management, at least a half dozen of Guerrero's municipalities with populations greater than 20,000 are either primarily or

[35] See 'Ley Orgánica del Municipio Libre del Estado de Guerrero', Arts. 198, 203B. accessible at www.pads.com.mx.

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substantially rural.[36] This creates substantial ambiguity in terms of what system of submunicipal governance will dominate, elected versus appointed.

Guerrero's municipal governance regime is in a protracted transition.[37] Some municipalities have experienced notable processes of democratization, but elsewhere local communities are excluded from municipal decision-making (especially where municipal authorities are controlled by regional political bosses who do not represent indigenous residents). The struggle for municipal democratization has been long and costly. In indigenous regions these campaigns often take the form of efforts to gain autonomy from violent and authoritarian elites in the town centers—sometimes through attempt to become new municipalities, as in the case of the last decade of repression in Xochistlahuaca.[38] The majority of the population is Amuzgo and lives in the outlying villages. In this case, persistent political exclusion by *mestizo* political bosses in the town center led villagers to declare their own de facto autonomous municipality, 'Suljaa'. This one campaign for municipal democracy has been met with at least twenty killings and more than fifty arrest warrants against local activists. As David Valtierra, one of Suljaa's leaders put it,

Here folks put up with poverty for too long, but what they just couldn't take any more was that the municipal authorities did not respect the communities' [right] to elect their delegates. This problem isn't from yesterday or the day before. It began with the aggression against our people and our *usos y costumbres*, when they tried to impose leaders on our communities....In spite of all of our denunciations of the beatings and deaths, those responsible are not only free, they are working in the government. (cited in Rojas 2004)

Submunicipal leaders often come together to protest corruption that is widely believed to be the responsibility of the municipal president. In the case of Chilapa, *comisarios* together with the indigenous Council of Elders wrote to the national daily *La Jornada* to accuse the mayor of breaking prior agreements to carry out specific local public works. Their letter concludes 'we call on all the communities [*pueblos*] of the

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[36] See demographic data in Tlachinollan (2004).

[37] On Guerrero rural civil society, see Bartra (1996, 2000), Bustamante Alvarez and Sarmiento Silva (2001), Dehouve (2001), Espinosa Damian (1998), Hébert (2003), Johnston (2005), and Yaworksy (2005). For the results of a detailed study of local governance in Guerrero, see the series of articles in the journal *Autogestión*, published in the state capital by the Programa de Autogestión para el Desarrollo Social, a grassroots training NGO [Self-Management Program for Social Development] Their publications also include a handbook for municipal commissioners (PADS, n.d.).

[38] The municipality includes 87 villages and the population numbers over 20,000, of which 68% is non-Spanish speaking and 65% is illiterate (Tlachinollan 2004: 21).

municipality of Chilapa to form a common front, to demand what by rights is due us, that they provide basic services to our communities so that we can benefit from rural programs' (Consejo de Principales 2003). When most of the *comisarios* in a large rural municipality do come together, and when their petitions are ignored, they are capable of engaging in militant direct action. In the municipality of San Luis Acatlán, for example, thirty *comisarios municipales* came together to protest the PRD mayor's alleged corruption. After not getting a response, they occupied the town hall and detained state officials responsible for public works to pressure state authorities to audit the town hall and expel the mayor (Habana 2003; They won an audit, which found serious irregularities, leading twenty-two *comisarios* to another round of protests—blocking the federal coast road—to pressure the state government to follow up by pursuing legal charges against the mayor responsible (Habana, Ruíz, and Saavedra 2004). In effect, these submunicipal leaders broke the law in the name of promoting the rule of law.

Submunicipal leaders have also come together to defend municipal presidents who have been attacked by political opponents. The mayor of Alcozauca, a very low-income rural municipality where elected left-wing governments date from 1979, was charged with corruption by a PRI-dominated state congress and removed from office. Indeed, it is not uncommon in Mexico for corruption charges to be used as a political weapon—especially since state legislatures have the power to approve or challenge any mayor's accounts. In this case, the village leaders came together to declare in the national press 'The works built with municipal funds are there. Anyone who would like to can see them. There is no stolen money' (Guzman del Carmen et al. 2002). Opposition mayors also accused the PRI governor of extreme partisan bias in the distribution of funds to municipalities (Saavedra and Habana de los Santos 2004). New research is needed to determine whether the post-PRI governor changes the state–municipal relationship.

Guerrero's most notable experience involving submunicipal leaders coming together to promote good governance involves the Montaña region's Community Police. Diverse social organizations participated in launching and sustaining the Community Police, including indigenous rights advocates, coffee coops, and the catholic diocese, but it is governed by submunicipal *comisarios*. They are represented through a regional assembly, the *Coordinadora Regional de Autoridades Comunitarias*, and an executive committee of 6 regional leaders.[39] The

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[39] For details, see Habana (2003*a*), Johnson (2005), Rojas (2005), Rowland (2003), and Tlachinollan (2004), among others. For detailed ethnographies of municipal gov-

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volunteer security force includes 612 participants, reaching across six municipalities (Rojas 2005). Founded in 1995, the nonpartisan Community Police survived for a decade in spite of hostility from the state government, and succeeded in substantially reducing crime.[40] Some municipal leaders failed to cooperate, as in the case of Marquelia, where members of 5 villages occupied the town hall to protest the mayor's lack of respect for the Community Police (Habana 2004).[41] In terms of relations with the state government, the new PRD governor waited a full year before recognizing the existence and legitimacy of the community police (Ocampo and Habana 2006). Community police in other regions of the state also hold state authorities accountable, as in their recent disarming and arrest of three state police agents on robbery charges (Guerrero 2006).

In the context of Mexico's ongoing debate over indigenous autonomy, Guerrero's community police stand out as a rare case of a consolidated alternative regional governance process. Not only does it set a precedent in terms of accountable, effective public security where both municipal and state authorities had failed, it shows how submunicipal leaders can come together to become a regional civic force for accountable governance. Community-based economic organizations have come together to form regional coalitions in Guerrero for decades, but the ruling party's strategy was to oblige them to sacrifice their political autonomy in exchange for access to economic benefits.[42] These organizations generally dealt directly with federal programs, sidestepping rather than confronting less-than-accountable municipal and state authorities (as illustrated in Chapter 3). In this context, one of the most distinctive features of the community police movement in Guerrero is their transformation of territorially based forms of governance, and especially the sustained convergence of submunicipal leaders to form a cohesive regional body that serves as a direct counterweight to both municipal and state government officials.

ernance in part of the Montaña region, see DeHouve (2001) and Dehouve, Pellotier, and Hémond (2006). For background on the relations between municipal centers and villages in the large, multiethnic municipality of Tlapa, see Nicasio González (2005).

[40] The state government appeared tolerant at first, but quickly became unsupportive. For example, in one case the state police jailed community police for jailing someone who had made death threats against a relative, and only freed them in response to a mass protest (Habana 2002).

[41] In San Luis Acatlán, the decision of the municipal authorities to put some community police leaders on the payroll provoked others to occupy the town hall in protest, to defend the principle of unpaid community service (Habana 2003*b*).

[42] Bartra frames this tension in terms of the imposed choice between their identities as interest groups (*gremios*) vs. citizens (1996, 2000).

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At the municipal level, most of the state's municipalities now experience party competition, and the PRD won the majority of town halls for the first time in 2005. This outcome would have been difficult to imagine in the early 1990s, when dozens of PRD activists died in municipal electoral conflicts. Yet whether the change in the party in power will affect submunicipal governance remains to be seen. Grassroots indigenous rights activists often claim, as in the case of a leader of Guerrero's *Organización Independiente del Pueblo Mixteco y del Pueblo Indígena Ma'phaa*, that 'political parties have only used and divided us. When they get to power, they are all the same'.[43]

One key test of the PRD's campaign promises will be the party's position regarding the recognition of new indigenous municipalities, in response to frustrated efforts to democratize submunicipal governments. One of the most notable cases is the so-far-unsuccessful effort to launch the new municipality of Rancho Nuevo de la Democracia. Beginning in 1995, approximately thirty communities that 'belong' to three different PRI-controlled municipalities campaigned to launch their own multiethnic municipality (most of the villages are Mixteco, with three Nahua and two Amuzgo). Since 1996, twenty Mixteco communities have called for their right to form the Chilixtlahuaca municipality. Rodríguez goes on to cite at least six other campaigns for new municipalities in southeastern Guerrero, which along with ongoing efforts for submunicipal democratization appears to constitute a trend (2002, 2005).

Indigenous civic movements to decentralize decentralization combine 'scaled-up' participatory democracy with new challenges in terms of intervillage conflict resolution. The villages that come together to call for new indigenous municipalities tend to make decisions through participatory assemblies, as Hébert's study of the *Consejo de Pueblos Indígenas* (CPI) documents, 'the view of one person must not be ignored, and where the *comisario* acts as a mediator between opposing views'. The regional leadership took on the task of balancing the interests of the different villages,

but the necessity of choosing a *cabecera* [the new municipal seat] clashed directly with the hitherto egalitarian nature of the regional movement, and some delegates reacted strongly to the fact that their political efforts would profit a community that was not theirs. In other words, the replication of communal decision-making within the CPI was only possible as long as the

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[43] Cited in Bellinghausen (2006*b*). He also quotes local leaders who note that 'the ma'phaa do not like to be called "tlapanecos", because it means "dirty face". They also deplore that the soldiers have raped their daughters, sisters and wives "as revenge because we are building *poder popular*" '.

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interests of the emerging 'regional community' (i.e. the movement) did not
clash with those of the 'real communities'. (Hébert 2003: 76)

Democracy activists buffered intervillage rivalries by persuading dele-
gates to choose their new proposed municipal center by consensus
rather than majority vote, taking into account objective criteria such
as access to communications infrastructure, and by working with
regional church leaders to promote 'a symbolic redefinition of the
"community within which consensus has to be achieved"' (Hébert
2003: 82).

In spite of the many external and internal challenges, a submu-
nicipal regime change appears to be under way throughout rural
Guerrero. Communities are increasingly demanding the right to local
self-governance. According to local municipal democracy activist Car-
los García Jimenez, of the Program for Self-Managed Development
(PADS):

Legally, the commissioners are elected and the delegates are appointed (either
by the commissioner of the main locality or the municipal president). Never-
theless, in practice, the dominant tendency is for the delegates to be elected,
in assemblies, by their villages (in rural areas) and by their neighborhoods (in
the cities and municipal centers). Paradoxically, only in large neighborhoods,
where it's not possible to have representative assemblies, does the municipal
authority name the delegates. In rural areas, the delegates have the same sta-
tus as the commissioners. [Their] elections are increasingly competitive . . . to
the point that sometimes two commissioners operate in the same locality, one
recognized by the municipality, the other not.

Because of the geographic and political distance between the municipal and
the community authorities, de facto, they exercise a certain degree of self-
governance. . . . In practice, they have the freedom, with community consensus,
to exercise governance to face the challenges of community development: social
welfare, public services, public security, fund-raising, and environmental pro-
tection. Nevertheless . . . they lack the culture and capacity that *municipalistas*
propose for the 4th level of government. Small-town, paternalistic attitudes
often lead community authorities to depend on what the municipal government
proposes, they go to the town hall to 'solicit' help.

In Guerrero, the recognition of the community representation role of the
commissioners and delegates has been growing, bit by bit. . . . There is an incip-
ient opening for their participation in Municipal Development Councils, town
council meetings, Advisory Councils of Commissioners. The spaces for their
representation are recognized both in the law in and in the discourse, though
del dicho al hecho todavía hay mucho trecho (there is a large gap between
words and deeds).[44]

[44] Personal email communication, April 6, 2006.

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Hidalgo

Municipal democracy in Hidalgo is still incipient, and civic participation is reportedly inhibited by fresh memories of the intense agrarian conflicts of the 1970s.[45] In practice, many indigenous communities in the Huasteca region retained the tradition of designating their own village leaders (known as 'judges'). In contrast to most other states, Hidalgo's law that regulates municipal–community power relations has been the subject of public debate. In the 1970s, submunicipal communities were self-governing, but they lost this right as the result of 1983–4 negotiations between the governor and ranchers whose lands had been invaded by thousands of landless peasants. Though the ranchers ended up losing large amounts of land, they were able to hold on to local power in other arenas thanks to their control of the town centers. In 1998, various social and civic organizations raised the issue of submunicipal governance again, and their campaign succeeded in passing a new law in 2001 that recovered village self-governance. Delegates and subdelegates are elected by residents of the locality on an annual basis, their mandate includes advocating for community needs at the municipal level, and they can be removed by residents 'for cause'.[46] In general, however, the policy environment in Hidalgo discourages municipal accountability.[47]

As of 2006, rural governance in much of Hidalgo had yet to experience the impacts of Mexico's movements for democratization and indigenous rights. In the case of Acaxochitlan, the twenty-two Nahua communities account for 70 percent of the population, while *mestizo* caciques in the town center continue to monopolize both local government and the local branches of federal agencies. Bellinghausen quotes a leader of the local civic organization '*Aitepe Mechual Tlapaleguiani*' ('Help Indigenous Peoples', in Nahuatl): 'They have used us so that they have the best and we're left like their piglets' (2006*a*). The municipal police allow private loggers to cut timber while prohibiting indigenous people from collecting firewood on their own communal lands. The municipal police did not protect the indigenous communities from cattle rustlers, leaving them without livestock. The town center pollutes the local river, preventing downstream indigenous villages

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[45] For a comprehensive account, see Schyer (1990).

[46] See the 'Ley Organica Municipal del Estado de Hidalgo', Articles 75 and 76, at http://www.e-local.gob.mx/wb2/ELOCAL/ELOC_Ley_Organica_Municipal_del_Estado_de_Hidalgo.

[47] This account is from Juan Cisneros, a rural development practitioner with two decades of public sector and NGO experience in Hidalgo (interviews, Mexico City, April and August 2001).

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from taking advantage of the local waterfalls as a tourist attraction. Local elections mean little. As one local leader put it, 'We had elections, with hundreds of "extra" voters. We were going to protest, so that the "elected" PRI leader would not be able to take office. But that day our leader was shot to death in his house'. After a local civic leader was killed, 'there appears to be no true criminal investigation to shed light on the secret that everyone knows: the *mestizo* and *priísta* caciques of the town center killed him' (Bellinghausen 2006*a*).

Lack of municipal accountability sometimes provoked mass protest by villagers. In Huazalingo, Hidalgo protesters took over the town hall to demand that the PRI mayor deliver on promised public works, and to call on the state congress to investigate him for corruption. The mayor had even received financial contributions from villagers for projects that were not carried out, and they demanded their money back. The state official in charge of security dismissed the protesters as a small group, but an independent journalist reported that 1,500 indigenous people from 26 villages had come together, stacking bricks in the entryways of the town hall until the state government complied with its promise to negotiate (Camacho 2005). This case is evidence of what appears to be the growing tendency of villagers to hold mayors accountable for resource allocation.

Abuse of municipal funds is common in Hidalgo. For example, the state government's review of the 2002 accounts found irregularities in the accounts of forty-eight of the Hidalgo's eight-four municipalities, leading the state congress to file charges in ten cases (Camacho and Chavez 2003; Camacho 2003). However, because state government accounting oversight is in the hands of an agency that is not autonomous from ruling party officials, it is difficult to determine to what degree their role is politicized. The problem is not only that the party that controls the state government may look the other way when a case involves a mayor of same party. As is the case throughout Mexico, the state government's capacity to charge outgoing mayors with fraud provides them with a powerful tool for top-down political control. This underscores the more general trend in which pressure both from above (from the states) and from below (from citizens and outlying communities) has turned municipal accounting for development funds into a major point of contention.

Chiapas

Chiapas is also in the midst of a protracted local regime transition, involving unresolved conflict over both municipal and submunicipal

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autonomy. Both were priority issues at the 1996 San Andrés indigenous rights negotiations between the government and the Zapatistas. A diverse group of independent Mexican indigenous rights leaders and advisors informed the Zapatista position, which ended up emphasizing the transformation of municipal governance over the main alternative view, which promoted the creation of a new intermediate level of governance, the Autonomous Multi-Ethnic Regions.[48] In the section specific to Chiapas, the final text of the San Andrés Accords explicitly proposed to transform Mexico's submunicipal regime, while also creating the possibility of autonomous regional associations between both submunicipal and municipality authorities:

In municipalities with majority indigenous population, the right of indigenous *pueblos* and communities to elect their traditional and municipal authorities will be recognized, according to their normative laws (*usos y costumbres*), and their practices and institutions will be legally validated, including their systems of *cargos*, assembly, popular consultation and open councils. *Municipal agents will be elected and removed by their respective pueblos and communities, and not designated by the municipal president.* [emphasis added]

Mechanisms should be encouraged to permit the participation of indigenous *pueblos* and communities in electoral processes, without requiring the participation of political parties. Municipalities with majority indigenous population will be able to impeach municipal authorities when they are responsible for practices that violate the law or their traditions, and the state congress should respect and approve their decision.

The communities and the municipalities with majority indigenous population, in their character as subjects with rights already expressed by law, will be able to come together and associate among themselves to carry out regional actions to optimize their efforts and resources, thereby increasing their capacity to manage, develop and coordinate their actions as indigenous *pueblos*. The appropriate authorities will carry out the orderly and gradual transfer of resources, to that they themselves can administer the public funds assigned to them, and to strengthen indigenous participation in the administration of different arenas and levels of government.[49]

These proposed measures addressed many of the key obstacles to accountable local self-governance cited earlier in this chapter, and would have been relevant to the governance of indigenous communities

[48] The former position was associated with indigenous rights experiences in Oaxaca, while the latter position was associated with a non-Zapatista political formation, the ANIPA, which promoted the formation of Autonomous Multi-Ethnic Regions in their areas of influence in Chiapas, such as the Tojola'bal region. For background, see Ruiz Hernández and Burguete (2003) and Mattiace (2003).

[49] See Hernández and Vera (1998: 80–6) also cited in López Monjardin and Rebolledo Millán (1999). For overviews of post-San Andrés Accords political conflicts over indigenous rights reforms, see Assies et al. (2006), Hernández Castillo et al. (2004) and Oehmichen Bazán (2003).

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throughout the country.[50] Nevertheless, President Zedillo quickly backed away from the San Andrés Accords. A government counter-insurgency crackdown followed, including the 1997 Acteal massacre and the dismantling of many of the autonomous Zapatista municipalities.[51]

In practice, the diverse local governance regimes in Chiapas divide along several cleavages. The first is between the official and the Zapatista municipal governance systems. Beginning in December, 1994, almost one year after the rebellion, the Zapatistas launched thirty-eight of their own autonomous municipalities. They claimed their right to do so under Art. 39 of the Mexican Constitution, which states: 'the people have at all times the right to choose their own form of government'.[52]

The construction of Zapatista municipalities is part of an indigenous strategy to build autonomous municipalities in the regions, without waiting for federal reform legislation. As one Zapatista municipal leader put it:

The indigenous municipalities are a fact, they exist and have been working for some time—what we are calling for is that the law recognize our own democratic and participatory way of organizing ourselves, of working, of electing our authorities. That's the autonomy that we want, and why we are struggling, it's not that we are against the nation's sovereignty. . . . That's the pretext that indigenous people's enemies use to deny us the right to autonomy that we as peoples are demanding. (Elías 2006)

The Zapatista movement then reorganized their autonomous governance institutions into the 'Snails' (*Caracoles)* (González Casanova 2003; Martínez 2003). In 2003 they were in turn transformed into the more institutionalized regional 'Good Governance Councils' (*Juntas de Buen Gobierno*), elected by organized Zapatista communities. Their leaders are members of the autonomous municipalities, they overlap

[50] Indigenous resistance to imposed submunicipal authorities is not limited to southern Mexico. In Vícam, the political capital of the Yaqui people and near the US border, community activists recently rejected an imposed municipal *comisario* by expelling the police and local officials, bringing in their own traditional guards, banning the entry of state police, changing the sign on the building to read 'The Office of the Yaqui Tribe' and flying the Yaqui flag over it (Muñoz Ramírez 2007).

[51] For detailed descriptions of government hostilities, from the point of view of Zapatista municipal leaders, see the communiqués at www.laneta.apc.org/enlacecivil.

[52] As one autonomous municipal leader put it: 'indigenous *pueblos* and civil society named authorities to be able to deal with the most urgent problems in the zone. . . . The main goal is to show the government that with or without resources (from the state) we can promote sustainable development (and to) demonstrate to the government how to administer justice, taking into account the voice of the people, and that it be the communities themselves that can make decisions on development and the mandate of their authorities' (cited in Rodríguez Castillo n. d.).

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in territorial terms with conventional local government, and operate as parallel authorities. According to one description of their accountability structures:

If the municipal authority or the Good Governance Council don't do their job, if they get corrupted or commit injustices, there is a people's oversight commission in charge of monitoring how the authorities function. The ones who do this oversight work are *compañeros* and *compañeras* from each Zapatista municipality and region. (Caracol II 2006)

So far, it appears that Zapatista local government institutions primarily rule those who accept them as legitimate authorities, rather than attempting to impose their rule on others. Notably, in the 2003 municipal elections, according to an independent human rights organization, 'The Zapatista *Juntas de Buen Gobierno* fulfilled [their] promise to respect the work of the electoral bodies'. The council announced this in August, requesting that 'in the same way that we respect those who want to vote, you must respect those who do not'. This decision confirmed the nonconfrontation option of the Zapatista movement' (SIPAZ 2004). In some regions the autonomous municipalities have developed working relationships with the official local governments. For example, according to one leadership report: 'If the *priístas* try to get the Federal Electrical Commission to cut the flow to the Zapatista support bases, the official and autonomous [municipal] leaders get together to dialogue, to avoid provoking a confrontation between the two sides, to solve the problem of the Northern Zone' (Josefina and Miguel 2006).

The future of Zapatista civilian territorial governance structures became uncertain in May 2006, when *Subcomandante* Marcos declared their operations suspended indefinitely, as part of an EZLN 'Red Alert' in response to the government repression of a community protest on the periphery of Mexico City (involving the Atenco resistance movement mentioned above). In contrast to Marcos's apparent expectation, the government did not crack down on the Zapatista communities, but their local governments remained suspended for at least five months. At least one longtime observer interpreted this impasse as reflecting a shift in the internal balance of power between civilian and military Zapatista leaders (Ross 2006). By the fall of 2006, however, the Good Governance Councils reconvened, and leaders reiterated their seven principles of governance: '[T]o obey and not order, to represent and not supplant, to go down and not go up, to convince and not take over, to build, not to destroy, [and] to propose, not to impose' (Roel 2006).

The second main cleavage in Chiapas municipal politics involves the participation of official municipal authorities in counterinsurgency activities. This was especially notable in the period after the Zapatista

rebellion and before the 2000 elections, when the PRI lost the governorship as well as the presidency. During this period, the official municipal governments became battlegrounds in official counterinsurgency efforts. Increased federal funding of services was widely seen as part of efforts to reward supporters and isolate proautonomy forces. In 1998 and 1999, the state government pursued its own 'remunicipalization' strategy, intended to strengthen local allies (Leyva and Burguete 2007). The fact that the Acteal massacre was carried out by municipal leaders, with support from state and federal authorities, was an extreme, but far-from-unique example of the multiple links in the chain of authoritarian rule in Chiapas.

The third main cleavage is between the formal-legal municipal regime and the diverse web of actually existing submunicipal governance institutions. State law gives municipal authorities the power to designate their agents. In practice, however, at least in the Altos region, communities themselves consistently name their own leaders.[53] In contrast to other regions of Chiapas, municipalities in the Altos had already come under largely indigenous control by the 1960s (e.g. Burguete and Torres Burguete 2007). Indigenous people first reclaimed the agencies, then the municipal centers. This pattern was repeated in the Northern region in the 1990s (Bobrow-Strain 2007). Yet the 'indianization' of local political power did not stop local challenges to abuse of municipal authority. The mass expulsions of residents of outlying villagers in San Juan Chamula is the most well-known case, a process widely attributed to religious intolerance but driven more by authoritarian local elites (Morquecho 1992). Their hold has since weakened, as indicated by a protest in which thousands of citizens held the mayor hostage and burned the home of one of the town councilors to protest municipal corruption (Henríquez 2004).

In contrast, in larger, more racially polarized municipalities, the 'indianization' of local political authority did not happen until after the Zapatista rebellion.[54] Leyva explains in detail the complex, multiple

[53] Personal communication, Araceli Burguete, April 10, 2006.

[54] For a detailed study of this process in north-central municipalities of Chilón and Sitalá, in the context of broader racial and class conflict, see Bobrow-Strain (2007). He shows how post-1994 non-Zapatista land invasions drove nonindigenous elites from both economic and political power. He sums up the previous regime with a local notable's snapshot of a nonindigenous merchant who had been a mayor: 'Sitalá has a tradition of getting rid of its [Municipal] Presidents, if you know what I mean. Shooting them, throwing them off bridges, that kind of thing. But Israel . . . he stayed in power through his whole term because every day at noon he would charge out onto the porch of the town hall, shoot off a few rounds of his pistol into the air, and scream, "Who's the biggest f xxxx in Sitalá?!" [¡*Quién es el más chingón de Sitalá?!*]'. Later, one of the subsequent indigenous PRD mayors was driven out by a mob because of corruption (Aaron Bobrow-Strain, personal communication, May 12, 2006).

layers and arenas of local community self-governance in the huge Ocosingo municipality, including efforts to create space of pluralism in spite of a high degree of political polarization (2001*a*, 2001*b*, 2003). In the municipality of Las Margaritas, what Mattiace calls a 'regional renegotiation of space' was driven by indigenous regional self-governance initiatives that dated back to the 1980s (2001, 2003). More recently, after the PRI lost the governorship in 2000, a new PRD mayor in Las Margaritas reportedly led the transformation of the clientelistic regional development strategy Plan Cañadas into a more inclusionary and participatory institutional experiment. The large municipality was divided into pluralistic 'micro-regional' councils, which came together with social organizations and formed a regionwide Coordinating Collective (Rodríguez Castillo 2004).

Formally, women have the right to vote in local elections. But in practice husbands often have two votes, known as the 'family vote'. Enclaves of extreme restrictions on women's rights persist, and not only in indigenous communities. In a *mestizo* community in the municipality in Frontera Comalapa, women were banned from marrying men from outside the village, under threat of explusion (Mariscal 2006). Zapatista women have advanced the most, in terms of gaining political rights and participating in municipal leadership. For example, the first Good Government Council in La Realidad had only one woman member out of fourteen, and three years later women had equal representation (Bellinghausen 2006*d*). Nevertheless, some Zapatista women express concern that their own 'revolutionary women's law' has been implemented slowly.[55]

In the context of Mexican rural municipal governments in political transition, Chiapas is clearly an extreme case, insofar as large regions are governed by parallel local governments, while simultaneously experiencing the state's military occupation and low-intensity conflict strategies. Several military posts were dismantled in 2001, but the overall number of troops stationed in Chiapas reportedly did not go down. Though the frequency of human rights violations appears to have fallen since the PRI lost the presidency and the governorship, paramilitary forces remain armed, and two of the main paramilitary leaders claimed responsible for the 1997 Acteal massacre were freed, along with other suspects.[56] Hernández Castillo notes that in some highland municipalities, such as San Pedro Chenalhó, 'there is one soldier for every ten residents today' (2006). Yet at the same time, in an increasing number of municipalities, more competitive electoral

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[55] See Chiapas Media Project (2004).
[56] For analysis of grassroots human rights initiatives, see López (2005), among others.

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politics and the weakening of the former ruling party's capacity to back mayors may be redistributing power downward. Power relations between municipal centers and villages remain conflictive, but only more systematic comparative research can determine whether such conflicts are resolved more through negotiation, through the rule of law, or by force. As one of the closest observers of Chiapas municipal politics observes, 'because here the law doesn't function, everything is de facto'.[57] In summary, municipal politics remains in flux throughout the state, and the state continues to be characterized by a diverse patchwork of submunicipal governance regimes.

Local Governance Laws in National Perspective

Mexico's states determine submunicipal governance structures, and they are remarkably evenly divided between elected and appointed regimes. Based on a review of state municipal laws as of 2006, thirteen states have elected systems, in thirteen states submunicipal officials were named by the municipal authorities, and four states had mixed systems, in which different layers of submunicipal leaders are chosen from above and below. Tables 7.1 and 7.2 review the state level data. Notably, during the 1996–2006 decade, only four states passed laws that involved qualitative changes in 'sub-municipal regime'.[58] Hidalgo carried out a substantial shift toward self-governance, as noted above, while the states of Zacatecas and Michoacan consolidated trends in that direction. Campeche, on the other hand, changed to an appointed system. In terms of national trends, the fact that municipalities are still governed internally 'from above' in almost half of Mexico's states suggests a very limited institutional response, especially considering the degree to which the terms of submunicipal governance appear to have been widely contested from below. At the same time, de facto systems of submunicipal governance have changed more than the limited formal-legal changes would suggest, as evidenced by the Chiapas experience described above and the Michoacan experience discussed below.

Beyond this legal review of the state level municipal governance regimes, several multidimensional experiences further confirm that an uneven submunicipal regime transition is under way in many states, driven by factors that are independent of Mexico's national regime change. The first state to create a 'fourth level of government' was

[57] Personal communication, Araceli Burguete, April 10, 2006.
[58] For an overview of recent state level municipal governance reforms more generally, see Guillén and Ziccardi (2004).

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Table 7.1 Submunicipal governance structures in Mexico

State	Municipal Laws (reforms)	Submunicipal authorities	Selection process
OFFICIAL SELECTION PROCESSES FOR SUBMUNICIPAL AUTHORITIES			
Aguascalientes	1977 (1983) (2000)	Delegates Subdelegates Commissioners	All chosen by municipality
Baja California	1989	Councillors Delegates Subdelegates Sector leaders	Elected Chosen by municipality
	2001	Delegates Subdelegates Auxiliary agents	All chosen by municipality
Baja California Sur	1986 2004	Delegates Delegates Subdelegates Provisional delegates	Elected Elected by plebiscite Chosen by mayor
Campeche	1981 (1983) (1994) 2005	Juntas Commissioners Agents Agents Delegates Inspectors Block leaders	Elected Elected Chosen by municipality All chosen by municipality
Coahuila	1990 (1999) (2005)	none	
Colima	1995	Juntas Commissioners Delegates	All chosen by municipality
	2001	Juntas Commissioners Delegates	All chosen by municipality 'with citizen participation'
Chiapas	1988 2000	Agents Agents Subagents	Chosen by municipality All chosen by municipality
Chihuahua	1982 (1992) 2003	Juntas Police commissioners Juntas Section leaders Police commissioners	All elected All elected
Durango	1975 (1987) 2000	Juntas Headquarters leaders Block leaders Juntas Headquarters leaders Block leaders	Not indicated All elected

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Table 7.1   (Continued)

State	Municipal Laws (reforms)	Submunicipal authorities	Selection process
Guanajuato	1984	Delegates	Chosen by municipality
	2001	Delegates	All chosen by municipality
		Subdelegates	nominated by mayor, after citizen consultation
Guerrero	1984	Delegates	Elected
	(1989)	Commissioners	Chosen by municipality
Hidalgo	1983	Delegates	All chosen by mayor
		Subdelegates	
		Municipal collaboration councils	
	1996	Commissioners	Elected by slate
		Delegates	Nominated by mayor, chosen by two-thirds vote of town council
	2001	Delegates	All elected
		Subdelegates	
Jalisco	1984	Delegates	All chosen by municipality
	(2000)	Subdelegates	
		Municipal agents	
México	1982	Collaboration councils	All elected
		Delegates	
		Subdelegates	
	1992	Delegates	All elected
		Subdelegates	
		Citizen participation councils	
Michoacán	1982	Tenancy leaders	Elected
	(1984)	Block leaders	Chosen by mayor
	2001	Tenancy leaders	Elected by plebiscite
		Peace-keepers	
Morelos	1992	Municipal delegates (urban and suburban)	Chosen by municipality
		Intendents (rural)	Elected
		Municipal aides	Elected
Nayarit	1990	Social *procurador*	All elected
		Regional delegates	
		Delegates	
		Commissioners	
		Auxiliary leaders	
		Urban sector leaders	
		Rural sector leaders	
		Block leaders	

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Table 7.1 (Continued)

State	Municipal Laws (reforms)	Submunicipal authorities	Selection process
	2001	Delegates	All elected
		Auxiliary judges	
Nuevo León	1991	Administrative delegates	Chosen by mayor
		Citizen participation organizations	Elected
Oaxaca	1993	Municipal agents	Chosen by mayor or elected
	(2003)	Police agents	by local traditions
Puebla	1984	Auxiliary juntas	Elected
	(2001)		
Querétaro	1984	Delegates	Chosen by municipality
		Subdelegates	
	2005	Sector leaders	
		Block leaders	
Quintana Roo	1986	Delegates	All elected
	(1990)	Subdelegates	
	2000	Delegates	All elected in assembly
		Subdelegates	
San Luis Potosí	1984	Delegates	All chosen by municipality
		Leaders of *dependencias*	
Sinaloa	1984	Councillors	All chosen by municipality
	(2000)	Commissioners	(with consultation in assembly)
Sonora	1984	Commissioners	All chosen by municipality
	(2001)	Delegates	
Tabasco	1984	Delegates	Nominated by mayor, elected in assembly
		Subdelegates	
		Sector leaders	Chosen by municipality
		Block leaders	
Tamaulipas	1984	Delegates	All chosen by municipality
	(2002)	Subdelegates	
		Sector leaders	
		Block leaders	
Tlaxcala	1984	Auxiliary mayors	All elected
	(2001)	Delegates	
Veracruz	1984	Agents	All elected (in assembly, by secret ballot or by nomination)
	(2001)	Subagents	
		Block leaders	
Yucatán	1988	Delegates	All chosen by municipality
		Commissioners	
		Subcommissioners	
		Block leaders	

(*cont.*)

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Table 7.1   (Continued)

State	Municipal Laws (reforms)	Submunicipal authorities	Selection process
Zacatecas	1993	Delegates Commissioners Sector leaders Block leaders	Elected from list chosen by municipality and Social Participation Committees
	2001	Delegates	Elected

Source: Data through 1995 presented in Appendix 3, Fox and Aranda (1996). Thanks very much to municipal governance experts Flavio Lazos and Braulio Olvera of Locallis for their help with gathering and analyzing the post-1995 laws. See their work at www.locallis.org.mx. For texts of the state laws of municipal governance, see http://www.e-local.gob.mx/wb2/ELOCAL/ELOC_Legislacion_Basica_Local. Note that Baja California Norte's current law does not specify a submunicipal governance procedure and municipal laws centralize the selection process. Note also that in some states, in practice, submunicipal authorities are often chosen by the communities, especially in indigenous regions (e.g. Chiapas, Guerrero).

Table 7.2   Submunicipal authorities: elected vs. appointed

ELECTED (13)	MIXED (4)	APPOINTED (13)
BAJA CALIFORNIA SUR	GUERRERO	AGUASCALIENTES
DURANGO	MORELOS	BAJA CALIFORNIA
CHIHUAHUA	NUEVO LEON	**CAMPECHE**
HIDALGO	TABASCO	COLIMA
MEXICO		CHIAPAS
MICHOACAN		GUANAJUATO
NAYARIT		JALISCO
OAXACA		QUERETARO
PUEBLA		SAN LUIS POTOSI
QUINTANA ROO		SINALOA
TLAXCALA		SONORA
VERACRUZ		TAMAULIPAS
ZACATECAS		YUCATAN

Source: Table 7.1.

Note: States marked in **bold** indicate a shift in status since the assessment of state laws presented in Fox and Aranda (1996*b*). 'Mixed' systems refer to cases where the two levels below the municipality are chosen by different means. Elections where the mayor chooses the candidates are considered mixed systems (e.g. Tabasco). Oaxaca is counted here as elected, based on the predominant pattern. Nuevo León arguably should be considered in the appointed column.

Tabasco. In 1984, then governor and self-identified leftist Enrique González Pedrero promoted a reorganization of the state's 17 municipalities by creating 185 'integrating communes', ostensibly grounded in more than a thousand base committees (Olmedo 1999*b*). Nevertheless,

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the current degree of submunicipal democratization—as distinct from decentralization—remains unclear.

In 1985, the state of Tlaxcala both allowed the election of submunicipal leaders by the outlying communities and introduced the 'principle of communal and territorial representation', which incorporated them as members of the municipal council. In 1995, Tlaxcala went further, bolstering the powers of submunicipal leaders by converting them into 'auxiliary municipal presidents', a unique institution in Mexico (Olmedo 1999*a*, 1999*b*). The state government also recognized sixteen new municipalities, perhaps the largest one-time increase in numbers of municipalities in any Mexican state. Several of these Tlaxcala cases were driven by local processes of reemergence and politicization of Nahua indigenous identity.[59]

Michoacan experienced both formal and de facto changes in the submunicipal regime. Not only did state law's shift from a mixed to a bottom-up system, the role of cross-border civic organization among migrants also bolstered the representation of outlying villages within municipal decision-making. This process of submunicipal empowerment was independent of partisan competition. Michoacan has one of Mexico's highest rates of out-migration, as well as the highest per capita rate of remittances. The state's hometown associations disproportionately represent migrants from outlying villages, whose local representatives are not represented on municipal councils. The local leaders are elected, but lack the resources or power to represent their communities to the municipal government.[60] A new federal social program that provides matching funds for collective remittance investments has changed the balance of power, however. According to Bada's findings:

The 3×1 program...has improved the relationship between geographically isolated communities and town centers. Historically, [these] communities...have tended to be more neglected regarding public infrastructure and basic services. This is in part because these communities are poorly represented in the municipal government....In the past decade, the hometown associations have done a great job in reaching out to municipal authorities in town centers. HTA leaders have direct access to the state (government) migrant affairs office, which makes it easier to get an appointment with the municipal president. Depending on community location, it is not very difficult for migrant leaders to take a flight to Morelia or Guadalajara, drive to the town council and communicate the needs of their isolated communities faster

[59] Personal email communication, Francisco Guizar Vásquez, El Colegio de Tlaxcala, March 2, 2006.
[60] For an analysis of conflicts between *mestizo* municipal centers and outlying Purépecha communities, see Ramírez Sevilla (2006).

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or more effectively than the assistant authorities. This suggests that these leaders are frequently playing the role of 'substitute assistant authorities'. (Bada 2006: 11)

It is also very significant when states that by law allow submunicipal self-governance actually transition toward practices of local democracy. The Veracruz case is notable, since the state has one of the largest indigenous populations in the country. According to a state level Citizen Councillor of the Federal Electoral Institute with many years of experience as a grassroots human rights defender:

Although there is a long way to go, there have been advances towards the citizenization of municipalities, mainly in rural, indigenous and marginal areas more generally, where people have common problems to organize around. . . . Though there have been attempts by mayors to impose municipal agents, the communities have defended their right to elect them and efforts to impose them by force have produced social mobilizations that reach the state congress, which is the body that can discipline municipal governments. They don't always win, but there is the experience with expressing the will of the community through mobilization. In indigenous regions such as the Huasteca and the Zongólica the predominant practice is still to choose [submunicipal leaders] by open assembly, as they have done forever, according to collective memory. Similarly, in Paso del Macho, a *mestizo* region of cane growers, the *ejidos* and villages have a system for naming local authorities that is similar, by a show of hands in an assembly.[61]

This account clearly describes a statewide process of submunicipal regime change, uneven and incomplete, but clearly in transition.

Conclusions

This chapter explored power relations between municipal centers and outlying villages through three different lenses—following the flow of social funds by comparing rural municipalities in one state, reviewing the diverse map of struggles for local autonomy in four states, and by documenting variations in the state laws that regulate submunicipal governance.

Lack of more systematic empirical data prevents detailed generalizations about the precise mix of continuity and change. Yet the contrast between changes in actual practices and legal frameworks appears to be significant. Based on comparing a decade of legal changes, only a handful of Mexican states increased the degree to which they recognize submunicipal autonomy. Yet throughout rural Mexico, rural citizens

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[61] Personal email communication, Yaotzin Domínguez Escobedo, April 9, 2006.

are raising their voices, sometimes to the point of risking their lives for the right to govern their own communities. This process shows that the 'right to have rights' has spread very unevenly across space, class, gender, and race.

The first conclusion here is that Mexico has a distinct regime of submunicipal governance, through which villages are either represented to or subordinated by municipal centers. The second conclusion is that this regime is still in flux, involving diverse combinations of village leadership selection from above and from below. In some states, submunicipal regime change predated national regime change, unfolding alongside Mexico's uneven process of municipal and state level transitions—as in the states of Tlaxcala, Oaxaca, and Hidalgo. In other states submunicipal regime change toward local democratization lags far behind, as in Chiapas and Guerrero. This lag is also analogous to those state governments that have yet to cross a minimum democratic threshold of political democracy, years after the presidency changed hands, as in the case of Oaxaca (e.g. Gibson 2005). This dual pattern of submunicipal regimes leading and lagging vis-à-vis political transitions at 'higher' levels recalls the relationship between state and municipal democratization on the one hand, and federal level democratization on the other hand. Submunicipal transitions vary both between and within states, suggesting a third conclusion—that these transitions are driven primarily by power struggles between rural citizens, local elites, and their respective allies in state governments— far from the purview of national political elites. This 'de-linking' of patterns of change at different levels was reinforced by the 1998 national law that reinforced municipal autonomy.

Looking across the uneven landscape of rural Mexico's 'submunicipal regime change', Guerrero's decade-long experience with community policing represents one of the most significant innovations. The Regional Network of Community Authorities (CRAC) combines local accountability to elected community leaders and scaled-up, regionwide impact with tangible impacts on the personal security of thousands of families. One of the CRAC's leaders, Cirino Placido, recently offered this assessment:

Now we don't have legal recognition, but at least we have political recognition. They have not given us legal recognition because of racism against indigenous peoples. The community police have it in practice. The bureaucrats send us official documents and come to our anniversaries. . . . Our actions speak louder, I don't like to brag about what we have because that scares your political adversary. We have to work like gophers, because that animal goes making his burrows and then comes out ahead, we have to move forward without talking too much. In my region it's even prohibited to use the word autonomy

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because it scares this regime. We're doing it in practice but we don't call it that. . . . In ten years we have learned, we have advanced and we are going to continue to dream about a new struggle in which we have barely taken two steps: one, community security for 60 Tlapaneco, Mixteco and *mestizo* communities, and two, we have created an institution that provides justice: CRAC. But we also have to deal with production and the internal market, it won't matter if we're really great at justice if there is hunger, because where there is hunger, there is dependence and subordination. (cited in Bermejillo 2006)