

Gangs and Laws

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In his comedy *The Knights*, Aristophanes groups the population into a personage called Demos who, on being led by the nose, is coaxed with flattery and beguiled by adroit demagogues. The Athenians who applauded and celebrated the comedy did not appear to recognize that the fable referred to the audience itself. Surely something like that gave rise to the expression that nations have the governments that they deserve. Unless the citizenry of Mexico City wakes up, that very saying will have been exhibited by the political elites with what they denominate a "constitution."

The first problem with the attempted constitution is that no one requested it. This touches on an old demand by the elites of the Left that do not discern any value in the collective of denizens they pretend they govern. The document that the Head of the City Government presented is nothing more than a complex, dyslexic and very poorly written platform that has nothing to do with the daily reality; rather, it is a pretext to bring political bases on board, incorporate unconnected groups and consolidate interests and demands. Rights are addressed but it is not appreciated that a right comprises the obverse side of an obligation. Both must exist for there to be a social order; but no, in a political platform order is the least of it: the only thing that matters is to win and retain the power.

Defined in this way –a platform to retain the power- the constitution undertaken makes all the sense in the world and is perfectly explained as a document that does not claim to inspire; it is, strictly speaking, a reflection of ideological and political infighting among gangs, thus the text does not have to be inclusive. It is, in a word, an authoritarian and bureaucratic platform from which the current City Government Head can launch his candidacy for the 2018 presidency.

"What is a constitution?" asked Ferdinand Lassalle after the 1848 revolution, perhaps the most astute and practical observer in this matter: "The constitutional questions are not in the first instance questions of right but questions of might." The content as well as the form in which the constitutional process has been administered for Mexico City (CDMX) evidence the clairvoyance of Lassalle: everything is about power and nothing is about rights, the latter nonetheless cited ad nauseam. What are important are compacts among the owners of local power and the safeguarding of their interests.

A constitutional process of consequence would have begun with two elementary queries: the first, a vigorous debate on the principles that would hold the constitution aloft -with the widest and most diverse citizen participation- about the future of Mexico City. The second is an intelligible argumentation and one directed toward the citizenry of the rules that would give shape to a "new" city. A process of this nature would have situated the CDMX, and its government, at the vanguard of the country. What has been done is to convert the government and its constituency into the laughingstock of the entire nation.

It is evident that among the document's drafters the citizenry is conceived of as a nuisance on which rights should be imposed more readily than incorporating it into the discussion. That is what happened in Europe in the nineties and what those politicians are reaping at present is Brexit and a series of votes that are starting to scale back the European Constitution.

A bad constitution is much worse than no constitution at all. What the CDMX government has presented is an unintelligible mess that reveals more about the mobs in the bowels of power than of the future that, one would suppose, is aspired to for the city and the country. Worse yet, a constitution like that which has been proffered entails a poor system of government and, inevitably, would lead to a still worse performance of the city within the context of the nation. It is obvious that none of the esteemed writers has asked himself or herself why the CDMX has lagged behind in economic matters while states such as Querétaro, Aguascalientes, Yucatán and Nuevo León -let alone

Singapore- grow at rates of nearly 7%, some of these for decades. Might it not be that the rights consecrated at such insistence (but that for some time have existed in practice) are obstacles to investment, job creation and city development?

Living in a fantasy world undeniably has its benefits and that is what the published text brings to light. However, this is not the recipe for political success, and all the more so when its main characteristic is aversion to democratic accountability. Surely the populace is far from being endowed with the drafters' sophistication, but it is this very citizenry that maintains them and makes it possible for them to busy themselves with authoritarian exercises such as these.

The objective of a constitution should be to ensure a good government, not allotting monies and public posts among politicians. An earnest, honest constitution would establish the rights and obligations of the citizens and the limits of the authority, while simultaneously defining the rules of the game for interaction between the two. There is none of that in the published text.

The text is irretrievable: the process must be set into motion anew with a little more humility and a lot more vision.

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