Participatory democracy in South West Colombia: Municipal Planning Councils and Victims' Boards

by Verónica Ramírez Montenegro

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I, Verónica Ramírez Montenegro confirm that the work presented in this thesis is my own. Where information has been derived from other sources, I confirm that this has been indicated in the thesis.

Abstract

Given the attempts to improve institutions for participatory democracy in Colombia since 2011, this thesis sought to identify whether and how the institutional adjustments reached so far have contributed to the enhancement of participation. The research focused on two semi-representative local institutions involving deliberative logics: Municipal Planning Councils and Municipal Boards for the Effective Participation of Victims of the Armed Conflict (Victims' Boards). Planning Councils were a key participatory space when these kinds of institutions were established in the country in the early nineties (*first-generation*). Victims' Boards are part of a second group of participatory institutions with improved designs (*second-generation*). I carried out qualitative case-oriented comparative analysis with elements of a PAR approach, to examine the participatory processes within these two spaces in three Colombian municipalities: Cali, Buenaventura and Corinto.

The results show that institutional adjustments such as those in the Victims Boards can improve participatory processes in terms of their inclusiveness, decision-making power and development of democratic tools and values. These effects, nevertheless, are affected by contextual challenges and complementary factors to institutional design. This thesis shares insights about the interactions between challenges, complementary factors and opportunities for further improvement of participatory democracy in Colombia. Empirical evidence suggests that contentious non-institutional participation is crucial for this purpose in the post-2016-Peace-Agreement context. Likewise, there are early indications of the potential that civil-society-led processes have for the transformation of power relations in Colombian territories when they combine repertoires of participatory and representative democracy. All these findings are worth considering in further efforts to democratise democracy and build peace in the country, as the Peace Agreement between the Colombian State and the FARC-EP, and the peace negotiations with the ELN intended to do.

Impact Statement

This research has impact inside and outside academia. Inside academia, it contributes to two main fields. Firstly, the impacts the interdisciplinary field of political sociology and democracy studies through its findings and proposals for new scholarship about participatory democracy and democratic improvement. In a context in which democracy seems to be in crisis, this research adds to the debates on democratic theory and suggests routes for potential solutions. These routes, in turn, discuss and resonate with the latest investigations about ecologies of participation, the systemic turn and coalitions between institutional participation, and contentious social mobilisation (non-institutional participation).

Secondly, this investigation impacts the field of political studies focused on Colombia. The 2016 Peace Agreement between the Colombian state and the former FARC-EP guerrilla group reignited academic research on Colombia. However, few studies have looked at the interaction between peace, democracy and participation. This investigation addresses this interaction from a perspective of applied research that builds bridges between academia and practice.

Outside academia, this research has impacted local communities, civil society organisations, participation practitioners and civil authorities. Additionally, it can bring benefits for public policy on peacebuilding and participation at the national level.

The local impact was achieved thanks to the investigation's affinity with Participatory Action Research. Part of my methodology consisted of supporting the endeavours of civil society groups, representatives of the state, and practitioners in relation to six processes of participatory democracy in three Colombian municipalities. By joining the processes and stablishing horizontal relationships, I was able to put academic expertise into practice for one year. Likewise, based on the findings of this research, I promoted further horizontal discussions about participation and development planning between scholars, policy makers, activists, and the private sector in Colombia. This was done in early 2019 in the city of Medellín, thanks to the support of the UCL Grand Challenges programme and the UCL Doctoral School.

Finally, this research has a potential impact on practices and policies for participatory democracy and conflict resolution in Colombia. This thesis has explored the evolution of Colombian participatory institutions, how they can improve participation processes, and how they can contribute to the implementation of the 2016 Peace Agreement, particularly the items dedicated to political and citizen participation (point two of the Agreement). The insights presented in the thesis can be used for democratic deepening and peacebuilding promotion. I have identified elements with the potential to enhance socio-political inclusion, citizen's

decision-making power, democratic tools and pluralist values in highly complex contexts. This impact will be brought about through engagement with civil society groups, social organisations, practitioners and policymakers who may be interested in the findings of this research.

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List of Abbreviations and Acronyms

ACIN	*Asociación de Cabildos Indígenas del Norte del Cauca*
ACONC	*Asociación de Consejos Comunitarios del Norte del Cauca*
AfP	Alliance for Progress
ANZOR	*Asociación Nacional de Zonas de Reserva Campesina* (National Association of Peasant Farmer Reserve Zones)
CAEB	*Complejo de Actividades Económicas de Buenaventura* (Buenaventura's Complex for Economic Activities)
CALIs	*Centros de Atención Local Integrada* (Centres for Comprehensive Local Attention)
CD	Partido Centro Democrático (Democratic Centre Party)
CEV	*Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición* (Colombian Truth Commission)
CNMH	*Centro Nacional de Memoria Histórica* (National Centre for Historical Memory)
CGSM	*Coordinadora Guerrillera Simón Bolívar*
CONPES	*Consejo Nacional de Política Económica y Social* (National Council for Economic and Social Policy)
CRIC	*Consejo Regional Indígena del Cauca* (Cauca's Regional Indigenous Council)
CRDT	Centre for Rural Development and Training
CRS	*Corriente de Renovación Socialista* (Socialist Renewal Current)
CSB	Civic Strike Board
Colpuertos	*Empresa Puertos de Colombia* (Colombian Ports Company)
DANE	*Departamento Administrativo Nacional de Estadística* (National Administrative Department for Statistics)
DDR	Disarmament, Demobilization and Reintegration
DNP	*Departamento Nacional de Planeación* (National Planning Department)
ECLAC	Economic Commission for Latin America and the Caribbean
ELN	*Ejército Nacional de Liberación* (National Liberation Army)
EPL	*Ejército Popular de Liberación* (People's Liberation Army)
FARC-EP	*Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo* (Revolutionary Armed Forces of Colombia—People's Army)
Fenalper	*Federación Nacional de Personerías de Colombia* (National Federation of Colombian Local Ombudspersons)
FESCOL	Friedrich-Ebert-Stiftung in Colombia
FIP	*Fundación Ideas para la Paz* (Ideas for Peace Foundation)
ICIRA	*Instituto de Capacitación e Investigación de la Reforma Agraria* (Land Reform Training and Research Institute)

IEPRI	*Instituto de Estudios Políticos y Relaciones Internacionales* (Institute of Political Studies and International Relations)
IGAC	*Instituto Geográfico Agustín Codazzi* (Geographic Institute Agustín Codazzi)
IIDH	*Instituto Interamericano de Derechos Humanos* (Inter-American Institute of Human Rights)
Indepaz	*Instituto de Estudios para el Desarrollo de la Paz* (The Institute for Development and Peace Studies)
IO	International Organisation
JAC	*Juntas de Acción Comunal* (Neighbourhood Action Boards)
JAL	*Juntas de Acción Local* (Local Action Boards)
JEP	Jurisdicción Especial para la Paz (Special Jurisdiction for Peace)
LASA	Latin American Studies Association
LGBTI	initialism that stands for lesbian, gay, bisexual, transgender and intersex
M-19	*Movimiento 19 de Abril* (19 of April Movement)
MAQL	*Movimiento Armado Quintín Lame* (Armed Movement Quintín Lame)
Mgr.	Monsignor
Mira	*Partido Movimiento Independiente de Renovación Absoluta* (Independent Movement for Absolute Renovation)
MOE	*Misión de Observación Electoral* (Elections Observation Mission)
NASAACIN	*Asociación de Cabildos Indígenas del Norte del Cauca*
NGO	Non-governmental organisation
OC	*Partido Opción Ciudadana* (Citizen Option Party)
Pares	*Fundación Paz y Reconciliación* (Peace and Reconciliation Foundation)
PAT	*Plan de Acción Territorial* (Territorial Action Plan)
PAR	Participatory Action Research
PDA	*Polo Democrático Alternativo* (Alternative Democratic Pole Party)
PIN	*Partido de Integación Nacional* (National Integration Party)
POT	*Plan de Ordenamiento Territorial* (Territorial Land-use Plan)
PRT	*Partido Revolucionario de los Trabajadores* (Worker's Revolutionary Party)
PT	*Partido dos Trabalhadores* (Workers' Party)
STS	Science, Technology and Society Studies
TCBUEN	*Sociedad Portuaria Terminal de Contenedores de Buenaventura S.A.* (Buenaventura's Container Terminal Port Society)
UARIV	*Unidad para la Atención y Reparación Integral a las Víctimas* (Unit for the Attention and Comprehensive Reparation of the Victims of the Armed Conflict)
UBPD	*Unidad de Búsqueda de Personas dadas por Desaparecidas* (Searching Unit for Disappeared People)
UNHCHR	United Nations High Commissioner for Human Rights

UNRISD	United Nations Research Institute for Social Development
UP	*Partido Unión Patriótica* (Patriotic Union Party)
UPRA	*Unidad de Planificación Rural Agropecuaria* (Planning Unit for Rural Agribusiness)
USSR	Union of Soviet Socialist Republics

Preface and acknowledgments

Por eso, mis colegas y amigos, ésta es mi mayor frustración como sociólogo y como ser humano. Pasé casi toda mi vida en guerras múltiples, a veces deformadas, o sufriendo sus trágicas consecuencias, tratando de entenderlas y explicarlas, combatiendo el belicismo con ideas, propuestas y algo de malicia indígena. Pero ya no tengo tiempo, en mi vejez, de seguir campaneando sobre la Violencia o por la Segunda Gran Colombia, que es mi actual preocupación. Por fortuna están listos y activos los contingentes de relevo gubernamental, como los veo surgir desde abajo, desde afuera y desde el Sur del continente y del país. Ésta es la nueva esperanza.
Orlando Fals Borda, Bogotá, March 2004.

Oh, I get by with a little help from my friends
Mm, get high with a little help from my friends
Oh, I'm gonna try with a little help from my friends
The Beatles

I had at least two reasons to embark on this research: First, I was concerned about the consequences of abundant action without enough thinking. Second, I was obsessed with participatory democracy. Before starting the PhD, I was working as a participation and peacebuilding practitioner in Colombia. I was supporting human rights defenders and victims of the armed conflict in their efforts to influence policy. The project I was responsible for was going wonderfully. After one year, our results had exceeded our goals. However, I was worried about my accelerated decisions. I wondered if they could jeopardise the processes in the long term, regardless of how well-intentioned they were. I realised that I wanted more time to read, to think and to gain certainty over my decisions.

Likewise, I had been obsessed with the idea of participatory democracy since my undergraduate studies. I had fallen in love as well with the concept of Participatory Action Research; with the idea that science and social change could go hand in hand; and with the Colombian spirit of the 1990s, when scholars and activists thought that the key for a better society was the inclusion and empowerment of marginalised groups. I had read about the limits of participation, but I craved to understand it in more depth. I needed to know, in detail, what was going wrong and why.

The moment in which I started this research and the moment in which I completed it are completely different. At the start, I was highly optimistic about the progress in peacebuilding in Colombia: the peace negotiations between the Colombian government and the FARC-EP guerrilla were advancing and there were exploratory negotiations with the ELN. Much has happened in four years: the plebiscite to ratify the peace agreement between the Colombian government and the FARC-EP was lost by a razor-thin margin of 0.43% on October

2016; concessions were granted to the right-wing parties opposing the agreement and a second version of it was produced and ratified by Congress; the most right-wing extremist party and biggest detractor of the peace process won the 2018 presidential elections; the negotiations with the ELN were suspended; the agreement's implementation has been weak; a scandalous number of former FARC-EP guerrilla members and community-leaders demanding the implementation of the agreement have been assassinated; the second leader in command of the FARC-EP announced that a sector of that guerrilla was taking up arms again due to the government's betrayal on the peace agreement; and finally, when unprecedent social mobilisations were flourishing in Colombia, a pandemic put the world into lockdown.

I may not be as optimistic as four years ago, but this research journey has given me all I was looking for, and more: I was able to develop a project that brought together knowledge, action, inclusion and desire for social change. I read all that I wanted to read about Colombian history, the Colombian political system, and participatory democracy in Latin America and around the world. I worked with inspiring academics, practitioners, public officials, and especially, activists and social leaders who taught me what any book could.

The journey has not been easy, but it has been worthwhile. And although my name is standing alone on the thesis's cover, it is a fact that producing this document would have not been possible without the people who were around me.

I would like to thank the activists, social leaders, practitioners and public officials who trusted me and accepted me in their participatory processes. Thanks to Obdulia, Mauricio, Miyela, Leyla, Francy Stella, Mary Cruz, John, Marisol, Erlendy, and many more for inspiring me with their hard work and generosity. Without people like them, the world would be more merciless. I very much hope I can return and multiply what they have given to me. I would also like to thank *Foro Nacional por Colombia* and *Fenalper* for accepting me as their volunteer and facilitating my fieldwork.

I am infinitely grateful to Professor Maxine Molyneux for all her guidance and patience. I could not have asked for a better supervisor. I see in her the best combination of academic rigour, strength, precision and human caring. I would also like to thank Dr Graham Woodgate for his careful revision of my work which he helped to improve substantially. Thanks to Daniela Giambruno, Carolina Páez and Mario Hidalgo. The UCL Institute of the Americas would have not been the same without our Latin American Panic Room. Infinite thanks to my beloved Jaskiran Chohan and Johanna Pérez for living this PhD experience with me, along with all its ups and downs.

Special thanks to my dearest Patrick Gerard Dahill for his patience, generosity and unconditional support. Many thanks to Ángela Rengifo, Angélica Quintero, Arturo Durán, Carla

Hoy aquí mi pueblo
Canta reunido
Vamos a pensar
A reflexionar
A pedir a Dios
Y a nuestros Orishas
Que este pueblo negro
Grite libertad

/Que sea valiente, que luche
Que sea sincero, que ame
Que se organice, que logre, logre dignidad/
Oye Obatalá, protégelo,
Óyeme Changó, óyeme vos
Oye Yemayá, cuídamelo
/Que viva Ewá, que viva Ibejí
Que viva Obá, que viva Yansá/

Vamos pueblo negro
A seguir luchando
Que se reconozca
Nuestra dignidad
Virgencita santa
Pídele al Señor
Que este pueblo negro
Grite libertad

/Que sea valiente, que luche
Que sea sincero, que ame
Que se organice, que logre, logre dignidad/

Oye Obatalá, protégelo,
Óyeme Changó, óyeme vos
Oye Yemayá, cuídamelo
/Que viva Ewá, que viva Ibejí
Que viva Obá, que viva Yansá/

Hacemos honores
A las cimarronas
Líderes palenque
Vivieron la lucha
Nunca se callaron
Siempre defendieron
¡Ay! su territorio
Y la vida también

/Construyamos autonomía
Que se cumpla la Ley 70
El respeto a la diferencia
Resistamos ya/

Oye Obatalá, protégelo,
Óyeme Changó, óyeme vos
Oye Yemayá, cuídamelo
/Que viva Ewá, que viva Ibejí
Que viva Obá, que viva Yansá/
/Que viva Obá, que viva Yansá/
Que viva Obá, que viva Yansá

'Canto a mi Pueblo Negro'
Song by Betzayda María Dominguez Moreno
performed by participants of Buenaventura's
Civic Strike at one of our 'espacios autónomos'.

Introduction

How can we live together, in the same borough, city or country? Why do we agree to live by the same rules, despite our differences? How do we make coexistence in the same world, possible? In recent history, humanity has looked to democracy as part of the answer. However diffuse the concept of democracy is and however imperfect its practice has been, there is a consensus around the idea that democracy is the most acceptable form of government. As Dean, Gagnon and Asenbaum (2019) remind us in the 40th-anniversary special issue of *Democratic Theory*, the justifications of democracy are both normative and instrumental in nature: Democracy is congruent with the principles of equality and freedom, and it is expected to repel tyranny and bringing human development, peace, and prosperity (Dahl, 2000). Yet, how can democracy always remain consistent with the values that inspire it, and deliver what is expected to bring? The consensus breaks at this point.

Although democracy is usually operationalised as periodical, free and fair elections, scholars such as Pateman (1970) have questioned the equating of democracy with *electoral-representative democracy* for at least 50 years. For some democratic theorists, democracy must go beyond visiting the ballot box every four years, leaving everything else to -hardly accountable- elected representatives (e.g. Barber, 1984). Other versions of democracy place more emphasis on active citizenship, equality, and opportunities for broader discussions about public issues. The premise is that a more inclusive and participatory democracy would counter the deficits of strictly representative institutions, and would deepen, or better, *democratise* democracy (Santos and Avritzer, 2005). The present thesis engages with this idea of democracy and how to make it possible. That is precisely why it looks at the evolution of institutions for participatory democracy in Colombia.

Considering that institutionalisation enables systematisation and sustainability, multiple scholars have focused their studies on the institutionalisation of democracy (e.g. Lijphart, 1977, 1984; O'Donnell, 1999, 2004, 2010; ; Phillips, 1993; Rawls, 1993). This has been also the case with the institutionalisation of participatory democracy. In that area, Latin America has much to contribute. In fact, Latin American contributions may represent the first time in the history of modern democracy in which institutional innovations have been imported from South to North instead of the opposite (Goldfrank, 2020; Pogrebinschi, 2017; Ramírez and Welp, 2011, p.11; Sandbrook, 2014).

Indeed, participatory democracy has been an important political quest in Latin America. As chapter two in this thesis discusses, participation has been equivalent to inclusion,

an antidote against authoritarianism, elitism and clientelism, and a tool to achieve social justice and greater equality. Important efforts have been invested in finding means to guarantee such inclusion. This research seeks to contribute to these efforts, focusing on the Colombian case.

There are at least five complementary reasons why Colombia is a relevant scenario to explore the viability of participatory democracy: (i) in its recent history, Colombian society[1] and the Colombian government have formally endorsed the idea of adopting participatory democracy as a means to transform a political system that has been characterised as traditionally exclusionary, clientelist and corrupt (Fals Borda, 1991; Gutiérrez, 1996); (ii) in Colombia, participatory democracy not only seeks to bring about a fairer society -as in other parts of the world- but also a more peaceful one, as a more inclusive society would dismantle the 'objective causes of the armed conflict' (Sánchez, 1987) and would offer non-violent channels to manage conflict and disagreements. Thus, the case tests democracy and participation's peacebuilding potential; (iii) there are well-established participatory institutions working the length and breadth of the country, particularly at the local level. Additionally, there have been serious attempts to improve such participatory institutions; (iv) interestingly, the initial periods of institutional design and later periods of revision of participatory institutions have coincided with the initial periods of enthusiasm and subsequent periods of revision of participatory institutions in academia.[2] Hence, the Colombian case captures clear connections between academic discussions and practice; (v) the 2016 Final Peace Agreement between the Colombian state and the FARC-EP (former guerrilla) -*Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera*- created a new opportunity for peacebuilding, a fairer society, and to exercise participatory democracy as one of the means of achieving such goals. A stronger participatory democracy appears as a cross-cutting aim in the peace agreement. Likewise, specific stipulations throughout the document involve participatory exercises. As argued in more detail further on, it is crucial to carry out new reviews about the status of participatory democracy in Colombia, to then inform the reforms and institutional improvements that will hopefully come with the eventual comprehensive implementation of the 2016 Final Peace Agreement.

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As is shown in more detail in chapter one of this thesis, at two decisive points in recent Colombian history, exclusion has been typified as the root of the country's problems, while a

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[1] In the form of a constitutional assembly.
[2] The highest period of enthusiasm was registered during the 1990s and the early 2000s. This initial enthusiasm was followed by a period of reflection and reviews.

more participatory democracy has been seen as a deterrent to them: In 1991 a new Constitution that aimed to repair a profound socio-political crisis redefined Colombia as a democratic, participative and pluralist republic. Later, in 2016, the Final Peace Agreement between the FARC-EP and the Colombian state again pointed out that inclusion of marginalised groups in public decision-making was a requirement for peacebuilding and social justice in the country. The rationale during both moments was similar: When historically marginalised groups can participate in designing collective life, such inclusion will lead to better life conditions and, fundamental for the Colombian case, to non-violent ways to deal with conflict.

In Colombia, as in other Latin American countries, the end of the 20th century was characterised by the emergence of institutions to make participatory democracy real, systematic, continuous, and in some cases, mandatory. With the 1991 Constitution new platforms and mechanisms for participation were set in motion. A statutory law on mechanisms for citizen participation, Law 134/1994, was issued. These new platforms and mechanisms are what I call the *first-generation of Colombian institutions for participatory democracy*.[3]

The first-generation did not bring all the socio-political transformations expected from it, at least not in the short term: Most marginalised groups did not fully embrace the new spaces, influence on decision-making was limited, and clientelism remained strong (Fals Borda, 1995; García-Villegas, 1997; Uribe, 2002; Velásquez and González, 2003). Nevertheless, the Colombian quest for participation did not end there. Civil society organisations set out on a journey to improve these institutions and in turn, to improve participatory democracy. In 2011 a new government listened to these organisations and agreed to start a process to strengthen participation. The process involved a series of regional and national discussions between civil society, academics and the government, as well as debates in Congress about a new statutory law to 'promote and protect the right to democratic participation'. As a result, Law 1757 was issued in 2015. I call the design innovations that emerged from the 2011-2015 discussions, the *second-generation of Colombian institutions for participatory democracy*.

The institutional designs of the second-generation were informed by independent and governmental reports about the effectiveness of participatory democracy and participatory institutions up to that point (e.g. Hernández, 2008; MOE, 2012, Velásquez and González, 2003). Civil society organisations presented proposals to the government and to the Congress. Nevertheless, not all of them were accepted. According to Velásquez and González (2015), compromises were made throughout the process and 60% of the demands of civil society were

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[3] Please note that Gutiérrez (1966) identifies participatory institutions that preceded the 1991 Constitution in Colombia. More details in chapter one.

integrated in the new statutory law (p.58). Later, civil society organisations and social movements saw in the Havana[4] peace negotiations and the subsequent peace agreement a new opportunity to strengthen participatory democracy even further.[5]

Considering that the 2016 Final Peace Agreement incorporates measures to continue improving participatory democracy in Colombia and, therefore, envisages a *third-generation* of institutions for participation in the country, this research seeks to help fill the void and analyse in a timely fashion the progress made *by second-generation institutions*. A clearer idea of what has happened since the second-generation reforms will be useful for the institutional improvements that should come in the -hopefully- near future. By studying the progress made by second-generation participatory institutions, this research explores (i) the type of mechanisms designed to put participatory democracy in action, (ii) the effectiveness of the recommendations for the improvement of participatory institutions, and (iii) the challenges that are yet to be addressed in the Colombian context.

Considering that participatory institutions from both the first and second generations are active in the Colombian political system,[6] I carried out this study through a qualitative, comparative analysis framed by elements of participatory action research.

I compared participation processes that took place in similar participatory institutions, one from the first-generation and one from the second-generation, in three different cases. The analysis allowed me to identify similarities, differences and trends between the processes, and therefore develop conclusions about whether second-generation institutions have strengthened participatory democracy in Colombia -or not- and how.

For reasons I set out more extensively in chapter one, I selected two semi-representative institutions to develop this exercise: The first-generation *Territorial Planning Councils*[7] (Planning Councils from now on) and the second-generation *Municipal Boards for the Effective Participation of the Victims of the Armed Conflict* (Victims' Boards from now on). Welp and Schneider (2011) use the term 'semi-representative' for the institutions for citizen participation, in which the participating citizens are elected or designated to do so in representation of larger social groups, which facilitates participatory democracy in large-scale societies. Semi-representative institutions are the most common platforms of institutionalised participatory democracy in Colombia (Ministerio del Interior and Foro Nacional por Colombia,

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[4] Most of the peace negotiations between the FARC-EP and the Colombian government took place in Havana, Cuba.

[5] According to interviews with activists and members of civil society organisations interested in participatory democracy and who were involved with the peace negotiations.

[6] By 2020.

[7] The Territorial Planning Councils exist at both the municipal level, and at the provincial (*departamental*) level. In this research I refer to those at the municipal level.

2016). They facilitate the encounter of diverse, and sometimes antagonistic, social groups and movements, as well as deliberation among them.

This research is focused on local participation processes because it is at the local level where participatory institutions are most prominent in Colombia (Velásquez and González, 2003; Velásquez et al., 2020). Likewise, I agree with Pateman's (1970) premise that holds that participatory democracy starts and takes shape at the closest level to citizens' everyday life.

The comparison takes place in three very different local territories in south-west Colombia: the municipalities of Cali[8] and Corinto, and the district of Buenaventura. The three differ in geographical size, demographics, degree of urbanisation, type of economies, inequality and poverty levels, as well as the impacts of and involvement with the armed conflict and other forms of violence. The comparative analysis is developed on two levels. At the first level I compare the participation processes happening within the Planning Council and the Victims' Board in each one of the three municipalities: Cali, Buenaventura and Corinto. That is to say, this level comprises three self-contained comparisons of two units of analysis, one for each case. At the second level, I compare the three cases and look for similarities and differences between them.

In sum, in order to identify whether the design innovations of the second-generation of participatory institutions have improved participatory democracy in Colombia, and how, I focus on local, semi-representative institutions in south-west Colombia, and study if the participatory processes in Cali, Buenaventura and Corinto's Victims' Boards outperform those in the municipalities' Planning Councils, how, and what is left to improve. In other words, the specific question that I address in this investigation is: Have the innovations introduced into Victims' Boards helped to improve local participatory processes in Cali, Buenaventura and Corinto? And to what extent?

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This thesis is divided into eight chapters. The first three chapters are dedicated to the research's foundations. Chapter one presents the antecedents for participatory democracy in Colombia. It seeks to set out the context and highlight key elements that should be considered by any study about participation in Colombia. The chapter also offers further clarity on why it is important to reflect about participatory democracy at this point of the country's history.

Chapter two is a literature review that synthetises the main Latin American and Western scholarly debates about participatory democracy. The chapter reveals the different

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[8] Municipality during my fieldwork. It is currently a district. Districts can access special public funds.

ways in which participation has been approached, in order to subsequently locate of this investigation among the presented schools of thought. This is done by stating how participatory democracy is understood in this thesis, and the knowledge-void it seeks to fill.

Chapter three introduces the methodological design -research paradigm and methods- and the analytical framework that guide the research. The framework is built upon the academic discussions in the field (chapter two) and key elements from the Colombian socio-political context (chapter one).

The following three chapters are dedicated to the first level of comparative analysis and the empirical evidence that such analysis unveils. The section is comprised of three chapters, one for each case. The case of Buenaventura is the most positive of all three cases. With certain resemblance to other works (e.g. Gaventa and McGee, 2010), the case shows that opportunities for change and deepening democracy increase when there is coordination between institutional and non-institutional repertoires of participatory democracy. Furthermore, Buenaventura shows that such coordination can be prevented or promoted by institutional designs. In this case, it was prevented by the design of the first-generation institution and promoted by the design of the second one.

The case of Cali shows challenges that are yet to be addressed in second-generation institutions when citizens have lost faith in the transformative power of participatory democracy. Importantly, the case shows that problems of scepticism can emerge even when marginalised groups have gained power during *and because of* the existence of improved participatory institutions.

Chapter six presents the case of Corinto. Corinto demonstrates that the possibility of enhancing participatory democracy through institutional innovations is limited when such innovations are confined to the participatory sphere *and* the conditions outside such a sphere are acutely challenging and undemocratic.

The final two chapters synthesise the findings and new concepts that emerged from the research. Chapter seven presents the second level of comparative analysis. It shows the similarities and differences among the three empirical cases and draws out meaningful trends among them. After elucidating the findings, it shows how they relate to the broader picture of the Colombian political system and the post-2016 Peace Agreement context. The thesis' conclusions are presented as an eighth and final section.

Overall, this research finds that design adjustments in the second-generation of institutions for participatory democracy do have positive effects on participatory processes, which nevertheless, can be affected by contextual conditions. Contexts either present challenges that prevent, or complementary factors that reinforce, the effects of the

strengthened institutional designs. The three cases reveal that the most complex challenges reflect structural problems in Colombian society and the political system, which are not easily addressable through institutional adjustments within, and restricted to, the participatory sphere. Empirical evidence also demonstrates, however, that it is possible to deepen democracy and achieve real changes through participation even in highly challenging contexts, and that design innovations have an important role to play in it. According to the same evidence, so does non-institutional contentious participation.

At the beginning of the 21st century, Latin American countries, including Colombia, envisaged participatory democracy as a path for change: inclusion of marginalised groups, civil society empowerment, social justice. Negotiators at the Colombian peace talks in Havana mentioned similar elements as their aspirations.[9] In order to contribute to the discussions about participation and peacebuilding in Colombia, particularly on how participatory democracy can be less aspirational and more palpable, this thesis looked at local participatory institutions and the effects of design innovations on participation. It is significant that, although the research question considered institutions, the empirical evidence in this study redirect us to the importance of non-institutional expressions of participation and the potential they have to transform power relations. It indicates that we scholars, practitioners and activists interested in the democratisation of democracy via participation need to think more about how to systematically integrate non-institutional, contentious participation into the ensemble of paths that lead to lasting transformations.

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[9] See Delegaciones del Gobierno y las FARC-EP (2013, 2016).

Chapter 1. Participatory Democracy in Colombia: Antecedents.

This chapter pursues two complementary purposes. First, it makes clear why re-addressing the topics of participatory democracy and institutional improvement is key in the context of post-2016-Peace-Agreement Colombia. Second, it indicates the elements constitutive of the Colombian context that are incorporated in this study's analytical framework while, explaining the reasons for such incorporation. To achieve these two purposes, I present the antecedents of participatory democracy in Colombia and a contextualisation of the milieu from which this research emerges.

The chapter shows that the importance of participatory democracy in Colombia derives from the fact that the formation of the country's political system was based on relationships of subordination, exclusion and elimination that remain at the heart of contemporary Colombian democracy. Participatory democracy was introduced into the system to transform such elements. However, the elements themselves have hindered the development of participatory democracy and its transformative potential. That is why strengthening participatory institutions is crucial, particularly during a period in which further democratisation of the political system is officially pursued.

1.1. The Colombian political system: subordination, exclusion and elimination.

Participatory democracy was introduced in Colombia during the final two decades of the 20th century as a restorative measure. It was meant to transform the ways in which the state related to citizens. It was an alternative to historically-rooted relationships of subordination, exclusion and elimination that were, and still are, at the heart of the Colombian political system. In this section I present the antecedents of the introduction of participatory democracy in the country. This allows us to understand the purpose of participatory democracy in context: it was projected as a means to complete an unfinished democratic project, and for peacebuilding. This is, indeed, a key point: when introduced to the Colombian political system, participatory democracy was part of a tacit peace deal (Pastrana et al., 1991).

1.1.1. A political system of subordination

Wilde (1978), Hoskin (1979) and Leal (1984) locate the origins of Colombian political subordination in the exploitative structures of the colonial *encomienda*[1] and the *hacienda* system, as indigenous people, *mestizos* and poor Spaniards entered into submissive relationships with *encomenderos*, later *hacendados*, to access the latter's privileges and protection. The increasing numbers of landless people looking for a livelihood, while Spanish and *criollo* elites accumulated landownership, transformed economic dependence into relationships of subordination and loyalty (Guillén, 1979). Thus, when the elites created the Liberal and Conservative political parties, the two Colombian traditional parties, in 1848 and 1849, party membership was easily inherited by social groups connected to the same *hacendado*, who also acted as regional party leader.

This historical process had at least two implications for democracy: the political parties and their structures of subordination and loyalty allowed the elites to expand their interests across the rest of society with certain legitimacy (Bushnell, 1993; Leal, 1984). Second, the bipartisanship that framed the Colombian political system and which prevailed until the end of the 20th century, was in turn based on relationships of patronal servility. Moreover, historians have shown that these colonial and early-republican submission structures have adapted to the country's socio-economic changes over time (Jaramillo, 2005). One of the most powerful forms they took was clientelism, in turn one of the main political 'diseases' that participatory democracy was meant to eradicate (Gutiérrez, 1996, 2007).

Clientelism started its consolidation in the mid-20th century. Modernisation and urbanisation, as well as the *Frente Nacional* regime (1958-1974) played a key role in it. New urban generations comprised families forcibly displaced during *La Violencia*[2] (Sánchez Steiner, 2008) and waves of people looking for industrial jobs to escape rural poverty[3] (Cardona, 1968). Urban relationships of production curtailed the affective rural relationships of patronal servility because they did not depend on the personal loyalty nurtured by the *hacienda* system

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[1] '*Encomienda* was the most important system of exploitation during colonial New Granada. […] [In it] groups of Indians were entrusted to a Spaniard so that he could help them to learn the ways of civilization ([…] including the Christian religion) and in return for such guidance and protection receive tribute from them. The tribute owed by an Indian to the Spaniard (the *encomendero*) could initially be in goods or labour or both.' (Bushnell 1993, p.13.)

[2] Violent and mostly rural conflict between Liberal and Conservative partisans between 1946 and 1964. It worsened after the murder of the Liberal presidential candidate Jorge Eliécer Gaitán in 1948.

[3] By 1954, 55% of proprietors occupied 7% of available areas, holding less than 10 hectares each. In 1966 it was found that 44.9% of land was controlled by 1.2% of large landowners. Meanwhile 5.5% was hold by 64.4% of families unable to assure their livelihoods. Besides, most smallholders exploited 83% of their lands, whereas large landowners only used 10%. Between 1960-1984 different calculations estimated a Gini index for land distribution among 0.86 and 0.84 (IGAC, 2012,pp.55-60). Rodriguez and Cepeda (2011) found that the land-Gini was 0.8479 by 2010.

(Bushnell, 1993; Diaz, 1986; Hoskin, 1990; Leal, 1984; Pécaut, 2006). Thereafter, distribution of favours replaced hereditary partisan identities as the basis of political subordination.

The *Frente Nacional*, on the other hand, was a mid-20th-century pact between Liberal and Conservative party leaders that initially consisted in the alternation of the country's presidency and an equal share of government offices between the two parties (parity rule) during four terms.[4] Let us remember that until that point, politics in Colombia had revolved around the electoral *and armed* confrontations between Liberals and Conservatives. Thus, the *Frente Nacional* regime reconfigured Colombian politics (Bushnell, 1993; Hoskin, 1990; Pécaut, 2006). The alternation of the presidency and parity rule contributed to the dissolution of partisan identities, and electoral abstention grew (Dix, 1967; Kline, 1979; Leal, 1984). Yet, elites found in clientelism a new way to articulate the political system and stay connected to the population (Leal and Dávila, 1991).

Defined as the practices of asymmetric[5] exchange of social and economic favours for political loyalty,[6] clientelism turned politics into a process of distributing public goods and services among electoral supporters. Although limited, the pool of public goods and services expanded as the State grew to cope with the requirements of modernity. Thus, while the *Frente Nacional* and modernisation led to depoliticisation (Díaz, 1986; Escobar, 1998; Leal, 1984; Leal and Dávila, 1991; Miranda, 1977), they also set a platform for political subordination based on the goods, services and positions in office that the State could provide. This platform would gain a place at the core of Colombian politics. In 1990 Leal and Dávila described the Colombian political system as the political system of clientelism, and as journalists report at the time I write this, Colombian politicians keep appealing to clientelism and corruption to secure their electoral victories (e.g. Ávila, 2019a, 2019b).

Although the undemocratic character of clientelism has been contested, this study aligns with the train of thought that considers clientelism undemocratic. Such undemocratic character develops out of the instrumentalisation of asymmetry by privileged actors: on the one hand, the patron - powerful, the owner of resources and with access to the State's *public* resources; on the other hand, the client - power-and-resource-less, hardly able to reject the exchange (Díaz, 1986; Gutiérrez, 1998; Leal and Dávila, 1990; Losada, 1984; Martz, 1997; Miranda, 1977; Powell, 1970; Vasco, 1978).

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[4] Later, the 1968 constitutional reform adjusted the agreement and introduced its gradual ending until 1978. However, the reform suggested proportional distribution of ministries and high office among the parties after that year.

[5] Asymmetry refers to the power and resource-tenure imbalance: the patron, powerful and resourceful; the client, power and resource-less. See Jaramillo, 2005 for arguments against this understanding of asymmetry and its relationship with the concepts of subordination and domination.

[6] Díaz, 1986; Escobar, 1998; Guillén Martínez, 1979; Gutierrez, 1998; Jaramillo, 2005; Leal, 1984; Leal and Davila, 1990; Losada, 1984; Martz, 1997; Miranda Ontaneda, 1977; Montoya, 1978; Vasco, 1978.

Those who contest the anti-democratic nature of clientelism and the patron's domination over clients have argued that communities embrace clientelism because it is functional for them (e.g. Lazar, 2004; Taylor-Robinson, 2006).[7] For instance, Escobar (1988) stated that clientelism did not necessarily prevent social mobilisation in Colombia. According to her, communities deliberately joined clientelist exchanges to access benefits they otherwise could not obtain. These findings are, however, short-sighted. Taylor's (2004) research about 'client-ship' in Latin America showed that client–patron relationships involve an interpretation of society in which supremacy or dominance of some social groups over 'the rest' is presumed. The use of clientelism as means to access resources would be based on the citizens' acceptance of their 'subordinate' status, which eliminates the fundamental democratic premise of political equality. As chapter five will show, the presumption of unavoidable subordination, as well as undemocratic, is remarkably problematic.

1.1.2. A political system of exclusion

In Colombia, subordination has been accompanied by political and socio-economic exclusion. To begin with, the influential institutions of modern politics mentioned above, the *Frente Nacional* regime and clientelism, are, *per se*, exclusionary institutions. Moreover, Colombian elites are characterised for being unreceptive to lower-classes' demands, which reinforces exclusion.

Colombian elites designed the *Frente Nacional* in 1956 to maintain their privileges by excluding power alternatives (Dix, 1967; Guzmán, 1986; Hoskin, 1979; Leal, 1984, 1988; Wilde, 1978). The system was introduced to end the military government of Gustavo Rojas Pinilla, a figure who did not belong to any of the two traditional parties and who was gaining popularity through an anti-oligarchical discourse. The *Frente Nacional* ostracised all political forces other than the Liberal and Conservative parties.[8]

Clientelism also implies exclusion. It is equivalent to the private appropriation of public resources by politicians for distribution according to electoral interests, at the expense of the rest of society. While some marginalised groups obtain access to *public* goods and services that they would be unlikely to obtain otherwise, other marginalised groups unconnected to

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[7] Auyero, Lapegna et al. (2009) maintain that clientelism can promote collective action. However, this view is problematic. Client-patron relationships often involve an affective component: the feeling of reciprocity produced by the exchange. This affective component would be a hurdle for the emergence of claims, as 'attacking' a patron would be counterproductive (O'Donnell, 2006). Thus, clientelism would be an impediment to accountability (Desposato, 2006).

[8] The centre-left *Movimiento Revolucionario Liberal* (MRL) and Anapo, in informal party founded by Rojas Pinilla after his exile, managed to propose candidates introducing them as Liberals or Conservatives. The Communist Party and other emerging groups were completely excluded from electoral politics. The MRL joined the *Frente Nacional* in 1967. Anapo became a formal party in 1971.

clientelist networks are excluded from them despite being *public*. Hence, if the Colombian political system is the political system of clientelism, as argued by Leal and Dávila (1990), it is also a political system based on anti-democratic exclusions and profound inequality.

The exclusions of the Colombian political system are also noticeable in the ruling class' initiatives, as lower classes' demands have been continuously ignored by the system. Colombian history has many examples in this respect. A particularly relevant one is the longstanding demand for agrarian reform. Carlos Lleras Restrepo, president between 1966-1970, came closest to implementing it. Nevertheless, the programme was timid and their results scarce (Nieto, 2012; Pécaut, 2006).[9] The peasant farmers, frustrated, organised land invasions which were violently repressed by the subsequent president, Misael Pastrana (1970-1974). Furthermore, Pastrana set up the *Pacto del Chicoral*, a pact between the government, large landowners and agrobusiness that reversed Lleras Restrepo's land reform (Díaz Callejas, 2008).

The political atmosphere of the late 1960s and the 1970s is another example of the exclusion of the lower classes' demands. Rising living costs, unemployment, stagnant wages and growing inequalities made the late 1960s and the 1970s a period of contentious collective action for peasant farmers, workers, students, and leftist political organisations (Palacios, 2006). However, the government stood against their claims. Instead, in the Cold War ideological mindset, social discontent was qualified as subversion, there was a broad use of the army's repressive power and an almost permanent state of siege (Palacios and Safford, 2002). An unprecedentedly large national strike took place in September 1977. Not even then the ruling class recognised popular discontent as an input for the political system. The army took over universities, opened fire on students, confronted peasant farmers, and monitored social-leaders' activities. About seven protesters died (Pécaut, 2006). The only series of protests comparable to the 1977 national strike, were those of the *Paro Nacional* that started on the 21st November 2019 and lasted until the 21st January 2020, before being suspended due to the global coronavirus outbreak. At least three protesters died during the first day of the demonstrations alone, and at least 40 people were hospitalised by 26th November (El Espectador, 2019; OHCHR, 2019, p.21). The *Paro Nacional* raised intense debates about police repression and the national government's lack of willingness to listen the protesters' demands. So much so that the OHCHR included a section about State violation of rights during the protests in its 2019 report on the human rights situation in Colombia.

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[9] Redistributed land was minimal (Machado, 1986); the majority of the re-allocated land did not proceed from the redistribution of productive areas but from the promotion of colonisation; inequality in landownership remained unaffected (IGAC, 2012, p.58); landowners received excessively large sums of money for their properties (Pécaut, 2006).

1.1.3. A political system of armed violence and elimination

Just as it is easy to trace a relationship between subordination and exclusion within the Colombian political system, so it is equally easy to trace a relationship between exclusion and armed violence; elimination of life being the ultimate form of exclusion. Indeed, as with subordination and exclusion, armed violence has been at the heart of Colombian politics. It has been used by elites to protect their privileges and has in turn been wielded by neglected alternative political forces that refuse subordination and seek to eliminate those who want to eliminate them. The persistence of political armed violence as the ultimate form of exclusion is also the most evident proof of the unfinished character of Colombian democracy. Paradoxically, it was the exacerbation of armed violence in the 1980s which led to the *formal* introduction of participatory democracy into the Colombian political system with the hope of transforming it.

Works pointing out the use of violence in modern Colombia as a mechanism for political exclusion are as old as the studies about violence in Colombia itself. In *La Violencia en Colombia*, the 'foundational' work on the topic (Sánchez, 1986; Ortiz, 1994; Valencia, 2012), Mgr. Guzmán et al. (1962) argued that the ruling class was responsible for *La Violencia*: elites had promoted the armed confrontation to maintain their economic and political privileges, and later lost control of it. Further studies supported Guzmán's findings. Sánchez (1986) found that Conservatives' attacks against Liberals during *La Violencia* had been a mechanism to counter lower-classes' aspirations for power, awoken by presidential candidate Jorge Eliécer Gaitán, assassinated on 9th April 1948. That is, violence had been a measure to maintain non-traditional actors outside the political arena (Guzmán, 1986).

Violent elimination has been a tool for economic exclusion as well. Palacios (1995) found that bipartisan civil wars were used by regional party leaders (*gamonales* and *caudillos*) to grab the land of the opposite party's followers:[10] 193,017 people died and 393,648 pieces of land were taken between 1948-1966 (Oquist, 1978, pp.322-323); and about 3 million people were left landless between 1946-1965 (Aprile-Gniset, 1992, p.554), contributing to landownership concentration and rural poverty in the country (LeGrand, 1986; Medina, 1986).

The origins of guerrilla groups in the 1960s are also connected to the elites' drive to eliminate opposition. Historians at the CNMH (2013) and Sánchez (1986) affirm that before being attacked by the Colombian army, the peasant farmers' organisations that evolved into the FARC-EP did not entirely challenge the State but demanded its support. Back then, peasant

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[10] The procedure intensified during Laureano Gómez presidency (1950-1953), as he established conservative police forces and promoted the formation of conservative civilians armed groups (CNMH, 2013). Elites were interested in preparing rural areas for capitalist agro-production.

farmers who escaped *La Violencia* had hidden from the Conservatives and organised liberal and communist self-defence groups. The Cold War international context also influenced the situation: the US advised the Colombian army to attack the peasants and the nascent leftist groups to prevent the spread of the USSR's influence in Latin America (CNMH, 2013), and so they did.[11] Both the FARC-EP and the ELN guerrillas argued that they were a reaction to Colombian State violence, not the opposite.[12]

The drive to eliminate contenders also contributed to guerrillas' growth and consolidation. As groups expressing social discontent were labelled as subversive, civilians became army's targets. These procedures intensified during the presidential period of Julio César Turbay (1978-1982), who established a policy known as the *estatuto de seguridad* (security statute). The *estatuto de seguridad* broadened the definition of subversion and gave the army power to penalise it. It was used against civilians who were critical of the regime, which increased the denunciations of persecution, disappearances and torture of students, union-leaders, peasant farmers, community-leaders and human rights defenders (Pécaut, 2006; Palacios, 2006; CNMH, 2013). The repressive measures led to the radicalisation of leftist groups and the growth of guerrilla fronts (CNMH, 2013; Fals Borda, 1996; Palacios, 2006; Pécaut, 2006).

Since the 1980s, when narco-economy was booming in Colombia, the use of armed violence extended well beyond the State and the guerrillas. Amid a state of siege and growing anti-communism among the elites, paramilitary anti-guerrilla alliances were forged between the army, traditional landowners, international business corporations and drug-traffickers who had become large landowners and targets of 'revolutionary taxing' and kidnapping (CNMH, 2013; Reyes Posada, 2009). These paramilitary alliances were responsible for the failure of the peace processes led by presidents Betancur (1982-1986) and Barco[13] (1986-1990). The traditional political class, economic elites and the army strongly refused to recognise guerrilla groups as political actors, as well as their participation in electoral politics[14] (Bejarano, 1990;

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[11] A former Colombian-army general stated that president Valencia's attack on the peasant communities that evolved into the FARC-EP was an historical mistake. Peasant famer communities did not represent major political challenges before the attack. Rather, they were demanding the State's support (CNMH, 2013, p. 123). Political violence had a second peak in 20th-century Colombia during the Cold War and the Alliance for Progress, particularly after the Cuban revolution. The Cuban revolution is criterion in Pizarro's (2004) classification of Colombian guerrilla groups. First generation guerrillas are those aligned with the Cuban revolution: FARC-EP, ELN and EPL. To the second generation belong those that emerged in the seventies and eighties during the reactivation of guerrilla struggle in Central America: M-19, Quintin Lame, and PRT.

[12] See '*Programa agrario de los guerrilleros*' and '*Manifiesto de Simacota*', the FARC-EP's and the ELN's foundational texts. Something similar can be said about the M-19. The guerrilla was formed after presidential candidate Rojas Pinilla lost the election on dubious terms. The partisans argued that it was impossible to access the political system through legal means.

[13] Except for Barco's peace process with the M-19.

[14] Popular election of decentralised authorities -mayors and municipal councillors, provincial governors and deputies- was approved in 1986. Elites were threatened by the electoral success of the leftist political

CNMH, 2013; Hoskin, 1990). Social movements, unions, students, human rights defenders and, particularly, members of the *Unión Patriótica* (Patriotic Union, UP), the FARC-EP's political party that emerged during those peace negotiations, were victims of paramilitary violence. Around 3,000 UP members were assassinated (Verdad Abierta, 2008b). History seems to be repeating itself in the post-2016-Peace-Agreement context: 194 former FARC-EP guerrilla members were killed since the signing of the Peace Agreement in November 2016 and the 3rd April 2020 (El Espectador, 2020). Moreover, 817 community leaders and human rights defenders were assassinated between the signing of the Agreement and the 20th February 2020 (Indepaz, 2020). Various Colombian and international actors, including the Inspector General and the UN, have recognised systematic patterns in the killings (CaracolRadio, 2019; Forst, 2018; Procuraduría, 2018).

The context in which participatory democracy was introduced into the Colombian political system was one of profound crisis. Drug traffickers had attacked key political figures for being critical of the drugs trade, and this had ended the tolerant coexistence between them and the State (Bagley, 1990).[15] President Barco declared war on drug traffickers and they responded with unprecedented urban terrorist attacks. With few exceptions (e.g. Bushnell, 1993), scholars have stated that the 1980s crisis was the severest political crisis in Colombia's history (e.g. Bejarano, 1990) and that it reached, if not surpassed, the levels of damage of *La Violencia* (e.g. Hoskin, 1990; Leal, 1988; Pécaut, 1987, 2006). For some scholars,[16] the crisis affected specific political institutions, others[17] described it as the total collapse of the State. For public opinion the crisis was also moral; the system was delegitimised (Pécaut, 1989; Velásquez and González, 2003).

The escalation of violence in Colombia since the mid-1970s re-fostered violence and conflict studies (Sánchez, 1986).[18] In their studies, academics identified 'objective causes' of the conflict: uneven distribution of land, unemployment, weak worker's rights, rural and urban poverty, and marginalised groups' inability to change those structures through democratic means had triggered violence (Sánchez and Peñaranda, 1986). Given that he lacked support from the traditional political class, president Barco sought support in academia (CNMH, 2013). Barco asked academics to continue their research and to recommend solutions. The book

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parties that emerged from the peace negotiations (CNMH, 2013). In its first elections the UP obtained 14 seats in Congress, 351 in local councils and 23 mayoralties (El Tiempo, 1985).

[15] The attacks include the assassination of Minister of Justice Lara Bonilla in 1984. Drug dealers also funded the M-19 attack on the Palace of Justice in 1985. The Colombian government did not adopt a clear stand against drug trafficking until Galan's assassination (Leal, 1990; Pécaut, 2006).

[16] e.g. Bejarano, 1990; Botero, 1988; Hoskin, 1988, 1990; Leal, 1987, 1988, 1990; Murillo, 1988; Pécaut, 1989, 2006; Pizarro, 1990; Sanchez, 1991; Thoumi, 1990.

[17] e.g. Bagley, 1990; Melo, 1990; Bejarano and Pizarro, 2001; Zamosc, 1990.

[18] In the US, Latin American studies had increased after the AfP programme.

Colombia: Violencia y democracia (Sánchez et al., 1987), the result of this commission, put the focus on the quality of democracy.

The researchers distinguished between different types of violence: socio-political, socio-economic, sociocultural, and for territorial control.[19] They argued that political violence and narcoterrorism were fuelled by all other types of violence, and that therefore, the State should tackle them. The scholars asked the political class to take responsibility, as violences had emerged from poverty, the profound inequalities in the country, and the State's absence as a mediator of social conflicts. They particularly insisted on the need to acknowledge the relationship between violence and democracy: an unfair system, repression of protesters, and violent dissidences were causes and effects of democratic deficits; 'democracy should be the antidote to violence' (Sánchez et al., 1987, p.27); a new democratic culture should recognise and guarantee pluralism, freedom, and equality.

1.2. The re-foundation of the state and hope in participation (1990s).

Certainly, the first demands for a more participatory democracy in Colombia emerged decades before the 1980s crisis described in section 1.1.3 (p.33). They appeared in the priest Camilo Torres's liberation theology-inspired pieces (Torres, 1965; Fals Borda, 1996), and, as the next chapter will show, they flew to Colombia with the exiles of the Brazilian and Chilean dictatorships (Fals Borda, 1991, 1996). There had been, in fact, participatory institutions before the 1990s. According to Gutiérrez (1996), the first participatory institutions in Colombia were the *Juntas de Acción Comunal* (Community Action Committees). They were created in 1958 following the US's suggestion of opening some kind of channel of communication and attention between the State and the population to prevent socialist uprisings. The second institution was the *Asociación de Usuarios Campesinos* (Peasant Farmers' Association), founded in 1976 with the purpose of gathering social support for the agrarian reform. However, it was not until the 1980s crisis that the establishment accepted a substantial participatory opening.

The international context also contributed to the change. In the 1980s, discussions about development emphasised the role of civil society and good governance. Civil society participation, empowerment, decentralisation, co-responsibility and accountability became common concepts in development scholarship and practice (Molyneux, 2006). In the new poverty reduction strategies, citizens should be agents and they should participate in the

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[19] Drug trade-related violence, they warned, required a distinct treatment.

decisions affecting their lives. This discursive change coincided with the end of military dictatorships in Latin America and the regional calls for reformation and 'deepening' democracy (Gutiérrez, 1996; Molyneux, 2006).

Indeed, president Betancur (1982-1986) recalled 'the studies of the 1980s' (Betancur, 1989, p.11) as the basis for his 'project for peace and democratic opening'. Instead of interpreting the Colombian conflict as a Cold War episode, Betancur (1989) acknowledged poverty, inequality, and democratic failure as the objective causes of violence that should be deactivated. Betancur recognised that the centralised state had abandoned the peripheries, which stayed connected to it only through clientelism. For him, decentralisation was a prerequisite for democracy and peace in Colombia. Thus, he carried out a political-administrative reform comprising popular election of mayors[20] and communities' involvement in public decision-making.

The 1991 Constitution consolidated the democratic opening. The Peace Agreements with the M-19 in 1990 and with the EPL, the PRT and the Quintín Lame guerrillas in early 1991 reinforced the idea that political solutions were better alternatives to the armed conflict than the iron fist. As academia and civil society sectors agreed on the need for democracy improvement to overcome the crisis, the concept of participatory democracy gained followers (Fescol-IEPRI, 1996; IEPRI, 1991; Leal, 1990; Palau, 1993). Yet, it was the extraordinary pluralism and involvement of civil society during the constitutional process, not only participatory ideas, which raised the expectations for serious structural changes and democratic deepening in the country. First, a students' movement demanded constitutional change. The movement was so influential that it led to two plebiscites calling for a constitutional assembly (Calderón, 2003). The assembly was the most diverse collegiate body the country had had in history. It was composed of former guerrilla members, ethnic and religious minorities, intellectuals, members of social movements and civil organisations, and the two traditional parties (see Table 1.1.). As no sector obtained a majority, the groups had to work in coalitions and negotiate with opposing political actors (Fals Borda, 1991). Likewise, the constitutional process involved grassroots debate. Workshops with indigenous peoples, universities, civic organisations, social

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[20] Before the reform, mayors were elected by *gobernadores* (provincial governors), who in turn were elected by the president. One year after the first popular election of mayors, the balance of the reform was not completely positive. In a 1989 forum, former president Betancur, future president Gaviria, former Bogotá mayor Castro, and elected mayors denounced that decentralisation had implied a substantial increase in the municipalities' duties without the proper funding to carry them out. Likewise, the new participatory spaces were not working as expected: some municipalities did not establish them due to lack of resources or interest, others were co-opted by clientelist practices (Ruiz, 1989). Mayors highlighted that expectations raised by popular election were higher than the mayor's capacities to act. They stated that decentralisation had stagnated after approval of the reform. The stagnation was related to the political class' refusal to transform their local electoral (i.e. clientelist) networks (Castro, 1989). One decade later, Maldonado (2001) produced a comprehensive report on the decentralisation reform's limited achievements.

movements and other groups were carried out around the country to gather inputs for the assembly's agenda (Valencia, 1990a). The movements that did not gain a seat in the assembly contributed to the discussions through these procedures. The *Red Nacional de Mujeres* (Women's National Network) is an example of this (Quintero, 2005). Thus, although scholars were initially sceptical (e.g. Castro, 1990; IEPRI, 1990; Moncayo, 1990; Sanín, 1990), these unparalleled events led academics to praise the process[21] (Fals Borda, 1991; Orozco, 1991; Restrepo, 1991; Valencia, 1991, 2010).

Table 1.1.
1991 Constitutional Assembly composition

Party / Movement	Number of Representatives
Liberal Party	25
Alternativa Democrática M-19	19
Movimiento de Salvación Nacional (Conservative dissidence)	11
Conservative Party	9
Unión Cristiana	2
Unión Patriótica	2
EPL[22]	2
PRT[23]	1
Quintín Lame[24]	1

Source: Produced by author with data from Banrepcultural (n.d.).

The 1991 Constitution integrated participation, decentralisation, oversight of power, and fundamental social rights as essential elements (Uprimny 2002; Valencia 2010); participation was the system's 'spine'.[25] The constitution defined the Colombian State as a participatory, pluralist and decentralised democracy (Art.1); established people's participation as one of the State's essential duties as well as a fundamental right (Art.2, Art.40); and mandated the promotion of citizen participation at all governmental levels (Title IV, Chapter I). Later, that chapter evolved in more detailed legislation about mechanisms for citizen participation (Law 134/1994, CONPES 2779/1995). Diverse mechanisms and spaces for participation have proliferated in Colombia since then. Such instruments as the plebiscite, referendum, and popular consultation were created or ratified. Participatory spaces emerged in decentralised governments to nurture policies for i) 'sectors', e.g., health care, environment, sports, education councils; ii) social groups, e.g., youth, elderly, women, disabled population

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[21] It must be said, however, that the assembly was mainly masculine: from seventy-four members, only four were women (two M-19 members, one UP member, one Liberal Party member).
[22] Recently demobilised guerrilla. Members designated by the government.
[23] Recently demobilised guerrilla. Members designated by the government. Voice without vote.
[24] Recently demobilised guerrilla. Members designated by the government. Voice without vote.
[25] Fals Borda, 1991, 1996; Palau, 1993; Múnera, 1993, 1999; Sánchez, 1994, 2000; Gutiérrez, 1996; Velásquez, 1996; Londoño, 1997; Uribe, 2002.

boards; iii) or entire territorial jurisdictions, e.g. planning and rural development councils (Londoño, 1997; Sánchez, 2000; Velásquez, 2011; Velásquez and González, 2009). This set of democratic innovations is what I call the first-generation of institutions for participatory democracy in Colombia.

1.3. Disillusion (2002-2011)

Generalised hope, however, did not last long. Assessments on participation were released after the first five years of the constitution. The studies recognised progress but most of them were characterised by disappointment. On the positive side, the first reports acknowledged an important achievement: the representative-electoral version of democracy was not seen as the exclusive form of democracy anymore; citizen participation and a close relationship between the State and civil society had gained importance in the country (Fals Borda, 1996; Sánchez, 1994; Velásquez, 1996). Additionally, bipartisanship had lost power at local elections, and clientelism and corruption seemed to be under attack, as an urge to denounce them emerged (Gutiérrez, 1996). Citizenship seemed reactivated in daily life (Londoño, 1997). Overall, progress referred to the formal inclusion of non-traditional actors in the political arena, the formal creation of participatory spaces and mechanisms, and the fact that some of them were operational (Londoño, 1997; Palau, 1993; Sánchez, 1994; Restrepo, 1997).

Expectations diminished after a decade. Participation had not brought the end of clientelism, socio-economic exclusion, corruption or violence. In 2002, sociologist M.T. Uribe wrote that the only positive effect of participation was teaching scholars and politicians the poor transformative power of participatory democracy and the need to find alternatives. Other reports, however, continued recognising positive results (e.g. Cortés et al., 2002; Velásquez and González, 2003). For instance, Velásquez and González (2003, 2009) found that during the 1990s, some local authorities had developed authentic participatory processes, new leaderships had emerged, citizen oversight of public management had increased, and there was a closer relationship between citizens and the State.

Nevertheless, it was a fact that the effects of the first-generation of participatory democracy institutions were not as prominent as envisaged during the constitutional process. As I explain the following paragraphs, this was attributed to three interrelated reasons: the limits of the institutional designs; the different meanings of participation; and the assumptions about how a *legal* action could transform *actual socio-political relations* in the country. These assessments would inform the second-generation of participatory institutions in Colombia.

1.3.1. Weak designs.

Inadequate and insufficient legislation was one of the main problems affecting participation performance (Fals Borda, 1996; Palau, 1993; Restrepo, 1997). Restrepo (1997) claimed that legislation had not put participation in a strong position. Likewise, Velásquez and González (2003) argued that the traditional political class had been more interested in ending the 1980s crisis and re-legitimating the State than in granting real power to participation. The legislation focused more on civil society's duties regarding participation, than on the State's obligations to make participation work. Law 134/1994, the first statutory law about participatory democracy in Colombia, was issued without considering civil society's views on the matter, and without establishing a clear mandate to develop participation policies (Uribe, 2002). When Velásquez and González (2003) researched national public officers' plans to consolidate participatory democracy in the country in 1995, the officers declared that participatory democracy was a concern of decentralised governments, not a matter for the national government.

Velásquez (2011a, 2011b) and Velásquez and González (2003, 2009, 2015) also found that the multiplication of participatory institutions was problematic. By 2003 they detected that national laws had created 29 institutions for local participation, not including the non-mandatory institutions that municipalities had created. By 2015 the number had increased to 50 institutions. I myself identified 75 spaces for local participation in Cali when I was conducting exploratory research for this investigation in 2014. The problem with these figures is the division they produce: each institution operates independently, actors split, and opportunities for coordination lessen. Velásquez (2011a) talked about a 'neo-corporative' effect: actors compete for public resources, while common goals and collective interests become nebulous.

Notably, various scholars[26] concurred on a crucial finding: a considerable number of participatory institutions did not have any kind of binding power. Of the 29 instances identified by Velásquez and González in 2003, only 27.6% had an explicit mandate to influence decision-making (p.106).

Research also concluded that the legal frameworks prevented the participatory institutions' full operation, as the requirements they set were difficult to reach (e.g. García, 1997; Londoño, 1997; MOE, 2012; Velásquez, 2011). For example, between 1991 and 2012, only 32 of 130 popular initiatives to depose a mayor could be voted on. The other 98 were cancelled due to lack of compliance with mandatory steps. Likewise, only two of six citizens' proposals for laws passed the requirements to be discussed by Congress (MOE, 2012). Overall,

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[26] García, 1997; Uribe, 2002; Velásquez and González, 2003, 2009; Gutiérrez, 2007; Velásquez, 2011.

the legal framework did not acknowledge the obstacles that Colombian citizens face to promote participatory initiatives. The MOE's (2012) report underlined, for instance, that citizens needed to invest financial resources in publicity and information channels for the success of their direct democracy initiatives, but the law did not offer support in these regards.

The assessments on the legal framework also criticised its ambiguity. Although some norms were complex and rigid, others were unclear. For instance, the MOE (2012) attributed the timid use of plebiscites in Colombia to the confusion with popular consultations, as the 134/1994 defined both as almost the same.

Finally, Vargas (1994b, 2000) and Londoño (1997) claimed that institutional designs had subordinated participatory democracy to representative democracy, as mechanisms for direct participation required the endorsement of representative democracy institutions. (e.g. Congress, regional assemblies, local councils). The MOE's (2012) report about the use of participatory mechanisms between 1991 and 2012 revealed that all citizen-led regional referendums[27] had been stopped by regional assemblies once they had surpassed all other requirements.

1.3.2. Different meanings of participation.

The disenchantment with participatory democracy was also related to the different ideas that actors had about participation (Gutiérrez, 1996; Restrepo Botero, 1995, 1997; Múnera, 1999; Uribe, 1997, 2002). The different discourses on participation revealed that the struggle for inclusion and popular empowerment had not been won with the change of constitution, but that participation and what it meant were still object of political contestation.

There were at least three discourses of participation. The first discourse, the most common among scholars at the time, understood participatory democracy as an opportunity for popular empowerment: participatory democracy is connected to inclusion, pluralism, and ethnic minorities' political rights.[28] In this perspective, inclusion has political, social and economic dimensions, as the living conditions of the marginalised, previously unheard and repressed, can improve once they gain influence over public decisions. Participation is a right to obtain further rights (Dagnino et al., 2006, p.48). From this perspective, decentralisation is key, as decisions are expected to be taken from the bottom up and from the peripheries to the centre (Fals Borda, 1991); and social movements are considered the main change-makers, as

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[27] There are two types of referendum: one to create and another to derogate norms. The example refers to the first type.
[28] The 1991 Constitution gave indigenous groups political autonomy to administer their collective territories, as well as three seats in Congress (and two for Afro-Colombian communities).

they represent excluded voices that have gained access to the State (Múnera 1999; Restrepo Botero, 1995, 1997). Participatory democracy is expected to bring structural changes, depose elitist democracy, achieve socio-economic justice, and finally, end political violence (Fals Borda, 1996; Gutiérrez, 1996; Múnera, 1999; Restrepo Botero, 1995, 1998; Uribe, 2002).

The second discourse did not put much emphasis on empowerment nor was expecting the absolute transformation of the political system. This second discourse acknowledged people's sovereignty and citizens' involvement in decision-making but was more interested in how participatory democracy could improve the state's efficiency in the provision of goods and services[29] to deactivate the objective causes of violence and recover the State's legitimacy (Restrepo Botero, 1995). Rather than citizens making decisions, in this discourse participation is about bringing citizens closer to the State, and making the State accountable to the citizens. Decentralisation is functional, not necessarily for bottom-up decision-making, but to improve the identification of and attention to citizens' needs. Additionally, in a decentralised framework, citizens could help to solve their own problems: communities could offer voluntary work, e.g. to build roads, community centres, or contract with the State to provide services. This approach, that Pierce (2010b) calls 'participatory governance', was common among traditional political actors, such as president Betancur, and State-focused scholars who saw in participation a tool to rationalise public management in the country (e.g. Sánchez, 1989, 1994, 2000). For them, political parties would continue to be the key actors of Colombian democracy.

The third discourse distrusted participation. Critics warned that participation and decentralisation involved neoliberal components that facilitated the reduction of the state, privatisation of public goods and services, and supported economy's globalisation and the *status-quo* (Moncayo et al., 1992; Múnera, 1999; Restrepo, 1992, 1995). In this understanding, participation transforms citizens into economic agents subjected to the laws of the market. Citizens contract with the State and are offered compensation for their affiliation to 'participation' programmes (Restrepo Botero, 1995, 1998).[30] Additionally, State-led participation would be a palliative for the discontent produced by neoliberalism, functionally preventing grievances and riots.[31] This third discourse was sceptical of the 1991 constitutional momentum and warned that constitutional change was not equivalent to actual changes in society. In their view, activists for 'real' participation should keep working to transform the

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[29] The lack of basic public services was a recurrent cause for protests in the seventies and eighties, hence, the Colombian State was interested in improving their provision. (Velásquez, 2011b, p.159).
[30] Restrepo Botero (1995) shows that three years after the decentralisation reform there were more processes of privatisation of public services than JALs -neighbourhood councils that participate in municipal planning- established in Colombian municipalities.
[31] The strategy was not new. The creation of the JAC -*Juntas de Acción Comunal*- or neighbourhood councils in Colombia was one of the measures taken under the AfP to calm social unrest and prevent pro-communist mobilisations (Gutiérrez, 1996).

traditional political system of bipartisanship and clientelism through more radical means (Múnera, 1993; Vargas, 1994b).

In practice, the three types of 'participation' were in action. President Betancur saw decentralisation as a requirement to deactivate clientelism and the objective causes of conflict (social injustice), as well as the means by which citizens could 'assume social responsibilities' and provide goods and services that the State could not provide (Betancur, 1989; Sánchez, 1989, p.12). In his academic work, Carlos Ariel Sánchez, a lawyer who would become Colombia's national civil registrar, described privatisation of utilities as an expression of participatory democracy (Sánchez, 1989, 1994, 2000). Indeed, participation referred to substantially different things. Sánchez labelled 'the intervention of public servants in administrative decision-making for the defence of their own interests' as a type of participation (Sánchez, 1994, p.105; 2000, p.69). The creation of armed, civilian, self-defence groups was praised as citizens' participation in security (Restrepo Botero, 1997). It is not surprising that the implementation of 'participatory democracy' led to disenchantment. Participation became a floating, empty signifier that offered legitimised and adaptable platforms to very different political causes.

Another effect of the diverse meanings of participation was the delegitimisation of 'inappropriate' participants. Some sectors expected participants to be 'proactive' citizens in the republican sense: civic and virtuous, prone to interact with the State for the sake of common good (Uribe, 2002). This expectation was connected to the idea that after 1991 the Colombian State was a completely renewed state, and that any further change depended on the citizens: 'The Colombian state has been reformed and democratised. It opened the door to citizens and collective participation. Now the citizens -either in their everyday behaviour or as public servants- and civil society organisations must respond to this sign of progress. Then, the participatory democracy tale will become real once and for all' (Restrepo Londoño, 1996, p.42). For many, the civic citizen could not be in any way a contentious actor (Uribe, 1997,2002). The traditional political class expected 'a neutral, plain citizen who does not mention the social contradictions or fractures in the Colombian society, neither their ideological differences; a citizen that does not make anyone uncomfortable' (Uribe, 2002, p.206). A double standard emerged: participatory democracy was promoted while contentious social movements were rejected and repressed (Restrepo, 1997).

1.3.3. Naive assumptions about the effects of participation.

Researchers also concluded that, in the early 1990s, participation had been approached theoretically rather than contextually, i.e., Colombian socio-economic and political conditions had not been given enough consideration (e.g. García, 1997; Medina, 1996; Múnera, 1993, 1999; Uribe, 1997, 2002; Vargas, 1994a, 1994b). Múnera (1999) described this phenomenon as a 'normative overload' that prevented analysts from grasping the results that participation was *actually* delivering. After five years of participatory democracy in the country, scholars acknowledged that their presumptions had been naïve and called for more realistic approaches to formulate effective recommendations for improvement (e.g. Fals Borda, 1996; Fescol-IEPRI, 1996; García, 1997; Uribe, 1997, 2002; Londoño, 1997; Medina, 1996; Múnera, 1999; Restrepo, 1997; Vargas, 1994a 1994b).

There were, indeed, significant factors in the Colombian context that were overlooked during the 1991 constitutional momentum and that affected the operation of first-generation institutions for participatory democracy. The following paragraphs summarise them.[32]

First, participation enthusiasts acknowledged that they had underestimated the elites' resistance to change. Privileged actors would not easily transfer power to 'the people' (Gutiérrez, 1996) and social mobilisation still faced opposition from the army (Medina, 1996). Velásquez and González (2003) found that after ten years of participatory democracy, most Colombians thought that public authorities were not interested in promoting participation. Studies showed that some local authorities refused to set up the new institutions and had established alliances with armed actors to stop citizen's participatory initiatives: citizens had been intimidated and some community leaders had been threatened and murdered (MOE, 2012).[33] Likewise, the change had been countered through the stagnation, or even regression, of decentralisation: in the 2000s the governments of president Álvaro Uribe adopted a strong re-centralising stance that affected the autonomy of municipalities and provinces (*departamentos*), reducing in turn the scope of participation (Velásquez, 2011b; Velásquez and Gonzalez, 2009).

Second, the long-lasting effects of a delegitimised bipartisanship, socio-economic marginalisation and other forms of oppression affected participation. Most marginalised groups were the least involved with the recently-created participatory spaces.[34] Despite

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[32] This research found contextual factors that continue to affect the consolidation of participatory democracy. Future chapters show which, and how some of these factors have persisted, as well as some hypotheses about how they could be overcome.

[33] According to the MOE (2012) this was particularly visible in the recall of mayors. None of the 130 popular initiatives to recall mayors that emerged between 1991 and 2012 were completed.

[34] Which could be explained by the scarce resources that these groups can invest in participation, e.g. time and travel expenses (Gutiérrez 2007).

women's attendance, decisions in the new spaces were taken by men (Velásquez and González 2003). Additionally, people still distrusted politics and not everyone was keen to give participation a chance: electoral participation did not increase, apathy and disregard for politics continued, and people preferred informal, ad-hoc channels than formal participatory spaces (Velásquez, 1996, 2011a). Uribe (1997, 2002) warned that if civil society abandoned the new political spaces, these might be easily taken by traditional forces.

Third, scholars reported that participants were being co-opted by traditional parties and clientelist logics (e.g. García, 1997; Gutiérrez, 1996; Medina, 1996; Restrepo, 1997; Uribe, 2002; Velásquez and González, 2003). There were tensions between old and new political actors as they disputed each other's place in the new institutions (Velásquez, 1996; Velásquez and González, 2003, 2009). Likewise, participatory spaces seemed to adopt the logics of the market, as some participants tried to be part of as many institutions as possible ('polimembership') (Velásquez and González, 2003, 2009, 2015).

Fourth, promoters of participation had envisioned Colombian civil society as republican-minded citizens who would reach peace and social justice thanks to their harmonious involvement in public issues, and this was not entirely the case (Gutiérrez, 1996; Uribe, 2002). Civil society organisations and movements were divided, they diverged in goals and tactics, and did not fully appropriate the new participatory spaces (Fals Borda, 1996; Fescol-IEPRI, 1996; Medina, 1996).

Fifth, the effects of armed conflict were also overlooked. Participation was, and very much is, a security risk for citizens challenging armed groups' interests (García, 1997; Gutiérrez, 1996; Lemaitre, 2014; Medina, 1996; Restrepo et al., 2002; Uribe, 1997, 2002; Velásquez and González, 2003). During the mid-1990s, the conflict escalated to the point of being labelled a degraded war against society (CNMH, 2013).[35] Time showed that, despite the demobilisation of the M-19, the EPL, the PRT, the CRS and the Quintín Lame guerrillas, the 1991 Constitution had not been a complete peace deal, war had assumed a self-perpetuating dynamic, and that participation and violence could coexist. In fact, research found that illegal armed actors made use of local participatory spaces (MOE, 2012; Uribe, 2002).[36]

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[35] Verdad Abierta (2008) and the CNMH (2013, 2018) have concluded that the worst paramilitary massacres and highest peaks in forced displacement happened during the nineties, especially after 1996.

[36] The MOE (2012) found that paramilitary groups were interested in creating municipalities via referenda to gain territorial control and the autonomy and resources granted by the decentralisation reform.

These assessments show that there were at least three different political projects under the label of 'participatory democracy' and that the project seeking for the transformation of power relations through participation required improved legal frameworks able to cope with the conditions of the Colombian context. After the reality check, scholars acknowledged that (i) the transformation of the political system did require a legal footing for participation, but also a different political culture (García, 1997);[37] (ii) Colombian citizens shared republican civic ideals to differing extents, as they had had to find ways to interact with a clientelist state in a context of war, socio-economic inequality, historical exclusion and repression (Restrepo, 1997; Uribe, 1997, 2002; García, 1997); (iii) participatory democracy was perfectible and was still an important element for deepening democracy (Velasquez, 2011). However, only the acknowledgment of context, and a deep understanding of the participants and their repertoires, would lead to trustworthy steps for improvement (Uribe, 2002).

1.4. Towards strengthened participation?

1.4.1. The second generation (2011-2015)

The 2010s decade saw renewed efforts to improve participatory institutions. The end of the authoritarian governments of Uribe Vélez (2002-2010) created opportunities to change the approaches to participation and the armed conflict: President Santos (2010-2018) recognised the ELN and FARC-EP guerrillas as political actors and promoted processes to end the violent political conflict. That was the context from which the second-generation of participatory institutions emerged.

Santos's government accepted civil society organisations' request to review and amend Law 134/1994, the law that regulated participatory mechanisms in the country (Velásquez and González, 2015). The process started in 2011 with citizen consultations in thirteen cities: members of diverse groups shared their assessments about participatory democracy, its legal framework, and submitted proposals for the new legislation. Expert civil society organisations took these inputs and studies about the matter and wrote a first draft of the law. However, the government rejected this draft and wrote its own, excluding elements that members of civil society deemed essential (Velásquez and González, 2015). Then, the discussion passed to Congress.

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[37] García-Villegas (1997) stated that Colombia lacked an active and conscious civil society. His argument is refuted by Uribe (2002) and others.

The Congress reintroduced some elements of the civil-society proposal that had been rejected by the government: the creation of National and Regional Participation Councils, coordination between a future National Participation System and the National Planning System. It opposed other proposals: it banned measures to counterbalance representative institutions' pre-eminence over participatory initiatives and limited the simplification of conditions to activate direct participation mechanisms (Velásquez and González, 2015).

The Law was sanctioned in July 2015 as Statutory Law 1757/2015. According to Velásquez and González (2015), there was a 60% resemblance between civil society's first draft and the Statutory Law. They qualified the overall process as a remarkable exercise of participatory governance.

Law 1757/2015 required that national and decentralised governments develop participation policies and highlighted the importance of citizen-led participatory processes; standardised procedures to activate direct participation mechanisms; created the National Council for Participation as well as regional and local councils in large municipalities to promote participation and coordination between existing participatory spaces; referred to participatory budgeting; established incentives for participants; strengthened social accountability by increasing the rigour of the annual sessions in which governments give account of their activities, and by regulating citizen monitoring and oversight; and of great significance, it established duties for the State with regards citizen participation, including promotion and responsiveness, as well as forms of financial support.

Noteworthy, too, is that the discussions leading to Law 1757/2015 influenced the designs of other participatory institutions created during the same period, including those related to peacebuilding.[38] Once Santos's administration recognised the existence of the armed conflict, his government proposed a law for the reparation of the victims and to restore land removed from them illegally. It was passed by Congress in 2011, establishing participation as one of its principles (Law 1448/2011 Art.14 Art.28). The law recognises as victims those persons who have suffered damage due to events that occurred as of January 1, 1985, implying infractions of International Humanitarian Law or of serious and manifest violations of human rights, which occurred during the Colombian internal armed conflict.[39] In 2013, further regulations created a pro-participation framework unlike any other in the country. The legislation recognised the right of victims of the armed conflict to become involved in the

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[38] e.g. Law 1551/2012.

[39] It also establishes that the partner and family members in the first degree of consanguinity with the direct victim, are also victims when their relative has been killed or is missing. Likewise, those harmed by trying to assist the victim in danger are also victims of the armed conflict. See complete definition in Law 1448/2011, Art. 3.

design, implementation, and monitoring of the policies, programmes, and in projects for their reparation (Law 1448/2011, Art. 192; Decree 4800/2011, Art. 261). Law 1448/2011 was the first Colombian norm talking about *effective* participation, understood as, 'the real and material access and use of Colombia's law democratic mechanisms and instances' (Decree 4800/2011, Art. 262). Moreover, it explicitly endowed the Colombian State with the responsibility of guaranteeing victims' rights to effective participation. Orders by the Constitutional Court were key to creating this progressive framework (UARIV and IIDH, 2013, 2014). The Boards for the effective participation of the victims of the armed conflict -from now on, Victims' Boards- are one of the participatory institutions that emerged from this second-generation framework and are one of the participatory institutions in which this research focuses.

1.4.2. A third-generation for peace?

The peace negotiations with the FARC-EP, and temporarily with the ELN, opened up the opportunity to end an armed conflict that has left more than eight million victims, and to strengthen participatory democracy beyond second-generation standards. The relationship between the two subjects is not coincidental. Both guerrillas have permanently criticised the exclusionary character of the Colombian political system and are highly supportive of the protection and institutionalisation of participatory democracy. For the guerrillas, the transformation of power relations in the country *must* involve systematic and constant political participation of marginalised groups.

The peace negotiations with the FARC-EP addressed six points: 1. Comprehensive rural reform; 2. Political participation and democratic opening; 3. Ceasefire and DDR – disarmament, demobilisation, reintegration 4. Solutions for the illicit drugs business; 5. Victims of the armed conflict: a system for truth, justice, reparation and non-repetition; 6. Implementation and verification mechanisms. Scholars, practitioners, social leaders and expert government representatives on participation, including those involved in the process that led to the second-generation, attended the negotiations to discuss point 2. Some of my interviewees, who attended, acknowledged that they had asked the negotiators to include in the Peace Accord elements that had been excluded from the Law 1757/2015.

In its final version, the historic Peace Accord incorporated a general participatory approach that ratified the need for participation for sustainable peacebuilding, explicit commitments for the improvement of electoral and participatory democracy (point two of the

Accord), and 114 tasks of participatory nature[40] (Foro Nacional por Colombia and Viva la Ciudadanía, 2018). One of the commitments for improving participatory democracy was to draft a new law to guarantee and promote citizen participation (point 2.2 of the Accord). The objectives to be met included extending women's representativeness and leadership in participatory institutions through the application of differential and gender approaches; guaranteeing funding for participation projects designed by civil society; establishing authorities to verify the State's compliance with participation processes; increasing responsiveness; facilitating exchange of experiences among social movements and civil society organisations; improving participants' security (point 2.1.2.2 of the Accord); offering guarantees for social mobilisation and peaceful protest; facilitating access to media; contesting participants' political stigmatisation; and strengthening citizen monitoring and participatory planning.

Regarding participatory planning, the commitments included reviewing the planning councils' functions and composition; improving responsiveness and participants' influence on decisions; promoting women's participation; assisting local and regional governments in the tasks regarding participatory planning; and carrying out a comprehensive review of planning procedures in the country. Likewise, participation was established as a principle of the section about victims and the Comprehensive System for Truth, Justice, Reparation and Non-Repetition. The negotiators agreed to incorporate participatory mechanisms in the system and to strengthen the policy for the attention and reparation of victims through a 'broad and effective' participatory process, referring to policy adjustments based on proposals presented and discussed with victims of the armed conflict (point 5.1.3.7 of the Accord). It is also important to note that most of the participatory institutions and processes included in the accord, unlike the first-generation of institutions for participatory democracy, were set to have direct influence in decision-making.

This set of promises encapsulate a potential third-generation of participatory institutions.[41] Regardless of when exactly this third-generation will materialise, the consensus about the need for participatory democracy in sustainable peace is noticeable. The importance of participation for peacebuilding was even more noticeable in the now-suspended peace dialogues with the ELN that started in 2016, as participation was at the core of three of the six points of the negotiations' agenda.[42] This multi-sectoral insistence on building stronger

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[40] Participatory processes that had to be undertaken to comply with commitments of the Accord.
[41] I use the word potential because, as chapter seven shows, the comprehensive implementation of the 2016 Peace Agreement in general, but first and foremost, of the commitments on participation, is uncertain.
[42] (i) Citizen participation for peacebuilding; (ii) Democracy for peace; (iii) Transformations for peace - based on points (i) and (ii).

frameworks for participatory democracy implies that civil society, government representatives, and armed actors acknowledge that participation, and Colombian democracy in general, are incomplete projects. All these points, plus the fact that the Colombian government is obliged to implement the Peace Agreement with the FARC-EP, and that the Agreement cannot be modified at least until 2028 (Legislative Act 02/2017, Sentence C-630/2017), make it highly relevant to re-activate research about participatory democracy and institutional improvement in Colombia.

1.5. This research.

The institutional designs that gave shape to the second-generation were based on studies that had identified what had gone right and what had gone wrong with the first-generation, on the premise that participatory democracy was perfectible.[43] Unlike the second-generation, the potentially forthcoming third-generation of institutions for participatory democracy does not have yet an extensive pool of evidence-based research indicating required enhancement measures. This research contributes to filling this gap.

There are in fact a small number of studies that explore what has happened with recently created participatory institutions (e.g. Lemaitre et al., 2014; Ramírez-Montenegro, 2015; Velásquez et al., 2020). However, they do not approach the topic from a generational-comparative perspective. A generational-comparative perspective helps to clearly identify if there has been a gradual improvement of participatory institutions over time and may facilitate the organisation of accumulated knowledge. I adopt a generational-comparative perspective by contrasting in detail participatory processes that take place at two participatory institutions, one from the first-generation and one from the second-generation. This has allowed me to identify progress, stagnations and setbacks that can inform the design of a potentially forthcoming third-generation of institutions for participatory democracy.

The two participatory institutions on which I focus are the Municipal Planning Councils, created in 1994 (first-generation), and the Municipal Victims' Boards, which came into operation in 2013 (second-generation). Both the Victims' Boards and the Planning Councils are semi-representative[44] institutions, mandatory in all Colombian municipalities and provinces (*departamentos*); they are regularised (Cornwall, 2002, p.17), i.e. they have regular interactions over time, instead of one-off meetings, and they give civil society groups the opportunity to influence programmes and policies of their interest.

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[43] See section 1.3.
[44] See chapter three.

The Planning Councils were a key institution for the promoters of participatory democracy in the 1990s. Candidates for mayor, governor or president in Colombia must present a government programme which summarises her/his government proposals. The winner of the election must transform this programme into a *development plan*, a key document which contains all policies and programmes to be executed during the four years term of the elected government. No public money can be allocated to projects not included in it. Planning Councils are a space in which different sectors of society can present their remarks about the content of *development plans*, while they are being drafted, and monitor implementation (Law 152/1994). Planning Councillors are also given the chance to comment about territorial management plans or POTs (for its name in Spanish, *planes de ordenamiento territorial*). Yet, POTs are land-use and infrastructure plans which are updated every 10-12 years (Law 388/1997, Art.24), hence, Planning Councillors tend to focus on *development plans*.

Victims' Boards' members are given a similar opportunity than Planning Councillors. They can have their say on and monitor the *territorial action plan*, a document attached to the *development plan* that contains all policies and programmes for the reparation of victims of the armed conflict that local and provincial governments will execute (Decree 4800/2011, Art.252). As with the *development plans*, only projects in the *territorial action plan* can be publicly funded.

Despite their similarities, there are design differences between the Planning Councils and the Victims' Boards that reflect the institutional generations to which they belong. The first difference has to do with the institutions' status or level of participation.[45] Whereas the Planning Councils have a consultative and monitoring status, which implies that governments are not obliged to factor the Planning Councillors' remarks into their decision-making processes, the Victims Boards have an joint-agreement, co-management and monitoring mandate, which means that the participants' inputs must be considered and answered before any decision is made, and that they can take part in the decision's implementation.

A second set of differences reflects recognition of State responsibilities with regards to the proper functioning of participation. In the first-generation, the emphasis was almost exclusively on the participants: the success of participation was dependent on citizens' skills, dedication and interests. In contrast, one of the ways in which the Victims' Board design recognises the State's responsibilities to participation is by promoting responsiveness. Unlike the Planning Councils, regulations about the Victims' Boards make it explicit that civil servants must reply to all communications issued by the Board' members in fifteen days. The civil servants must answer all questions and explain why the Board's proposals are rejected, if that

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[45] More details in chapter two.

is the case. Likewise, the regulations establish that Victims' Boards' must approve territorial action plans before these are officially approved and implemented by governments. In this way, the design counters the pre-eminence of representative authorities over participation and ratifies the Victims' Boards' power to influence public decisions.[46] Although this norm is not always honoured, the design of the Planning Council does not establish anything similar.

Another way in which the Victims' Boards' design recognises the State's responsibilities towards participation is through the provision of resources for the institution's operation. The norms require the State to provide the Victims' Board with logistical, technical and economic resources (Decree 4800/2011, Art.262). This includes participants' travel and accommodation expenses; location and working material; support in case of disability; childcare for children under 5 years-old who depend on participants; support to produce documents and design projects (which could be provided by the NGOs advising the Boards). The Planning Councils' design asks the State to provide the necessary resources for their operation. However, the regulation is not as specific as it is for the Victims' Board and leaves the word 'necessary' open to interpretation. As the following chapters will show, this difference has an effect.

A third difference has to do with the forms in which the institutions ensure the inclusion of marginalised groups. The Victims' Boards incorporate what has been called in Colombia '*enfoque diferencial*' (differential approach). *Enfoque diferencial* refers to tailor-made rules for particular social groups to reduce their marginalisation and protect their cultural identities. On the Victims' Boards this means having seats specifically for women, ethnic minorities -indigenous people, Afro-Colombian and Romani representatives- the LGBTI community, people with disabilities, youth and elderly population. In contrast, the design of the Planning Council establishes that the members of the institution should be, at least, representatives of the economic, social, environmental, educative, cultural and community sectors of each municipality (Law 152/1994, Art. 34).

 A fourth difference has to do with the pre-eminence of representative authorities over civil society during the selection of the institutions' participants. While mayors select the Planning Councillors from candidates presented by civil society groups, the participants on the Victims' Boards are defined by an electoral procedure in which organisations of victims of the armed conflict nominate their candidates and vote for them.

The Victims' Board design also reflects the discussions about the need for bridges between participatory institutions and coordination between levels of government. The

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[46] If the territorial action plan is approved without the board's prior consent, monitoring institutions should report it to the national government.

members of the Provincial Victims' Boards are elected from among candidates coming from Municipal Boards. In turn, the National Victim's Board is composed of candidates coming from Provincial Victims' Boards. Planning Councils also exist at the municipal, provincial and national level. However, their design does not guarantee that members of the National Planning Council are also participants at Provincial and Municipal Planning Councils. Furthermore, National and Provincial Planning Councils are not exclusively composed of civil society, as they have seats for civil authorities as well. One may assume, thus, that the quality of inter-level communication of Planning Councils and Victims' Boards differ, as well as their capacities to reflect local dynamics at national discussions.

Table 1.2. summarises some of these generational differences:

Table 1.2.
Distinctive features of first- and second-generation institutions[47]

Differentiating criteria	First-generation: Municipal Planning Councils	Second-generation: Municipal Victims' Boards
Creation	1994	2013
Level of participation[48]	Consultation and monitoring.	Information, initiative, joint-agreement, co-management, monitoring.
Participants' selection	Civil society nominates candidates, mayor chooses.	Democratic election by civil society organisations.
Participants' period	Four years, no re-election.	Two years, re-election allowed.
Logistical support for the participants' meetings?	Non-specific, mentioned by the law but not enforced.	Specific (transport, accommodation and food expenses when necessary; office items; technical support for writing reports; financial compensation; support for participants with disabilities and women with children under 5 y/o) and legally enforced.
Bottom-up design for coordination with provincial and national levels?	Indirect.	Bottom-up design from the local to the national level.
Is answering participants mandatory for the State?	Implicit in the norm.	Explicit deadline. However, no clear sanctions.
Enfoque diferencial for non-privileged identity groups?	Each municipality decides. Mandatory members: social, economic, environmental, education sectors.	Women, ethnic minorities, LGBTI, youth, elderly, people with disabilities
Incentives to participate?	No.	Formative activities; encounters with participants from other municipalities; priority for publicly funded scholarships for higher education; (limited) funding for projects promoting participation.

Source: Produced by author.

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[47] According to Colombian legislation, not practice.
[48] See section 3.2.1. and Table 3.6.

That said, the historical review in this chapter has taught us that, apart from institutional innovations, analysis of participation must consider contextual aspects in order to fully discover what influences participation and to which challenges it stands up. This same advice is suggested by scholars around the globe (see chapter two). Understanding contextual aspects counters normative overload (Múnera, 1999) and helps to equip participatory institutions with the best possible designs to confront challenges. Equally, ignoring contextual factors may be at the cost of the ultimate goals of democratic deepening and sustainable peace.

In line with these reflections, my examination and comparison of Municipal Planning Councils and Victims' Boards considers the following aspects of the Colombian context: the armed conflict; the relationship to traditional political dynamics such as clientelism, corruption and resistance to change; participants' diversity, their motivations, beliefs and repertoires; and the ways in which institutionalised participation interact with other expressions of participatory democracy. All of these are incorporated in the analytical framework, presented in chapter three. Additionally, to avoid the confusions and frustrations produced by malleable meanings of participation,[49] this research works with a clear definition of participatory democracy which is also made explicit in the following chapters.

1.6. Conclusions.

This chapter has shown that the Colombian democratic project is unfinished and that the importance of participatory democracy derives from that. The Colombian political system has been characterised as containing relationships of subordination, exclusion and armed violence that have prevented democratic consolidation in the country. Participatory democracy has been presented as a means to complete this project and to build a more peaceful society. Having been introduced into the system, studies have shown that, in order to achieve this goal, legal frameworks for the promotion of participatory democracy need to be stronger, more coherent with a critical understanding of participation, and that non-institutional and contextual factors cannot be underestimated.

The 2016 Peace Agreement with the FARC-EP opened up a new opportunity to end armed confrontations with the biggest and oldest guerrilla on the continent and to deepen Colombian democracy. Hence, it is crucial to talk about participatory democracy and institutional improvement in the post-2016-Peace-Agreement context. This research does so

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[49] See section 1.3.2.

by considering lessons from the past: it takes an unambiguous definition of participatory democracy; assumes that institutions are perfectible; adopts a generational perspective that facilitates comparison; and considers aspects that had been overlooked in the Colombian case such as the interaction of different expressions of participatory democracy, the forms in which citizens have learnt to cope with a clientelist and exclusionary state, and the armed conflict.

Chapter 2. Participation and Democracy: Literature Review.

The idea that civil society should have mechanisms to influence public decisions, in addition to regular elections of politicians who will act as representatives, is a well-established idea in the political and academic worlds. Yet this was not always the case. Discussions about the need for more participatory democracies around the world emerged during the second half of the 20th century, following critiques of the hegemonic model of democracy, namely a representative democracy in which representation of citizens is limited to the election of politicians. Authors started to pinpoint the representative model's weaknesses, called for alternatives, and defended the involvement of people in the decisions about their own future.

The proposals for participation became popular and are currently endorsed by various sectors in different fields and from diverse approaches. In this chapter I reconstruct the debates around participatory democracy, from the early criticisms of the liberal model of representative democracy to the current more diverse approaches. Based on this panorama I present the theoretical gap that this research addresses, as well as the school of thought I align myself with to develop the study.

2.1. The return of participation: contesting the hegemonic model of democracy

The acceptance of civil society's participation beyond electoral matters in democratic regimes is rather recent. In fact, substantive involvement of the population with public issues was restricted by two of the three theoretical traditions behind modern representative democracies: liberalism and republicanism (O'Donnell, 1998, p.114).

Following O'Donnell (1998), The liberal tradition is 'concerned with the private rights of individuals' (p.114), and 'embodies the idea that there are rights which no power, prominently including the state, should violate' (p.113). It echoes constitutionalism's (Rosanvallon, 2008) and parliamentarism's (Locke, 1993[1698]) aim of countering concentration of power, while giving space 'to pursue the fullness of human development' in the private sphere of life (O'Donnell, 1998, p.113).[1] The republican tradition cares about the common good, as well as the virtue and obligations of rulers. It 'embodies the idea that the discharge of public duties is an ennobling activity that demands exacting subjection to the law and selfless service to the public interest' (O'Donnell, 1998, p.113). While the liberal tradition

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[1] See also Constant, 1988.

distrusted participation because it endangered freedoms, the republican tradition distrusted it due to potential deficits of virtue. For liberalism dislike, participation reduced time for the private sphere. Moreover, threats against individual freedom could come from the people: 'Enlightenment political theorists –Montesquieu, Hume– regarded the populace as intemperate and emotional; government was to provide moderation from these tendencies.' (Molyneux and Osborne, 2016).[2] Only the third tradition, democracy, with its emphasis on equality, questions the logic of representative governments and reclaims citizens' right 'to take part in the decisions of the demos' (O'Donnell, 1998, p.114).

In the 20th century the experiences of national socialism and fascism reinforced distrust towards the general population's involvement with public issues. Discussions about the relationship between active civil societies and the state froze after WWII (Hefner, 1998; Pateman, 1970; Santos, 2005), and politically active civil societies were mostly analysed from the mass- and non-rational collective behaviour approach (Tarrow, 1994; Santos and Avritzer, 2005). Huntington (1975), for instance, feared the dangers that participation could introduce into democracies, namely instability and irrationality in public management.

The argument about the impossibility of exercising direct democracy in modern large societies was also crucial in strengthening the preference for electoral-representative democracy (Santos and Avritzer, 2005).[3] Robert Dahl (1956, 1989, 1998) highlighted that in large societies, citizens would have to authorise representatives to resolve their problems. Ordinary citizens would 'exert a relatively high degree of control over leaders' oligarchic behaviour, but only inside the framework of electoral-representative democracy' (1956, p.3). For Dahl, the essential characteristics of democracy were electoral-participation, control of the agenda, political equality, universal inclusion of adults, and enlightened understanding (Dahl, 1989). Control is executed by the citizens through elections; political equality is equivalent to the principle 'one person, one vote';[4] inclusion is equal to universal franchise; and effective participation is free and fair political competition in elections. However, for critics of this stance, such as Santos and Avritzer (2005), the focus on the electoral aspects of democracy left problems about accountability (i.e. how representatives are accountable to citizens beyond occasional voting), and multiple identities (i.e. whether majority parties can represent all social groups in diverse societies) unresolved.

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[2] Warnings also found in Aristotle (1962, p.217).

[3] For Santos and Avritzer the consolidation of democratic elitism as the hegemonic model of democracy emerged in the middle of three debates: whether democracy was form or content; whether bureaucracy was indispensable and to what extent; and whether representation was 'the only possible solution to the problem of authorisation in large-scale democracies' (p.xli).

[4] In 2006 Dahl started to consider the detrimental effects of socio-economic inequalities arising from the 'one-person-one-vote' principle.

Schumpeter's work (1943) is the main portrayal of democracy's hegemonic model during the second half of the 20th century. In it, democracy is the set of rules by which citizens elect representatives from a basket of offers at regular intervals.[5] Democracy is a method, a procedure that supposedly lacks intrinsic essential values. Electoral competition is the core of the procedure, as candidates compete for voters' support in a market-like dynamic. Indeed, voting is the most important tool citizens have to express their political preferences and to control leaders. Participation beyond the ballot box is either unrealistic or undesirable (Pateman, 1970, 2012). Mouffe (2000) called this view the aggregative model of democracy: it puts 'the emphasis on aggregation of preferences' through political parties and leaders, given the impossibility of applying the Greek model of democracy -deliberation among free and equal citizens- in mass societies (p.81). Santos and Avritzer (2005) call it the democratic elitism model.

Carole Pateman (1970) and C.B. Macpherson (1973, 1977) were part of the first wave of scholars that questioned the liberal model of democracy and defended a more participatory approach. In *Participation and Democratic Theory*, Pateman (1970) maintained that framing a participatory theory of democracy for modern societies was possible and rejected the idea of participatory democracy as a purely normative aspiration.

Pateman brought up Rousseau, J.S. Mill and G.D.H. Cole to show that representative democracy was not an incontestable model, as suggested by Schumpeter and his followers, and built a participatory theory of democracy. According to the theory, participation must be understood as a means of decision making with values of its own, not only as a control measure to apply when good government and private interests are at risk: ´Participatory democracy theory is an argument about democratization […]. It is about democratizing democracy' (Pateman, 2012, p.10).

Participatory democracy is not, however, simply a procedure for taking decisions: 'the participatory model [is] one where maximum input (participation) is required and […] output includes not just policies (decisions) but also the development of the social and political capacities of each individual' (p.43). As political institutions and their authority structures influence individuals' psychological qualities and attitudes, institutionalised participation has an educational function: it promotes 'responsible individual, social and political action' (p.24). These effects make participatory democracy self-sustainable: when subjects' political capacities increase, they are more prepared and keener to continue participating.[6]

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[5] See also Downs (1957), Huntington (1975), and Sartori (1976).
[6] Also, participation would facilitate legitimacy of public decisions as they are 'auto-prescribed' (Pateman, 1970).

In Pateman's (1970) theory, participants' learning can be grouped into (i) growing concern for public issues,[7] and (ii) development of pluralist values:[8]

> During [the participatory] process the individual learns that the word 'each' must be applied to himself; that is to say, he finds that he has to take into account wider matters than his own immediate private interests if he is to gain co-operation from others, and he learns that the public and private interests are linked. [...] As a result of participating in decision making the individual is educated to distinguish between his own impulses and desires, he learns to be a public as well as a private citizen (p.25).

During participation, subjects are trained to recognise others as interlocutors for public decision making. This recognition is in turn related to the integrative function of participation: it makes the individual-society bond evident, helps in acknowledging others, promotes attitudes of inclusion for those others' views, and reminds one about the impossibility of taking decisions based only on individual standpoints (p.27).

Local participatory experiences play a central role in Pateman's argumentation. She found people were more interested in processes closer to them rather than those at the national level, as they may initially seem abstract and unconnected to their everyday life. 'It [was] at the local level where the real [...] effects of participation occurred' (p.31), where 'individuals learnt democracy', and trained to exercise it on large scale.

Finally, Pateman highlighted that participatory institutions[9] and representative political systems were not mutually exclusive. Participatory institutions would contribute to shaping better citizens and better democracies. Being more concerned about public issues and their political systems, citizens would evaluate their representatives' performance more carefully, and would take better thought-out decisions when voting.

Although Pateman's theory did not find an immediate echo, the historical conjuncture of the 1980s established a more welcoming environment for participatory ideas. Eastern European uprisings against authoritarian communist regimes helped to transform the fear of politically active societies. The role that social mobilisation played in those countries' democratisation reconciled the concepts of participative civil societies and democracy.[10]

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[7] '[...] participation [...] would enable the individual better to appreciate the connection between the public and the private spheres' (Pateman, 1970, p.110)

[8] Pateman (1970) acknowledged the connection between the participatory theory of democracy and theories of pluralism.

[9] Pateman (1970) understood institutions in a broad sense, i.e., not only those tied to the State, but also those like the school and the workplace.

[10] I do not address directly the debates on the different notions of civil society. Yet, I am aware that each one of those understandings is attached to a particular view on who participates, how, and for what purpose. See Cohen and Arato, 1994; Walzer, 2006; Elliot, 2006; Chandoke, 2006; Béteille, 2006; Mahajan, 2006; Gupta, 2006 for discussions about the notion of civil society. For early liberalism's definition of civil society, see Locke (1968); for definitions closer to Republicanism see Tocqueville (1994) and, more contemporarily, Barber (1984, 2000).

Scholars re-started examining the issue of civil society participation, this time outside the framework of mass- and non-rational collective behaviour (Elliott, 2006; Gupta, 2003; Hefner, 1998; Taylor, 1990; Walzer, 1991).[11]

2.2. Participation, democracy and the deliberative turn debates

In the 1980s, the contributions of Jürgen Habermas[12] marked a seminal shift in studies of democracy (Fraser, 1990; Mouffe, 2000; Dryzek, 2000). He also showed the weaknesses of the liberal model of democracy, defended normative frameworks, and defied the exclusively empirical approaches to public decision-making. Habermas argued that studies intended to be entirely empirical included implicit normative notions. Furthermore, he brought back the concepts of the 'public' and 'common good' to the core of the debate.

In his analysis, Habermas highlighted that the liberal model of democracy lacked conscious collective decisions: ´[…] individual actors function as dependent variables in power processes –processes that operate blindly because beyond individual choice there can be at most aggregated, but not consciously formed and executed, collective decisions' (1996, p.299).

For him, the liberal model of politics was state-centred and 'oriented toward the output of government activities' (p.288), instead of toward the input of political will-formation. Will-formation -electoral results- 'ha[d] the exclusive function of legitimating the exercise of political power' (p.299) and constitutional norms -basic rights, separation of powers…- to control it. Society was treated as an economic society 'that is supposed to guarantee an essentially non-political common good by satisfying personal life plans and private expectations of happiness'. Collective action is not considered possible; the population is depoliticised; the constitution works 'in accordance with a market model' (p.298); and electoral competition is what motivates the political candidates to consider societal interests and values.

Habermas's proposal disputed the state centred notion of politics. Without adopting the republican aspiration of society as a political totality, he defended the involvement of society with the process of will formation about political matters, i.e., 'matters that are relevant to the entire society and in need of regulation'. His proposal focuses on the methods and conditions of political will-formation, and how they can influence the political system. In the Habermasian scheme, society is decentred and composed of a variety of systems, the political being one of them. The political system regulates through legislation matters that are not

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[11] The Eastern European uprising was a reaction against an overarching, authoritarian state. Third world countries founded their states incapable of attending to their citizens' demands and necessities (Gupta, 2003). Western countries were experiencing the limits of aggregative-representative democracy (Barber, 1984; Santos, 2005).

[12] (1984[1981],1987[1981],1989[1962],1996[1992],1998[1996]).

resolved in any other system. These processes will be democratic insofar as social power can be transformed into political power, and citizens understand the matters in need of regulation and the interests under discussion.

The public sphere is a non-state, social space, a 'network for communicating information and points of view' (p.360) about problems to be processed by the political system. The issues are raised and discussed by civil society, composed in turn of 'associations, organisations, and movements' that form non-governmental and non-economic connections (p.367). Habermas calls the discussion process, 'communicative action'. In it, participants transmit their messages to a large communication community and defend their standpoints through rational arguments to reach consensus. Due to their rationality, participants formulate abstract arguments without 'limits in social space and historical times' (p. 323). Public opinion emerges from this process.

According to Habermas (1996), communicative action should be institutionalised to guarantee channels for the political influence of public opinion.[13] Still, he underlines, the public sphere should remain as a different and autonomous space from the State. It would not be in charge of decision making, nor acting; the function of the public sphere is influencing the political system (p.359).

Habermasian democracy, and the deliberative turn it provoked in political philosophy,[14] became a strong theoretical platform for participatory thesis. Its focus on listening to others' standpoints, rational argumentation, consensus, decentred societies, and institutionalising deliberation pushed forward proposals for a type of democracy in which people are politically active beyond elections. 'Participation in authentic deliberation by all those subject to the decision in question' (Dryzek, 2001, p.51) became the source of public decisions' legitimacy. Models for the institutionalisation of deliberation were designed.[15]

Even if the word participation was not part of the new democratic paradigm's name, it was implicit, and it soon appeared in the work of Habermasian scholars. Fung and Wright (2001, 2003), for instance, talked about 'empowered deliberative democracy', described by them as radically democratic due to its reliance on 'ordinary people's' participation. Participation was one of the three core values in the model[16] they designed to develop 'transformative democratic strategies that can advance' traditional values of the left (p.6), assuming an empirical approach and 'taking participatory democracy seriously' (p.7). Besides

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[13] Institutionalisation would reduce the costs of communication in complex societies, including 'unavoidable inertial features like': information asymmetries; unequal distribution of individual abilities; unequal possibilities for generating, validating, shaping and presenting messages (Habermas, 1996, p.325).
[14] Also Rawls (1971).
[15] See Fishkin (1991, 2009), Gutmann and Thompson (1996, 2004), Fishkin and Laslett (2003).
[16] The other two being deliberation and empowerment.

the three principles, the model included three anticipated consequences: effectiveness, equity, and broad, deep, sustainable participation.

The work of Fischer (2006) also shows the convergence between deliberation and straightforward references to participation. Based on the governance paradigm, he builds on the concepts of citizen participation, deliberative democracy and the work of Fung and Wright (2001) to talk about 'empowered participatory governance' and 'participatory democracy'. His aim was to supplement the debate highlighting the contributions of postmodern literature. According to him, scholars and practitioners must pay attention to the 'the discursive construction of the meanings and identities of the actors, institutions and practices' involved in the game for power (p.25). These 'microcultural politics of social space' (p.24) were important because alternative political cultures preconditioned participatory and deliberative institutions' success.

Habermas' critics[17] also introduced elements to consider. A first group of criticisms pointed out that the Habermasian current gave more importance to the arguments debated and to 'the nature and quality of deliberation' than to the citizens coming together for public discussion (Gaventa, 2007, p.xiv). Feminist scholars indicated that participants' identity was crucially relevant, as the exercise of deliberation did not occur in conditions of universal equality (e.g. Fraser, 1990; Pateman, 2012; Young, 2000). Society's broader stratifications affected access to the deliberative arena and its communicative interactions. Hence, if equality among participants was taken for granted and stratifications were not explicitly addressed, the public sphere would become an additional scenario for domination.

Fraser, for instance, explicitly disputed 'the assumption that it [was] possible for interlocutors in a public sphere to bracket status differentials and to deliberate as if they were social equals' (Fraser, 2006, p.85). Other scholars (e.g. Lister, 2007; Lovell, 2007) provided evidence for Fraser's statement. For instance, Lister's (2007) research in the UK concluded that people in conditions of disadvantage hardly had a say in participatory scenarios, and that, when they did, their voice could easily be discredited. Her conclusion concurs with Chandoke's (2003) concept of 'linguistic and epistemic authority': she found that participants endorsed or discredited others' opinions -i.e., granted or withdrew authority- according to these others' backgrounds and status, revealed through their ways of speaking and educational attainment.[18] These findings led to the conclusion that the public sphere was a space of political struggle and power contestation (Laclau and Mouffe, 1985; Lovell, 2007; Mouffe, 2000).

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[17] His work inspired supporters and detractors, e.g. Fraser (1990), Elster, (1998), Fishkin and Laslett (2003), Dryzek (2000, 2001), Cohen (1989).
[18] Compare with Young (1996): 'norms of deliberation are culturally specific and often operate as forms of power that silence or devalue the speech of some people' (p.123).

Cornwall and Coelho (2007) called the dynamic as the 'micropolitics of the participatory arenas'. Micropolitics had potential detrimental effects for democratic decision making: if communicative action in the public sphere allowed advantages for dominant groups, their voices would acquire the legitimacy of the voice-of-all in the reached consensus, and disadvantages would be reproduced (Fraser, 2006).[19]

Consequently, scholars suggested measures to ensure participatory parity and substantive inclusion in the public sphere. Some suggestions are Fraser's 'subaltern counterpublics' and Anne Phillips' (1995) 'politics of presence'. Fraser (2006) argues for 'a nexus of multiple publics' (p.85), as having a variety of public spheres would allow subaltern groups to deliberate in more equitable conditions. Besides, it would resolve the problem of bestowing one single space with the capacity of containing the voice-of-all.[20] On the other hand, Phillips's defence of positive discrimination measures to ensure gender and ethnic minorities' inclusion (see also Mansbridge, 2000) is based on the premise that politics of ideas[21] cannot guarantee accurate representation or recognition of disadvantaged groups.[22] Rather, their actual presence in deliberative spaces helps.

A second group of criticisms focused on how the deliberative current managed dissent. For defenders of agonistic pluralism and radical democracy (e.g. Connolly, 2005; Mouffe, 2000; Laclau and Mouffe, 1985; Tully, 1995, 2008), the expectation of reaching consensus via rational argumentation caused deliberation to obtain the opposite of what sought: inclusion and pluralism (Mouffe, 2000, p.89). One problem was the presumption of rationality's neutrality and its anticipated capacity to lead to the best possible conclusions. Defenders of radical democracy pointed out that political actors were not always able to express disagreement according to the Habermasian scheme. Dissent could be connected to particular experiences and feelings, difficult to translate to abstract and neutralised language. This would especially be the case for perspectives based on identities. 'Non-rational' discourses could be discredited in the public sphere, which implied that a pre-established notion of

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[19] Pateman (2012) comes to a similar conclusion: 'a problem with deliberative democracy—a problem of particular concern for supporters of participatory democracy—is that the primary interest of its advocates lies in the process of deliberation inside deliberative forums. They are not usually concerned with structural features of the wider society. This means, for the most part, that 'democracy' in wider society and the political system is beyond their purview; it is largely taken for granted as an institutional background of the forums. To be sure, deliberative democrats are dissatisfied with some features of that institutional background, which is why deliberation is seen as a necessary improvement in, and mini-publics are advocated as a supplement to, existing electoral democracy. But deliberative democracy still leaves intact the conventional institutional structures and political meaning of democracy' (p.10). In 1970 she showed that Rousseau and J.S. Mill considered political equality as a condition for participatory democracy.

[20] For Fraser (2006), promoting socio-economic redistribution, cultural recognition and political representation are also key elements to achieve participatory parity.

[21] i.e. argued-for ideas prevail over who is arguing for them.

[22] Although Phillips (1995) was referring to elected assemblies, her arguments have been connected to participatory and semi-representative spaces (e.g. Hendriks, 2011).

rationality was a criterion for excluding political positions from debate. Another problem was the aspiration to absolute consensus. For this group of critics, absolute consensus was equivalent to democracy's de-politicisation. If differences were the essence of the political, the desire for diminishing them in the public sphere transformed democracy into a procedure for homogenisation and the end of pluralism (Mouffe, 2000). Furthermore, the lack of conflict would be dangerous in the long term. When differences are not contested, existential resentment (Conolly, 2005), apathy, or fundamentalism (Mouffe, 2000; Paxton, 2019) can emerge. The proposal of agonistic pluralism is to give space to conflict *within democratic frameworks* to prevent non-democratic outcomes such as violent conflict (Lowndes and Paxton, 2018).

It is important to note that radical democracy has been strongly criticised. Their ideas of open democracy, constant dispute and contingency obscure the design of democratic institutions able to guarantee socio-political stability. Indeed, there is a deficit of works in the radical democracy literature introducing institutional proposals (Kalyvas, 2009; Lowndes and Paxton, 2018; Wingenbach, 2011).[23] However, as with the feminist criticisms, radical democracy scholars' remarks on deliberative democracy illuminate important aspects of participatory processes. Certainly, not all differences can be expressed in a rational manner - take for instance the spiritual reasons that indigenous communities may have to oppose the exploitation of oil reserves in a sacred territory. Cultural diversity or a violent context, for example, make it difficult to express dissent on a balanced argumentative platform free from emotions and feelings. The radical democracy concept of agonistic pluralism implies the acceptance of inherent differences in society and tolerance of dissent. Agonistic pluralism asks citizens to live with differences and contenders, instead of desiring their elimination. Additionally, in agonistic pluralism identities are non-fixed, they are (re)-constructed in the interaction with others. Thus, if identities are constantly re-shaped in discursive encounters, antagonisms do not require the adversary's disappearance. Likewise, agreements, not necessarily consensus, are always possible (Mouffe, 2000).

Although the institutionalisation of radical democracy is difficult, the mere concept of agonistic pluralism, its acknowledgement of the complexities of deliberation; its stress on the possibility of reaching agreements despite profound differences; and, especially, its insistence on giving up on the idea of eliminating one's contenders, are crucial for politically violent societies such as the Colombian.

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[23] There have been some attempts to institutionalise agonism, particularly inside the framework of critical institutionalism. See Lowndes and Paxton, 2018, Paxton, 2019.

2.3. Participatory democracy in Latin American debates and practices

Debates and practices of participatory democracy in Latin America were originally inspired by the Marxist critique of 'bourgeois democracy'. Escaping ideological confrontations during the Cold War was almost impossible: conditions of deep, socio-economic inequality in Latin America were fertile ground for Marxist ideals. The emergence of liberation theology in the region was an expression of this, as was the growth of socialist and communist guerrilla groups, especially after the Cuban revolution. Later, some of the aspirations for emancipation, popular empowerment and oppressed groups' self-determination would be channelled through proposals for participatory democracy.

Freire's (1970) *Pedagogy of the Oppressed* was an influential work that reflected the Latin American intellectual and political aspirations for emancipation, popular empowerment and self-determination. In his work, Freire criticises educational methods in which students are empty vessels to be filled by educators. For him, this kind of 'banking education' mirrors and perpetuates the broader relations of domination in society: hierarchical teaching endorses uncritical consumption of knowledge; ideas come from above and from the dominant culture; learners, treated as objects, remain silent before cultural invasion. To break the pattern, power relations must be newly configured: teachers and students must engage in horizontal dialogue; the students' culture must be part of such dialogue; and educators must be open to learning from students. The process would furnish a key tool for social transformation: critical consciousness about the world and how it works.

Freire impacted on literature about engaged scholarship[24] and Participatory Action Research (PAR). PAR emerged from the Action Research approach, which had been well received among Latin American scholars for its interest in social transformation (Fals Borda, 2001; Pant, 2014). Freire's thought inspired discussions about the role of communities in research. Popular education emphasised horizontal relationships among teachers and students, and the latter's active participation during the educative process. Colombian scholar Orlando Fals Borda stressed popular participation components in debates about research and action. For him, the active participation of communities was required to establish horizontal relationships between communities and researchers, and to recognise the value of 'popular knowledge' -i.e. the pool of insights, understandings and expertise of the popular classes that

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[24] Engaged scholarship has been described in the West as 'a participative form of research for obtaining the views of key stakeholders to understand a complex problem' (Donnellan 2014). According to Donellan, one of the forms that engaged scholarship takes is 'Action/Intervention Research', which involves an intervention to treat a practitioner's problem. In the Latin American tradition, engaged scholarship, *ciencia comprometida*, refers to science's commitment to understanding and resolving society's problems, i.e., science's commitment to social transformation (Fals Borda, 2014, p.34).

is not recognised as proper knowledge by scientific standards. The results of research should comprise knowledge acquired by researchers and communities, the solution to the researched problem, development of critical consciousness, and the empowerment of communities. Thus, popular participation in research was an opportunity for communities' self-determination and social transformation.

The concept of PAR was launched in 1977 at the First International Conference on Research and Action in Cartagena, Colombia, when the popular educator Budd Hall connected action-research to popular participation (Fals Borda, 1998). Since then, various scholars have acknowledged the relationship between PAR and Latin America (e.g. Fals Borda, 1987; Selener, 1998; Huizer, 1983).

This was the spirit behind the first calls for participatory democracy in the region. Freire´s popular education approach not only impacted on intellectual circles, but also governments. The approach was incorporated in president João Goulart's *reformas de base* (structural reforms) in Brazil, before being deposed by the military in 1964. After the coup, many leftist intellectuals went into exile. Freire departed to Bolivia, where he was offered a job as councillor for the Education Ministry. However, he had to leave the country after president Paz Estenssoro was overthrown by another military coup. Freire departed to Chile, the exile destination of other Brazilian intellectuals, politicians and union leaders, such as Ruth Correa Leite and Fernando Cardoso. Ideas of popular education and participation were incorporated by Chilean presidents Frei and Allende.[25] Freire worked at the *Instituto de Capacitación e Investigación de la Reforma Agraria* (ICIRA) during Frei's government. There he met the sociologist Andrew Pearse, who developed the concept of peasant farmer participation and promoted the opening of the popular participation project at the United Nations Research Institute for Social Development (UNRISD) in 1977 (Fals Borda, 1998). Later, Allende's government created the *Consejería Nacional para el Desarrollo Social*, which encouraged working-class participation and oversight of the State. Political scientist Paul Oquist, who worked there, was an important disseminator of the popular participation concept, as he continued working in Latin American countries after the military coup against Allende, including Colombia (Fals Borda, 1996).

In the 1970s, the regional expansion of anti-communist military dictatorships; increasing persecution and repression against leftist movements and their co-optation; Ché Guevara's killing by Bolivia's military regime; and critiques of Stalinism and the undemocratic character of communist parties, raised doubts about the continuing applicability of orthodox

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[25] Dependency theory also emerged amidst the exile. The academic discussions reveal the resistance milieu of the time.

Marxist rationale for revolution, and encouraged discussions about participatory democracy (Fals Borda, 1991; Rhodes-Purdy, 2017).

After the Cuban revolution, leftist movements in the subcontinent had concentrated their efforts on the revolutionary project. Revolution was considered the only method to reach fair and inclusive societies; contrariwise, supporting democratic reformation was equivalent to playing the establishment's game (Velásquez, 1991; Goldfrank, 2011). Nevertheless, the context of the 1970s forced a change of strategy. Under the dictatorships, democracy and the civil and political rights it offered, became a necessary condition for the left's existence. Intellectuals returned to the question of democracy and revised its relationship with socialism. Participation came up as a key element in these revisions: the broad participation of the people in their political systems was fundamental for popular empowerment and for transforming societies (Velásquez, 1991; Roberts, 1998; Rhodes-Purdy, 2017).[26]

In Colombia the first claims for the people's right to take decisions over their own future are in the writings of the sociologist and liberation theology priest, later guerrilla-fighter, Camilo Torres (1965; Fals Borda, 1991, 1996). The concept of 'participatory democracy' was mentioned for the first time in the country in 1984 by Carlos Urán, lawyer at the Supreme Court of Justice and member of '*Colombia Unida*', a socialist-inspired movement that had worked under the premises of pluralism and popular participation (Fals Borda, 1996). Later, Fals Borda became one of the main promoters of participatory democracy ideals in the country.

In the 1980s, decentralisation joined the spectrum of elements connected to the now re-appreciated participation (Velásquez, 1991; Goldfrank, 2011; Ramírez and Welp, 2011). The local level was the place where interactions among citizens and the State materialised, hence, most participatory expressions also ensued there. Besides, decentralisation was required for bottom-up and peripheries-to-the-centre decision-making, as was expected from fully participatory systems (Fals Borda, 1991).

Demands for participation in Latin America were also connected to the effects of austerity measures and structural adjustments implemented by the dictatorships as well as by recently democratised regimes (Selee and Peruzzotti, 2009; Cameron et al., 2012):

> 'unresponsiveness to the negative impact [of] neoliberal economic strategies on the lower and middle classes [ ] fanned discontent and created pressures for greater voice for citizens' (Cameron et al., 2012, p.4).

The participatory impulse became prominent after the (third) wave of democratisation that washed over the subcontinent. Brazil accorded participation a

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[26] There were important exceptions. For instance, Posner (2009) argues that citizen participation was feared in democratised Chile, as it was related to excessive politicisation of society, and the tragic end of Allende's government.

constitutional status in 1988. Colombia joined the trend in 1991, as a participatory regime would help to solve the country's deep socio-political crisis. Ecuador, Venezuela, and Bolivia[27] followed shortly after. Diverse participatory mechanisms and institutional spaces for decision and policymaking were designed (McGee et al., 2003). Porto Alegre's participatory budgeting is very likely the most-known of them. Goldfrank (2020) described Latin America as a platform for confrontation 'between three political projects: authoritarianism, neoliberalism, and participatory democracy' (p.141. See also Dagnino et al., 2006).

The prominence of participatory spaces led Avritzer (2017) to qualify 'democratic and participatory innovations in public policies as the greatest achievement of the Latin American democratization processes' (p.vii), and Latin America as 'the region that took the idea of democratic innovation seriously' (p.132). Indeed, the noticeable introduction of participatory institutions in Latin America awakened the interest of many academics, which is reflected in the large amount of scholarly material on the subject (see sections 2.4. and 2.5.). This explosion of participatory practices and the interest they aroused in scholars and policymakers led Ramírez and Welp (2011) to state that this was perhaps the first case in which institutional renovation was exported from the Global South to the North.

Shortly after, the regional turn to the left raised expectations about participatory democracy even more (Dagnino, 2006). Indeed, some leftist governments promoted participatory institutions, creating an association between the two of them (Cameron and Hershberg, 2010; Weyland et al., 2010; De la Torre, 2013; Pogrebinschi, 2013, 2018; Sandbrook, 2014; Goldfrank, 2019). Yet, the promotion of participatory mechanisms was not exclusive to the left. Participation proved to be a successful tool to re-gain legitimacy and was adopted by diverse political parties.

Two 'waves' of scholarly works on participation can be identified in Latin American literature.[28] The first one followed the emergence of the new spaces in the 1990s and the early 2000s. It pointed out the positive effects of the participatory experiences, and portrayed high optimism about the changes that participation could bring to Latin American democracies and beyond.

The second wave contains more dubious examinations of the participatory experiences. Optimism is measured, as the research's mixed findings make evident that participatory institutions *per se* cannot automatically deliver the transformations expected

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[27] The Bolivian constitution changed in 2009, however their Law on Popular Participation was passed in 1994. Countries that issued new constitutions introduced norms to promote participatory practices, e.g. Mexico and Argentina (Avritzer 2017).

[28] The idea of waves is mentioned by Ramírez and Welp (2011) and Avritzer, (2017). It is also implicit in other authors (e.g. Balderacchi, 2016; Rodhes-Purdy, 2017).

from them (e.g. Balderachi, 2016; García-Villegas, 1997; Goldfrank, 2012; Uribe, 2002). The left turn disappointed initial expectations as well (Goldfrank, 2019, 2020).

Still, such evidence has not led to the stagnation of the debate. On the contrary, it has invigorated it: the amount of material has enabled the identification of trends and intervening factors that should be considered when studying participation and its potential results. Theoretical frameworks are diverse, and participatory innovations draw on different concepts of democracy (Whitehead, 2011, p.21). On the whole, participatory innovations have been acknowledged as 'ongoing learning processes' and 'valuable efforts to enhance democracy' (Whitehead, 2011, p. 21). Furthermore, the second wave has presented suggestions for successful participatory processes. What this success comprises is, nevertheless, a matter of debate.

2.4. Acceptance of participation, its meaning broadened, and its power lost.

During the 1980s the participatory thesis became extensively accepted not only in Latin America, but around the world. The deliberative turn had strong impacts on the fields of democratic theory, public policy and development studies (Speer, 2012; Pateman, 2012). Communities stopped being seen as passive recipients of social programmes. Instead, they started being recognised as actors able to contribute to designing, implementing and controlling social intervention projects. The literature about these topics increased, ranging from theoretical discussions to practical guides for fieldwork (e.g. Hickey and Mohan, 2004; Kumar, 2002; McGee and Norton 2000; Nelson and Susan, 1995). By the end of the 20th century the idea of active civil societies was well-received by NGOs and notable international organisations (Pateman, 2012). A good example of this is the World Bank's reliance on Putnam's (1993) work about social capital. In his research, social capital was an explanatory factor for consolidated and effective democracies. He saw that closeness among people reinforced norms and networks of reciprocity and trust, and stimulated voluntary association and cooperation. This social capital, he stated, was beneficial for democratic governance and economic prosperity.[29] Statements like this appeared in multiple international cooperation programmes for strengthening civil society and decentralisation in developing countries (Gaventa, 2007).

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[29] Putnam's work has been criticised. Some criticisms focus on Putnam's methodological individualism, as he forgets the role of context in cooperation (Chandhoke, 2006; Elliot, 2006; Hughes and Blaxter, 2007). The lack of concern for structural and contextual factors facilitates blaming vulnerable groups for weaknesses in their social capital (Hughes and Blaxter, 2007; Gamarnikow and Green, 1999). Other critics argue that there is no positive correlation between social capital and democracy, as non-democratic organisations also possess high levels of social capital (Chandhoke, 2006; Tarrow, 1994).

Distrust towards representative institutions also contributed to the acceptance of participatory alternatives (Flores D'Arcais, 2006). The notion that participation was beneficial for democratic societies was a consensus by the end of the century (Pateman, 2012), and participation started being addressed through different names and approaches: participatory and deliberative democracy (e.g. Fung and Wright, 2001; Almeida and Cunha, 2011), active and strong civil societies (e.g. Barber, 1894), citizen participation (e.g. Cunill, 1991), participatory governance (e.g. Speer, 2012), democratic decentralisation (e.g. Crook and Manor, 1998), among others. The common denominator was the appeal of surpassing representative-electoral mechanisms and enabling the involvement of people with public issues, mainly through inclusionary institutions for decision-making.

The broad acceptance of participation, however, came with an expansion of what participation meant (Stiefel and Wolfe, 1994; Pierce, 2010b; Pateman, 2012; Cameron et al., 2012). For some scholars, politicians and policy makers, participation was connected to decentralisation proposals. Together with the transfer of financial resources to lower levels of government, decentralisation facilitated access to information about populations' problems, without necessarily transferring power to the citizens. In some other understandings participation was related to privatisation, as the state restricted its own actions and gave civil society the chance to deliver public services and programs (see section 1.3.2.). Speer (2012) approaches the issue straightforwardly: 'participatory governance is not a neutral technique, and, consequently, all research on this topic is based on a normative perspective' (p.2380).[30]

A number of scholars warned that the discourse of participation had been co-opted, 'banalized' and had lost substance (Santos and Avritzer, 2005). Indeed, although demands for participation emerged in a contentious leftist discourse, by the 2000s 'the categorically political goals of citizen participation –organisational strengthening, democratic radicalisation, popular empowerment, active citizenship culture promotion– had lost priority with regards to other approaches that mainly understood participation as a tool to improve efficiency and transparency in the provision of public services, public management modernisation, and governance' (Ramírez and Welp, 2011, p.12). Pateman (2012) agreed with the observation. She stated that, although 'democracy talk' had expanded, and 'so-called participatory mechanisms' had multiplied, neither necessarily endorsed processes of real democratisation. Pateman (2012) pointed out that participatory encounters had 'become useful legitimating devices for an already-decided policy' (p.9). Participation had been left powerless and was being instrumentalised.[31]

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[30] Other parts of her work are not as clear, such as her classification criteria for normative strands and bodies of literature.
[31] See also Pateman and Smith (2019).

This risk was foreseen years before. Arnstein (1969) and Saxena (1998) denounced the instrumentalisation of participation by traditional power holders and reclaimed the notion of citizen participation as 'a categorical term for citizen power' (Arnstein 1969, p.216). To stress her point, Arnstein designed a 'ladder of citizen participation' with eight rungs that went from manipulation and non-participation at the bottom to genuine participation, i.e., citizen power, at the top. Other authors designed similar ladders with analogous claims (e.g. Narayan, 1995; Pretty, 1995).

The attempt to control the power of participation can be seen in governments and international organisations' preference for citizen-monitoring mechanisms rather than mechanisms for decision making (Isunza and Gurza, 2010b). Citizen-monitoring and oversight mechanisms are applied to already-taken decisions, regardless of who took them. Pateman (2012) pinpoints that such a position belongs to a neoliberal interpretation of participation: citizens are treated as consumers, and as such, they 'need to be extra vigilant and monitor providers; they require information, to be consulted, and occasionally, to debate with their fellow consumer-citizens as merely consumers in another guise' (Pateman, 2012, p.15).[32]

The attempt can also be seen in who is accepted as a participant. For radical democracy theorists, for instance, the new social movements[33] are key actors in democratic dynamics (Laclau and Mouffe, 1986). For them, civil society is the platform from where privileged groups disseminate their world view, and from where challengers to these views emerge (Laclau and Mouffe, 1985; Mahanjan, 2006). Involvement of multiple actors and democratic dispute are celebrated; they are expressions of pluralism, dissent and contested hegemony. Other scholars oppose this view. Huntington (1975), for instance, condemns 'excesses of democracy'. In his consideration, excessive democracy brings instability and governance problems. Thus, contentious social movements are actors to fear, not to promote.

Edwards and Foley (1996) have pointed out that scholars addressing the topic of civil society have usually talked about two types of civil society. Civil Society-I is the civil society of associations, the intermediaries between the individuals and the State. Those associations are not interested in challenging the State. In Civil Society-I, the state-citizen relationship is harmonic, and it is expected to improve democratic governance. Civil Society-II is interpreted as a contentious bearer of strong destabilising forces. This force can confront regimes, as happened in Eastern Europe and Latin America during the 1980s. The non-profit sector has been identified with Civil Society-I (Chandoke, 2006); social movements with Civil Society-II.

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[32] Velásquez and González (2013) describe a clash of perspectives of this kind between civil society members and law makers during the debates about the second statutory law for democratic participation in Colombia.
[33] Associated with post-materialist values and struggles around identity.

Following Edwards and Foley, Civil Society-I is more accepted in discourses about participation than Civil Society-II. Meanwhile, Civil Society-II is prone to being condemned (Pierce, 2004; Philip and Panizza, 2013).[34]

One of the explanations for the loss of power of participation was the failure to integrate it 'into the overall system of representative government or democratic institutions' (Pateman, 2012, p.10). This echoes Fraser's criticism of the Habermasian outline of maintaining clear divisions between civil society associations and the State (Fraser, 2006, p.102). Such distance prevents the possibility of ´democratizing democracy' (Pateman, 2012, p.10),[35] as participation is limited to the existence of meetings for deliberation, without tracing whether the results of the deliberations are considered in decision making.

That said, it is a fact that practices of 'participation', as well as research on it, have increased. Some of the topics that have been addressed since the 2000s are: the representative-participatory democracy debate (e.g. Cameron and Sharpe, 2012; Chalmers, 1997; Lizcano, 2012; Peruzzotti, 2008; Quadros de Magalhães, 2004; Urbinati and Warren, 2008); conceptualising 'democratic innovations' (Elstub and Escobar, 2017; Isunza and Gurza, 2010; Smith, 2009); participation and civic-culture building (e.g. Rocchi and Venticinque, 2010; Somuano, 2011); participatory mechanisms, including the use of internet (e.g. Duque and Carneiro, 2010; Morell and Subirats, 2012; Pisarra, 2010; Welp and Schneider, 2015); participation and gender (e.g. Hippert, 2011; Pachón et al., 2012); participation and development (e.g. Landázuri, 2010; McGee and Norton, 2000; Nelson and Wright, 1995); arguments against participation (e.g. Aguiar and Navarro, 2002; Cooke and Kothari, 2001); and notably, case studies evaluating the advancement in expected results.

2.5. The empirical and the systemic turns.

Followers of deliberative democracy such as Owen and Smith (2015) and Ercan et al. (2017) termed the rise of case studies on participatory and deliberative democracy as an 'empirical turn'. Empirical turn studies have examined participatory and deliberative democracy in practice, focusing on institutions for invited participation[36] and the factors that contribute to failure or success.

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[34] Similarly, Whitehead (2006) identifies that policy makers use more often the category of citizenship - attached to individuals- and avoid the concept of civil society, as the latter has more contentious potential.

[35] Fung (2003) highlights that participatory designs are inclined to promote legitimacy, justice or effectiveness. Gains in one of the effects imply losses in the others.

[36] 'Those into which people […] are invited to participate by various kinds of authorities, be they government, supranational agencies or non-governmental organisations' (Cornwall, 2002, p.17).

In the specific field of deliberative democracy,[37] empirical turn research has looked for the best possible designs for deliberative quality (Mansbridge et al., 2012; Chilvers et al., 2018), and scholars became 'increasingly fascinated with the micro-dynamics of [minipublics]' (Ercan et al., 2017, p.196). This concentration on discrete instances for high-quality deliberation brought criticisms, namely that the complexities of the modern world would prove an obstacle to in-depth, rational argumentation, and that there were meaningful differences between small-scale and large-scale deliberation (Gunn, 2013).

The systemic turn was a reaction to these criticisms (Kuyper, 2015). A systemic approach to deliberative democracy consisted in examining the deliberative quality of the overall democratic system rather than of individual instances. The approach not only brought 'the macro [large-scale] perspective back' (Braun and Könninger, 2018, p.679), but also made the deliberative proposal more 'realistic': it recognised that public deliberation happens 'within a broad system composed of a diversity of spaces from informal 'everyday talk' to formal legislatures' (Ercan et al., 2017, p.196), and that although all these spaces were not equally deliberative or institutionalised, each one of them performed political functions, which ideally, would account for a deliberative system when taken collectively (Mansbridge et al., 2012; Stevenson and Dryzek, 2014).

Although the theoretical, methodological and practical suitability of the systemic turn are still debated by followers (e.g. Dean et al., 2019; Ercan et al., 2017; Owen and Smith, 2015) and detractors (e.g. Gunn, 2017) of deliberative democracy, the approach seems to have come to stay. In fact, it has inspired work in other fields. Science, Technology and Society (STS) scholars have started talking about 'ecologies of participation', a notion that, based on

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[37] The references 'empiric turn' and 'systemic turn' appear more often in Western literature about deliberative democracy than in general literature about participatory democracy. However, the reference 'empiric turn' can apply to both. There are, in fact, Latin Americanist works aligned with the 'systemic turn' framework (e.g. Pogrebinschi, 2018). Note that I do not focus on the discussions about participatory vs. deliberative democracy. Such division is not key to the Latin American tradition. In Latin America, participatory processes have aggregative, deliberative, agonistic and even mixed expressions, which blur such divisions. The analytical and practice divide is more frequent in the West. Likewise, while Western research tends to refer more often to deliberative experiences; Latin American research refers more to participatory democracy (Cini and Felicetti, 2018). In the participatory vs. deliberative debates it is commonly acknowledged that the latter emerged from the former (Bohman, 1996; Chilvers and Longhurst, 2016; della Porta, 2013; Elstub, 2018; Floridia, 2014; Hauptmann, 2001; Vitale, 2006; Pateman, 2012). Yet, deliberative democracy is particularly interested in the quality of rational argumentation in public discussions. Some scholars have emphasised the differences between the two political and scholarly proposals and underline their incompatibility (e.g. Warren, 1996) -e.g. the broad inclusion promoted by participatory democracy could endanger rational consensus sought by deliberation. Others underline their coincidences -e.g. they both concern the development of citizens' values- and complementarity (e.g. Cohen, 2009). For instance, Della Porta (2013) talks about participatory deliberative democracy (also Elstub, 2018). My stance is similar to Della Porta's. However, I am not convinced about the need to add the label 'deliberative' in the middle. In the Latin American tradition, the term participatory democracy does not exclude deliberative exercises, but the opposite (See Avritzer, 2002). That said, its inclusion in participatory democracy does not excuse deliberative democracy from the criticisms it has received; particularly those related to their superficial treatment of power issues (see sections 1.3 and 1.4).

deliberative systems theory,[38] seeks to recognise and understand 'the dynamics of diverse interrelating collectives and spaces of participation and their interactions with wider systems and political cultures' (Chilvers et al., 2018, p.200). Conceptual frameworks for 'ecologies of participation' (e.g. Chilvers et al., 2018; Chilvers and Kearnes, 2019) are also under discussion. Braun and Könninger (2018), for instance, question the delimitation of systems and ecologies of participation, and how power is understood. Thus, the evolution of the 'ecologies of participation' notion in participatory democracy literature remains to be seen.

Regarding Latin-American-focused literature, the empirical turn coincides with what I called the second wave of participatory democracy studies in section 2.3. Case studies explored the institutional design of democratic innovations; the behaviour of participants, political parties, governments and international actors; and the outcomes of participation processes. This second wave provided important findings that I consider in this research. This last section aims to present some of the main conclusions of a group of case studies. The group focuses on the type of participatory spaces of interest for this research: those in Latin America that involve deliberation, inclusion of previously excluded actors, and their expected empowerment.

Empirical evidence of this wave of studies has led to the conclusion that institutionalised participation can improve democracy (Cameron et al., 2012; Cornwall and Coelho, 2002, 2007; Gaventa, 2004; Santos, 2005; Whitehead, 2011). However, beyond iconic cases (e.g. Porto Alegre, Kerala), scholars have not found an immediate, positive relationship between the existence of participatory institutions and achievement of the promises of participation.[39] The changes that participation may promote are explained by additional factors, and that is crucial.

Firstly, scholars have underlined that institutional designs matter. Participatory instances cannot be spaces for discussion only. They must have some effect on the political and policymaking systems, i.e. some influence on decision making (Goldfrank, 2020; McGee et al., 2003; Pateman, 1970, 2012; Santos, 2005). Otherwise, as Hevia and Isunza (2012) found in their study about Consultative Councils in Mexico, citizens may become frustrated with participation.

Additionally, case studies have found that institutional designs must consider problems of representativeness and inclusion inside the public sphere. Duque and Carniero's (2012) research in Brazil showed that participatory spaces encountered legitimacy problems when participants did not represent all social sectors affected by the topics discussed. The

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[38] Chilvers et al.'s (2018) notion of ecologies of participation is also based on STS relational, co-productionist theories. See also Chilvers and Longhurst, 2016.

[39] Depending on the elements set as participatory democracy's expected results. e.g. For Cameron et al (2012) the promises of participatory democracy are: enhanced inclusion, representation, responsiveness, accountability, disrupting clientelism, and educating citizens.

finding reminds us of the obstacles that disadvantaged groups face in participating in the public sphere in conditions of equality (see section 2.2). Due to these factors, researchers highlight the importance of the 'representation architecture' of participatory institutions. Hence, good institutional design should address inclusive representation in addition to binding-decisions.

Research has also suggested that uneven resource distribution among participants facilitates the co-optation of the spaces by traditional elites (Cornwall and Coelho, 2007). For instance, Montambeault (2012) showed that in contexts of inequality, clientelism can strongly influence participation processes despite the formal features of participatory mechanisms. The same has been found for the Colombian case (e.g. Velásquez and González, 2003).

These findings show that traditional formal and informal political dynamics still have substantial power over participation. Welp and Schneider (2011), for instance, demonstrated that this was the case with party systems. In their research, the State-party system relationship explained the differences among participatory processes in Colombia, Argentina, Venezuela and Uruguay. Zaramberg (2012) and Pogrebinschi (2012) have similar findings. In her comparative study of Mexico, Brasil, Venezuela and Nicaragua, Zaramberg concluded that the distance between social organisations and the party system had a crucial role in participation's effectiveness. Working on Brasil, Pogrebinschi (2012) found that coordination among participatory spaces and representative institutions was fundamental for the former to achieve national impact. Wampler's (2007) renowned work also concluded that the role of the *Partido dos Trabalhadores* (PT) was key to the success of participatory budgeting in Porto Alegre.

Likewise, as evidence has suggested that participatory processes do not rely exclusively on citizens' agency (Cameron et al., 2012), literature has increased emphasis on the role of the state. For example, Cornwall and Coelho (2007) have related successful participation to the State's responsiveness, in turn connected to factors such as participation's legal frameworks and the State's internal coordination. Regulations asking for financial support for participatory initiatives; bestowing decision power on participants; and enforcing answers to participants' remarks would make a difference in the processes. Likewise, it has been recognised that the State is not a unified actor and that its sections may have different approaches to participation, which impels participants to adopt diverse strategies to engage with them (Melucci, 1996). This suggests that coherent processes within the State could help successful participation.

A number of authors have underlined the need for understanding bureaucrats and politicians, their interests, their definitions of participation and commitment to it, their connections with other State institutions, other public actors, and the private sphere. Interest in State actors are connected to concerns about political will, the State's capacity to implement

pro-participation policies, and personal attitudes regardless of formal rules about participation. Hevia and Isunza (2012) and McCarthy's (2012) works exemplify the effect of those variables. Hevia and Isunza explain the minimal impact of Consultative Councils in Mexico due to their disconnection from other political institutions, and the government's lack of interest in them; meanwhile McCarthy concludes that the government's commitment was a key factor in the success of Community Councils in Venezuela.

Case studies have also forewarned about the languages used in the interaction with the state. State actors may recognise participants as citizens instead of clients or beneficiaries, they may be interested in designing public policies through a participatory approach; however, the form in which dialogue develops may lead to a dependency problem, and policy makers could end up directing the decision-making process. Chandoke (2003) also showed that well-intended bureaucrats wanting to transform participants' discourses into 'more acceptable' narratives could remove part of the latter's original demands and provoke their discontent. This shows that, in addition to political will and commitment to participation, State actors require communication skills, respect, and understanding of the voices in the participatory sphere.

Other works have highlighted a similar phenomenon with facilitators and mediators from the NGO sector. These actors work with both sides of the process: they are concerned about State officials' attitudes and are also involved in training participants. Scholars have considered their impact on the effectiveness of participation (e.g. Bherer, Gauthier and Simard, 2017; Christensen, 2018; Cornwall and Coelho, 2007). Questions refer to representativeness and possible de-politicisation effects: which voices are they representing? Does the training they provide transform participants' discourses and positions? If so, does this training silence civil society's claims and concerns? Does the use of languages 'more acceptable' to the state imply de-politicisation (Cornwall and Coelho, 2007)?

Another recurrent finding in evaluative study cases refers to the relationship between institutionalised and non-institutionalised participation. Scholars have pointed out that synergies among participatory instances and grassroots mobilisations are strongly beneficial for effective participation, especially when the processes take place in restrictive political systems (e.g. Cornwall and Coelho, 2007; Cornwall and Gaventa, 2001; Gaventa, 2007; Heller, 2001; Miraftab, 2004, 2009; Velásquez, 2011; Zaremberg, 2012). The finding invites us to observe the interaction of participatory institutions with the spaces and dynamics surrounding them.

Regarding the culture of citizenship, scholars have not reached clear agreements. A group of studies correlates participatory spaces with stronger democratic and pluralist values

among the actors concerned (e.g. Avritzer, 2002). A second group concludes the opposite, as failing participatory initiatives stimulate citizens' frustration (e.g. Barnes, 2007). Other scholars record mixed effects: Velásquez and González (2003, 2009) found that by 2002, Colombian citizens thought that civil authorities were more open to listening to citizens' demands. However, they also thought that participatory institutions were not completely effective nor trustworthy, and preferred to avoid them.

I mentioned before that pessimism was common in the second wave of Latin Americanist studies on participatory democracy. Goldfrank, for example, articulates such pessimism. He has said that the impact of participatory democracy on the region has been 'varied but limited' (2019, p.149; 2020, p.137), as participation models have not 'lived up to their potential expectations to transform citizenship regimes' (2019, p.140). He sees that the concept of participation has become rhetorical for governments and that previously-successful cases are malfunctioning. Furthermore, he suspects that the unmet expectations with the left turn have undermined trust in participatory institutions, and warns that the return of right-wing governments and the end of the commodity boom do not help either (2018).

Still, during one of his presentations in LASA2018 he expressed his hope that 'participatory reformers [could] learn from the lessons of the local experiences so as to avoid weakening or destroying democracy and instead find ways to create institutions that deepen democracy'. By comparing the performance of Municipal Planning Councils, a Colombian first-generation participatory institution, and Municipal Victims' Boards, a second-generation institution, to identify what progress has been made and what is left to improve, this research aims to contribute to that goal for the Colombian case.

Based on evidence, researchers have ventured to formulate ideas about what is required for effective institutional participation. Legal frameworks favourable to participation, accompanied by strong institutional designs, are the first element to mention. Institutions should have decision-making power, be formally connected to other institutions in the political system, and address problems of representativeness and exclusion (e.g. Coelho, 2004; Gaventa, 2004; Goldfrank, 2020; MacCarthy, 2012; McGee et al., 2003; Pateman, 2012; Warren and Pearse, 2008). The second factor mentioned is coordination between the participatory sphere and popular social movements and civil associations. As much as reform from above, strong grassroots are equally required (e.g. Coelho, 2004; Gaventa and McGee, 2010; MacCarthy, 2012; Warren 2001; Zaremberg, 2012). Thirdly, scholars have underlined that committed bureaucrats are key to securing State responsiveness (e.g. Coelho, 2004; Cornwall and Coelho, 2007). Finally, potential structures of political opportunity (Tarrow, 1994) are not discarded from the list (Cornwall and Coelho, 2007; MacCarthy, 2012).

Nevertheless, academics acknowledge the futility of 'one-size-fits-all' prescriptions (Cameron et. at, 2012). For instance, McGee et al. (2003) maintain that, while a progressive legal framework contributes to promoting participation, 'the degree to which it can do so depends on a number of contextual factors' (p.77). In other words, participatory democracy does not occur in a vacuum. Rather, '[...] collective actors (civil society, state and others) negotiate relations in a pre-existing terrain that constrains and facilitates particular kinds of action' (Acharya et al., 2004, p.41). Based on these considerations, scholars call for studying each case's history and political culture to identify how these affect socio-political structures and actors' behaviour (e.g. Cornwall, 2002; 2003; Cornwall and Coelho, 2007; Goldfrank, 2020).

2.6. Standpoint of this research.

This research builds on all these reflections to find paths for improving participatory institutions, and a deeper and more peaceful democracy in Colombia. I acknowledge the need for an unambiguous notion of participatory democracy (see below and chapter three) and careful attention to contexts (see chapters one, four, five and six); I embrace the idea that participatory institutions can be improved; and recognise that successful participatory processes are affected by their interaction with other factors and other participatory processes within the political system (see chapters five, six and seven).

This research fits within the scholarly tradition that understands participatory democracy as a political means for social change by transforming power relations in society. Thereby, disadvantaged social groups increase their power to decide on the issues affecting their lives, and about the forms of society in which they live. To this tradition belong the scholars that consider participation as a means of empowerment (e.g. Arnstein, 1969; Pateman, 1970, 2012; Saxena, 1998; Fung and Wright, 2003; Dagnino et al., 2006; Fischer, 2006) and emancipation (e.g. Santos and Avritzer, 2005; Avritzer, 2017), including the Latin American thinkers that arrived at the participatory theory of democracy, drawing on the concept of popular participation (e.g. Fals Borda, 1998).

This research shares the interest in the elements of inclusion, empowerment and the educational effects of participation. I endorse the idea that the transformation of power relations in a society requires the active involvement of those previously excluded from political decision making. I also agree with the fact that empowerment does not only derive from the possibility to decide on public issues; it also derives from the formative by-products of the act of participating: recognising public issues and their importance; recognising one's

own capability to influence collective life; recognising Others in society, their interests and views about the world; and in some traditions, justice and freedom.

This research is also interested in Habermasian deliberation and its feminist revisions. I share the idea that people obtain the chance to develop values of pluralism and tolerance in deliberative encounters. These encounters defy methodological individualism as the predominant approach to public decision-making (Barber, 1984) because citizens come together, listen to each other and become conscious of their collective decisions, unlike with the interest-aggregation-system of the ballot box. Special consideration is paid to the feminist warnings about unequal access to the deliberative spaces and the power imbalances in them. Equality during discussions as well as the presence of all the actors who should join them must be guaranteed. In this sense, the feminist revisions are directly connected to the idea of inclusion. Likewise, the premise of radical democracy about the importance of recognising adversaries as valid interlocutors, instead of enemies-to-eliminate, resonates in this research.

These interests explain, in turn, my engagement with local processes. Goldfrank (2011) has concluded that 'deepening local democracy is possible [and that] the combination of decentralisation and participation can lead to more democratic city government in relatively short term' (p.248). It is at the local level where people meet to debate, and therefore, where active citizenship and pluralism develop. 'It is at the local level where the real […] effects of participation occur' (Pateman, 1970, p.31), where 'individuals learn democracy', and train to exercise it more widely.

Finally, this research joins the strand of literature interested in the institutionalisation of participation. Institutionalisation was at the core of debate when participatory democracy started to be discussed in Latin America, and it has been of interest for non-Latin American scholars from early on as well. It appears in Pateman (1970) and is a central issue in Habermas's work.

In summary, this research stands in the place described by Ramírez and Welp (2011):

> The topic of participatory democracy is a meeting point for social sciences. Studies about Latin American political systems have been characterised by a divorce between a more institutionalist political science, focused on processes of democratic consolidation and the institutionalisation of political parties, and a political sociology interested in democratic transformations promoted by civil society through, particularly, Gramscian (with emphasis on social movements, popular participation and the development of counter-hegemonic alternatives) and neo-Habermasian (focused on the emergence of new public spheres and citizens' rights, civil society's contributions to a cultural renovation of democracy, and the consolidation of a deliberative democracy) analyses. The studies of participatory democracy seem to function as a meeting point that brings together the analysis of institutional designs and actors concerned, with the analysis of their capacities (and limits) for political change, the expansion of the public space and the strengthening of democracy and society.

A review of institutionalised participation in Colombia is timely. The evolution of participatory democracy in the country has run in parallel with, and mirrors, international scholarly debates on the matter: claims for a fair, inclusive political system in the 1970s; initial acceptance of a decentralised and more participatory regime by the end of the 1980s; an upsurge in first-generation of participatory institutions after the 1991 Constitution; revisions from the 2000s that did not live up to expectations; and some reforms in the 2010s that gave birth to what I call a second-generation of institutions for participatory democracy. In 2016, the Peace Agreement between the Colombian State and the FARC-EP opened an historical opportunity for further transformations, including transformations of participatory institutions (see chapter one). Considering this context, it is necessary to study what has happened with the 2010s reforms and to identify what is left to do during the forthcoming stage of institutional enhancement.

The comparison of Municipal Planning Councils, a Colombian first-generation institution, and Municipal Victims Boards, a second-generation institution, is a solid path for carrying out such an enterprise. The design of the Victims' Boards has integrated suggestions for strengthening participation that coincide with findings of Colombian and international research: they have greater decision-making power than Municipal Planning Councils; responsiveness is emphasised; unequal access to the participatory sphere is addressed through positive discrimination of the most marginalised groups in society and the logistics of meetings; the connection between institutional and non-institutional participation is stimulated through the mechanisms by which participants are selected; there are strategies to oppose Olson's (1971) dilemmas of collective action through the creation of incentives for the participants (see section 1.5).

Comparing participatory processes connected to different generations of institutions offers opportunities to confirm the suitability of recent suggestions in the literature, and to identify the remaining elements to be enhanced. Filling this gap may give scholars, practitioners and policymakers new clues about the feasibility of pursuing the democratisation of democracy via participation, and about ways to continue this process in Colombia for the sake of a more peaceful society.

Chapter 3. Methodological Design and Analytical Framework

In order to identify whether the innovations in the second-generation of Colombian institutions for participatory democracy, particularly those introduced into the design of the Municipal Victims' Boards, have helped to improve participatory processes at the local level, this research carries out a dual-level qualitative, case-oriented comparative analysis between three cases, within a framework with Participatory Action Research elements. This chapter presents the characteristics of the comparative analysis and the selected cases; the conceptual and analytical framework through which participation processes are assessed; the ethical considerations and methods used for data gathering; and the research's paradigm.

3.1. Why a comparison? What is compared?

Comparative analysis is described as a procedure for the systematic search for similarities and differences between two to twenty cases with the purpose of identifying variation and verifying hypothesis (e.g. Easthope, 1974; Ragin, 1989; Pérez-Liñán, 2009; Morlino, 2010; Schneider and Wagemann, 2012). Charles Ragin (1989) asserts that the knowledge it provides is 'the key to understanding, explaining, and interpreting diverse historical outcomes and processes and their significance for current institutional arrangements' (p.6). These are two of the reasons why comparative analysis was chosen as a method for this research.

Comparison was also chosen as a strategy for analysis due to the imperative of working with multiple and intervening factors. As chapter two and the forthcoming conceptual- and analytical framework will show, the overall performance of participatory processes is affected by a good number of -sometimes overlapping- variables. Comparative analysis, particularly qualitative, case-oriented comparative analysis,[1] facilitates the examination of causal complexity and the consequences of conditions' being combined. This is made possible by focusing on a small number of cases, so that researchers develop in-depth knowledge of each one of them (Collier, 1994). When properly applied, the method has the capacity to 'account for every instance of a certain phenomenon' (Ragin, 1989, p.16), which is what this research seeks to do with participatory processes in first-generation and second-generation institutions.

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[1] Case-oriented comparative analysis, in contrast to variable-oriented comparative analysis, is used when the investigation involves few cases and is interested in the details of contexts (Panebianco, 1994). While the method's goal is not to make generalisations, it enables the researcher to identify trends, due to a solid grasp of the contexts of the cases (Ragin, 1989). The method offers a compromise between generalisable explanations and deep knowledge of individual cases (Collier, 1994).

Finally, comparative analysis was chosen as a method for this research because it offers a middle ground between generalisable explanations, on the one hand, and in-depth, -interpretative- understanding on the other (Ragin, 1987; Collier, 1994; Panebianco, 1994). In-depth understanding of cases is required for accurate analysis of all variables involved. Additionally, although I do not intend to generalise my findings, I do draw out trends that are connected to Colombia's post-2016-Peace-Agreement context beyond my three selected cases. The trends identified are even more relevant if we consider that for some scholars, explanatory laws and generalisations in social sciences are not deterministic but actually refer to patterns (Sartori, 1995), which is precisely what I find.

In order to make my findings about the second-generation of participatory institutions more solid, I apply inductive principles of the two classical strategies of comparison in dual-level analysis.

The first level follows the logic of the most similar systems or J.S. Mill's method of difference. The strategy consists in comparing very similar cases in order to identify the effects of a variable in which they differ (Przeworski and Teune, 1970): 'If an instance in which the phenomenon under investigation occurs, and an instance in which it does not occur, have every circumstance in common save one, that one occurring only in the former; the circumstance in which alone the two instances differ, is the effect, or the cause, or an indispensable part of the cause, of the phenomenon' (Mill, 1846, p.225). In this part of my comparative analysis, I compare the Planning Council and the Victims' Board participatory processes in each one of my cases independently. That is, I compare Cali's Planning Council and Victims' Board; Buenaventura's Planning Council and Victims Board; and Corinto's Planning Council and Victims' Board. The fact that each one of the comparisons concerns the same municipality helps to parametrise (control) all the variables but the design of the participatory institutions, in turn helping me to identify the effects that such differing institutional designs have on the participatory processes. Chapters four, five and six present each one of the discrete comparisons.

For the second level of analysis I follow the logic of the most different systems, or J.S. Mill's method of similarity. The strategy consists in comparing very different cases in to identify whether a particular characteristic they share produces the same effects for them all (Przeworski and Teune, 1970): 'If two or more instances of the phenomenon under investigation have only one circumstance in common, the circumstance in which alone all the instances agree, is the cause (or effect) of the given phenomenon' (Mill, 1846, p.224). In this part of my analysis, presented in chapter seven, I compare the performance of the three Planning Councils, on the one hand, and the three Victims' Boards on the other. While the unit

of analysis is the same as in the previous level -the participatory processes- the cases differ widely. The characteristic that the units of analysis share in each trio is their institutional design. This second level of comparative analysis serves to confirm (or otherwise) the findings of the first level, thus, offering a more solid answer to the research question. Tables 3.2 and 3.4 present the structure of the two levels of case-oriented comparative analysis.

3.1.1. Case studies

Three municipalities in southwest Colombia were selected as case studies for this research: Cali, Buenaventura and Corinto. The South West of the country was selected as the geographical area of focus because it contains significantly dissimilar communities that are relatively easy to access and relatively close between each other. This made it possible to constantly travel to each one of them. From Cali, you can arrive in Buenaventura in three hours and in Corinto in one hour and a half.

Image 3.1.
Map of Colombia

Source: 'Atlas of Colombia'. Wikimedia Commons. Circle on southwest Colombia added by the author.

Image 3.2.
Map of Southwest Colombia
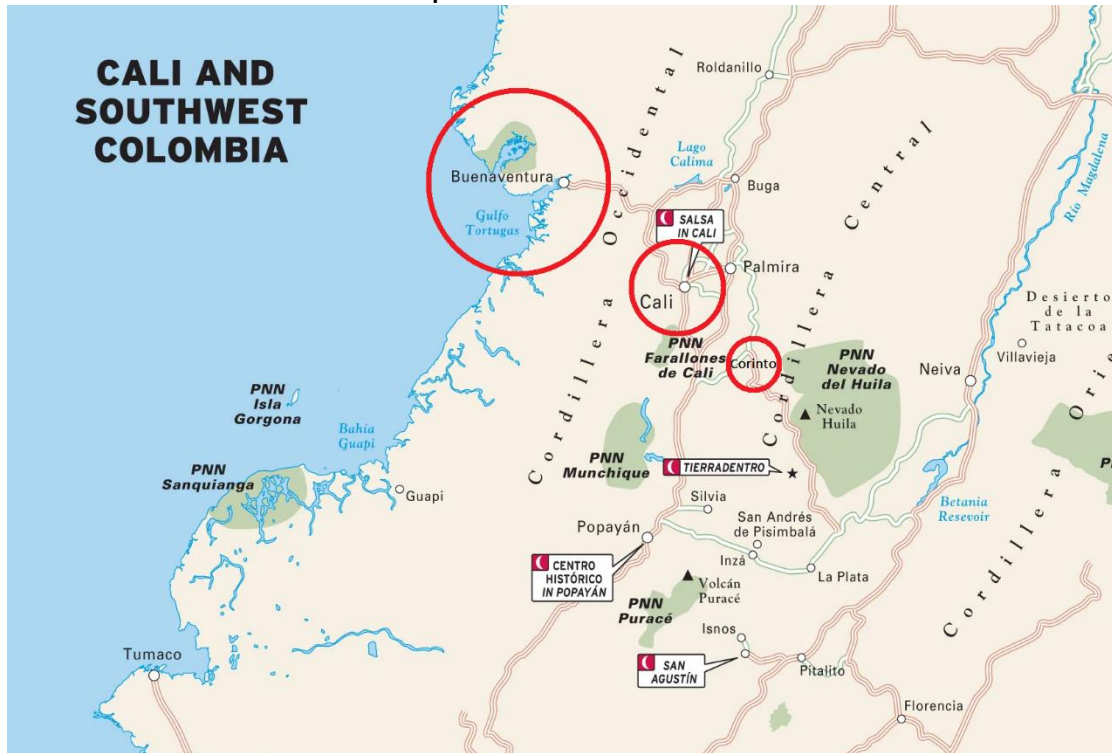
Source: 'Travel maps of Colombia'. Moon Travel Guides. Circles on Buenaventura, Cali and Corinto added by the author.

Cali, Buenaventura and Corinto were selected considering the need to examine the performance of first-generation and second-generation participatory processes in substantially different environments in order to draw solid conclusions about the effects of design innovations. Cali, Buenaventura and Corinto are indeed very different territories. They differ in size, demographics, level of urbanisation, and economic activities. Based on all the academic works concluding that context has a crucial influence on participation performance (see section 2.5.), I have assumed that historical, socio-economic, cultural and ethnic differences among the three municipalities influence the dynamics of participation in each of them. Additionally, although in different ways, Cali, Buenaventura and Corinto have been important scenarios of the Colombian armed conflict and have been connected with the illegal drugs business. This characteristic is not arbitrary. Participatory democracy was envisioned as a peacebuilding tool in Colombia. Hence, it is crucial to investigate how participation performs in scenarios of armed conflict, how it interacts with violence and how they affect one another.

Cali is the third largest and richest city in Colombia, the capital of the Valle del Cauca province and the economic centre of the South West of the country. Its population is diverse and surpasses two million people; its economy is industrialised and is oriented towards the services sector as well. Buenaventura, meanwhile, is less urbanised. In fact, although most population lives in the urban area, geographically, its rural extension is larger than its urban

core. Buenaventura's population is mainly Afro-Colombian, and there is an important presence of indigenous communities. Despite hosting the most important seaport on the Pacific, the levels of poverty and unemployment are higher than in Cali, and its population feels excluded from its own territory (see chapter five). Corinto is the smallest municipality. Proportionally, it is the municipality with the largest indigenous population, which some scholars considered positive for participation, given the Nasa people's[2] inclination for deliberation and collective action (Velásquez and González, 2003). Corinto is mostly rural, and its economy depends on farming -legal and illegal- activities. It is also a category six municipality. Colombian municipalities are classified as 'Special' and from one to six according to the size of their population and amount of locally collected taxes. The smaller and the poorer the municipality, the higher the score. 87.7% of the 1,100 Colombian municipalities are category six (Contaduría, 2019).

Each case study includes an introduction that offers a more detailed contextualisation of each place and what the aforementioned elements imply for participation. Table 3.1 also presents a general characterisation of the selected municipalities and some of their differences.

Table 3.1.
Selected cases: some characteristics

	Cali	Buenaventura	Corinto
Category by 2019[3]	Special	1	6
Area	619Km^2	6,078Km^2	518 Km^2
Population by 2019[4]	2,241,491	310,194	25,342
Urban/Rural population by 2019[4]	97.72% / 2.28%	76,4% / 23,6%	49% / 51%
Percentage of population with Unsatisfied Basic Needs 2018[5]	4.08%	16.57%	18.68%
Multidimensional poverty 2018[6]	11.9%	41%	33.7%
Formally recognised victims of the armed conflict by 31st December 2019[7]	216,846	218,767	14,385
Public Budget for 2019 (USD)	1,065,729,089[8]	172,154,118[9]	7,777,941[10]

Source: produced by the author.

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[2] Indigenous group in Corinto.
[3] Source: Contaduría General de la Nación (2019).
[4] Source: DANE (2019).
[5] Source: DANE (2019b).
[6] Source: DANE (2020).
[7] Source: UARIV (2020).
[8] COP$3,515,957,494,998. Source: Cali Municipal Council, *Acuerdo 453*, 18th December 2018.
[9] COP$567,955,373,558. Source: Buenaventura Mayoralty, *Decreto de Liquidación* 0954, 19th December 2018.
[10] COP$25,660,284,841. Source: Corinto Mayoralty, *Decreto 096*, 7th December 2018.

3.2. Conceptual and analytical framework

It has been stated that this research adopts a dual-level, qualitative, case-oriented comparative analysis involving three cases, and that the units of analysis are the Planning Councils and Victims' Boards participation processes in each one of three selected municipalities, that is, six units in total. I now explain how participatory processes are understood and assessed in this thesis.

As stated at the end of chapter two, I understand participatory democracy as a channel for social change by transforming power relations in society. Change comes following the inclusion of underprivileged groups in decision-making about communal life and becomes sustainable thanks to the democratic values and tools that actors develop during the process. To this tradition belong the scholars who portray participation as a means for empowerment of oppressed groups (e.g. Arnstein, 1969; Pateman, 1970, 2012; Fals Borda, 1991; Saxena, 1998; Dagnino et al., 2006; Fischer, 2006), or even emancipation (Santos and Avritzer, 2005).

On the basis of this general understanding, I adopt Carole Pateman's (1970, 2012, p.10) conceptualisation of participatory democratic theory:

> Participatory democratic theory is an argument about democratization. That is, the argument is about changes that will make our own social and political life more democratic, that will provide opportunities for individuals to participate in decision-making in their everyday lives, as well as in the wider political system. It is about democratizing democracy.

The research also adopts Cornwall and Coelho's (2007) concept of 'participatory sphere'. The participatory sphere is a space that belongs to neither the state nor the private sector. The participatory sphere is in between, a space of interaction, mainly[11] through institutionalised practices.[12] The sphere's location is relevant. It represents the power that participation may have. Habermas's preference for 'a sharp separation of (associational) civil society and the state' was criticised by Fraser (2006) for this reason. For her, such separation promoted weak publics, in which deliberation focused on forming opinion without 'encompassing decision-making' (Fraser, 2006, p.102); there were no specific mechanisms to ensure the penetration of public opinion into the political system. Regarding this discussion, scholars have concluded that institutional participation takes form in an intermediate space between the state and civil society, where the dynamics of these two spheres meet, and where

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[11] Although Cornwall and Coehlo focus exclusively on institutionalised dynamics, I will argue that non-institutionalised practices of participatory democracy also are in the participatory sphere. They may also become more institutionalised. The argument presented in the following chapters.
[12] It is important to point out that the notions of 'politics' and 'the political' are not State-centred. Public issues, political discussions, and public decision-making also take place outside the State.

there are institutions in place to secure their engagement (e.g. Cornwall and Coelho, 2007; Espinosa, 2009).

In the research, participatory institutions are also understood as *spaces*, and the participatory exercises, as *processes*. The idea of addressing participatory institutions as spaces comes from Cornwall (2002), based in turn on Lefebvre (1991):

> '[a] social space [is] a produced space, one that is both the outcome of past actions and that which permits new action to occur, enabling some and blocking others. [...] Etched into every space there are traces of its production, its 'generative past' (1991:110); no newly created space can be entirely cleared of these assumptions and meanings. Nor can they be emptied of expectations and experiences, of traces of social relations in other spaces [...]. Examining how spaces for participation are occupied, negotiated, subverted or mediated calls for a focus on dynamics within these spaces. It also calls for situating these dynamics with regard to patterns of interaction in other domains of association [...]. These spaces are not separable; what happens in one impinges on what happens in others, as relations of power within and across them are constantly reconfigured' (Cornwall, 2002, pp.7).

The concept of space helps us to see participatory institutions as something more than a set of fixed rules about 'how to participate'.[13] Rather, participation in these institutions is a 'process over time' to which actors bring their own 'social and political projects', their ties to other spheres, and their past (Cornwall and Coelho, 2007). Note that the acknowledgment of interaction between spheres resonates with the premise of systemic approaches to participation (see section 2.5.). On the other hand, the notion of process avoids the simplification of defining participatory exercises as subsequent actions to be performed by their subjects. Additionally, the idea of process offers a sense of temporality and transformation that fits with this study's interest: the evolution of participatory democracy by considering changes in institutional design.

3.2.1. Analytical categories and indicators

Based on my theoretical approach and the scholarly discussions presented in chapter two, I selected three categories of analysis to study the performance of my six selected participatory processes - those of the Planning Councils and Victims' Boards in Cali, Buenaventura and Corinto. The three categories comprise the factors that make participatory democracy genuine: inclusion, decision-making power, and democratic learning. For theoretical purposes, I would add a fourth category to the list: effective distribution of public goods (Avritzer, 2009).

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[13] Whitehead (2011) rejects political science 'fetishization' of institutional designs, particularly for Latin America, as the democratisation processes in the region have been 'complex, turbulent and specific' (p.19). He proposes to observe the historical context of each country, informal and extra-institutional factors, and seeing participatory institutions as 'open', similar to Cornwall's (2002) concept of space.

However, I did not include it in my analytical framework for practical reasons, as the extent of the research did not give me enough time to gather significant information about this issue.

Note that I organise these categories as a process, so they can tell its story: inclusion talks about who entered in the participatory sphere, who took part in the process, and how they gained access. Decision-making power refers to the influence that participants managed to have on public decisions and what they did to gain such influence; democratic learning talks about the long-term effects that make participatory democracy sustainable, as it refers to the democratic tools and values that actors develop in the participatory sphere alongside their participatory experience.

I operationalised each one of these analytical categories with four indicators. These indicators, as the analytical categories, are based on the one hand, on the developments of scholarly discussion about participatory democracy. On the other hand they are based on my empirical observations. I had an early analytical framework that I adapted during fieldwork, as I wanted my framework to reflect theoretical reflections as well as the dynamics of participation *in practice* within the Colombian context. Image 3.3 synthesises my analytical framework, following which the three analytical categories are further developed.

Image 3.3. Analytical framework
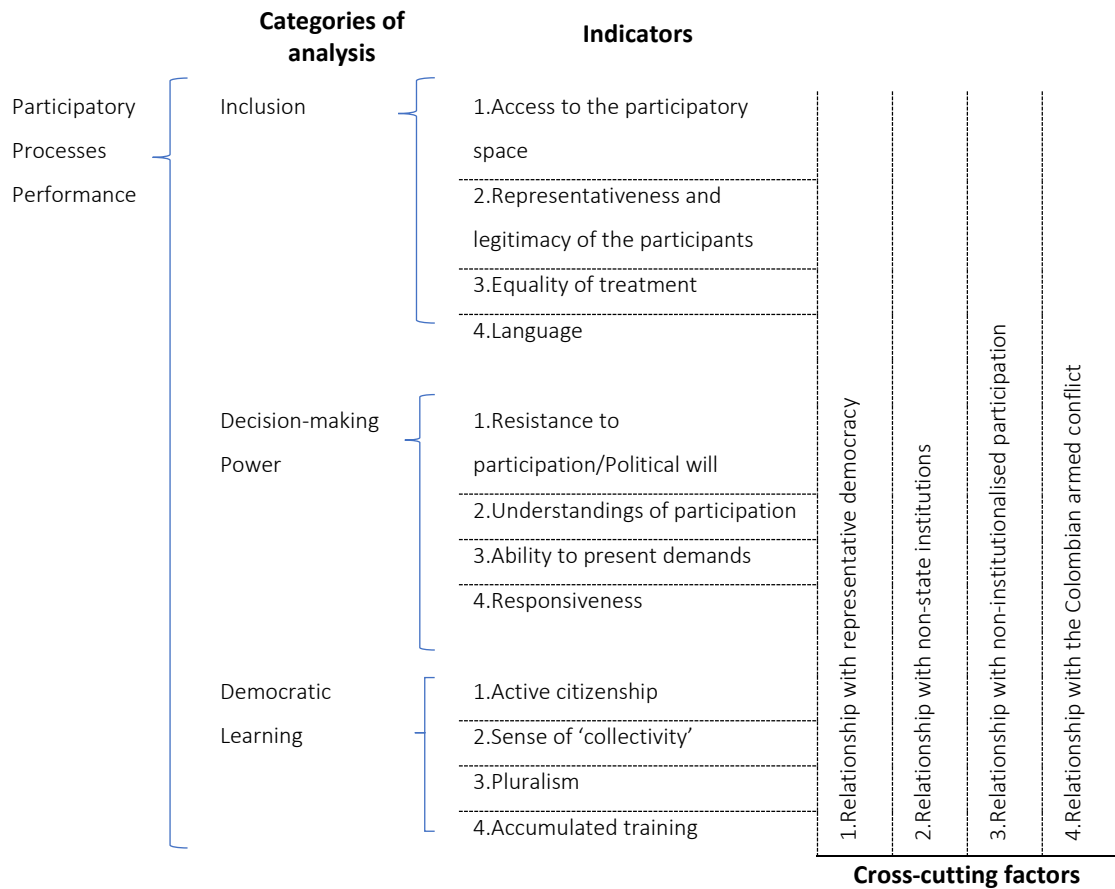
Inclusion. Participatory democracy is about the inclusion of civil society in defining public issues beyond elections. Participatory democracy is concerned about the political involvement of 'ordinary people' (Fung and Wright, 2001), particularly of unprivileged social groups who have been disconnected from the design of collective life (e.g. low-income population, women, ethnic minorities). Hence, one of the categories for understanding and assessing the performance of participatory processes is how inclusive they are. Following the feminist critics of deliberative democracy, this inclusion recognises the obstacles that marginalised groups face in participating in conditions of equality due to power imbalances, and encompasses the measures taken to counter them. This category comprises four indicators:

- **Access (to the participatory space):** this indicator assesses how easy or difficult it is for social groups to access the participatory sphere, with special focus on marginalised social groups. This information is reflected in the rules for accessing the participatory institutions, the profiles of the people that gain entrance, as well as their experiences and interpretations thereof.

- **Participants' representativeness and legitimacy:** this indicator accounts for the 'architecture of representation' of participatory institutions, and whether they promote inclusive representation. Scholars such as Pearce (2010) and Cornwall and Coelho (2007) have shown that participation processes have their own representation problems, and that inappropriate representation of the voices affected by a discussed topic generates problems of legitimacy in such processes (Duque and Carneiro, 2012). Thus, this indicator is concerned about whether participatory spaces include all voices that should be heard; if the participants are representing the social groups they are expected to represent; and if they are seen as legitimate representatives by the population outside the participatory sphere.

- **Equality of treatment:** this indicator, like the following one, observes one aspect of inclusion once participants have accessed and are trying to be active in the participatory space. Once marginalised groups have accessed participatory institutions, they may see their participation discredited or restricted due to the 'micropolitics of the participatory arenas' (Cornwall and Coelho, 2007). This refers to the fact that participants may assess their status outside the participatory sphere, and not accepting each other as social equals (Chandoke, 2003; Fraser, 2006; Lister, 2007; Lovell, 2007). This indicator observers if participants and state representatives deal with themselves and each other in conditions of equality throughout the participatory process, or whether the hierarchies of society are replicated in the participatory sphere. If the latter, the indicator also observes whether it entails any kind of political contestation.

- **Languages:**[14] it is also possible to find processes in which there are conditions of equitable access for all groups and a conscious commitment to equal treatment between all participants and state representatives. Nevertheless, the languages used may be an obstacle for real inclusion in participatory processes. State representatives, intermediary actors, or even participants can use technical languages that disadvantaged groups find difficult to understand. As inclusive dialogue cannot flourish without a shared language among participants, this indicator observes the language used in the participatory spaces, and how inclusive they are.

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[14] As in different terminologies, jargon, and vocabulary. All research participants spoke Spanish.

Decision-making power. Participatory democracy only makes sense -participation is only real- if it has an effect on the political and policymaking systems (Arnstein, 1969; Saxena, 1998; Pateman, 1970, 2012; Fung and Wright, 2001; Santos and Avritzer, 2005). This fundamental observation gains importance if we consider that the extension of support for participation has been accompanied by a flexibilisation of its meaning, sacrificing its emphasis on civil society's power. This second category accounts for the decision-making power of the social groups involved in participatory processes through the following four indicators:

- **Understandings of participation:** it is a fact that participation has been addressed through diverse theoretical frameworks, and that therefore, it has adopted different meanings (Whitehead, 2011; Speer, 2012). It has been also proved that the decision-making power of a participatory process is affected by the understandings and expectations about participation of the actors involved (Fischer, 2006; Montambeault, 2015). This relates to the purposes that institutional design accords participatory institutions. Actors do not always have clear goals with regards to the participatory processes they are involved with. Hence, when actors do not relate participation to decision-making, -but with learning, for instance -, the processes may not lead to this end. This indicator evaluates the understandings of participation in institutional design, participants and state representatives, corroborating whether they contribute to decision-making power.

- **Resistance to participation or political will:** resistance to participation or lack of political will by politicians and policymakers is one of the most important variables influencing the success of participatory processes (Wampler, 2007; Hevia and Isunza, 2012). This indicator refers to the degree to which the states' representatives, either politicians or bureaucrats, resist or support participatory processes.

- **Ability to present demands:** Decision-making power also depends on the participants' ability to present their demands (Cleary, 2007; Wampler and Touchton, 2015). Participants may be interested in influencing decision making, however, they may lack the power 'to affect the outcome of the process' (Arnstein, 1969, p.217) if they do not possess repertoires to properly present or negotiate their interests. This indicator observes participants' ability to present their demands to the state's representatives and to other participants.

-   **Responsiveness:** Responsiveness is the governments' capacity and readiness to act or deliver outputs according to citizens' expressed preferences (Walter, 2000; Cleary, 2007). It is, then, a concrete manifestation of the participants' decision-making power. Participation has a direct influence on responsiveness, as it implies pressure to comply (Hirschman, 1970; Putnam, 1993; Cleary, 2007; Rodhes-Purdy, 2017). Responsiveness can be legally promoted,[15] and it is not only determined by politicians and policymakers' personal positions on participation, but is defined by factors such as the state's capacity to coordinate pertinent internal units in order to deliver an answer (Fung and Write, 2001; Melucci, 1996)[16] as well as availability of financial resources to comply (Posner, 2009; Wampler, 2015). This indicator investigates the state's responses to the participants: Do their inputs receive answers? Are these answers timely? Are the answers relevant? Are they satisfactory? It also looks at the state's internal coordination and resources to reply. Responses are understood as outputs; they include the formal answers to the participants' demands as well as the steps taken to implement such formal responses. For practical reasons, I mainly focus on the formal answers to the participants' demands, as implementation of some answers took longer than the production of this thesis.

Democratic learning: This category reflects the scholarly works focused on the educational effects of participatory democracy, based on Pateman (1970) and Freire (1970). Participatory democracy theorists assert that political institutions influence individuals' psychological qualities and attitudes; that institutionalised participation promotes civic values; that the democratic tools and values that citizens develop during the participatory process make participation self-sustainable; and that 'people learn to participate by participating' (della Porta, 2013; Evans and Boyte, 1992; Macpherson, 1977). Growing concern for public issues (active citizenship), the realisation of being part of a collective, the development of pluralist values and knowledge about how to participate (accumulated training) are the main learnings I found, and therefore, the indicators for this category.

-   **Active citizenship:**[17] Educational approaches to participatory democracy maintain that the involvement in participatory processes increases interest in public issues and further participatory processes, as it reveals the possibility and importance of taking

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[15] For instance, norms governing the Victims' Boards make it explicit that the State is obliged to respond to participants and establish deadlines for doing so.
[16] Fung and Wright (2001) call it centralised supervision and coordination.
[17] Similar to 'citizen agency' in McGee and Flórez 2016.

part in shaping communal life. Thus, participation would be related to the Arendtian '*vita activa*' that takes place in the public realm, where citizens can exercise speech and therefore, politics (Arendt, 1958, 1997). This indicator seeks to identify if being involved in participatory processes has increased participants' interest for exercising their political citizenship.

- **Sense of 'collectivity':** I call individuals' realisations about being one of many members of society a 'sense of 'collectivity''; the need to take 'into account wider matters than his own immediate private interests if he is to gain co-operation from others' (Pateman, 1970, p.25); and the connection between public and private interests. Pateman (1970) termed it 'the integrative function of participation' (p.27). This learning effect is a defiance of methodological individualism for public decision making, in turn characterised by supressing conscious collective decisions (Habermas, 1996). This indicator observes whether participants gain the ability to recognise in their fellow citizens opportunities for partnership around common goals. Although this factor is not frequently mentioned in the literature, it was very important for most of my interviewees, who aspired to 'become a group' with their fellow participants at the participatory institution they belonged to.

- **Pluralism:** Encounters with people with whom we differ, and the problematisation of taking decisions about collective life without these others, are derivatives of an individual's recognition of being only one of many members of society. Social groups do not easily agree with each other and pluralism implies accepting all these facts. Differences, however, vary in intensity. Pluralism has to do with the possibility of collective action among groups despite their differences. This type of pluralism has been a core value in the tradition of popular participation (see Torres, 1965). Pluralism also has to do with the recognition of others, with whom we deeply disagree, as valid interlocutors, and with the recognition of the right to dissent. This agonistic version of pluralism has been developed by theorists of radical democracy who underline that when adversaries are not recognised as such, but framed as enemies who should be eliminated, non-democratic reactions -like fundamentalism and violence- may emerge. This indicator is fundamental to the Colombian case, as the development of pluralist values is critical to peacebuilding.

- **Accumulated training:** This indicator observes the tools and practical repertoires learned by actors during participatory processes: knowledge about the discussed topics, about the state and public management; technical language; how to approach bureaucrats, politicians and fellow citizens; when and how to present demands; when to opt for direct action. Appropriation of these skills and knowledge make participation processes increasingly more effective.

Additionally, I include four cross-cutting factors in my analytical framework, as they have been found to be particularly influential in participatory processes in general and Colombia in particular. Although they are not direct determinants of participation performance, they affect the analytical categories and their indicators. The inclusion of these cross-cutting factors also coincides with most recent theoretical approaches that seek to understand participation through more systematic lenses and are interested in the 'dynamics of diverse interrelating collectives and spaces of participation and their interactions with wider systems and political cultures' (Chilvers et al., 2018, p.200) (see section 2.5.).

Relationship with representative democracy: Participatory democracy, at least in this case, does not pretend to replace representative democracy; they coexist and, ideally, complement each other. Research on Colombia and other parts of the world have found, however, that representative democracy tends to have more influence on participatory democracy than *vice versa* (see section 1.3.). Scholars have pointed out that participatory processes are more likely to be successful when they are encouraged by the dynamics of the representative system (Pogrebischi, 2012; Rhodes-Purdy, 2017; Silva and Cleuren, 2009; Wampler, 2007, 2015; Welp and Schneider, 2011; Zaramberg, 2012). Likewise, informal and antidemocratic practices in the representative realm, such as clientelism, can be detrimental to genuine participation (Avritzer, 2002; Montambeault, 2012; Velásquez and González, 2003). This cross-cutting factor takes these considerations into account and observes how representative democracy -political parties, public authorities elected through representative mechanisms, informal practices typified as characteristic of the representative system- interacts with and affects inclusion of participatory processes, decision-making power, and democratic learning.

Relationship with non-state institutional actors: Participatory processes often involve third-party actors in addition to participants and the state: facilitators and mediators coming from the NGO- and IGO sector who aim to help. During the last decade there has been an increasing scholarly interest in role of these practitioners -also called public participation professionals-

and the effects of their involvement. Academics have pointed out that although they can contribute to participation, tensions also emerge: they may prioritise defending their credibility, participatory processes start to be standardised, de-politicised, commercialised and sometimes fragmented (Bherer et al, 2017; Christensen, 2018; Cooper and Smith, 2012; Hendriks and Carson, 2008; Lee, 2014; Lee et al., 2015). This cross-cutting factor evaluates the role of practitioners in the observed participatory processes. It considers their understandings of participation, goals and practices, in order to identify if and how they contribute to the purpose of deepening democracy.

Relationship with non-institutionalised participation: Scholars have concluded that coordination between institutionalised and non-institutionalised expressions of participation - grassroots social mobilisation, strikes, protests, demonstrations- is a key element in successful participatory processes, particularly in restrictive political systems (e.g. Cornwall and Gaventa, 2001; Heller, 2001; Miraftab, 2004, 2005, 2009; Pearce, 2004, 2010; Gaventa, 2007; Cornwall and Coelho, 2007; Gaventa and McGee, 2010; Zaremberg, 2012; Montambeault, 2015). This cross-cutting factor accounts for how participatory institutions interact with non-institutional participatory processes and the effect of these interactions.

Relationship with the Colombian armed conflict: There is an established consensus about the idea that violence impacts participation. As Pearce puts it (2007), violence does not make participation impossible; yet, it is a fact that participation is affected by violence and responds to it. In Colombia one of the most evident expressions of chronic violence is the country's armed internal conflict. While acknowledging the diverse expressions and multi-faceted definitions that violence may have (e.g. Galtung, 1969; McGee and López, 2016), this cross-cutting factor focuses on the armed conflict as an expression of violence in Colombia.[18] The armed conflict is a mandatory element to observe in studies about Colombian democracy. Participatory democracy has been argued to be a powerful tool for peacebuilding in the country. Paradoxically, the armed conflict has found to be both a promotor and an inhibitor of participation (Uribe, 2002, 2005; Ramírez, 2005; Gutiérrez and Jaramillo, 2005; Velásquez, 2011b; MOE, 2012; McGee and López, 2016). This cross-cutting factor accounts for the interactions between the participatory processes observed and the armed conflict, as well as for the results of such interactions.

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[18] It is important to remember, nevertheless, that the armed conflict as study object does not only involve personal direct violence. As shown by Sánchez (1986, 1987) and others, studying the armed conflict implies the recognition of structural and cultural violence as objective causes and drivers of the conflict (see section 1.1.3.).

Table 3.2.
First level of comparative analysis

Categories of analysis	Inclusion				Decision-making power				Democratic learning			
Indicators	Access	Representativeness and legitimacy	Equality of treatment	Language	Understandings	Resistance	Abilities to present demands	Responsiveness	Active Citizenship	Sense of 'collectivity'	Pluralism	Accumulated training
Municipal Planning Councils												
Municipal Victims' Boards												

Units of Analysis

Cross-cutting factors	
	Relationship with representative democracy
	Relationship with non-state institutional actors
	Relationship with non-institutionalised participation
	Relationship with the Colombian armed conflict

Table 3.2. displays how these categories, indicators and transversal factors are compared at the first level of analysis. One independent comparison is developed for each case study and presented in the following chapters. Each chapter unfolds the 'story' of the participatory processes in each municipality by way of a qualitative description that is subsequently synthesised in a comparative table for analytical purposes.

Please note that my comparative tables are not classic truth tables, as I found the use of numbers to grade the indicators I observe problematic. Using 1 and 0 to indicate presence or absence is inappropriate to symbolise the phenomena I work with. Elements such as 'legitimacy' or 'pluralism' do not dichotomously manifest as 'present' or 'absent'; they manifest in levels of intensity. Nor could I use a scale of numbers to grade this intensity without questioning accuracy and arbitrariness: at what stage do we achieve 100% pluralism and how do we identify it? Why would I award a 50% instead a 45%? What I could identify without fundamental hesitating was *in which participatory process an indicator had behaved better*. Based on this conclusion, I decided to compare the Planning Councils and Victims' Boards participatory processes against each other instead of against an external scale and using mathematical symbols to represent such comparison.

Table 3.3 presents an example of this grading and the symbols I use. I use the plus (**+**) and the minus (**-**) symbols to indicate in which participatory institutions an indicator had performed better or worse in comparison. I use the equal (=) symbol to indicate that both indicators showed the same behaviour, and the similarity or approximately equal (≈) symbol when the overall 'value' of the observed indicator is similar, even though the conditions of both participatory processes may have substantially differed. In the example below, access to the participatory space and representativeness and legitimacy were better in the Victims' Board than in the Planning Council; the treatment in both was equal and the use of language, similar. The comparative tables of each case study include the transversal factors that were positive or detrimental for the indicators.

Table 3.3.
Comparison symbols

Analytical category	Indicators	Planning Council First-generation Institution	Victims' Board Second-generation Institution
Inclusion	Access	-	+
	Representativeness and legitimacy	-	+
	Equality of treatment	=	=
	Language	≈	≈

Table 3.4. shows the logic of comparison for the second level of analysis. The comparison is carried out twice: once among the participatory processes at the three Planning Councils and once among the processes at the three Victims' Board. The results of these comparisons are not abstracted in summary tables.

Table 3.4.
Second level of comparative analysis

Categories of analysis	*Indicators*	Planning Council / Victims' Board in Cali	Planning Council / Victims' Board in Buenaventura	Planning Council / Victims' Board in Corinto
Inclusion	Access			
	Representativeness and legitimacy			
	Treatment			
	Language			
Decision-making power	Understandings			
	Resistance/ political will			
	Abilities to present demands			
	Responsiveness			
Democratic learning	Active citizenship			
	Sense of collectivity			
	Pluralism			
	Accumulated training			

3.2.1 Additional conceptual tools

I use two more conceptual tools in this research: Schneider and Welp's typology of institutionalised participation (2011), and González's (1995) levels of participation.

Schneider and Welp's (2011) typology of Institutional Citizen Participation (ICP, see Table 2.2) is useful to establish analytical differences among participatory institutions. They classify ICP as deliberative, semi-representative, and direct participation according to the type of participants: the deliberative spaces are open to all citizens and social organisations in the same jurisdiction. In semi-representative spaces the participants are members of different groups in society, be they elected or appointed. Finally, the participants in direct democracy

institutions are all enfranchised citizens, as these institutions work as mechanisms for interests' aggregation; they lack the citizens' encounter and deliberative-dialogical component of the other two types.[19]

Table 3.5.
ICP Typology

Type of Mechanisms	Actor	Colombian examples
Deliberative institutions	All inhabitants and civil society organisations in the same jurisdiction	*Cabildos abiertos*, public audiences, participatory budgeting, *consultas previas*.
Semi-representative institutions	Citizens or associations designed or elected by citizens and social groups	JAL, JAC, Planning council, Rural development council, Victims boards, Sectorial councils
Institutions for direct democracy	All franchised citizens	Plebiscite, referendum, popular consultation, legal initiatives

Source: Adaptation of Schneider and Welp, 2011.

This research focuses on semi-representative institutions. I took this decision because semi-representative institutions are the most common type of participatory institution in Colombia (see Ministerio del Interior and Foro Nacional por Colombia, 2016). This may be a logical development, as semi-representative institutions are an intermediate solution to the critiques against participatory democracy, based on the complexities in implementing it in large societies. Second, I chose this type of institution because they allow me to observe the dynamics of representation inside participatory spaces. Third, I chose them because I am interested in the capacities of participatory processes to promote the development of democratic and peacebuilding values such as pluralism and listening across differences. Institutions for direct democracy lack this characteristic given their resemblance to mechanisms for interests' aggregation.

Table 2.3 presents González's (1995) levels of institutional participation in Colombia.[20] According to González, there are at least seven levels or purposes of institutional participation. Each participatory institution has been designed with at least one of these seven purposes in mind. In turn, each purpose or level mirrors the power that the institution possess for decision-making possesses.

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[19] For other classifications see Velásquez and González, 2009.
[20] González's levels seem to be inspired by Arnstein's (1969), Pretty's (1995), and the CRDT's (1998) ladders of citizen participation.

Table 3.6.
Levels of institutional participation in Colombia

Information	When data, information about facts, impressions, and messages are provided by the citizens. The information is useful to know and for interpreting a situation, as well as for assessing criteria for action.
Consultation	When citizens share their opinions about a problematic situation, and those opinions are inputs for decision making.
Initiative	When citizens provide suggestions to resolve a problem or transform a situation.
Monitoring	When citizens observe decisions being taken. Level directly related to citizen monitoring and public management oversight.
Joint-agreement	Two or more parties define a problem, discuss and select the best solution for it as well as the solution's implementation.
Decision	When people have the possibility to adopt an idea, or to choose a procedure to solve a problem, starting from two or more alternative options.
Co-management	When citizens are able to manage resources to execute actions towards a final goal.

Source: González (1995). Original text has been slightly modified by the author (translated).

The idea of levels of institutional participation is at the core of one of the most recurrent suggestions for improving institutional participation: increasing the institutions' decision-making power. According to Velásquez and González, by 2002, 27.6% of the institutions for participatory democracy in Colombia had a 'decision' mandate, 34.5% had an 'agreement' mandate and 82.8% had an 'initiative' mandate (2003, p.106). Note that while decision- and joint-agreement mandates imply influence decision making, information-, consultation- and initiative- mandates cannot guarantee that such an influence will be exerted. Setting up more institutions at the higher levels of the scale -joint-agreement, decision, co-management mandates- has been a demand of social movements and organisations in Colombia, which is also reflected in the 2016 Peace Agreement's items about participation. It is also a main difference between the first- and the second-generation of participatory institutions observed in this thesis: while Planning Councils have a consultative and monitoring status, Victims' Boards are legally granted information, initiative, joint-agreement, co-management and monitoring status (see Table 1.2).

3.3. Methods and ethics

I collected the data by reviewing secondary sources, but mainly through qualitative research techniques -participatory observation, semi-structured interviews and focus groups- carried out during fieldwork in Colombia and some follow-up activities from London. My fieldwork started in early January 2017 and lasted 12.5 months. This length of time would allow me to observe the participatory dynamics during a complete cycle of local government, and therefore

witness most forms that participation may take at every stage of the cycle;[21] to develop a real involvement with the participatory spaces and actors in them; and to have the opportunity to contribute to the processes from my researcher role. I mentioned before that this study has adopted some elements of Participatory Action Research (PAR). It is in the study's methodology where these elements are most evident.

I adopted elements of the PAR tradition that Selener (1998) calls participatory community development.[22] The participatory approach in community development is a 'process in which members of an oppressed community or group actively collaborate to identify problems, collect data, and analyse their own situation in order to improve it' (Selener, 1998, p.12). In addition to collaborating with the actors in the participatory processes I had selected, and my intention of making the research a tool for some kind of social transformation -however minimal- I was also interested in establishing horizontal relationships between such groups and me as a researcher, and in contributing something to their empowerment.

I decided to adopt PAR elements for theoretical, epistemological and ethical reasons. First, as section 2.3 of this thesis shows, PAR and my theoretical approach share the same foundations. They understand the role of academic research, participation and democracy in the same way. Second, as with qualitative, case-oriented comparisons, PAR does not seek to formulate general theories. PAR is more interested in the contextual particularities of specific cases to gain deep understanding and increase the possibility of change.[23] Third, I was interested in how people interpreted, perceived and gave meaning to participatory processes, not only as raw data but as expressions of popular knowledge, as I recognise them as experts in their own activities.[24] Fourth, I felt ethically obliged to give something in return to the social groups who allowed me to develop this research and PAR provided the methodological platform for it.

This study successfully underwent the assessment of the UCL Research Ethics Committee, who evaluated the risks and ethics of my investigation before starting my fieldwork. I designed information sheets and consent forms which presented key details about the study, its methods, and the rights of research participants. Colombian NGOs *Fenalper* and *Foro Nacional por Colombia* helped me to approach the Planning Councils and Victims' Boards' in Cali, Buenaventura and Corinto. The NGOs introduced me in the spaces as a volunteer and

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[21] Local governments in Colombia have annual cycles for policy planning, implementation and review. Ideally, participatory processes align with the local planning stages.

[22] Selener (1998) identifies four main approaches to PAR: participatory research in community development, action research in organisations, action research in schools, and farmer participatory research.

[23] These is also an area of overlap between PAR and Morlino's (2010) applicable function of comparative analysis.

[24] See Fals Borda and Rahman, 1991.

doctoral researcher who had been a practitioner and was happy to support the participatory processes while carrying out her research. I presented the research's foundations, goals, and proposed methodology to the research participants. Along with the information sheets and consent forms, I explained that I would be the only person with direct access to the collected data, that confidentiality would be respected, that their identities would remain anonymous, and that they could ask me to held information off-the-record. I made explicit that if they decided to accept my research and my involvement in the participatory processes, they could change their decision at any time and request to delete the information they had shared until it was used in the final thesis. Likewise, I made explicit the forms in which I expected to recompense such acceptance: first, considering my practitioner experience, I offered support to achieve the common goal of democratic public decision-making. In Selener's (1998) words, I offered to be a facilitator and help in mobilising, organising and implementing collectively defined actions. Second, considering that the study was related to improving participatory democracy, I stated that the main findings of the research would be shared once they were ready.

My research and involvement with the participation processes had good reception. The response of almost all participants was positive. Participants did not find the consent form necessary, but most of them accepted to sign it. There were discussions about anonymity as some participants were willing to be identified in the thesis. Some representatives of the state expressed that they were obliged to maintain information public. Similarly, some members of the participatory institutions argued that they were visible figures in their communities and that they had renounced to anonymity when they had accepted to participate from participatory spaces in which they represented larger groups of people to whom they were accountable. These perspectives were coherent with the logics of PAR as research participants should be given credit for their contributions. Hence, I took the liberty to draft broader descriptions of the participants but decided to maintain their identity anonymous to prevent harm on them. As described in several parts of the thesis, violence in Colombia was increasing and it was my duty to prevent risks for research participants. In this way, I intended to equally respect conventional research ethics and participatory action research ethics.

Some of the participants shared their remarks about the research with me, starting an interactive reflexive process. These contributions, and the events during fieldwork, shaped the definitive version of the conceptual and analytical framework I presented in section 3.2. Likewise, although the main research question was not developed with them, participants and state representatives defined their priorities and conditions for the support that I offered. Fieldwork at the Planning Councils and the Victims' Board was an ongoing collective process,

where the involved actors were co-producers of the research's course. They determined the ways in which participatory observation and semi-structured interviews were conducted.

In five of the six participatory spaces I became one more actor in the participatory process. In fact, in three of them I was perceived as someone 'working for' the participants. These conditions fostered the construction of horizontal relationships. I would dare to affirm that in at least four spaces there was no hierarchical separation between the participants and me as a researcher. It is important to underline that the different degrees of opening to my presence were not a disadvantage for the research but were, in fact, data. I offered the same kind of support and asked for the same kind of information at each one of the six spaces, i.e., my first interactions with them were all the same. The participants' responses and interactions with me were indications of their own participation dynamics. For instance, after some months of research I found that the participatory space that had been more restrictive to me had internal problems of exclusionary micro-powers. Likewise, the fact that I was able to develop more support activities within some participatory spaces than within others, did not disturb my research, but offered information about the skills, commitment and time that the participants dedicated to their respective processes.

In addition to participatory observation, I undertook some archival research, -as described by Moore et al 2016, p.3.- and conducted 130 semi-structured interviews. The archival research was focused on official documents at the municipal councils, mayoralties and ombudsperson offices in Cali, Buenaventura and Corinto, regarding the creation and activities of the municipal Planning Councils and Victims' Boards. The semi-structured interviews were carried out with diverse actors involved in the six main participatory processes and/or with participatory democracy in Colombia beyond these spaces. Table 3.7. presents an overview of the actors interviewed.

Table 3.7.
Conducted semi-structured interviews

Participants in the six selected participatory institutions	77
State representatives at the six selected participatory institutions	10
Participation practitioners at the six selected municipalities	4
Participants of non-institutionalised participatory processes in the three selected municipalities (not included in other categories)	12
Participants in other Planning Councils and Victims' Boards at the decentralised and national level	18
Senior representatives of the state in charge of Planning Councils, Victims' Boards and participatory democracy policy at the national level	6
Academics and NGO advisers to the state regarding participatory democracy policy	2
Members of cooperation agencies and multilateral advisory organisations	1
Advisors to the peace negotiations between the Colombian government and the FARC-EP in Havana (included in other categories)	5

3.4. Research paradigm

By this point, some of my values may be evident to the reader. Certainly, values and positions influence the ways in which researchers conduct their work (Hanson, 1969; Hammersley, 2000, 2017); they do not, however, compromise the possibility of conducting rigorous and objective research (Bourdieu, 2007; Dunn, 2018; Gewirtz and Cribb, 2006). Given the unavoidability of having values and the impossibility of value-free social science, academics have underlined that acknowledging and reflecting on one's own values, and how they relate to our research enterprises, is an essential part of methodological rigour. In an exercise of ethical reflexivity (Gewirtz and Cribb, 2006), in this last section I outline my values and positions with regards to reality, knowledge-building and the role of academia. These views are in turn useful to locate this thesis in relation to a research paradigm.

I share the ontological stance that rejects positivism without embracing pure subjectivism either. I understand reality as objective, composed of facts and physical entities, as well as of the interpretations and meanings that social groups confer on these facts and entities. Take for instance the indicator 'access to the participatory space' in my analytical framework. It is a fact that there are rules at every participatory institution that dictate who may participate in them. Who obtained such access and their characteristics are also verifiable facts. I cannot, however, fully assess the indicator without considering the opinions and perceptions that citizens who tried to join the institutions have about the accessing process. Thus, I recognise substantial human agency in the construction of reality and join those who think that the objective and intersubjective nature of facts are often difficult to separate.[25]

Epistemologically, I prioritise proximity between researchers and subjects in the research, as well as involvement within the field. I believe that engagement makes it easier to obtain details about the situations occurring throughout participatory processes, as well as their meanings for the involved actors.

Finally, I join the current of scholars that believe that social science should contribute to the solution of problems and to political and social change. In my case, such change has to do with social justice, inclusion and empowerment of marginalised groups. These beliefs lie behind my decision of adopting elements of PAR for this investigation; PAR is based on a discourse that integrates knowledge, action and equality in the search for social change. This methodological decision and the way in which I understand participatory democracy (see

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[25] According to Nicholas and Hathcoat (2014) this stance is close to critical realism (Bhaskar, 1986) and historical realism ontologies.

sections 2.6 and 3.2) bring this study close to critical theory approaches, given the latter's objections to pure positivism and interest in the interaction between theory and practice to foster social transformation (see Arnold, 2015; Cunningham, 2015).

Chapter 4. Cali - Power and Deviation: What is Participation for?

'Si ellos pueden, ¿nosotros por qué no?'

Image 4.1. Cali Victims' Board election, 27th August 2017. Photo taken by the author.

Cali tells stories of inequality, disillusion and scepticism. Although the participatory process at the second-generation institution -the Victims' Board- outperformed the process at the first-generation institution -the Planning Council- in general, the comparative analysis revealed socio-political problems difficult to address through the improvement of participatory institutions' design alone. Cali's citizens distrust the Colombian political system and recognise the impact of power inequalities in the design of collective life. Yet, they look for ways to meet their needs, even if these are not inclusive or democratic. This chapter tells these stories and what they mean for the debate about institutional participation in Colombia. It starts with an introduction of Cali as a territory and continues with the comparison of the Planning Council's and the Victims' Board's participatory processes in the city.

4.1. Cali, una ciudad que espera, pero no le abre las puertas a los desesperados.[1]

Cali, a place popularly called '*la sucursal del cielo*' (a little piece of heaven), and frequently associated with salsa dancing and enjoyment, is the third largest Colombian city. Large landowners, miners and traders settled there during colonial times, and their leading socio-economic elites managed to develop an industrial economy by the middle of the 20th century (Colmenares, 1975). Currently the city, with a strong service sector (DNP, n.d.), has the biggest economy in southwest Colombia and a population of 2,441,405 people (DANE, 2020).

It is a socio-economically and socio-spatially segregated city. Loaiza and Carvajal (2014) described it as two cities: one, with all available services, straightforward legal systems, and a safe environment for those who can afford it; and a second one, without services or equipment, prone to floods, with little legal provision, and polluted. Image 4.2. shows Cali's segregation. The best-off areas are located along the city's spine, especially at its north-eastern and southern extremes. The worst-off areas are located in the far west and east. Inadequate housing, overcrowded households and deprived living conditions are concentrated there. There is, additionally, an ethnic component in the segregation, as ethnic minorities, especially Afro-Colombians, congregate in the lowest-income areas (Afroamerica XXI et al., 2011; Barbary, 2002; Loaiza and Carvajal, 2014; Urrea-Giraldo, 1997, 2005). Cali has the highest Afro-Colombian population in the country: 565,758 people, 26.2% of the municipality's population (Afroamerica XXI et al., 2011).

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[1] Line by Cali writer Andrés Caicedo (1998) in his novel *Calicalabozo*. 'Cali, a city that hopes/waits, but does not open its doors to those who are desperate'.

Image 4.2.
Socio-economic and spatial segregation in Cali.
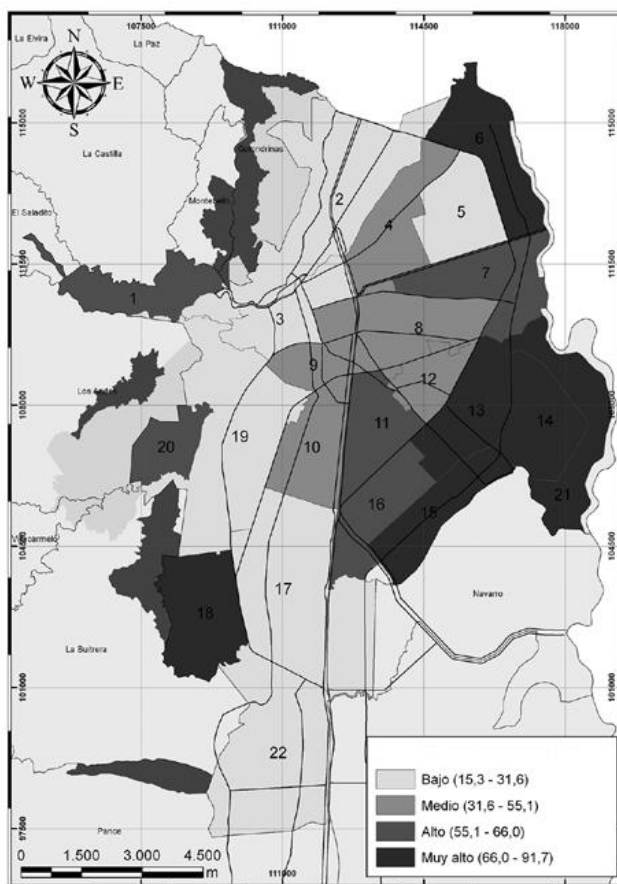
Source: Loaiza and Carvajal 2014.

Cali is also remembered for being the centre of operations of the Cali cartel, one of the biggest Colombian drug cartels of the 1980s and early 90s. Drug-trafficking transformed the city. The cartel chiefs invested in the main economic projects of Cali's traditional industrial and political class, and with this they contributed to the infrastructure boom the city experienced at the end of the 20th century. The 'new-rich' became functional to the local elites,[2] and in this way won acceptance into the city's social structure (Salazar, 2015).

Scholars have also found correlations between drug-trafficking and levels of violence in Cali[3] (e.g. Fandiño-Losada et al., 2017; Otero, 2012; Salazar, 2015). Salazar (2015) explains it as follows: without resistance from the traditional elites, the 'new-rich' developed a surveillance apparatus for the protection of their families, businesses and themselves. The structure ended up covering the whole city. It included police and army officers, who also

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[2] See Crespo-Razeg, 2009 for more details about the overlap between the landowning, industrial and political class in Cali.

[3] Cali was ranked as the most violent city in Colombia, and the 28th in the world, in 2017 by *Consejo Ciudadano para la Seguridad Pública y la Justicia Penal* (2018). It also had the highest number of homicides per 100,000 inhabitants among the largest Colombian cities in 2015, 2016 and 2017 (*Instituto Nacional de Medicina Legal y Ciencias Forenses* 2016, 2017, 2018).

assisted in the training of the civilians hired by the cartel. However, things changed after the mid-1990s: the Colombian government was carrying out its war against drugs, and leftist guerrillas were growing stronger. The Rodriguez brothers, the Cali cartel chiefs, were detained in 1995 but their security structure stayed in place. The structure was put at the service of paramilitary groups that had been contacted by members of the city's industrial and political class who were worried about the guerrillas' advances in the region.[4] These were the origins of the frightening *Autodefensas Unidas de Colombia*'s *Calima Bloc* which would demobilise in late 2004 (Ronderos, 2014; CNMH, 2018). Although they do not work as a formal paramilitary group anymore, the '*empresas de cobro*' (money collection companies), hit-men and small-scale trafficking companies operating from Cali's poorest neighbourhoods are remnants of these former *narco*-paramilitary structures.

Cali is also the main receiver of victims of the armed conflict in the Colombian Southwest (Personería de Cali, 2014). By December 2019, 216,846 people of Cali's 2.24 million population were formally recognised as victims (UARIV, 2020). Like those who arrived, forcibly displaced, in the city during *La Violencia*[5] in the 1950s, this new wave of victims mainly settled in Cali's poorest and most violent areas, accentuating socio-economic and socio-spatial segregation (Personería de Cali, 2014).

Life in Cali is not easy for the majority and most inhabitants do not believe the government can solve their problems. In 2015 an established survey asked citizens who they believed to be working to improve their quality of life in the city. Only 10%, 6% and 7% of them answered the local, provincial or national government respectively. In contrast, 35% of the citizens replied 'no-one', and this was the most frequent answer (CaliCómoVamos, 2015). These perceptions are not new. A study asked the same question between 1989 and 1993. 'The mayoralty and other political agents' were the subjects least recognised as problem-solving actors in the city. 'No-one' and 'oneself' were the most frequent answers to the question in every sample. Fabio Velásquez (1996), the researcher, explained that the government's failure to project itself as an agent of local development was a by-product of clientelism, corruption and unfulfilled promises.

Participatory spaces did not do well either, as shown in Velásquez's study. At that time, decentralisation and participatory institutions were being introduced in Colombia to solve the crisis of distrust of the traditional political system. Yet, Cali's citizens were not optimistic about the changes. Velásquez (1996) found that inhabitants of Cali were not willing to participate in

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[4] Iconic events feeding these fears were the kidnapping of a group of citizens attending mass in one of most privileged neighbourhoods in the city in 1999, and the kidnapping of 12 Valle del Cauca deputies in 2002.
[5] Violent and mostly rural conflict between Liberal and Conservative partisans between 1946 and 1964.

institutionalised spaces,[6] as they were regarded as powerless, ineffective, bureaucratic and prone to clientelism. Instead, citizens preferred either flexible ad-hoc procedures from which they could surely obtain direct benefits, or not to participate at all, renouncing to collective action and the public sphere (of life). Velásquez warned of a growing individualism in the city and he seems to have been right about it. Municipal surveys from 2015 and 2016 showed that 56% and 71% of Cali's inhabitants had done nothing to solve community problems during the year in question (CaliCómoVamos, 2015, 2016). Likewise, 60% and 71% declared they had not supported other people or ideas during the same periods (in that order). The same survey found that whereas only 4% of the population had been involved in citizen participation exercises, 60% had not been part of any organisation, group or network during 2016. The figures in 2017 were 4% and 64% (CaliCómoVamos, 2017).

These figures contrast with the image Cali had of being a city with a strong public spirit, and with governments well advanced in initiatives for citizen engagement. In the 1970s and 1980s, Cali was known as '*la ciudad cívica*', the civic city. Citizens' good behaviour –i.e. respect, politeness, queuing for public transportation, hygiene in public spaces– and elites' philanthropy towards the worst-off characterised the city (Ocampo, 2013; Prado, 2018; Santamaría, 2004; Velásquez, 1996). Indeed, Dávila (2002) shows that Cali has had a long-established, non-government sector led by local elites that has played a key role in development in the city. Two of my interviewees told me that Cali had been a 'national model for urban development' and that, due to this image of success and harmony, officers from all the country had received training by Cali's public managers in the 1980s.

As a matter of fact, Cali's political leaders did follow the decentralisation and participation trends vividly discussed at the end of the 20th century. In 1979, due to the unplanned -and fought-over-[7] expansion of the city at its western and eastern extremes, the Mayoralty created the 'Administrative Department for Social Participation and Communal Action' to oversee interaction with social groups. Later, the introduction of popular election of mayors prompted political leaders to embrace participation ideals: The first popularly elected mayor (1988-1989)[8] divided the municipality in sub-areas, '*comunas*' and '*corregimientos*',[9] and erected Centres for Integrated Local Attention (CALIs by its name in Spanish) in each one of them. At the CALIs, communities had access to a group of officers from all mayoralty departments, the '*Comités Intersectoriales*', to look for solutions to their problems and to co-design development plans for their *comuna* or *corregimiento*. During his electoral campaign,

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[6] Velásquez mentions a short period of enthusiasm, pp.158-159.
[7] The first settlements of forcibly displaced people during mid-20th century were violently confronted by the police.
[8] Mayors had a period of two years.
[9] As a national reform, urban areas should be divided in *comunas*, and rural areas in *corregimientos*.

the next mayor (1990-1991) agreed with local leaders from middle- and low-income neighbourhoods, which projects he would support should he win. He named the agreements '*convenios sociales*' (social agreements). The third popularly elected mayor (1992-1994) upgraded the arrangements and rebranded them as '*acuerdos comunitarios*'. During his period of office, the agreements were transformed into official projects, integrated into the *comuna*'s development plan, and allocated resources for their execution. In 1996 the process was institutionalised and passed over to the 'Territorial Planning Committees', the participatory space which replaced the *'Comités Intersectoriales'*. The Territorial Planning Committees have been in charge of defining Cali's *comunas* and *corregimientos*' development plans since then. All this history makes municipal officers affirm with pride that '*Cali has been always ahead in participatory processes*'.[10]

Yet, the figures presented in the paragraphs above show that participation is not the first option for citizens in Cali when they seek to improve their life. Distrust is not unfounded. Officers interviewed admitted that the mayoralty did not usually comply with its commitments to the *comunas* and *corregimientos*; the commitments were last in the list of priorities, and often not honoured.[11]

Ulloa (2000) has argued that the image of Cali as a '*ciudad cívica*' was based on a discourse of the elites to modernise the city and to 'wash out its aboriginal and rudimentary past'. 'Civil behaviour', the promotion of solidarity and respect towards '*lo público*' –public space, public resources, public authorities– had been useful to maintain the elites' control over an unequal, discontent society (Granados, 1996; Mayor, 2008). Similarly, Dávila (2002) pointed out that the elite's philanthropy through non-profit private organisations had, to a large extent, a self-preservation purpose that sought to counter the 'threats of a Cuban-style uprising' (p.21), not to change the structural conditions that generate poverty' (p.7). Velásquez (1996), who also acknowledged the political use of the '*ciudad cívica*' discourse, warned that such discourse became almost unsustainable as living conditions in the city deteriorated.

Cali's paradoxes make it an interesting case study: The municipal administration fostered institutional participatory processes even before the 1991 Constitution. Additionally, Cali's government counts on a considerable amount of resources to fulfil the agreements made with groups of citizens and social organisations, due to having the third biggest Colombian local economy. At the same time, however, the citizens distrust participation and their government's ability to enhance their life conditions. Individual options seem to prevail. In this context, it is worth asking: is there any indication of a forthcoming transformation of this paradox? What

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[10] Taken from two interviews.
[11] Additionally, I was told that the process of designing the city's Development Plan was not very inclusive either. Each cabinet secretary wrote 'his/her part' and then all the pieces were put together, '*like a puzzle*'.

are the motivations and expectations of the people who do not renounce collective action and participation? What does happen with the existing participatory processes? How are they useful? This chapter offers answers to these questions by exploring Cali's Planning Council and Victims' Board.

4.2. Institutions for participatory democracy in Cali: how do they work?

The spectrum of institutional spaces for participation in Cali is indeed broad. I identified 64 in early 2014 while I conducted explorations to design this research. This chapter focuses on two of them: the Planning Council, which I recognise as part of the first-generation of institutions for participatory democracy in Colombia, and the Victims' Board, here framed as a second-generation institution. In line with the main question of this thesis, this chapter presents a comparison between the processes in both institutions, aiming to identify whether there are substantial differences between them. Such comparison is made to explore the hypothesis that the design of the Victims' Boards is more favourable for inclusive and empowered participation than that of the Planning Council. A confirmation of this would be good news for those citizens disappointed by institutionalised participation.

The comparison is done using the analytical framework presented in chapter three. Participation is understood as a process, and the data are presented as a story of such a process. The analysis starts with the category of inclusion, which relates to how the participatory spaces were set up, who was included within them, and the relationships among these actors. It continues by examining whether the participants managed to influence public decisions (decision-making power), and finally, which tools and values they learnt for the future (democratic learning). Image 3.3. presents the indicators and cross-cutting factors observed in each category.

My research did not find entirely positive results: although the process at the Victim's Board was more powerful than that of the Municipal Planning Council, the ways in which the Board's participants addressed the process endangered its democratic character. The results in Cali unmistakably show that careful attention to institutional design is necessary, but not sufficient, for enhancing participation. Although there is space for further institutional improvement, the two processes reveal that there are crucial factors for the enhancement of participation that are not easily addressed by formal rules.

4.2.1. Municipal Planning Council

Cali's Planning Council was designed in 1995 and inaugurated in 1998.[12] At that point, the city already had a planning system with participatory institutions: the Territorial Planning Committees and the Local Action Boards (JAL for its name in Spanish). The Planning Council was given the function of advising the municipality's development plan during its construction as well as monitoring its implementation, as in the rest of the country.[13]

The main weaknesses of the process had to do with exclusions that reflected feminists' critique of Habermas's account of the public sphere, i.e., the fact that, on top of the little power the institution had within the city's planning system, marginalised groups do not automatically have equal participation opportunities in the participatory sphere (see section 2.2.). The fact that it had only a consultative status made it almost irrelevant, and I found indications of this from the outset of my research. Evaluations of the city's planning system qualified the Planning Council as one of the system's less operational institutions (Universidad del Valle, 2010; Solarte et al., 2017), and it was unknown even among officers close to planning issues.[14] The following paragraphs present the process.

4.2.1.1. Inclusion

How inclusive was participation within Cali's Planning Council? To assess this, I observed the rules for selecting participants, and how they were implemented (access to the space); who the selected participants were and which groups they represented (representativeness and legitimacy); and, also, whether actors in the space had the same chances to contribute to the discussions in the space (languages they used and treatment among them). I detected inclusion problems in the composition of the space -how the participants were selected and who they represented- as well as in its working dynamic -participants' interactions within the institution-.

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[12] Planning Councils are designed by a mixture of national and local rules. The Council should include as many members and sectors as are relevant for the municipality, including, at least, representatives from the economic, social, environmental, culture, education and community sectors (Law 152/1994, Article 34). Once a mayor is elected, s/he must renew at least half of the councillors' mandates. Each councillor has a period of 8 years, i.e., two government periods.

[13] To the system were latter added the '*Comunas and Corregimientos'* Planning Councils, a participatory space in each one of Cali's 22 subdivisions. The '*Comunas and Corregimientos'* Councils were to advise and monitor the 22 subdivisions' development plans. They were eliminated in 2017.

[14] Two officers I interviewed mistaken the Planning Council with the '*Comunas and Corregimientos'* Planning Committees, the most known space of Cali's planning system. Later, in an academic article, I found that the authors had excluded the Planning Council from their graphic representation of Cali's planning system.

Planning Council's composition

The inclusion problems started with the very design of the institution, which lacked what Martínez-Palacios (2018) calls a social justice framework, i.e., an emphasis on securing the effective inclusion of most disadvantaged actors in society.

Firstly, the distribution of Planning Council seats, although diverse, did not consider the effects of unbalanced forces in the space. Table 4.1. shows the social groups with a seat on Cali's Planning Council and the distribution of these seats in 2017, when I did my fieldwork. Note that 26.3% of the seats are directly granted to sectors with the highest economic, cultural and social capital in the city.[15] Critics of deliberative democracy have constantly highlighted that spaces for deliberation do not automatically adopt a configuration where everybody is seen as an equal, where everybody's inputs are valued (e.g. Fraser, 1990; Phillips, 1995; Young, 1996, 2000). People's status outside the participatory sphere do play a role inside the sphere. Hence, designing participatory institutions able to level the playing field is fundamental (see Fraser 1990). The design of Cali's Planning Council overlooks this problem and, as the next section shows, the effects were immediate.

Table 4.1.
Cali's Municipal Planning Council Composition.

Sector represented	Who sent candidates	Available seats	Members in 2017
Economic	Industry/business municipal associations	1	1-man
	Trade and services municipal associations	1	1-man (intermittent participation)
	Banks and insurance companies' municipal associations	1	0 (did not put forward a candidate)
Education, research and culture	Universities	1	1-man
	Institutions for research, development and technology transfer	1	1-man
	Cultural Institutions	1	0 (left the institution– formerly a woman)
Community	Urban Local Action Boards (JAL de *comunas*)	1	1-woman
	Rural Local Action Boards (JAL de corregimientos)	1	1-man
	Community Action Boards	1	0 (waiting for replacement, formerly a woman)
Social	NGOs	1	0 (1-man active in 2016, resigned to work with the mayoralty)
	Professionals, informal sector and peasant farmers' associations	1	1-man (intermittent participation)

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[15] All subsectors in the Economic sector, as well as Universities and Institutions for research in the Education sector. Note that the Education sector prioritise the voice of the actors involved with higher education, to which less people have access, to the voice of those involved with primary and secondary education.

	Formal youth and sports organisations or institutions	1	1-man
Environmental	Formal environmental organisations or institutions	1	1-man
Cooperatives and microenterprises	Cooperatives and/or microenterprise organisations or institutions	1	1-woman
Women	Formal women's organisations or institutions	1	1-woman
Ethnic communities	Formal ethnic communities' organisations or institutions	1	0 (left the institution–formerly a woman)
Elderly population and people with disabilities	Elderly population and people with disabilities formal organisations or institutions	1	1-woman
Workers, employees and unions	Formal workers and employees' organisations or institutions, and unions	1	1-man
Health	Health organisations	1	1-woman

Source: Produced by the author based on Cali's Municipal Accord1/1995 and Planning Council Composition in 2017.

Secondly, the outdated character of the Planning Council's design also affected inclusion. The design has remained the same since 1995 and does not include voices that have become prominent during recent decades in Colombia: LGBTI communities, victims of the armed conflict, reintegrated former combatants of illegal armed groups. Additionally, there is only one seat for ethnic minorities, despite three different ethnic minorities living in Cali: Afro-Colombians, indigenous people and Romani.[16]

Third, the institution's design establishes that only members of formally registered organisations can take part in the Planning Council. Although this has been done on the premise that in a city as large and industrial as Cali, people pursuing common interests should formalise their organisations to show they are serious in their purpose, the condition overlooks that such formalisation entails fees and taxes. The rule contributes to the exclusion of grassroots organisations that are not willing to pay to certify their existence.

Even some Planning Councillors found these design aspects problematic. One of them told me that the space was '*an absolutely 'gremial'*[17] *institution*', which '*did not represent the entirety of the city*'. The participant questioned whether *all* the '*gremios*' in the Planning Council should keep *all* their seats -the aforementioned 26.3%. In his consideration, the institution should '*change to embrace sectors closer to the city, with more interests in the city*'.

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[16] Ethnic minorities are at a socio-economic disadvantage in Colombia (DANE and CIDSE, 2010).
[17] The word '*gremio*' (guild) is commonly used in Colombia to refer to industry and businesses associations. Known businessmen who supported the 2012-2015 mayor were selected as members of Cali's Planning Council in 2012. This mayor was known for his proximity to businessmen in the city.

The steps taken by Cali's mayoralty officers to set up the Planning Council also affected the inclusiveness of the participatory process. The municipal government made limited efforts to inform Cali's population about the Planning Council or how to join it. One of the participants learnt about the call on the mayoralty's website, which he found inefficient. The website was not frequently visited by Cali's citizens -he was visiting it because of work-, and he knew the mayoralty had an extensive database of social organisations which could be used: '*That´s a flaw. They should share the information with all the organisations in that directory'*, he said.

Every four years the mayoralty's planning department announces the seats to be replaced and invites organisations to propose candidates for them. The announcement is published on the mayoralty's website and on some bulletin boards in the mayoralty's main building. The officers send direct invitations to the sectors they consider 'well defined', meaning those with a visible association, bringing together most organisations that are supposed to belong to it. For example, businesses and cooperatives have national associations with branches in Cali. Likewise, universities in Southwest Colombia have an association. The mayoralty contacts them and invites them to nominate candidates for their seats in the Planning Council.[18] Local and Community Action Boards also have unique associations, hence, the same usually happens with them. If a non-'well defined' sector needs replacing, the planning department addresses the mayoralty officers in contact with these sectors: the culture secretary for the cultural sector; the gender equality office for the women's sector; the offices for vulnerable populations and ethnic groups for the sectors of youth, the elderly, people with disabilities and ethnic minorities. These offices can share the invitation with the groups they know, including further participatory institutions. For instance, the participant on the women's seat was appointed by the 'Municipal Women's Board', Cali's participatory institution for women. If a sector is not reachable through this procedure, the planning department relies on the announcement at the mayoralty's website and notice boards; no other media -radio, public television, social media- are used.

The limited efforts to broadly inform the citizenry and to reach out to all sectors with a seat on the Planning Council affected the institution's representativeness and legitimacy. Take for instance this episode: one of the participants suggested that the mayoralty was more worried about '*filling the Planning Council seats*', than about the suitability of the participants and their representativeness. He had written to the planning department to let them know about his interest in the call, explained the organisation of which he was a member and their expertise, and specified the sector to which this organisation belonged. Nevertheless, as that

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[18] Note that the mayoralty gives preference to cooperatives than to microenterprises in their selection, as there is only one seat for both. The universities send two candidates, one for 'Universities' and one for 'Research institutions'.

sector was already covered, he was advised to propose his nomination in the name of another sector in which his organisation could more or less fit. Another participant, not very impressed by this kind of procedure, mockingly described the Planning Council in the following words:

> '*This is a curious planning council: the disability sector is not represented by a person with disabilities; an adult with disabilities is [representing] the youth and sports; and there is a young person whose organisation's main goal is to promote athletes' interests, but s/he's representing something else...*'.

Questions also came from outside the Planning Council. The complaint was made explicit at an academic event to which two planning councillors were invited as speakers. The institution remained largely unknown among the public. Students and academic staff criticised some of the planning councillors' lack of visibility in their sectors and the way in which they were elected. Critics underlined that the lack of timely and broad information about the Planning Council had severely reduced the chances of interested collectives to join the space.

I found that the mayoralty's planning department's limited efforts regarding the Planning Council were due to the little value they gave to the institution. They believed the Planning Councillors '*didn't do what they had to do*', and the fact that the Planning Council was not powerful within the municipal planning system contributed to the officers' disregard. The section on decision-making power will give more details on this. Yet, pointing out the effects that officers' contempt has on inclusion is important.

Another such effect was the reluctance to update the list of members of the Planning Council. I was informed about one attempt in 2012 that was retracted after the local administration asked to wait for a general adjustment of the municipality's entire planning system. The 2012 proposal sought to introduce seats for LGBTI population and victims of the armed conflict; it granted two seats for ethnic minorities -one for the indigenous peoples and one for Afro-Colombian traditional groups- and separated the youth from the sports sector, giving one seat to each of them. The planning system was reformed in December 2017, yet, the design of the Planning Council remained untouched. Not only refreshing the membership deemed irrelevant for the reform, but the Planning Councillors' views were not considered useful either: the Planning Councillors got to know about the municipal planning system reform by accident, when they realised that the mayoralty was conducting workshops with other actors in the system to make known the proposal and receive feedback on it. They asked to be informed of the reform as well. However, they were told by the planning officers that there was no workshop for them.

A final element affecting inclusion during the establishment of the Planning Council brings us back to where we started: the critiques of the presumption of equality inside the

public and the participatory spheres (Fraser, 1990; Phillips, 1995; Young, 1996, 2000). How the Planning Council's seats were distributed, was not the only factor involved in the failure to secure effective inclusion of most disadvantaged groups in Cali. The mayoralty officers' approach to selecting the Planning Councillors reinforced this weakness, as they preferred candidates with the highest formal qualifications on their CV: the best formal education and most impressive professional experience. The seat reserved for -university graduate-professionals, the informal sector and peasants, was granted to a university professional. The seat for the health sector was given to a public health lecturer, and previously to a dean, instead of a member of a patients' association. Planning Councillors I interviewed also told me they had been selected due to having the highest educational level among three candidates.[19] At least eight of the selected Planning Councillors, i.e., 42% of them, had a postgraduate degree. Meanwhile, less than 20% of Cali's population has graduated from university (DANE, 2010). Postgraduate education is not free in Colombia; hence, postgraduate attainment is a good indicator of economic and cultural capital possession. Indeed, participants from middle and upper classes outnumbered the rest of participants in the Planning Council. In this sense, the institution was an example of the trend identified by Martínez-Palacios (2018), in which participatory spaces without social justice frameworks prioritise 'enlightened voices', overlooking the political effects of such decision. As the following section shows, the effects of this disempowerment not only derived from the fact that disadvantaged groups were under-represented in the space, but from the unequal power relationships that emerged during the process due to such under-representation.

Inclusion and power dynamics in the participatory space

Chandoke (2003, 2006) defines linguistic and epistemic authority as the endorsement or discrediting of others' opinions in participatory spaces, according to these others' backgrounds and status. Even if not intentionally, it implies an exercise of power. The Planning Council, a diverse but unbalanced institution, presented a scenario of power asymmetries based on linguistic and epistemic authority.

The manner in which municipal government representatives treated the Planning Councillors was a first indicator of asymmetry. The Planning Council included citizens from upper, middle and working classes. There were academics, business managers, accountants, social workers, teachers, activists, and community leaders, among others. Few Planning Councillors maintained that the municipal government had an '*equally broken*', '*equally*

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[19] Each sector must shortlist three candidates from whom the mayoralty selects the definitive Planning Councillor.

fractious' relationship with all of them. Others, especially those with lower social status, identified differences in people's treatment according to whom the interaction was with. Those who articulated this second opinion claimed that the unequal treatment had been obvious when two participants with a high socio-economic status assumed the task of leading the Planning Council. Under the leadership of these two people, the Planning Councillors managed to have an audience with the Municipal Council, a key decision-maker in the city. These are the words of two Planning Councillors about the issue:

> '*The very fact that they were representing the Planning Council changed our relationship with the Mayoralty. When the face of the Planning Council was a chap from the [name] businesses' association and the [position] of one of the most important universities in the city, the mayoralty could not keep messing around with us*.[20]

> '*They (the two leaders) gave status to the Planning Council. [Participant's name] knew how to do it, he had the connections, the knowledge. He had more chances to be heard than me, a simple community leader from a simple neighbourhood action board. We're not at the same level*'.

I also identified power asymmetries in the dynamics of treatment among the Planning Councillors. Those coming '*from the bottom*' were aware of the asymmetries. The most privileged members were regarded by some of them as '*important people*', '*people with knowledge*' due to their proximity to the academic world. In contrast, they described themselves as '*patirajados*'[21] '*from the grassroots*'. Although not necessarily intentional, this self-positioning and interpretation of others' positions made the interactions in the participatory space uneven. Below are some of the most revealing testimonies I obtained from lower-status participants:

> '*Arriving at the space was intimidating. 'Good afternoon' was everything I said. What else could I say? It was full of university lecturers and all that. Besides, I saw how they treated [participant's name], as if nothing she said made sense, as if she was talking nonsense. And she was the only one like us talking. What was I going to say? [...] After a while, after some meetings, you realise they are ok and you feel like talking. Now I talk. When it's something I know about that's being discussed, I talk*'.

Two grassroots participants had a critical interpretation of the situation:

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[20] For one of the participants referred to, the differential treatment he received was due to his politeness, not to his status.

[21] The use of the word '*patirrajado*' (slashed feet) is meaningful. It is a colloquial way to denote someone from a lower class. The word comes from a reference to the indigenous population, or someone with indigenous heritage, as they used to walk long distances barefoot, hence, their feet used to be wounded.

'This has become an elitist thing. You can tell some sectors are stronger than others when the moment of taking decisions comes. Let's say… there is no balance. If you look at the forces, there are sectors that have more representation, such as education, academia, business… finance activities, cooperatives… so they organise like a big block to take decisions; whereas the more social sectors, those representing communities, don't get the chance to influence the Planning Council actions and decisions. […] They (the powerful) have some sort of implicit languages, implicit forms of coming together… around 'gremial' interests rather than social interests… We, the social sector, are on the side. Academia, 'gremios', they come together in a block. On the other side you have the JAC[22] and JAL[23] representatives, grassroots organisations, culture, unable to achieve majorities. […] I feel this is, how to say it, like when people from the same social classes come together regardless of the interests they have, it's like solidarity, or affinity… I don't want to relate it to exclusion or anything like that, but I do perceive something like that… there are people with more precarious language … I'm not saying that we all should have a masters, or discriminate or anything like that, but… it's just, you cannot compare one of these academics with some other participants like [participant's name] who may sound clumsy, and is always asking to talk about community projects… […] But I feel there is an exclusion in how decisions are taken because they think that… that we, the people representing social sectors, don't have enough knowledge…. No, it's not knowledge because you only require basic knowledge to participate… I don't know if it's about social classes or intellectuality, but there is a complex situation in which the inputs of some people are not considered'.

'They behave fine with us. We can reconcile our positions. […] However, it would be ridiculous of me to fight against [participant's name] because between him and me, he will win because that's where the money is. Our battles are uneven'.

Among privileged participants, only social scientists realised such dynamic was happening in the space:

'Sometimes the community voices are intimidated by our technical language, particularly when those at the executive board have such a [technical] profile. They are afraid of joining the discussion. I know [participant's name] or [participant's name] want to say things, but they are afraid of [participant's name], you see? Because he is a [senior position], an academic in a University, people look at him with respect. It was not always like this. In the former Planning Council things were more balanced, we were almost equal. Now it's more difficult. I think community participants are marginalised. And it shouldn't be like that. This kind of spaces are for them'.

'There were about six or seven people with one level of discourse, and there was another whole bunch of people with another level of discourse. The discussions stayed among us (first group of people), [other] people did not participate. There were strong asymmetries. […] I think this asymmetry is due to the difficulty in

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[22] Neighbourhood action board.
[23] Local action board.

understanding the Planning Council as a space of political participation. It changes the participants' status, because [in a space for political participation] we are all citizens. But, as the institution has a technical profile now, there is nothing you can do. For instance, when [participant's name] presents the financial aspects [of the development plan], well… he does it well, but… Who can understand him? What can we say about it? The ultimate problem is that such [a technical] dynamic doesn't politically empower anybody'.

4.2.1.2. Decision Making Power

In addition to their inclusion problems, the Planning Council proved to be weak in terms of power, as its influence on public decisions was very limited. I found this lack of decision-making power was caused by an accumulation of factors: the low level of participation built into the institution; the different forms in which actors -participants and state representatives- understood participation; the absence of political will; and the participants' failure to use all tools and abilities available to them. I present the results of this analytical category in three parts: the factors that contributed to poor decision-making power at the level of the State; the factors that contributed to poor decision-making power at the level of the participants; and the Planning Council's achievements.

Government's understandings of participation and political will

All the Political Councillors agreed that the mayoralty lacked political will vis-à-vis their participation. According to them, the mayoralty was not interested in dialogue with them, nor did it recognise the Planning Council's relevance.[24] Indeed, I found that mayoralty officers saw the Planning Council as an advisory institution whose existence they must guarantee, but not necessarily listen to. Planning department officers, those in charge of dealing with the Planning Council, believed that the institution was not doing '*real participation*' and had lost esteem for it. The following interview excerpts illustrate two officer's views on the Planning Council:

'It's an institution that simply doesn't get it right. […] *We try to sustain it. In fact, if it barely operates, it is because we keep it going*'.

'People abandon the institution once the concept on the development plan is submitted. The institution becomes irrelevant. Instead of performing their functions, they get immersed in conflicts between themselves and with us. They say we don't support them enough. [...] The main point of the Planning Council is moving [public] opinion. […] But… it's been complicated. There isn't… If I read

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[24] A couple of participants highlighted that there were more chances to establish a dialogue with agents from the municipal government if they were addressed 'as friends', proving the point that attention was granted according to available social capital rather than to the municipal government's commitment to the participatory process.

their reports, there is nothing conclusive in them. […] They don't submit their reports on time, they never have'.

The origin of the mayoralty officers' discontent was unclear for the participants and for me. The officers maintained that the Planning Councillors should execute their activities in a different way but did not specify what this way was. Meanwhile, the Planning Councillors believed they were performing their functions: they had issued a concept on the city's development plan and were overseeing the plan's implementation. They recognised they submitted their reports with delays but explained this was due to the municipal government's late delivery of the raw data they required to produce such reports. They did not understand why the raw data was promptly shared among state departments, while they had to wait or call upon legal instruments to obtain it. This was, however, missing from the mayoralty's account of the situation. Moreover, mayoralty officers did not see the value of the Planning Council's reports and disliked their approach and methodologies.

Regardless of the origin of the discontent, it clearly undermined the mayoralty's political will to comply with their duties in respect of the participatory process. Providing support and funding for the Planning Council's activities was one of these duties. Inspired by how other Planning Councils worked in big cities, the Planning Councillors requested an assistant to support them in their tasks. They believed the request was fair and necessary to improve their chances of influencing local public opinion. Nonetheless, the mayoralty interpreted the request as a potential waste of public resources and laziness: '*Empowering an institution doesn't mean doing their job for them, but that's what they want. They want to increase our workload and give us orders! They want someone else to do their job and present it as their own*', an officer told me.

The tensions rose when the mayoralty's planning department took unilateral decisions about the Planning Council's activities and funding. The officers saw the financial support of the Planning Council as a waste of public resources; hence, they adjusted the Planning Council's annual action plan[25] in a way in which the budget allocated to it could be used for the planning department's activities. This is what they said about that move:

'*We know we have to support them (the Planning Council), but the law doesn't establish what kind of support. That can be defined by us […] I can be called authoritarian, but I don't have to consult everything*'.

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[25] Document setting out the goals and activities the Planning Councillors want to develop during a fiscal year. The Planning Councillors prepare it and present it to the mayoralty to obtain funding for its implementation.

The unilateral decision was interpreted by the Planning Councillors as an attack on their autonomy and one more example of the mayoralty's lack of political will.

The parties could not understand each other's frustrations and the preconceptions made the situation particularly complex. They accused each other of being unwilling and ineffective. They blamed each other for the failure of the participatory process. Meanwhile, the effects of the lack of political will were evident: information requested by the Planning Councillors was delivered with delays, their suggestions were neglected, there was disinclination to dialogue with them. These preventions and inabilities to understand each other's expectations continued throughout the time I observed the participatory process. Furthermore, they were transferred to new actors entering the space, contributing to the dynamics' perpetuation.

Participants' understandings of participation and abilities to present demands

Analysis of participation processes tends to focus on the interaction between civil society participants and the state. Often, these actors are approached as uniform entities with unified interests and courses of action. Literature has pinpointed this is not the case. Melucci (1996), for instance, underlines that the state is not monolithic, that the state's offices can behave differently, and this is relevant for how participatory processes perform. Cali's Planning Council reminds us of the same about participants: they are different and do not always come together as a united front.

In Cali, the Planning Council's decision-making power was not only damaged by the clash between the local government and the participants' unclear ideas of what participation was and how it should be done. It was also detrimentally affected by the participants' lack of agreement about the same issue. Such lack of agreement was rooted in who they were, how they saw the world, and how they understood and approached politics. The difficulties in expressing and managing their divergent views deeply interfered with their abilities to present demands to Cali's political system effectively. Paradoxically, Cali's Planning Councillors possessed important abilities and resources. Among them were persons with mass mobilisation power, technical and situational knowledge, access to meeting rooms, temporary support staff, media, and connections to policymakers.

Surprisingly, one of the clashes was a repetition of the qualitative-quantitative methods debate. This makes sense when we remember that academics and better-off participants dominated discussions in the space. The discussion was about a systematisation tool that had been carefully developed by two Planning Councillors, an engineer and an

economist. While other Planning Councils in the country based their oversight reports on citizens' perceptions -polls and interviews-, Cali's Planning Council turned to this rather sophisticated tool. Based on raw data provided by the mayoralty, the Planning Councillors were able to measure the progress of each project in the municipality's development plan. The tool helped to identify which goals were close to, or far from, being accomplished, as well as budget expenditures. Although all Planning Councillors recognised the utility of the tool, there were arduous discussions about the importance granted to it and about what to do with the information it provided. For its designers, the tool produced the perfect type of information to interact with the local administration: numerical, objective and irrefutable. For other participants, however, the Planning Council could not limit itself to producing technical information. For the social scientists in the space, the information provided by the tool did not reflect the realities in the city: it was unclear how the official, raw data had been collected and the tool did not track the quality of what was being assessed. For them, fieldwork was necessary.

The second, more intense discussion was about what to do with the information. There was a tension between those participants who saw the Planning Council as an institution for experts' technical advice, and who avoided confrontation with the state; and those who understood it as a political space. For the tool developers, the dialogue with the state should be based on technical arguments rather than on political pressure. Confrontation was undesirable for them because it distanced the receptor of the intended advice. The interpretation of the Planning Council as a technical space was accompanied by a rejection of a particular idea of 'politics', in which politics was equivalent to chaotic quarrels for power, motivated by selfish interests. By contrast, 'the technical' was seen as neutral and able to show what was 'best for all'.

'*This is a political institution!*' another voice in the room would say, '*and politics involves disputes among diverse interests!*'. For these other voices, the Planning Council's reports should be contextualised, presented to the public to garner opinions and used to confront the mayoralty if necessary. For them, participation was not limited to advising. It entailed a struggle for recognition and empowerment to gain influence over the design of collective life. Confronting the mayoralty was very present in their universe of possibilities, especially if the local government was not fulfilling its duties regarding the development plan or the participation process.

Participants interpreted the clash as an expression of how the powerful actors in the room wanted to protect their interests:

'*I can understand [participant's name] opposition to confronting the mayoralty, I truly do. One cannot imagine industry and businessmen going against the mayoralty, that's never going to happen*'.

'*Daring to criticise someone you're used to meeting in your social circles is difficult. The other day I proposed to say something against the mayor's performance and [participant's name] replied to me: 'but why? He's a good man. He's a good father'. Of course I said that had nothing to do with my point! But you get the idea of how they (upper-class participants) see this (the participatory process)*'.

Interestingly, even when academics did not build alliances with the upper-class participants, and some of them were critical of the latter and defended the political character of the institution, grassroots Planning Councillors saw a 'class alignment' among the two groups. This shows that cultural capital, and linguistic and epistemic authority, can have the same divisive effects as financial capital and class: for participants coming from more popular contexts, the members of more 'advantaged' groups -including academics- monopolised the discussions, leaving points made by other participants unattended. For instance, a grassroots leader had insistently proposed coordinating Planning Council activities with those of another participatory institution he also belonged to. Although the participation process in this other institution was more solid,[26] the invitation was not taken seriously.

Overall, the inability to build bridges between their competing perspectives blocked the use of the resources at their disposal. I did not witness clear agreements about the direction to follow. They lacked leaders able to read and disentangle their differences and propose a way forward.

Responsiveness

'*It's like paying lip service. Our concepts are not binding*', Planning Council participant.

The lack of political will, and the differences between Planning Councillors and the local government, caused tensions that affected the mayoralty's responsiveness to the participants' inputs. The Planning Council's consultation status did not help either: State representatives were obliged to convene and sustain the Planning Council, but not to hear or respond to it. On top of that, the Planning Councillors' inability to agree on their course of action and strategies to use their resources more effectively prevented them from creating enough pressure on the mayoralty to make it more responsive. As a result, their achievements were very limited.

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[26] I conducted interviews with their participants.

By the time I did my fieldwork, the Planning Council had raised three main issues with the municipal government. The first topic was the opinion on Cali's development plan (2016-2019). Participants were uncertain about how to qualify the responses they received. They submitted their opinion in writing, however, only one Planning Councillor remembered having received an official written response. Mayoralty cabinet members verbally shared their reactions in meetings, in which receptivity and responsiveness depended on each cabinet member's good will. Some of the Planning Councillors' inputs received positive reactions, however, these were more about the form of the development plan document than about its content. Additionally, the Planning Councillors reviewed an early draft of the development plan that was going to be improved regardless of their inputs. This made it difficult to track whether the changes in the document were due to the Planning Councillors' comments or due to the mayoralty's independent review process.

The second topic raised was the implementation of the development plan and the Planning Council's reports about it. By the end of my fieldwork the Planning Councillors had not received responses to the two reports they had submitted in the last two years. Additionally, their requests for raw data received delayed responses, and the data delivered had been inaccurate at least once.

The third topic was the municipal government's support for the proper functioning of the Planning Council. Responses to this topic were the worst rated by the participants. Their support requirements were rejected without any explanation; they met with the mayoralty to address the issue, but no corrective measures were taken; their letters were formally answered but the main questions were left unresolved. The greatest dissatisfaction came after the mayoralty unilaterally changed the Planning Council's action plan. The mayoralty, nevertheless, highlighted that they were not obliged to explain themselves because the Planning Council only had a consultative status. This reflects the poor decision-making power that Cali's Planning Council had.

4.2.1.3. Democratic learning

Participatory democratic theory establishes that participation is a school: it equips participants with tools to continue participating and to democratise democracy (Pateman, 1970). In Cali's Planning Council, the results for this type of formation went from mixed to poor.

Planning Councillors stated they had gained some tools for future participatory endeavours. They broadened their social capital by establishing relationships with individuals that they would hardly meet otherwise; they learnt more about how the city was administered; and gained access to information circulating in the participatory space. However, the problems

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in obtaining public information from the mayoralty and the epistemic authority imbalances between them, limited the participants' chances to accumulate further tools.

There were also mixed results regarding active citizenship improvement. Only participants with little experience in participatory exercises believed their interest in public issues had increased after joining the Planning Council. Planning Councillors with more participatory and political experience lost interest in the process after they saw that their efforts for public influence were failing. Two of them left the space and another four attended meetings only sporadically. The Planning Council taught them that not all participatory institutions were effective, and that they should seek other channels to contribute to the improvement of living conditions in the city.

The development of pluralism and the sense of collectiveness was detrimentally affected by the participants' inabilities to understand each other. The short periods of coming together as a collective emerged during the confrontations with the mayoralty, as they were all claiming to be recognised as valid interlocutors; and on occasions, not even then, as there were disagreements about how to address the mayoralty.

Although they met monthly and did talk to each other, they lacked a leader able to facilitate the dialogue: they were not talking the same language, nor did they possess the same points of reference, and even invalidated the posture of fellow participants. The following interview excerpt reflects the problem. The interviewee recognises that he may be having problems in understanding other participants because of their different backgrounds and interests. However, he still qualifies their inputs as 'minor' or 'not great':

> '*Perhaps the contribution of many in the Planning Council is not great or major. They're more focused on other topics, like social and political ones. That's different from what I do, so I fail to understand*'.

4.2.2. Victims' Board

Cali's Victims' Board was a stronger institution than the Municipal Planning Council. Its joint-agreement and co-management status; the state's explicit obligations to support the institution and to respond to all participants' queries ('*garantías de participación*'); the connections with Provincial and National Victims' Boards; all these factors made a difference in decision-making power, proving that second-generation institutional designs can help to improve this aspect of participation. The same cannot be said of the other two aspects observed in this study: inclusion and democratic learning. Cali's Victims' Board shows that

institutional design has little effect over serious structural problems: in this case, the combination of social and financial vulnerability, and participants' scepticism.

As shown by CaliCómoVamos surveys (2016, 2017, 2018) and Velásquez's (1996) research, Cali's citizens distrust the capacities of the state, participation and collective action to alleviate their conditions of deprivation. They prefer to look for solutions on an individual basis. This section illustrates that, in this context, empowered participatory institutions can be attractive for actors seeking to provide themselves and those close to them with public resources, and who are willing to apply informal, non-democratic practices to achieve it.

4.2.2.1. Inclusion

A design difference between Planning Councils and Victims' Boards is that there is less interference by the local government in the election of representatives to the Victims' Boards. Instead of mayors selecting participants from shortlists sent in by civil society groups, elections to the Victims' Boards require victims' organisations to vote for their representatives on the Board. Although this procedure is presumably more independent and democratic, Cali's Victims' Board had serious inclusion problems. Inclusion problems were directly related to poor living conditions, and scepticism at the possibility of changing such living conditions through formal procedures.

Victims' Board's composition

I found signals of the inclusion problems at the outset of my fieldwork. The problems had started in 2015, after the national government changed the procedure to elect participants for the provincial and national Victims' Boards in response to victims' organisations complaints. The adjustment sought to strengthen the connections between the municipal Victims' Boards and those at the provincial and national level.

Victims' Board participants are elected for periods of two years. Any organisation of victims of the armed conflict wanting to join a *municipal* board can register its candidates at the *municipal* Ombudsperson's office. This office organises the election day and convenes the victims' organisations registered to vote. Before 2015, community leaders wanting to join a *provincial*[27] board could register their organisation and candidacy at the *regional* Ombudspersons' office, regardless of whether they were members of a municipality's local board. Since 2015, all candidates for provincial boards must be members of municipal boards.

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[27] Provinces (*departamentos*) are composed by municipalities.

Once the municipal boards' participants are elected, they shortlist among themselves the candidates for the provincial board election. In turn, participants from provincial boards select the candidates for the national board election. I was told that the idea behind the pyramidal structure was '*to guarantee that no one could get to the top without having worked at the grassroots'*. Hence, participants wanting to be part of the upper-level board must obtain the support of their fellow participants.[28] The problem started when actors, who were interested in the resources facilitated by the participatory spaces but did not have enough grassroots' support, sought ways to secure their selection at the municipal board to be able to reach the provincial and national boards as well.

Table 4.2.
Cali's Victims' Boards composition

Represented group	Available seats	2013-2015	2015-2017	2017-2019
Victims of crimes against life and freedom (e.g. homicides, massacres, kidnapping)	2**	1-man,1-woman	1-man,1-woman	2-women
Victims of crimes against physical and psychological integrity	2**	1-man	1-man,1-woman	1-man,1-woman
Victims of sexual violence	2**	2-women	2-women	2-women
Victims of forced disappearance*	2**			2-women
Victims of anti-personnel mines, unexploded ordnance, improvised explosive devices*	2**			1-man,1-woman
Victims of forced displacement	8**	3-men,3-women	4-men,4 women	4-men,4-women
LGBTI victims	1	0	1-woman	1-transwoman
Women	1	1-woman	1-woman	1-woman
Youth (18 to 28 y/o)	1	1-woman	1-woman	1-woman
Seniors (60+ y/o)	1	1-man	1-man	1-man
Victims with disability	1	1-man	1	1-woman
Indigenous communities	1***			
Traditional Afro-Colombian communities	1***			
Romani communities	1	0	0	0
Victims' rights defender organisations	2	0	0	2

Introduced in 2016 by Resolution 1281
**At least half of them must be women*
***Appointed by their traditional authority*
Source: produced by the author based on Resolution 0388/2013 and Victims' Boards composition.

I had the chance to interview participants who were active on Cali's Victims' Board before and after the 2015 change. I met two participants who had been part of the provincial and the national Victims' Board between 2013-2015. One of them had not been a member of the municipal board during that period. According to the information I obtained, this participant had not done much grassroots work, which reduced her chances of being elected

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[28] Initially, participants had the right to one re-election. In 2016 indefinite re-election was allowed. This will be addressed in chapter seven.

under the 2015 rules. Nevertheless, the participant was resolved to be elected to the municipal board and re-elected to the provincial and national ones. She had gained access to diverse resources[29] thanks to her membership in the national board and wanted to keep this gain. Her strategy consisted in establishing an alliance with a community leader who had not been part of any Victims' Board but did 'have' an organisation of victims of the armed conflict with many members in it. As the election works on the principle of 'one organisation, one vote',[30] the two allies '*divided the organisation they had*' to register as many organisations as possible and increasing their votes. They asked each member of their 'large' organisation to create a new, 'small' organisation and to vote for them on the day of the election. That year (2015), Cali's ombudsperson's office registered 597 organisations for the election; in 2013 they had registered 64.[31] The two allies and their candidates obtained majorities on the Victims' Board on the election day, leaving out most organisations that had previously been active in the space.

The excluded groups protested immediately: they exposed the strategy, denounced the fact that new organisations had been fabricated for the election, and questioned the representativeness and legitimacy of the elected participants, as well as their grassroots work and integrity. In fact, the integrity of one of the winners had been previously questioned by external actors, including media.[32] She was accused of using fake documentation and her influence in national and provincial participatory spaces to obtain state benefits and contracts for herself, her family and close friends. She was also accused of charging fees to victims of the armed conflict to ensure their inclusion in social programmes and to receive other kinds of public benefits; she had disappeared with the money without fulfilling her promises at least once.[33] According to a press investigation, there were 17 open legal investigations into the participant's conduct by June 2015 (Escobar, 2015). Candidates who lost against her at the 2015 municipal board election insisted that her main motivation to join Cali's board was not representing the interests of the victims of the armed conflict, but to reach the provincial and national board to access more resources -state programs, contracts, financial help- to make offers with.

The discontent continued during the two-year period. The defeated candidates sent regular petitions questioning the electoral process and the elected participants' activities. The

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[29] Recognition of travel and accommodation expenses, as well as a day's wage for every activity of the board; priority knowledge of job offers and social programmes; direct contact with national level state representatives, politicians and decision makers; security schemes including bodyguards and bulletproof car, among others.
[30] The voters are organisations, not individuals.
[31] The election day had to be re-scheduled twice for logistical reasons. The number of registered organisations was unexpected.
[32] Arenas, 2014; Escobar, 2014, 2015.
[33] Access to programmes and benefits is free.

Ombudsperson's office, however, did not do much about it. They argued their hands were tied because the norms did not forbid the conformation of small victims' organisations a few days before the election. The rule was based on the principle of good faith, and asking victims for further requirements infringed upon their rights to organise and participate; the elected participants had found the glitches in the norms and took advantage of them.

The story happened again in 2017 among different allies. Some of the leaders who had been defeated in 2015 formed a coalition with one of their former contenders to prevent the re-election of a third contender. 704 organisations registered to vote. Officials from the municipal Ombudsperson's office were intimidated and feared legal action against them: '*there are many interests in there* (on the Board)*. We must take care of everything we say and do because they* (three candidates) *accuse us of misconduct and threaten to sue us the whole time*'. The officers organised the election day to be as similar as possible to an election to congress, for mayors or for president: it was carried out in a stadium; ballot boxes opened at 8 a.m. and closed at 4:00 p.m.; every voting table had electoral juries and witnesses -NGO staff and law students; the national registry and public ministry offices were asked to attend; and the police and the Red Cross were there in case of an emergency.

Image 4.3. Cali Victims' Board election, 27th August 2017. Taken by the author.

The candidates' strategy on election-day was impressive. I was volunteering for the Ombudsperson's office as support staff for the day. At 7:40 a.m. I saw a bus approaching the place. It was full of people who immediately started queuing waiting for the ballot boxes to open. A second bus arrived at 7:57 a.m. There were about 80 people queuing before the day

officially started. I saw two more buses arriving after 8:00 a.m. but could not see if more arrived later, as I was walking around the stadium carrying out my duties. Most voters brought a small piece of paper in their hands. The paper had the list of the candidates they should vote for, for each one of the Board seats. Buses full of people and 'electoral guides' are common elements of 'normal' Colombian elections: politicians rent buses, pick up voters from their homes, provide them with electoral guides and a snack, and take them back home. I was shocked to see the extent to which this was also happening at a participatory institution. Voters frequently went into the voting cubicles accompanied by someone telling them how to vote. The law students and their lecturer were outraged and told me they would document the day as an example of what should not happen during an election day. My third big surprise, however, was the evident multiplication of formerly inexistent victims' organisations or, in practical terms, voters. One of my tasks was receiving the people representing the organisations registered to vote, checking their IDs against an official list, and letting them enter the stadium if they were on the list. One after another I checked in people with the same surnames (siblings, cousins, parents and children), each one representing a different organisation. I asked for their organisation's name to speed up the process of finding them on the list. Most did not know it. Still, if I found their ID number in the list, they could get in and vote. Images 4.3. and 4.4. show part of the election day.

Image 4.4. Queues to vote, 27th August 2017. Taken by the author.

I later found out how this had been organised. The leader who had divided and multiplied 'his' organisation in 2015 had contacted 'his' politician and asked him for support.

The financial resources sent by the politician were used to hire youngsters to 'create organisations'; offering incentives to voters; and to rent the buses. In return, the politician expected the leader to get him as many as possible votes in the next regular[34] election in which he was involved. The strategy was effective. The leader kept off all the candidates he did not want on the Board and became a key figure in the institution during both periods.

The same traditional politics that were the cause of criticisms against representative democracy and the need for participation, were used to access a participatory space and secure majorities in it.

Inclusion and power dynamics in the participatory space

Once the Victims' Boards started to work, exclusionary power dynamics emerged between the participants. Some people were excluded because they were less skilled than others using technical language. However, more serious exclusions came from the unbalanced, even aggressive treatment between the actors in the space.

During the 2015-2017 period the ability to use the technical language of the state was concentrated in two participants. Discussions with state representatives were carried out by one of them, while most other board members agreed with what their fellow participant said, even if they did not completely understand what was being discussed. Curiously, thirteen of them declared that they did not feel excluded, as they 'did not mind leaving the discussions in hands of who *knew best*'.

Yet, this was not a unanimous position. A few members declared they felt excluded, including the other participant skilled in the use of technical language. Moreover, they felt their participation in the space was coerced. My interviewees pointed out that one of the Board's main leaders was resolved to establish a hierarchical structure within the space and the lack of participation experience of fellow Victims' Board members was functional for his goal.

> '*None of the persons they[35] put on the Board[36] have experience defending the rights of victims of the armed conflict […]. They are all new and don't know much about the law or about our mobilisation history. That makes them easy to manipulate! They do not talk, do not propose a thing, they just agree with whatever [participant's name] and [participant's name] do and say. He behaves like their boss*'.
>
> Female Victims' Board member.

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[34] Meaning those of representative democracy (e.g. Congress, president).
[35] The allied leaders who 'divided and created' victims' organisations for the 2015 election.
[36] Those who won a seat in the 2015 election.

'All decisions and even chances to talk to officers have to be approved by them. One day one of the officers called me to her office. She told me about a new programme and asked me to suggest beneficiaries for it. I handed in my suggestions. When [participant's name] found out about this, he withdrew my recommendations and sent a message to all of us warning that everything had to pass through him for approval, that he was the Board's main leader and that we had to ask him for permission for whatever we wanted to do. He said he knew some of us had been trying to do things independently, and that he was thinking about making officers close their doors to us'.[37]

Female Victims' Board member.

A similar dynamic continued in the 2017-2019 Board. An experienced leader, who stood against the dynamics of exclusion, told me she was getting tired of the board due to the coordinator's insistence on controlling the space. Then she added:

'He was expecting me to behave like him! He once asked me: 'why don't you control [participant's name]? She goes around there doing as she likes'. I laughed and told him: 'Why should I control her or tell her what to do? Neither commanding nor scolding people makes you a good leader – yes, he scolds people, and in an ugly way!; a good leader lets good people do what they are good at and [participant's name] is a good element, she is full of ideas'. But yeah, he has been nasty to her. He doesn't respect his peers (on the board)'.

The hostile environment motivated board members to leave the institution. This had been the case for indigenous groups and NGOs representatives who declared themselves not to be interested in a space where '*the discussions were not relevant, and their voice was not listened to*'.

However, the most worrisome aspect of the power dynamics in the Victims' Board was the element of intimidation involved. Between 2017-2019 the Board's leader trying to control the institution encountered opposition from a few participants who wanted to keep the space inclusive. Yet, most participants, and some state representatives, feared his 'leadership style'. Moreover, the information I gathered suggested he had connections with remnants of paramilitary groups in the city. The suggestion was not unrealistic. Armed groups in deprived neighbourhoods tend to support community leaders they like and oppose those they dislike.

The whole situation made the threatened participants, all of them women, feel that they were at a real disadvantage. They believed public servants should intervene and establish an level playing field. Public servants' refusal or weakness to do so was seen by them as an alignment with the powerful figures in the space.

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[37] I listened to the audio message described in this quote.

4.2.2.2. Decision making power

As the following paragraphs show, the Victims' Board achieved significant decision-making power despite its inclusion problems. Key participants were skilful when presenting their demands; the local government had the resources to respond to them; and crucially, it also had the political will to do so. This aspect of the participatory process was not free of conflicts. Although the local government and the participants agreed about the former's responsiveness obligations, there were disagreements about what participation implied. Key participants insisted on using the institutions' decision-making power to improve their life conditions in exclusionary, antidemocratic ways, the only ways they considered 'realistic'. Cali's Victims' Board reminds us that not every episode in which a marginalised group gains power is an episode of democratic gains.

Participants' understandings of participation and abilities to present demands

I investigated the Board members' views on participation through a focus group and individual interviews. I found three different views on participation, each one prioritising different aspects of the process. For the less experienced, participation was a means to learn about the rights of the victims of the armed conflict. Participation was seen, mainly, as an opportunity to obtain information. A second group saw participation as the means to represent the voices of the marginalised; they focused on the information they could communicate, rather than on receiving it. A third group put the emphasis on what happened with what had been communicated to the state: was it influencing public decisions or contributing to the design of policies, programmes and projects? Five participants added a second layer: participation was peacebuilding for them. All these expectations were compatible with the institution's mandate and with the municipal government's understanding of what participation implied.

Despite these compatibilities, other ideas collided. For some participants, participation implied inclusion, horizontal relationships, open dialogues, collective popular empowerment and learning. For other key participants, the Victims' Board was a platform to access power and resources and they were willing to take measures to accumulate them. These key participants were especially interested in the budgets, contracts, and coverage conditions of the public offer for victims in Cali.[38] They were accused of using their influence over these topics

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[38] Cali's public offer for victims of the armed conflict in 2017 rose to USD$3,857,865 (COP$11,428,000,000), covering, among others, programmes for the prevention of human rights violations, and victims' protection; assistance-information points, support for forcibly displaced people, access to public schools; reparation-support for returning to one's place of origin, public housing allocation,

to provide for their close circles and themselves with contracts, working positions, benefits from social programmes and the like. This is an extract from an interview with one officer from the mayoralty:

> *'I will tell you what their interests are: they ask you about estimated budgets, they ask you about contracts, they ask you the number of available places in the programmes for victims of the armed conflict. Then, they demand the right to decide who is getting these places and these contracts, and how to spend the resources. That is what they come to talk about'.*

A regional newspaper published an article about the issue. Referring to one of the Victims' Board leaders, they wrote:

> *'Her name is not pleasantly remembered in several offices of the municipal and provincial administrations. She used to exercise 'pressure' in order to obtain control of the public resources allocated for the reparation of victims of the armed conflict. She threatened with organising massive public demonstrations if she didn't get it'* (El País, 2017).

These participants were reproducing within the Victims' Board what has been qualified as the basic structure of traditional Colombian politics: clientelist networks (Losada, 1984; Leal, Buitrago and Dávila, 1990; García Villegas et al., 2010). They used their influence on decisions over public resources to build relationships of loyalty with people on and outside the Victims' Board. In exchange, these people agreed to create new victims' organisations and vote for them at the Victims' Board election day. The anti-democratic nature of clientelism has been widely emphasised (e.g. Taylor, 2004; Desposato, 2006): It is an informal, self-reinforcing, political institution based on inequality that privatises public goods and services, and perpetuates the concentration of power in those at the top of the clientelist network.

It is interesting that in this case there are two concomitant clientelist structures: the one between the Victims' Board leaders and 'their' politician, who had provided resources for the former's election; and the one the Victims' Board leaders were trying to build themselves, not as intermediaries, but as direct providers of the public goods and services they had access due to their position on the board (see image 4.5). It is also interesting that the politician did not look to the leaders, but the leaders looked to the politician to start the clientelist structure.

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advice and training for income generation, and support for entrepreneurship projects, psychosocial and health services, sports, cultural and artistic programmes (Alcaldía de Santiago de Cali, 2019).

Image 4.5.
Concomitant clientelist structures.
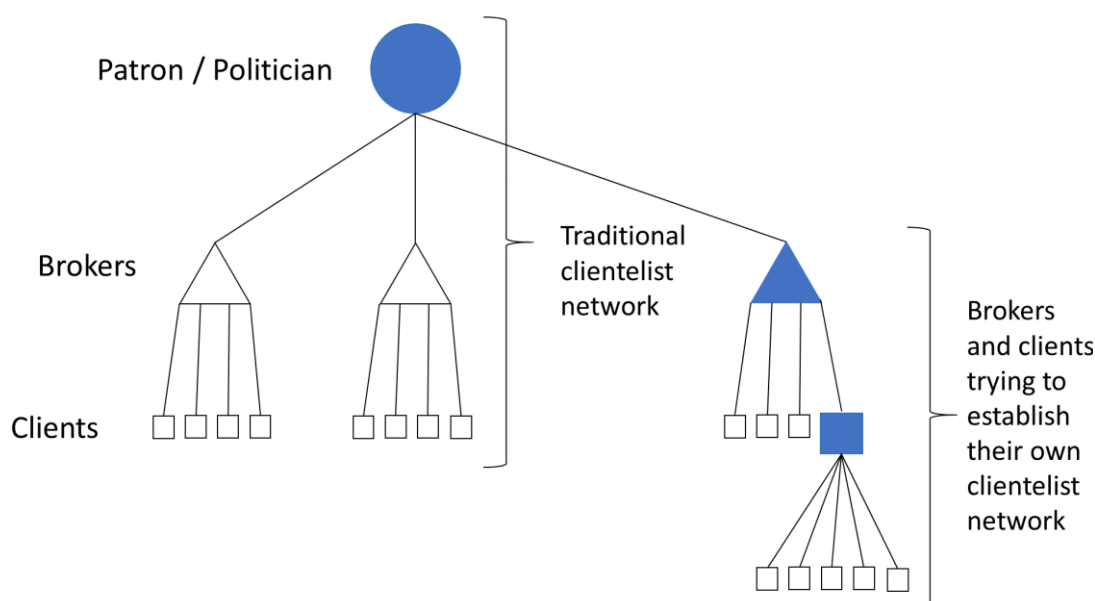
Source: Image by Losada (1984); modified by the author.

The urge to exclude others from the Victims' Board came from the fact that the resources to be distributed through a participatory space were few in comparison to those distributed by a regular politician who has broader access to public resources. Thus, controlling these few resources became crucial. Key Victims' Board leaders put all their knowledge, connections and intimidation abilities on display to obtain these goods and services. These are excerpts of interviews with Cali's public servants:

'*She* (referring to one of the leaders) *knows a lot. She is a member of the national board, so, sometimes she has more information about national policy updates and the legal framework than you as a local officer have. She knows the law deeply and she uses it to argue. Perhaps parts of what she says aren't true, but how can you be sure? She can play around with you to obtain what she wants. Besides, if she realises you are not believing her, she immediately calls someone at the national level, a social leader or civil servant, to reinforce her points: 'I can put you on the phone to Tom, Dick or Harry and you will see that I'm right'. If she wasn't so self-centred on her own interests she would be a terrific social leader, because, truly, she is really good at what she does!*'

'*I understand if you don't believe this, but public servants are frightened of them. They tell the public servants that they are going to sue them if they don't get what they are asking for. All issues related to victims of the armed conflict are delicate, so you must be careful. The worst is the way they do it: they come claiming loudly, sometimes shouting. Establishing any dialogue with them is difficult. [Participant's name], particularly, is a bit violent. They don't respect you as a person, and you are just a public servant, occasionally the decisions they are asking for are not in your hands. Nobody in my office wants to be in charge of*

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*these topics, just to avoid them. They believe you have to say yes to everything
they ask for. It's difficult'*.

In addition to obtaining the resources, the key leaders tried to eliminate potential competitors. Their control started on election day and continued with the establishment of hierarchical power relations inside the board. As mentioned before, practices of exclusion and intimidation targeted actors questioning the power dynamic.

For participants developing clientelist practices, controlling available resources was more important than loyalty: a few weeks before the 2017 election, one of the key leaders was forbidden from participating as a candidate again. She had been found guilty in one of the legal cases against her for swindling victims of the armed conflict. After the announcement, her former ally told the rest of the participants that he had helped to speed up the judicial process to prevent her continuation on the board.

All these power dynamics made NGOs, which had formerly supported the board, walk away from it. Participants developing clientelist practices were not comfortable with external actors they could not control, like the NGOs or me. Thus, this was the participatory space to which I had least access during my research.

Importantly, I also found that the efforts to privatise the participatory sphere were not exclusively founded in the search for personal benefits. Participants making these efforts believed they were being 'realistic' and 'practical'. They believed that they were doing a public service for marginalised people close to them. In one discussion, between one of the participants trying to privatise the participatory sphere and one participant critical of him, the latter was talking about the history of black peoples' struggle for empowerment in Colombia. The former replied: '*I don't care about your history, and I don't need to know laws or care about them. All that I know and care about is that <u>my black people</u>* (black people in his organisation) *eat from what my politicians give me, and that's the reality we live in!*'. He was referring to the politicians in the clientelist network he was affiliated to.

Undemocratic practices were motivated, or at least justified, by the lack of trust in participation, legality and the political system at large. This participant had decided to replicate informal practices that, in his experience, were effective in obtaining resources to improve his and his clients' quality of life. The fact that the replicated practices contradicted the normative purposes of participatory democracy was not relevant; solving material conditions of life was. This episode shows that when a political system is unable to deliver on peoples' needs, people will look for ways to solve them, regardless of their legal character or legitimacy. Sadly, this decision created a vicious circle for participation: sceptical participants did not give the participatory process a chance to transform socio-political problems according to its normative

purpose; instead, their decision distorted the process and created reasons for more people to be sceptical of participation.

Yet, I want to highlight that there were participants at the Victims' Board, all of them women, who still believed in the normative purpose of participation and stoop up for it. For instance, one of these participants requested to make public all calls for social programmes' beneficiaries. These women tried to establish more dialogical relationships with the public servants to improve the programmes and projects offered to all victims of the armed conflict in the city.

Government's understandings of participation and political will

The Victims' Board members considered themselves fortunate to have a municipal administration favourable to their participation. After being elected in October 2015, Cali's mayor received a visit by agents of official oversight institutions. The aim of the meeting was informing the mayor about the participatory institutions for victims of the armed conflict and underlining their relevance. Either because of the importance of peacebuilding in the then-national agenda, the mandatory character of the norms about the Victims' Board, the mayor's genuine sympathy for the topic, or all the above, the mayor subscribed to the concerns of the public ministry's agents. According to my source, who attended the meeting, the mayor understood that the Victims' Board was not an institution for information exchange only, but for making agreements with the participants, and even for arranging and co-managing projects with them. He accorded a high level of importance to the topics related to victims of the armed conflict, asked all cabinet secretaries to attend all the meetings, and reply to all the questions asked by the Victims' Board members, and created public employment quotas for victims of the armed conflict in the mayoralty offices and programmes.

The favourable political will of the local administration was acknowledged by the Board participants: '*I didn't vote for him, I'm not from his political group, or any political group, but I do recognise he really cares about these topics. He can be called emotional, he can say silly things to the media, he can be whatever you want, but you can see he is truly interested in finding solutions to our issues. He's someone you can talk to, you know he's listening and caring about it*'.

The positive attitude of the mayor contributed to the Victims' Board's influence on the local government's programmes, and his decision of employing victims of the armed conflict at the mayoralty broadened the pool of goods and resources for victims in the municipality. Victims' Board participants trying to build clientelist networks were particularly interested in

these work placements. That said, the mayoralty's openness to dialogue and to working in partnership was not limited to the members of the Board; it was extended to other organised groups of victims of the armed conflict looking for ways to solve their problems.

Responsiveness

Despite the tensions, Cali's mayoralty was a responsive interlocutor. There was a whole set of conditions for this: an understanding of the Victims' Board participation status; political will; skilful participants (despite different approaches); enough financial resources to run a variety of programmes and projects for victims of the armed conflict.

> *'Yes, yes, they are responsive to us. If you call the cabinet secretaries for a meeting, they show up, they listen. Either due to intimidation or true conviction, they show up (laughs). Yeah, it's possible they feel pressured to respond. But I don't think they feel pressured in a bad way with some of us. I believe they actually like working with us because we are truly interested in improving the programmes for the victims in Cali, and because we are not rude to them. We discuss the programmes, they get our feedback and we make adjustments together'.*
>
> Victims' Board participant.

This responsiveness has been acknowledged publicly by both participants and the mayoralty, and portrayed as an achievement and symbol of good government in the city. In May 2018 the mayoralty published on its website:

> *'[…] the coordinator of the Municipal Victims' Board pointed out that Santiago de Cali has stood out with its attention to victims of the armed conflict. 'Cali is pioneer in housing programmes for victims, we have the highest complementary subsidy, eleven million COP, which does not happen in any other Colombian municipality. We also have productive projects, and Cali is the only city in the country with more than 800 victims directly employed by the municipality. The Sports Secretary is creating 100 more positions, to take us up to 900. There are things to improve, but Cali is also a pioneer. Take for instance the design of policies for victims of the armed conflict', indicated the victims' spokesman'.*
> (Alcaldía de Santiago de Cali 2018b).

4.2.2.3. Democratic learning

> *'The way they participate, even if not democratic, is a result of their learnings in the participatory process'.*
> National public servant on Cali's Victims' Board participants.

The tools and values implemented and learnt by participants during the participatory process were not always democratic. Regarding active citizenship -agency in public issues- I identified three types of participants. The first group was comprised of highly experienced citizens, who

had been active before their affiliation to the Board and had exercised this agency through institutionalised and non-institutionalised participation (e.g. social movements, electoral campaigns). The second group were the Victims' Board members who had been previously active in trying to influence public decisions, but not through participatory institutions. One of them, for instance, proudly told me he had '*worked his whole life*' with an important regional politician, meaning that he was part of her electoral-clientelist network. The last group was the freshers' group, those invited by other leaders to join the board and who had won a seat due to the former's support. People in the last two groups, particularly the freshers, were forming their ideas about participatory institutions and participation. What they saw in more experienced fellows was crucial for their training, and this was alarming:

> '*The saddest thing of all this is that new participants are thinking this is what the board is for. But the boards were not created to do what they do'.*
> Officer referring to the questioned leaders' practices within the Board.

Participants learnt that applying informal, traditional political repertoires was effective in obtaining benefits that were otherwise inaccessible. The 2017 election was an example of this learning process. Groups defeated in 2015 by candidates applying clientelist practices, and who had questioned that election for two years, joined one of the adversaries they had criticised, and replicated his strategy. They had concluded there was no other alternative if they wanted to re-join the Victims Board. Some civil servants agreed with their conclusion: '*They (*the groups defeated in 2015*) knew the strategy, they knew it was effective and that nothing that could be done against it. The rules allow it. Once the strategy is in action you know who is going to get on the Board*'.

A participant who had been critical of questionable strategies at the 2015 election, and who had implemented them in 2017 explained herself like this:

> '*This is how real politics works, if we wanted to be here* (the board)*, we had to do it. Politicians do it, they have their alliances, their agreements, they bring their buses full of people to vote. If they do it, and they are still in power, why can't we? If you want to do something for your community, the first thing you have to do is getting here. A Victims' Board decides on fewer matters than a real politician. Why should we be criticised for doing what politicians do, if no one is questioning them?*'

She had a point. The problem was bigger than them. They were sceptical of changes in the political system and asked themselves why they would have to play fair while nobody else was. The Victims' Board members did activate their members' interest in public issues and participation. However, this increasing interest did not grow based on democratic values, as foundational literature assumed (Pateman, 1970). On the contrary, the case proved that

diverging concepts of citizenship (e.g. Taylor, 2004 -the concept of 'Client-ship'), and non-democratic repertoires can have roots in participatory spaces. Empirical evidence suggests this is especially the case in highly unequal societies where informal, non-democratic institutions strongly influence actors' behaviour. Cali's Victims' Board participants had 'learnt' that they had no other choice than reproducing informal non-democratic institutions if they wanted to achieve inclusion and empowerment for them, which paradoxically entailed the exclusion and disempowerment of those who did not affiliate to these informal rules and procedures. Victims' Board's members learnt to legitimise these practices. This was part of their 'training'.

Regarding the development of a sense of collectivity and pluralism, I found opposing dynamics. Key leaders on the Board managed to present most members as a unified collective vis-à-vis state representatives. This was functional for their goal of controlling the space. However, this sense of collectivity did not imply pluralism. The collective's positions were vertically guided by the few key figures, who found ways to exclude voices that differed from their guidance.

I registered three kinds of actions among the divergent voices: temporary attempts to resist; abandonment of the institution; and negotiating for inclusion. While I observed the Board, episodes of resistance did not seriously challenge the established collective. The episodes of resistance were cautious, as challengers, mostly women, had to face strong intimidation. None of the voices who had shown dissent during the 2015-2017 period managed to be re-elected in 2017.

The first meeting of the Victims' Board after the 2017 election offers examples of the other two reactions. The participants were appointing their coordinator and executive committee. This Victims' Board included participants who had been defeated in 2015 and had planned their election with one of their former contenders. Their plan included an agreement about who would coordinate the board and who would sit on its executive committee. Once the meeting started, one of the new members, unrelated to other participants and their agreements, asked to discuss the appointments. The answer she received was: '*We have agreed something and nobody can change it. For this board to work, agreements must be respected; there is no need for further discussions'*. After some months, and tired at the dynamics in the board, this new member decided not to come back. Others had decided the same before.

Nonetheless, this same new member told me that sometimes, when she had insisted on more democratic practices, her fellows had listened to her and accepted them, at least temporarily. There was space for democratic learning.

4.3. Comparison and conclusions: Did the Victims' Board perform better than the Planning Council in Cali?

The Victims' Board outperformed the Planning Council in Cali. This result, however, was not straightforward. The inclusion and democratic learning problems during the Victims' Board process are worrisome, not least because they were caused by participants rather than by deficits of political will or institutional design.

The following table summarises the comparison of the Planning Council and Victims' Board processes in Cali for each one of the observed analytical categories and indicators. The table allocates a plus symbol (+) to the space performing better at each indicator, and a minus symbol (-) to the space performing worse by comparison. It gives an equal (=) or similar (≈) symbol when there was no substantial difference between the performance. The table indicates the most relevant cross-cutting factors influencing each indicator. I left question marks against the cross-cutting factors strongly suggested by the data I gathered but which I could not confirm.

Table 4.3.
Cali: Comparative analysis summary.

Categories of analysis	*Indicators*	**Planning Council** G1 Participatory Institution	**Victims' Board** G2 Participatory Institution
Inclusion	Access	≈	≈ *Detrimental cross-cutting factors:* • Relationship with representative politics
	Representativeness and legitimacy	=	=
	Treatment	+	- *Detrimental cross-cutting factors:* • Relationship with Colombian armed conflict?
	Language	-	+
Decision-making power	Understandings	-	+
	Resistance	-	+
	Abilities to present demands	-	+ *Present cross-cutting factors:* • Relationship with non-institutionalised participation • Relationship with representative politics? • Relationship with Colombian armed conflict?
	Responsiveness	-	+ *Present cross-cutting factors:* • Relationship with Colombian armed conflict?
	Active citizenship	≈	≈

Democratic learning	Accumulated training	≈	≈ *Detrimental cross-cutting factors:* • Relationship with representative politics?
	Sense of collectivity	≈	≈
	Pluralism	≈	≈ *Detrimental cross-cutting factors:* • Relationship with Colombian armed conflict?

Both participatory processes had inclusion problems. In both, interested and relevant actors were left out during the participants' selection. Selected participants did not feel completely included due to the power dynamics in the spaces. Yet, there are differences in how the exclusions emerged and the role that institutional design played.

In the Planning Council, exclusions were related to the reproduction of society's power relations in the participatory sphere. Government representatives in charge of dealing with the Planning Council favoured actors with advanced educational and professional profiles, who thus had higher socio-economic status. Although citizens from low-income backgrounds were selected as participants, they were not the majority. Participants determined positions for themselves and their fellow participants according to how they read their status. Backgrounds and ways of speaking were granted value, conceding linguistic and epistemic authority to the more privileged. These interpretations and the perceived unbalance of forces in the space ended up censoring low-income members, limiting their full inclusion in the participatory process.

Thus, Cali's Planning Council resembles Martínez-Palacios's (2018) findings about institutionalised participation. According to her, contemporary institutionalised participation and deliberation incorporates contradictions that endanger the inclusiveness of participatory democracy and its ultimate purpose of democratic deepening. Absence of social justice frameworks is one such contradictions. In Cali's Planning Council the lack of this framework enabled asymmetrical relationships in the participatory process. The application of this framework would enforce measures to counterbalance the power asymmetries of Cali's unequal society in the participatory sphere. This is the purpose of quotas for vulnerable groups in the Victims' Boards.

The exclusions in Cali's Victims' Board did not have to do with an institutional design granting selection power to the government, lack of social justice frameworks, or the reflection of Cali's socio-economic inequality in the participatory sphere. Quite the opposite, the Victims' Board design established a more democratic procedure to select the institution's participants, who, in Cali's case, came from disadvantaged backgrounds. Exclusions in Cali's Victims' Board

had their origin in the participants' scepticism about the power of formal rules to produce changes, and their resolution to effect these changes through the introduction of informal practices and informal institutions into the participatory sphere.

In scholarly analysis about democratic regimes, political scientists such as Helmke and Levitsky have highlighted the importance of including informal institutions and practices, as 'they reinforce, subvert, and sometimes even supersede formal rules, procedures and organisations' (Helmke and Levitsky, 2004, 2006). They define institutions as 'rules and procedures that structure social interaction by constraining and enabling actors' behaviour' (Helmke and Levitsky 2006, p.5). Informal would be those socially-shared rules, usually unwritten, that are 'created, communicated, and enforced outside officially sanctioned channels' (p.5). The use of informal institutions and procedures by the Victims' Board was prominent. Using repertoires typical of traditional politics -created, communicated, and enforced outside official channels, e.g. the electoral strategies described above- lead-participants were able to skirt around formal rules not favourable to their purposes, to later cover them with the legitimacy granted by convenient formal rules. Informal institutions and procedures not only impacted the inclusion of the Victims' Board, but also affected the democratic tools and values that less-experienced participants learnt throughout the process, and their decision-making power.

The decision-making power trends between the two processes were completely opposed and made the overall difference in their performance. The Victims' Board decision-making power was noticeably higher than the Planning Council's, and the institutions' design played an important role in this.

Participants and public servants had different understandings of the Planning Council status: government representatives were not interested in responding to the Planning Councillors inputs, and the institution's consultant status gave them a safe justification to avoid compromises. Participants believed that their consultant status could not be used as an excuse to neglect effective participation. Yet, participants had limited abilities to implement a plan to make their participation successful. Despite having useful resources at their disposal, their differences and asymmetrical communication made it difficult to reach agreements about the steps to follow. Consequently, responsiveness was low.

In comparison, the Victims' Board decision-making power ranked high. Participants and government representatives understood and agreed on the institution's status. Either due to legal enforcement or political commitment, there was political will towards the participatory process. These conditions facilitated the lead participants' influence on public decision making.

The stains were the undemocratic motivations and procedures in which some of these lead participants presented their demands. Given their interest in controlling the process in a clientelist fashion, these lead participants limited other board members' opportunities to present their own inputs to the board and the local State. In this sense, the Victims' Board decision-making power was not at the service of democratic deepening but proceeded on the logic of the traditional politics that participatory democracy was supposed to confront.

The democratic learning problems in Cali show that processes of participation struggle to be a 'school' for further participation and democratic deepening in societies where unequal power relations are deep-rooted and hard to question, to the point that they are easily reproduced in the participatory sphere, where they are not supposed to exist. Evidence has suggested that institutional design helps to correct the situation when power asymmetries are acknowledged and directly tackled, as proposed by the feminist criticisms of deliberative democracy. However, Cali's Victims' Board process also showed that this is not enough when power disparities have been accepted by the participants.

Development of democratic tools and values in the Planning Council was limited by the weak institutional design and by the asymmetrical relations among participants, as Planning Councillors of higher status had higher epistemic and linguistic authority in the space. These asymmetries affected mutual learning because participants' inputs were valued differently: grassroots Planning Councillors went unheard, and their experiences were considered less relevant. Although the space was diverse and the participants were respectful to each other, the process lacked open, plural debates between the heterogeneous actors it involved. Furthermore, the tensions prevented the Planning Councillors from building a 'sense of collectivity' among them.

Regarding the Victims' Board, on the other hand, the empowered design of the institution incentivised participants' active involvement with public issues. The problem was that for some of them, such involvement was not based on, nor did it promote, democratic values: Traditional politics had taught them that access to power and resources were attainable through the exclusion and subordination of others; they had accepted it and reproduced it. Participants did not believe that participatory democracy could transform power relations in society. They had concluded that the best they could do to improve their life conditions and those of the people close to them, was to try to obtain some of the contested power and resources, through the same informal rules the powerful followed.

Hence, while democratic learning at the Planning Council was coerced by the power entitlement of participants with higher status in the private sphere, democratic learning in the Victims' Board was countered by the strategies of disadvantaged people trying to obtain

power. Use of informal practices -clientelism and intimidation- to exclude participants from the Victims' Board were attacks on pluralism, which would be worse if the suspicions of indirect involvement of armed actors were proven. The hierarchical relationships within the Victims' Board made it difficult to confirm whether the sense of collectivity that most participants displayed was genuine. Additionally, less-experienced participants had limited opportunities to learn and develop democratic tools and values: they witnessed and participated using informal, anti-democratic strategies led by more experienced peers, who, at the same time, restricted their involvement with other formative activities, such as dialogues with policymakers. Ultimately, Cali's Victims' Board showed that when injustice is accepted, institutionalised participation can be a school against democratisation.

4.3.4. To Conclude

Cali as a study case reveals different factors that can influence participatory processes, diverting them from their main goal of 'democratising democracy' (Pateman, 1970, 2012; Santos, 2005). More importantly, the case shows how these factors interrelate with, and reinforce, each other.

There was evidence of the effects of poor institutional design. The consultative status granted to the Planning Council played against the municipal government's will to engage with it, and the absence of measures to secure seats for less-privileged groups affected the space's inclusiveness. The second-generation institution, the Victims Board, performed better in this regard, proving that there is room to improve participation via institutional design: institutions can be empowered, and power asymmetries can be tackled to enhance inclusion.

Yet, empirical evidence also showed that there are factors that are not easily addressed by institutional design. As put by Cornwall and Coelho (2007), the participatory sphere is a porous space in which actors come and go, bringing what they are and leaving with what they have learnt. This includes their views of the world, power and justice; their interests and beliefs about what is possible; their skills and resources. Likewise, Helmke and Levitsky (2004, 2006) warned in scholarly analysis about democracy about the importance of observing informal institutions and practices, as 'they reinforce, subvert, and sometimes even supersede formal rules, procedures and organisations'. Indeed, scholars have highlighted how well widespread informal institutions and practices are in Latin America, and how they can oppose formal democratic goals (O'Donnell, 2006). Informal institutions and practices are not easy to detect by formal observation, and, hence, difficult to sanction. Although institutions exist to structure interaction, the fluid character of participatory processes and the informal practices within

them escape absolute regulation. The chapter suggests that participatory processes are more prone to deviate from their normative purpose in societies where relations of subordination are normalised and difficult to question, or worse, accepted. Hence, Cali shows that the provision of presumably well-designed participatory institutions is not the ultimate solution for the problems faced by societies in which power is highly concentrated by a few. Finding a way out of this problem is an important challenge for participatory democracy researchers and practitioners. Cali, perhaps, also offered a hint about what can be done, as it illuminates a key factor that is frequently overlooked: the need to discuss and agree on what is understood by participation, something that is regularly taken for granted.

Chapter 5. Buenaventura: From Invited to Invented participation

'¡El Pueblo No Se Rinde Carajo!'

Image 5.1. Victims' Board and CSB's *espacio autónomo*. Photo taken by the author.

Contentious politics took centre stage in the Buenaventura case study. In Buenaventura, the Victims' Board outperformed the Planning Council in all three aspects of the participatory process, and both contentiousness and institutional design contributed to this. In 2017, civil society groups carried out a powerful civic strike that created an important political opportunity for change in Buenaventura. The plenary of the Victims' Board joined the strike, giving an example of coalition building and coordination of institutional and non-institutional participation. Institutional design features prevented the same from happening with the Planning Council. Cross-cutting factors also influenced the participatory processes: while the relationship between participation and representative politics was problematic, the relationship between participants and non-state organisations had positive impacts on decision-making power. Yet, the most worrisome influence came from the armed conflict, as it threatened the participants' very existence. This chapter is divided into three sections. In the first, I describe Buenaventura's context. In the second I present the Planning Council and the Victims' Board participation processes. A closing section compares them and concludes.

5.1. Bello Puerto del Mar mi Buenaventura[1]

It was 1:30 a.m. on the 6th June 2017. There was ecstasy at the Cosmos Hotel in Buenaventura. The hotel served as headquarters for the negotiations between the '*Comité de Paro Cívico de Buenaventura para vivir con Paz y Dignidad en el territorio*' (Buenaventura's Civic Strike Committee for a life with peace and dignity in the territory) and the Colombian government. None of the negotiators had had a proper sleep for at least 22 nights. 22 days before, the population of the district of Buenaventura had started a civic strike: there was no public transportation; shops, stores, supermarkets were closed; people were not going to work; the roads were blocked for the trucks that would frequently come and go from the seaport. The protests took diverse forms: marches, concerts, picket lines, dancing and singing at meeting points, artistic-graffiti painting, and even a parade of boats! More than 50 thousand people joined the Civic Strike's biggest demonstration on 21st May 2017 (RCNRadio, 2017; El País, 2017b). After 22 days of collective strenuous work, the negotiators had reached an arrangement. Hours later, the Civic Strike Executive Committee read the agreement to hundreds of people who had gathered in front of the hotel. The gathering became a public celebration.

About 100 organisations joined the civic strike.[2] This list included grassroots collectives and formally established organisations: neighbourhood groups; community action boards; members of participatory institutions; victims of the armed conflict; human rights defenders; environmentalist groups; humanitarian and civic action NGOs; religious groups; youth collectives; women and feminist collectives; formal and informal local small business

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[1] Verse in Petronio Álvarez' song 'Mi Buenaventura'. 'A beautiful port by the sea, my Buenaventura'.
[2] By April 2020 235 organisations had joined the civic strike movement.

federations; defenders of ethnic minorities' rights, *consejos comunitarios[3]*, indigenous *resguardos*; among others. The coming together of all these actors was impressive.

This was the third general civic strike in Buenaventura's history and there were resemblances between the three of them. During the three civic strikes, Buenaventura's inhabitants demanded basic public goods and services such as schools, hospitals, water and sewerage, and better working conditions. In the 2017 mobilisation, just as those in 1964 and 1998, the population denounced state abandonment: the local and national governments had focussed their actions on Buenaventura's seaport; nevertheless, little had been done regarding the population's living conditions.

Buenaventura's population has sufficient reasons to ask for social public investment. Buenaventura hosts the country's most important seaport on the Pacific. In 2016 it moved more than 15 million tons of products, earning the Colombian state about USD$1,801,267,802 (5.47 billion COP) per year (DNP, 2017), 41.2% of the country's revenue for import taxes (El País, 2015). Paradoxically, this active economy makes no mark on the population's life conditions. Despite being surrounded by rivers and the sea, the sewerage only serves 60% of the district, and water service operates 9.8 hours every two days in 76% of the urban area (Semana, 2017c). Meanwhile, average main sewerage coverage in Valle del Cauca, the province where Buenaventura is located, is 96.5%. Buenaventura only has a single public hospital and a private clinic. The former, in deficit, only offers basic services and lacks resources to attend the population's health care demands. The private clinic cannot cope with them either (Semana, 2017b, 2017c). While the national maternal mortality ratio for every 100,000 live births, and infant mortality rate for every 1,000 live births, were 51.27 and 16.8 in 2016, the figures for Buenaventura were 122.17 and 27.2 (DANE, 2018). By 2013 it was calculated that 49.1% of Buenaventura's urban inhabitants did not have any type of health insurance, 25.33% of the households suffered critical overcrowding (CNMH, 2015, p.59), 25.18% of the population was illiterate, only 28% finished secondary education, and 69.41% had low educational attainment (Portafolio, 2013; CNMH, 2015, p.59). By 2017, the year of the civic strike, there was an unemployment rate of 62%, and 90.3% of the population was dependent on informal jobs (Semana, 2017c).

Race and ethnicity play a key role in Buenaventura's socio-economic state (Grueso et al., 1998; Escobar, 2008; Zeiderman, 2016; Alves, 2017; Iza-Certuche, 2018). Buenaventura is 'an ancestral territory of ethnic groups' (Escobar, 2008, p.2). Buenaventura's inhabitants, numbering 310,194 by 2019, are mainly of African descent, as formerly enslaved people settled over the country's Pacific area after the 1851 manumission law. 83.63% of Buenaventura's

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[3] Rural form of organisation of traditional Afro-Colombian communities.

population is officially identified as Afro-Colombian, 0.82% as indigenous, and 15.55 as *mestiza* (DNP, n.d.). Scholars have argued that since colonial times, Colombian elites have maintained an extractive economic system in Buenaventura under an inclusion-exclusion relationship: the elites' plans include the territory's resources, but the population is left out (Espinosa, 2014; CNMH, 2015). According to Zeiderman (2016), Buenaventura shows the racialised character of Colombian politics:

> 'The capacity of certain forms of life to survive, endure, or flourish— while others are abandoned, extinguished, or left to go extinct—is distributed unevenly according to racial regimes of hierarchy and dispossession that persist within liberalism (Povinelli 2011). The result is what Rinaldo Walcott (2014) calls 'zones of black death', or geographical nodes throughout the Americas where forms of diasporic African life are dehumanized, devalued, and discarded, and the city of Buenaventura is an extreme example' (p.7).

This relationship of subordination, although historical,[4] has been exacerbated by the neoliberal measures adopted by the Colombian government since the 1990's (CNMH, 2015). Before its privatisation, Colpuertos (1961-1993), the Colombian state-owned company that administered the seaport, benefitted a sector of Buenaventura's population. Due to the port's revenues and unions' strength, Colpuertos' employees and their families became Buenaventura's middle class. The seaport was privatised in 1993. It passed from being labour- to capital intensive, and contracts became more flexible, recognising fewer workers' rights. In five years the amount of jobs dropped by 58% and average salaries lost 70% of their value (CNMH, 2015, p.52). It has been calculated that only 3% of the gains produced by the seaport return to the city (García, 2017). After the privatisation, the seaport and the local economy[5] divorced. Despite sharing the same geographical space, the two economies are independent, to the point that the seaport and business hotels have continuous running water and operate normally while the city is in its shadows due to electricity cuts. While the port is in the top-20 most productive seaports in Latin America (ECLAC, 2016, 2017, 2018), the district has some of the worst poverty figures in the country (see Table 5.1.).

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[4] The subordination of local population's lives to business has existed since colonial times: Buenaventura was not recognised as a village, i.e. a place where people live, until halfway through the 19th century. Before, it was 'a wharf'. While indigenous and African populations were forced to work in the territory, the owners managed their business from Andean cities such as Cali or Popayán (CNMH, 2015; Leal and Restrepo, 2003; Aprile-Gniset, 1993, Mosquera and Aprile-Gniset, 2006). The logic of prioritising business over local population continues with the seaport. When the port began to grow in 1930's, and Buenaventura started being projected as a territory for international trade, newcomer traders, Colombian and foreigners, tried to clear the coastal area of its local inhabitants, mainly black and indigenous fishermen and farmers, to expand the port (Mosquera and Aprile-Gniset, 2006).

[5] The local economy is comprised of small and middle scale production chains and trading circuits that connect rural and urban Buenaventura. The main products include wood, fishing, traditional beverages and foods.

Table 5.1.
Comparative Poverty index.

	Buenaventura	Valle del Cauca	Colombia
UBN method: people living in poverty (2018)	16,57%	6.18%	14.13%
UBN method: people living in conditions of misery (2018)	2.99%	0.68%	3.74%
Multidimensional poverty index (2018)	41%	13.6%	19.6%

Source: Produced by the author with official data extracted from DANE.

The civic strike leaders feared the perpetuation of the inclusion-exclusion dynamic in Buenaventura's development plans. The Colombian government planned to build a 'Complex for Economic Activities' (CAEB in Spanish), funded by public and private investment, which would take over 16,269 hectares of Buenaventura's territory (DNP, 2017).[6] The civic strike leaders maintained that they did not oppose the economic project entirely and demanded the population's inclusion in it. Experience had shown them that unilateral development decisions by the national government had detrimentally affected Buenaventura's population. For instance, the construction of the maritime terminal TCBUEN in 2011 eliminated income sources for fishermen, mollusc collectors and wood-loggers, and brought pollution, loss of public space and housing deterioration (CNMH, 2015, 67). Furthermore, as McGee and Flórez point out (2016, 2017), Buenaventura's citizens were clear that the national government and the private sector's priority was to transform Buenaventura into a mega port, even if that involved 'emptying much of the city of its residents, at all costs' (p.17). Based on their experiences, the civic strike leaders frequently said that Buenaventura's people were victims of economic development models based on structural violence against them.

The weakness of the local state has also contributed to Buenaventura's socio-economic conditions. From 2014 to 2016 Buenaventura was placed 1026/1101 (2014), 1006/1101 (2015), and 894/1101 (2016) in the Open Government Index that ranks Colombian municipalities according to their compliance with anti-corruption norms (Procuraduría, n.d.). The previous four mayors of Buenaventura have been imprisoned for corruption. The biggest scandals focused on the appropriation of resources allocated to education and health care services.

Buenaventura has also been one of the areas worst impacted by the Colombian armed conflict. After the extradition of the chiefs of drug-trafficking cartels to the United States in the 1990's, the remaining cartel members fought for the business' control in the region. Attacks against civil society increased when paramilitary forces, in an alliance with drug-trafficking groups and politicians, entered the district to counter the FARC-EP guerrilla in Buenaventura's

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[6] The civic strikers managed to stop the CAEB project until Buenaventura's population approves the use of their territories' land in a *consulta previa*. This was an unprecedented case in the country.

rural areas (CNMH, 2018). The paramilitary war, however, was not an anti-insurgent war only. Paramilitaries sought for the control of illegal economies: controlling Buenaventura's territory meant gaining control of illegal crops, laboratories, and exportation routes. Rural communities were threatened, massacred, and forcibly displaced during the process.

After the formal demobilisation of the Calima paramilitary bloc in 2004, a new wave of fights for territorial control started. Poverty in the urban areas facilitated the narco-paramilitary groups' utilisation of youth gangs, who were employed for illegal activities. Confrontations over territorial control in the city forced people to change neighbourhoods. The situation was so severe that the Colombian Constitutional Court recognised the figure of 'intra-urban forced displacement' in view of Buenaventura's state of affairs. Violence kept escalating until reaching the point of the infamous '*casas de pique*', houses in which people were dismembered before being thrown into rivers or the sea (Brodzinsky, 2014). 70.53 % of Buenaventura's population has been formally recognised as victim of the Colombian armed conflict.[7] '*Buenaventura has all the plagues of the conflict*' said the first Director of the CNMH Gonzalo Sánchez (Saavedra, 2013).

Given this critical situation, the district hosts several national and international NGOs, international organisations (IOs) and cooperation agencies. Most of these institutions played a role during the 2017 civic strike. The UN High Commissioner for Human Rights in Colombia, along with the Catholic church, acted as mediators between the government and the civic strike leaders during the first stage of the negotiations. Some others monitored human rights protection after the Colombian police violently attacked protesters at picket lines.[8] Others funded meetings to follow up the fulfilment of the government's promises.

Indigenous and Afro-Colombian groups in Buenaventura are known for their mobilisation capacity. Since the late 80's their organisational capacity has been shaped around collective ethnic identities (Grueso et al., 1998). Indigenous people and Afro-Colombians have made explicit that their conditions of deprivation are directly linked to ethno-racial relations of subordination. Based on their cultural differences they have demanded identity and territorial rights, which were recognised within the liberal-multiculturalist framework of the 1991 Constitution (Grueso et al., 1998). Staying in their traditional territories, despite the aggressions of legal and illegal actors, has been one of their main forms of resistance. Leaders of indigenous and, particularly, Afro-Colombian movements in Buenaventura have been key to the discussions about ethnic minorities' rights in the country.

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[7] Calculation based on Table 3.1.
[8] The police used lachrymator agent in residential areas, gravely affecting the elderly and children. They also used real bullets to clear out the streets.

Although culture and identity are core elements of social mobilisation in the Pacific (Escobar, 2008), social movements also know how to come together around causes that are not apparently connected to these issues. In 2013, community leaders from different organisations started to meet every week to discuss the poor quality of drinking water and sewerage services, as well as violence in Buenaventura. Under the name of '*Comité del Agua y la Vida*' (Committee for Water and Life), and worried about the increasing levels of violence in the district, they organised a massive protest in February 2014. The purpose of the protest was to publicly reject violence and to ask the national government for effective solutions. The president's answer was the militarisation of the city. Community leaders found the measure inadequate and counterproductive. Aware of the complexity of Buenaventura's problems, they demanded measures tackling structural violence and poverty. The Committee and the 2014 protest led to the 2017 Civic Strike.

A special fund for Buenaventura's development is at the core of the agreement between the 2017 civic strike leaders and the Colombian government (See Law 1872/2017). The USD$540,128,145 (1.6 billion COP) fund must be invested in a development plan for the district over ten years. Although the allocation of the resources is still vague, the civic strike leaders continue their dialogues with the Colombian government to define together the conditions of this development plan.

In addition to the executive committee, the civic strike established nine thematic discussion tables. Each table negotiates and oversees the measures to be implemented in the development plan for each thematic area (see Table 5.2). The '*Comité del agua y la vida*' weekly meeting became the civic strike's open weekly assembly, a platform to inform about progress made, discuss unresolved topics and for taking decisions.

Table 5.2
Thematic discussion tables: civic strike for a life with peace and dignity in Buenaventura.

- Territory, housing and infrastructure
- Health
- Productivity and employment
- Environment
- Water, basic sanitation, public utilities
- Education
- Culture, gender, recreation and sports
- Access to justice, victims of the armed conflict, protection and collective memory.
- Oversight of guarantees and human rights.
The Executive Committee is in charge of the discussions about funding and implementation.

All the people with whom I talked about the civic strike agreed that the only way in which '*el pueblo*' (the people) could influence public decision-making in Buenaventura was

through massive demonstrations. A statement about the importance of the civic strike by an interviewee captured my attention:

> *'In Buenaventura the interlocutors of the [Colombian] state have been either inefficient local state authorities who end up proving corrupt or criminal, or illegal armed groups. Never civil society. This may be the first time in which the national government is dialoguing with civil society (*meaning the Civic Strike*).'*

Indeed, during my fieldwork the national government held direct discussions with the civic strike leaders, with or without the participation of the mayor's office. People on the streets stated that Buenaventura had two governments, one by the mayoralty, and one '*by and for* the people', meaning the civic strike.

5.2. Institutions for participatory democracy in Buenaventura: how do they work?

Buenaventura forces us to look directly at the interaction between institutionalised and non-institutionalised participation. Gaventa and McGee (2010, p.11) have argued that taking a contentious view on citizen participation is necessary 'to move from voice, [...] to real influence in policy processes' (p.11.).[9] Likewise, Cornwall and Coelho (2007) have listed coordination with grassroots movements as an important element for successful institutional participation (also Gaventa, 2007). Buenaventura shows us that this is the case and contributes to the discussion; the participatory processes within the Planning Council and Victims' Board make clear that contentious politics contributes to participation success, particularly in complex contexts. However, participatory institutions do not favour coalitions with social movements with equal ease. Empirical evidence suggests that aspects directly related to institutional design, such as participants' autonomy or the institutions' participation level, are key to the emergence of these coalitions. This section recounts what happened in both institutions using the analytical framework introduced in chapter three.

5.2.1. District Planning Council

Buenaventura's Planning Council was a problematic institution. It was described by its own participants as not inclusive and powerless. Furthermore, the participants' disillusionment regarding their capacity to influence public decisions jeopardised the opportunities to develop further democratic tools and values in the space. Those who did not give up on their goal of

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[9] See also Goetz and Gaventa, 2001.

influencing public decision-making, focused their efforts on the Civic Strike or traditional-electoral politics. Traditional politics, however, had detrimental effects on the institution's performance. All these problems were related to the institution's design.

5.2.1.1. Inclusion

The inclusion problems at Buenaventura's Planning Council, although not as pronounced as in Cali's, were directly related to institutional design. Nevertheless, reactions to these problems reflected the strength of organised social groups in Buenaventura.

The first problem was caused by the limited range of sectors and kind of organisations allowed to take part in the space. Like in the rest of the country, the design of the Planning Council is defined by a mixture of national and local rules. While national norms dictate that planning councils should include representatives from the economic, social, environmental, culture, education and community sectors (Law 152/199Art.34), local regulations must define which other relevant sectors in the territory should be included and under which conditions. Buenaventura's Planning Council was designed in March 1995 by the District Council (Accord 2/1995) and has not been modified since. Table 5.3. summarises the sectors and representatives included in it.

Table 5.3.
Buenaventura's District Planning Council Composition.

Sector	Seats	Members 2016-2019
Economic	2	2-men
Social	1	1-man
Juntas de Acción Local, JAL (urban localities action boards)	2	2-men
Rural areas	2	1-woman,1-man
Education	1	1-woman
Culture	1	1-woman
Environmental	1	1-woman
'Feminine organisations' (sic)	1	1-woman
Youth organisations	1	1-man
Juntas de Acción Comunal, JAC (neighbourhood action boards)	1	1-man
Ethnic groups	1	1-man
Seniors and people with disabilities (given to the later)	1	1-woman
Extra seat for seniors not included in the official design	0	1-woman
Additional note: At least one of the representatives must come from the universities sector		

Source: Produced by the author from Buenaventura's District Council Accord 2/1995.

Planning Councillors criticised that the Planning Council's composition had not been updated to include social groups that required seats in the space, particularly victims of the armed conflict and LGBTI population. Moreover, the design had an additional problem: Accord 2/95 instructs that only legally established -that is, formalised- organisations can propose

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candidates for nine of the 15 seats. The rule prevents access for grassroots groups that, due to lack of information, financial resources or distrust, decide not to formalise their structures.[10] This is a severe exclusion for a district with the elevated levels of poverty, lack of educational attainment and economic informality that are prevalent in Buenaventura.

The second source of inclusion problems was the mayoralty's procedure to select the Planning Council participants, as it did not inform all civil society organisations that might have been interested in participating. The mayoralty's planning office, responsible for liaison with the Planning Council, is in charge of (i) contacting the organisations belonging to the sectors listed in the Accord 2/95, (ii) informing them about the call, (iii) asking them to hold assemblies to select their three candidates, and (iv) receiving the nominations.

The procedure is straightforward for some sectors, particularly for the JAC and the JAL. As JAC and JAL members have associations, these associations are contacted by the mayoralty, organise assemblies and send their candidates. All JAC and JAL members participate in the selection assembly and all know the candidates, building a direct representation connection. This connection seemed to be strong, as the Planning Councillors representing the JAC and the JAL often mentioned their duty of informing their original associations about the Planning Council's actions. This representation dynamic, however, was not as fluid for other sectors.

In absence of one association grouping all members of one sector, the mayoralty's planning office either reaches the '*best-known organisations*' (for them) -those with the largest number of members in a sector; or contacts the mayoralty offices liaising with the listed sectors. Both procedures had inclusion deficits. Take for instance the two seats allocated to the economic sector. Accord 2/1995 defines the economic sector as comprised of manufacturers, logging companies, farming and fishing industry, traders, banks and insurance companies, services providers and micro-business. Based on this description, the mayoralty's planning office reaches out to Buenaventura's Chamber of Commerce and asks them to send three candidates for one seat. Chambers of commerce are private institutions which register private companies and defend businesses' interests. For the second seat, the planning office contacts graduates' associations and asks them to send candidates. Buenaventura's Architects Association had this seat during my fieldwork. With these decisions, the mayoralty restricts access and information to companies registered at the Chamber of Commerce and unconnected to graduates' associations. This decision is highly questionable for a district in which 90.3% of the population depends on informal jobs and only 28% of the residents has completed secondary education (Portafolio, 2013; CNMH, 2015, p.59; Semana, 2017c). Those who carry out the most traditional and vulnerable economic activities and who are not

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[10] In most cases, the formal registration of an organisation implies fees.

registered at the Chamber -e.g. fishermen, mollusc collectors, loggers, cooks, traditional beverage and sweet makers, etc. -are left without representation in a space that advises on decisions about the future of the district, such as happened with TCBUEN (see section 5.1.).

The procedure for contacting civil society organisations through other mayoralty officers also involved information limitations that affected access and representativeness in the participatory process. The planning office asks the mayoralty offices in charge of education, culture, environment, 'feminine organisations' (sic), youth organisations, seniors and people with disabilities to organise an assembly with each one of these sectors to select three candidates for the Planning Council. The central issue is that the quality of the assemblies depends on the cabinet secretary of each office. Cabinet secretaries decide when and how to convene the assembly, whom to invite, or whether the assembly is carried out at all. Some offices have established citizen engagement spaces -some of them participatory institutions[11]- thus, the secretary can select the three candidates from these spaces without further informing civil society organisations about the Planning Council call. For at least two sectors the candidates emerged from a discussion between a small group of citizens and mayoralty officers, not from an assembly.

A third source of inclusion problems was the prevalence that representative democracy actors had in the participatory space. The mayor's power to decide which candidates become Planning Council members had effects on access to the space, representation as well as decision-making power (addressed in the next section). The selection procedure gives the mayor power to limit access for candidates critical of him/her: '*Of course! The mayor chooses people favourable to him and his government. That's obvious!*', one of the officers I interviewed told me. Likewise, one Planning Councillor thought that she had been selected because the other two candidates were critical of the mayor:

> '*To be honest I was surprised to be elected. I didn't even want to be part of the shortlist. I did it at the insistence of two colleagues, and because I thought that I wasn't going to be elected, as the other two candidates are well-known community leaders in this area. I don't have their experience. But… everybody knows that they don't like the mayor. I'm not a supporter of this mayor myself, but the mayoralty couldn't know that because I'm not known. And there you go…*'

Besides having a strong influence on the institution's composition, the mayor's selection power affected relationships of representation, as some participants developed stronger loyalties to the mayor than to the sector they represented: when one Planning Councillor stopped attending Planning Council meetings, fellow participants proposed calling

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[11] For instance, the youth council or the women's board.

for a replacement. When the non-attending member found out about this, she opposed the proposal, arguing that she had been chosen by the mayor, therefore, she was accountable to him, not to her sector. Although this was not a common case -other Planning Councillors, particularly those representing indigenous communities and Afro-Colombians, maintained strong connections with the organisations they represented- it shows that participatory initiatives can fail in their purpose of counterbalancing representative democracy.

On the other hand, it is key to mention that despite these inclusion deficits, it was difficult to completely exclude strong social groups in Buenaventura. On more than one occasion the mayoralty adapted its interpretation of the institutions' design (Accord 2/1995) to ensure the inclusion of groups demanding a seat on the Planning Council. One of these occasions occurred with indigenous and Afro-Colombian organisations, which reflects their power.

When the 1991 Constitution recognised the cultural and territorial rights of indigenous and Afro-Colombian peoples, it granted them relative administrative autonomy over their traditional territories: *Resguardos* for the indigenous case, and *Consejos Comunitarios* for the Afro-Colombians. There are five indigenous peoples living in Buenaventura. They are given the Planning Council seat for ethnic minorities. Unlike other sectors, they are not asked to send shortlists. Every time the seat needs to be renewed, the mayoralty contacts the organisation that groups the five peoples' traditional authorities and asks them to designate their representative for the Planning Council.

Afro-Colombian ethnic organisations, in turn, demanded the seats for rural areas, given the rural character of *Consejos Comunitarios* (Law 70/1993). However, Buenaventura's 46 *Consejos Comunitarios* are not grouped in one organisation as the indigenous peoples are. Each one of them relates to one of four black ethno-political processes which differ in their positions on the administration of Afro-Colombian territories. The two biggest processes, PCN and Fundescova, are particularly critical of each other. The mayoralty decided to give them the two rural seats, one for each, precisely because of their strength. '*I try to reflect Buenaventura's social forces in the Planning Council… and to avoid problems with serious social organisations*', told me the officer in charge of setting up the Planning Council every four years. '*What about the other two Afro-organisations without a seat*?', I asked. '*Well, there are not enough seats for them, so, I have to prioritise the strongest ones. Although, I do try to interpret the norms to give space to everyone asking to get in. If one day the other two groups show up demanding a seat, something will have to be done at the next election*',[12] he replied.

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[12] Note than until that point the planning officer had preferred to stretch his interpretation of the design rather than officially updating it.

The success of pressure from social organisations was also evident during the selection of the social sector representative. Participants on the Victims' Board came to know about the Planning Council when the mayoralty's planning office was asking sectors to send their three candidates. The Victims' Board participants strongly expressed their discontent about the absence of a seat for them. They argued that such decision was unacceptable considering that more of 50% of Buenaventura's population was a victim of the armed conflict, and that victims were the most vulnerable group in the district. Although Accord 2/1995 establishes that the social sector is comprised of professionals, peasant farmers, fishermen, workers, employees and artisans, the sector was 'given' to the Victims Board. The mayoralty saw, in words of one of their officers, '*that [they] did not have a choice but to ask the Victims' Board's members to organise their assembly and propose their three candidates*'.

The Planning Councillors group included teachers, lawyers, architects, an economist, a nurse, and a priest, among others. All of them had received, at least, technical or undergraduate education. All were either formally employed or retired. Considering Buenaventura's context, these two characteristics are sufficient to classify them as Buenaventura's middle class. 60% of the participants were men and 40% women. Still, all three members presiding the executive board were men. The last woman who had been in this position resigned after perceiving that she was expected to carry out secretarial work for being a woman: '*They elected me because they wanted a woman to take the notes*', she said.

I did not observe major treatment differences or language asymmetries during the sessions I attended. The officers' technical jargon was easily understood by the participants. Their education and experience dealing with the local government helped. Likewise, the participants declared that they did not find substantial differences in the form in which the mayoralty interacted with them. The exception was the Planning Council president, who seemed to have more frequent meetings with the mayoralty. The participants' difficulties with the mayoralty were not caused by unequal treatment inside the space, but by the lack of responses to their questions.

5.2.1.2. Decision-Making Power

The main problem with the Planning Council was its poor decision-making power. Despite the participants' abilities to present demands, the district government dismissed these inputs, arguing that the participatory space only had a consultative function. In this sense, the criticism that first-generation participatory institutions are spaces for 'voice' rather than spaces for 'influence' apply to Buenaventura's Planning Council. Yet, the source of the Planning Council's

poor decision-making power was not only its consultative function; the participants' lack of autonomy, and co-optation attempts by the district administration also contributed, and both problems were exacerbated by the institutions' design.

When I started my fieldwork, the 2016-2019 Planning Council was starting the second year of its mandate. The Planning Councillors who had started in 2016 remained partially enthusiastic but confessed to having been more so at the start of their first year. They thought that taking part in the Planning Council was a good opportunity to protect their communities' interests, and for the wellbeing of the whole district. They expected their views to be heard by the mayoralty and to have the chance to influence public decisions.

The participants' ability to present demands was steady and clear. Their formal education and experience with the public sector gave them an idea as to how the local state worked. They were comfortable starting conversations with government representatives and there was no sense of hierarchy between them. In Buenaventura, it is common for people involved in social and public issues to know each other, and this contributed to that feeling of comfort.[13] Their ways of presenting demands were both formal and informal: impromptu visits to the mayoralty's planning office, direct verbal requests during the Planning Council's meetings, and stamped letters invoking oversight institutions. Likewise, the participants were able to design medium-term action plans according to their priorities and were aware of the networks that could support them in case they needed it. In fact, a participant contacted a well-established NGO with expertise in participatory governance, asking for guidance. The Planning Councillors wanted to acquire further knowledge about the institution, its functions, as well as some occasional accompaniment in their activities.

However, participants' expectations soon crashed with the mayoralty's lack of political will. The Planning Council's inputs were received but not processed and participants' motivations to stay in the space dropped. This was not a surprise for the Planning Councillors who had started their mandate in 2012.[14] This is what one of them said:

> '*It was nice to see the new ones[15] all full or energy and determination, saying that they would be able to do what former Planning Councillors had not done. I looked at them with scepticism. I hoped they were right, don't get me wrong, but I warned them: 'We had the same determination when we started in 2012. But nothing happens, they have us here for nothing'. That is why people stopped attending the meetings, and they* (the mayoralty) *had to renew more than half of the seats in 2016. Now they (*the new-ones*) know that nothing happens. That is*

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[13] One of the participants said about the mayor '*that boy used to come here a lot* (before being the mayor) *looking for advice. I don't know what happened to him*'.
[14] Planning Councillors are elected for a period of eight years. They have the chance to oversee the development plans of two mayors. For the 2016-2019 period, 13 of the 16 members were new.
[15] Those who had started in 2016.

*why maintaining monthly meetings is so difficult. Why would you attend? What
are you attending for?'*

As they perceived that there was no real interest in their opinions about Buenaventura's development, Planning Councillors concluded that the Planning Council only existed to meet legal requirements. They concluded this after their first task: as legally required, in 2016 the Planning Councillors were given a draft of Buenaventura's future development plan and were asked to present their remarks about it within one month. After they did, the mayoralty informed them that the draft had been adjusted according to their remarks. However, the Planning Councillors found that this had not been the case as the plan's updated version had not incorporated their suggestions. They rejected the proposed plan and asked the District Council -the body in charge of its approval- to reject it as well. Yet, the plan was approved by the District Council without amendments.

> *'When I reviewed the draft, I highlighted grammar and spelling mistakes. The
> grammar and spelling mistakes still are in the 'adjusted' version. That means that
> the planning office did not even look at what we sent them. They* (the mayoralty)
> *made me waste my time, and my time is limited, you know? I work, I study, I
> belong to a social organisation, I have a family. It's not ok. They* (the mayoralty)
> *use us to show that they follow the law, that's it'.*

When the Planning Councillors asked why the development plan had been approved and why the amendments had not been made, officers highlighted that the Planning Council had a consultation status, and that the mayor was free to decide whether considering advice or not. Interviewed participants stated that planning officers had called them '*monigotes*'[16] as an allegory of their lack of power.

The participants' perception of being manipulated grew after the development plan's approval, as the mayoralty reduced its appearances at the participatory space. In 2017, the planning office attended one meeting despite having received more than four invitations. And although the mayoralty convened a meeting in November that year, such an invitation seemed suspicious to the Planning Councillors: they must be given the chance to present their opinions about any new Territorial Organisation Plan (POT[17] in Spanish), and the invitation letter convened them to a meeting about Buenaventura's future POT. A report of 159 pages and a CD with additional information were attached to it. The meeting was going to take place a week after, and the Planning Councillors were expected to bring their feedback on the attached material. Some Planning Councillors were surprised by the invitation. For others, the meeting

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[16] Pejorative and colloquial term for an unimportant or weak person.
[17] The POT is a formal document designed in every Colombian municipality every 12 years. It comprises the rules about how to use a physical territory: which areas are for natural protection, which are for economic exploitation, and which are residential areas.

had an exclusive instrumental use and refused to attend it, as they did not want to legitimise it[18]:

> '*It is funny to receive this because we've been asking about the POT for the last year and a half and we haven't received a serious answer: 'That's on track', 'we'll do it with the national government', that's all they* (the mayoralty) *had told us. Now they tell us that they've been advancing without informing us, and they want us to read these documents in one week. And God knows if it is of any use! As far as I know, communities in Buenaventura haven't been asked about how they're using their territories, so, how can they have a POT proposal without doing that first?*'

> Planning Councillor.

> '*They (*the mayoralty*) calls us at the very end, because they don't want us to change anything in their POT. They've been excluding us from the discussions about the POT because they are designing it with the national government and some architects, friends with the mayor. They want a POT that allows them to enlarge the sea-port businesses, they want a tailor-made POT for the CAEB project. But they couldn't escape the civic strike Committee's criticisms. The Civic Strike leaders are questioning everything and want a* consulta popular *before any new POT is approved. And this gives the mayor and the national government a headache. So, now they're calling us at the very last minute because they want to say that they've discussed the new POT project with civil society, they want to use us to say that their project has involved citizen participation. I'm not going to that meeting. I'm not interested in following their corruption game*'.

> Planning Councillor.

Although the general situation was exasperating for most Planning Councillors, they did not agree on the follow-up steps; the proximity between some participants and the mayoralty prevented it. After all, the mayor had chosen Planning Councillors favourable to him when possible. Indeed, participants found that co-optation of some of their fellows was jeopardising their attempts to make the mayoralty responsive. The 'softer style' of the participants closer to the mayoralty affected the tenacity of the Planning Council's demands. Co-optation was facilitated by some participants' interest in electoral politics, and their desires to politically capitalise on their membership of the Planning Council. One of the participants singled out as '*too close to the mayor*' by his fellows told me that taking critical positions against the mayoralty was difficult for him: '*We shouldn't be aggressive. It's good that we have strong characters… to criticise the mayoralty. But I also think it can work better if we have diplomatic interventions to soften things after someone has been aggressive. I can't be aggressive. If we are aggressive, we won't be welcomed by the mayoralty. [Participant's name] can be the strong one, I can be the diplomat*'. This Planning Councillor used to have individual meetings with the

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[18] McGee and Flórez (2016) found similar attitudes towards other formal participatory institutions in Buenaventura.

planning office and delayed the delivery of correspondence approved by the Planning Council plenary.

Given their poor decision-making power, Planning Councillors took three paths: A few abandoned the space and decided to focus on their private issues. Others, with higher desires to influence public decisions, decided to focus their efforts on activities they considered more effective, such as the civic strike or independent activities with their own organisations. Third, a few other participants, particularly those interested in electoral politics, decided to remain active in the Planning Council; being recognised as members of the institution was useful for them. The Planning Council president, for instance, introduced himself as such at national-level spaces and directly addressed the district government in private meetings. Being a member of the Planning Council was convenient.

Responsiveness

The Planning Council plenary considered that lack of responsiveness was the biggest problem in their participatory process. The main issues that the Planning Councillors tried to discuss with the district government in 2017 were, (i) their dissatisfaction with the latter's 'lack of recognition' of the Planning Council's importance; (ii) the financial and administrative support that the Planning Council should receive from the mayoralty; (iii) the reasons for the approval of Buenaventura's development plan and its implementation status; and, (iv) the new POT project.

The topics brought up by the Planning Councillors were not addressed by the mayoralty. Questions and criticisms were received but not resolved. After receiving insistent requests for financial support, the mayoralty asked the Planning Councillors to repeat a bureaucratic process that had been developed in 2016. The participants repeated the bureaucratic procedure; however, they had not received any financial support by the end of 2017.

The request for administrative support also had a mediocre response. The Planning Council was allocated a secretary who had not received any training, nor did she have basic skills such as writing minutes, letters or organising correspondence. She lost official documentation and admitted not being interested in the job. Yet, she could not be removed from the position: she had been given that job as a payment for a political favour; someone close to her had helped the mayor during his campaign and she was promised a job.

During 2017, the Planning Council addressed all these issues in three letters.[19] Two did not receive responses. A copy of the third one was sent to oversight institutions, which motivated the mayoralty to propose a meeting to discuss the topics. The Planning Council members told me that the mayoralty had been more receptive during this meeting, although they remained sceptical about effective changes. They pointed out that this receptiveness could have been motivated by the atmosphere of accountability that had emerged in Buenaventura after the civic strike, and the fact that one Planning Councillor was one of the main leaders of the civic strike. The planning office director, who represented the mayoralty during the aforementioned meeting, was imprisoned for corruption along with the mayor and six other officers in April 2018. Five days later, he was found dead in his cell (Bohórquez, 2018).

5.2.1.3. Democratic learning

The educational thread of participatory democracy theory maintains that participation reproduces itself because it promotes active citizenship; it stimulates people's interest in public issues and their involvement in further participatory processes (Pateman, 1970). However, Buenaventura's Planning Council process shows that a failing participatory process can cause interest in public issues and participation in general to be lost. All Planning Councillors had some experience of interacting with the district government before joining the institution. Eleven of them had experience in advocacy: they had been leaders in their communities, neighbourhoods, or organisations, and were used to representing and defending their groups' causes. They had developed their interest in public issues before joining the Planning Council. For the remaining five participants the Planning Council was the first experience of this kind, and they were frustrated with it. Two of the five members became apathetic towards the Planning Council, and put their hopes in non-institutional participation, particularly, the civic strike. The other three members found their frustration turned to apathy towards politics at large: they were convinced there was nothing citizens could do to change the dynamics at the local state.

The Planning Council did not offer an appropriate environment for acquiring new tools for participation either. Participants had initially been interested in gaining specialised knowledge to improve their skills as Planning Councillors. However, they did not receive funding from the mayoralty for this. They did obtain a short training session with an allied NGO. In the session they contrasted an ideal participation scenario with what they were

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[19] Three more letters were supposed to be sent to the provincial and national government. However, I could not confirm they were in fact sent.

experiencing. Thus, one of their conclusions was that spaces like the Planning Council were condemned to fail if the government lacked political will and there were not enough independent participants in the space: '*The Planning Councils are a good space, they've been thought through so as to do interesting things within them, but there is no one to work with in Buenaventura's*', told me a member who was convinced that there were other ways to obtain the changes he was looking forward to seeing in Buenaventura.

Participatory democracy theory also maintains that participatory experiences help individual citizens to realise that they are part of a collective, and that taking public decisions requires the involvement of diverse actors with different opinions (Pateman, 1970). I refer to these effects as the development of a sense of collectivity and pluralist values. Despite excluding some sectors, Buenaventura's Planning Council was comprised of diverse and even rival groups. The space had potential for enriching contrasting debate. Sadly, conversations about Buenaventura's development did not unfold. Although the members agreed that there were urgent topics to discuss, the state was not listening to them. They saw themselves at the beginning of a discussion: making themselves recognised by the interlocutor. Initially, this neglect gave them a sense of collectivity, as they came together to demand recognition as valid interlocutors. But as the months passed by, the frustration with the space continued, their determination decreased, and the sense of collectivity disappeared. They abandoned the space, only to come back to it occasionally, when they considered it useful for their own purposes.

5.2.2. Victims' Board

In addition to the civic strike, my fieldwork coincided with an electoral year for the Victims' Boards. Both the civic strike and the new Board's members changed the dynamics of the participatory space. I observed three versions of the Victims' Board during my fieldwork: the first one, which I encountered in early 2017, when the members elected in 2015 were completing their period of two years on the Board; the second one began with the civic strike in May 2017; and the third came after the election of the new Victims' Board participants in August 2017.

The participation process for the Victims' Board was undoubtedly stronger than the Planning Council's. Such performance was enhanced by three main factors: the advantages of its institutional design, which required the inclusion of marginalised social groups, promoted the autonomy of participants, and elevated the institutions' level of participation in comparison with the Planning Council; the support of non-state institutions; and, especially,

the collaboration with civic strike. With the civic strike, the Victims' Board passed from being an *invited* space[20], to be part of a larger *invented* space[21]. However, the armed conflict and informal dynamics of representative democracy were obstacles for participation. Co-optation practices emerged and armed actors were, and still are, a serious menace to active citizens and social movements.

5.2.2.1. Inclusion

I found different levels of inclusion in each one of the three Victims' Boards that I observed. However, I also identified that the institutions' design contributed to inclusion. The electoral procedure to select the Victims' Board participants contributed to the participants' and the institutions' representativeness and legitimacy. The fact that the participants were selected by victims of the armed conflict through votes gave the space a halo of legitimacy. The seats reserved for women, youth, elderly, the LGBTI community, traditional ethnic groups and people with disabilities, as well as the fact that grassroots organisations were not required to be formally registered as an NGO or a foundation to present candidates, facilitated access and representation for disempowered groups. '*There is space for everyone and that is fine*', one of the participants told me, approving of the composition of the institution. Furthermore, the election procedure contributed to the autonomy of the participants, which was crucial for establishing collaboration with the Civic Strike. Table 5.4. presents the seats available on the Victims' Board, as well as the members of the institution in Buenaventura during the 2015-2017 and 2017-2019 periods:

Table 5.4.
Buenaventura's Victims' Boards composition

Represented group	Available seats	2015-2017	2017-2019
Victims of crimes against life and freedom (e.g. homicides, massacres, kidnapping)	2**	1-woman	2-women
Victims of crimes against physical and psychological integrity	2**	no candidates	2-women
Victims of sexual violence	2**	1-woman	2-women
Victims of forced disappearance*	2**	not yet introduced	1-woman
Victims of anti-personnel mines, unexploded ordnance, improvised explosive devices*	2**	not introduced yet	no candidates
Victims of forced displacement	8**	7-women,1-man	6-women,2-men
LGBTI victims	1	1-man	no candidates

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[20] As in Cornwall (2002). 'Those into which people […] are invited to participate by various kinds of authorities, be they government, supranational agencies or non-governmental organisations' (p.17).
[21] As in Miraftab (2004). Developed below.

Women	1	1-woman	1-woman
Youth (18 to 28 y/o)	1	1-man	1-man
Seniors (60+ y/o)	1	1-man	1-man
Victims with disability	1	1-man	1-man
Indigenous communities	1***	1-man	1-man
Traditional Afro-Colombian communities	1***	1-man	1-man
Romani communities	1	no candidates	no candidates
Victims' rights defender organisations	2	2-man	2-men
Total	28	19 members	23 members

*Introduced in 2016 by Resolution 1281
**At least half of them must be women
***Appointed by their traditional authority
Source: produced by the author based on Resolution 0388/2013 and Victims' Boards composition.

For the 2015 and the 2017 elections, Buenaventura's Ombudsperson's office furnished information about the Victims' Board, the method to propose candidates, and the subsequent election via radio and on their website. Although it was unlikely that all victims of the armed conflict in Buenaventura knew about the space and the process so as to be part of it, according to all my interviewees it was very likely that all *organised* victims knew about the institution and, therefore, had had the chance to register candidates for it. Those interested were included in the assembly of victims' organisations and gained the right to vote.

The method to determine the participants for the ethnic minorities' seats did not include voting but was also highly respected among victims' groups: the traditional authorities of indigenous and Afro-Colombian peoples directly decided whom to appoint as representatives. The representative of black traditional communities had the support of 32 of the 46 *consejos comunitarios* in Buenaventura. For the indigenous peoples, the Ombudsperson's office contacted the two indigenous organisations with legitimacy, asking them to send representatives and asked them to agree whom to appoint for the seat.

I found a key aspect that shaped the form in which most participants accessed and understood the space: for those who had been active in organisations of victims of the armed conflict since the 2000s, the Victims' Board was not an invited space as understood by Cornwall (2002), i.e. an opportunity for participation generously offered by the state. For them, the Victims' Board and other participatory spaces for victims of the armed conflict were rights they had claimed and gained after long struggles. This very vivid idea that the institution was something that they had fought for, moulded how they approached it: they did not wait for the state's call to join the Victims' Board; the state was obliged to provide the space and it was their right to appropriate it.

This history of agency also helped to build a common language, comfortable with technical expertise. The most experienced participants had mastered technicisms throughout

their years of dialogue with the state.[22] Most participants could easily translate technical expressions into colloquial-popular language, making the dialogue more accessible for less-experienced participants. In fact, on more than one occasion participants explained legislation and formal procedures to mayoralty officers who did not completely know their own functions. This ability to establish horizontal conversations with state representatives contributed to the participants' effective inclusion in the participatory process.[23] Yet, it has not always been like this: participants recognised that understanding the state's jargon, and feeling included in conversations, had not been easy at the beginning of their activism, 15 years before.

Inclusion was also reinforced by the channels of communication between the institution's members and other victims of the armed conflict in Buenaventura. Besides representing their organisations, the Victims' Board participants recognised themselves as representatives of a broader population and complied with their obligation of being accountable to them. They replied to letters from citizens asking about the Board's activities and about the public budget for victims of the armed conflict. Supported by IOs and NGOs, participants organised accountability events to inform grassroots organisations, state offices, IOs, NGOs, and local media about what happened at the participatory space, what they had achieved and the obstacles they faced.

Likewise, the presence and agency of women in the space was remarkable. Certainly, the approach to gender in the Victims' Boards design contributed to making the space more accessible for women. Women accounted for 58% of the members in 2015, and 66.7% in 2017. They were also the most active members in the space, as well as in other spaces they attended on behalf of the Board. By 2020, the institution's coordinator has been a woman since its creation in 2013. All NGOs and IO actors I interviewed admired the way in which women led the discussions in the space.

Despite all these positive aspects, there were, as well, some factors detrimentally affecting the inclusiveness of the participatory process. During the election, public officials' lack of expertise, particularly concerning imprecise information they offered, influenced access and representation. In 2015, there were misunderstandings about the social groups which could obtain seats on the Board. A community leader stated that if she had understood what 'crimes against life and freedom' meant, her organisation would have proposed more candidates for these seats. There were two seats for victims of these crimes but only one candidate. In 2017

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[22] I was surprised by their determination to ask again and again about issues they did not understand since, as in other spaces, social leaders are ashamed of doing so.

[23] The experience was initially different for new participants, recently interested in the institution. Lacking the trajectory of more experienced peers, they depended more on information provided by the government. Additionally, it was not easy for them to feel immediately included in a group where other members previously knew each other and seemed to have their own dynamics.

there was confusion about voting rules. The District Ombudsperson's Office organised the elections according to the instructions from the Regional Ombudsperson's Office. However, on the election-day, a national officer wanted to apply different rules, causing trouble among the candidates and voters, who had planned their strategies according to the first set of rules. Additionally, the District Ombudsperson's Office did not inform all registered voters about the election date in a timely fashion. Thus, two of the organisations did not attend it.

After the election, lack of funding was an element affecting inclusion. Colombian legislation obliges the government to cover travel- and other logistical expenses for the Victims' Board's meetings and activities, and candidates know this when they sign up to join the institution. However, the 2016-2019 mayor did not fulfil this obligation.[24] This lack of funding severely impacted participants living on islands, and in rural and fluvial areas, as their return travel expenses could be as high as three days of work. Thus, meetings were attended almost exclusively by participants living in Buenaventura's urban area. Occasionally, non-governmental organisations balanced this problem by offering funding for some meetings and activities -travel expenses, accommodation, subsistence, materials.

Lack of funding was certainly a relevant factor considering the Board members' limited financial resources. Most of them arrived in Buenaventura's urban area after being forcibly displaced by armed actors.[25] In their original rural settings, where farming and fishing are traditional customs and sufficient for household subsistence, formal education and formal jobs are limited or even unnecessary.[26] Once in the city, lack of formal education and professional experience were equivalent to low- or no income, which drastically reduced the possibility of covering participation costs. Unemployed members tried to cover their family expenses selling food and handicrafts, or opening small stores in the houses they lived in. They were part of the large percentage of citizens living on informal employment. A few others, more experienced in the dynamics of social mobilisation, started to apply for IOs and NGOs' grants for community projects. Getting these projects meant for them the possibility of continuing to do what they already did, i.e. organising and representing their communities in the struggle for improving life conditions. Experience in mobilisation and interaction with the state had helped the most experienced participants to develop social-work skills. For at least one of them, this had helped to find a formal job.

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[24] By January 2018, when my fieldwork finished.

[25] At least 80% of the participants were active in a previous space, more autonomous from the state, called *Mesas de Fortalecimiento para la Población Desplazada* ('Round-Tables for Strengthening the Displaced Population'). There, groups of forcibly displaced people organised strategies to: denounce the crimes they had been victims of, demand attention and policies from the state, and look for support from IO and NGOs. The members' claims against paramilitary violence in the early 2000's led to threads against their life.

[26] As one of the leaders stated during one of the meetings: 'At home on my land, I could go about bare-footed, and all I needed was to go out to sea to fish, but in the city, what am I supposed to do?'

As noted above, there were fluctuations in inclusion in the other two versions of the Board that I observed, i.e., the Victims' Board after participants joined the Civic Strike Board on '*Acceso a la Justicia, Víctimas, Protección y Memoria*'[27] (CSB) in May 2017, and the Victims' Board after the election of August 2017. The fluctuations were especially noticeable in the 'representativeness and legitimacy' and 'treatment' indicators.

The participation of the full Victims' Board in the CSB increased the representativeness and legitimacy of the Victims' Board. Although the Victims' Board's members were recognised as representatives of the most vulnerable groups of victims in the district, their representativeness was partly questioned by some external voices: '*They think they are the only victims in Buenaventura*' a community leader told me. Their 'style' was also questioned, as they were perceived as defensive and very contentious.[28] Despite these criticisms and due to their legitimacy, when the civic strike broke out in May, the strike's Executive Committee called the Victims' Board's participants to join the CSB. On the CSB, the Victims' Board participants interacted with other citizens to discuss the proposals to present to the national and decentralised governments during the strike's negotiations. This new space allowed all participants to recognise and rediscover the work done by each one of the grassroots groups that comprised it. Activists, initially critical of the Victims' Board members, positively adjusted their perceptions of them.

The sense of representativeness and legitimacy was also enhanced by the popular support that the civic strike aroused for civil-society-led initiatives trying to make the government responsive to population demands. People I talked to on the street during the strike maintained that their concerns and anger were well represented by the people '*fighting for changes and justice in Buenaventura*'.[29]

The changes regarding the third version of the Victims' Board were not as positive, as the dynamics in the treatment between the participants elected in August 2017 changed for the worse. The treatment among participants of the 2015-2017 period was relatively inclusive and horizontal. However, the treatment they received from the mayoralty was problematic. According to the participants, the officers avoided them. Indeed, the mayoralty's cabinet secretary in charge of the victims' issues made very clear to me that he had decided not to talk to the Board members, even though this was one of his functions. The secretary and some officers argued that the discussions with the Board's participants were complex due to the latter's 'aggressiveness', but they were also aggressive towards them, and towards me. Tired

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[27] Access to Justice, Victims, Protection and Historical Memory.
[28] Governmental and non-governmental actors explained to me that this style was a consequence of their frustration for having to deal with unresponsive and corrupt governments.
[29] Except for one of the four ethno-political processes.

of the situation, the Victims' Board's members decided to elect social leaders favoured by the mayor as a strategy to improve the treatment towards them. The strategy was applied at the 2017 election and, indeed, it introduced changes in the treatment dynamics. A new member who was close to the mayor adopted the role of interlocutor between the mayoralty and the rest of the Board participants, but in a hierarchical fashion. Although most participants of the Victim's Board opposed the decisions of the district government, this new member censored opposition. Thus, although the dialogue between the mayoralty and the representatives opened up, not all participants were fully included in the conversations, and the conversations were restricted to topics tolerable for the district administration.

Although this was an important problem, the worst problem was violence. Participants received death threats by armed actors opposing their activities. One community leader who was part of the civic strike was killed in January 2018, and in July 2019 a member of the Victims' Board was the victim of an attempted murder.

5.2.2.2. Decision-Making Power

Although elements of the Victims' Board's institutional design contributed to its decision-making power, a close relationship with NGOs and IOs, and coordination with non-institutional spaces for participation were fundamental factors in confronting the government's hostility towards participation. The fact that the design of the Victims' Board accorded a high status to participation and made responses to participants mandatory, helped participants advocate for their right to effective participation. The institutional design also facilitated the involvement of grassroots organisations and non-state institutions within the space. Coordination of the Victims' Board with the civic strike was, however, the main factor improving decision-making power in the observed processes. The district administration tried to control participants through co-optation. Paradoxically, this brought a new type of *improved-but-restrained* responsiveness to the space.

Understandings of participation and political will / resistance to participation

The Victims' Board members' understanding of participation was homogeneous. They all knew they had the right to influence policies for peacebuilding and their reparation. However, things were different on the mayoralty's side and this affected the institution's decision-making power.

The Board's participants had three main interlocutors at the mayoralty: the mayor, one of his cabinet secretaries, and one officer, subordinate to this secretary. In a meeting in February 2017 it was evident that the mayor did not understand the purpose of the participatory institution. He had assumed the discussion was about resources. After arriving two hours late, he opened the meeting highlighting the mayoralty's scarce budget. His speech

was interrupted by an NGO member who explained to him what the Victims' Board was and why he should listen to the participants.

The secretary's understanding of participation was difficult to classify. The norms around victims' rights and the functions of the Victims' Board had been explained to him. Still, he refused to establish any kind of dialogue with the Board's members. The members suspected he was taking their demands as personal attacks. On the other side, although the subordinate officer understood the legislation and purposes of participation, she had a sceptical view of the Board members. In her opinion, they were not interested in 'real participation', but were simply seeking personal benefits. Yet, she was keen to dialogue with them, which made her the representative of the district government with whom the participants interacted the most. Unfortunately, she did not have decision-making power.

These (insufficient) understandings of participation were accompanied by a strong resistance to it. In the aforementioned February 2017 meeting, the Board's members demanded they be recognised as legitimate interlocutors, questioned the district government's performance and decisions, and asked for support to comply with their functions. The mayor promised to award this recognition, to answer the questions, and to allocate funding to the Board by the end of that week. The questions were not properly answered until June, and 2017 ended without any financial support.

Two factors changed the mayoralty's resistance to participation. One was the election of new members for the Victims' Board in August 2017. As mentioned above, a community leader who was close to the mayor was elected as a participant for the new term. The bond between this leader and the mayor was based on the former's electoral support of the mayor's electoral campaign; thus, she had more access to him and other representatives from the district administration. Although the expectation of the victims who voted for this community leader was to improve the Victims' Board's influence on the district administration's decisions, this was not what happened. This new leader started to channel the conversations between the Victims' Board and the district administration, and although the dialogue was more fluid, it only referred to topics that the latter considered acceptable, i.e., the mayoralty's resistance to the Board decreased because they were able to influence its direction.

The second factor that changed the mayoralty's resistance to participation had the opposite effect: instead of controlling the situation, the mayoralty lost control of it. When the Board members joined the CSB in May 2017, they brought to the civic strike the topics that the mayoralty had refused to address within the Victims' Board. Joining the civic strike strengthened the Victims' Board's participants. At the CSB they were accompanied by more social leaders, gaining the support and legitimacy of a broader movement. The CSB's direct

interaction with the national and provincial government made the district administration more responsive. Despite its dislike of the situation, the mayoralty participated in the dialogues as it was being observed by representatives from other levels of government. On more than one occasion, national oversight institutions insisted on the district administration's presence. They were forced to appear and assume commitments about the issues discussed.

On the CSB, the rules were not established by the state, they were proposed by civil society *and then* agreed with the state. The rules in the two spaces were not substantially alike. However, the fact that civil society proposed the rules and created the conditions to enforce their compliance made the whole difference. As pointed out in the next section of this chapter, with the CBS, the Victims' Board members *re-invented* their participation compared to their *claimed-and-invited* participatory space (the Victims' Board).

The two opposite movements -the mayoralty gaining control in the new Victims' Board and losing it at the CSB- prompted a rupture within the Victims' Board after the election in August 2017. Participants who were frustrated with the dynamic at the new Victims' Board reduced their activities in the space and focused their efforts on the CBS, where they could act more independently.

Abilities to present demands and responsiveness

The Victims' Board members' abilities to present demands through institutional and non-institutional channels were noteworthy. They had developed their skills through experience and training. The Board members who had suffered forced displacement in the early 2000s had had to learn how to obtain humanitarian assistance from the state. Later, they campaigned to be recognised as a group whose needs were a public issue. NGOs played an important role: they offered humanitarian assistance, helped them to organise, and offered legal assistance and training to interact with the Colombian state.

Participants presented their demands in different ways: through meetings with government representatives; radio shows; letters; reports addressed to oversight institutions; engagement events with grassroots groups; social-accountability events; and of course, street mobilisations and protests, which in 2017 were all related to the civic strike. Allied with non-state organisations, Victims' Board participants managed to present evidence-based documents not only to unresponsive local, provincial and national governments, but also to oversight institutions with enforcement powers.[30]

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[30] Note that the decision of voting for a community-leader liked by the mayor at the August 2017 election also reflects the Victims' Board participants' abilities to present demands. Although the strategy was not completely successful, it demonstrates their efforts to make themselves heard.

NGOs and IOs were an important source of support. They covered part of the expenses that the government refused to grant. Secondly, they –including me– offered technical assistance for these activities: they helped to design strategic action plans and supported the execution of some of the planned activities. They stepped in with preparation of meetings, events and documents.

Three NGOs and three IOs offered their support to Buenaventura's Victims' Board during my fieldwork. Table 5.6. presents some activities supported by these organisations.

Table 5.5.
Examples of Buenaventura's Victims Board activities supported by non-state organisations.

Activity	Goal	Supporters
Meeting with the Mayor	Convincing the Mayor to comply with his duties to the Board and the victims of the armed conflict in Buenaventura.	Two NGOs
Secretarial support	Granting the Ombudsperson's Office with a member of staff to assist the Victims' Board in secretarial tasks (minutes, letters, etc.).	One IO
Public policy report production and dissemination	Informing the government and oversight institutions about the state of policy in Buenaventura.	Two NGOs
Strategic action-plan design	Defining the Board's main goals and key activities, in coordination with the grassroots groups they were linked to.	Two NGOs
New Board election	Renew the Board according to the institutional design stipulations.	One NGO
Social accountability session	Presenting to victims' organisations, the local government, and oversight institutions the activities they (the Board members) had carried out; goals achieved; obstacles encountered; and their report on the public policy for victims in Buenaventura.	Three NGOs, one IO

Source: Produced by the author.

By offering this support, NGOs and IOs assumed duties unfulfilled by the government, and participants actually preferred it that way. The Victims' Boards' institutional design establishes that the Ombudsperson's office should offer technical advice to the participants on their activities. Buenaventura's participants, however, did not trust the Ombudsperson's officers. They found that criticisms of the district administration made the officers uncomfortable; they believed the officers were close to the mayoralty.[31] According to two interviewees, they were indeed close: the mayor had asked the district Ombudsperson to put some of 'his people' in the Ombudsperson's office, and the officers advising the Victims' Board were part of this group. If this were true, the situation would be a clear display of how traditional politics obstructed participatory democracy.

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[31] Officers had suggested not denouncing the mayoralty's infringements to oversight institutions, but to give them new opportunities to comply. These ombudsperson's officers also allowed mayoralty officers to modify official documents at least once.

The NGOs and IOs extended their support to grassroots groups and non-institutional participation, including the civic strike. Four of them, alarmed by the population's living conditions and tired of corrupt and unresponsive governments, joined the CSB as advisers and logistics supporters. The civic strike contingency, indeed, offered a unique platform on which non-institutionalised participation, institutionalised participation, NGOs and IOs came together to present their demands to the Colombian government.

I identified three responsiveness scenarios during my fieldwork: the first lasted from January 2017 until the civic strike in May, when the second scenario began. The third scenario emerged after the election of the Victims' Board members for the period 2017-2019.

Table 5.7. summarises the issues brought by the Victims' Board members to the participatory spaces, as well as the government's responses before and after the civic strike.[32] The difference between the second and the third column reflects the strong effect of the civic strike. The mass mobilisation stimulated responsiveness from the national and decentralised governments. It captured the attention of national oversight institutions that started to investigate cases, suspicious of bad management and corruption. The oversight institutions also requested that government representatives attend negotiation and follow-up meetings, attended the meetings themselves, and monitored the fulfilment of the agreements between the government and civil society.[33] The table presents the power of non-institutionalised participation.

Table 5.6.
Government responses to the issues moved by the Victims' Board participants.

Issue	Responses before the Civic Strike (Victims' Board, scenario 1)	Responses after the Civic Strike (Victims' Board and CSB, scenario 2)
Participation funding (norms make it mandatory)	The mayoralty did not reply to the request in 2016. In February 2017 the mayor promised to transfer the resources in less than a week. The transfer was not made.	National oversight institutions started investigations. Neither district nor regional oversight institutions had started investigations before despite knowledge of the situation.
Revision of programmes for victims of the armed conflict in Buenaventura.	In the February meeting the mayor asked his officers to present to the Board participants the changes on the programmes for the victim population in Buenaventura. The meeting was carried out by unqualified officers. The participants sent a letter with further questions, observations and suggestions. These remarks were not answered.	National oversight institutions started investigations about the policies and programmes' failures and on the lack of responsiveness to the Board. Neither district nor regional oversight institutions had started investigations before despite knowing the situation. The Mayoralty argued it had considered the Board demands for programme improvement.

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[32] The table shows the issues discussed at the Victims' Board. The CSB covered more topics and included more actors than the Victims' Board.

[33] District and regional oversight institutions were also informed about the anomalies in Buenaventura. However, they had not started investigations. According to my interviews, this reluctance was due to the strong ties between the mayoralty and these institutions.

Board participants asked the reasons to cut the (previously agreed) budget allocated to programmes for victims of the armed conflict in Buenaventura.	No answer.	National oversight institutions started investigations. Neither district nor regional oversight institutions had started investigations before.
Support to commemorate the national day of the victims of the armed conflict	Mayoralty did not prepare or fund any activity. Victims' Board organised a small gathering with grassroots organisations, independently.	National oversight institutions started investigations about use of public resources.
Revision of the quality of humanitarian assistance offered to forcibly displaced indigenous peoples	Initial questions were not answered. Participants demanded an official meeting about the issue. The mayoralty did not present in it the information requested from them. There was no agreement about how to improve meals ratio either.	National oversight institutions started investigations. Neither district nor regional oversight institutions had started investigations before.
Methodological adjustments to the demographic survey about the socio-economic conditions of the victims of the armed conflict in Buenaventura	Refusal to discuss the issue. First stage of the survey was undertaken exclusively under the Mayoralty conditions.	District and national government agreed that the survey methodology should be approved by participants of the Victims' Board and the CBS.
Acceleration of administrative reparations (compensation)	Participants were asked to wait and told the reparations would come soon.	The participants were promised a date in which the reparations would be granted. It happened accordingly.
Starting the construction of a historical museum about the armed conflict and its effects in Buenaventura (in commemoration of its victims)	Refusal (arguing a lack of financial resources).	District government committed to grant a place. Provincial and national governments committed to fund and advise on social and physical construction of the historical museum.

Source: Produced by the author.

Responsiveness in the third scenario was not straightforward. Although participants received more responses than in the first scenario, these were limited to the topics channelled by the new leader connected with the mayor. This proximity also facilitated the mayoralty's co-optation attempts and the possibility of putting conditions on responsiveness: through this leader, the mayoralty forbade any mention of the civic strike and the CSB among the new Victims' Board (that elected in August); thus, the participants lost capacity to present demands. Later, the participants were told that their funding demands would be attended to if they supported two documents produced by the mayoralty. Participants hesitated, as they disagreed with the quality and content of the documents, and suspected that the mayoralty wanted to transfer the funds to one of the grassroots organisations on the Board rather than to the Victims' Board itself. Later on, the mayoralty offered employment to some participants.

The participants' socio-economic conditions made the offer attractive. However, their autonomy and ability to criticise the district administration were compromised while they waited for the official job offer. Overall, in scenario three, responsiveness was tied to the government's attempts to control participation through informal practices.

5.2.2.3. Democratic learning

The democratic learning within Buenaventura's Victims' Board and CSB was the most striking I observed during my fieldwork. The agency -active citizenship- of the participants was remarkably high and had an important characteristic: they constantly identified themselves as part of a collective rather than individuals.[34] The spaces were also plural in their composition and the richness of their discussions: diverse people and different ideas coming together trying to find agreements. As Afro-Colombians and indigenous people, they identified themselves as *different* communities to the rest of the country and claimed special rights based on this difference. Overall, the Victims' Board and the CSB displayed the vibrancy of Buenaventura's social movements and ethnic groups' discussions about cultural politics.

The most experienced members of the Victims' Board had been interested in decisions affecting their communities from early on; some of them even before coming into contact with the state or with the armed conflict. Thus, in their understanding, participation did not necessarily emerge from mechanisms provided by the contemporary, liberal-democratic state. Some were active in additional participatory spaces such as neighbourhood and community action boards.

All participants declared that they had learnt their participation repertoires and strategies through experience in grassroots organisations and participatory spaces such as the Victims' Board, the *Mesas de Fortalecimiento para la Población Desplazada,* community action boards and *consejos comunitarios*. Hence, in their case, the indicator of accumulative training was in accordance with the educational trend of participatory democracy theory: citizens gain skills for participation while they participate (Pateman, 1970). Non-institutional participation and non-state institutions had an important role in this accumulated training, as they served as platforms to learn the first lessons about social organisation.

The Victims' Board institutional design also contributed to accumulating training, as it established that Victims' Board members should receive technical advice from the state, as well as have the opportunity to exchange experiences with fellow participants from other

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[34] I was told this was related to the way in which they, Afro-Colombians and indigenous peoples, as ethnic groups, understood politics.

territories (Resolution 0388/2013). Buenaventura's participants, indeed, had received occasional training by officers of the Colombian state.

On Buenaventura's Victims' Board and CSB, accumulative training and pluralism came together, as part of the participants' learning process consisted in learning from each other and reaching agreements. The Victims' Board was an institution with diverse actors. The CSB was a bigger and more heterogeneous space in which even contrasting actors met. Buenaventura's civic strike was organised by 235 social groups. Eighteen of them were present on the CSB: black and indigenous ethnic groups; women; youth; people with disabilities; elderly; LGBTI representatives; environmental groups; human rights defenders; union representatives; neighbourhood leaders; NGO and IO representatives; religious authorities. The civic strike created an important opportunity to learn new participation repertories and strategies. The CSB's participants organised an internal training programme to share and deepen their knowledge about the topics they were addressing. The trainers were experts they found among themselves, other civic strikers and external allies; leaders from indigenous and Afro-Colombian organisations played an important role during the process. Thus, the CSB became a space for mutual recognition, exchange of knowledge and collective construction.

The sense of being a 'collective' was important for the first Victims' Board and for the CSB. Members of the 2015-2017 Victims' Board acted as a single front in encounters with external actors, especially with government representatives, media and new interlocutors (NGOs and IOs). When internal disagreements emerged, they resolved them privately first. According to my interviews, this had been part of their early training. There was also a strong sense of friendship among them. They had gone through years of '*lucha*' (struggle) together and considered themselves friends: '*If there is something good about all this, it is that you make friends. That's almost the only thing you gain',* one of them told me. Once the CSB was established, participants realised that this new space required the construction of a broader sense of collectivity that included the Victims' Board participants and other actors coming from the civic strike. Building this sense of collectivity required more '*espacios autónomos*', spaces for self-organisation without the presence of state representatives. The '*espacios autónomos*' were dedicated to understanding each other, levelling up their knowledge and type of language, and in this way, avoiding perceptions of exclusion.

Both '*espacios autónomos*' and '*espacios mixtos*' -spaces with state representatives-were platforms of intense debate. On occasion, the encounters lasted until three days before agreement was reached and decisions taken. Civil society participants almost always reached

agreements in their '*espacios autónomos*'.[35] The same did not always happen during the encounters with the state. Reaching agreements in '*espacios mixtos*' depended on whether the state representatives attended the space and had the political will and the capacity to comply with an agreement. All in all, the participatory processes at the Victims' Board and the CSB were remarkably formative experiences, including for me.

5.3. Comparison and conclusions: did the Victims' Board perform better than the Planning Council in Buenaventura?

Image 5.2. Symbols of unity at a Victims' Board and CSB's *espacio autónomo*. Taken by the author.

The comparison between Buenaventura's Planning Council and the Victims' Board teach us that the design innovations in second-generation participatory institutions can strengthen participation processes. The Victims' Board performed better than the Planning Council in every observed analytical category. Certainly, this was not due to institutional design only. Coordination with the civic strike stood out as a key element throughout the Victims' Board process, making this case an example of the argument that coalitions with non-institutional participation are a key factor for successful institutional participation.

The comparative analysis makes clear that the Victims' Board improved performance was possible due to the complementarity between the institutions' design and the civic strike. The civic strike helped the Victims' Board participants to obtain governmental responses that

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[35] I am referring to the Victims' Board before the election of August 2017. Due to aforementioned reasons, ruptures emerged among the participants after the election, to the point of becoming noticeable to external actors.

they would have been unlikely to obtain without a coalition with the former. This shows that participation processes can overcome a lack of political will and hostility, even in contexts as complex as Buenaventura's.

The fact that the plenary of the Planning Council was not able to establish a coalition with the civic strike as the Victims' Board did, despite the tradition of social mobilisation that exists in Buenaventura, indicates that not all participatory institutions facilitate collaborations with non-institutional participation. Indeed, Buenaventura's case teaches us that while some institutional designs enable collaborations with grassroots mobilisation, others make it difficult. Hence, the case is a lesson about the need for strong institutional designs able to interact with contextual factors for successful participation. In Buenaventura the vibrant and plural movement of the civic strike was a contextual factor that helped the members of the Victims' Board to move their process from a framework of invited participation to a space in which participation was *re-invented*, strengthened and led by them.

The following table summarises the comparative analysis for Buenaventura. The table allocates a plus symbol (+) to the space performing better at each indicator, and a minus symbol (-) to the space performing worse by comparison. An equal to symbol (=) is given when there is not an evident superiority of one process over the other. The table also enunciates the most relevant transversal factors for each indicator.

Table 5.7.
Buenaventura: Comparative analysis summary.

Categories of analysis	*Indicators*	**Planning Council** G1 Participatory Institution	**Victims' Board** G2 Participatory Institution
Inclusion	Access	**-** *Positive cross-cutting factors:* • Relationship with non-institutionalised participation *Detrimental cross-cutting factors:* • Relationship with representative politics • Colombian armed conflict	**+** *Positive cross-cutting factors:* • Relationship with non-state institutional actors • Relationship with non-institutionalised participation *Detrimental cross-cutting factors:* • Relationship with Colombian armed conflict
	Representativeness and legitimacy	**-** *Detrimental cross-cutting factors:* • Relationship with representative politics	**+** *Positive cross-cutting factors:* • Relationship with non-state institutional actors • Relationship with non-institutionalised participation
	Treatment	**=**	**=**

	Language	=	= *Positive cross-cutting factors:* • Relationship with non-state institutional actors
Decision-making power	Understandings	-	+
	Resistance	-	+
	Abilities to present demands	= *Detrimental cross-cutting factors:* • Relationship with representative politics	= *Positive cross-cutting factors:* • Relationship with non-state institutional actors • Relationship with non-institutionalised participation
	Responsiveness	-	+ *Positive cross-cutting factors:* • Relationship with non-state institutional actors • Relationship with non-institutionalised participation
Democratic learning	Active Citizenship	=	=
	Accumulated training	-	+ *Positive cross-cutting factors:* • Relationship with non-state institutional actors • Relationship with non-institutionalised participation
	Sense of collectivity	- *Detrimental cross-cutting factors:* • Relationship with representative politics	+ *Positive cross-cutting factors:* • Relationship with non-state institutional actors • Relationship with non-institutionalised participation
	Pluralism	-	+ *Positive cross-cutting factors:* • Relationship with non-state institutional actors • Relationship with non-institutionalised participation

The comparison of the two participatory processes shows that improved institutional designs, conscious of the challenges that participatory democracy faces, can promote inclusion. The revival of participatory alternatives in debates about democracy emerges from the discontent with well-established but deficient models of representative politics (Pateman,

1970; Habermas, 1989, 1996; Mouffe, 2000; Santos, 2005). The comparison between Buenaventura's Planning Council and Victims' Board shows that some participatory institutions can perpetuate and reinforce the primacy of traditional representative politics over participation, failing, hence, in their attempt to transform democratic practices. In the Planning Council this perpetuation hindered inclusion. The power that the mayor had to select the Planning Councillors prevented the participation of citizens critical of him and conditioned their autonomy. This contrasted with the Victims' Board design, which accorded such selection power to civil society: all victims' organisations could register their candidates and vote for them in a democratic election; all interested actors had the opportunity to participate, regardless of their position vis-à-vis local government. This autonomy was crucial for further collaboration with the civic strike.

The empirical evidence also suggests that the Victims' Board design was better for the inclusion of traditionally disempowered social groups. First, the Victims' Board offers seats to social groups not mentioned in the Planning Council, supposedly because these groups were not visible when the institution was designed in 1995. This highlights the importance of institutional design update. Second, gender quotas in the Victims' Board helped to increase women's participation. While 66.7% of the Board's participants were women, they only reached 40% of the Planning Council. Third, there was an important difference among the socio-economic backgrounds of the Planning Council and the Victims' Board members, as the formers were better off than the latter. It can be argued that this had to be the case for an institution for victims of the armed conflict, as victims are expected to come from the most difficult contexts. This argument fades if we consider that more than 70% of Buenaventura's population has been recognised as a victim of the armed conflict, i.e., a very large section of the population.

It must be said, however, that the comparison also showed that institutional design alone cannot guarantee inclusion. Colombian legislation asks the government to fund the Victims' Board activities to secure the effective inclusion of those with less resources.[36] Buenaventura's government refused to do so and the exclusion that this decision provoked was partially countered by NGOs and IOs' occasional funding.

Regarding the second analytical category, the comparison in Buenaventura ratified that improved institutional designs can enhance decision-making power, even in contexts without governmental political will, which has been considered essential for participation success by such researchers as Wampler (2007). First, the Victims' Board institutional design offered tools to ensure effective participation. While participants of both institutions expected

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[36] For the Planning Council as well, but the legislation is less specific.

to have real influence on public decisions, only the Victims' Board had the legal status or level of participation to demand such influence. While the Planning Council had been granted consultative status, the Victims' Board members knew that Colombian legislation had granted them joint-agreement and co-management status (See Table 2.3.). They also knew that the legislation had designated oversight institutions to monitor and guarantee the effectiveness of their participation, and they did not hesitate to contact them.

Second, the Victims' Board design facilitated alliances with grassroots, non-institutional participation- and non-state organisations, which in turn improved the institutions' decision-making power. Note that the Planning Councillors did not join the civic strike in full due to their lack of autonomy[37]: some members were close to the mayor, who fervently opposed the mobilisation. The Victims' Board's participants, on the other hand, did embrace the civic strike as a collective, and the Victims' Board's design contributed to this embrace. The process of electing participants made them more autonomous, and the fact that they were candidates proposed by victims' organisations made them close to the dynamics of grassroots mobilisation. Even though the Victims' Board members and the Planning Councillors had notable abilities to present demands, only the alliance with the civic strike gave the Victims' Board the strength to overcome the government's lack of responsiveness. The alliance invigorated social pressure and the Victims' Board participants managed to obtain responses to issues they had been asking for since 2015.

Empirical evidence shows that the decision-making power obtained due to the coordination with the civic strike also enhanced democratic learning processes. This implies that institutional design also played a role in this improvement, as the design facilitated the alliance between the Victims' Board and the civic strike, and fostered the former's decision-making power in the first place.

The Planning Council was not the most effective scenario for democratic learning: due to its limited decision-making power, most participants lacked incentives to remain active in the space, in turn reducing the opportunities to learn from each other, develop a sense of collectivity or carry out pluralist dialogues at the institution. On the other hand, supported by some NGOs and IOs, the Victim's Board members decided to remain active in the space and claim their right to participation in spite of the government's hostility. Later their democratic tools and values were broadened thanks to the collaboration with the civic strike.

What happened after my fieldwork suggests that the democratic-learning and empowerment effects of the civic strike went beyond institutional participation processes,

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[37] Other reasons were the absence of a sense of collectively among all the members, the fact that some of them had abandoned the institution, and for one participant, criticisms of the civic strike.

reaching representative-electoral democracy as well. The two elections that followed the Civic Strike had unprecedented results. Table 5.9. and 5.10. show the results of the last three elections to Congress in Buenaventura. The tables show how the PDA, the leftist party which supported the Civic Strike in 2017, went from being a minority party to one of the most voted in 2018. This was not an easy achievement. Historically, Buenaventura has been a stronghold for Valle del Cauca elites who belong or belonged to the Liberal Party.[38] Likewise, since the mid-2000s, the district has become an important stronghold for drug-traffickers interested in electoral politics. The PIN party, which headed the 2010 elections, was funded in 2009 by politicians who were investigated or convicted for their links to paramilitary groups and drug-trade. In Buenaventura, the party was directed by a former liberal politician also convicted for corruption (La Silla Vacía, 2018). Similarly, the National Union Party's regional leader was a powerful, former liberal politician, senator and governor, who had been investigated for her links with paramilitary groups (La Silla Vacía, 2020). Yet, for the first time in history, the left won in Buenaventura.

Table 5.8.
Electoral results in Buenaventura–Main Parties: Senate.

2010		2014		2018	
Political Party	Votes	Political Party	Votes	Political Party	Votes
PIN	30.26%	Liberal	27.53%	PDA	24.58%
Liberal	18.08%	National Union (U)	11.27%	National Union (U)	19.49%
National Union (U)	13.82%	Conservative	8.31%	Liberal	14.83%
PDA	5.86%	OC (former PIN)	7.13%	Conservative	7.85%
Conservative	5.71%	CR	6.19%	CR	6.85%
Mira	5.42%	Mira	4.90%		
		CD	3.33%		
		PDA	2.85%		

Source: Produced by the author with data from the Colombian Civil Registry (Registraduría, n.d.).

Table 5.9.
Electoral results in Buenaventura–Main Parties: House of Representatives.

2010		2014		2018	
Political Party	Votes	Political Party	Votes	Political Party	Votes
PIN	29.00%	Liberal	25.99%	National Union (U)	22.44%
National Union (U)	11.32%	National Union (U)	12.24%	Liberal	19.96%
Conservative	7.09%	OC (former PIN)	7.81%	PDA	12.12%
Mira	5.21%	Mira	6.45%	Mira	8.56%
Liberal	4.95%	Conservative	6.24%		
PDA	1.45%	CR	4.50%		
		CD	1.80%		
		PDA	1.77%		
		Green Alliance	1.45%		
		UP	0.14%		

Source: Produced by the author with data from the Colombian Civil Registry (Registraduría, n.d.).

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[38] The Liberal Party promoted the end of slavery in mid-19th century, which established an important relationship between the party and Afro-Colombians.

The story repeated itself in 2019. The civic strike movement presented its own candidate for mayor with the support of the leftist political parties who had supported the strike. Although the activists were enthusiastic, they were also hesitant about the possibility of winning: '*In Buenaventura you win with money, job offers or weapons, and we have none!*', one of them told me. Their hope was based on the impression that the civic strike 'had transformed Buenaventura', that Buenaventura's people 'had recovered their dignity' and 'woken up', that people 'were not going to sell their votes as easily as before because the civic strike had been a massive, collective rejection of the corrupt politicians who had always managed Buenaventura'. Against the odds, they won (see table 5.11.). This development is hugely significant, as it reflects a very tangible transformation of power relations.

Table 5.10.
Electoral results in Buenaventura-Main Parties: Mayor.

2011		2015		2019	
Political Party	Votes	Political Party	Votes	Political Party	Votes
Liberal	43.15%	National Union (U)	29.60%	PDA, CH, UP	24.13%
CR	31.40%	AICO	22.82%	PAV, ASI, PCR	21.38%
National Union (U)	11.01%	Liberal	20.54%	AICO	19.47%
Mira	5.26%	CD	12.23%	National Union (U)	18.42%
AICO	4.12%	AV	8.52%	CD, CR	9.17%
PDA	1.34%	CR	2.15%	Conservative	3.17%
AV	1.11%			CJL	1.04%
Conservative	0.32%			Liberal	0.62%
				FARC	0.41%

Source: Produced by the author with data from the Colombian Civil Registry (Registraduría, n.d.).

One of the reasons that makes Buenaventura's case relevant for further academic research is that it shows that democratic change is possible. Furthermore, such transformation takes place in an extremely difficult context, in which power has been concentrated by legal and illegal exclusionary actors. Just as scholars have pointed out the importance of coordination between institutional and non-institutional participation,[39] Buenaventura's case invites one to look further and examine how participatory processes -institutional and non-institutional- coordinate with representative politics for real change. This invitation echoes the current debates in the field of participatory democracy and systemic and ecological approaches seeking to understand how diverse participatory spaces interact between themselves and with wider spheres (see section 2.5.). Buenaventura's case suggests that the transformation of power relations in the Colombian context does not depend *only* on the institutionalisation of participatory democracy, as postulated in the 1990s, or the latter's collaboration with non-

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[39] e.g. Gaventa, 2007; Cornwall and Coelho, 2007, Gaventa and McGuee, 2010; Miraftab, 2004, 2005, 2009.

institutional participation. It also suggests that *strategic coordination of both with electoral-representative politics* is key to the transformation of power relations that participatory democracy pursues.

5.3.1. To Conclude

In 2004 Faranak Miraftab introduced the concept of *invented* spaces of participation. She proposed it as a counterpart to Andrea Cornwall's (2002b) concept of *invited* participation. Invited spaces are equivalent to what I have called institutions for participatory democracy: those 'created 'from above' by powerful institutions' (Gaventa and Cornwall, 2001, p.23), in this case the state, to give people, especially the poor, the opportunity to be part of policy processes (Cornwall, 2002a, 2002b). Miraftab feared that binary understandings of participation as 'formal-invited vs. informal' led to the de-legitimisation and criminalisation of grassroots-based political action. To avoid this, Miraftab sought to understand invited and invented spaces of participation as mutually constitutive and interactive (2004, 2005, 2009). Miraftab defined invited spaces as 'those grassroots actions and their allied nongovernmental organizations that are legitimized by donors and government interventions and aim to cope with systems of hardship. 'Invented' spaces are defined as those collective actions by the poor that directly confront the authorities and challenge the status quo' (2009, pp.38-39); they are 'chosen, demanded, and seized through collective action from below' (2005, p.209). Invented and invited spaces are not mutually exclusive, as individuals and groups can strategically move from one to another to take advantage of the tools they offer.

That was exactly what happened in Buenaventura: Victims' Board participants fluctuated from invited to invented spaces, using the tools both offered to strengthen their participation process. In fact, we must remember that some participants did not see the Victims' Board as a space for invited participation; they saw it as a *claimed* space[40] to which they had the right to access.

The civic strike and the CSB, as invented spaces, were expressions of active resistance. As documented by McGee and Flórez (2016, 2017) and McGee (2018), resistance is an important form in which collective citizen agency takes shape in Buenaventura; it is strongly linked to the cultural-political struggles of indigenous and, particularly, Afro-Colombian groups

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[40] Understood by Gaventa (2006, p.27.) as the spaces 'claimed by less powerful actors from or against the power holders or created more autonomously by them [outside the institutionalised policy arenas]. Cornwall (2002) refers to these spaces as 'organic' spaces that emerge 'out of sets of common concerns or identifications' and 'may come into being as a result of popular mobilisation, such as around identity or issue based concerns, or may consist of spaces in which like-minded people join together in common pursuits'. What makes claimed spaces different from invented spaces is Miraftab's emphasis on the interactive and mutually constitutive nature of invited and invented spaces.

in the area, and is highly critical of the Colombian state. During the Civic Strike, resistance was expressed through contentious politics and coalition-building repertoires. The results obtained by the coalition between institutional and non-institutional participation in Buenaventura endorse Gaventa and McGee's (2010) point about the importance of connecting the concepts of contentiousness and collective action to the literature of citizen participation and democratic innovations to understand how participation can bring change. One of the contributions of the comparative analysis is revealing that the design of participatory institutions can promote or prevent such coalitions. Empirical evidence showed that while the Victims' Board design facilitated coordination between the invited and invented spaces, the Planning Council's restricted it.

Another contribution of the comparative analysis of Buenaventura was pointing out the need for further research, examining the power of contentious collective action, the interactions between institutionalised participation and contentious collective action, and the interactions of both with electoral politics. This implies moving away from the discussions that seek to understand whether representative and participatory democracy oppose or counterbalance each other, to investigating instead under which conditions they coordinate for change.

After revising participatory democracy in Latin America, Balderacchi (2016) concluded that although 'participatory mechanisms are often viewed as possible solutions to the problems of liberal representative institutions […], problems and contradictions in poorly functioning liberal democracies and unequal and exclusionary societies […] paradoxically [make] the establishment of effective, inclusive participatory institutions […] less feasible where participatory mechanisms appear as most needed and promising' (p.174). Overall, Buenaventura is a remarkable exception for Balderacchi's conclusion and offers key ideas about how to escape the vicious circle.

Sadly, the assassination of Temístocles Machado, a Civic Strike leader, and the attempted murder of Carlos Tovar, a Victims' Board and CSB participant, also showed that not all contextual problems can be overcome by strengthened institutional designs and pluralist coalitions between institutional and contentious-grassroots participation. Violence conditions participatory processes and the Colombian armed conflict is a heavy burden on them. The next chapter addresses this issue in more detail.

Chapter 6. Corinto: When Institutional Design Does not Matter.

'Que la paz no nos cueste la vida'
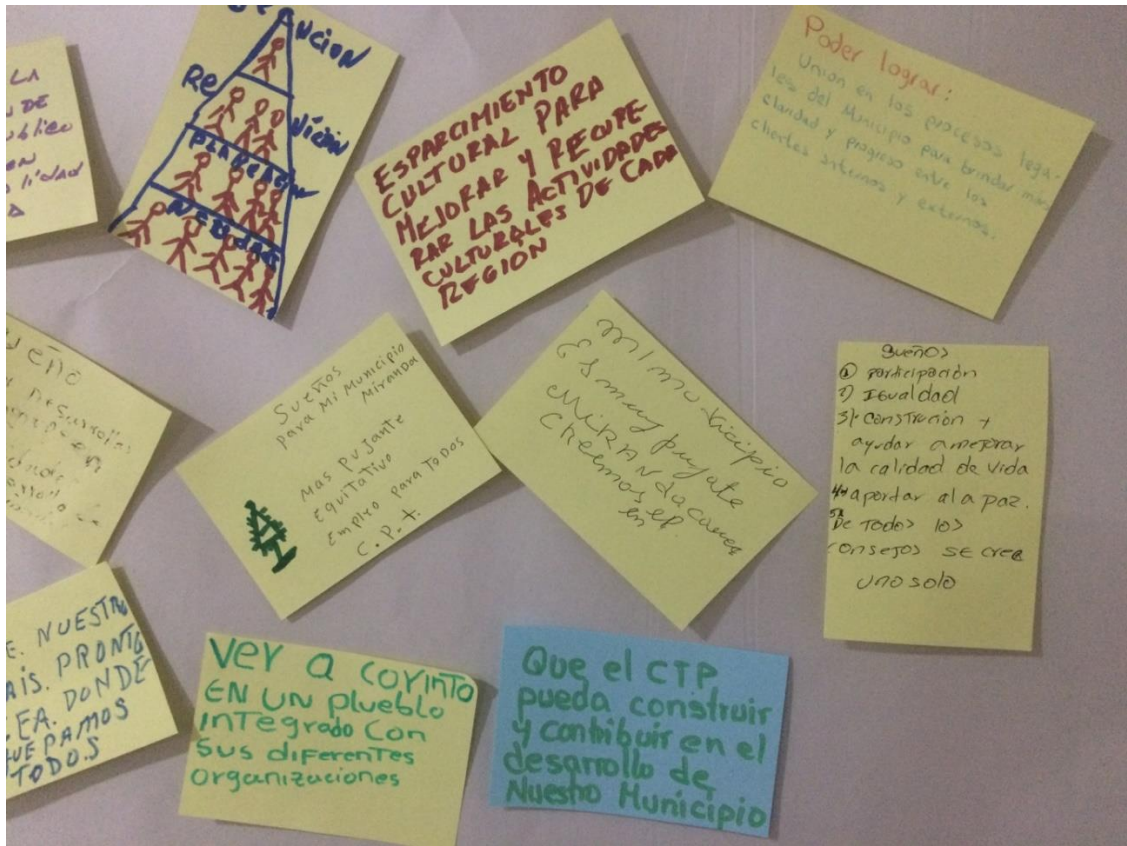
Image 6.1. Workshop with Corinto's Planning Council Participants, December 2017. Taken by the author.

18 December 2018: The pamphlet shown in image 6.2. circulates on social media. It threatens indigenous leaders in the *Norte del Cauca* region and shows the prices for killing *cabildos'*[1] members. It is signed by the Colombian paramilitary group *Águilas Negras*.
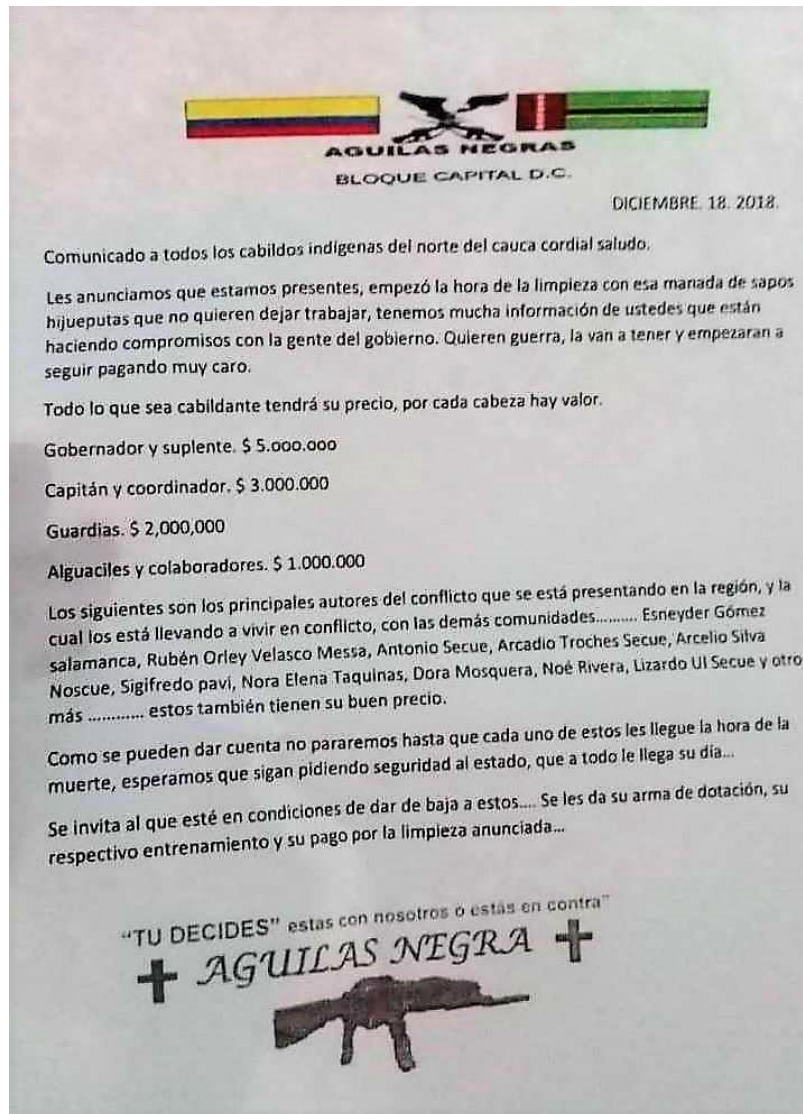
Image 6.2. *Águilas Negras* pamphlet. Source: Facebook.

26 January 2019: Journalists and the UN report shootings in the rural areas of Corinto.[2]

31 January 2019: Indigenous congressman Feliciano Valencia denounces that more than 600 people have been displaced due to the confrontations (Ramírez, 2019).

Security conditions were relatively different just one year before, when I frequently visited Corinto and the consequences of the FARC-EP's disarmament were not as clear.

Corinto is one of the thirteen municipalities that comprise the Norte del Cauca region, the northern area of the Cauca department in the southwest of Colombia. The Norte del

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[1] Indigenous Cabildos are special public entities in charge of the legal representation and government of indigenous communities. Their members belong to and are chosen by their own community.
[2] See Derechos Humanos Colombia, 2019.

Cauca's context is historically challenging: dispossession, impoverishment, exploitation and state abandonment have defined the precarious living conditions in the area. These conditions have provided fertile ground for the emergence of violence and illegal economies. The history of the region helps to understand why the struggle for land has been identified as the cause of the Colombian armed conflict. Considering that participatory democracy is expected to tackle the country's most complex problems, observing institutionalised participation in a place like Corinto is insightful.

This research found that there were no substantial differences between the processes within Corinto's Planning Council –first-generation participatory institution– and its Victims' Board –second-generation participatory institution; i.e. institutional design turned out to be irrelevant. Comprehending Corinto's context is crucial to understanding why that was the case. This chapter starts with such contextualisation. The contextualisation is followed by a presentation of the participatory processes of Corinto's Planning Council and Victims' Board during 2017, to then compare them and draw conclusions. Overall, this chapter shows that when the context is too complex, institutional adjustments in the participatory sphere are insufficient to improve participation processes; adjustments in the larger sphere of the state are also necessary.

6.1. El 'triángulo de oro' del Cauca[3]

Corinto is in the north of the Cauca department, a region where 'all kind of social problems come together' (Semana, 2017). Indeed, the region is characterised by its high levels of poverty, state weakness, presence of armed groups, illegal economies and multicultural conflicts. At the same time, however, it is known for the empowered and well-organised social groups who live in the territory. This contextualisation presents these complexities, that are necessary to understand the dynamics of institutionalised participation in Corinto.

Poverty in Corinto and in the Norte del Cauca region is rural and racialised. The 13 municipalities that comprise the region, one of the poorest of the country, are mostly rural and are home to indigenous, Afro-Colombian and peasant communities (Gobernación del Cauca and DNP, 2013). In Corinto, 43.34% of the 25,342 inhabitants identify themselves as indigenous, 26.76% as Afro-Colombian, 0.46% as *raizal*[4], and 29.44% as *mestizo* (DNP, 2019). 51% of the population lives in rural areas (DANE, 2020). Although the situation has improved

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[3] The municipalities of Corinto, Miranda and Toribío are known as the 'golden triangle'. The mountainous territories were controlled by the FARC-EP, and the inhabitants, indigenous and peasant communities, depend on illegal economies, particularly illegal crops, previously coca, and currently marihuana.
[4] Ethnic community of African, European and Caribbean descent, with their own language and culture.

(see Table 3.1.), as recently as 2011, 21.23% of the urban population and 82.30% of the rural population had unsatisfied basic needs. At that stage, 58.6% of the population lived in rural areas (DANE, 2011).

These conditions of poverty are the aftermath of cycles of dispossession, through which communities were left without enough resources to secure their livelihood (Nieto, 2019). Among these resources, land has been particularly important. The distribution of land in Corinto is critically uneven: by 2010, only 32 properties covered 42.26% of the municipality's territory, having more than 100 hectares each. Meanwhile, 1,912 properties, that is 69% of the total, had less than 5 hectares each -1.5 hectares on average- and covered 9.36% of Corinto's territory (Paz, 2014). By 2014, the 3,051 plots of land in the municipality were distributed among 1,516 owners and the Gini index for land distribution was 0.88 (UPRA, 2015).

Table 6.1.
Land property in Corinto, 2010

Type of property	Plots of land		Surface area	
	No. of plots	%	Hectares	%
Smallholdings - 'm*inifundio*' (<5 ha)	1,912	69	2,868	9.36
Small properties	573	20.68	5,925	19.33
Medium-sized properties	254	9.17	8,906	29.05
Large properties (>100 ha)	32	1.15	12,956	42.26
Total	2,771	100	30,655	100

Source: Translated from Paz (2019).

Corinto is far from unique. These figures follow the trend of the province to which Corinto belongs, the Cauca province. Cauca, which is mostly rural, is one of the three (of 32) most unequal Colombian departments in terms of land distribution (Gamarra, 2007; IGAC et al., 2012; UPRA, 2015). Several works (e.g. FIP, 2014; Gamarra, 2007; IGAC et al., 2012; Paz, 2002, 2014; Universidad Javeriana Cali, 2013; UPRA, 2015; Valencia and Nieto, 2019) have shown that the department's' most productive lands are in the hands of a small number of extensive landholders, particularly in the northern area of the department, where most agrobusinesses are located:

> *'Plots of land with more than 100 hectares cover 54% of the department's surface area, and 33% are owned by 90 landowners with more than 2,000 hectares. Smallholdings cover less than 1.5% of the department's surface area. 42.48% of the land plots have less than 100 hectares and are owned by 82,761 landholders. The indigenous peoples have 21.75% of the department's rural area, 530,244.8 hectares, of which 35% are unsuitable for agriculture (Paz, 2001). 'Meanwhile, the population without ethnic affiliation [(i.e., mestizos, neither indigenous nor Afro-Colombian)], which is 1/3 of the rural population, has more than half of the registered rural areas. To this group without 'ethnic affiliation' belong the large landowners and agrobusiness'''* (FIP, 2014, p.21)

The reasons behind this inequality are historical, and have particularly impacted on indigenous peoples, Afro-Colombians and poor, peasant-farmers.

For indigenous peoples, land dispossession started in colonial times and continued after independence. During the colonial period, the Spanish crown created the figure of *resguardos*: areas of land for indigenous people's settlements collectively owned by the natives. Their purpose was to prevent indigenous extermination and to secure them as labour force. The *resguardos*, nevertheless, suffered usurpation, invasions and land expropriation (Colmenares, 1996; Nieto, 2019). The indigenous peoples without land saw themselves trapped in the exploitative practice of *terrajería*: working for *hacendados* (the landed classes) on land that had been previously owned by indigenous peoples, in exchange for the loan of a subsistence plot of land to plant food crops (Muelas, 2005).

The indigenous peoples are still fighting to recover their ancestral territories. Relying on colonial legal documents, they argue that lands currently owned by extensive landholders, especially from the sugar industry, were *resguardos* and belong to them. They have baptised their battle as '*la liberación de la madre tierra*' (the liberation of mother earth). During the liberation, the indigenous peoples occupy their ancestral territories, remove sugar cane crops and replace them with their own.[5]

Hostilities on the part of the Colombian armed forces -the police and army- towards the indigenous movement during land liberation episodes have long been an everyday occurrence in Corinto: the battle became noticeable during the first decades of the 20th century and grew more intense in the 70s, when indigenous peoples created the *Consejo Regional Indígena del Cauca* (Cauca's Regional Indigenous Council–CRIC) alongside *mestizo* peasant-farmers (CMH, 2012; CRIC, n.d.; Galvis, 2010). Back then, rural communities were demanding the implementation of president Lleras Camargo's (1958-1962) land reform. The social movement's strategy included land occupation and often involved heavy confrontations with the government's armed forces. Corinto and the surrounding towns were and still are at the heart of this land struggle.

The indigenous fight for land peaked with a victory in 1991 when the current Colombian Constitution was passed, as it recognised political and territorial rights for indigenous peoples, including administrative autonomy for the *resguardos*. Despite this progress, the Colombian government is yet to implement demands and agreements reached with the indigenous movement, hence, the struggle continues. All in all, the indigenous

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[5] Sugar cane agrobusiness has been target of environmental criticisms as monocropping has ended diversity and exhausted land in the region.

movement is perceived as a highly active, well organised, compact and politicised actor in the region -and the country- with remarkable abilities to continue their struggle through formalised-institutional and informal-protest means.

Land retrieval and redistribution has not been an indigenous cause only. Afro-descendants and poor *mestizo* peasants have also tried to secure plots of land to settle on since colonial times. They looked for land beyond the territories of the big *haciendas*, but even then, they had to face '*guerras de linderos*' (land boundaries' war), i.e. *hacendados* reclaiming the territories where landless groups had settled, arguing that such territories were part of their *haciendas*. Lacking legal documents to prove their ownership, landless groups only had the options of either becoming *terrajeros* or moving further away in the search of new habitable territories. These episodes multiplied in the aftermath of the Cuban revolution, as the *hacendados* wanted to expand their sugar cane crops to take advantage of the US blockade of Cuba (CNMH, 2013). Historians also found a relationship between land accumulation and partisan violence. Research shows that the 1950s partisan war between the Conservative and the Liberal political parties, '*La Violencia*', was used by regional party chiefs, who were extensive landholders, to grab land from forcibly displaced peasants (Oquist, 1978; Palacios, 1995).

Landless groups expanded the agricultural frontier in their search for distant territories. However, being separated from bigger settlements, these groups were condemned to precarious living conditions: they had reduced access to public services -hospitals, piped water and drainage systems, electricity, schools, roads- and incurred increased costs to sell their products.[6] The situation is not very different today, and the challenges impoverished communities face to protect their territories continue.

Over recent decades, Afro-Colombian and peasant-farmers' territories have been affected by the extractive activities of national and international mining companies supported by the Colombian government, as well as by armed groups involved with illegal mining. Although there is a connection between Afro-Colombians and traditional artisanal mining,[7] communities have strongly opposed large-scale mining due to its detrimental environmental effects. This opposition, however, has brought threats and attacks to the communities and their leaders.

Afro-Colombian communities have tried to use the rights recognised by the 1991 Constitution to protect their territories. The Constitution recognises collective land ownership and limited administrative autonomy for *consejos comunitarios*, the territories of traditional

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[6] As highlighted by Chohan (2020), one of the most surprising elements of this situation is that peasant-farmers in small properties provide more food to the country -under these conditions- than agrobusiness.
[7] They were brought to work as slaves in mines.

Afro-Colombian communities on the Pacific. Afro-Colombian communities in Norte del Cauca, including those in Corinto are associated with ACONC, the *Asociación de Consejos Comunitarios del Norte del Cauca*. They demand their official recognition as *consejos comunitarios* and their property deeds despite not being located on the Pacific coast. By 2019, there are three *consejos comunitarios* in Corinto.

Marginalised peasant-farmers who do not recognise themselves as indigenous people or Afro-Colombians have also tried to use the 1991 Constitution to reclaim territorial rights. Following constitutional dispositions (Art.64), in 1994 the Colombian congress created the figure of *Zonas de Reserva Campesina* (Peasant Farmers' Reserve Zones) as a means to promote the legal collective occupation of fallow land and to support the peasant-farmer economy. The measure, nevertheless, has not been implemented as broadly as expected by the peasant-farmer movement, which has increased the peasant-farmers' demands for implementation (Pérez, 2007; ANZORC, 2011; Chohan, 2020). Currently, there is a *Zona de Reserva Campesina* in Corinto fighting for formal recognition.

Just as with the indigenous and the Afro-Colombian movements, the peasant-farmers' movement is recognised as a strong actor in the region and the country. Their main demands to the Colombian government are land redistribution, and the provision of basic public goods and services -electricity, water and sewer systems, schools, hospitals, roads, housing programmes, agricultural technical assistance– in rural areas. They skilfully make use of protest, both institutional -legal action- and non-institutional - strikes. For instance, in 2012 peasant-farmers' organisations used their seat on Corinto's Planning Council to request the inclusion of projects for peasant-farmers in the municipality's development plan. This was reinforced by a protest in which peasant-farmers filled the town hall and demanded a meeting with the mayor. As a result, their request was finally accepted.

The rural communities' struggle for territorial rights and rural development has been challenging in Colombia.[8] Darío Fajardo (2013, 2014, 2014b) talks about the Colombian state's historical debt to the Colombian *campesinado* (peasant-farming population). Colombian governments (e.g. those of Pastrana, 1970-1974, and Uribe, 2002-2010) have been known for supporting extensive landowners and industrial agrobusiness, rather than marginalised rural communities.

Local governments have not been able to attend to the structural needs of rural communities either. Although the purpose of decentralisation was to bring the state closer to the citizens to improve attention to their demands, the 1986 decentralisation reform has been

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[8] Although the Colombian government has offered loans to peasants since the 1930s, public investment in structural complementary factors for peasant agriculture -e.g. roads, technical assistance, irrigation channels- has been scarce.

described as the transfer of responsibilities without resources from the national to the local governments (Castro, 1989; FIP, 2014). This is especially the case for small, poor, mostly rural municipalities like Corinto –dependent on the national government– whose resources are insufficient to transform the population's living conditions. Poor technical capacity is another important factor in the picture. Civil servants in Corinto and in small municipalities in Norte del Cauca do not have the training to carry out the work that is expected of them (FIP, 2014). All in all, the functions transferred by the national government to municipalities like Corinto do not match the resources and capacities the latter have. Hence, in addition to the cycles of impoverishment and dispossession, communities in these areas see themselves as abandoned by the state.[9]

6.1.1. The multicultural paradox

Indigenous peoples, Afro-Colombians and poor *mestizos* were allies in their fight for land until the last decades of the 20th century, when ethnicity was recognised as a fundamental factor for discussion. Then, multiculturalism and the recognition of differential rights for ethnic minorities transformed the struggle for land in the region, as indigenous and Afro-Colombian communities were granted territorial rights for being culturally different (Nieto, 2019).

Although progressive, the recognition of differential rights based on ethnic identity has brought conflicts among impoverished communities in Norte del Cauca. All of them claim territorial rights, but the land available for distribution is scarce: '*there is not one kilometre of land free for distribution in Norte del Cauca. We would have to build a first and second floor in the region to comply with all the actors' demands for land'*, said a public official about the conflicts for territorial rights in Norte del Cauca to a news journal (Semana, 2017). Such scarcity has fuelled confrontation among land claimants. For instance, in 2011, two indigenous people died during the confrontations over the *Hacienda San Rafael*, a property that the Colombian government gave to indigenous peoples despite Afro-Colombian communities already living on the farm (Valencia and Nieto, 2019). Confrontations between indigenous groups and poor peasants are also common: '*It is infuriating when indigenous people arrive on your land and remove your sugar cane crops, supposedly because that's liberating the land. I also need my land and crops to live. They aren't the only ones with problems*'. These were the words of a female peasant-farmer and victim of the armed conflict, who grows sugar cane for agrobusinesses in the region.

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[9] According to my interviews.

Aware of the channels that differential rights have opened up for ethnic minorities, peasant communities have organised to demand the recognition of the peasant-farmer as a political and cultural actor who should also be subject of special protection by the state. One of their last campaigns was pressuring the Colombian state to include 'peasant-farmer' as a possible identity in the 2018 national census. Their rationale was that once the peasant-farmers were recognised and counted, the government would have to reinforce the policies for them.

Researchers from the Universidad Javeriana and the Universidad ICESI who have facilitated dialogues between indigenous-, Afro-Colombian- and peasant communities have labelled conflicts among these groups as 'multicultural conflicts' (see Valencia and Nieto, 2019). Nieto (2019b) emphasizes that disagreements among these groups do not emerge from the irreconcilability of their cultural differences, as the notion of 'intercultural conflict' may suggest, but from how ethnic minorities and cultural diversity are governed in the country, which, for the Colombian case, would respond to the logic of multiculturalism.[10] In multiculturalist frameworks, previously excluded groups are recognised and granted special legal systems, but how the cultural groups and systems relate are overlooked. The special systems do not talk to each other and do not question the social order of the dominant cultural group (Nieto, 2019b; Walsh, 2005). The dynamics in Norte del Cauca show how problematic this can be: As the form of government overlooks the relationships between the recognised ethnic subjects, indigenous-, Afro-Colombian- and peasant communities end up competing for the rights that the multiculturalist order may offer. Paradoxically, while these three impoverished groups confront each other for territorial rights, the property of extensive landholders in the region remains untouched. The history of land accumulation and cycles of dispossession in the region is acknowledged by social scientists in the country (e.g. Paz, 2002, 2014; Gamarra, 2007; Universidad Javeriana Cali, 2013; Valencia and Nieto, 2019). Yet, the Colombian state remains incapable of challenging landlords and agribusiness, and limits itself to mediate among the demands of peasant-farmers, indigenous people and Afro-Colombians for the scarce remaining land.

6.1.2. 'La marihuana y la guerrilla nacen en la misma parte, en la miseria del pueblo'[11]

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[10] See Walsh (2005) for a more detailed description of the differences between interculturalism and multiculturalism.

[11] In Molano, 2009. 'Marihuana and the guerrilla are born of the same situation -the misery of the people.'

Alfredo Molano, Colombian sociologist and Truth Commissioner, stated in 2009 that the frontiers between *Valle del Cauca* and *Chocó* -Buenaventura; *Cañón de las Hermosas* in Tolima; and the area between Jambaló, Toribío and Corinto in Cauca were areas where the Colombian armed conflict had been most prominent: '*All of them experienced the cruelty of the Violencia in the 50s, the cruelty from the 60s through until today, and the drug mafias*.' Yet, he says, the conflict at the Jambaló-Toribío-Corinto frontier surpasses the other two due to its geopolitical importance (Molano, 2009).

Land dispossession and impoverishment in *Norte del Cauca* set the environment for a leftist armed uprising. Liberal, socialist and communist guerrillas have had important settlements in the region. In fact, the 6th Front of the FARC-EP had a strong presence in the area until their disarmament in 2017. As it connects five departments through the mountains, Corinto is a strategic point: '*Like the Corinth canal links the Aegean and the Ionian seas, our Corinto connects the Magdalena with the Cauca (rivers*)'.[12] Due to its location, the control of the area has been disputed by diverse armed groups.

Norte del Cauca also witnessed the origin and highest activity levels of the *Movimiento Armado Quintin Lame (MAQL)*, an indigenous group named after a notable indigenous leader from early 20th century. Although the movement did not start as an armed group, it evolved to that point to protect indigenous communities from attacks from the public security forces, landlords' private armies, and paramilitaries (Peñaranda, 2010, 2015; Pares, 2016; NASAACIN, 2017).

It is not surprising that Corinto's communities are sceptical of peace processes, as they have seen peace initiatives followed shortly afterwards by persistent war. In 1984 the Colombian Government signed a truce with the M-19 in Corinto while the end to their conflict was negotiated. The truce was broken by the Colombian army and war intensified thereafter. Later, in 1991, Corinto saw the re-emergence of war during one of the most hopeful periods of Colombian recent history: the M-19 guerrilla and the MAQL had signed peace agreements with the Colombian government in a zone close to Corinto. The guerrillas were expectant of the structural transformations that the new Constitution would bring to the country. However, war re-started shortly afterwards in Corinto. The Constitution was passed in July 1991, and in December the well-remembered *Nilo* massacre occurred: the indigenous movement had been developing 'land liberation' activities on a farm called '*El Nilo*' for four years. The landlords invited the indigenous representatives to a meeting to discuss the issue. Paramilitaries together with police officers called in by regional landlords arrived at the meeting and killed 21 indigenous people (Verdad Abierta, 2009; Sin Olvido, n.d.; Rutas, n.d.). This was the beginning

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[12] Former M-19 combatant in Molano, 2009.

of an escalated war in which civil society was trapped in the middle. Landlords with extensive holdings sent paramilitary forces to 'cleanse' the region of social movements and guerrillas. A paramilitary group settled in Corinto in 2000 and stayed until the official paramilitary demobilisation of 2004. Two of the most remembered episodes during this period in the municipality are the 'massacres of Gualanday' in 2001 and 2002, in which 13 and 4 people were assassinated respectively, and the 'massacre of Corinto' in 2002 when 8 people were killed (Rutas, n.d.b; Rutas, n.d.c; Rutas, n.d.d).

The communities, and especially the indigenous movement, have reacted with resistance: in 1994 they created the *Asociación de Cabildos Indígenas del Norte del Cauca* with the purpose of defending the rights of indigenous peoples in the region -Corinto's *cabildo* is affiliated to this organisation (NASAACIN, n.d.). Likewise, by the beginning of the 2000s, the *Guardia Indígena* (Indigenous Guard) gained visibility. The *Guardia Indígena* is composed of members of the indigenous communities who, while unarmed, are charged with protecting the territory and the communities from outsiders' attacks. To avoid being caught in the middle of the war, indigenous communities have asked all the armed actors, including the Colombian army, to stay outside their territories. The Nasa's *Guardia Indígena* inspired Afro-Colombian communities in Norte del Cauca to create their own *Guardia Cimarrona,* which is currently a known actor in the region as well.

Illegal economies add to the panorama's complexity. Given the precarious economic conditions in the region, a considerable number of inhabitants have become coca and/or marihuana growers. According to the Mayor of Corinto (2016-2019), 60%-70% of the municipality's inhabitants depend on the cultivation of these crops (Kapkin, 2017). The municipality is part of the 'golden triangle', the informal name that the mountains of Corinto, Miranda and Toribío have acquired due to the intensive cultivation of high-value, illegal crops there. Moreover, Corinto's marihuana is in special demand on the international market due to its good quality (Guerrero, 2016). However, the communities face problematic aspects of the business: its illegal character, and foremost, the interest of diverse armed groups in controlling the business. As with illegal mining, armed actors and violent repertoires lie behind the economic activities.

6.1.3. Corinto and the 2016 Peace Agreement: civil society is attacked but remains strong

The 2016 Peace Agreement between the Colombian state and the FARC-EP brought an opportunity to improve living conditions in Norte del Cauca. Given the lack of alternative

income, and despite the risks, inhabitants from the region -especially youngsters- frequently engage in illegal activities -illegal crops, illegal mining, joining armed groups- that fuel the armed conflict (FIP, 2014). The 2016 Peace Agreement was an opportunity for change as it assured the disarmament of the strongest armed group in the region, as well as promising rural development and programmes for illegal crop substitution on the basis of an inclusive, bottom-up and participatory approach.

Peace returned to Corinto for a while after the agreement was signed –I was lucky that this timeframe coincided with my fieldwork. In 2017 I gathered testimonies of people who had been sceptical of the peace process but had started to enjoy 'not hearing combat' in the mountains. Their scepticism was understandable: they have lived through a continuous war. Additionally, the peace process had an inauspicious start in Corinto: one of the camps in which FARC-EP combatants were going to disarm and start their transition to civilian life was supposed to be in Corinto. The owner of the plot of land where this camp was going to be located was a peasant-farmer and social leader who was murdered before the DDR process started. The DDR camp was never developed there.

A more peaceful Corinto created opportunities for change as well as discussions about what these changes could be. These discussions were not easy and were heavy with fears of new cycles of dispossession. One of the most heated discussions was about the projects seeking to commercialise marihuana as a legal product for medical use. About 50 marihuana growers from Corinto and surrounding municipalities established the co-operative '*Caucannabis*' for this purpose, and local authorities led by the Mayor of Corinto looked to the national government for support. The scheme offered to them was establishing a partnership with the Canadian multinational PharmaCielo (PharmaCielo, 2017), but the project was not unanimously welcomed: the indigenous Cabildo of Corinto and some peasant-farmers refused to take part in it. The indigenous movement distrusted the multinationals' interest for patenting native seeds and were sceptical about the real possibilities of competing with drug trafficking (Colombia Informa, 2016). Local peasants criticised the fact that the first license to produce medicinal marihuana had been given to an international company, rather than to the local communities who were experienced in growing marihuana and producing its derivatives. Some politicians asked the Colombian national government to invest in community-owned laboratories and infrastructure to help the communities to establish partnerships with national and international businesses under better conditions; however, these voices were not heard (Kapkin, 2017).

These discussions reflect the clashing perspectives through which the national government and the local population envision the region's development. Prioritising

international companies over rural communities coincides with Nieto's (2019) description of the Colombian elite's modernisation project, for whom rural communities are 'uncivilised' and worthless. Although the rural communities' resources are necessary for the modernisation project, they are not listened to or empowered, but are expected to adapt to the world view of white-*mestizo*, urban, and privileged decision makers.[13] Local peasants with whom I talked concur with Nieto's criticism. The partnership with PharmaCielo was confusing for them, as the company treated them as employees rather than partners. They also feared foreign appropriation of their traditional knowledge. One community leader told me that a representative of the multinational company had asked a group of rural women, including her, for their marihuana products recipes: '*They want to take our knowledge to sell it as theirs*', she said.

Once the difficulties in implementing the Peace Accord became visible, the scepticism regarding the peace process returned. Paramilitary groups have threatened leaders from the indigenous-, Afro-Colombian- and peasant-farmer movements, especially those who are demanding the implementation of the Peace Accord. Sadly, this situation is not exclusive to *Norte del Cauca*. The platform *Programa Somos Defensores* (2019) reported that 2018 was the most dangerous year for social leaders in Colombia in a decade, Cauca being the department where most assassinations were committed. The United Nations also found that the most targeted community leaders belonged to ethnic minorities and lived in rural areas. According to the records of the organisation *Indepaz*, 593 social leaders were killed in Colombia between 1st January 2016 and 28th February 2019; 137 of them lived in Cauca department, and 20 were from Corinto. Two leaders who were active on Corinto's Planning Council and Victims' Board had to leave Corinto after receiving threats and an assassination attempt. Surprisingly, neither of them renounced their social leadership. Both continued their engagement with participatory processes in their recipient municipalities.

This is the scenario in which institutional participation develops: historical and structural exclusion, state abandonment, dispossession and impoverishment; armed conflict; illegal economies; multicultural conflicts; a weak local state. On the other hand, it is also the territory of strong and resilient civil society that has mobilised for decades to defend their rights and build social justice. A clear example of this was the 2019 *minga*[14]. The *minga*, which started as a Nasa[15] indigenous mobilisation, was joined shortly after by ACONOC and other Afro-Colombian and peasants-farmers' organisations. Besides showing that these social actors

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[13] This dynamic resonates with the extractive economic system in Buenaventura and the inclusion-exclusion relationship in which the elites' plans include the territory's resources, but in which the population is left out. See chapter five.

[14] A word in Quechua meaning collective work. Also applied for collective action/mobilisations.

[15] Main indigenous group that lives in the region.

can come together regardless of the conflicts among them, the *minga* showed the power of *Norte del Cauca*'s civil society. The *mingeros* closed the main road in the Colombian south-west for three weeks. They demanded the Colombian government comply with previously negotiated agreements; implement the 2016 Peace Accord; and protect social leaders. The *minga* took on a national dimension when grassroots organisations from other parts of the country joined the *Norte del Cauca* protest. Later, in April (2019), all of them joined the *Paro Nacional*, a national strike in which ethnic minorities, peasant-farmers, unions, teachers, students, and feminists, protested against the national government and its development plan proposal. This *minga* and the previous ones reflect the importance of non-institutionalised, civil-society-led expressions of participatory democracy in the area.

Image 6.3. Norte del Cauca's Planning Council's retreat, December 2017. Taken by the author.

6.2. Institutions for participatory democracy in Corinto: how do they work?

I did not find a fundamental difference between the processes within Corinto's Planning Council and its Victims' Board. Their levels of inclusion, decision-making power and democratic learning were alike. The municipality's difficult context had a fundamental role to play in this result: it led to serious problems and worsened the government's (in)capacity to deliver. This, in turn, frustrated the participants' decision-making power within both institutional platforms. In this section I illustrate this in further detail.

6.2.1. Municipal Planning Council

6.2.1.1. Inclusion

Corinto's Planning Council was a relatively inclusive participatory space. There were inclusion flaws and the local government attempted to control the space. Yet these faults were not significant enough to qualify the process as fundamentally exclusionary.

Size helped to determine inclusion. Being a small municipality, social leaders in Corinto 'knew each other',[16] making it difficult to leave any group out of the picture without somebody realising the absence. Hence, in spite of the original document that created the Planning Council in 1995 –Municipal Accord 12/1995– not mentioning groups which are currently active in the municipality, social groups asked for a more realistic composition of the space. The mayoralty agreed with the request and has convened a longer list of groups to make up the Planning Council than those included in the formal institutional design.

Table 6.2.
Corinto's Planning Council Composition.

Corinto Planning Council Composition according to original design		Corinto Planning Council Composition in practice (2016-2019)	
Sector/Social group to be represented	Seats	Sector/Social group to be represented	Seats
Each rural area of the municipality (*corregimiento*)	1 each 6 total	Each rural area of the municipality (*corregimiento*)	1 each 6 total (5-men,1-woman)
JAC Urban area	1	Social sector	1-woman
JAC Rural area	1	NGOs	1-man
Indigenous Cabildo	1	Traders	1-man
Traders	1	Health sector	1-woman
NGO	1	Education sector	1-man
Health sector	1	Sports sector	1-man
Education sector	1	Culture sector	1-woman
Culture and sports sector	1	Productive sector	1-man
		Afro-descendants	1-man
		JAC	1-man
		Peasants organisation	1-woman
		Youth municipal council	1-man
		Indigenous Cabildo	1-man

Source: Produced by the author based on Agreement 12/15 March/1995

Source: Produced by the author based on Decree 12/20 Feb/2016

In this more accurately reflective composition, in use by 2019, there are seats for the 'living forces in the territory',[17] including peasant-farmers, Afro-Colombians and indigenous

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[16] Words of a community leader in an interview.
[17] Expressions used by a community leader interviewed.

peoples (see Table 6.2). Likewise, it recognises Corinto's rural character, which contributes to the space's inclusiveness: Community Action Boards -JAC in Spanish- are one of the oldest forms of community organisation in Colombia. They exist in almost every neighbourhood and *corregimiento* (i.e. the administrative sub-divisions in rural areas) and are the most common connection between government and communities in small municipalities. Hence, giving a seat to each corregimiento is equivalent to geographically covering the entire municipality.

However, in terms of actors there are visible absences: LGBTI groups, victims of the armed conflict, ex-combatants and women are not part of the Planning Council's composition. It must be said that there have been attempts to remedy some of these absences: in 2016, actors involved in the Planning Council election became aware of the reduced participation of women in the space. To compensate for this, they granted the 'social sector' seat to a representative of local women's organisations.

A second problem for inclusion was the local government's attempt to 'over-define' who accessed the participatory space, taking advantage of poor information among social groups. I use the term 'over-definition' because the norms already give the government some power to define who the Planning Councillors will be: the mayors select the councillors from shortlists of three sent by social groups, but they are not supposed to interfere with the candidates' nominations. A participant revealed that he had been informed in advance about his selection as Planning Councillor: '*They told me that three people would be on the list and that I was the one to be elected. [...] The shortlist was chosen by the 'rosquita'[18] of that area*'. In his consideration, his selection had been a 'political move', an expression used to refer to politicians' opaque actions, usually related to electoral politics and personal interests.

The local government's interest in having their own people on the Planning Council reached the point of including public officers: the hospital's managing director was selected as a representative of the health sector and was later chosen as the Planning Council's president, a situation which opposed the premise of civil society empowerment, which is at the foundations of participatory initiatives. The limited public information that the local government provided about the Planning Councils, and how they should be formed, contributed to this situation.

The local government actions to 'over-define' the Council's composition, although limited,[19] affected the Planning Council's inclusiveness, reduced opportunities for other people

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[18] 'Rosquita' or 'rosca' is a colloquial word to refer to a reduced, close group or circle of people who receive privileged access to spaces, goods or services due to their belonging to such a group.
[19] The local government can only change up to half of the Planning Councillors, or these who are inactive. Representatives of peasant-farmer-, Afro-Colombian. or indigenous organisations were not chosen by the mayor but by the organisations directly. Additionally, in a small municipality like Corinto local public servants are not distant from the rest of the population: some public servants had previously been community leaders.

to join the institution and prevented critical participants from presenting positions that dissented from that of the local government. For Planning Councillors coming from well-established social movements and who were critical of the local government practices, the representativeness and legitimacy of the Planning Council had been fractured: '*how is it possible that a space for civil society is presided over by a public servant?',* insisted one of them.

At least two more factors affected the representativeness of the Planning Council: first, the lack of young people. Except for the indigenous groups, all other active participants in the space were mature leaders, those '*who always had been in the struggle*'. Second, participants who had initially been active, reduced their appearances at the institution after some months. Meetings were attended by about 11 or 12 people, of whom six were constant; representatives of the indigenous and peasant-farmer movements, some of the strongest in the region, were also intermittent attendees.

Regarding the other two indicators of inclusion, my fieldwork led me to conclude that there were no critical exclusions based on differential treatment or asymmetrical languages among the participants, or among them and the representatives of the state. I did find asymmetries among the participants and a third actor in the space: representatives from an international development agency who worked as facilitator of the process. This was not uncommon. NGOs and international organisations often offer their services as technical advisers and mediators between civil society and local governments for specific participatory processes. Their offered support often includes resources to cover the costs of activities and materials. This kind of contributions are significant for small municipalities; hence, mayoralties and civil society use to accept the offer. In this case, although the third actor was not a formal part of the Planning Council, it did acquire an important role in the space.

In *The Professionalization of Public Participation,* Bherer, Gauthier, and Simard (2017) pointed out the importance of observing the role of third-party actors in participation processes: despite being neither civil society nor the state, they can affect participation and its results. One of the ways in which this third party affected the Planning Council dynamics was by positioning its voice as central throughout the process. They projected themselves as 'guides' and ended up, unintentionally, inhibiting participants from presenting their own ideas and opinions. In a session in which the Planning Councillors should draft a report about the mayoralty's performance, the development agency representative asked the Planning Councillors if they agreed with a document she had produced. The answer, to my surprise, was a stoic '*you are the one who knows how to do things after all*'. The facilitator had built a directive rather than supportive role and created a hierarchical structure based on the epistemic and language asymmetries between the participants and herself.

All in all, despite these problems, there is no doubt that the Planning Council created an advocacy space for grassroots and underprivileged actors: community leaders from *corregimientos*, peasant-farmers, indigenous people, Afro-Colombians and rural women. Their social and political work was based on experience rather than on formal education. Their income was low and depended on mostly manual labour: small-scale farming, pensions from sugar-cane farms, the services sector (bakeries and small groceries shops). Two of them, peasant-farmers, told me they had to wake up at 4:00 a.m. to work on their crops before attending the Planning Council meetings because they could not afford to lose a day of work. The mayoralty and the development agency paid for the travel expenses of the Planning Councillors coming from the mountains. Despite the sacrifices, about ten people attended every meeting. This showed their commitment and interest in public issues.

6.2.1.2. Decision-making power

Decision-making power was virtually absent in Corinto's Planning Council. This level of power was determined by the local state's weakness and scepticism, an unresolved issue of political will towards the participatory institution, and the ways in which the third-party actor (the development agency) supported the process.

The state weakness had to do, firstly, with limited financial resources. Given its size and -lack of- capacity to generate income, Corinto is dependant on transfers from the national government. In 2019, Corinto's budget was USD$7,777,941, of which 82.6% came from the national government. Of this 82.6%, 94.6% was already specifically earmarked (Decree 096/2018). A second factor contributing to state weakness was the lack of coordination between the offices that should resolve citizens' requests. For example, on one occasion the Planning Councillors requested the mayoralty install speed barriers and mark a dangerous curve in one of the main roads into the town –it was close to a school and more than 10 people had died there over recent years. The mayoralty rejected the request and explained that the road was not part of its jurisdiction but the provincial government's; it did not offer any kind of liaison with the latter. On another occasion the Planning Councillors asked for improvements in the water and sewerage services for certain areas in the municipality. The request was presented to Corinto's public drainage and sewerage company. The company did not accept the request because the listed areas were outside Corinto's urban perimeter, and it was forbidden from acting in rural areas. Investing in the rural areas should be done directly by the mayoralty, but the company's manager refused to pass on the request as he suspected that the mayoralty could not afford the improvements. For the Planning Councillors, it was difficult

to understand why this was the case in a municipality where the majority of the population (and the most vulnerable) live in rural areas.

To scarce resources and lack of coordination, must be added the local officers' scepticism regarding the changes they could effect. Financial limitations, the complexity of the problems in the municipality, and the municipality's peripheral position for the national government were very present in the officers' interactions with the participants and determined the formers' answers to the latter. After being told that the dangerous curve request could not be handled, the Planning Councillors insisted and asked the mayoralty to pass the requirement to the provincial government. '*The letter is not going to make any difference. The gobernación (provincial government) won't do a thing*', said the local officer in charge. A second officer agreed with him. Reluctantly, they accepted to send the petition to the provincial government. However, the Planning Councillors neither received notification of the letter's delivery nor a response to it.

This example portrays the obstacles to the Planning Council's decision-making power. The lack of responsiveness in Corinto was based on lack of money, poor administrative coordination, but also on the disbelief that it could have an impact, which necessarily affected the officers' efforts to deliver what was requested from them. For some officers, the Planning Councillors were a group of unrealistic people who asked for things that could not be done but added unnecessarily to their workload. Meanwhile, the Planning Councillors understood their own participation completely differently: their task was to influence the mayoralty's decisions, and to improve living conditions in Corinto.

It must be noted, nevertheless, that this poor political will towards the Planning Council was not uniform from all officers: some maintained that the Planning Council's inputs helped to improve their work. Others acknowledged that they should liaise with the Planning Councillors because it was '*the legal thing to do*'. The presence of the development agency in the participatory space may also have influenced this: officers had received 'training' on participatory democracy and its importance. The agency was funding projects in the municipality, increasing the mayoralty's incentive to go along with the agency's suggestions, which included listening to the Planning Council. In the example above, the two reluctant officers agreed to send the letter to the provincial government on the insistence of these third-party actors, not before. When the meeting ended, the officer in charge made a joke about it: '*you –addressing one of the third-party actors– gave me more work to do!*'

Influence of third-party actors on political will and abilities to present demands: infantilising participants.

Having a strong third-party actor supporting the participation process influenced the officers' political will. The mayoralty's Planning Officer convened the local cabinet for meetings with the Planning Councillors whenever the development agency requested it. The cabinet members welcomed the Planning Councillors in their offices when the representative from the development agency –or I– was with them. They could not risk jeopardising their relationship with this supportive ally.

The development agency also influenced the participants' abilities to present demands: it offered training on legislation and organisational tools; it proposed activities to help them comply with their functions and it carried them out with them. One of the most interesting of these activities was '*la toma a la Alcaldía*' (the mayoralty's takeover), in which the Planning Councillors presented themselves at the cabinet members' offices without any previous appointment to ask about the execution of the parts of the municipal development plan that the cabinet member was responsible for. Through this action, the Planning Councillors had the chance to familiarise themselves with the municipality's development plan; ask as many questions as they liked about its implementation; and give feedback on how the communities perceived this implementation.

Image 6.4. Impromtu visits to cabinet members' offices. Taken by the author.

Image 6.5. Impromtu visits to cabinet members' offices. Taken by the author.

The influence of the third-party actor however, was not entirely positive. The development agency took a central position in the participation process, both in the local government and the participant's activities -so much so that the Planning Officer refused to convene Planning Council meetings if the development agency was not attending. '*How is it possible that they oppose having a meeting without the person from [development-agency]*?' one upset Planning Councillor asked me. The situation was unacceptable for participants coming from experienced social movements. As of one of them put it: '*I do not oppose [the development-agency] being in the process, it is important they take part. I disagree with the fact that they are the motor of the Planning Council. The motor should be us, civil society*.'

Indeed, the most experienced participants had enough reasons to dissent from the role of the third-party actor. The way in which the role was performed had created a hierarchy based on differential languages and knowledges. The development agency had the technical knowledge; hence, it had come to 'teach' the planning councillors 'how to participate'. The agency became an actor who determined what was said, decided, and done in the space, sometimes infantilising the participants in its 'teaching' approach. Instead of adapting to or building upon the locals' knowledge, the development agency overrode the participants' understandings and forms of participation:

> '*Yes, the mayoralty's takeover is a good idea, but we are not doing what we did before they* (the development agency) *arrived. We managed to convince the former mayor to meet us every time he was going to launch a new project. There was no project in Corinto that had not passed through us first. That is something we achieved ourselves. Is that happening now? No.*'
>
> Participant from an experienced social movement.

The most experienced participants also pointed out that they felt discouraged to openly oppose the government in the participatory space or to propose public actions - protests- as, in their opinion, the development agency was too close to the local government. For sure, and in spite of the contentious tradition of social organisations in Corinto, the development agency's approach to participation was more 'dialogical' than 'contentious'. One of the most critical participants described the Planning Council as an 'institutional' rather than a civil-society space. She had reduced her attendance at the Planning Council meetings for this reason:

> '*We, the Planning Councillors, are not coming together as a group, all fighting for the same cause, for the people. The Planning Council is now an institutional space, leaning towards the institutions' interests. [The development agency] establishes what we do, the president is a public servant and she does not even attend the space anymore! I'm not wasting my time there, there are other spaces and other ways in which we* (referring to the grassroots organisation she belonged to) *can achieve our goals'*.

Her conclusion reflected the mixed nature of the participatory sphere -the space in which participatory processes are located (Cornwall and Coelho, 2007): the sphere is in-between the civil-society sphere and the sphere of the state. What the quoted Planning Councillor was trying to say was that Corinto's Planning Council was closer to the state than to civil society.

Image 6.6. Planning Councillors–Local cabinet meeting. Taken by the author.

Image 6.7. Planning Councillors–Local cabinet meeting. Taken by the author.

Resembling Christensen's (2018, 2019) findings in Australia, in Corinto I saw how facilitators -the development agency- bring their own agendas to the participatory process and how these prevailed over civil society's interests and rhythms. This was one of the episodes that surprised me the most during my fieldwork: Colombian legislation establishes that every six months, Planning Councils must present a report about the implementation of their municipality's development plan. The development agency proposed using the information gathered during the 'impromptu' visits to cabinet's offices to write such a report. One of the Planning Councillors, a peasant-farmer who lived in the mountains, had no previous experience in participatory processes and had not received a secondary-school education, prepared a draft of the report from his handwritten notes: he came down from the mountains to the municipality's urban perimeter, borrowed a computer, and wrote the draft. He gave this draft to the development agency facilitator, who had also asked me for my notes. At the next session, the facilitator presented an advance draft of the report to the Planning Councillors. It was based on my and her notes. She did not use, nor present, the aforementioned Planning Councillor's draft. She asked the Planning Councillors whether they agreed with the content of this new draft. They mostly agreed but raised some questions and comments to include in the document. One of the participants asked to include an element that was a criticism of the local government. The facilitator explained why this element should not be included -and it was not included. The participant's unenthusiastic reply was: '*you are the one who knows how to do things after all*'.

The meeting ended up with the report being approved, printed and officially sent to the Mayoralty. The facilitator took a picture of the Mayoralty's acceptance stamp. She was pleased: the delivery of the report was part of their performance goals and she had to prove that week that she had accomplished them. Although the 'impromptu' oversight-visits to the cabinet members had been carried out collectively, the report was produced by the facilitator without taking the participants' inputs into much consideration. A more inclusive and collective production of the report could have taken longer; however, the facilitator's deadline prevailed over the empowerment of the participants. In this episode, the report had been a pantomime of participation and left participants with the idea that they could not write documents on their own. On the other hand, the development agency facilitators did not realise that, despite their good intentions, they were not empowering the participants, nor recognising their priorities and ability to interact with the state. The third-party actor instead, was indirectly imposing its version of participation. This created dependencies for the less experienced Planning Councillors, and imposed restrictions on the most experienced ones.

All these factors determined the low responsiveness obtained by the Planning Council during the year I accompanied them. Table 6.3 shows some of the requirements that the Planning Councillors presented to the mayoralty in August 2017 as part of their biannual report about the municipal development plan implementation. On 7th November, the municipality was impacted by a flood, which delayed the mayoralty's responses to all citizens' requests. However, by January 2018 the Planning Council had not received any response to their report or their requests. As stated above, Corinto's decision-making power was next to nothing.

Table 6.3.
Excerpts of the Planning Council's August 2017 Report–Recommendations section.

Recommendations for the sports sector	Local government's response as regards the recommendation by January 2018
The mayoralty needs to organise more sports events in the rural areas of the municipality. Most of the budget is being invested in the urban area. Another option is organising mixed events with urban and rural population.	No answer.
Recommendations for the community development sector	Local government's response as regards the recommendation by January 2018
There are communication problems in keeping the community informed about the different calls organised by the mayoralty. We think that the mayoralty needs to keep informing the community by physical letters. Otherwise, the community leaders will keep missing meetings they need to attend. Mobile phone calls do not work, especially for rural areas.	No answer.
It was good that the local government supported the Community Action Board's (JAC) election. However, continuous support and training are also needed to make these spaces sustainable. The	No answer.

municipality needs strategies to build awareness about the importance of participating in these spaces, to motivate young people and renew social leadership. We suggest using cultural and sporting activities to promote new leadership.	
Recommendations for the culture sector	**Local government's response as regards the recommendation by January 2018**
The local government must define, with the communities, what is understood by 'differential-' and 'ethnic approach'. Otherwise, the development plan's goal of developing fostering cultural and artistic formation with a differential approach in six schools won't be met.	No answer.
Recommendations for the housing sector	**Local government's response as regards the recommendation by January 2018**
We ask the local government to show the requests that it has presented to the national government to bring housing projects to Corinto, as well as the results of these requests.	No answer.
Recommendations for the vulnerable groups sector and programme for the protection of victims of the armed conflict	**Local government's response as regards the recommendation by January 2018**
The local government is not developing actions to comply with the goal of designing four strategies and a protocol to prevent the forced recruitment of boys, children and teenagers by armed groups. We asked the local government to start these actions and to look for possible funding from the provincial and the national government.	No answer.

Source: Produced by the author based on the Planning Council's biannual report.

6.2.1.3. Democratic learning

There were no consistent results regarding democratic learning within Corinto's Planning Council, as not all indicators of the development of democratic tools and values delivered positive results. The experiences of participants (coming) from social movements and community organisations on the one hand, and inexperienced participants on the other, were substantially different with regards to the 'active citizenship' and 'accumulated training' indicators. Experienced participants had been highly 'active citizens' before being Planning Councillors; for them 'the public', the decisions affecting their territories, were exceptionally important. They sought to ensure their livelihood and oppose social injustices, including attacks from the state. Yet, I found evidence of Pateman's (1970) hypothesis about the educational effects of participation:[20] Planning Councillors who had not previously been engaged in participatory processes grew interested in public issues and developed 'active citizenship' during their involvement with the Planning Council: '*One doesn't realise the importance of*

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[20] Participation does not only increase civil society involvement in public decision-making but produces better citizens.

these topics until one is here… One doesn't know before, really', told me one of the 'non-expert' Councillors.

Something similar happened with the tools acquired by accumulated training: while the workshops and other activities at the Planning Council were important training opportunities for less experienced participants, these activities were less significant for more experienced Planning Councillors. Yet, all my interviewed planning councillors agreed that '*one always learns something*' and that acquiring more knowledge prompted engagement with public issues -that is, active citizenship:

> '*You have to receive training. It is very difficult for people to participate if they have not been trained. There is only one thing you gain for sure from this kind of processes: you learn something, and that is valuable*'.
>
> Planning Councillor from an Afro-Colombian community.

The results, nevertheless, were not entirely positive. The facilitators' style restricted further opportunities for training and empowerment of unacquainted participants, especially with regards to more contentious repertoires involving non-institutional expressions of participation (e.g. protests). The withdrawal of the most experienced and politicised Planning Councillors from the space reinforced this effect.

The challenges for developing dialogical pluralism and a sense of collectivity within participatory institutions in Corinto were significant, given the multicultural conflicts in the area. The Planning Council did little to improve the situation, as it did not offer incentives to promote frequent encounters and mutual understanding between diverse actors. The fact that representatives of powerful social movements –indigenous, Afro-Colombian and peasant-farmer- were not constantly attending the participatory institution prevented the Planning Council from becoming a space with fluid dialogues between different social groups. Yet, participants acknowledged the need for this kind of 'dialogical' space. These are the words of an Afro-Colombian Planning Councillor at the end of a two-day training retreat with other fellow Planning Councillors from Corinto and the region:

> '*These days with you all have reminded me that we can agree on things. And *that* is what we need. Often, we fight among ourselves in our territories. What we must do instead is come together and take our region forwards*'.

Plural dialogues and fundamental consensus among Corinto's social groups happened, occasionally, in other scenarios (see Valencia and Nieto 2019), not the Planning Council.

6.2.2. Victims' Board

6.2.2.1. Inclusion: struggles for access, legitimacy problems and corruption

The participatory process of Corinto's Victims' Board was not inclusive but could not be classified as fully exclusionary either. While some factors severely undermined the inclusiveness of the participatory institution, others buttressed it.

Violence against social leaders is the principal and most worrisome factor undermining inclusive access to Corinto's Victims' Board. During my fieldwork, I started hearing stories about an active member of the Victims' Board who had left Corinto. She helped victims of the armed conflict to be recognised and assisted by the Colombian state, and disseminated the content of the 2016 Peace Accord in Corinto's rural area. The participant and her partner, who was also a community leader, were victims of an assassination attempt at their home (Álvarez, 2016). I gathered more stories like this one during my fieldwork: another member of the Victims' Board and the Planning Council had also received threats and was being persecuted. This person left Corinto one year after my fieldwork for security reasons.

The second factor impairing inclusiveness in the Victims' Board was politicians' interests in having people close to them in the space. I was told that a local politician had asked victims of the armed conflict to create victims' associations to participate in the first Victims' Board election back in 2013. Until 2013 there had been only one organisation of victims of the armed conflict in Corinto. Two more were created just before the election. This sudden multiplication of associations raised questions about their legitimacy and representativeness of these new actors: Whom were they representing?

Two established community leaders were sceptical about the capacities of the new associations' members to create an association by themselves. They told me that these new members were inexperienced in community work, did not know the national policy for the reparation of victims of the armed conflict and some were illiterate: '*They were instrumentalised. They were easy to manipulate by the politicians who set them up*'.

The topic emerged again in 2017: two of the participants who had allegedly been 'instrumentalised' in 2013, and who had developed a strong interest in the participatory process, presumably parted ways with the politicians who had convinced them to take part in the 2013 election and created their own victims' associations. Before the 2017 election these two participants denounced that the same politician and a civil servant were convincing people to create more associations to take part in that year's Victims' Board election. The two

participants, who knew how the politician had played her cards in the past, feared losing their seats on the participatory institution. This dialogue took place before the 2017 election:

> *- Participant: You don't have to lie. We know about the meeting you had with [politician] to create all these new organisations because you don't want us leading the Victims' Board anymore. It isn't right that you're carrying out secret meetings to influence the elections. You are plotting to have us voted out!*
> *- Civil servant: I am not a liar, what you say isn't true. My job involves helping people to create associations if that's what they want. I'm following the law. I can't deny them my support.*
> *- Participant: But you cannot have secret meetings with a politician to play a part in the elections! The woman from the new association told us that [politician] had asked her to sign a form, the form to create associations. She didn't know a thing about the Victims' Board, nor the name of her own association. She is supposed to be the head of that association and doesn't know the name of it? [politician] and you are using her. There aren't conditions for a fair election.*
> *- Civil servant: That's a lie, and even if it were true, how different would it be from the way in which you got involved with the Victims' Board for the first time?*

Why were a politician and a public officer so interested in the Victims' Board? The unconfirmed answers I gathered were crime and money. Twelve people informed me about three public servants who had allegedly scammed victims of the armed conflict in Corinto. The Colombian policy for victims of the armed conflict includes cash transfers for those victims who have been forcibly displaced. The money is meant to help with sustenance expenses until the victim is financially stable again. According to the accusations, the three public servants had been claiming victims' cash transfers and keeping the money for themselves, which was relatively easy, given the rural victims' lack of information and education. One of the mentioned public servants had been dismissed from his position by the beginning of my fieldwork; however, there were no legal proceedings against him. The other two, still in office, were presumably trying to prevent critical voices from raising further accusations. This could explain their pretended interest in bringing 'their people' onto the Victims' Board: having people close to them in the institution left fewer seats for more experienced and more critical social leaders. Additionally, they may have been interested in potentially forthcoming resources for victims of the armed conflict. My third hypothesis is that having people on the Victims' Board was electorally useful for them.

If the accusations were true, these data not only tell a story of two powerful local actors restricting access to a participatory institution; they reveal a bigger picture about the weakness of the state in peripheral areas. The weakness is such, that presumably criminal public servants are confident that nothing will happen to them. It is also a story of how the logic of the state is

understood in places like Corinto. Instead of improving the living conditions of vulnerable people -victims of the armed conflict- representatives of the state were taking advantage of them. This conclusion came as no surprise to my sources.

Asymmetries within the Victims' Board

The inclusion problems with the Victims' Board continued after the election, building upon the situations described above. Given the inexperience, poor education and shyness of most participants, few voices stood out among the group. The strongest voices came from community leaders affiliated to the peasant-farmer- and indigenous movements, whose attendance was intermittent,[21] and four participants who had joined the Victims' Board under the guidance of the aforementioned politician, but who had become independent of her. Apart from these strong voices, all other participants, although present, were not really active in the dialogues.

By the year of my fieldwork two participants were leading the process. Yet, their style was not popular with all the other participants. A particularly critical voice argued that there was a 'dictatorship' in the institution as everything had to be done according to the Victims' Board's main leaders. Declaring that he was *de-facto* excluded, this critical participant announced he was abandoning the space.

Additionally, I gathered testimonies about exclusionary practices by a public servant -who must act in support of the Board- against a participant coming from a well-established social movement. Uncomfortable with the participant's inputs, he interrupted her, and once asked her to stay silent. The public servant did not explain his behaviour. The participant, however, suspected that it had to do with her closeness to leftist social leaders, including those who had been investigating the scams against victims of the armed conflict, in which the public servant was allegedly involved. '*I suppose he feels threatened by me, my work and what I may say*', she told me. What was certain is that the exclusionary practices, although short-lived, were permeated by the power imbalance between him, a public servant and state representative, and her, a grassroots social leader.

Lastly, it is noteworthy that, as usual for small rural municipalities in Colombia, Corinto's Victims' Board did not count with participants from the LGBTI community nor victims of sexual violence; the issues may remain taboo in this kind of territories (compare with Ramírez-Montenegro, 2015).

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[21] One of them had to leave the municipality. All of them were women.

Not completely exclusionary after all

Image 6.8. Victims' Board session, June 2017. Taken by the author.

None of these attacks on inclusion were completely successful; to not report this would be to ignore the strength, sense of community and resilience of Corinto's civil society. None of the leaders who left Corinto due to personal security concerns stopped their community work for victims of the armed conflict. They continued with their activities with the support of the recipient communities. Politicians did not manage to exclude critical voices from the Victims' Board. Despite their actions, candidates from all victims' associations were elected as participants to the Board; no one was left out. When the divisions within the Victims' Board were at their peak, and some members announced their intention to resign, more experienced participants appeared as mediators on the premise that everyone should be in the space: '*this process is for all of us*', they said. Likewise, Board members stood up in support of the participant censored by the local ombudsman. The episode did not occur again during Victims' Board sessions; at least not during my fieldwork.

Finally, another telling factor regarding inclusiveness in the Victims' Board was the participants' profile. Despite three of them having certain superior status for being '*financially prosperous*' -having a stable job and/or a source of income[22]- all other participants were from

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[22] Note that we are not referring to rich people, but to citizens who own a couple of neighbourhood bakeries or have started a home-made food restaurant and own their house. It only seems abundant in comparison to the scarcity of other participants.

the grassroots, and their low-income and manual-labour occupations reflected Corinto's socio-economic panorama: smallholder farmers, artisan milk and cheese producers, butchers, cooks at home-based informal restaurants, homemakers, day workers at sugar cane farms, upholsterers. The most 'financially prosperous' participants were two schoolteachers and the owner of two bakeries in town. Additionally, women's voices were strong among the group: four of six people leading the process were women, including the Board's coordinator. Table 6.4. shows the composition of the Victims' Board in Corinto before and after the 2017 election.

Table 6.4.
Corinto's Victims' Boards composition

Represented group	Available seats	2015-2017	2017-2019
Victims of crimes against life and freedom (e.g. homicides, massacres, kidnapping)	2**	1-woman, 1-man	1-woman, 1-man
Victims of crimes against physical and psychological integrity	2**	1-woman, 1-man	1-woman
Victims of sexual violence	2**	no candidates	no candidates
Victims of forced disappearance*	2**	not yet introduced	2-women
Victims of anti-personnel mines, unexploded ordnance, improvised explosive devices*	2**	not introduced yet	no candidates
Victims of forced displacement	8**	4-women,4-man	3-women,3-men
LGBTI victims	1	no candidates	no candidates
Women	1	1-woman	1-woman
Youth (18 to 28 y/o)	1	1-woman	1-woman
Seniors (60+ y/o)	1	1-man	1-woman
Victims with disability	1	1-man	1-man
Indigenous communities	1***	1-man	1-woman
Traditional Afro-Colombian communities	1***	1-woman	1-woman
Romani communities	1	no candidates	no candidates
Victims' rights defender organisations	2	1-woman (indigenous organisation)	no candidates
Total	28	19 members	17 members

Introduced in 2016 by Resolution 1281
**At least half of them must be women
***Appointed by their traditional authority
Source: produced by the author based on Resolution 0388/2013 and Victims' Boards composition.

6.2.2.2. Decision making power

Table 6.5. shows the topics raised by the Victims' Board members to the state and the responses they obtained during the year of my fieldwork. As the reader can see, responsiveness was low.

Table 6.5.
Corinto's Victims' Board requests 2017.

Request	Response status by December 2017
The participants requested a socio-economic and mental health study of children who were victims of the armed conflict attending the municipality's schools	The municipal education secretary promised to fulfil this task. However, it is uncertain if he complied with it. The Victims' Board did not follow up.
The participants presented their recommendations for the annual plan for assistance, attention to, and reparation of the victims of the armed conflict.	The participants were told that some recommendations were accepted but this was not officially confirmed.
The participants requested the recognition of their 'participation incentives' (payment of half working day for the days on which they meet)	No answer.
The participants asked the provincial and the national government for financial resources to support reparation of the victims of the armed conflict in Corinto.	Answer pending.
The participants demanded the continuation of the mental health programme for victims of the armed conflict in Corinto in 2017. The national government is responsible for the programme.	Answer pending.
The participants evaluated the programmes for assistance and attention to victims of the armed conflict in Corinto, in the hands of the national government, and demanded their improvement.	Answer pending.
The participants requested of the local and provincial government a programme for supporting micro-projects to generate income.	Local government argues lack of financial resources, and provincial government offers training to formulate micro-projects without start-up capital. The capital may arrive in future years.
The participants requested a general assembly to inform the community about the humanitarian de-mining processes going on in the municipality.	Assembly convened.
The participants asked the company in charge of the humanitarian de-mining processes to speed up the destruction of explosive devices found in the municipality.	Positive response received.
The participants requested a study of the victims of the armed conflict in the municipality.	Mayoralty's approval pending.

Source: Field research data.

The decision-making power of the Victims' Board participants was weaker than their inclusion. There were problems with all the indicators in this analytical category. However, the main cause of the power deficit was the different form in which state representatives and participants understood the participatory process and its purpose.

Problems with the state

To begin, the local government had a poor understanding of the national policy for the assistance and reparation of victims of the armed conflict. For them, the policy was not a comprehensive attempt to improve security, the psychological and socio-economic conditions of those afflicted by the armed conflict. Implementation of the policy in Corinto was reduced to an annual fund of USD$6,062 which should cover: food baskets offered to forcibly displaced people; commemorative public acts; and the costs of the Victims' Board sessions –legally established logistics and stipends. When I asked the officer in charge about the programmes to prevent recruitment of minors by armed groups, mental and physical health, inclusive education, housing, and economic start-ups -all included in the national policy for reparation of victims- he looked at me with surprise and confusion. He did not know these elements were part of his responsibilities. He excused himself explaining that he was new in the position and that had not received any training for it. The officer before him had been removed after being accused of carrying out scams against the victims he was supposed to assist; he had not left any records of the work he had done and was unreachable to answer questions. Corinto was a crude example of the weakness of the local state in peripheral Colombia.

Certainly, implementing a policy to assist, offer reparations to victims, and avoid repetition of violent acts in a context like Corinto's is challenging: Financial resources are scarce and the armed conflict is ongoing in the area. Local civil servants declared themselves sceptical about their capacity to successfully face the problems of the context. The local government's poor technical capacities made the task even more difficult: local officers ignored the existing procedures to request the support of the provincial and national government. Additionally, the new officer in charge had limited time to perform his duties. He was also in charge of two cash-transfer programmes for low-income families and the elderly in need. These two programmes not only reduced the attention he gave to the policy for victims, but also contributed to picturing the latter as a third '*asistencialista*' programme limited to occasional aids for a specific group of people.

All these problems conditioned the way in which the state representatives saw the Victims' Board process. The participants' demands seemed unrealistic and indefensibly expensive in their eyes. The officers were particularly reluctant to cover the expenses of the Victims' Board sessions, despite this being a legal requirement: '*How are we going to cover all that? And their expenses, do they want to get all the victims' money? They're going to leave all other victims in Corinto without money!*', one of the officers told me. The mayor's deputy agreed.

Problems concerning the participants

In addition to the local government's understandings of the policy for victims and the Victims' Board, elements regarding the participants contributed to the latter's lack of decision-making power. The most skilled and experienced participants, those trained within well-established social movements, did not constantly attend the Victims' Board meetings. They were demotivated due to the local government's lack of responsiveness towards the participatory institution, or worse, pushed away by armed actors.

The two constant and most prevalent voices in the space were still inexperienced and ineffective in their interaction with the government: being recognised as valid interlocutors by the state and by cooperation agencies was important for them and was one of their main demands. Nevertheless, they had problems with prioritising goals, fully understanding the implications of the topics under discussion, sending formal requests to the state and tracking them down. On one occasion, one of these leading voices attended a meeting with a military officer from the Colombian Army. The topic of the meeting was substitution and eradication of illicit crops. The military representative irritably expressed his discontent with having civil-society participants in the meeting. The Victims' Board representative politely defended her right to be there. Nevertheless, intimidated, she ended up supporting the military's intervention in favour of forced eradication without realising the implications of this position.[23] For decades, rural communities in Corinto have opposed forced eradication and asked for comprehensive programmes for substituting illicit crops. The episode made it evident that weak participation is functional to legitimising unpopular state decisions. The less-experienced participants had much to learn. Additionally, peer Victims' Board members were uncomfortable with the leadership style of the leading-participants. The participant who announced his resignation from the Board accused the two leading voices of being in a quest for prominence and control of the space; he wanted to be the leader himself. More experienced participants coming from social movements described the two leading voices as prone to line up with '*pro-government*' perspectives, and consequently '*very institutional*'. They also criticised the leading voices for not prioritising the problems of most marginalised victims: '*They don't have any (economic) worries, that's why they don't care as much*', one of them said. '*They were not fighting for what they should be fighting*' and this explained, in their opinion, why the Victims' Board process was not coming to fruition.

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[23] Marihuana and coca growers have opposed forced eradication of their crops as they are their main source of income. Programmes for comprehensive and voluntary substitution of illegal crops have more acceptance.

6.2.2.3. Democratic learning

Image 6.9. Workshop with Victims' Board participants, April 2017. Taken by the author.

As per the last aspect of the process, the experience of Corinto's Victims' Board shows that some democratic tools and values are easier and faster to learn than others. The Victims' Board in Corinto confirmed Pateman's (1970) premise on citizenship activation -citizens develop interest in public issues and in participation when they experience participatory processes- : The participants who had been brought in by external actors -perhaps in an act of manipulation- developed a high interest in the participation process and decided to invest their time and energy in it. After some months they were attending additional community meetings and demanding to be informed about further public issues discussed in Corinto.

The results of accumulated training were positive but limited. Undoubtedly, participants -especially those for whom participation was a new experience- increased their knowledge about the state, policies, and participatory democracy as they advanced in the process. They were learning from their interactions with the state and from the support offered by third-party actors like me. Yet, the regular absence of the most skilful and critical members of the Victims' Board necessarily implied that the remaining participants could not learn from the latter's experience, at least not in that space.

These absences also affected the possibility of making of the Victims' Board a space for pluralist conversations among all relevant voices in the municipality. Likewise, the discontent with the leading voices on the Board prevented the participants from building a sense of collectivity among all of them. All in all, the Victims' Board was not (*yet*?) the participatory

institution for mutual understanding, arrived-at consensus and collective action pictured by institutional designers. It was still a work in progress.

6.3. Comparison and conclusions: did the Victims' Board perform better than the Planning Council in Corinto?

What do these results tell us? Did the institutional design of the Victims' Board improve the performance of this institution in comparison with the Planning Council? The case of Corinto gives us a straightforward negative response to this question.

Both units of analysis, the participatory processes at the Planning Council -the first-generation institution- and the Victims' Board -the second-generation institution– revealed similar deficits in every analysed aspect. Both participatory processes faced threats from armed groups and from politicians, which infringed upon their inclusiveness; likewise, both institutions were dominated by strong voices while others' were minimised (equality of treatment). Both processes had very limited decision-making power due to the government's lack of responsiveness, and the flaws in the participants' strategies for presenting demands. In both units of analysis, the participatory purpose of being a school of democracy was detrimentally affected by the absence of the most experienced social movements at the table. Table 6.6 summarises the comparison between both processes.

Table 6.6.
Corinto: Comparative analysis summary.

Categories of analysis	Indicators	Planning Council G1 Participatory Institution	Victims' Board G2 Participatory Institution
Inclusion	Access	≈ *Positive cross-cutting factors:* • Relationship with non-institutionalised participation *Detrimental cross-cutting factors:* • Relationship with representative politics • Relationship with Colombian armed conflict	≈ *Positive cross-cutting factors:* • Relationship with non-institutionalised participation *Detrimental cross-cutting factors:* • Relationship with Colombian armed conflict • Relationship with representative politics
	Representativeness and legitimacy	≈ *Detrimental cross-cutting factors:* • Relationship with representative politics	≈ *Positive cross-cutting factors:* • Relationship with non-state, institutional actors
	Treatment	+	-
	Language	-	+ *Positive cross-cutting factors:* • Relationship with non-state, institutional actors
	Understandings	=	=

Decision-making power	Resistance	=	=
	Abilities to present demands	= *Detrimental cross-cutting factors:* • Relationship with representative politics	= *Positive cross-cutting factors:* • Relationship with non-state, institutional actors • Relationship with non-institutionalised participation
	Responsiveness	=	= *Positive cross-cutting factors:* • Relationship with non-state, institutional actors • Relationship with non-institutionalised participation
Democratic learning	Active Citizenship	=	=
	Accumulated training	=	= *Positive cross-cutting factors:* • Relationship with non-state, institutional actors • Relationship with non-institutionalised participation
	Sense of collectivity	= *Detrimental cross-cutting factors:* • Relationship with representative politics	= *Positive cross-cutting factors:* • Relationship with non-state, institutional actors • Relationship with non-institutionalised participation
	Pluralism	=	= *Positive cross-cutting factors:* • Relationship with non-state, institutional actors • Relationship with non-institutionalised participation

In Corinto, institutional design proved to be irrelevant and the influence of context prevailed. The case allows us to see that institutional design cannot determine participation performance in contexts as complex as Corinto's. In such challenging circumstances, effective participation requires more than a set of progressive rules restricted to the participatory sphere. A comparative analysis of the two participatory processes allowed me to make the following four propositions:

The State's inability to deliver citizen's demands had a detrimental, cascade effect on all aspects of the institutional participation processes.

Both participatory processes had notable deficits of responsiveness. The higher status that the Victims' Board had by design[24] and the explicit obligation of the state to reply to participants'

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[24] The Planning Councils have a consultative status (or level of participation). Meanwhile, the Victims' Board have a joint-agreement, co-management status (see chapters one and three).

demands, also established by design, had no impact in Corinto. A combination of objective and subjective factors was behind this failure.

The objective factors behind the failure were the very living conditions in Corinto: historical impoverishment and dispossession; lack of national investment in basic public services and state institutions; underdevelopment; weak local state; illegal economies; armed conflict; multicultural disputes. Such conditions cause public problems that are particularly difficult to solve. To this difficulty, it should be added that the local state lacks tools to address such problems on its own. Corinto reflected the failings of Colombia's decentralisation project as described by Castro (1989), Maldonado (2001) and the FIP (2014): responsibilities are decentralised, but marginal municipalities are unable to carry them out due to their scarce financial resources and poor institutional capacities.

The subjective factor behind the lack of responsiveness is one of the most interesting findings of this research: institutional scepticism. By institutional scepticism I mean an attitude I found amongst officers in charge of responding to participants' demands. The attitude consisted in *a priori* hesitation about their own capacity to produce changes in the municipality. Instead of seeing themselves as agents of change, the officers saw themselves as what I call, 'managers of the *status quo*'. Certainly, these *a priori* hesitations were founded on the aforementioned objective factors. However, they were the cause of reduced efforts on the part of the officers to perform the tasks expected of them. Institutional scepticism contributed to the officers' unresolved political will towards the two participatory processes observed. Hence, low responsiveness was determined by both: the context's objectively difficult conditions, as well as the officers' lack of determination to address such difficulties.

This institutional immobility discouraged the most vibrant actors of civil society from continuing in the institutionalised spaces for participatory democracy. Frustrated with the institutional channels, participants coming from the most experienced and skilled social groups decided to invest their collective action resources in non-institutional, civil-society-led initiatives, while becoming intermittent participants in the institutional processes, i.e., they attended the institutions' meetings '*once in a while*'.

Lack of responsiveness makes the most-experienced and skilful participants tired and sceptical of institutional participation.

There were three well-defined types of participant on the Planning Council and the Victims' Board. They differed in the experience they had previously had of participatory processes, and

of the roles they performed in the two participatory institutions observed. Table 6.7. describes them:

Table 6.7.
Types of participant in Corinto.

Passive participants	Actors with little or no experience in participatory processes, who had initially been interested in the Planning Council or the Victims' Board but had lost interest in them. This group includes people who had been 'instrumentalised' by external political actors; people who did not see themselves as equally outgoing or 'prepared' as other participants; and people who discovered they were not willing to assume the time costs of participation. They either did not attend the participatory institution sessions or attended sporadically and silently.
Inexperienced active participants	Actors who had little or no experience in participatory process but who had developed interest in them. They were learning the dynamics of collective action, policymaking, advocacy and communication with the state. They more often referred to themselves as individuals rather than as members of social organisations. They were more prone to accepting recommendations of state officers than their more-experienced fellow participants.
Experienced participants	Actors coming from social movements and community organisations active in the region. They had general knowledge about the other participatory spaces in the municipality. They were more politicised and critical than other participants and were more prone to mixing institutional and non-institutional repertoires of participation. They referred to themselves as members of a collective more often than as individuals. Their presence in the observed institutions was intermittent.

Source: Produced by the author.

An additional differentiating factor worthwhile noting is that while *inexperienced participants* took participation rules for granted and accepted what they were told by governmental actors, the more *experienced participants* saw participation procedures as a matter of debate.

> *'They have a very institutional mindset. They said in a meeting that we should replicate in our local territories what the state was doing at the provincial and national levels. They said that was the way to do it. That they had been thus instructed. How is that possible!? How can they tell me that participation is top-down! No, no, no! Participation is bottom-up. One can't be repeating in the participatory spaces whatever the governmental institutions say! What use does that have?'*
> *Experienced participant* referring to *inexperienced active participants*.

Experienced participants were looking for real transformation of power relations in the participatory exercise. They noted that designing the form and dynamics of the participatory sphere, and not only being able to talk in it, was an expression of power. In their consideration, these dynamics and 'rules of the game' should be agreed with civil society instead of being imposed. However, the most experienced leaders were not the most active at the two participatory spaces observed, as they were sceptical about them:

'These spaces are good in the sense that information circulates in them. But nothing else happens beyond that. They're not the place where decisions are taken, nor the place to try influencing them. There are other spaces and ways to do that'.

Experienced leader talking about institutional spaces for participatory democracy in Corinto.

Following this logic, experienced leaders had decided to reduce the efforts they invested in institutionalised participation, to instead dedicate themselves to what they considered more effective mechanisms: their participation repertoires as social movements. This meant that the people most able to obtain responses from the state were not exercising their skills in the participatory institutions. Thus, the opportunities that *inexperienced participants* had to learn from these more *experienced participants* decreased. Their political and strategic training, their ability to see themselves as part of a collective rather than individual voices looking for recognition decreased as well. The lack of preparation of *inexperienced participants* was dangerous as they could be instrumentalised by state agents to legitimise unpopular decisions.

The development of pluralism and sense of collectivity were elements I was particularly interested in. However, the intermittent participation of *experienced participants* at the Victims' Board and the Planning Council prevented the institutions from becoming plural spaces in which the different voices in the municipality could come together.

Size and sense of community helped to counter exclusionary acts.

The idea that direct or, in some cases, participatory democracy is only possible in small societies, is a classic statement in discussions about types of democracy (e.g. Dahl, 2005). Although the works of Pogrebinschi (2013), Asimakopolous (2016) and others about national-level institutions for participatory democracy have contradicted this hypothesis, some case studies have shown that small sizes do facilitate participatory processes in terms of inclusion, deliberation, and social accountability over the taken decisions. Corinto is one of these cases.

A small size, and the tight sense of community this size produced, helped to offset local government and other politicians' attempts at controlling the composition of the participatory institutions. Despite the strategies for exclusion –creating tailored associations, intervening in the selection of participants, restricting some participants' inputs– the fact that most community leaders knew each other prevented the total success of these strategies. Community leaders defended all actors' presence at the table, and the right of all to speak.

Other forms of participation (civil-society-led contentious participation) prevail over institutional participation.

Corinto is known for its vibrant civil-society groups, constantly demanding to be included in public decisions affecting them and their territories. This lively civil society, however, was not entirely reflected in the two participatory institutions observed.

What happened within the Planning Council and the Victims' Board in Corinto explain why the most solid social movements in the area prefer their own mobilisation repertoires over institutional channels for participation. In the institutional version the interlocutor of civil society is the local state and there are specific procedures for escalating civil society's requests to the national level. The regional social movements are aware of the local state's weakness, its objective and subjective incapability to respond to civil society's demands. Social movements risk their lives when they mobilise and they seek effective responses precisely because these responses can alleviate their exposure to violence. Additionally, they consider that the formal procedures to capture the attention of the national government are time-consuming and unnecessary given the urgency of their requests.

> '*The Pan-American highway has brought us more agreements with the national government than any Congress member, leaving aside any board for local discussions.*'
>
> Member of a social movement in Corinto

The Pan-American highway is a main road in the southwest of the country and a mandatory route for cargo lorries. It is also the road that social movements sought to close during their strikes. They know that if the Pan-American is closed, the national government will have to come and negotiate with them.

This is exactly what happened with the 2019 indigenous *minga*, for which indigenous people, Afro-Colombians and peasant-farmers came together: After 27 days blocking the highway, the *minga* participants reached partial agreements with the national government that included, among other, increasing the budget for land redistribution in the region; compliance with previous agreements; recognising the right of peasant communities to prior consultation -*consulta previa*- on economic projects affecting the region's environment;[25] humanitarian aid with an ethnic approach (El Espectador, 2019). Some *ad hoc*, semi-institutionalised spaces emerge after this kind of mobilisation: boards comprised of civil society- and government representatives, in charge of monitoring the agreements'

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[25] Indigenous and Afro-Colombian communities already have the right to prior consultation.

implementation. The power relations in these spaces differ from those in the Victims' Board and Planning Council, as their working dynamics are decided by and with civil society, and they enjoy the presence of representatives of the national government with decision-making power.

These types of processes are also located in the participatory sphere. As defined by Coelho and Cornwall (2007), the participatory sphere is in between the sphere of the state and the sphere of civil society and cannot be entirely subsumed by either of them. It is a porous space, influenced by the spaces around it and by the elements contributed by the actors who enter into it, influencing them reciprocally. Institutional participation in Corinto is perceived to be in the zone -of the participatory sphere- that is closer to the state than to the area coinciding with civil society. Considering Norte del Cauca's history and context, it is easy to understand why social actors prefer initiatives led by themselves, rather than by a state which is untrustworthy in their eyes.

It is very important to highlight that it is in these civil-society-led and contentious forms of participation that the diverse voices in the territory come together:

> *'[…] as associations fighting for the rights of Afro-descendant peoples, we support and recognise the* (indigenous) *Minga as a valid expression of our claims against historical abandonment, structural racism, and the Colombian state's failure to comply with its obligations and with the agreements reached at diverse dialogues and mobilisations. We have had no choice but to organise this Minga. As the government refuses to take full responsibility for the agreements it has signed with the Afro-descendant people, and breaches the peace accords, among other situations, the only option we have is strengthening our unity and mobilisation. Unity and mobilisation are our means to defend our legitimate and fundamental rights to a life with dignity and to peace.'*
>
> Afro-Colombian organisations' statement on the *Minga* (CRIC, 2019).

What happened in Corinto suggests that participatory processes have a greater chance of becoming spaces for plural encounters of diverse actors who reach agreements and develop a sense of collectivity, when they perceive that such participatory processes have decision-making power. In Corinto and Norte del Cauca, local communities overcame their multicultural conflicts in the *Minga*, as they considered they could achieve better results by coming together. The same cannot be said of the local, institutionalised spaces for participatory democracy. To increase the decision-making power of local institutions in participatory democracy, structural problems that lie beyond the participatory sphere should be tackled: the failures of the Colombian decentralisation project as well as the long history of state abandonment and dispossession in marginal-peripheral territories.

Chapter 7. Institutionalised Participation in Southwest Colombia: Improvements and Remaining Limitations

What do these three cases tell us about the potential of the Victims' Boards' design to improve local participatory democracy? Has the second-generation design brought any positive effects? Second-generation institutions were achieved through advocacy: they emerged from studies about the effectiveness of what I call first-generation participatory institutions, civil society demands to strengthen such first-generation institutions, and the compromises made by the Colombian government regarding these demands. Does evidence in this thesis suggest that the steps taken to strengthen participatory democracy in Colombia are going in the right direction? Additionally, how does this research relate to the general picture of Colombian democracy and to the ongoing peace process? What lessons can be extracted from this work? This chapter addresses these questions.

I will start with the answer to the general research question: the institutional innovations of the Victims' Boards help to improve local processes of participation, but they do not do all the work. They need additional factors to complement their effect, otherwise their impact is limited. This general finding requires us to turn our attention to other aspects than the design of participatory institutions. Institutional designs are certainly important. Yet, this study shows that we cannot put formal institutions at the centre of participatory democracy studies, as it reveals other fundamental aspects to be examined.

One of the most interesting aspects of this work is what it says about these complementing factors. Firstly, the research shows that there is not a special set of complementary factors able to make all participatory processes successful. The two cases in which the second-generation processes showed clear advantages over first-generation processes each had different complementary factors. Thus, the findings of this research contradict the works looking for a standard formula for the success of participatory initiatives. Rather, my work joins the body of scholarship that highlights the importance of context (e.g. McGee et al., 2003; Avritzer, 2009) and grounded theory to improve our understandings of socio-political dynamics.

Secondly, this thesis, and the case of Buenaventura in particular, shows that the improving effects of institutional innovations and complementary factors can emerge under the most complex circumstances: lack of political will, corruption, undemocratic informal institutions, poverty, ongoing armed conflict, and severe human rights violations. Thus, this

research shares good news and stands in contrast to pessimistic views stating that Latin America lacks the preconditions for successful participation (e.g. Balderacchi, 2016).

The findings of this research offer insights into the direction that a third-generation of participatory institutions should follow to deepen Colombian democracy. The findings also provide support for initiatives promoting non-institutional participation, i.e. social mobilisation and protest, as fundamental expressions of participatory democracy. The investigation found empirical evidence as to why protecting and guaranteeing social mobilisation and protest is crucial to strengthening Colombian participatory democracy as regards inclusion, decision-making power and democratic learning. In this sense, the research results endorse the agreements in the 2016 Peace Accord about political participation and the protection of, and guarantees for, social mobilisation.

This chapter is divided into three parts. The first part summarises the findings of the first level of comparative analysis, i.e., the results of contrasting Planning Councils and Victims' Boards processes in each one of the cases based on the logic of the 'most similar' systems. The following part presents the second level of comparative analysis in which the three Planning Councils and the three Victims' Boards are compared between themselves using the 'most different' systems. To this second part I bring data about the performance of Planning Councils and Victims' Boards beyond the three case studies.[1]

In the third part, I relate the research findings to the general picture of Colombian democracy and the efforts to make it more democratic, including the negotiations with the FARC-EP and the ELN guerrillas. I do this without seeking to establish causal relationships between the two socio-political processes -deepening participatory democracy, and the peace processes- but to show that issues of participatory democracy are not isolated from discussions about peacebuilding. On the contrary, participatory democracy has been a crosscutting part of initiatives for building peace and social justice in Colombia. In this sense, the present study and others like it, are contributions to the bigger debate.

7.1. First level of comparative analysis: what happened in Cali, Buenaventura and Corinto?[2]

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[1] The data is composed of secondary sources and primary sources: reports, seminars, events, and interviews with key actors involved in these two participatory institutions and their design at the national level.

[2] This section presents the main findings for each one of the comparative case studies to facilitate the second level of comparison. For more details, refer to chapters four to six.

7.1.1. Case 1-Cali:

Have the institutional innovations of the second-generation of institutions for participatory democracy helped to improve local processes of participation?

Image 7.1. Cali's Mayor in a meeting with the Victims' Board. Source: Alcaldía de Santiago de Cali, 2018b.

When we focus this question on Cali and compare the participatory processes of the Planning Council, the first-generation institution, and the Victims' Board, the second-generation institution, the answer is yes, the Victims' Board's design enhanced participation. Nevertheless, it did not do so with every aspect of the process.

The Victims' Board's design reduced the intervention of the local government in participants' selection. This meant they were more independent, and it prevented the reproduction of private-sphere privileges in the participatory sphere, which did occur with the Planning Council.

The Victims' Board's design also improved participants' decision-making power. Having a mandate for 'joint-agreement' instead of 'consultative' helped to unify the expectations of participants and government representatives about the participation process. The pyramidal structure of the Victims' Boards, and the ease with which local participants could communicate with participants and officers at the provincial and national levels, also enhanced participants' abilities to present demands.

The greater decision-making power of the Victims' Board participants, in comparison to Planning Councillors, was facilitated by the mayor's concern for victims of the armed conflict. In Cali, favourable political will was the main complementary factor to second-generation institutional design adding to participation success. Likewise, there is evidence to suggest that this favourable political will was at least partially driven by the explicit obligation to respond to participants' demands, which shows the importance of strong institutional designs.

The institutional improvements, however, did not have positive effects on all aspects of the participatory process, in particular on inclusion and democratic learning. The decision-making power of the Victims' Board increased some participants' motivations to dominate the space in order to gain access to the goods and services distributed through the Board. They

applied highly questionable strategies of Colombian traditional politics -concealing and changing information, clientelism, intimidation- to secure this domination and exclude contenders. A few participants opposed their peers' attempts to secure control over the Victims' Board and pressured to keep the space open. Yet, the practices of exclusion undermined the possibilities of building a pluralist 'sense of collectivity' within the institution. The practices of exclusion prevented participants from learning from each other's experiences and sent the message that traditional politics could be successfully reproduced in the participatory sphere. A significant difference between the inclusion and democratic-learning problems within the Planning Council and the Victims' Board was that while the actors responsible on the Planning Council remained unaware of creating such problems, on the Victims' Board, the responsible participants had planned the exclusionary actions.

Cali shows the improvements that design can bring for participatory processes. It is also a cautionary tale about what can happen when institutions become attractive to people who look for an escape from their conditions of deprivation but have lost faith in participatory democracy as a project for achieving social justice.

7.1.2. Case 2-Buenaventura:

Have the institutional innovations of the second-generation of Colombian institutions for participatory democracy helped to improve local participation processes?

Image 7.2. Protests and negotiations during Buenaventura's Civic Strike, 2017. Taken by the author.

When we focus this question on Buenaventura and compare the participatory processes of the Planning Council, the first-generation institution, and the Victims Board, the second-generation institution, the answer is yes, the Victims' Board design helped to improve participation in Buenaventura.

Buenaventura has a strong civil society, deeply concerned about public issues affecting the district, and with a well-developed sense of pluralism and 'collectivity'. The 2017 civic strike showed how different civil society groups and organisations –Afro-Colombian and indigenous people, unions, the unemployed, students, merchants, women, victims of the armed conflict, professionals, local NGOs, among others- can come together around common causes despite and because of the complexities of their context.

The Victims' Board's design gave participants more tools to demand State responsiveness than the Planning Council's design. The selection procedure for participants made them more independent of the local government, which allowed them to take positions critical of it; something that Planning Councillors were unable to do. The procedure also resonated with the collective and pluralist style of social mobilisations in Buenaventura, as it asks organisations, not individuals, to present candidates for the Board. Furthermore, the seats were distributed with positive action features, focused on ethnic minorities, women, the LGBTI population, youth, the elderly, and the disabled population. The design facilitated the inclusion of more marginalised people in the space, as their election did not depend on the candidates' former connections with the mayoralty.

Independence, as well as these collective- pluralist settings, were crucial for the coordination that emerged between the Victims' Board and the Civic Strike. When participants combined the tools that both processes offered, inclusiveness, decision-making power and democratic learning increased substantially. This coordination also helped to frustrate, at least partially, attempts at co-optation by local government. All things considered, the Victim's Board process benefited extensively from the civic strike, in turn contributing to it.

Hence, a strong civil society with a highly-developed sense of pluralist 'collectivity', as well as coalitions between institutional and non-institutional participation, were the determinant complementary factors to institutional design in Buenaventura. These results resonate with Miraftab's (2004, 2006, 2009), Gaventa's (2007) and Gaventa and McGee's (2010) findings about the importance of coordination between invited participation and contentious, civil society-led initiatives for participation success.

7.1.3. Case 3-Corinto:

Have the institutional innovations of the second-generation of Colombian institutions for participatory democracy helped to improve local participation processes?

Image 7.3. Workshop with Planning Councillors from Norte del Cauca. Source: Taken by the author.

When we focus this question on Corinto and compare the participatory processes of the Planning Council, the first-generation institution, and the Victims' Board, the second-generation institution, the answer is no, the Victims Board design did not improve participation in Corinto.

The Victims' Board's design helped to counter political actors' attempts to control who joined the space, as also happened, to some extent, with the Planning Council. However, there were no meaningful differences between the two participatory processes. The State's lack of responsiveness, as well as the fragile pluralism and sense of collectivity among participants *within the institutions*, meant that the two processes were equally poor, regardless of institutional design variations.

The State's lack of responsiveness reduced the incentives of the most experienced participants to remain active in the institutional space. Their withdrawal not only affected the process' inclusiveness, but also the opportunities for democratic learning, as fellow participants lost the opportunity to learn from them. Such absence prevented the participatory institutions from becoming spaces in which all voices in the territory could come together to prioritise issues and define collective positions about them.

Indigenous people, peasant-farmers and Afro-Colombian groups are undoubtedly strong in Corinto. Yet, the multicultural conflicts among them hinder the opportunities for

coming together for a common cause. When they do, they do so around contentious, civil society-led initiatives that they consider more effective than institutional spaces.

As in Buenaventura, the armed conflict was a visible, crosscutting factor affecting participation in Corinto. The case was a manifestation of Pearce's (2007) comments about participation and chronic violence, namely that 'participation in violent places has to confront power as well as violence' (p.15), and that participation acts on violence as well being affected by it. Members of both participatory institutions were affected by violence. They were threatened and attacked to the point of being forced to abandon the municipality to protect their lives. Remarkably resilient, they remained involved with participatory processes in the places to which they forcibly displaced. However, as Pearce pinpoints, even if participation faces down violence, it is not sufficient to address it, and Corinto shows how complex the situation can be. I will return to this point in section 7.3.

On the whole, there were no visible complementary factors helping institutional design to overcome the challenges that the context imposed on institutional participation in Corinto.

7.2. Second level of comparative analysis: what happened to Planning Councils and Victims Boards in the three cases?

The purpose of comparisons using the logic of most dissimilar systems is to find commonalities among units of analysis in which variables behave differently. When there is consistent behaviour despite the diversity around them, correlations or causality can be established (Morlino, 2010). The purpose of comparing the three Planning Councils and the three Victims' Boards was precisely that: identifying if there were improved patterns of participation within the second-generation institution across different contexts, so as to confirm (or otherwise) the influence of institutional design.[3]

To maintain consistency, the second-level comparison followed the same analytical framework as the first-level analysis. The framework understands participation as a process. It starts with the category of inclusion, taking into account how the participatory space was formed and who is part of it. It continues with decision-making power, covering what participants achieved during the period observed; and finishes with the category of democratic learning, accounting for the tools and values developed by the actors during their participatory experience.

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[3] For more details see section 3.1.1 and chapters four, five and six.

7.2.1. Planning Councils: Same rules, different contexts

Planning Councils turned out to be a consistent example of weak participation. Their performances were similar to those criticised by the literature from the early part of this century on participatory innovations, when the euphoria caused by successful cases (e.g. Porto Alegre, Kerala) had passed, and scholars started to find other cases that fell short, or worse, failed in their purpose of deepening democracy (see chapter two). The Colombian Planning Councils show that inappropriate designs contribute to (i) exclusion, (ii) very little or no decision-making power, and (iii) inconsistent democratic learning. The problems identified show that institutional design is key to successful participation and that there is abundant space for the improvement of first-generation institutions. The following paragraphs present the patterns found across the three cases and beyond.

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All Planning Councils had inclusion problems due to the outdated character of their design, which ignored social groups who have been fighting for recognition; due to the power of politicians to select the participants, which subjected the latter to the politicians' interests; and due to the lack of what Martínez-Palacios (2018) calls a social-justice framework and what I call an equality approach, i.e., a design capable of securing the effective inclusion of the most disadvantaged actors in society and countering the reproduction of private sphere inequalities inside the participatory space. These design elements brought access-, representation- and legitimacy problems for the participation processes. There were communication deficits between participants and the groups they represented, voices were excluded, and participants' legitimacy was severely questioned by external actors.

What I identify as the absence of an equality approach in this participatory institution is aligned with the early feminist critiques of Habermas's deliberative democracy. The feminist critiques pointed out that the public sphere continued to exclude the disadvantaged, and that institutional measures to avoid such exclusions were required (see section 2.2). Although not evident at first sight, these exclusions had direct impacts on the deliberative process. Similar points have been brought up since then. Chandoke's (2003) insights about the concentration of epistemic and linguistic authority in privileged groups, for instance, talk directly about the power imbalances in public debate: while high-status participants are given full attention, the inputs of people of a lower status are disregarded. More recently, Martínez-Palacios (2018)

warned that participatory and deliberative institutions' success depended on ensuring full inclusion of the most marginalised groups in society.

Cali, the largest and most unequal of the municipalities observed gave a clear example of what lacking an equality approach means: without being conscious of it, officers in charge of selecting the Planning Councillors favoured participants coming from society's privileged strata. They considered that citizens from higher status were 'more capable' of achieving the task. Once the Planning Council entered into operation, privileged voices dominated the debates inside the institution, hardly realising the implications for those at the margins. Furthermore, the institutional design proved to be weak in promoting gender equality: there were fewer women than men on the three Councils and those participating were expected to act according to traditional gender roles. In two of the three cases, women who were part of the Planning Council's executive board felt they had been selected for that position because their fellow male councillors saw them as secretaries and 'wanted them to take the notes'. Likewise, none of the three Planning Councils had representatives from LGBTI communities.

The Planning Councils remind us of the classic feminist critiques and the need for strict institutional measures to avoid reproducing private-sphere inequalities in the participatory sphere. The experiences of the Victims' Boards show that addressing these issues through institutional design brings positive results.

That said, differences among the three cases also delivered lessons about factors other than institutional design that play a role in how participatory processes perform. The size of a municipality and the levels of inequality are two of them. Unsurprisingly, there is evidence to conclude that it is easier to protect inclusion in small municipalities: small societies and their tight sense of community help to counter the exclusionary effects produced by institutional design and by external actors attempting to control participation. Similarly, the comparative analysis suggests that establishing a fully inclusive and representative participatory space is more difficult in highly unequal societies. Discrimination based on language and epistemic authority, as explained by Chandoke (2003), are more likely to emerge in participatory spaces within highly-stratified societies. These findings remind us of the importance of context and warn institutional designers about the need to incorporate measures into their designs to offset the aforementioned problems.

Another important lesson has to do with the influence that third-party actors, i.e. participation professionals, facilitators and mediators from NGOs and cooperation agencies, have on inclusion. The dynamic at Corinto's Planning Council revealed that such actors, and not only participants or state representatives, can dominate power asymmetries during

participatory processes. Institutional designers need to be aware of this possibility and design accordingly.

Finally, the comparative analysis showed that social pressure can counter effects of exclusionary designs. In Buenaventura and Corinto, grassroots organisations and third-party actors pressured the local State to move beyond outdated legislation and include more actors in the Planning Councils. Both episodes speak to the power of agency over structures. Such empirical evidence is refreshing, considering the inclusion problems that the three Planning Councils had.

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Planning Councils had a consistent pattern of weak decision-making power, related directly to institutional design. This weakness is connected to two long-lasting discussions in the field of participatory innovations: when an invited[4] participation space offers 'real participation'; and the relationship between participatory and representative democracy.

In 1969 Arnstein devised a 'ladder of participation'.[5] She argued that 'participatory' processes could be located on eight rungs of a ladder; the higher the rung, the more power citizens would have (see image 7.4). Types of participation at the bottom of the ladder did not amount to 'real' participation as they lacked decision-making power. She claimed that labelling these kinds of exercises as 'participatory' was an instrumental decision of governments and cooperation agencies to simulate inclusion and gaining legitimacy.

Six decades later, Pateman (2012) launched a similar wake-up call to supporters of deliberative democracy. She criticised their exclusive attention on the quality of deliberation, while forgetting the importance of what happens thereafter with the agreements reached. She made clear that promoting civil society's influence on public decision making was fundamental to participatory democracy, and the reason why it could not be equated with deliberation. The Planning Councils' weaknesses emerge in the context of this discussion. The institution was designed with a 'consultative mandate', i.e. the State is obliged to ask Planning Councillors for their opinion on development plans, but it is not obliged to act upon it. This level of participation is at the middle of Arstein's ladder and would hardly pass Pateman's (2012) yardstick as to what makes a participatory initiative a real case of participatory democracy.

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[4] 'Those into which people […] are invited to participate by various kinds of authorities, be they government, supranational agencies or non-governmental organisations' (Cornwall, 2002, p.17).
[5] Similar ladders can be found in Pretty, 1995; Narayan, 1995; CRDT, 1998; McGee et al., 2003.
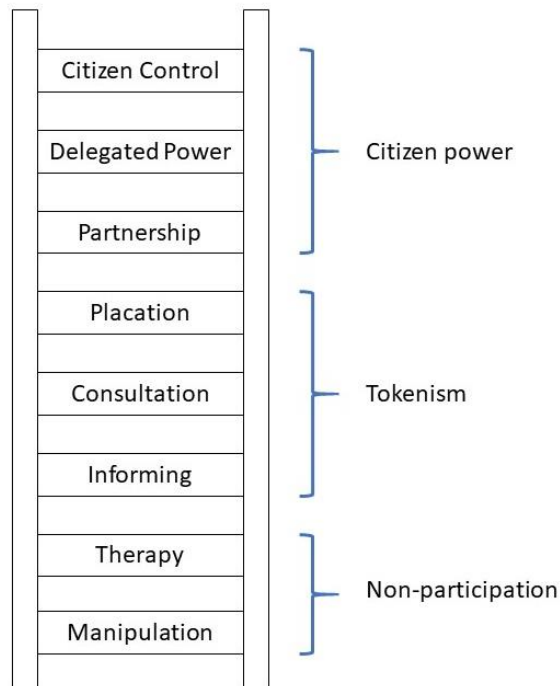
Image 7.4. Eight rungs on the ladder of citizen participation. Arnstein (1969).

Indeed, 87.5% of the Planning Councillors that I interviewed thought that joining a participatory institution to which the State is not obligated to listen, was not worthwhile. Most of them were sure that Planning Councils 'did not do real participation' but a pantomime of it. They felt that they had wasted their time and energy in the process and were disappointed with the general idea of participation. In this sense, the Planning Councils failed as participatory institutions. Frustrated Planning Councillors demanded their decisions be binding on local authorities, or at least, that engaging in conversation and responding to recommendations be mandatory for the State.

The second design weakness -the power given to local governments to select the Planning Councillors- reflects a conflict between participation and representation. During the initial debates about participatory and representative democracy, scholars such as Sartori (1999) underlined the conflictive nature of their relationship and expressed their preference for one or another. Later, a relative consensus about their complementarity was established. Participatory democracy supporters established that participation had the purpose of counterbalancing the problems of representative democracy (e.g. Avritzer, 2002, 2009, 2012). However, the procedure to select the Planning Councillors does not reflect complementarity between the two democratic expressions, nor a counterbalance to representation. Conversely, the procedure grants advantages to representative democracy: evidence shows that this design feature compromises participants' autonomy and undermines critical voices in the space. If we consider that actors from electoral-representative institutions hold more power than their participatory counterparts, letting governments decide who can join a participatory

institution is akin to giving more power to actors, whom participation is supposed to counterbalance. Planning Councillors are aware of the contradiction.

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The case studies showed that the inclusion- and decision-making problems of the Planning Councils had detrimental ramifications for democratic learning, the anticipated long-term effect of participation. Participatory theory of democracy maintains that actors undertaking participation exercises will become aware of the importance of public issues and will want to have a say in their definition. This long-term effect enables participatory democracy's expansion and sustainability. Likewise, the theory claims that participants become aware of their place in society: they realise they are just one small component of it and that decisions affecting the collective should involve others' having a say (Pateman, 1970). The latter theoretical claim is the basis of two of my indicators: the participatory processes' capacity to promote pluralist values, and the 'sense of collectivity' among the participants involved.

Empirical evidence suggests that for these two long-term effects to emerge, actors not only need to take part in participatory processes but must also have positive experiences as part of them. Only one of the four indicators observed for assessing democratic learning registered clear, positive behaviour: *accumulative training,* referring to the tools and practical knowledge that participants acquire throughout their participatory experiences.[6] All other indicators revealed inconsistent or negative behaviours: participants with no former experience in participation processes became increasingly frustrated with the Planning Councils and reduced their appearances at their sessions. Moreover, they extended their disillusionment to the general idea of citizen participation, seriously undermining the theoretical claim which expects an increase of *active citizenship*.

Planning Councillors with previous participation experience, especially those closer to social movements, decided to reduce their activities on the Planning Councils and focused their efforts on more contentious repertoires, as they found them more effective for their goals. Their reduced presence in the Planning Councils, however, prevented the institution from being a space for the encounter of diverse voices discussing matters of collective concern, reaching agreements, and presenting them to the State. I am interested in the potential that participatory institutions have to become spaces for these kinds of encounters, and to promote *pluralist values*[7] and a *sense of 'collectivity'* among participants. In addition to Pateman (1970,

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[6] That said, the lack of incentives for the most experienced participants to remain active in the Planning Councils reduced learning opportunities for less experienced participants.

[7] i.e. The recognition of Others as valid and necessary interlocutors for the discussion of public issues.

2012), defenders of deliberative democracy and radical democracy offer theoretical foundations for such developments (see section 2.2).[8] Unfortunately, the weakness of the Colombian Planning Councils' design prevented this from happening within them.

Overall, the comparison of the three Planning Councils observed shows that a weak institutional design not only affects the immediate performance in a participatory process, but also has long-lasting effects on the sustainability and growth of institutional participation.

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Evidence about the Planning Councils' weakness goes beyond the three cases in this thesis. I found the same patterns in two more scenarios: the *2017 Congress of the Colombian National Planning System* and the *espacio nacional* (national space) mandated by the 2016 Peace Agreement to shape the forthcoming law on guarantees for participation and the protection of peaceful protest.[9]

The *Congress of the National Planning System* is the annual meeting of local, provincial and national Planning Councillors. They share their achievements, discuss challenges and look for strategies to improve connections among them. While attending the Congress, I recorded the Planning Councillors' testimonies and interviewed 15 of them who were not part of any of my covered municipalities. They all agreed that their 'consultative level' status, i.e. the participation level granted to the Planning Councils, was problematic, as it made them weak and dependent on the national and decentralised governments' political will. The fact that governments chose the Planning Councillors from candidates from civil society was also criticised due to the lack of autonomy that such a procedure produces. Additionally, they pointed out the lack of public resources to fund their activities and the need for more training: '*To have a real impact you need knowledge, resources and autonomy*', told me one of the councillors.[10]

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[8] Note that I am not ignoring the dispute between deliberative consensus and agonistic pluralism, nor establishing a simplistic solution for it. I recall the fact that both theoretical proposals state that people with divergent views must recognise each other as valid and necessary interlocutors for the discussion of public issues and drop the attempts to censor or eliminate each other. This point is substantively important for a society like Colombia, whose history is fraught with episodes of exclusion and long-lasting violence. Additionally, I find that both theories' accounts of the public sphere can be witnessed in practice.

[9] It is worth to mention Contrial's 2017 report on Municipal Participatory Planning. In the report Sudarsky and García (2017) found that (i) the discussion of the municipal development plans by broad publics and (ii) public responses from the local government to the Planning Council proposals were key elements for participatory planning success. Both elements are connected to institutional design failures, namely, the outdated list of actors who compose the Planning Councils, and the Planning Councils' low level of participation (consultative), which 'liberates' the government from compulsory responses.

[10] They also referred to elements related to their role as social leaders: the communication they should maintain with civil officers, with the groups they represented, as well as the legitimacy they should gain from them.

The second location in which I gathered data is linked to 2016 Peace Accord. In point 2.2.1 of the Accord, the Colombian State and the FARC-EP agreed to produce a bill to guarantee and promote civil-society participation. The agreement established that the inputs for such a bill would come from an *espacio nacional* (national space) attended by civil society organisations and social movements. Likewise, in point 2.2.6 the government committed to reviewing the Planning Councils' functions and composition, and to strengthen the institutional designs for participatory planning in the country. The *espacio nacional* was divided into six regional forums, an online platform, and a national forum in which all inputs would be consolidated and systematised. Each forum had eight discussion rooms, one of them dedicated to participatory planning. I participated as a member of staff at the southwest regional forum, helping in the discussions about participatory planning. I was responsible for taking notes of the participants' interventions and for systematising them. Likewise, I had access to the systematised notes of the national forum.

82% of the people taking part in the discussions about participatory planning were Planning Councillors and 53% of their inputs were criticisms of the Planning Councils' institutional design. They were critical that governments had the final decision to choose the Planning Councillors; of the weak status of the institution (consultative); the outdated lists of participants and the absence of positive action measures to ensure the inclusion of marginalised groups; the lack of state-provided training for participants and public officers in relation to the participation process; the poor coordination between the institution and other spaces for participatory planning; and the lack of accountability mechanisms vis-à-vis the groups represented by the Planning Councillors.[11] They shared their stories and offered examples of how these institutional flaws had made their participatory processes more difficult.

The same elements were repeated in the other five regional discussions and were ratified at the national encounter. Thus, the *espacio nacional* facilitated the emergence of a national consensus about the institutional weaknesses of Planning Councils, and the urgent need to improve their design. 245 people took part in the regional forum I attended. A total of 2,478 persons, representing 1,541 organisations, attended the overall *espacio nacional* (CINEP et al., 2017).

Lindsay Mayka's (2019) work on Colombia's Planning Councils may seem estranged from these conclusions. Her work, however, is missing important points. She states that weak participatory institutions, like Colombia's Planning Councils, can work well despite State

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[11] Participants also asked for educational campaigns on citizen participation for civil society and State representatives; measures to enforce the implementation of participatory processes; participatory forms of constructing the methodologies for participation; and participants' protection.

neglect when they are '*society-driven*', i.e., when they are implemented by civil-society actors who are also 'policy entrepreneurs'[12] (Sheingate, 2003). Although her development of the concept of 'society-driven participatory institutions' is valuable, her analysis is problematic.[13] She bases her conclusions on the experiences of the first national planning councillors, labelled by her as 'policy entrepreneurs'. In her research she describes how from 1994 to 2002 the national planning councillors made use of their resources and private networks –connections with international cooperation agencies, media, universities, foundations, subnational governments– to fulfil their mandate and to provide some support to Provincial and Municipal Planning Councils. What she overlooks, however, is that participants should not require a rich pool of private resources to make progress in their participatory processes. Participatory democracy emerged in Latin America as a counterbalance to elites' accumulated power. It is meant to give a say to vulnerable, marginalised, resource-poor people. If, in order to make the National Planning Council work, the national planning councillors needed to mobilise all the private resources Mayka mentions in her research, the Planning Councils were, as an institution, a failure of inclusion and popular empowerment. The national planning councillors observed by Mayka were indeed resource-full people, they did not belong to the Colombian underprivileged strata. The same cannot be said about the local planning councillors in the 1,100 Colombian municipalities, particularly in the smallest ones. Additionally, Mayka accepts the limitations of weak institutional designs when she states that 'policy entrepreneurs can advance in the face of state neglect but cannot circumvent the barriers introduced through state hostility' (p.108).

Assuredly, high levels of civil society agency help participatory processes, as the case observed by Mayka shows. Still, the comparative analysis as well as additional data, including Mayka's work, lead us to conclude that institutional designs should be inclusive and powerful enough to counter interference, neglect and hostility coming from electoral-political actors, and to promote sustainable democratic tools and values. That is precisely what civil society actors pursued when they advocated for a second-generation of participatory institutions in Colombia during the 2010s, and what they expect from a third-generation potentially derived from the 2016 Peace Agreement.

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[12] 'Policy entrepreneurs are "creative, resourceful, and opportunistic leaders whose skilful manipulation of politics somehow results in the creation of a new policy or a new bureaucratic agency, creates a new institution, or transforms an existing one" (Sheingate, 2003, 188)'. Mayka, 2019 p. 96.
[13] e.g. President Samper was not removed from office as she states on p.101.

7.2.2. Victims' Boards: same rules, different contexts

When we consider that in two of our three cases, the Victims' Boards performed better than the Planning Councils, it can be said that the second-generation institution had advantages over the former in the universe of this research. In terms of inclusion, the percentage of women in the participatory spaces increased from 31.1% on the Planning Councils to 58.9% on the Victims' Boards; their participation in leadership roles within the institutions, i.e., the Planning Councils' Executive Boards and the Victims' Boards Executive Committees, also increased from 44% to 62%; and the LGBTI communities went from having no representatives on any of the three Planning Councils observed to at least one on each of the Victims' Boards observed. That said, we must underline that the patterns by which the Victims' Boards outperformed the Planning Councils were not consistent.

The second-level analysis showed that the Victims' Boards' design, in comparison to Planning Councils, helps to improve participation but does not guarantee its success. The analysis revealed that a progressive institutional design is not a sufficient variable for participation success; so much so that contextual challenges can completely void its positive effects. Still, the analysis also disclosed that there are complementary factors to institutional design that can help to overcome such challenges, even in remarkably adverse contexts. In the following lines I present the arguments leading to these findings.

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Corinto was the case that made it clear that progressive institutional designs can be irrelevant in profoundly troubled contexts. To start with, the local government had limited financial resources to respond to civil society's demands. The conditions of impoverishment, armed conflict, peripheral location, land grabbing, illegal economies, poor technical capacities and the weakness of Colombian decentralisation made local State representatives sceptical of their capacities to produce changes and, based on this scepticism, acted as *managers of the status quo*. Aware of these limitations, the most experienced participants decided not to be fully involved with institutional participation and focused instead on civil society-led and contentious forms of participation that they considered effective. Additionally, violence against community leaders threatened their lives and therefore the possibility of participating.

The State's explicit obligations to the Victims' Boards, including mandatory responses to participants and financial support for their activities, remained undeliverable. The institutional conditions to comply with these obligations did not exist; nor was civil society

sufficiently organised to demand compliance. Put simply, the institutional design of the participatory space did not become fully operational in Corinto.

In Corinto the challenges of the context exceeded the opportunities for institutional participation. Unlike Cali and Buenaventura, where favourable political will and coalitions between institutional and non-institutional actors were fundamental, Corinto lacked contextual complementary factors to assist the second-generation design in making a difference for participation.

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Buenaventura's context, like Corinto's, was remarkably adverse: violence against community leaders, armed conflict, illegal economies, deep impoverishment, land grabbing, corruption, and State representatives' hostility. There were, however, two complementary factors that provided substantial support to the Victims' Board process: a strong sense of pluralism and collective endeavour among civil society groups, as well as coalitions between institutional and non-institutional participation.

As described in chapter five, civil society in Buenaventura started coming together in the early 2010s to confront the socio-political and economic problems in their territory. Led by Afro-Colombian organisations with ethnic claims, the process of coming together was characterised by its plurality, and by affording space to different voices in the district. This pluralism and collectiveness helped the second complementary factor to emerge: the coordination between different repertoires of participation. The gradual increase of civil society organisations working together led to the combination of strategies to influence public decisions. Given the rich tradition of social mobilisation on the Colombian Pacific coast, contentious repertoires were an important part of the mixture.

The design of the Victims' Board was consistent with these two complementary factors, which may have contributed to the process' success: the seats for diverse voices and the fact that participants were representatives of organisations instead of independent individuals, reinforced the pluralist and collective approach that existed outside the participatory institution and built a bridge between the institution and the local social movements.

This design feature could be fundamental for future participatory institutions. After conducting a survey of 2,200 Colombians in 2018 representative of the general population, Velásquez et al. (2020b) identified that only 18.5% of the citizens in participatory institutions had been nominated by a group or organisation; all others had been self-appointed or

nominated by a public servant (p.165). Designs in which participants are nominated by civil society organisations and elected through democratic procedures, as with the Victims' Boards, would help to counter the trend and promote collective action as well as representativeness in the participatory sphere.

The case of Buenaventura also contradicts the position maintaining that participatory processes require favourable political will to be successful (e.g. Wampler, 2007). Victims' Board participants in Buenaventura not only faced a lack of political will, but hostility. Despite such hostility, Buenaventura's Victims' Boards was the most successful case of institutional participation in this thesis. This was due to the Victims' Board institutional design and the aforementioned complementary factors. This result is encouraging. The dependence of participatory processes on political will speaks to the subordination of participatory democracy to electoral-representative democracy. By showing that a lack of political will and hostility can be overcome, even in complex scenarios, Buenaventura offers hope about the ability of institutional participation to comply with its purpose of counterbalancing the failures of electoral representation.

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On the other hand, favourable political will was the complementary factor heightening participation within Cali's Victims' Board. And, as in Buenaventura, the case study of Cali showed that complementary factors can resonate or be enhanced by institutional design. As described in chapter four, the local administration's political will was at least partially motivated by the institutional design of the Victims' Board: oversight officials warned the mayor about the explicitly mandatory responsibilities that his government had with the Board. The same would be unlikely to happen with the Planning Council, given its purely consultative status.

Cali and Buenaventura demonstrate that while strong institutional designs cannot guarantee successful participation, they help and can foster favourable complementary factors, such as political will in Cali, or pluralist mixed repertoires in Buenaventura. Furthermore, this investigation found opportunities for further design improvement. In his 2009 work about participatory institutions in Brazil, Avritzer underlined the importance of sanctions for governments failing to comply with their participation duties. In Colombia, although the State's obligations concerning the Victims' Boards are explicitly mandatory, no sanctions have been set out for those who fail to comply. A senior prosecutor overseeing the policy for the reparation of victims revealed to me in an interview that the absence of well-

defined sanctions was problematic: clear sanctions would further civil authorities' incentives to comply and would become tools to enforce such compliance. '*I'm not surprised mayors don't implement the policy for victims when there aren't clear consequences if they don't*', she stated.

Cali also revealed that *participants' scepticism* about the possibilities of improving society through participation is a tremendous challenge. Frustrated with the exclusions, clientelism and corruption in the Colombian political system, participants in Cali doubted that participation could transform such aspects of the system and bring fairer forms of administrating society. Yet, they found that participatory spaces provided them with opportunities to improve their individual conditions of deprivation. As shown in chapter four, in order to take these opportunities, they replicated questionable repertoires of traditional politics in the participatory sphere.

The situation was not exclusive to Cali. It came up repeatedly in interviews about the dynamics of the National Victims' Board. I obtained large amounts of information about how some participants used their membership of the Board to secure resources for themselves and for distribution among clientelist, alike groups. Moreover, I found that participants had pressed civil authorities into making possible unlimited re-election to the Victims' Boards, as originally it was only allowed once.[14] They argued that as Colombian Congressmembers' re-election was not restricted, Victims' Boards members re-election should not be restricted either. With this, they brought one of the most criticised elements of Colombian representative democracy into the participatory sphere.

Some of the interviewees described these participants as 'corrupt' and ascribed the problem to their 'corrupted intentions'. The evidence suggests, however, that this interpretation is narrow. Senior State representatives saw the situation as one more product of the participation process: participants had learnt the rules, acquired abilities, and were using them for their own benefit. Likewise, the concept of *participants' scepticism* helps us to move beyond the idea of 'corrupted intentions' and allows us to see the material deprivation and frustration behind these participants' decisions. This is what a community leader told me about one participant described as 'corrupt' by fellow participants and officers:

> '*Nobody really knows her story, and yet, people judge her immediately. Not everything she's done is fine, but I don't judge just like that. Nobody knows the needs of someone else's home. She's very good at negotiations with the government, she knows a lot! But she doesn't believe that the Victims' Board can make a difference to everybody, to all us 7 million victims in the country. She doesn't trust politicians to deliver their promises. I don't agree with everything she's done, but I can understand why she thinks the way she does. I can't disagree with her anger and frustration towards the State, I feel it myself. Neither*

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[14] Expectedly and according to the information I gathered, politicians in charge benefited from this, as they would have traded the institutional adjustment for political support.

> *I can dismiss her material needs. We all need to eat and feed our families. I am no one to mess with somebody else's pocket*.'

Balderacchi stated in 2016 that participatory democracy initiatives in Latin America faced a paradox: they were introduced to deepen democracy but could not work properly in the region because Latin America lacked the pre-conditions to make participation work. The case of Buenaventura, with its highly complex context, showed that this is not necessarily the case. Yet, the concepts of participants' and institutional scepticism (in chapters four and six) do remind us of the complications derived from the lack of trust in the State and participatory institutions.

7.2.3. Beyond institutional design

As mentioned above, this research has delivered results that go beyond institutional design. We now know that the design innovations in the Victims' Boards help to improve participatory processes, and that such participatory processes are strongly affected by contextual challenges and complementary factors. Considering all the findings, the comparative analysis allowed me to draw out the following four propositions about the challenges faced by institutional participation and the complementary factors helping to overcome them.

First: challenges and complementary factors are context-based.

The challenges that participation faces as well as the factors complementing institutional design, depend on the context of the participatory process. For instance, violence was a challenge in the three cases researched in this study but in each one of them, it had different manifestations and impacts. Likewise, what is a challenge in one case, may not exist in another; or the underlying issue can emerge as a complementary factor in a different environment: shortage of financial resources was not an issue in a municipality like Cali, the third biggest and richest city in Colombia; but it was a severe challenge in Corinto, a small, poor, sixth category[15] municipality. Similarly, lack of political will was a significant challenge in Buenaventura. Simultaneously, favourable political will was the main complementary factor heightening the Victims' Board process in Cali.

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[15] Colombian municipalities are classified from 'Special' and one to six according to the size of their population and amount of locally collected taxes. The smaller and the poorer the municipality, the higher the category it receives. 87.72% of the 1,100 Colombian municipalities are category six; 3.64% are category five (Contaduría, 2019).

Second: Contextual complementary factors may support or be supported by the design of participatory institutions.

Institutional designs influence complementary factors and can amplify them: in Buenaventura, civil society was self-organising as a pluralist collective regardless of the offer of 'invited-participation' institutions. Such an organisational process resonated with the Victims' Board design that facilitated the coordination between actions inside and outside the institutional space. In Cali, existing political will was enhanced by an aspect of the Victims' Board's design: mandatory responses.

This proposition implies that, although institutional designs cannot guarantee successful participatory processes, they can invigorate participation as well as promoting and supporting complementary factors that contribute to the success of participation. Moreover, the comparative analysis revealed aspects of the second-generation designs that may be subject to further institutional improvement. As the third section of this chapter shows, such institutional improvement is much required during the post-2016–Peace-Agreement-context.

Third: institutional adjustments required to heighten participation are not exclusive to the participatory sphere but extend to institutions of the State.

The conceptualisation of the participatory sphere as a porous space between the State and civil-society, implies that it is influenced by actors and structures in the latter two spaces (Cornwall and Coelho, 2007). In line with McGee et al. (2003), this research found that the structure of the State, particularly its decentralisation model, is a challenge for institutional participation. This was notable in Corinto, where the scarce financial resources and poor institutional capacity thwarted local government's responsiveness. However, there are strong indications signalling that this is not a problem exclusive to Corinto.

The National Federation of Local Ombudspersons (Fenalper for its name in Spanish) has been one of the voices warning about the weaknesses of small municipalities in Colombia and demanding a stronger decentralisation model. They have argued that municipalities in categories five and six,[16] that account for 91.36% of municipalities in the country, experience financial and institutional capacity problems that obstruct their ability to perform the duties delegated to them (Fenalper, 2014, 2015). Revelo and García (2018) coincide with Fenalper. In their research into local State- and institutional weakness in Colombia, they found that peripheral municipalities have very limited capacities to operate, which in the post-2016-Peace-Agreement-context, endangers not only participation but peacebuilding in general.

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[16] See previous footnote.

These problems are not new. Local authorities have been denouncing them since the introduction of decentralisation to the country.[17] Yet, national governments, including Santos's (2010-2018) and Duque's (2018-2022), continue to implement re-centralising reforms that make municipalities dependent on national income and less able to comply with their responsibilities.[18] If the conditions found in Corinto are also present in other municipalities, this is a challenge that must be urgently addressed across the country.

Fourth: further research is necessary into the challenges for which there are not yet clear solutions.

This research found different challenges for participation throughout the cases observed: lack of political will and governmental hostility; clientelism and corruption; lack of financial resources and poor institutional capabilities; violence; and participants' and institutional scepticism, among others. It also found that some of these challenges can be overcome if institutional design is progressive and contextual factors are complementary. In Cali, favourable political will was partially motivated by institutional design. In Buenaventura, the Victims' Board's participants defeated lack of political will and governmental hostility with tools offered by the institution's design and their coalition with the civic strike.

Other challenges on the list, however, can be more difficult to address. For instance, structural changes in the State sphere such as a different decentralisation model requires intense political struggle, consensus about power distribution and congressional majorities that are not easy to reach. And, as the post-Accord context has shown, congressional approval does not guarantee the implementation of a norm.

Improving participation and democracy is not an easy task. How can community leaders be effectively protected in Colombia, considering the country's violent political history? How can participants' and institutional scepticism be transformed, and trust recovered, when there are no clear signs of substantial change in the political system? These kinds of challenges, difficult to address, require creative research for which interdisciplinary approaches are welcomed. For instance, contributions from the fields of security studies and political psychology can assist our understanding of the phenomena of violence and scepticism, enhancing in turn our chances of making participation work and achieving the ultimate objective of democratic deepening.

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[17] See footnote 20 in chapter one and section 6.3.1.
[18] See Velásquez et al., 2020, pp.87,88,95.

7.3. Participation, Democracy and Peacebuilding in Colombia

In this research I intended to identify whether there has been progress in implementing participatory democracy in Colombia, and to consider what more could be done. When I started the research in 2016, I found it timely: more than five years had passed since the emergence of the second-generation of institutions for participatory democracy, and the 2016 Peace Accord between the Colombian State and the FARC-EP, as well as the peace negotiations with the ELN, promised a forthcoming third wave of institutional developments (see section 1.4.2). In this section I present the research findings that inform a potentially forthcoming third generation of participatory institutions as well as other attempts to improve participatory democracy in Colombia in the post-Agreement context.

7.3.1. New institutional designs have helped to increase and improve participation. Future designs should focus on consolidating inclusiveness, power and coordination in participatory institutions.

The adjustments to the design of second-generation participatory institutions had positive effects on participation, by widening it. The institutional design of the Victims' Boards facilitated access and representation for more social groups than the Planning Councils. Due to the Victims Boards' reserved seats for marginalised groups (*enfoques diferenciales*), there was at least one senior citizen, one young person and one person with disabilities on each Board observed. Likewise, there were 27.7% more women in this institution than on the Planning Councils. In this sense, Victims' Boards' design is more aligned with the ideals behind Martínez-Palacios's (2018) social-justice approach for participatory institutions and Fraser's (1990) 'counterpublics', i.e., guaranteeing that disempowered social groups have the same opportunities to join participatory institutions and deliberations within them. Indeed, empirical evidence in this research found that by including more participants from disadvantaged groups, the design helped to reduce inequalities in the participatory space, particularly those based on what Chandoke (2013) calls epistemic and language authority.[19]

Additionally, the procedure for electing participants to Victims' Boards limited politicians' control over who was included, giving participants more autonomy and more chances to be critical. Inclusion was also enhanced by public funding for participants' transportation expenses and activities, as this facilitated low-income participants' involvement in the participatory processes. Likewise, the participants' duty of carrying out accountability

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[19] Ascribing more importance to the inputs of high-status participants while diminishing the relevance of contributions made by participants of lower status.

sessions with the social groups they represent contributed to maintaining ties between the institution and broader society. All of these features were established by design.

Regarding decision-making power, the rise in the level of participation from consultation to joint-agreement (see Table 3.6); the fact that governmental responses must be delivered in 15 days; and the aforementioned autonomy, increased participants' influence on public decisions. Additionally, officers responsible for the oversight of participatory process can intervene more easily in cases where political will is lacking, which reinforces participants' influence over public decisions.

The effects of institutional design on democratic learning were not as consistent as they were for inclusion and decision-making power: levels of accumulated training were similar in both institutions and I did not find conclusive trends regarding 'sense of collectivity'.[20] That said, the research did find that processes with higher levels of inclusion and decision-making power had better results in terms of promoting pluralism and active citizenship: while decision-making power fosters active citizenship, the combination of decision-making power and inclusion promotes pluralism. This means that design adjustments in the second-generation of participatory institutions do have a positive effect on, at least, these two indicators.

I interviewed and discussed these results with three Colombian senior governmental officials, two researchers, three practitioners and two activists involved in the development of participatory democracy in the country. All of them agreed there has been progress in the implementation of institutional participation in the country and about the need for further improvements:

> '*We've had a bit more than 20 years of participation vs. a whole life without it as a country. Changes were not going to be automatic. There has been progress, people have internalised the fact that they have the right to participate and we have learnt things during these 20 years; some have not worked out well and we need to get better*.'
>
> <div align="right">Scholar and practitioner.</div>

A recent publication on the matter agrees with this assessment. Comparing data on participation between 1986 to 2002 and 2003-2017, Velásquez et al. (2020b) found that there has been an increase in the number of people joining participatory institutions in Colombia (see Table 7.1). They also found that more people understand participation as 'influencing decisions' and 'engaging with the state to solve problems' rather than receiving or giving information (pp.150-151); that more people and new actors are interested in public issues; and that those from lower strata are participating more than in the past (p.162). Yet, they found a

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[20] See definition in section 3.2.1.

continuity of structural obstacles and recognised that the process to strengthen participation should continue.

Table 7.1.
Citizen involvement with participatory institutions in Colombia

Participatory institution	1986-2002	2003-2017
Territorial Planning Councils	10.2%	18.7%
Committees for Community Participation on health	12.7%	31.6%
Citizen oversight committees (*Veedurías Ciudadanas*)	14.0%	18.6%
Education Boards	13.4%	22.6%
Municipal Councils for Rural Development	6.8%	21.1%

Source: Table 9.7. in Velásquez et al. 2020b, p. 158 (translated).

The consensus about the need for further improvements was reflected in the Havana peace negotiations between the Colombian State and the FARC-EP. According to interviewees who took part in the negotiations, in addition to the new statutory law on participatory democracy, the FARC-EP was determined to create participatory institutions with decision-making power for each one of the Peace Accord's points: '*The FARC insisted on having as many participatory institutions as possible. They deeply believe the State must systematically open up participation opportunities for marginalised civil society groups. How effective that's going to be, well, that's another issue*', said one of my interviewees.

Although the establishment of participatory institutions does not guarantee successful participation, empirical evidence shows that the processes perform better when institutional measures to ensure effective inclusion of unprivileged groups -such as the Colombian gender, ethnic and other differential approaches- are put in place; when the institutions have at least joint-agreement status (i.e., when representatives of the State have to discuss and agree public decisions with participants); and when there is coordination among different participation initiatives. Likewise, evidence suggests that there is a trickle-down effect from having inclusive and powerful institutions to the development of active citizenship and pluralism amongst the participants. Future semi-representative participatory institutions may benefit from this finding.

It must be said, nevertheless, that there was one aspect that the comparison did not allow us to examine completely: the role of the private sector. This was because the two examined participatory institutions have different ways to relate to it. Planning Councils were envisioned as spaces for the confluence of multiple actors involved with the development of a territory. Their institutional design explicitly asks for the inclusion of the 'economic sector', which, in our three cases was equivalent to the private sector (or small merchants in Corinto).

The private sector, and a wide diversity of sectors, must meet, find common views on how to promote development and present these views to the local government.21

The role of the private sector in the Victims' Boards is not as explicit. The purpose of the institution is to guarantee the participation of victims of the armed conflict in the design, implementation and monitoring of policies for their reparation and peacebuilding initiatives. Given that the state is the main responsible for victims' reparation,22 the dialogue tends to be directed at it. Surely, the government has asked the private sector to support initiatives for the reparation and economic stabilisation of victims (see UARIV, 2018). Nevertheless, these requests are not discussed at the local Victims' Boards. To this should be added that the armed conflict is not an easy topic for part of the private sector, nor the private sector regarded as a natural ally by victims in general. Corporations have played an active role in the war, and the Colombian state has been timid with the procedures to make them accountable (Bernal-Bermúdez and Marín, 2018; Céspedes, 2012; Hoyos, 2019; Michalowski and Cardona, 2015). Certainly, it would be interesting to see the effects of more frequent encounters between victims, the state and the private sector: would the encounters contribute to the private sector's acknowledgement of their responsibilities and the comprehensive reparation of victims? Peacebuilding seeks the transformation of actors in conflict for the reconstruction of a broken social fabric, and the private sector must be part of such a process.

7.3.2. The improvement of participatory democracy in Colombia requires reforms in the participatory sphere *and* in other institutions of the country's political-administrative system.

Assessments of participation do more than evaluate discrete participatory processes *per se*. Participatory mechanisms reflect how the State deals with inputs from the public, hence, they reflect the general quality of a democratic system (Velásquez, 1991, 2017, 2018; O'Donnell, 2004).

This research observed the relationship between the participatory sphere and the broader political-administrative system, including how the latter conditioned the former across three cases. It is a fact that participants face obstacles in obtaining responses from the Colombian State. The obstacles can be so considerable that they can outweigh the effects of progressive institutional designs and neutralise the entire participation process, such as in

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[21] That said, the data also showed that the private sector usually has access to additional channels of interactions with the state.

[22] International law establishes that states are obliged to respect, protect and fulfil human rights, and that they are liable for their actions and omissions. Likewise, 'there is emerging recognition that it is the responsibility of the state to provide justice for victims of armed conflict, and that sustainable justice requires three different components: judicial accountability, truth and reparations' (Evans, 2012, p.1).

Corinto, where the performances of the Planning Council and the Victims' Board were of a similar poor standard, despite the different institutional settings.

The most visible obstacles created by the Colombian political-administrative system in this research were the country's decentralisation model and the poor coordination among State institutions, even among those at the same governmental level. Under the current decentralisation model, small municipalities lack financial resources, institutional capacity, and sometimes competence to process and respond continuous civil-society demands. The lack of coordination between State institutions within and across governmental levels made responsiveness more difficult, as resolving problems required collaboration among different offices and departments (see also Ramírez-Montenegro, 2015). Revelo and García (2018) have warned that the institutional weakness of the local State is evident in peripheral municipalities, particularly in those affected by the armed conflict. These obstacles, and others that may have not been identified by this study, need to be addressed for the sake of participation, peacebuilding and the overall quality of Colombian democracy.

7.3.3. The post-Agreement context does not offer a favourable environment for the arrival of a third-generation of participatory institutions.

Despite the multisectoral interest in participation and demands to deepen democracy, the arrival of a third-generation of participatory institutions is still the object of political contestation. Legal and illegal forces obstruct the exercise of participatory democracy and oppose the creation of new progressive frameworks for it. I address this finding in two separate but complementary propositions: (a) the 2016 Peace Agreement has not resulted in the expected political opportunity for change, and (b) regardless of their design, Colombian participatory institutions face challenges for which solutions remain unclear, such as violence against participants as well as participants' and institutional scepticism.

The 2016 Peace Agreement has not resulted in the expected political opportunity for change.

The 2016 Peace Agreement with the FARC-EP and the negotiations with the ELN were expected to create an historic political opportunity to deepen democracy and social justice[23] in Colombia.

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[23] 'Peace with *social justice*' is a common expression among Colombian social movements to refer to what they expect from the 2016 Peace Agreement.

Advocates of participatory democracy sought to achieve through the Peace Agreement what they could not obtain with the second-generation of participatory institutions in the country.

The 2016 Peace Accord incorporated structural measures to counter exclusion and inequality in order to tackle the historical causes of the armed conflict. As mentioned in section 1.4.2 of this thesis, this involved a participatory approach crosscutting all sections in the Accord, explicit commitments to improve institutions of electoral and participatory democracy, and participatory undertakings in each section of the Accord.[24] As part of the commitments to participatory democracy, the government committed to drafting a law to offer guarantees and promote citizen participation. The objectives to be met were extending representation and leadership of women; guaranteeing funding for participation projects designed by civil society; establishing authorities to verify the State's compliance with its participation duties; increasing responsiveness; facilitating exchange of experiences among social movements and civil society organisations; improving participants' security (Point 2.1.2.2 of the Accord); offering guarantees for social mobilisation and peaceful protest; facilitating access to media; responding to political stigmatisation of participants; and strengthening citizen monitoring and participatory planning. Likewise, the negotiators agreed to incorporate participatory mechanisms in the Comprehensive System for Truth, Justice, Reparation and Non-Repetition, and to strengthen the policy for the attention and reparation of victims of the armed conflict through a 'broad and effective' participatory process, meaning that adjustments to the policy should be based on proposals presented and discussed with victims (Point 5.1.3.7 of the Accord).

More than three years after the Accord, none of these tasks has been completed. The national discussion to gather inputs for the new law on guarantees and promotion of citizen participation was carried out in March 2017. However, as of April 2020, the bill has not been debated by Congress. The normative adjustments and procedures to guarantee the right to peaceful protest and social mobilisation have not been defined either. According to the third annual report of the Kroc Institute on the implementation of the 2016 Peace Agreement,[25] the steps to facilitate civil society organisations' access to media remained minimal or had simply not been implemented by March 2019 (Kroc 2019, p. 48). Something similar happened to the procedures to strengthen citizen monitoring (p.50), and 80% of the tasks to comply with the commitments on participatory planning had not been initiated (p.46). The 'broad participatory process' for strengthening the policy on the recognition and reparation of victims of the armed

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[24] '[…] an organised and democratic society is a necessary condition for a stable and durable peace, in particular for the implementation of this Peace Accord' (Peace Agreement, Point 2.2, p.42.)

[25] The 2016 Peace Agreement gave the University of Notre Dame's Kroc Institute responsibility for technical verification and monitoring of implementation of the Accord (see Peace Agreement, Point 6.3.2, p.211)

conflict was carried out in March 2017, but no proposal for reform had been presented to Congress by April 2020. Moreover, the quality of the 'broad participatory process' was questionable at least in the region where I was based, as participants were asked to attend 'an event' without knowing that it was the Peace Accord's 'broad and effective process':

> *'If I had known that was the purpose of the event, I'd have prepared better. Few of us[26] were invited. I could have discussed the topic with all the Victims' Board to bring everybody's proposals. Everything there was "quickly, quickly", there wasn't much time for discussion, really.'*
>
> Victims' Board participant.

Civil society organisations have organised mobilisations and events in order to push the commitments on participation onto the government's and Congress' agendas.[27] However, at the time of writing, their efforts remain ineffective.

Why is this so? My interviewees and the Kroc Institute concurred that the main problem was lack of political will. Although Juan Manuel Santos's (2010-2018) government permitted the second-generation of institutions for participatory democracy to emerge, the topic was not among his priorities. Santos did not prioritise the Peace Agreement's commitments on participation during the final years of his presidency. Although it was ready, he did not include the bill about participatory democracy among those he presented to Congress under 'fast-track' procedures.

Likewise, some of Santos's officials were not interested in the structural changes that civil society expected from the Accord. The Peace Accord created an opportunity to reform a fundamental law to improve participatory planning: the 152/1994 Organic Law on Planning. Civil society organisations *Sisma Mujer*, *Foro Nacional por Colombia* and *Viva la Ciudadanía* presented their own proposal for reform based on the Peace Accord, and on scholarly and social organisations' research, as well as forums and conferences on the matter. Their proposal included an expansion of the definition and principles of participatory planning; comprehensive alignment with the Peace Accord; improvements in the composition and functions of the Planning Councils; further development of the National Planning System; and participatory budgeting guidelines from a gender perspective (Sisma Mujer et al., 2017).

The proposal drafted by the Santos government was much more limited by comparison: it did not make explicit the territorial, gender and differential approaches included in the Peace Agreement; it did not comprehensively align the ordinary development plans with the planning instruments defined within the Accord; it did not establish procedures to improve

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[26] Meaning participants on her Victims' Board.
[27] e.g. mobilisations on the 10th August 2017, 17th September 2017, and 28th-30th January 2019.

the representativeness, responsiveness, or the influence of Planning Councillors on public decisions; it did not mention the national planning system; it did not establish financial support for participation; nor did it embrace a bottom-up planning dynamic. When I interviewed a senior officer from the National Planning Department during Santos's administration his answer was very clear: they knew they could have used this opportunity to bring a structural reform to the Colombian State, but they decided not to do it. They only saw the need to draft a proposal with the fewest possible alterations, only those required to formally comply with the Peace Accord. By April 2020 their proposal had not been approved by Congress.

With the switch to a right-wing government in August 2018, lack of political will turned into hostility. The political change affected the entirety of the Peace Agreement, not only the elements on participation. The strong reservations of the new President, Iván Duque, and his party towards the Accord led them to attack some of its core elements. The President objected to the statutory law required for the proper functioning of the Special Jurisdiction for Peace (JEP by its Spanish acronym), the transitional justice body designed in the Peace Accord,[28] and reduced funding to all institutions for transitional justice.[29] Additionally, Duque suspended peace talks with the ELN in September 2018, shortly after taking office. His party opposed the 'special constituencies for peace', i.e. 16 seats in Congress for the regions most affected by the armed conflict, and has proposed legislation that contradicts the spirit of the Peace Accord. For instance, while the Peace Accord seeks to protect the right to peaceful protest and mandates a stronger and extended version of the Victims and Land Restitution Law, members of the president's party have presented tabled proposals to restrict the right to protest and to reform the Victims' Law in ways that have been characterised as highly regressive by victims'- and human rights organisations (Gómez, 2018).

The opportunity that seemed available for structural changes is not as open as it was thought to be. The post-Agreement context has not been favourable to creating the participatory institutions announced in the Agreement. Hence, the path to achieving improved participatory democracy, and a third-generation of participatory institutions, seems to lie in the realm of political contestation rather than in the straightforward implementation of an already-signed Peace Agreement.

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[28] The Constitutional Court ordered him to withdraw his objections and sign the statutory law on 29th April 2019.

[29] In 2019 the Special Jurisdiction for Peace received 28% fewer resources than requested, the Truth Commission received 40% less and the Search Unit for Missing Persons (UBPD) 68% less (Valdez, 2019).

Participatory institutions in Colombia, regardless of their design, face challenges for which solutions remain unclear. This study found two: participants' and institutional scepticism, and violence against participants.

Participants' and institutional scepticism: Literature in the 1990s (see section 1.2) and all my interviewees who were politically active during that decade in Colombia, agreed that a key factor for the introduction and expansion of participatory democracy in the country (the first-generation of participatory institutions), was the high hopes for the deep democratic transformations that the new Constitution would usher in: '*We all believed we were changing the history of this country, everyone was talking about big transformations, a real democracy, and we all thought we were making them happen*', one of the first Planning Councillors in the country told me. The same cannot be said about contemporary Colombia. There has not been a comparable 'momentum' -not even after the signing of an internationally acclaimed Peace Accord with the oldest guerrilla in the hemisphere.

This lack of optimism also touches on participatory democracy. So much so that, as the case of Cali showed, it can derail the success of such processes regardless of the strength of the participatory institutions. Participants' scepticism was the underlying cause of the inclusion- and democratic learning problems within Cali's Victims' Board. Distrusting the possibility of changing the *status quo*, participants reproduced repertoires of traditional electoral-representative politics in the participatory sphere, and thereby, the participatory institutions ended up producing opposite results to those formally intended. As shown in section 7.2.2, evidence of this kind of scepticism emerged from the national level as well. According to my interviews, participants on the National Victims' Board, known for their scams and questionable practices to win election, behaved in that way partly because they did not believe that the Colombian government would be able to change their deprived life conditions through participatory democracy and formal rules.

Moreover, I found that scepticism works both ways. The case of Corinto showed that State representatives refrained from processing participants' demands, particularly when it involved the provincial- and national-level institutions, because they assumed that they would not obtain any answers from the other governmental levels and that they would be unable to fix the problems. I used the term '*institutional scepticism*' to describe State representatives' hesitations about their capacities to deliver meaningful changes to their municipalities. Empirical evidence suggests that institutional scepticism is higher in peripheral municipalities with poor support from the national government and noticeable institutional weakness. Institutional scepticism hindered the state representatives' responsiveness and, hence, participation.

Scepticism is not unfounded. It is based on the difficulty of bringing about structural changes in Colombia, even with the introduction of participatory democracy mechanisms.[30] Scepticism is inserted into a 'vicious circle' dynamic. It is founded on the disillusion and distrust caused by the traditional political system's formal and informal institutions, and inhibits efforts to challenge them. Breaking the distrust requires meaningful changes, which is difficult to accomplish due to the deep-rooted character of the traditional institutions.

The scepticism identified in this study defies Cleary and Stokes's (2006) account of democratic scepticism. Cleary and Stokes maintain that scepticism is useful for democracy because it motivates citizens and independent bodies to make governments accountable (See also Rosanvallon, 2008). Without distrust, they say, citizens' incentives to join civic organisations are diminished. This may be partially the case, as after all, distrust in governments was the foundation for the introduction of participatory democracy in Latin American political systems. Yet, this research found that once participation is also distrusted, dangerous cynicism emerges. Paradoxically, while these displays of cynical disillusionment occur, so too are there people who have not completely lost hope in the possibilities of change.

Violence against participants: Assassination of participants and threats against them are a blunt attack to participation for obvious reasons. In the Colombian post-Accord context, this hazard has turned into a human rights crisis. Whilst discrepancies between statistics exist,[31] the Colombian Ombudsman's own records show that 555 human rights defenders (HRDs) and community-based leaders were murdered in Colombia between January 2016 and October 2019. The UN Special Rapporteur on the situation reported that 'from 2016 to 30 June 2019,

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[30] The developments with anti-mining popular consultations are a good example of this. The 1991 Constitution created the figure of popular prior consultations, a mechanism through which local and provincial authorities can convoke citizens to vote on issues affecting their jurisdiction (Articles 103-105). Twenty years later, Law 1757/2015, a second-generation creation, made an adjustment: popular consultations could be convened by civil society. Based on this change, community-based environmental groups and social organisations started to invoke popular consultations to decide on the future of mining and oil-extraction projects in their municipalities. The first citizen-led popular consultation was carried out in March 2017 in Cajamarca, a town where the Colombian government had granted a contract to the multinational company AngloGold Ashanti. In the consultation, Cajamarca's citizens were asked if they agreed that mining projects should be carried out in their municipality. AngloGold Ashanti left after 97% of the voters replied 'No'. Popular consultations have multiplied since. By September 2018, nine more popular consultations overwhelmingly rejected mining projects in other parts of the country and 54 were pending (El Tiempo, 2018). The spread of popular consultations was unexpected as they had not demonstrated their potential before (See MOE, 2012). The trend showed the power of people and strengthened participatory institutions but clashed with the economic interests of the national government and multinationals. Mining and oil extraction projects were the core of the national government's plans for economic growth. Santos's governments (2010-2018) referred to them as the 'locomotive' for Colombia's development. In October 2018, in response to the legal protest of one of the mining companies affected by the citizens' decisions, Mansarovar, the Colombian Constitutional Court judged that municipal popular consultations could not decide the future of mining projects in their territories. Later, in January 2019, the Court abolished the norm that enabled popular consultations to be called before the start of mining or oil industry projects. The power of people and participatory institutions was obstructed.
[31] Due to different methodologies. See Programa Somos Defensores (2019, 2019b); Indepaz (2019, 2020); Defensoría del Pueblo (2020); UNHCHR (2019, 2020).

Colombia was the country with the highest number of murders of human rights defenders in Latin America […], and with a large number of threats, attacks, displacements and other violations of the rights of defenders' (Forst, 2019, p.6). Additionally, he has identified a steady pattern in the number of killings, attacks and threats (See Forst, 2018, 2019).

I found the phenomena in every case in this study: participants on the Victims' Board in Cali, mainly women, received anonymous threats demanding they cease their activities; back in 2015, the full Board received an anonymous pamphlet threatening all of them. In Buenaventura, members of the Victims' Board and the civic strike, especially Afro-Colombian women, were anonymously threatened; in February 2018, Temístocles Machado, a well-known Afro-Colombian community leader who was part of the civic strike, was assassinated, causing outrage among Colombian public opinion and solidarity mobilisations in the country and abroad; and on the 26 July 2019, the very day of an international protest about the issue, Carlos Tovar, a member of the Victims' Board and the civic strike, miraculously survived the impact of six bullets fired at him. In Corinto two women active on the Victims' Board and Planning Council had to leave the municipality after being threatened; one of them suffered an attempt on her life. According to Indepaz (2019), 20 community leaders and social activists were murdered in Corinto between January 2016 and February 2019, most of them indigenous people.

The way in which this problem unfolded in the three cases coincided with the trends in the rest of the country: the risks are much higher in peripheral areas, where there is 'a persistent lack of access to rights by the population', high levels of multidimensional poverty, 'weak or even lack of state presence', and delays in implementing the peace accord (UNHCHR, 2019, p.4.). In these small communities, social leaders tend to be members of participatory institutions and non-institutional processes of participation alike. The main victims are rural community leaders, women and ethnic minorities.

> '*Defenders most at risk are mainly peasants, indigenous peoples, Afro-Colombians and women actively promoting the peace agreement (land reform and restitution as well as illicit crop substitution), as well as those demanding civil, political, economic, social or cultural rights. They are often social leaders in their communities, members or heads of associations and social movements, and exercise public functions at the lowest level of the territorial structure, in the Juntas de Acción Communal. They are the ones defending their land ("el territorio"), environmental and collective rights, opposing the exploitation of natural resources by legal and illegal actors*' (Forst, 2018).

The UNHCHR (2019, p.4.) reported that the alleged perpetrators were criminal groups linked to paramilitary structures (40%), the ELN (8%) and EPL (4%) guerrillas, the Colombian armed forces (5%), FARC-EP dissidents (8%), individuals not affiliated to any armed group (18%) and unknown persons (17%). UN offices as well as Colombian and international NGOs have

pointed out that Colombian government measures to address the crisis remain insufficient.[32] Moreover, in the 2018 and 2019 reports about the status of the implementation of the Peace Accord, the Kroc Institute (2018,p.39, 2019,p.46) warned that the pattern of assassinations of community leaders and human rights defenders, as well as the poor progress in providing them with security, were the main threats for the success of the peace process.

It is evident then, that civil society faces arduous challenges for participation in Colombia. In their work on power, violence and agency in Buenaventura, McGee and López (2016) showed that violence was not only direct but structural and symbolic as well. This long-standing violence shaped behaviours and imposed boundaries on participation, to the point that most people accepted the violent social order (see also McGee,2017). Yet, the relationship between violence and participation is not only unidirectional. Although insufficient, participation can act on violence (Pearce, 2007).

Indeed, in spite of the devastating scenario, Colombian activists, community leaders, and members of participatory institutions keep mobilising for their original causes and to demand protection. All participants who received threats in the three cases studied in this thesis continued their activities either in the same municipality or in another: '*sometimes you have to reduce your visibility for a while, but you can't stop working*', one of them told me in a remarkable display of bravery. They understand this bravery as a political act of *resistencia* that rejects and challenges violence. Between the signing of the 2016 Peace Accord and August 2019, civil society organisations, social movements and international networks had organised at least five national and international protests on this issue.[33] In one of them, called '*Refugio humanitario por la vida de líderes y lideresas sociales*' (humanitarian shelter for the life of social leaders), community leaders from around the whole country travelled to Bogotá and asked embassies from European and North American countries to become involved in their defence. In May and June 2019, the European Union announced support measures.

In the case of Buenaventura, resistance and its results have also been evident. Activists and social leaders went from being a subaltern minority who challenged powerful legal and illegal actors (McGee and López, 2016) to organisers of multitudinous demonstrations in 2014 and 2017, direct interlocutors with the national government during the civic strike, and holders of the local government in 2019.

Nevertheless, the transformation is not complete. During the civic strike, activists focused on confronting the national government. How they will take a stand against illegal violent actors from their new position of power, is yet to be seen. Indeed, without a strong

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[32] See Forst, 2018, 2019; UNHCHR, 2019; Programa Somos Defensores, 2019; Indepaz, 2020; Winstanley, 2017; Justice for Colombia, 2019.
[33] 6th July 2018, 5th April 2019, 28th April-2nd May 2019, 6th March 2019, 26th July 2019.

protective response from the Colombian government, the situation in the country remains complex and problematic. Civil society organisations still act amidst the armed conflict and illegal economies; the assassination of social leaders continues; and paradoxically, inasmuch as social leaders create a force that challenges violence, their risks of becoming targets of such violence increase. Not only institutional participation improvement, but the very right to participate is endangered in the Colombian post-Agreement context.

7.3.4. Non-institutional contentious participation (social mobilisation) seems to be the path to exercise and strengthen participatory democracy in the post-2016-Peace-Agreement context.

In their work, Miraftab (2004, 2006, 2009) and Gaventa and McGee (2010) concluded that coalitions between institutional participation and contentious social mobilisation benefit participation processes. Furthermore, in 2007 Gaventa highlighted that coordination with grassroots mobilisations was an explanatory factor for institutional participation success. Based on the empirical evidence gathered in this research, I go beyond this point to suggest that, given the conditions of the post-Agreement context, social mobilisations alone will be more influential than coalitions between institutional and non-institutional participation for democratic deepening and peacebuilding in Colombia, including the arrival of a third-generation of participatory institutions itself.

There has been an apparent division between the study and practice of social movements and institutional participation. In September 2018, Prof. Graham Smith opened the conference of the UK Political Studies Association's group on Participatory and Deliberative Democracy recapping the main divisions in the field within the western tradition. He divided scholars focused on participatory institutions from those interested in non-institutional participation and social movements. In the Latin Americanist tradition, however, there have been bridges closing the gap since the 1990s (e.g. Avritzer, 2002; Dagnino, 2002; Olvera, 2003; Panfichi, 2002; Pearce, 2004; Velásquez, 1991). For instance, Pearce (2004) showed that while Latin American activists distrusted formal, institutionalised participation, they did not reject a version of democracy in which they could be active in political decision making (p.499). Furthermore, she presented examples of how activists could participate in formal and institutional politics retaining their quality of contestation (p.502). Fifteen years later, this research also illustrates that institutional and non-institutional participation cannot be fully separated.

This research also exemplifies how coordination between institutional and non-institutional participation benefits participatory processes. Moreover, it suggests that higher

levels of contentious social mobilisation are needed in contexts where the challenges to institutional participation exceed its complementary factors. In Buenaventura, the 2017 civic strike heightened the power of the Victims' Board. The Victims' Board's design did facilitate coordination with non-institutionalised participation and put tools at the service of the latter. Yet, it was the civic strike that captured the national government's attention and levelled the playing field, which is key for peripheral territories (see image 7.5).

Image 7.5. President Santos in Buenaventura, signing the Law for the special fund for Buenaventura's development, an achievement of Buenaventura's Civic Strike. Taken by the author.

While showing that institutional- and non-institutional participation are not mutually exclusive, Buenaventura also reveals that social movements understand that their success requires some degree of institutionalisation. In Buenaventura, the social mobilisation involved negotiating round-tables which were followed by periodic 'monitoring boards' in which civil society and State representatives meet to review compliance with the agreements reached. Other protests in the country have followed similar procedures. The main difference between this type of institutionalisation and spaces of invited participation[34] is how and who sets the rules of the process, which is not a trivial matter.

Furthermore, and contradicting Tarrow who wrote that 'contentious forms of collective action are different from market relations, lobbying or representative politics because they bring ordinary people into confrontation with elites and authorities' (1998, p.4), the case of Buenaventura shows that contentious collective action can trigger and involve

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[34] Those designed and often led by the State (Cornwall, 2002).

processes of electoral politics led by ordinary people.[35] Unexpectedly and under extremely hostile conditions, social activists went from being subaltern actors who resisted legal and illegal powerful actors (McGee and López, 2016), to obtaining political power in the district for the first time in Buenaventura's history.

This development is crucial for scholarship and practice: Buenaventura's civil society was able to transform power relations in the district through the coordinated use of institutional and non-institutional participation *as well as* electoral politics. The case invites us to think beyond a framework of 'ecologies of participation' in which diverse participatory processes connect with each other, by making us think about strategic civil-society-led coalitions among different expressions of democracy, *including electoral-representative politics*. When enthusiasm for participatory democracy was growing, Pearce (2004) optimistically wrote that contentious social movements would have the opportunity to 'revalue democratic practice and engage with representative and institutionalised bodies in constructive ways but on their own terms' (p.502). Pearce's utopian vision takes shape in Buenaventura and unveils opportunities for research about these enlarged coalitions for democratic deepening.

Empirical evidence also shows that, when considered separately, the achievements in Buenaventura are more attributable to contentious mobilisation than to institutional participation or a combination of the two. The same can be said about Corinto: indigenous, Afro-Colombian and peasant-farmer communities came together in the 2019 *Minga por la Vida* despite their multicultural conflicts and obliged the national government to commit to compliance with agreements previously established with them, including elements of the 2016 Peace Accord. Nothing similar happened through an invited participatory institution (see chapter six).

It was not a coincidence that most influential participants preferred social mobilisations over participatory institutions. Interviewees declared that although institutional participation aims for a deeper democracy, the problem lies in the way in which the State controls participation: it dictates which topics can be addressed, who can address them, and when, where, and how to let the conversations develop. As feared by Miraftab (2006), interviewees signalled that State officials fell back on the existence of institutional participation to delegitimise protest. Indeed, I recorded four different episodes along these lines during my fieldwork: State officials rejected the use of contentious mobilisation arguing that the Colombian political system had institutional channels available to deal with social discontent.

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[35] Velásquez et al. (2020) also found a recent rapprochement of Colombian social movements towards electoral politics.

Based on their experience, participants assumed that institutional participation would hardly be effective, particularly in peripheral municipalities. They assumed a lack of responsiveness from the State and the need for mobilisation.

My international interviewees, from embassies and cooperation agencies supporting participatory processes in Colombia, also pointed out that non-compliance was a recurrent element in Colombian participatory processes. They referred to a cycle of unheard social demands that evolved into protests. Direct action would attract the governments' attention. Negotiations would follow. Agreements would be reached and later breached, and the cycle would start again. Ultimately, mobilisation would be inspired by distrust and the State's lack of compliance.

There is a profusion of both elements -lack of government's compliance and social mobilisation- in the post-Agreement context. Not only has the promise of delivering what I call the third-generation of institutions for participatory democracy has not been implemented by the time I write this, but the same has happened with other structural components of the 2016 Peace Accord (see section 7.3.3). As pointed out above, without structural changes such as the improvement of the decentralisation model, local institutional participation is unlikely to fulfil its purpose in weak municipalities, which is precisely where the expected results of participatory democracy are needed most.

The lack of compliance of Duque's government with the 2016 Peace Agreement, as well as social discontent in other areas, have had consequences: Duque faced 98 days of strikes during his first 9 months in office, i.e., 37.5% of his period up to that stage (Becerra, 2019). The president has encountered different, but related, forms of contentious mobilisation. He has encountered local and regional mobilisations with geographically focused claims like the *Minga por la Vida* that started in March 2019 in Norte the Cauca and later acquired a national dimension. Mobilisations such as the *Minga por la Vida* and Buenaventura's 2017 civic strike remind us of the strong capacities of ethnic minority organisations for determined collective action. Likewise, Duque encountered mobilisations on a national scale that non-organised citizens join to express general disapproval of his government. The national strike of the 25 April 2019 and the national strike protests between 21st November 2019 and 21st January of 2020 are examples thereof.

This latter set of protests coincided with nationwide demonstrations in other Latin American countries including Chile, Ecuador, Peru and Haiti. In the Colombian case, unions, federations of students and neighbourhood action boards, organisations of women, indigenous peoples, Afro-Colombians, peasant-farmers and youth, platforms of human rights defenders, and opposition political parties came together to reject socio-economic policies that

they considered regressive and to demand further investment in education and protection for community leaders and human rights defenders, as well as the implementation of the 2016 Peace Accord. By December, the national strike committee had designed an agenda for negotiations that covered guarantees for the right to peaceful protest; social, economic, political and human rights; anti-corruption measures; peacebuilding; agrarian issues; compliance with previous accords; environmental protection; withdrawal of regressive laws; and participation in the designing of new laws on diverse topics (Comité Nacional de Paro, 2019). Overall, Duque was faced with a broad set of proposals for structural changes that questioned his development model.

According to Archila et al. (2019) and Velásquez et al. (2020, 2020c), Colombians' tendency to protest has been growing since the 2000s.[36] Velásquez et al. (2020c) believe that this trend is explained by frustration with institutional participation. Their hypothesis is that social groups preferred to invest more efforts in contentious mobilisation when they realised the limited results that they could obtain through participatory institutions. This in turns resonates with Avritzer's (2002) warning about the greatest challenge for Latin American democracies in the 21st century: during the third wave of democratisation, Latin American societies developed new practices that allowed ordinary people to take part in the design of collective life. Social groups maintained their active citizenship practices and sought their formal introduction into the reformed political systems. Traditional elites, however, repelled it, Avritzer claimed, creating a tension between the two sectors. The challenge would be, then, consolidating democracy while resolving the tension. If we follow Avritzer's argument, the increasing trend of protests can be interpreted as a manifestation of this tension, of civil society's frustration with participatory institutions, and their insistence on taking a serious part in the design of collective life. The protest would be a practice and a demand for effective participation, and therefore, democratic deepening.

These hypothesis about democratic deepening via contentious mobilisation also resonate with the work of Coelho and Von Lieres (2010) and Della Porta (2013, 2015, 2020). For Della Porta, saving democracy from its crisis requires going beyond the liberal canon to make it more participatory and deliberative. She has argued that social movements are key actors in achieving this goal, not only because they have started to make deeper democracy one of their claims, but because they build participatory and deliberative democracy through the ways in which they operate. Although it does not happen with all social movements, Della Porta has illustrated how social movements such as the anti-austerity protests and activists

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[36] Velásquez et al. (2020c) found a 67% increase in the quantity and intensity of protest between 2002 to 2017, in comparison with the period between 1975-2001.

from the Global Justice Movement (Della Porta and Doerr, 2018) adopt 'inclusive and transparent forms of internal decision making, with increasing emphasis on consensus building' (Della Porta, 2015, p.768). We have seen similar dynamics in this research. Della Porta's descriptions echo Buenaventura's civic strike, their weekly open assemblies, inclusive negotiation boards, *espacios autónomos*, channels for informing the citizenry, the way in which they selected their candidate for mayor in 2019, and their effects on institutional participation.

Velásquez et al.'s statement (2020) about a growing complementarity among social movements in Colombia is also a sign of their transformative potential. Contentious mobilisation does not always involve pluralism or cross-group alliances. Social movements may prefer to negotiate with the government on a one-to-one basis to avoid the interventions of other social groups that share their interests. Velásquez et al.'s suggestion, however, counters this concern. Furthermore, this research recorded cases resembling their assertion. Buenaventura's 2017 civic strike, the 2019 *Minga por la Vida*, and the national strikes in April, and from November 2019 to January 2020, show diverse groups with different interests, converging to confront the subordination, exclusion and violence of the Colombian political system.

Note that I do not seek to lessen the importance of institutional participation in Colombia. As shown throughout the thesis, groups and individuals maintain their involvement with participatory institutions and want them to be even stronger. Furthermore, the formalisation of participatory democracy has provided activists with arguments to (re)claim their rights. Even radical protesters have appropriated the participation discourse and made it their own. Yet, participatory democracy and its institutionalisation is still a matter of political contestation and the post-2016-Peace-Agreement-context indicates that civil society needs, and is willing, to keep mobilising for it.

7.4. Conclusions.

While developing a second-level of comparative analysis, this chapter has presented the complete answer to the general question of this research. I have shown that the institutional design of the Victims' Board improves participation processes when context provides favourable complementary factors. In other cases, however, contextual challenges can neutralise the expected benefits of progressive institutional design. Furthermore, this chapter showed that in order to continue improving participatory institutions, democratising democracy and building peace, structural elements of the State's sphere should be addressed and adjusted. Nevertheless, the post-Agreement governments have not been of supportive of

the changes and have fallen short in protecting social leaders and human rights defenders. As participation, democratic deepening and peacebuilding remain a matter of political contestation, contentious and pluralist social mobilisation has become fundamental to their promotion. In fact, empirical evidence suggests that civil society is improving its mobilisation skills. This includes coordination between different forms of participation including electoral politics. Yet, it is important to highlight that the consequences of the coronavirus pandemic could severely alter the prospects for mobilisation.

Conclusions

The introduction of participatory democracy in Latin America in the late 1980s and the 1990s came after social uprisings seeking structural changes in the region. Social movements were protesting at the accumulation of power by elites as well as the inequalities that such concentration produced. Participatory democracy was about 'democratising', 'deepening', or 'improving the quality' of democracy (Dagnino, 2002; Santos and Avritzer, 2005; Wampler, 2008). For its supporters, participatory democracy would help to transform power relationships and build fairer societies (Welp and Ramirez, 2011).

Participatory democracy comprises processes of inclusion and empowerment of civil society to ensure their influence on public decisions; such processes can be led by civil society itself or by the State. Further, when institutionalised, participatory democracy can become sustainable and systematic.

In his theory of participatory institutions, Avritzer (2009) stressed that once participatory institutions were introduced into Latin American democracies, they became 'a central element in the operation of participation', as they helped to transform the 'voluntary characteristics of civil society into forms of permanent political organisation' (p.12). He also highlighted the importance of institutional design for participation effectiveness:

> 'Design is not neutral […], it involves strengthening horizontal potentials already present in civil society or blocking hierarchical elements already present in the polity. The fine tuning of participatory designs is essential to making these institutions achieve their potential, and variation in design is a key consideration' (p.13).

This was the point of departure for this research. An investigation about participatory democracy in Colombia with an emphasis on institutional design seemed timely. The first-generation of institutions for participatory democracy, inaugurated by the 1991 Constitution, had fallen short in its purpose and had inspired civil society groups to call for institutions with improved designs. A second-generation of participatory institutions had entered into operation, and the 2016 Peace Agreement between the Colombian State and the FARC-EP promised a third one with even stronger designs. Yet, the effectiveness of the second-generation remained unclear.

In line with Avritzer's theory, the processes of institutional adjustment in Colombia have been processes of 'interactive institutional design': They have not emerged from governments' political will but have taken shape in the interaction with civil society. Civil society initiated and nurtured the process that led to the second-generation of participatory

institutions. The third-generation envisaged by the 2016 Peace Agreement has also involved important interactions between the State, civil society and, in this case, rebel armed forces. In addition to the FARC-EP's interest in enhancing institutional participation, the topic was raised by civil society groups who came to the negotiation table in Havana (see chapter one). Furthermore, the Agreement established that civil society should be consulted about a new law for promoting and protecting participatory democracy in the country. The consultation was carried out in 2017 (see chapter seven).

Hence, what did this research find and how does it contribute to the debate about the improvement of local participatory democracy in Colombia? How does it inform the efforts towards a future, new generation of participatory institutions in the country?

Based on the comparative analysis of participatory processes within two semi-representative institutions in Cali, Buenaventura and Corinto, it can be concluded that the design adjustments in second-generation institutions for participatory democracy do have positive effects on participation, that nevertheless can be strengthened or undermined by context.

The cases of Cali and Buenaventura show that the decision-making power of participants improves with higher participation mandates; explicit rules for mandatory responsiveness; and fluid channels between participatory institutions at the local, provincial and national levels. These kinds of design features help to overcome Pateman's (2012) criticism about 'participatory' spaces being spaces for deliberation rather than for participation. According to her, while deliberative spaces focus on the discussions that citizens have about public issues, participatory spaces are also concerned with the influence of such discussions on decision-making. Empirical evidence drawn from these two cases shows that strengthened decision-making power also impacts on democratic learning, broadens participants' opportunities for training and improves their participation skills. Moreover, this research found that there is room to continue strengthening participants' decision-making power via institutional design, namely by establishing clear sanctions for civil servants who do not comply with their obligations within the participatory sphere (compare with Avritzer, 2009).

These two cases also showed that an explicit and detailed obligation to cover the expenses for the operation of participatory institutions, including materials as well as travel and accommodation for participants, contributes favourably to all analytical categories considered by this research: inclusion, decision-making power and democratic learning. Even if not always complied with, this obligation supports the inclusion of low-income citizens who otherwise could not participate. It contributes to participation's sustainability and broadens opportunities for training and skills improvement.

Third, the implementation of 'differential approaches' when selecting participants can reduce the reproduction of private-sphere privileges in the participatory sphere. Differential approaches promote 'social justice' in the sense suggested by Martínez-Palacios (2018). Discussions about the need to include the most marginalised groups in public decision-making, and the procedures to ensure it,[1] have been particularly effective at including women. Even if some of the institutions' seats remain empty due to the barriers to access that underprivileged groups face, participants have become conscious of the missing voices. Thus, institutionalising recognition contributes to learning about pluralism.

Likewise, evidence suggests that selection procedures that protect participants' autonomy are beneficial for inclusion, decision-making power and democratic learning. These procedures facilitate access for citizens who are critical of their governments, diversifying the voices in the participatory sphere and promoting pluralism. Moreover, as the cases of Buenaventura and Corinto show, critical voices are more likely to establish alliances with non-institutional participation, which is crucial in contexts of poor political will.

That said, although this research found that progressive designs are fundamental for successful participation, it also found that they are insufficient. The effects of improved designs are affected by context. Contexts bring challenges and complementary factors that either prevent or reinforce the effects of institutional design. The three cases examined in this investigation reveal that the most complex challenges reflect structural problems in Colombian society and its political system that are not easy to address through institutional adjustments restricted to the participatory sphere.

The first is the high levels of political violence in the country. Although the introduction of participatory democracy in Colombia intended to alleviate the 'objective causes of the conflict' (Sánchez, 1987), the institutionalisation of participation has lacked determination and has not brought the peacebuilding results expected in the 1990s. The investigation shows that the armed conflict and the eagerness to control Colombian territories and their resources, are a threat for participants who make demands that contradict the interests of powerful armed actors. Coinciding with the main reports on the matter (UNHCHR, 2019, 2020; Indepaz, 2019; 2020; Somos Defensores, 2019, 2019b), this research found that the problem escalates in peripheral areas and that leaders from ethnic minority groups are particularly targeted. Yet, while the Colombian government remains incapable of protecting them, community leaders and human rights defenders continue their advocacy for their causes and looking for protection.

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[1] For the Victims' Board: reserved seats for women, ethnic minorities, youth, elderly, disabled people and LGBTI groups.

A second structural problem is the country's failing decentralisation project. Although the decentralisation of the State started in 1986, national governments continue applying re-centralisation policies that hinder small municipalities' capacity to carry out their responsibilities. In addition to being dependent on national financial resources, municipalities must coordinate actions with provincial and national government entities to address complex situations. Evidence shows that such coordination is not easy to accomplish. The Colombian government is divided by sectors and levels with different capabilities, and State agents have diverse interests and approaches. The weakness of the decentralisation model in Colombia along with the limited technical capacities of poor municipalities have severely affected local governments' responses to participatory processes. Indeed, the case of Corinto made clear that stronger institutional designs for participation are irrelevant when the poor decentralised State is unable to implement them. This is particularly the case for peripheral municipalities impacted by the armed conflict (compare with Revelo and García, 2018).

A third challenge is scepticism at the possibility of transforming relationships of power in Colombia through formal, institutional means, including institutional participatory democracy. This scepticism is derived from the aforementioned challenges: weak institutional participation, and all other factors preventing structural transformations in the Colombian political system. The deep-rooted character of structures and practices of subordination, exclusion and elimination in the country has led people to believe that little can be done to change them. The case of Cali shows that individualism increases when citizens cease to see the State as an agent interested in improving their living conditions. Without believing in the promise of a fairer society, sceptical citizens use participatory institutions as platforms to improve their individual situations. They can replicate traditional practices that involve the exclusion of others, as they recognise this as an effective way to obtain power and resources.

Non-compliance is, indeed, a big problem in Colombia. It reinforces the idea that nothing can be changed and, therefore, scepticism emerges. The country seems to be going through a significant episode of non-compliance with the 2016 Peace Agreement between the Colombian state and the FARC-EP. One of the main characteristics of this agreement is its intention to address the causes of the armed conflict. Similar to the 1991 Constitution, the agreement is meant to produce structural changes in the political system in order to tackle violence. Thus, besides transitional justice and the DDR process, it addresses critical issues such as land reform and illegal crop substitution; political reforms levelling the playing field for the opposition; and measures to encourage citizen participation and social mobilisation. However, as described in chapters one and seven, its implementation has been problematic. In my

interviews, national and international actors overseeing the implementation of the agreement pinpointed that the main impediment was the elites' reluctance to give away their privileges.

Non-compliance, on the other hand, has also inspired contentious mobilisation, which this research found to be a powerful complementary factor to institutional design. This is best illustrated by the case of Buenaventura, which showed that (i) contentious mobilisation can involve coalitions with institutional participation, and (ii) that it is possible to achieve positive results in highly complex contexts involving violence, corruption, racism, state abandonment, lack of political will and hostility.

The case showed that, in addition to progressive designs, participatory processes need complementary factors to overcome the contextual challenges. In Buenaventura, these complementary factors were a diverse and pluralist civil society given to collective action, and the coordination between institutional and non-institutional contentious participation. These two factors are not coincidental. Escobar and Pardo (2004), and Escobar (2015) have written about the collective action tradition of indigenous and Afro-Colombian groups, where *the communities,* not only individuals, are political actors. Furthermore, in this case, their self-recognition as an 'Other' seeking to be heard has contributed to their approaching other marginalised groups, and to broadening pluralist exchanges and cross-group alliances (compare with Valencia and Nieto, 2019). Likewise, the collaboration between the Victims' Board and the civic strike reflected Miraftab's (2004, 2006, 2009) and Gaventa and McGee's (2010) claim about the importance of the coordination between institutional and contentious non-institutional participation. This last element was fundamental to overcoming the government's lack of political will and hostility. Thus, the case of Buenaventura contradicts Wampler's (2007) conclusion about political will being a necessary condition for successful institutional participation. Overall, it is unlikely that the Victims' Board participants would have obtained these results without engaging in contentious mobilisation. At the same time, the alliance with the civic strike would have not been possible without the second-generation adjustments that gave participants autonomy and resonated with the pluralist character of Buenaventura's civil society.

Moreover, the case displays the broad transformative potential of contentious mobilisation. Although it was not the focus of this investigation, the case of Buenaventura case shows that determined mobilisations do not only impact on institutional participation but can also transform electoral dynamics. The fact that core activists of the civic strike won the mayoralty, the main political institution of the district, demonstrates that civil society-led projects that start in the realm of participatory democracy can successfully be extended to electoral-representative politics.

How does all this inform a third-generation of participatory institutions in Colombia, regardless of when it will take shape? First, this research confirms that institutional adjustments are necessary, that they do impact on participatory process, and that they can be improved. We know that their effects won't be homogeneous as their intensity will depend on the contextual challenges and complementary factors. Yet, we also saw that second generation designs were better-suited than first-generation designs to exploit these complementary factors and to overcome challenges. Hence, even if progressive institutional designs cannot ensure the success of participatory processes, they increase the processes' chances of being successful.

Second, this research indicates that further design adjustments should focus on forming more inclusive, powerful[2] and coordinated participatory institutions. Increased decision-making power and inclusion have snowball effects on democratic learning. Likewise, designs favourable to collaboration between institutionalised and non-institutionalised participation are crucial. The 2016 Peace Agreement has mandated institutional features of this kind. It explicitly demands the protection and promotion of social mobilisation, as well as the participation of social movements in the new participatory spaces created by it.

Third, the research signals that efforts to strengthen institutional participatory democracy should go beyond the participatory sphere and address structural elements of the Colombian political system, such as its decentralisation model, as well as taking measures to counter violence and scepticism.

The findings of this research also contribute to the academic discussions on participatory democracy and particularly to the literature on democratic innovations.

At a discussion panel held in June 2019 in Sussex between Professors Leonardo Avritzer, Selen Ercan, Archon Fung, Bonny Ibhawoh, Melissa Williams and John Gaventa about the crisis of democracy, democratic innovations and the future of politics, Ercan pointed out that the most recurrent idea in the literature of democratic innovations was to find a formula for a democratic intervention that was inclusive, well-connected, representative and with sufficient impact on policy to then scale it up. She then suggested that rather than focusing on particular models of democratic innovations, scholars should focus on the key principles or functions of democratic innovations and then carefully design the -participatory- institutions around them. I agree with her. Based on the unfolding of the academic debate and on my own research, I, as others have done before, find that it will not be a magic formula, fit for every context in the world. I endorse the idea that institutional design should revolve around the main goal of participatory democracy, the democratisation or deepening of democracy, and a

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[2] In terms of their decision-making power.

set of functions or principles to achieve it. For Ercan, those principles are the inclusion of everyday citizens, listening across differences and leaving space for changes of opinion and decision (Ercan, Hendriks and Dryzek, 2019). In my case these principles or functions are expanding the following: inclusion, particularly of marginalised groups; participants' influence on public decisions, or as I call it, decision-making power; democratic learning, to make participatory democracy sustainable; and, as Avritzer puts it (2009, 2018), effectiveness in the distribution of public goods to improve people's living conditions.[3] With this research I join the voices stressing that the assessments and future of participatory institutions must move beyond analysing the quality of deliberation, and pay attention to the influence of these discussions on public decisions (e.g. Pateman, 2012). Indeed, there is enough evidence in this research about how low levels of decision-making power have negative implications for inclusion and democratic learning, showing that these three functions are interconnected.

This research also shows us that it is important to look at the processes through which different marginalised groups, that define themselves as *culturally different*, have come together in participatory initiatives. Lessons on pluralism, or as Sercan calls it, listening across differences, can be drawn from observing these processes. It appears that self-recognition as historically-marginalised and oppressed 'Others'[4] has helped Colombian indigenous and Afro-Colombian groups to engage in conversation with other 'Others' and build common platforms despite the conflicts among them. Further research is needed to confirm if this is the case and what it implies for our understanding of pluralism.

This thesis also delivers a message not very often heard in academic discussion. Researchers have warned about the danger of co-optation of participatory institutions by corrupt actors from within the representative-electoral politics spectrum (e.g. Montambeault 2015b). This research shows that in contexts of high scepticism and inequality, participants do not have to be approached or convinced by powerful actors to be co-opted. Marginalised, frustrated, and sceptical citizens can decide to instrumentalise participatory institutions on their own. Deliberately, they can replicate traditional and informal practices of exclusion in the participatory sphere and subvert the purpose of participatory democracy for their own benefit. This is a problem that requires urgent attention given the growing inequalities all around the world.

It is important to underline that this scenario is not absolute nor unavoidable. The research also found participants committed to the ideals of participatory democracy despite the deep inequalities and the prevalent political culture in Colombian society. Likewise, some

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[3] As stated in chapter three, this analytical category was not observed due to the length of this research.
[4] Which is part of their cultural politics project to articulate demands and access rights (Grueso et al., 1998).

participants may have internalized the prevailing political culture unconsciously, being this the reason behind their replication of exclusion practices in the participatory sphere. The three positions (sceptical, unconsciously co-opted, committed) were on display on the observed scenarios, and this fact should inform policy seeking to improve participation practice. For instance, policies for the promotion and education on participation should cover the following elements: First, they should persistently highlight the transformative purposes of participatory democracy, so that people unconsciously internalizing antidemocratic practices can critically identify them and forge a counter-political-culture. Secondly, they should present concrete examples of transformations fostered by participation processes and keep pushing for structural changes outside the participatory sphere (see section 7.3.2.), so that scepticism towards participatory democracy decreases. Lastly, they should emphasise that what I call (contentious) non-institutional participation is a fundamental component of participatory democracy and provide measures to protect it. This research showed that even when institutionalized processes are not assisting meaningful transformations, these may flourish at non-institutionalized spaces completely led by civil society. That is why the policies for the protection and strengthening of non-institutional participation included in the 2016 Final Peace Accord are so important.

The Colombian context also suggests the need to bring together participatory democracy and human rights frameworks. The astonishing levels of violence in Colombia and the systematic assassination of community leaders, human rights defenders -in short, participants- makes it evident that participation is not possible without respect for human rights. A similar idea was suggested by Ibhawoh and Gaventa in the aforementioned discussion panel.

Another point of convergence between that panel and this research is the growing need to look at and learn from social movements, which I include in the concept of non-institutional participation. Indeed, other voices have argued not only for a closer examination of social movements but for collaboration between institutional and non-institutional repertoires of participation, if participatory processes are to be successful (e.g., Gaventa, 2007; Miraftab, 2004, 2006, 2009; Gaventa and McGee, 2010). This research has three elements to contribute on this point. First, it makes clear that not all participatory institutions have the same chances of engaging in collaboration with non-institutional participation; institutional designs influence this. Therefore, it is important to design institutions that do not prevent but facilitate collaborations.

Second, the tension between sustainability and social movements can be overcome. One of the most recurring critiques of social movements has to do with their sporadic nature:

they are strong but do not last, hence, the results they deliver can fade with time. The case of Buenaventura, and other participatory spaces not directly observed in Corinto, show that social movements are interested in monitoring the effects of their actions and that they are willing to implement practices of institutionalisation for this purpose. The thematic boards that emerged from Buenaventura's civic strike show that contentious participation and social movements can be at the head of civil society-led processes of institutionalised participation.

Third, the research shows that the collaboration between contentious, and institutionalised, participation is key to overcoming government hostility and lack of political will. While Wampler (2007) and Avritzer (2009) have affirmed that political will is a prerequisite for successful institutional participation, this research shows that there are ways to get around this condition. This is significant for contexts in which governments remain deaf to their citizens' claims. It is certainly important for the Colombian context, as there is a growing trend of civil society groups seeking to influence public decisions through social mobilisation (Archila et al., 2019; Velásquez et al., 2020). In particular, the case of Buenaventura shows that there is hope for successful participation even in the most difficult circumstances, which contradicts Balderacchi's (2016) more pessimistic views about the lack of feasibility of participatory institutions in Latin America.

Likewise, and in line with systemic approaches, this research suggests ways to expand our understanding of the interactions between processes of institutionalised participation and other processes within the political system, to improve the latter's democratic quality. As just mentioned, collaboration between institutional and non-institutional participation is one of these interactions. This investigation presents another key interaction to observe: that of participatory democracy, in its institutionalised and non-institutionalised versions, with electoral politics. We have been told that representative and participatory democracy complement one another. However, there is not much empirical research on this complementarity. There is more material about the normative arguments on the subject. Other works have criticised the prevalence of representative over participatory democracy and the ways in which the former detrimentally affects the later.

Buenaventura, however, is a case in which the interaction between participatory and electoral-representative democracy led to transformation of power relations and, very likely, to democratic deepening. The case creates opportunities to investigate strategic collaborations between different expressions of democracy. These interactions could be framed as enlarged 'coalitions for change' (Gaventa and McGee, 2010) or enlarged 'ecologies of participation' (Chilvers et al., 2018; Chilvers and Kearnes, 2020). Building on the case of Buenaventura, these broadened interactions would refer to processes (i) led by pluralist civil society groups, (ii) that

seek to include and empower marginalised sectors, (iii) that have their origin in the realm of participatory democracy and extend to electoral politics. Results of such a research endeavour would be relevant for scholars of democracy, participation practitioners and active citizens alike.

Advanced research on strategic coalitions for change and democratic deepening would be useful for the Colombian context, as the national government elected in 2018 has awoken fears of political setbacks. Indeed, when the same political forces were in power during the 2000s, there was a contraction of participatory democracy in the country (Velásquez, 2013). In addition to having a history of restrictive positions towards civil-society participation, these political forces oppose reforms agreed by the Colombian State and the FARC-EP former guerrilla in the 2016 Peace Accord. Both, participatory democracy and the Peace Agreement, seek the transformation of power relations in the country, which is not, of course, easily endorsed by those who hold power.

Recognising the influence of context on participatory processes implies that civil society groups may need to look for different strategies to exert their influence on public decisions when there are meaningful changes in context. Empirical evidence in this research suggests that contentious, non-institutional participation has more chance than institutional participation alone of succeeding vis-à-vis governments that lack political will towards participation and structural transformations. As doors for inclusive conversations about the future of the country continue to close, contentious, non-institutional participation and resistance seem to be the path that will lead to fewer disappointments for that part of Colombian civil society interested in a third-generation of participatory institutions, deepening democracy and *paz con justicia social*.

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