

The auxiliary boards in Puebla and the Madrid districts: Deconcentration as an alternative of management municipal

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ENG Abstract. The objective of this article is to contrast the organization of the auxiliary boards in the Municipality of Puebla with the districts of the city council of Madrid and thereby determine the effects of these deconcentrated bodies on governance and governability, establishing the organization of the districts in Madrid as reference to analyze the reform in the matter of auxiliary boards in the municipality of Puebla. The boards and districts are decentralized bodies of the municipality, however, it is important to establish the differences in functions and organization they have, since both management bodies are in a process of change districts in search of greater autonomy and in view of a political decentralization and the boards ceased to be government bodies and thereby lost autonomy. The methodology used is the theoretical revision of the key concepts of this work, the contrast of the legal framework that gives shape to both administrative bodies and the performance of semi-structured interviews to 12 auxiliary presidents of the municipality of Puebla and to 6 district councilors of the city of Madrid, in order to know the perception of the local authority of the processes of decentralization and political deconcentration.

Keywords: Decentralization; deconcentration; governance; districts and auxiliary boards.

Summary: 1. Introduction. 2. Federalism. 3. Decentralisation and deconcentration. 4. Governance, decentralisation and local development. 5. Contextualisation of the auxiliary boards in the municipality of Puebla and the districts of Madrid. 6. Impacts of deconcentration on governance and governability. 7. Conclusions. 8. Bibliography.

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1. Introduction

The Federal State is, by constitution, the articulation between the federative entities. Therefore, the municipality only exists as part of the federative entity, and if the municipality is relegated, the communities that form it are even more relegated. It is necessary to think about federalism, discuss it and investigate it, since it is not only necessary to understand it as an organisation of federal entities, but also that this organisation is subject to historical processes of change and to the needs of its population. The auxiliary boards and districts of Madrid are part of a complex institutional framework that constitutionally ends with the figure of the Municipality, but in Spain the presence of the districts as an internal body of the municipality is only seen in the case of large cities. In Mexico, the Constitution contemplates the municipality but does not regulate internal bodies such as the auxiliary boards in the case of Puebla. In this paper, a theoretical review of federalism is presented in the first section; in the second section, the concepts of decentralisation and deconcentration are discussed, since these are two key terms to understand the legal and political figure of the auxiliary boards and districts. It is important to note that districts and auxiliary boards are administrative bodies, as they lack their own legal personality and act under the legal personality of the municipality. Consequently, they are not decentralised bodies. However, in the case of Puebla, they had governmental capacities, and in the case of Madrid, decentralisation is being considered. Therefore, it is vital to clarify both concepts. The third section links the concepts of governance, decentralisation and local development in order to show that the administrative processes of decentralisation have an impact on the processes of governance and local development. The following section (fourth) contextualises the auxiliary councils of the municipality of Puebla and the districts of Madrid, giving way to the analysis of interviews with the local authorities of the districts and councils, where the effects of their regulations on governance and governability are analysed. Finally, a series of conclusions are drawn.

2. Federalism

Jacinto Faya Viesca (2004), when analysing federalism, starts from sociological factors, where social groups are recognised and also from the belief that it is possible to organise these groups into larger formations.

Federalism, from its sociological basis, is a complex and difficult issue to understand, it is between the tension of forming a political unit and forming autonomous units. It is therefore necessary to integrate initiating and autonomous elements. "To federate means to connect the multiple and independent into a higher form of coexistence" (Faya, 2004: 4).

An accepted definition of federalism is the existence of a division of powers between the different levels of government (institutional definition). In practice this means that there is a vertical, not only horizontal, division of powers between the central government and regional governments, in which both coordinate and are independent in their respective spheres of action (Armenta, 2010). A deeper analysis of the federal phenomenon is a very convincing proof of the mobility and mutation of these factors, since one of the purposes of federalism is to accommodate a number of minorities that integrate differentiated sub-units in a plural society, leading to what Armenta López (2010) calls a "federal dimension", which can be one of symmetry and asymmetry.

"Symmetrical federalism is that which is built on the basis of territorial portions which have a similar political, social and cultural characteristics among themselves and in relation to the central entity as a whole, whereas asymmetrical federalism is the opposite, that is, all the constituent territorial units have a different composition of sociological characteristics among themselves and in relation to the central sphere of federal power as a whole" (Armenta López, 2010: 84).

Federalism is historically classified in terms of the form in which it develops: dual, cooperativism and New Federalism. Each type of federalism is briefly explained hereafter: dual federalism is based on the following postulates: 1) the central government is a government of enumerated and specified powers; 2) the objectives that the central power can promote, according to the Constitution, are few; 3) in their respective spheres, both are sovereign and therefore equal; and 4) the relationship between these two powers is one characterised by tension or by collaboration. (Armenta, 2010: 174). The second type of federalism, which emerged in the United States in the early 1980s, which would later become known as cooperative federalism. The basic assumption of cooperative federalism focuses on sharing the powers and functions of central, local and municipal government entities. Functions are not divided neatly among the various branches, but rather into responsibilities: education, public works, agriculture, these are interconnected as well as costs, so

that all levels of government, in addition to paying their part, share functions and tasks, although the federal government is the one that sets the federal guidelines. (Cárdenas Gracia, 1996).

New Federalism attempts to reconcile the previous ones (dual with cooperative), for some it is a variant of cooperative federalism, named after Nixon and Reagan, who called it so in the early 1980s, under a formula that contains the following elements:

“A functional decentralisation of federal agencies in favour of local and municipal bodies; 2. Decentralisation of decision-making power, responsibilities and functions to local and municipal authorities; 3. Better and fairer distribution of federal tax revenues to local spheres; 4. The regulation by the Federal Power of the service provision system” (Cárdenas Gracia, 1996: 198).

Implicit in the nature of the federal state is the idea of a distribution of political power between its elements: “The spirit behind the distribution of competences is demonstrated by the intention to combine different responsibilities within the political space in which the two constituent elements of the federal state are located, but which will in any case be conditioned by multi-factorial phenomena.” (Armenta, 2010: 83).

The classification of competences between Federation and State, in terms of their subjects, are: 1. Subjects exclusive to the Federati; 2. Matters exclusive to the states; 3. Matters of shared competence; and 4. Concurrent subjects (Armenta, 2010).

Javier Pérez Royo (2000), on the subject of competence, limits and scope, notes that the general tendency in all federal states has been to extend the powers of the member states. However, the constitutional mechanism of distribution of powers is usually that of enumerated powers in favour of the Federation and residual powers in favour of the member states.

The essential characteristic of the Federal State consists in the distribution of competences between the Federal Government and the States as established by the Constitution. This distribution will always be established by the Federal Constitution, which is the fundamental law both for the federal powers and for the states. Another characteristic of federalism is that the distribution of powers in favour of the states is equal for all of them. This equality allows for a balance between the union and the states. The distribution of powers, the backbone of federalism, is a complex problem, and it is so due to the fact that the powers of the Federal Union and those of the individual states will operate in the same political space: the national territory. In this same political space, local and federal systems coexist.

In countries that have adopted Federalism, the distribution of competences will always have to be through the Political Constitution, in order to ensure future control of constitutionality and guarantee compliance, given the constitutional rigidity that all written constitutions require. The federal state foresaw a pact for the coordination of opposing political interests. Federalism is the state model that has come closest to solving the problem of how to reconcile the freedom of the governed with the authority of the governors. (López, 1996: 31).

Federalism will be understood for the purposes of this paper as a form of organisation and a process by which an alliance is generated between communities with different characteristics, to integrate for the benefit of the whole and of each of the parts, respecting their plurality (Camps, Botella and Trillas, 2016), which is characterised as a method of governance (Gaudreault-DesBiens, 2004) that recognises political and socio-cultural complexity, and to function properly must be supported by governmental actors and committed civil society.

In Mexico, the local has become a privileged space for political struggle; since 1989, state and municipal elections have modified the distribution of power, with federalism as a backdrop; the recovery of regional political institutions speaks of a true regional redistribution of power that is at the very base. In Spain, the federal model is presented as a “State of Autonomies”: it is a particular case that presents federal characteristics, but without becoming a federation. Indeed, Spain is highly decentralised in executive and legislative terms, although with most competences concurrent or shared, there are two levels of government in the federal sense (state and regional), there is a territorial chamber (Senate) and a Constitutional Court (for its acronym in Spanish TC) (Sanjaume-Calvet, 2015: 162). Ferran (2007) proposes 4 central axes to exhibit the levels of federalism, which are: 1) uninational vs. plurinational, 2) unitary vs. federalism, 3) symmetry vs. asymmetry and 4) centralisation vs. decentralisation, this last bridge is central to understand the Auxiliary Boards of Puebla and the District Boards of Madrid, that is why in the following section decentralisation and deconcentration are addressed to punctuate these terms and give clarity to the processes in which the Auxiliary Boards and district boards are immersed.

3. Decentralisation and deconcentration

Decentralisation and centralisation are two opposing processes aimed at administrative organisation: centralisation proposes that the optimal way to organise a territory and keep it cohesive is through a power exercised from a geographical point ('the capital'), thus providing territorial unity for the whole territory, with which they consider that territorial unity is ensured and the administration functions in a more coherent manner (Arocena, 1995). The centralist position assumes that territories are homogeneous, or that the centre can balance differences and provide quicker responses to the needs of the territories; however, local development and new models of public management suggest the need to decentralise decision-making processes.

"Decentralisation is a process of transformation that, in a particularly important way, affects the articulation between state and society, as a result of the recognition that the concentration of powers, attributions and functions in the executive bodies has tended to become excessive, with obvious negative consequences, including rigidity in the capacity of public administration to respond to new demands or to satisfy existing ones." (Almada, 1986: 53).

According to Von Haldenwang (1990), there are three forms of decentralisation: administrative decentralisation, which would comprise both territorial and functional deconcentration and delegation to semi-state agencies; political decentralisation, which would be the transfer of competencies to politically autonomous territorial and functional organisations; and economic decentralisation, which would amount to privatisation, however, the latter is no longer used as a form of decentralisation, and fiscal decentralisation is now used.

Mardones (2008) defines decentralisation as a set of reforms aimed at transferring responsibilities, resources or authority from the central government to autonomous sub-national governments. Iván Finot (1999) considers that political and territorial decentralisation consists of empowering sub-national territorial communities, at their different levels, so that through democratic territorial organisations they can provide for their respective local public goods. Decentralisation encompasses the fiscal, administrative and political spheres, and allows for decision-making by local actors.

Decentralisation implies the capacity of local bodies to administer themselves; due to this transfer of functions, more participatory and less bureaucratic mechanisms are generated, however, its limit or parameter of action is to maintain the balance between the local and the national.

Decentralisation processes have been accompanied by deconcentration processes; however, it is relevant to maintain clear theoretical boundaries between these two concepts:

"Deconcentration is the mechanism by which the law grants, on a regular and permanent basis, certain powers to a lower body within the same public entity. It implies an objective dispersion of functions and a hierarchical submission to the executive branch. Deconcentration is established by a general regulatory rule, based on the principle of delegation of the distribution of functions." (Gallo, 2011: 62).

Deconcentration seeks to respond to social demands; however, it is always subject to higher hierarchical control, so its function within the administrative order must be kept clear, and it is advisable not to overvalue or undervalue it (Almada, 1986). Overestimation occurs when deconcentration is considered the channel through which the objectives of decentralisation and deconcentration, which can go hand in hand, will be achieved in a gradual and controlled manner; however, deconcentration processes can also be generated with the objective of avoiding decentralisation; this is precisely what is considered underestimated, when it is analysed only as a mechanism of central control and opposed to decentralisation. (Almada, 1986).

Legally, the difference between decentralisation and deconcentration is that decentralised bodies have their own legal personality, their own assets and the power to administer themselves, which means that they have an allocation of resources. Deconcentrated bodies, on the other hand, do not have their own legal personality and their own assets. The advantages of deconcentration are that it allows power to be distributed and thus brings the administration closer to the territories. "As for the disadvantages, it is considered that deconcentration does not lead to a rationalisation of human and budgetary resources, and the unity of criteria for resolving administrative issues is lost." (Gallo, 2011: 64).

Decentralisation is linked to Federalism, as described above. Decentralisation exists when, within the state unit, the particular bodies which form it enjoy their own organisation based on the (federal) pact which binds them together. "Political decentralisation is based on the principle of the freedom of each collectivity to regulate its existence directly, both in the sphere of the particular community and in that of the global society" (Moya, 1975: 23). Decentralisation allows for greater interaction between society and government, thus forming the basis for the governance discussed in the next section. "Political decentralisation in a federal system establishes a division of spheres that are mutually self-limiting. The prerogatives of the national group are forced to respect those of the particular collectivity in such a way that the two levels of aspirations complement each other without contradicting each other." (Moya, 1975: 23).

In short, deconcentration implies assigning decision-making powers to lower administrative bodies that are subject to central bodies, as in the case of the Auxiliary Boards in the municipality of Puebla and the Municipal District Boards in Madrid. Decentralisation, on the other hand, implies that the bodies obtain management autonomy and are only supervised by the higher bodies as entities with their own legal personality and their own assets.

4. Governance, decentralisation and local development

This section addresses the relationship between governance, decentralisation and local development. According to Aguilar (2007), governance means:

"The change of governance process/mode/pattern: the shift from a centre to a system of governance, in which the resources of public power, markets and social networks are required and activated. In connection, it is the shift from a centralised hierarchical style to a partnered and interdependent style of governing between government agencies, private and social organisations." (Aguilar, 2007: 5).

Torres and Ramos (2008) point out that governance is presented as a concept that allows for the integration of economic, political and socio-cultural processes in a territory, giving way to decentralisation through the granting of decision-making capacities to local actors, thereby achieving the capacity for development. Therefore:

"Local development must be understood as a political and social process resulting from democratic construction and governance. Democracy, as is well known, requires citizen participation in decision-making, giving legitimacy to the process, which, through the tools offered by governance, guarantees equity in the consensual management of public resources for the benefit of the communities themselves." (Miquel y Cazarín, 2017: 58).

Governance and local development are processes that occur in a territory. Saquet (2015) defines territory as: "A social, historical, relational construction and is always linked to processes of appropriation and domination of space and, evidently, to people" (Saquet, 2015: 34), thus interpreting territory as a living space, the place where socio-cultural relations of identity that sediment societies occur. Territory, therefore, is presented as: "A spatial ensemble of people and institutions, with its history and customs, its human and natural resources" (Revesz, 2009: 43). It is a social construction that generates identity and allows development projects to be generated by local actors.

Governance is related to governability: governability makes it possible to generate conditions of stability within democratic parameters and governance improves the efficiency of democratic institutions by making use of decentralisation, citizen participation, management and implementation of public policies: "If the criteria of good governance were legitimacy, efficiency and stability, the criteria of good governance are transparency, participation and accountability" (Revesz, 2009: 39). Mazurek (2009) points out the importance given to governance and governance in stimulating local and national development. Governance is closely linked to development. Kardos (2012) argues that governance is the way in which power is exercised in the management of economic and social resources for the development of a country.

Decentralisation has been a response to these local demands and "a central issue is to build a new vision of the territory, which allows for the identification of territorial units that are viable and sustainable" (Revesz, 2009: 43). While this implies an improvement in governance, it also presents challenges in the territories; however, despite the challenge of reconciling the local and the national, the transfer of competencies to local territories allows them to assume a role of development manager, because "development is local or it is not" (Revesz, 2009: 71).

Governance is responsible for laying the foundations and rules for the behaviour of individuals, organisations and enterprises, and thereby ensuring the direction of the development process; the value of governance for development is thus established in three ways: its intrinsic value, in that it

generates social and political participation; an instrumental value, since it allows citizens to express their demands to those in power in a way that generates accountability; and a constructive value, due to the involvement of citizens in the formation of the public agenda, so that governance not only allows responses to social needs, but is essential for defining these needs (González, 2009). Therefore, local development relies on decentralisation and governance to shape territories, since they allow the communities that inhabit them to define their needs and make decisions about their development projects.

5. Contextualisation of the auxiliary boards in the municipality of Puebla and the districts of Madrid

In this section we contextualise (in a legal-political way) the auxiliary boards of the municipality of Puebla¹ and the districts of the city council of Madrid², for this purpose, a theoretical review of the municipality was carried out. The municipality is the political-administrative organisation that serves as the basis for the territorial division and political organisation of the member states of the Federation. They make up the tripartite political organisation of the Mexican State: municipalities, states and federation (Rivera, 2009). Among some of the elements that are immersed in the configuration of the municipality is that of having the power for its free internal administrative regulation; this government is called the city council. Quintana (2000) defines the city council as: the collegiate and deliberative body, directly elected by the people, in charge of the government and administration of the municipality. The function of the town council is primarily one of representation in local life, as well as decision-making and regulation. The city council becomes the immediate manager of all the interests of the local community, made up of a group of public officials, who must be focused on the regulation of general activities or services for the municipality.

In Mexico, the municipalities are regulated by the Political Constitution, in numeral 115 According to Ubiarco (2009), Article 115 of the Constitution has the following characteristics, summed up as follows:

- “a) The municipality is governed by a city council, which arises from a direct popular election.
- b) The existence of any intermediate authority between the municipality and the state government of the federation is not admitted.
- c) The municipalities have legal personality.
- d) The municipalities manage their own patrimony, under legal rules.
- e) Municipalities are empowered to approve: police codes, good governance, regulations, circulars and administrative provisions of observance within their jurisdictions, in accordance with the laws on municipal matters issued by the State legislatures.
- f) They are in charge of certain public functions and services.
- g) Municipalities freely administer their own finances.
- h) The finances of municipalities are formed by income from assets belonging to them, contributions and revenues determined by the State legislatures.
- i) The federation contributes federal participations, which are ultimately determined by the State legislatures.
- j) Municipalities have some powers to structure their urban development, land use, and ecological reserves.
- k) The municipal president is in charge of the preventive police, but in special security cases, the state governor is in charge of the preventive police.
- l) The municipalities have some powers to structure their urban development, land use, and ecological reserves.
- m) The municipal president is in charge of the preventive police” (Ubiarco, 2009: 161-162).

The city council governs, it has direct control over all administrative departments. The municipal government, being indivisible, can only be exercised by the municipality as a collegiate body. There is no division of powers in the municipality.

In the Political Constitution of the Free and Sovereign State of Puebla, it is established that:

“The free Municipality constitutes the basis for the territorial division and the political and administrative organisation of the State; each Municipality shall be governed by a directly popularly elected Town Council, made up of a Municipal President and the number of Aldermen and Syndics determined by law. The elections of the Municipal Councils shall be held on the day and in the year in which the federal elections are held to elect Deputies to the General Congress. The powers granted to the Municipal Government by this Constitution

¹ The municipality of Puebla is the capital of the State of Puebla, the state of Puebla is one of the states that make up the United Mexican States, the municipality of Puebla has 1576259 million inhabitants according to the National Institute of Statistics, Geography and Informatics of Mexico, 2015.

² Madrid is a municipality and city in Spain, it is the capital of the State and of the Community of Madrid. Madrid is the most populous municipality in Spain 3 182 981 people registered, according to the National Institute of Statistics of Spain, 2017..

shall be exercised exclusively by the City Council, and there shall be no intermediate authority between it and the State Government.” (art.102, CEP).

In numeral 105 of this Magna Carta it is established that the municipal public administration will be centralised and decentralised, and will be subject to three provisions: First, the municipal councils will reside in the municipal capitals and will be presided over by the first councillor, who is the Municipal President; the second provision establishes that they can establish the entities they deem convenient to carry out the objectives of the municipal administration; this section opens the door for the Organic Municipal Law to later establish the figure of the auxiliary boards; and the third provision establishes the powers of the municipal council to issue the police and governmental bans.

The auxiliary boards in Puebla are a support body of the municipality, which allow the organisation and administration of the communities. Leal (2011) states:

“The figure of auxiliary boards is rooted as a primary form of government given that the territorial circumscription, in general, corresponds to original settlements of indigenous peoples or to clearly identified population processes, unlike the municipality that since colonial times was designed with the perspective of control.” (Leal, 2011: 1).

The municipality of Puebla has seventeen auxiliary boards which are listed below: La Resurrección, La Libertad, Ignacio Zaragoza, Ignacio Romero Vargas, San Baltazar Campeche, San Andrés Azumiatla, San Pablo Xochimehuacán, San Miguel Canoa, San Jerónimo Caleras, Santo Tomás Chautla, Santa María Xonacatepec, Santa María Guadalupe Tecola, San Sebastián de Aparicio, San Pedro Zacachimalpa, San Felipe Hueyotlipan, San Francisco Totimehuacán and San Baltazar Tetela (Miquel and Cazarín, 2018). The Auxiliary Boards in the municipality of Puebla have their legal basis in the Municipal Organic Law, in its Chapter XXVII. Table 1 shows schematically how they are regulated, and compares them with the regulation of the districts of Madrid.

Table 1. Comparative table of the legal configuration of the auxiliary boards in the municipality of Puebla and the districts of the city of Madrid

	Auxiliary Boards in the municipality of Puebla	Districts of the city of Madrid
Legal nature	Deconcentrated bodies of the municipal administration.	Territorial divisions with decentralised management bodies.
Internal organs	Auxiliary President and four full members and their respective alternates.	The Municipal Board of the District. - The councillor-president. - The District Manager - The Territorial Council of the District.
	Auxiliary Boards in the municipality of Puebla	Districts of the city of Madrid
Election	The Auxiliary Boards shall be elected by plebiscite, which shall be held in accordance with the bases established in the call issued and publicised by the City Council, at least fifteen days prior to the holding of the same, and with the intervention of the Municipal President or his representative, as well as the Subordinate Agent of the Public Prosecutor's Office. The State Congress may send or appoint a representative to witness the election. The Auxiliary Boards shall be elected on the fourth Sunday of the month of January of the corresponding year; they shall hold office for three years and shall take office on the second Sunday of the month of February of the same year.	1. The number of members of the District Municipal Board shall be determined by the Plenary Session of the Town Council at the beginning of each term of office. Their distribution among the political groups shall be in proportion to their representation in the Plenary. 2. The composition of the Municipal District Board will be as follows: a) The councillor-president. b) A vice-president who will be freely appointed by the mayor. c) The members, appointed from among councillors and residents, by the mayor at the proposal of the political groups.
Main functions		The District bodies shall exercise functions in any area of municipal competence that is

<ul style="list-style-type: none"> a) To submit to the Town Council the draft budget for the following year; b) To assist the Town Council in the performance of the functions entrusted to it; c) To collaborate with the Town Council to ensure the safety and public order of the town; d) To negotiate with the Town Council for the construction of works in the public interest e) Appoint, on the proposal of the president of the Junta, the secretary and treasurer. f) to promote sporting, cultural, and educational activities, g) to ensure the functioning of the vents h) To promote programmes in favour of people with disabilities, children, women, and the elderly. i) i) To preserve the original languages, knowledge and all the elements that constitute the culture and identity of the Indigenous Peoples and to manage the necessary economic resources for this purpose. 	<p>delegated by the Mayor, the Local Government Board, or other municipal bodies, and, among others, in the following:</p> <ul style="list-style-type: none"> a) Mobility and Transport. b) Public Works and Roads. c) Parks and Gardens. d) Environmental Quality and Assessment. e) Licences and Authorisations. f) Town Planning Discipline. g) Health, Consumer Affairs and Trade. h) Social Services. i) Culture, Education, Youth and Sports. j) Security. k) Administrative Sanctions. l) Authorisation of Civil Marriages. Administrative Appeals.
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Source: Authors' work based on information from the Puebla Municipal Organic Law and the Organic Regulations of the Districts of the City of Madrid and Spain's Regulatory Law of the Bases of the Local Regime.

In Spain, the political model is based on the 1978 Constitution, which marked the transition to democracy. Article 137 states that "The State is organised territorially into municipalities, provinces and the autonomous communities that may be created. All these entities enjoy autonomy for the management of their respective interests" (art. 137, CE). The Constitution guarantees the autonomy of the municipalities, and that they shall enjoy full legal personality. Their government and administration corresponds to their respective town councils, made up of mayors and councillors. The councillors shall be elected by the inhabitants of the municipality by universal, equal, free, direct and secret suffrage, in the manner established by law. The mayors shall be elected by the councillors or by the residents. The law shall regulate the conditions under which the open council system may be applied (art. 140, CE).

The Madrid City Council is regulated by the Regulatory Law of Local Regime Bases (LRBRL) of April 1985, which was modified in 2004 by the Law of Measures for the Modernisation of Local Government (by its acronym in Spanish LMMGL) I, this law provides for "a new organic and operational regime for 'large population municipalities'. Two are the most clearly defining features of this new regime: a clearer distinction between municipal 'government' and 'administration'; and a new distribution of power in the City Council" (Velasco, 2004: 10). The law introduces two new titles in the LRBRL: Title X referring to the organisational regime of municipalities with a large population; and Title XI, which establishes the classification of infractions and sanctions in certain matters.

Title X of the LRBRL, in its numeral 121, determines 'a specific organic regime for municipalities with a population of over 250,000 inhabitants, provincial capitals with a population of over 175,000 inhabitants, municipalities that are provincial capitals, regional capitals or the seat of regional institutions and municipalities with a population of over 75,000 inhabitants, which have special economic, social, historical or cultural circumstances' (art. 121, LRBRL), although in the latter two cases it is required that the corresponding legislative assemblies so decide (art. 121, LRBRL). 000 inhabitants, which have special economic, social, historical or cultural circumstances, although in the last two cases it is required that the corresponding legislative assemblies so decide' (art. 121, LRBRL). With regard to the districts, Article 24 states that:

"1. In order to facilitate citizen participation in the management of local affairs and to improve it, the municipalities may establish territorial bodies for deconcentrated management, with the organisation, functions and powers that each local council confers upon them, in accordance with the characteristics of the settlement of the population in the municipal

district, without prejudice to the unity of government and management of the municipality. 2. In the municipalities referred to in Article 121, the system of decentralised management established in Article 128 shall apply" (LRBRL).

Article 128 stipulates that municipalities must create districts as territorial divisions:

"Endowed with decentralised management bodies, which will serve to promote and develop citizen participation in the management of municipal affairs and their improvement, without detriment to the unity of government and management of the municipality. 2. The Plenary of the Corporation is responsible for the creation of the districts and their regulation, (...), as well as for determining, in a regulation of an organic nature, the minimum percentage of the corporation's budgetary resources to be managed by the districts as a whole. 3. The presidency of the district shall in any case correspond to a councillor" (art.18, LRBRL).

The city of Madrid is also regulated by Law 22/2006 on the Capital and Special Regime of Madrid (by its acronym in Spanish LCREM), article 22 of which establishes the following regarding the districts:

"1. The Plenary shall create Districts, as their own territorial divisions, endowed with decentralised management bodies, to promote and develop citizen participation in the management of municipal affairs and their improvement, without prejudice to the unity of government and management of the city. 2. The presidency of the District shall correspond in all cases to a councillor." (LCREM).

The districts of Madrid are territorial divisions that are endowed with management bodies, with the General Urban Development Plan (POU) of 1985, whose objective was to decentralise municipal management, and where the 21 districts that Madrid now has were agreed, which are: Centro, Moncloa-Aravaca, San Blas-Canillejas, Arganzuela, Barajas, Carabanchel, Chamartín, Chamberí, Ciudad Lineal, El Pardo-Fuencarral, Hortaleza, Latina, Moratalaz, Puente de Vallecas, Retiro, Salamanca, Tetúan, Usera, Vicálvaro, Villa de Vallecas, Villaverde. The districts are regulated by the Reglamento Orgánico de los Distritos de la Ciudad de Madrid; Table 1 describes this regulation and compares it with the organisation of the Juntas Auxiliares of the municipality of Puebla.

The legal nature of the auxiliary boards indicates that they are deconcentrated bodies of the city council that depend on the Ministry of the Interior and are subordinated to the municipal public administration. The districts of Madrid are established as territorial divisions endowed with deconcentrated management bodies, which implies that both the auxiliary boards and the districts of Madrid are deconcentrated bodies; however, their functioning is very different and so are their transformations, since in Puebla in 2013 a reform was made to the Organic Municipal Law that transformed the auxiliary boards from government bodies to deconcentrated bodies of the municipal public administration, which resulted in the loss of powers and with it their real role of government in the community. Regarding the duties and powers of the auxiliary presidents, Article 231 of the Organic Municipal Law was reformed; in section I of the aforementioned Law, it stated that the Auxiliary President should ensure the proper provision of public services and, in general, the smooth running of the public administration, informing the city council of its deficiencies.

"This section, since the reform, states that they must ensure the proper provision of services delegated to them by the city council and report on their fulfilment. This meant that, in the municipal law prior to the reform, the auxiliary presidents were in charge of procuring public services and overseeing public administration in their auxiliary boards, thus forming a government function, while now, after the reform, they are only in charge of providing the services delegated to them by the city council, from which we can see the withdrawal of the civil registry function and its subsequent return, which will be analysed below." (Miquel y Cazarín, 2018).

In Madrid, with the entry of 'Ahora Madrid' into the city council, the need for a territorial rebalancing was planned, for which three axes were put forward:

"Political decentralisation, granting greater executive and decision-making capacities to the districts, with the creation of the District Coordinating Council, incorporating their councillors into the Governing Board, and above all launching the Local Forums, the new instrument for citizen participation and governance of the territory, which gives more power to neighbours and entities (...). Economic decentralisation, increasing the budget of the districts and their decision-making capacity and, above all, implementing the Territorial Rebalancing Fund (FRT) (...) Administrative deconcentration, with the approval of a new organisational structure for the districts and the progressive transfer of powers (sports, agreements, green areas,

works, events on public roads...), moving towards this City Council of proximity (...)" (Díaz, 2018: 1).

This is a step towards decentralisation, giving greater capacity to the districts, while in the auxiliary boards, powers are reduced and the reform was implemented to turn them into bodies subordinate to the central administration.

As for the internal bodies, the auxiliary boards do not have an inter-parliamentary body that allows for discussion of the different political forces within the board, in addition to the fact that the auxiliary president, who, unlike the presiding councillors of the districts, is elected by popular vote, becomes subordinate to the municipal government and does not have decision-making powers. In both cases, the internal bodies have functions delegated by the mayor, and if they are reviewed they are similar, the difference being that in Puebla a reform was made that limited the powers of the auxiliary presidents who are elected by popular vote, and in Madrid work is being done to give greater independence to the districts and their internal bodies.

The following section analyses, through the eyes of the auxiliary authorities of the municipality of Puebla and the councillors-presidents of the districts of Madrid, the effects of these decentralised bodies on governance and governability, establishing the pros and cons of the reform of auxiliary boards, taking the city of Madrid as an example.

6. Impacts of deconcentration on governance and governability

To analyse the effects of deconcentration and decentralisation on governance and governability in the city of Madrid, semi-structured interviews were conducted with six Madrid city councillors between 24 September and 29 October 2018. The councillors interviewed are: Mauricio Valiente Ots (Chamartín District), Pablo César Carmona Pascual (Districts of Salamanca and Moratalaz), Jorge García Castaño (Centre District), Guillermo Zapata Romero (Districts Fuencarral-El Pardo and Villaverde), Montserrat Galcerán Huguet (Tetuán and Moncloa-Aravaca Districts) and Yolanda Rodríguez Martínez (Ciudad Lineal and Hortaleza Districts). For the municipality of Puebla, twelve auxiliary presidents of the following juntas were interviewed: La Resurrección, La Libertad, Ignacio Zaragoza, Ignacio Romero Vargas, San Jerónimo Caleras, Santo Tomás Chautla, Santa María Xonacatepec, Santa María Guadalupe Tecola, San Sebastián de Aparicio, San Pedro Zacachimalpa, San Felipe Hueyotlipan y San Francisco Totimehuacán. As a matter of preference of the interviewees, their names will not be used, so they will be mentioned by number, the number was assigned according to the dates of their interviews, which took place between August 2017 and March 2018, part of the results were already analysed in the article entitled "Impacto jurídico-político de la reforma en la Ley Orgánica Municipal en materia de juntas auxiliares realizada en 2013" (Legal-political impacts of the reform of the Ley Orgánica Municipal en materia de juntas auxiliares carried out in 2013).³

For the six councillors interviewed, district deconcentration has been very complicated due to the highly centralised structure of the city of Madrid. The de-concentration in the districts has "a big impact, although gradual as the process is very slow and has been positive" (Rodríguez, personal communication, 10 October 2018). Councillors agree that the most tangible impact of the deconcentration process is the increase in powers delegated to the districts and the possibility of including citizen participation in decision-making, which brings the city council closer to the citizens.

In the case of the city of Puebla, the interviewees agree that the reform that turned the auxiliary boards into deconcentrated bodies has had a political impact, because as described in the previous section: the presidents are elected by popular vote, but they no longer have government responsibilities, and the political process in Puebla is contrary to the decentralisation process that is being sought in Madrid. In this regard, the presidents interviewed agree that the reform that turned them into deconcentrated bodies has had negative impacts within the auxiliary councils, "they have taken away a little bit of hierarchy in our auxiliary councils, why, because as we are already deconcentrated (...) it is very difficult for citizens to understand that we no longer have so much power to support them on many issues, and that sometimes the municipal or state government itself does not have that openness (...) and to provide solutions to our citizens" (municipal president 4, personal communication, 5 September 2017).

As explained in the previous section, decentralisation is one of the central axes of the current administration of the municipality of Madrid, the councillors consider that political and economic decentralisation in the districts is feasible:

"It is feasible, let's say that the institutional architecture is quite advanced, I think we still have an important part to rationalise the contracting policy, the contracting policy is the lifeblood of a city council like this one, and it was also very centralised, now we are giving very powerful

³ Miquel y Cazarín (2018). Under review in the journal IUS Mexico.

contracting instruments to the districts, which will begin in the next few years, and this will mean that the main competencies, let's say, in what has to do with the urban scene, what a person sees when they leave home and walk down the street, will now be in the districts (...), the maintenance and renovation of green areas will now be done by the districts, the management of cultural centres, with much more autonomy, will now be done by the districts, the programming of sports activities, in this sense, the districts will be responsible for the basic parts of what they have to do, and the districts will be responsible for the maintenance and renovation of green areas.), the maintenance and renovation of green spaces will now be carried out by the districts, the management of cultural centres, with much more autonomy, will now be carried out by the districts, the programming of sports activities, in this sense the fundamental parts that have to do with being close to the people will be in the districts" (García, personal communication, 3 October 2018).

Interviewees point out that decentralisation has been slower than expected due to regulatory difficulties: "It is necessary to provide sufficient personality and this is very difficult due to the regulations of the State as a whole, it is easier to centralise than to decentralise" (Valiente, personal communication, 17 October 2018), and budgetary and personnel difficulties; however, they are convinced 'that it is perfectly possible, it has to be organised, coordinated and well prepared, it is not easy nor simple' (Zapata, personal communication, 17 October 2018).

Councillor Mauricio Valiente's statement can be applied to the case of the municipality of Puebla "it is easier to centralise", as perceived by the auxiliary presidents who stated that:

"The auxiliary institution is in danger since it makes no sense for them to be elected by the population and then not be able to make decisions and have no public resources to execute. Governance as a form of citizen participation has therefore been undermined since both the authorities and the citizens of the auxiliary councils depend on the decisions taken by the city council. Therefore, they all agree that they are limited and that as managers they cannot help the population, 'they have diminished the capacity for authority and governance' (auxiliary president 9)' (Miquel and Cazarín, 2018: 25).

Decentralisation gives greater executive and decision-making capacities to the districts, the advantages that councillors mention is that it has strengthened governance within the districts and in the city as a whole. Decision-making allows the participation of local actors within the districts and the capacity of the districts to respond to citizen demands has strengthened governance: "All this is possible if you have an administration that is close to you, otherwise the administration remains in pure management and generates a lot of distance (...) with the neighbours" (Carmona, personal communication, 2 October 2018).

The councillors see a central challenge for the administration as balancing the city, and to this end, the work done by the *sitios* is crucial. They are convinced that decentralisation will allow the districts to have more capacity for action and power to intervene in a more accurate way in the problems of social imbalance: "This decentralisation policy has to do with rebalancing, if it does not have to do with rebalancing it makes no sense, it has to do with the fact that the districts in the south and southeast must have a bigger budget, more capacities, more equipment and more investments" (García, personal communication, 3 October 2018).

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The budget in the districts has increased, but the allocated budget is still not coherent with the needs of territorial rebalancing: "we said in our (campaign) programme that we would increase the budget for the districts by about twenty-something per cent, but we have remained at 12 or 13 per cent, we should have increased the budget for the districts" (Galcerán, personal communication, 29 October). The councillors interviewed are aware that progress has been made in terms of rebalancing and that the budget has grown to be executed in the district councils; however, much more could still be done for the districts. The city of Madrid is "a very segregated city with a lot of inequality" (Zapata, personal communication 24 September 2018). Auxiliary presidents are convinced that the budget allocated to the *juntas* through the participatory budget at a rate of one million pesos does not cover the needs of the population:

"I would like there to be many more benefits for the community, not that they would give us, for example, benefits not as an auxiliary council, but as a municipality, so that we could manage our own resources, and then we would have to administer those revenues and we

would have to do more projects, without having to ask the municipality for them" (auxiliary president 7, personal communication, 5 October 2017).

As described, the councillors in Madrid are appointed by the mayor, unlike the auxiliary presidents in Puebla, who are elected by popular vote. The councillors, during the interview, pointed out that although they are appointed by the mayor, they decided in which district or districts they would be presiding councillors. This decision is due to the knowledge they have of the districts in the case of Montserrat Galcerán, Jorge García, Mauricio Valiente, who live or used to live in the districts they elected. The councillors of Yolanda Rodríguez, Guillermo Zapata and Pablo Cesar Carmona know well the districts in which they are councillors.

The councillors do not agree in their position regarding the way in which the presiding councillors of the districts are appointed, the proposal of Ahora Madrid is that the district councillors should be elected directly in the districts; however, in particular, the councillors express their concerns regarding this model: councillor Montserrat Galcerán considers that the election of councillors should be direct in the districts and should also leave aside political parties: "political parties have a monopoly on elections" (Galcerán, personal communication, 29 October 2018); Jorge García argues that the district should be governed by the party that wins the district, however, this would generate plurality in the districts and create a difficult governance for the party in the city council to operate: "A very strong change of political culture is required in Madrid" (García, personal communication, 3 October 2018); Pablo Cesar Carmona agrees with Montserrat and Jorge that the election should be direct in each district: "There should be elections of representatives in each of the districts and that these districts should have greater autonomy" (Carmona, personal communication, 2 October 2018); Yolanda Rodríguez considers that it is a method that could be improved; Mauricio Valiente points out that it is a correct method: "I believe in decentralisation but it is not an absolute value there also has to be a homogeneity in the set of policies of the city" (Valiente, personal communication, 17 October 2018); Guillermo Zapata considers that neighbours should directly elect the councillor to guarantee greater autonomy to the districts: "I think that the systems where those elected are directly elected are usually more beholden to their voters than to the party or at least have that intention" (Zapata, personal communication 24 September 2018).

The auxiliary presidents agree that their form of election is the most appropriate, as it allows for the participation of the community, and in addition, the way they form the slates is designed to leave out political parties, even though there are party militants in the formation of the slates, the citizens vote for those they know: "Here everyone forms their slates (...) here almost everyone or most of us know each other, and here the people decide to see who is more honest, more responsible, more serious and more assiduous in managing works because they must also work" (auxiliary president 5, personal communication, 7 September 2017); however, they warn that they must be elected by the vote of the people and then be limited by the town council, so they insist that their functions are no longer taken away from them.

To summarise, the councillors see major challenges in the decentralisation of the districts, and among these there is one that is a constant in the interviews which has to do with the possibility of hiring staff from the districts or from the city council going to the districts:

"Normally cities have made their decentralisation process growing in staff, we are making the process practically losing it due to the fact that we have a stability law from the central government that pressures us in that sense and does not allow us to hire staff, so it is being very complicated" (García, personal communication, 3 October 2018).

Districts are short of staff, and with retirements, positions are frozen and staff are lost: the more functions are designated to districts, the more staff are needed; however, this is dependent on the state government and therefore leaves the city council unable to act. This is a sign that the federal pact in Madrid is not strong because, as councillors Jorge García, Pablo Cesar Carmona and Mauricio Valiente point out, the city is highly centralised and largely dependent on central state decisions. In addition to the lack of personnel, there is the problem of large contracts:

"You can decentralise competencies, of course, but there are a series of large contracts, which are becoming larger in the administrations both in terms of duration and extension, which last longer, we have spent the whole legislature with a contract for green areas that the previous government made and which does not end until 2022 and this contract is for the whole city, it is not decentralised. So when it comes to decentralising, a lot of thought must be given to the contracting policy, the districts must have very strong contracting instruments and also the opposite of decentralising, the contracting policy must not have different rates, you must continue to think about economies of scale, which allow for coherence throughout the city" (García, personal communication, 3 October 2018).

7. Conclusions

Si bien los distritos de Madrid y las juntas auxiliares del municipio de Puebla son órganos desconcentrados del ayuntamiento, se puede precisar que en Madrid se está trabajando para fortalecer su desempeño, con la descentralización planteada en la actual administración; se están llevando facultades a los distritos que son los que conviven cara a cara con la ciudadanía, este proceso tiene retos importantes por vencer como ya se señalaron, pero:

“Es importante una reflexión sobre la desconcentración y la descentralización en la medida en que cualquier tipo de democracia que quiera avanzar hacia parámetros más abiertos e inclusivos y de participación ciudadana si se quiere estar más cerca de los problemas de los vecinos y de las vecinas tiene que saber desconcentrar el poder, es decir que democracia es igual a la máxima dispersión del poder institucional y a la mayor colaboración y participación posible de la ciudadanía y para eso es fundamental que la toma de decisiones y la gestión este lo más descentralizada posible sino es muy complicado porque la administración pública se convierte en una entidad un poco abstracta y poco cercana a los vecinos” (Zapata, comunicación personal, 24 de septiembre de 2018).

La descentralización no es la respuesta a todos los problemas de la administración local, pero permite que se generen mayores mecanismos de participación, la desconcentración tiene en su contra que los órganos quedan supeditados al control jerárquico superior; en el caso de Puebla, las Juntas Auxiliares han quedado limitadas en su actuar y dependen completamente del ayuntamiento, lo que les supone retos debido a que dependen de factores externos como el partido político que esté gobernando el ayuntamiento, la voluntad del propio alcalde y el presupuesto que se les decida asignar por vía del cabildo: “En las entrevistas todos coincidieron en que si su relación con el presidente municipal y los secretarios es buena pueden gestionar más obras y más beneficios para sus comunidades, pero en caso contrario, se quedan solo con el millón de presupuesto participativo” (Miquel y Cazarín, 2018). En el caso de Madrid, la desconcentración ha permitido de manera gradual ir alcanzando los objetivos de la descentralización; pero en el caso de Puebla está siendo un obstáculo.

La gobernanza y la gobernabilidad estimulan el desarrollo local y nacional; para que se presenten estos procesos se requiere un pacto territorial y social, que responda a las demandas locales y a su diversidad (Mazurek, 2009). En Madrid, los concejales coinciden en que el proceso de descentralización es lento y tiene retos importantes, pero que entre las ventajas más palpables se encuentra la participación de los ciudadanos en la toma de decisiones:

“Communication between administration and citizens is very basic, a mayor can be very open but it is impossible for him to attend to a large city in each of the 21 districts and 129 neighbourhoods, it is impossible, I think that a first very important aspect is that the president of the district council is like the neighbourhood mayor has a very direct communication; two, the agility of the administration's actions in areas where this agility is required, a good part of the city council's competencies is in the cultural and sporting sphere, and not in major events, but in the promotion of grassroots sport and grassroots culture, which is much more agile in terms of programming in a district than for the city as a whole; I think that the level of knowledge is an advantage, for example the authorisation of terraces of hotel establishments, the knowledge that the municipal technician has of the streets, of the difficulties that exist, of the negative impacts that a terrace can have when using it, is much more direct in one district than in another, these impacts are really positive’ (Valiente, personal communication, 17 October 2018).

In Puebla, the concern of the auxiliary presidents is that citizens feel let down, as they vote for an auxiliary president and then this president does not have the powers to solve the most urgent problems of the population. It is clear that these cities are moving in the opposite direction with respect to municipal organisation. The Puebla city council centralises the auxiliary councils to generate greater governability, but loses sight of the fact that governability, in order to be democratic, requires greater participation and governance processes, which limits the local development of the auxiliary councils; in Madrid, on the other hand, they are rethinking the appointment of district councillors in the knowledge that a direct election could generate problems of governability.

The identity of the districts is important, as is the identity of the auxiliary boards, although the auxiliary boards emerged as original villages that were later absorbed by the municipality⁴, in both

⁴ For more information on the history of the juntas auxiliares see: Miquel Hernández, Montserrat and Cazarín Martínez, Angélica, “Gobernanza y desarrollo local: un estudio para la junta auxiliar de San Baltazar Tetela del municipio de Puebla, Pue”, Revista Tla-melaua, Y Miquel Hernández, Montserrat y Cazarín Martínez, Angélica, “Impactos jurídico-políticos de la reforma en la Ley Orgánica Municipal en materia de Juntas Auxiliares realizada en 2013”, Revista IUS México.

cases the processes of governance, governability and local development must maintain a close relationship and remain close to the communal identities in order to strengthen them.

Lastly, local development relies on decentralisation and governance to shape territories, since these allow the community that inhabits them to define their needs and make decisions on their development projects, which is why in Puebla it is necessary to study in depth the proposed model of deconcentration so that instead of limiting decentralisation and governance, it promotes them; and in Madrid they continue in the search to respond to the challenges that the districts face to achieve economic and administrative decentralisation..

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In-depth interviews	Semi-structured interviews:
<ul style="list-style-type: none"> • Auxiliary President 1, 25 August 2017. • Auxiliary President 2, 28 August 2017. • Auxiliary President 3, 30 August 2017. • Auxiliary President 4, 5 September 2017. • Auxiliary President 5, 7 September 2017. • Auxiliary President 6, 12 September 2017. • Auxiliary President 7, 5 October 2017. • Auxiliary President 8, 20 October 2017. • Auxiliary President 9, 6 November 2017. • Auxiliary President 10, 30 November 2017. • Auxiliary President 11, 16 February 2018. • Auxiliary President 12, 5 March 2018. 	<ol style="list-style-type: none"> 1. Guillermo Zapata Romero (Districts Fuencarral-El Pardo and Villaverde), 24 September 2018. 2. Pablo César Carmona Pascual (Districts of Salamanca and Moratalaz), 2 October 2018. 3. Jorge García Castaño (Distrito Centro), 3 October 2018 4. Yolanda Rodríguez Martínez (Districts of Ciudad Lineal and Hortaleza), 10 October 2018. 5. Mauricio Valiente Ots (Chamartín District), 17 October 2018. 6. Montserrat Galcerán Huguet (Districts of Tetuán and Moncloa-Aravaca), 29 October 2018.