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Public Spaces in Bogotá: An Introduction

Nancy Rhinehart

One of the most powerful instruments for creating an egalitarian society is by improving public space. People need to walk and be with people, and this is essential to their happiness. Parks, green spaces and libraries make enormous improvements to the lives of the poor and create a more just, egalitarian society.¹

I. Introduction

Perhaps few issues are as important to modern cities as growth management. The task encompasses all aspects of land use planning, environmental strategies, and structural considerations. Incorporating public space into this matrix may seem like a gratuitous task when basic services and land provision remain paramount, as they do in most developing cities. Yet the case of Bogotá, Colombia, proves that the consideration and provision of public space touches, and sometimes unifies, the most important considerations of building a city. When faced with massive illegal settlements, economic segregation, high crime rates, and increasing pollution, the city’s leaders took steps to address these issues through an emphasis on public spaces. They reclaimed sidewalks for pedestrians, built massive public parks and libraries, and instituted one of the best public transportation models in the world. Their efforts constituted both hits and misses, but they arguably resulted in a change that was more than just physical. The following articles aim to explore and explain the changes in Bogotá over the last twenty years, focusing mainly on the legal challenges of extralegal property as a “public” space. This article briefly outlines the history of the city and the series of mayors who implemented these changes.

II. A Brief History of the Development of Bogotá²

Founded in 1538 by Spanish settlers, Bogotá developed as the

¹ Jonas Hagen, Of Bicycles and Bipeds in Bogotá, United Nations Chronicle, June 1, 2003, at 76.
² The information in this section is based on Juan Felipe Pinilla Pineda, PowerPoint Presentation to Study Space Participants, La Transformación de Bogotá 1995-2007, Bogotá, Colombia (Mar. 10, 2008).
administrative and judicial center for the colonial region, then called Nuevo Reino de Granada by the Spanish. Through independence and the 19th century, the city continued to develop as the capital city for the region, growing in population from 20,000 people in 1801 to over 100,000 by 1900. As the city developed as a commercial center, industrial areas and their accompanying neighborhoods became a political focus. One result was a governmental planning unit, established in the 1930s to guide the continuing development of the city.

In 1948, the assassination of an important political leader, Jorge Eliécer Gaitán, led to riots in the colonial center of Bogotá. As a result, a large part of the city center burned down. This event, the Bogotazo, shaped the city through the rest of the 20th century. The destruction pushed the commercial focus, and the wealthy population, to the north of the colonial center. The area became blighted and dangerous, effectively severing the city into a rich north and a poor south. Adding to the structural challenges the city then faced, the 1970s and 1980s were marked by increasing social segregation and political corruption.

By the 1990s, Bogotá's leaders faced a long list of problems including high crime, crippling traffic, social segregation, and insufficient infrastructure. Growth management was a key issue in many of these problems. An estimated twenty families arrived daily from other parts of Colombia into a city that could not support them. Corruption and under-developed infrastructure weighed heavily on the issue: not only was there insufficient money to provide infrastructure for these incoming families, there was no methodology to even account for them. Independent settlements self-developed by illegally tapping into existing utilities, building their own systems, or simply going without basic utilities, creating significant public health risks. Moreover, these illegal settlements physically prevented the building of roads into the city center and the development of marketable land. By 1992, city services faced crisis-level deficiencies in power, water, and sewer provision, and chaos in public transportation, education, and hospitals. The city was effectively insolvent. Despite the formidable

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3. One of the most widely studied cities with these developments is Jerusalén, located in Ciudad Bolivar. Jerusalén is the focus of many of the articles in this edition. For a detailed legal history of Jerusalén, see Andrée Viana García & Juan Felipe Pinilla Pineda, Key to Dreams: The Law and the Other City, 40 U. MIAMI INTER-AM. L. REV. 325 (2009).
state of Bogotá, the city’s mayors took steps to address the many problems of the city. The first of these mayors was Jaime Castro.


While recent mayors of Bogotá receive most of the credit for the city’s impressive transition, many cite Jaime Castro as the true “founding father” of Bogotá. Castro wrote Bogotá’s Charter in 1993, after Bogotá was declared to be the Capital District. In that Charter he updated the municipal tax code and implanted tools to allow the city to raise money more efficiently. He implemented Bogotá’s first land-use plan and pushed the federal government to grant him more power so that he could effectively counter the city council and powerful and corrupt real estate and transportation interests. Colombia’s 1991 Constitution also aided Castro. The Constitution placed mayors, rather than the federal government, in charge of public safety and over the physical and economic development of the city. Castro soon took steps to update tax collection, resulting in revenues triple that of 1992: whereas the city had collected $300 million in 1992, collections in 1993 resulted in income of $900 million. Bogotá’s mayors now had the income and the legal means to address the city’s problems. The first mayor to capitalize on the opportunities created by Castro’s administration was Antanas Mockus.


In 1994, Bogotá was an “unruly, dirty and unlovely city.” Its sewage, water, and transport systems failed to keep pace with the city’s growth, which, at 4.5% each year for a decade, had reached a population of 6.3 million. Only 60% of the population was con-

6. *Id.*
11. *Id.*
nected to the main sewer system, and 200,000 water connections were illegal. Unauthorized growth, often encouraged by local politicians looking for votes, had taken over many vacant areas. The city had no long-term transport or planning strategy; traffic and air pollution congested the city. The crime rate in the city topped fourteen murders a day, and citizens were wary of congregating in restaurants and bars for fear of drug-cartel terrorism. Despite a shift from the city center into outlying neighborhoods, many businesses still concentrated in the rundown inner city. The city was also in a tenuous financial situation: most of its tax revenue went straight to paying off multilateral loans incurred in tighter days.

Antanas Mockus sought to change the state of the city through unfamiliar means, concentrating on civic culture rather than political maneuvers. Mockus, a mathematician and philosophy professor, saw his popularity rise when he resigned from his post as rector of the National University after mooning students in a lecture to get their attention. He ran for mayor with no political experience, faced only by Enrique Peñalosa of the Liberal Party, when the two major parties, the Conservatives and the Liberals, failed at promoting an alliance for local elections. His campaign promised “No P’s”—no publicity, no politics, no party, and no plata (money). His honesty and lack of political affiliation led to his overwhelming victory in October of 1994. He told students, “You can’t fix Bogotá by putting ‘I love Bogotá’ stickers on your car. Instead, say ‘I hate it, but I’ll do something to improve it.”

His popularity and perception as an eccentric opened the door for Mockus to use unusual tactics to address the city’s fundamental problems. He rejected the city council’s notoriously political recommendations for city positions, resulting in the resignation of at least one council member. He disbanded the city’s corrupt

12. Id.
13. Id.
14. Id.
15. See Santos, supra note 8.
17. Id.
18. Id.
transit police force.\textsuperscript{22} He privatized the city's public utilities and positively shaped the city's finances, bringing in funds and freeing up money for investing in the city's roads, improving parks, and building bike paths.\textsuperscript{23} He reformed the city's tax code, making it easier and fairer for those least likely to pay.\textsuperscript{24}

He introduced his Cultura Ciudadana campaign, which sought to change the city's problems by focusing on the citizens' mindset; he stated, "[t]he crucial part of a citizen's culture is learning to correct others without mistreating them or generating aggression. We need to create a society in which civility rules over cynicism and apathy."\textsuperscript{25} Mayor Mockus set out as the first example of his campaign. He dressed as Superman to encourage citizens to be "super citizens."\textsuperscript{26} He sent out 220 mimes to mimic and embarrass jaywalkers and pickpockets. He issued 350,000 cards with a picture of a thumbs-up sign and a thumbs-down sign to drivers and pedestrians so that they could convey their pleasure or displeasure at other citizens.\textsuperscript{27} The first program was so popular that Mockus later increased the number of mimes to 400.\textsuperscript{28} At Christmas, usually the season for drinking and violence, he offered cash rewards for turning in weapons and then turned the weapons into silverware.\textsuperscript{29} He also pushed through an unpopular law to close bars, clubs, and other entertainment establishments by one o'clock in the morning.\textsuperscript{30} After years of corruption and wasteful bureaucrats and bureaucracy, Bogotanos seemed to embrace Mockus's mindset. A journalist noted, "In a short time, people learned to change their behavior. Drivers learned to give each other the thumbs-up and thumbs-down signs with a grin. Bogotá is still Bogotá, but there is more respect and tolerance in the air."

\textsuperscript{23} See \textit{Women's Rule}, ECONOMIST, Mar. 17, 2001, at 1; Forero, \textit{supra} note 22.
\textsuperscript{24} Laurie Goering, \textit{Antic Mayor Transforms Troubled City: Bogotá Attempts to Shape Citizens as Well as Laws}, CHICAGO TRIBUNE, May 29, 2001, at N3.
\textsuperscript{25} John Tierney, \textit{The Big City: Civil Disobedience}, N.Y. TIMES, Apr. 19, 1998 at 26. For a further review of Cultura Ciudadana and a comparison with a similar effort in Rio de Janeiro, Brazil, see Mario Nogueira, \textit{Learning from Bogotá: Citizenship Culture in Urban Administration}, 41 U. MIAMI INTER-AM. L. REV. (forthcoming Fall 2009).
\textsuperscript{26} \textit{The Two Colombias}, ECONOMIST, Oct. 25, 1997.
\textsuperscript{27} Caballero, \textit{supra} note 19.
\textsuperscript{28} \textit{Id}.
\textsuperscript{29} Tierney, \textit{supra} note 25.
\textsuperscript{30} \textit{Women's Rule}, \textit{supra} note 23.
He also revived the city's Ciclovia program.\(^{31}\) Introduced in the 1970s and made permanent in 1982, Ciclovia closed fifty miles of the city's roads to cars and opened them to citizens on bikes, skates, and foot from seven o'clock in the morning to two o'clock in the afternoon on Sundays.\(^{32}\) Before Mockus's term, the weekly event was disorganized and sometimes dangerous—cars still imposed a right of way.\(^{33}\) Mayor Mockus appointed Guillermo Peñalosa, brother of future mayor Enrique Peñalosa, to expand and revive the program.\(^{34}\) Under their direction, the number of roads used by bicycles was tripled, and the program was expanded into the poor, southern part of the city where parks and recreation alternatives were few.\(^{35}\) Continuing the emphasis on public health, free aerobics classes and bike rental were implemented in designated areas.\(^{36}\) An outdoor mass was also provided to encourage people to spend their Sundays outside with fellow Bogotanos.\(^{37}\) In a city that self-segregated by wealth even at bullfights and soccer games, Ciclovia provided a rare opportunity to mix with fellow citizens regardless of status.\(^{38}\)

In 1997, Mockus decided to use his popularity toward a bid for the presidency. He lost and was replaced as mayor by Enrique Peñalosa.\(^{39}\) Despite Mockus's popularity and success, Bogotá still faced some serious problems. During 1997, Bogota saw 250 murders committed per month, 95% of crimes went unpunished, unemployment stagnated at 10%, and 4 million in the city fall at or below the poverty line.\(^{40}\) Peñalosa sought to continue Mockus's focus on the way Bogotá's citizens live together.


Peñalosa set out to rebuild Bogotá by capitalizing on Mockus's success with the city's finances, a budget surplus of $700 million,

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31. See generally David Aquilar Lawrence, *Despite Drugs and Crime, the People of Bogotá Unite for Day of Civil Fun*, CHRISTIAN SCIENCE MONITOR, Apr. 9, 1997, at 7.
32. Id.
33. See id.
34. See id.
35. Id.
37. See Lawrence, supra note 31.
38. Id.
40. See *The Two Colombias*, supra note 26.
and a mandate for change. Peñalosa focused on rebuilding the city around people, not cars, by implementing an impressive public transportation and traffic control system, as well as numerous structural improvements.

First, Peñalosa targeted the dominance of cars in the city. He attempted to ban cars from parking on sidewalks, which were usually those of the business owners of the stores on that street. For this effort, he was nearly impeached. But he prevailed, and placed cement posts on city sidewalks to enforce the ban. He also instituted a car-free day, banning commuters from driving to work, and convinced the city council to raise gas taxes. Under his administration the bicycle became an acceptable, even favored, mode of transportation, a big shift for the formerly car-dominated city. Peñalosa noted, "Cars isolate people. Bicycles integrate socially." He built seventy miles of bike paths and encouraged bicycle use, continuing Ciclovia and biking to work himself every day. He also implemented a seatbelt law and an anti-littering campaign. Citizens were pleased enough with the results that they voted to ban cars from the city during rush hours starting in 2005. In the interim, Peñalosa introduced a plate-numbering system, which kept 40% of drivers off the road during rush hours and also reduced air pollution.

His biggest success was TransMilenio, a bus-based public transportation system. Before TransMilenio, public transportation consisted of various associations of private bus operators

41. Goering, supra note 24; Kraul, supra note 4.
44. Id.; see also Bogotá’s Mayor Tries to Ease Urban Woes, MIAMI HERALD, Mar. 19, 2000, at 11A [hereinafter Urban Woes].
46. Jones, supra note 39; Kolter, supra note 45.
47. See Gewertz, supra note 43.
48. Urban Woes, supra note 44.
49. Gewertz, supra note 43; see also Manuel Duran, Promueven Día sin Auto, REFORMA, Sept. 21, 2001, at 6 (Mex.); Hagen, supra note 1; Ciclovia, supra note 36.
50. Forero, supra note 22.
52. Id.
loosely regulated by the city government.\textsuperscript{54} Bus drivers set service locations based on potential revenue from the passenger, leading to intense competition in some areas and under-service of other areas.\textsuperscript{55} The system was characterized by congestion, poor quality, unsafe conditions, and slow service.\textsuperscript{56} TransMilenio was partially funded by the gas tax and cost \$300 million.\textsuperscript{57} Peñalosa chose this system over the proposed solution to the city's transportation problems: a \$600 million elevated highway.\textsuperscript{58} He saw a system that promotes public transportation as more true to the idea of a healthy and happy city.\textsuperscript{59} Since only 25-30\% of Bogotanos had cars, basing a transportation system on that group inherently failed to address the commuting issues of Bogotá's citizens.\textsuperscript{60} Peñalosa fought for an above-ground bus system, avoiding a traditionally expensive and usually subsidized underground subway system, which he saw as essentially favoring cars by seeking to preserve existing road space.\textsuperscript{61} Through capitalizing on an essential existing resource—roads—costs were reduced in implementing the system.\textsuperscript{62}

The system operates essentially as a "surface subway," with main stations with raised platforms, side doors, and its own lanes along Bogota's main thoroughfares.\textsuperscript{63} It uses private contractors to run its buses along three main corridors, covering twenty-five miles of road in the city.\textsuperscript{64} It hosts bicycle storage, free neighborhood shuttle buses, and a modern and efficient control system.\textsuperscript{65} By encouraging ridership, through neighborhood shuttles, and bicycling, with easy and free storage, the system reduces air pollution and increases public health with each patron.\textsuperscript{66} By 2003, it was moving 750,000 passengers a day.\textsuperscript{67} Within as little as five months of its launch in December 2000, TransMilenio boasted

\textsuperscript{55} See id.
\textsuperscript{56} See id.
\textsuperscript{57} See Ives, supra note 42; Jones, supra note 39.
\textsuperscript{58} See Ives, supra note 42.
\textsuperscript{59} See id.
\textsuperscript{60} See id.
\textsuperscript{61} See Whitelegg, supra note 51.
\textsuperscript{62} Transmilenio Video, supra note 53.
\textsuperscript{63} Id.; see also Hagen, supra note 1.
\textsuperscript{64} Endy M. Bayuni, Opinion, Give Busway a Chance, the Problem Is the Officials, JAKARTA POST, Dec. 31, 2003.
\textsuperscript{65} Transmilenio Video, supra note 53.
\textsuperscript{66} Id.
\textsuperscript{67} Ardila-Gomez, supra note 4.
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some impressive numbers: a 93% drop in fatal car accidents and a 50% decline in injury-causing accidents; a 40% decline in some air pollutants; a 30% drop in noise pollution where the bus system operated; a 32% reduction in travel time for patrons (saving the typical user 300 extra hours per year); a 10% decline in gas consumption; and a 50% drop in thefts on the public transportation system.\(^6\) Most importantly perhaps, it is one of the few public transportation systems in the world that operates at a profit, despite its thirty-six cent fare.\(^6\)

Peñalosa continued his focus on social integration, building pedestrian-only streets, fifty new schools, and twenty-one new libraries.\(^7\) Many of these improvements were in the poorest areas of the city.\(^7\) He provided citizens with free fireworks shows and concerts. Peñalosa, in a lecture at Harvard about sustainable development, explained, “People often think of things like Christmas lights and fireworks as a waste of money, but these things create a sense of belonging.”\(^7\) In conjunction with these efforts, Peñalosa focused on the importance and development of public spaces.\(^7\) He built or revamped 1,300 parks and created greenways along creeks.\(^7\) One uncompleted effort would have turned a golf and polo club for the wealthy into a public park.\(^7\) To Peñalosa, democracy, which he characterizes as simply choosing public good over private, requires the implementation of parks and public spaces to “compensate [the poor] for the inequalities that exist in society.”\(^7\) He cites public spaces as cause for a reduction in crime, as well for promoting a positive attitude among citizens toward their city.\(^7\)

Peñalosa’s goals were codified in 2000 with the Territorial Ordering Plan of the Capital District (Plan de Ordenamiento Territorial, or POT), which focused on four essential issues of the city—urban renewal, built environment, sustainable develop-
ment, and low-income housing—and set long-term goals for each area. Provisions of this law guided TransMilenio, the Third Millennium Park (Parque Tercer Milenio), the Public School Grant (which aimed to expand and improve public education), and Metrovivienda (a low-income housing project).

Despite Peñalosa’s efforts, Bogotá’s big-city problems remained. Crime rates were still high, at 35 homicides per 100,000 in 2000, and the city faced an annual influx of 160,000 people, causing housing and services shortages. His administration was not without scrutiny: it was cited for contractual irregularities when dealing with the private companies that operated TransMilenio, shortages in long-term support for infrastructure, and notably, a willingness to forgo the democratic process to push through changes. Additionally, the success of TransMilenio was still limited: it only provided service through two main thoroughfares of the city, leaving the majority of the city to the lightly-regulated, inefficient, and pollutant-heavy private bus system.


Upon Mockus’s return as mayor, some remarked that he had “hung up his cape,” foregoing his familiar antics for new tactics to address the city’s problems. His seriousness was merited: a couple of months into his term, Bogotá experienced its first bombing in almost two years. Despite the terror, he maintained his fundamental focus on bettering the daily lives of Bogotanos. He opened a free museum and continued Peñalosa’s installment of public libraries, statutes, and fountains. Mockus still used some of his prior tactics to draw the public’s attention. When the city suffered a water shortage, Mockus appeared on television pro-

78. Ruiz, supra note 9.
79. See id. at 185-86. For a discussion of the success of Metrovivienda see id. at 191-94.
80. Forero, supra note 22.
82. Ricardo Santamaria, Opinion, Buena Gestión en Transporte de Bogotá Amenaza con Desaparecer; Caos en las Calles de Bogotá, PORTAFOLIO, Feb. 18, 2005.
83. See Ardila-Gomez, supra note 4.
84. See Rodriguez & Mojica, supra note 54.
85. Goering, supra note 24.
86. See id.
87. See id.
grams in the shower asking citizens to turn off the water as they
soaped. After two months, water use was down 14%. Citizens
soon saw their own economic benefits of saving water, and water
use in 2004 was 40% less than before the shortage.

Mockus reasons, “The distribution of knowledge is the key
contemporary task. Knowledge empowers people. If people know
the rules, and are sensitized by art, humor, and creativity, they
are much more likely to accept change.” This faith—the faith
that citizens could change the city—may have led to a voluntary
10% increase in tax payment, simply at the request of Mockus, by
over 63,000 citizens. In 2002, the city collected more than three
times the tax revenue it had in 1990, undoubtedly aided by Cas-
тро's reforms in collection as well as Mockus's tax reform efforts in
his first term. Mockus also saw an additional 1,235,000 homes
with connections to the main sewage line and 1,316,000 homes
with water. Drinking water and sewage provision rose from
78.7% and 70.8% respectively in 1993 to 100% and 94.9% in
2003.

Mockus continued Peñalosa's car-free day and limited drivers
to commuting during rush hour no more than three days a week to
further address smog and traffic. In a further measure to control
Bogotá's famously aggressive drivers, Mockus targeted taxi driv-
ers, asking riders to call his office to report kind and honest taxi
drivers, whom he named “Knights of the Zebra” and recognized
officially. Mockus asked those drivers to meet with him and pro-
vide advice on how to improve the behavior of dishonest and rude
taxi drivers. He also directed the construction of 200 miles of bike
paths and expanded the TransMilenio system.

An especially popular program addressed the fear of many
Bogotanas to go out at night. Mockus instituted La Noche de las
Mujeres (Women's Night) in which he asked the city's men to stay

89. Caballero, supra note 19.
90. Id.
91. Id.
92. See id.
93. See id.
94. Id.
95. Id.
96. Weissman, supra note 88.
97. Caballero, supra note 19.
98. Weissman, supra note 88.
home with the children while the women went out.\textsuperscript{99} The police
chief and all 1,500 police that night were women.\textsuperscript{100} Over 700,000
women participated on the first night, attending free outdoor concerts and enjoying specials at local bars.\textsuperscript{101} Though many men
ignored the order and spoke out against the restriction, most men
did stay home, rewarded at their windows by applause from
women passing by. Those who did not stay home were awarded
with handfuls of flour.\textsuperscript{102} Mockus avoided legal challenges to the
restriction by ensuring all that the curfew was voluntary.\textsuperscript{103}Mockus’s efforts produced some serious results: murder rates and
road accidents fell by 80\% that night and other serious crime fell
by 30\%.\textsuperscript{104} The event also showed success where Mockus really
wanted it: it sparked media coverage and public debate on domes-
tic violence, equality of women, and public civility.\textsuperscript{105}

In another attempt to control violence, Mockus instituted
Schools of Civic Security and Local Security Fronts, local groups
that trained and promoted community policing. In 2003, there
were 7,000 Local Security Fronts.\textsuperscript{106} As he did in 1996, he held a
disarmament day in 2003 where citizens could turn in their weap-
on武器 for cash. As a result homicides fell by a purported 26\%.\textsuperscript{107} More
importantly, the number of people who believed that firearms
were necessary to protect them fell from 24.8\% in 2001 to 10.4\% in
2003.\textsuperscript{108}

Under his leadership homicides were reduced from 80 per
100,000 people in 1993 to 22 per 100,000 in 2003.\textsuperscript{109} Citizens, not-
ing the reduction in the private guards hired for wealthy areas,
spoke of the “humanization of the city.”\textsuperscript{110} Traffic fatalities fell
from 1,300 per year to 600. Mockus brought special attention to
those deaths, painting stars on the sidewalks where pedestrians
had been killed by cars.\textsuperscript{111} Coupled with the successful Trans-

\textsuperscript{99} Caballero, \textit{supra} note 19.
\textsuperscript{100} Id.
\textsuperscript{101} Id.
\textsuperscript{102} See id.; see also Mark Shapiro, \textit{All the City's a Stage, ATLANTIC MONTHLY}, Sept. 2001.
\textsuperscript{103} See Caballero, \textit{supra} note 19.
\textsuperscript{104} \textit{Women's Rule, supra} note 23.
\textsuperscript{105} Id.
\textsuperscript{106} Caballero, \textit{supra} note 19.
\textsuperscript{107} Id.
\textsuperscript{108} Id.
\textsuperscript{109} Id.
\textsuperscript{110} Goering, \textit{supra} note 24.
\textsuperscript{111} Caballero, \textit{supra} note 19.
Milenio, commuters reported times less than half their former commutes and air pollution dropped significantly. Mockus continued to be an example of the city he wanted by biking with his staff to work every day and planting trees to improve the city’s parks.112

Though the city council rejected or stymied many of Mockus’s development efforts,113 he maintained his emphasis on civic duties.114 Barred from running again under a rule that prevents consecutive terms, Mockus turned power over to Luis Eduardo Garzón in 2004.


Garzón was the first leftist elected mayor of Bogotá, which seemed to indicate popular agreement of a continuing focus on social issues.115 But while continuing the basic administrative policies of previous mayors,116 the public noted key differences. There seemed to be a lack of new ideas.117 The emphasis on public space diminished; citizens especially noted Garzón’s support of private enclosures in previously public places.118 Citizens also reported feeling less safe from crime.119

Regardless of whether the administration of Garzón will enjoy a legacy similar to that of Peñalosa and Mockus, Bogotanos can point to real changes in the city: homicides have dropped by 70% and kidnappings by an even greater percentage; there are more than thirty new libraries; and their transportation system is exemplary. Jakarta, New York, and Mexico City have used Transmilenio as inspiration for their own bus-based transportation systems.120 There are other notable achievements as well. There have

112. Weissman, supra note 88.
113. See Goering, supra note 24.
114. Id. See generally Santos, supra note 8.
115. Caballero, supra note 19.
116. See Kraul, supra note 4.
120. See Bayuni, supra note 64; Dario Hidalgo, Why Is TransMilenio Still So Special?, TheCityFix.com, http://thecityfix.com/why-is-transmilenio-still-so-special. For an extensive article addressing the potential applicability of a Transmilenio-type system to the U.S. see generally ALASDAIR CAIN ET AL, NATIONAL BUS RAPID TRANSIT INSTITUTE (NBRTI), APPLICABILITY OF BOGOTA’S TRANSMILENIO BRT SYSTEM TO THE
been decreases in poverty, pollution, crime, and traffic accidents. Fiscal responsibility, not corruption, now guides the decisions of city actors. The public reports changes in the mindset of Bogotanos regarding their identity as citizens and their desire to keep public spaces. Bogotanos enjoy a sense of belonging in a country whose geography and political battles have resulted in a fractioned country; they maintain an identity perhaps few of their countrymen enjoy.

IV. Conclusion

The transition of Bogotá over the past fifteen years is nothing short of incredible. But two crucial questions remain: are these changes more than superficial, and can they be maintained? The sustainability of such success will depend on the future mayors and the citizens of Bogotá, especially as they work to address the many remaining issues. Twenty new families enter Bogotá each day from other parts of the country, and providing enough low-income housing has proven extremely difficult. Public transportation is still very limited, and TransMilenio is overcrowded to the point that it is referred to as “Trans-muy-lleño.” Ten percent of the population still lacks basic services. Education, disability provisions, and diversity are issues the city still needs to fully address. Moreover, these challenges run concurrent with fundamental challenges of the existing legal and extra-legal formations within the city. The articles in this edition seek first to explain the partic-

124. See supra note 118.
125. See Thoumi, supra note 123, at 18 ("It is not coincidence that during the last decade Bogotá mayors Antanas Mockus and Enrique Peñalosa have tried to fill that vacuum [of a strong national identity and a sense of solidarity] and have sought to create identity symbols. A great advance in that direction has been achieved in Bogotá as Bogotanos today identify themselves with [TransMilenio]."); Jones, supra note 39; Catherine C. LeGrand, The Colombian Crisis in Historical Perspective, 28 CANADIAN J. LATIN AM. & CARIBBEAN STUD. 165 (2003).
ular legal problems presented by extralegal property settlement. Daniel Bonilla explains that the Western standard of legal monism falls short both normatively and descriptively for these areas where "pluralism is the rule, not the exception." Bonilla and others address how best to recognize and successfully integrate these de facto areas of legal incongruency. The constant need for housing in Bogotá could benefit from an approach that recognizes the particular strengths of legal pluralism in these areas. Other areas like environmental protection can also benefit from a consideration of legal pluralism. Additional articles further address Mockus's Cultura Ciudadana Campaign and Bogotá's literal role in American immigration law. These articles examine the multifaceted and difficult fundamental problems still to be addressed by the current and future Bogotá leaders. Their resolution will be necessary for the city to continue its current success and to ensure positive and lasting change for its people.

129. Nogueira, supra note 25.