

Guatemala

Guatemala is a relatively centralized state where decentralization has largely skipped intermediate governance. With 16.9 million in 2017, Guatemala is the most populous country in Central America. The intermediate level consists of twenty-two *departamentos* (departments) which remain primarily deconcentrated. Decentralization, which began in 1996 after thirty-six years of civil war, has targeted the local level of *municipalidades* (municipalities), focusing on participatory local democracy and the empowerment of indigenous groups (Tulchin and Selee 2004: 9).

Beginning in 1945 with the first democratic constitution, *departamentos* had governors appointed by the president while *municipalidades* had directly elected executives and assemblies (C 1945, Title X). Municipal executives controlled local police and could raise taxes with the consent of the national executive (Art. 203), but *departamentos* were central government outposts which coordinated communication and policy between the center and the *municipalidades*. Subsequent constitutions in 1956, 1965, and 1985 made only minor changes to this basic territorial set-up. While efforts at constitutional reform have been ongoing, the last significant reforms took place in 1993.

Under authoritarian rule (1955–84), the junta changed the constitution twice (Tulchin and Selee 2004: 12). The 1956 constitution made communist and socialist parties illegal (C 1956, Art. 23), restricted citizenship for women to literate women (Art. 16), and centralized local finance, but the departmental regime did not change. The 1965 constitution, introduced in the midst of civil war, stated that the parliament would introduce *provincias* above the *departamentos* (C 1965, Art. 230), but this was never implemented.

Guatemala returned to democracy in 1985, and the new constitution deepened self-governance for the *municipalidades* (C 1985, Section VII),¹ created in each department a *consejo departamental de desarrollo* (Art. 228), and allowed for departments to be combined in *regiones de desarrollo* (development regions), which, like the departments, could set up a consultative council (Arts. 224 and 226). The constitution also recognizes and protects indigenous peoples, their lands, and customs (Arts. 66–70).

The departmental governor presides over the *consejo departamental de desarrollo*, which is composed of the *alcaldes* (mayors) of all municipalities and civil society representatives (Art. 228). The *consejos* coordinate economic development and propose changes or requests to the annual departmental budget (Decree 11 of 2002). The *consejo* constitutes an incipient form of departmental governance, but it falls short of qualifying as general purpose.^β Departmental responsibilities are limited to the creation of a property registry and economic development (Art. 230).

The *Área Metropolitana de Guatemala* is the largest metro area in Central America, with over

¹ Including the right to borrow with *ex ante* approval by the national legislature (Burki et al. 2000: 380; IADB 1997; Stein 1999: 379).

five million inhabitants in 2015. It lies in the department of Guatemala and includes 17 smaller cities. While a foreshadowing of a framework for metro governance for the *Área Metropolitana de Guatemala* can be found in its special consideration in the 1985 Constitution (Art. 231), national decree 52 of 1987 mandates that because of its national importance, the regional and departmental development councils of Guatemala City and metro region are collapsed into the former, with decisions and finances firmly in the hands of the central government (Art 18). Even in areas where the need for coordination is widely discussed, such as public transport, municipal autonomy with central control remains the order of the day (Morataya 2011).

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Central America and the Caribbean

Self-rule in Guatemala

	Institutional depth	Policy scope	Fiscal autonomy	Borrowing autonomy	Representation Assembly	Executive	Self- rule
Departamentos 1950–2018	1	0	0	0	0	0	1

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