Claiming the City
Civil Society
Mobilisation by
the Urban Poor

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Municipal urban planning with the Right to the City approach:
Mexico City

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Mexico City – due to its demographic, political, economic and social characteristics, as well as the presence and participation of social organisations – is today a good example of the collective construction of what it is known as the Right to the City.

In population terms, Mexico City at the beginning of the 16th century housed 30,000 persons. At the dawn of the 20th century the number had risen to 541,000. Currently, we are more than 8,851,000 inhabitants (INEGI 2013). This means that we inhabit 5,290 people per square kilometre. In other states of the country, for instance the state of Chihuahua, the population density is only 14 persons per square kilometre (INEGI 2013). This growth, coupled with other factors, has of course had an impact on the pressure to gain access to the goods and services of the city, such as education, housing, health, water, transportation and so on.

In economic matters, Mexico City contributes more than any other entity of the country to the production of national wealth. It contributes with 23 percent of the gross domestic product, and it collects 60 percent of federal tax revenues. However, in a situation of deep fiscal inequity, it receives only 8 cents of each peso contributed to the federation by concept of stakes and federal contributions. For instance, in the 2012 federal budget, Mexico City’s budget allocation was reduced by 0.4 percent in comparison to 2011; on the other hand, entities such as the State of Mexico, Jalisco and Nuevo Leon received increases in their shares of 6.6, 2.8, and 5.5 percent respectively. Moreover, Mexico City isn’t taken into account by federal programmes of local strengthening or by programmes to fight poverty (Mexico City Government 2007).
Nevertheless, in spite of unfair treatment, the capital city has the best indicators in terms of life expectancy at birth and adult literacy, as well as in indices of health and income. A detailed analysis of the level of access to a healthy environment and to an adequate standard of living – the rights to water, housing, work and health, among others – identifies situations that affect the way in which people can exercise such rights in an urban context (PDHDF 2009).

From a political and social point of view, Mexico City has had a particular political configuration. From the colonial era and to 1997 its regime took various forms, but subordination of its inhabitants was a constant factor in all of them. For instance, from 1928 to 1997, the city was ruled by a one-party regime. All decisions about the city depended on the President, and although there were some forms of guild and union participation, the city inhabitants had no possibility to elect their authorities.

In spite of this context of centralism and authoritarianism, the Mexico City inhabitants have built a democratic and participatory culture. They have done so through diverse social movements, such as the teachers movement in 1958, the movement of the medical community in 1964, the students movement in 1968 – whose main demands were political freedom, democratic openness, public dialogue and wider and legitimate spaces of social participation – and through protests by the popular sectors in the eighties against economic adjustment, unemployment and the loss of salary value.

In 1985, after one of the worst earthquakes in its history, and due to the ineptitude of the government to face this catastrophe, society organised itself and took charge of the tasks to rescue survivors and rebuild the city, highlighting the urgency of a political reform that would give the inhabitants full rights and democratically elected authorities.

The strong social pressure from the citizens, as well as new forms of social organisation, sparked off a political reform of the city in 1986. A new body for citizens’ participation was created, called the Assembly of Representatives. This was the beginning of an unfinished process in order to restore the political rights of the inhabitants, so they will be able to freely elect their authorities and take part in decisions concerning the course of the city.
In the 1988 federal elections, the ruling party was defeated by the leftist opposition in Mexico City. However, given the fact that the president of the republic by law was to appoint the head of government of this city, an unprecedented situation was created; a society mainly opposed to the PRI (Partido Revolucionario Institucional) was ruled by an authority from that party with a questionable legitimacy.

The need thus arose for institutional changes in response to the growing demand for democratisation of the political system. In 1993, a civic plebiscite was convened by social organisations, urban movements and political parties, so the inhabitants of the capital city could elect their authorities. From that plebiscite, the federal government was pressed to put in place popular and democratic elections of the Mexico City authorities.

This was the background to the political reform that started in 1993, a reform that finally, in 1997, culminated in the election of the Head of Government of Mexico City. The opposition, represented by the candidate of the Party of the Democratic Revolution (PRD), won the elections in the city with 47 percent of the votes, and the legislative body of the city as well was formed by a majority of members of this party.

So, from 1997 the democratic governments of the city have committed themselves to social policies and the participation of social movements and citizens’ organisations. This has outlined a particular profile for the city. It has become a space of freedoms and citizen’s rights, with governments that have listened and incorporated into their policies the demands of the citizens.

For 15 years now, the governments of the capital have established a broad system of social protection and have allocated more than 30 percent of the public spending to its support. This social policy has had as an overall objective to generate opportunities that allow all the people to have access to education and health services, to support the more vulnerable social groups and to keep important subsidies for working families, so they can purchase housing, for transportation and so on.

In the legislative field, important laws and reforms have been promoted by the local representatives. They have given to the inhabitants of the city legal basis to expand, protect and exercise the rights and freedoms of the people, such as same-sex marriages and the possibility to interrupt a
pregnancy during the first 12 weeks of gestation. Also, different laws have been homologated according to the highest standards of rights protection.

It was in this context that in 2007 we started to debate about the Right to the City. It was defined as a new human right that allows the equitable benefit of the cities. The government’s acts should be based on the principles of sustainable democracy, equity and social justice for the development of public policies.

This collective right claims that people enjoy an inclusive city, where services and rights can be exercised without discrimination or exclusion due to gender, economic or social position, or any other reason. At the same time, the Right to the City gives to its inhabitants legitimacy to act and to organise themselves in order to require and demand the full exercise of the right to free self-determination and to have an adequate standard of living.

**Participatory process, spaces of dialogue**

A promoting committee was formed to begin the talks and debate on the contents of the Right to the City. This was the body in charge of this topic. It was formed by the Urban Popular Movement-CND, the International Coalition for Habitat in Latin America (HIC), the Commission on Human Rights (Ombudsman) and the Government of the City. And this is where the idea of writing the Mexico City Charter for the Right to the City arose.

The process of writing the Charter was marked by social participation, exchange of information, collective negotiation and agreements. It implied the debating of very different ideas about the city, but consensus was achieved between social organisations and public authorities that took active part in it. On the side of the government, more than thirteen governmental units participated. They contributed with their expertise to the development of the contents of the Charter. Additionally, since 2010, a process has been initiated in order to involve the 16 political delegations into which the city is divided, so they can also contribute to the debate on this new right.

The process of dialogue between civil society and government took place through forums with members of the academy, in fairs and in coor-
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dination and follow-up meetings, among others. The promoting committee members began the work of integrating the contents of the Charter, making use of different documents and international experiences, such as the World Charter for the Right to the City, the results and proposals of the First World Assembly of Inhabitants (that took place in Mexico City in 2000), and the Diagnosis and Human Rights Program of Mexico City, among other planning documents of the city government.

Finally, after all the collective work of analysis and discussion, the Mexico City Charter for the Right to the City was publicly presented on June 13, 2010. In that act, the preceding Head of Government from Mexico City, Marcelo Ebrard, the Ombudsman, the Legislative Assembly, the Superior Court of Justice, and the social organisations ratified their responsibility to develop actions in favour of the Right to the City.

It is important to point out that more than 200 organisations of very diverse nature have joined the initiative, from urban organisations to university programs on Urban Sociology and Studies of the City, as well as organisations of indigenous people and women, peasants, merchants, and street vendors, as well as unions, cooperatives, architectural colleges and other sections of civil society.

Main content and objectives of the Mexico City Charter for the Right to the City

The Mexico City Charter for the Right to the City backs the transformation and construction of the city as a collective right and the expression of collective interest, and it suggests the comprehensive and articulated care by diverse public authorities, as well as the active participation of its inhabitants.

The Charter is arranged on the basis of aspirations that shape the city we want: democratic, inclusive, sustainable, productive, educative and habitable. It emphasises the full exercise of human rights and the processes of democratisation, as well as the fulfilment of the obligations that derive from them.

The Charter is also structured on the basis of a series of intersections with the above aspirations and six strategic foundations.
The first foundation of the Charter is “the full exercise of human rights in the city.” It stresses the obligation of the governments to ensure the fulfilment of all human rights without discrimination of any kind, in order to guarantee dignity and collective wellbeing.

The second foundation is based in “the social function of the city, the land and the property.” This core idea represents a fundamental change. It guarantees the right to private property, though not conceived as an absolute right, since limits are established because of general interest of city inhabitants and the public use. Should there be a conflict between private and public interests, public interest will prevail.

The third foundation addresses the need for “democratic governance of the city.” It involves citizen’s participation in the formulation, implementation, monitoring and evaluation of public policies.

The fourth foundation refers to “democratic production in the city.” This is to ensure its inhabitants’ access – and in particular that of the youth – to the labour market in the urban economy.

The fifth foundation refers to “responsible and sustainable management of natural assets, cultural heritage and energy goods of the city.” It impels developers to look for the best environmental conditions, so that urban development does not occur at the expense of rural or ecological reserve areas, nor compromises future generations.

The sixth and last foundation outlined by the Charter is “the enjoyment of a democratic and equitable city.” In order to strengthen social harmony and equitable access to public spaces, such as squares, community centres, green areas and so on, its main objective is to make possible a recreational life in the city.

So by crossbreeding the strategic foundations of the Charter with the aspirations of citizenship, a series of guidelines and recommendations to be observed by public entities have been generated. They point as well to the corresponding actions expected by city inhabitants, showing the complexity of planning, management and administration of the city.
Implications and challenges of the Mexico City Charter for the Right to the City in the public policies

For Mexico City, the Charter has implications and challenges in three important dimensions: 1) the construction of a Right to the City culture; 2) a change in legal framework; and 3) the promotion of a city constitution that integrates and is based on this new right.

A Right to the City culture

Promoting a culture of respect, advocacy and law enforcement as regards the Right to the City implies that public servants should be aware of, understand and use the principles, concepts and strategic foundations of the Charter in their actions of government, as well as in planning of public policies. It also requires that citizens take ownership of the Charter, so they can demand that authorities obey it.

In this sense, different efforts are being made in Mexico City in order to promote public servants’ knowledge of the Charter. Meetings with the servants of political delegations have been held, so they will be able to include in their planning actions their commitment to promote and guarantee the Right to the City. Last year, processes to train the inhabitants of the different neighbourhoods and communities were started in order to make citizens take ownership of this new right.

Some actions that have helped to consolidate the Right to the City in public policies are:

1. The diagnosis and the Human Rights Program of Mexico City as participative processes between government institutions and civil society. Through dialogue and consensus, conditions that concern human rights have been identified as well as necessary actions to guarantee and further their exercise.
2. A budget with focus on human rights and gender is used to translate rights into programmes and other government activities.
3. In the neighbourhood improvement programme, citizens have direct influence on the recovery of the public spaces of their communities, so that living conditions in the most marginalised areas can be improved. In 2010, 199 citizen’s projects were
approved (to a cost of 95.2 million pesos) to improve sports or community centres, for lighting, drainage and urban image as well as some other needs that they identified in their communities (Mexico City Government 2010).

4. Another result of the implementation of the Right to the City relates to reforms and the broadening of the Law on Citizen Participation. Nowadays, each neighbourhood or town has citizens’ committees or peoples’ councils, who can learn about and give their opinions on plans, programmes, projects, and actions in the fields of social development, public safety and crime prevention, economic development and employment, urban services as well as the fields of equality and the eradication of gender discrimination.

5. Yet another action addressed to promote the Right to the City is the implementation of the participatory budget. Here, citizens can decide on the works and priority actions that they want executed in their neighbourhoods. The authorities of the delegations mostly carry out the chosen programmes or actions. Hence, they should always respect the decisions of the citizens.

6. Also, the Law of Developing Planning and the Law on Urban Development of Mexico City both include forms for direct citizen participation.

**Legal framework changes**

The second challenge is related to the change in legal framework, a change necessary to allow progress in the implementation of the strategic Charter foundations expressed in the public policies. To this effect, the under-secretariat of government in collaboration with social organisations have made a series of proposals to reform different laws – such as the Housing Act, the Law of Urban Development, and the Law of Development Planning of Mexico City. The intention is to include principles and guarantees in the field of social production of habitat and housing, and to see the Right to the City transform the work of the public administration.

The set of legislative reforms proposes to:
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a) provide a frame of reference for the actions of the government in order to make it consistent with the principles of Mexico City’s Charter for the Right to the City;
b) establish the obligation of the government to monitor that the principles of human rights and the Right to the City be included in the elaboration of the different planning programmes; and to
c) consider direct democracy mechanisms for the elaboration of government plans.

Promotion of a city constitution

As has been previously pointed out, Mexico City has a long history of collective construction of laws and institutions that recognise the rights and freedoms of the people, as well as the rights of the city, as a collective space facing federal powers. Nevertheless, the day is still pending when our city will have its own constitution, just like all other federative entities of the country. This is the third challenge that we have identified. The current statute that governs us was approved by the Federal Congress.

The Mexico City Charter for the Right to the City acquires special importance in the present moment when political reform is under debate in different spaces. Thus, it could lead to Mexico City finally having its own constitution, something that would put an end to its limitations in legislative, budgetary, political and governmental responsibilities, as well as in the restrictions on the political rights of its citizens.

Within this context, a dialogue process has therefore been initiated with civil society organisations in order to incorporate rights of the people, collective rights and the Right to the City into the dogmatic basis of this potentially new constitution.

To this end, a Citizens’ Council for the Political Reform of the City has already been installed. It will have the task to drive reforms for the democratic re-founding of the City from below. And the basis for all this will be the Mexico City Charter for the Right to the City.
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Note
1. Among these units were: Social Attorney, Secretariat of Health, Secretariat of Labour and Promotion of Employment, Secretariat of Education, Secretariat of Culture, Institute of Science and Technology, Secretariat of Urban Development and Housing, Secretariat of Transport and Roads, Secretariat of Environment, Municipal Water Utility of Mexico City, Secretariat of Treasury, Secretariat of Construction and Services, and Secretariat of Public Security.

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