

THE CIVIL SOCIETY OF COLOMBIA

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Van C. Evans

THE CIVIL SOCIETY OF COLOMBIA

The Republic of Colombia, with approximately 48 million inhabitants, is the fourth largest country by population in the Americas, after the U.S., Brasil, and México. It is divided politically into 32 departments and 10 districts with 1101 municipalities.

Colombia has a rich history of philanthropy and solidarity since colonial times. Together, with the political strife of the past, these shed light on present day philanthropic practices and trends toward thriving civil society formation in the country. In order to strategically address human challenges and strengthen civil society in Colombia, a vision of what the civil society landscape looked like was needed. No such system existed in Colombia, and the extent and breadth of the sector was not known. The federal government has no single database that tracks the sector. Therefore, the primary research question for this case study is—What is the size and scope of civil society in Colombia? This dissertation, in good measure, provides the answer. It provides a geographical and taxonomical map of civil society organizations (CSOs) in Colombia. This dissertation also examines how Colombia came to have a thriving civil society sector yet lack a federal registry.

Findings show there are 24 federal and capital district registries of different types of civil society. Moreover, each of the 32 departments have registries for health and education and some also register CSOs related to environment, culture, sports, and recreation. Findings from 21 of the 24 federal or district registries and three of the 32 departments reveal a total of 296,467 CSOs. This constitutes an estimate of 98.60

percent of all possible records. There is approximately one CSO for every 163 inhabitants or 61.5 CSOs for every 10,000 inhabitants, giving Colombia the highest number of registered CSOs per capita in the Americas, save the United States.

The National Taxonomy of Exempt Entity (NTEE) codes were applied to CSOs, where possible. Findings reveal Colombia has a balanced civil society, with no subsector greater than 33 percent of total CSOs.

Dwight F. Burlingame, Ph.D., Chair

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LIST OF ABBREVIATIONS

ARCGIS	Architecture as a Geographic Information System
COLDEPORTES	Colombia Deportes (National System of Sports)
CONFECAMARA	Confederación Colombiana de Cámaras de Comercio (Colombian Federation of Chambers of Commerce)
CSI	Civil Society Index
CSO	Civil Society Organization
CSV	Comma Separated Value
DANE	Departamento Administrativo Nacional de Estadística (National Administrative Department of Statistics)
ESAL	Entidad Sin Animo de Lucro (nonprofit entity)
GDP	Gross Domestic Product
ICBF	Instituto Colombiano de Bienestar Familiar (Colombian Institute of Family Welfare)
ICNPO	International Classification of Non-Profit Organizations
IDP	Internally Displaced Persons
IRB	Institutional Review Board
IRS	Internal Revenue Service
IVC	Inspección, Vigilancia, & Control (Inspection, Oversight, & Control)
JAC	Juntas de Acción Comunal (Community Action Boards)
MOU	Memorandum of Understanding

NCCS	National Center for Charitable Statistics
NGO	Non-governmental Organization
NPO	Nonprofit Organization
NTEE	National Taxonomy of Exempt Entities
PHP	Hypertext Preprocessor
RUES	Registro Único Empresarial y Social (Social and Business Single Registration)
SQL	Structured Query Language
UIAF	Unidad de Información y Análisis Financiero (Financial Analysis & Information Unit)

CHAPTER ONE

INTRODUCTION

Colombians are the happiest people in the world. That is the conclusion of the 39th annual *End of Year Survey—Global Barometer of Hope and Happiness* (WIN/Gallup International, 2016).¹ The World Values Survey ranks Colombia as the third happiest behind Puerto Rico and Denmark, despite its per capita income is lower than any country in the top ten (Institute for Comparative Survey Research, 2014). These declarations may come as a surprise to outsiders as the mere mention of Colombia evokes images of kidnappings rather than kids, cocaine rather than comfort, and guerrilla faction over satisfaction. Countering this perception has been the challenge of the new Colombia. In recent years, its tourism board *Proexport* released a series of advertisements to fifteen countries abroad with the tag line to would-be visitors, “The only risk is wanting to stay” (Fletcher, 2011). In just a few years, Colombia had gone from a nearly failed state to the most prosperous country in the region (Padgett, 2012). This astonishing accelerated transition included courageous military, economic, and political interventions. But what about civil society in all this? Unannounced, uncelebrated, and almost unnoticed, civil society’s transition and growth was no less astonishing and equally transformational. This dissertation tells that story.

¹ Methodology: 66,040 persons were interviewed in 68 countries. In each country a representative sample of around 1,000 men and women was interviewed either face to face (30 countries; n=32,172), via telephone (15 countries; n=11,800) or online (23 countries; n=22,068). Field work was conducted 9/2015 - 12/2015. Margin of error +/- 3-5% at 95% confidence level. Colombia also topped the list in 2012.

Since 1998, the Researcher has been heavily involved with non-governmental organizations (NGOs) in sustainable village development in Central and South America, both as a director and officer of United States (U.S.)-based NGOs. Over those years, hundreds of school kitchens, greenhouses, medical posts, libraries, and bathrooms for 10,000 children were constructed. After 2003, the Researcher worked exclusively with street children at Generations Humanitarian, building orphanages and drop-in centers in Peru and Ecuador. By then, Colombia had been embroiled in a civil war for more than four decades. As warfare raged across the hills and lowlands, masses fled their homes for safer territory. By 2011, after most hostilities had ceased, Colombia had the largest population of internally displaced persons (IDP) in the world, between 3.9 and 5.3 million—half a million more than Iraq and Sudan combined (Internal Displacement Monitoring Centre, 2012, p.16). A disproportionate number of children, adolescents, and young adults were affected by this displacement; 65 percent of IDPs were under the age of 25, although this group only made up 48 percent of the population (p.9). In mid-2007, Colombia was safe enough to travel to and investigate Generations Humanitarian's entrance to help these children. On November 11, 2007, the first drop-in center was opened in the town of Espinal, in the Department of Tolima, where *desplazado* (displaced) families had settled.

When opening a chapter of Generations Humanitarian in Latin America it was policy to establish a local volunteer board of directors to facilitate local volunteers, donations, community interactions, and administrative duties. While this concept is not novel to Peruvians, upon inviting many to participate most held their hand up chest

high, rapidly rubbing their thumb against the index and middle fingers, asking, “What’s in it for me?” The majority refused the invitation, seeking remuneration for their time. At our flagship home in Cusco, Peru, it took us three years to convince enough individuals to serve, unpaid, as members of the local board.

In Colombia, it took just three weeks, and the center had not even been inaugurated yet. That was the Researcher’s introduction into Colombia. Eight years later, Generations Humanitarian stills feed and cares for 60 IDP and other impoverished children at the Espinal home and nine women continue to volunteer their time every weekday. By contrast, the board in Peru eventually disbanded. Why did two countries that shared borders have such disparate cultures of volunteering? Colombia was refreshingly different in comparison to the low levels of volunteering in other Latin American countries. Launching a nonprofit chapter in Colombia was seamless and efficient, much like in the U.S. Within the year three more homes were opened and whole crowds showed up with parades to volunteer and participate. Local police provided armed motor escorts and plainclothes body guards with Uzi sub machine guns. The mayors of Espinal, Palocabildo, and Mariquita all donated the locales and local businesses provided kitchen equipment and furniture. Upon inquiry for information on the civil society sector at the Espinal chapter board meeting, the directors just shrugged. How a people so philanthropic could have so few support services for the sector was hard to comprehend. There was no single government agency that regulated the whole sector. There were no organizations that served as a clearing house of data on Colombian nonprofits (like Guidestar, Independent Sector, or Urban Institute in the

U.S.). There was not a single certificate or university degree in philanthropy or nonprofit management in the entire country.² How could Colombia seemingly have such a vibrant civil society sector and no one have knowledge of its size and scope? This dissertation examines that question.

During the 2009 global recession, the World Bank predicted that poverty would increase among developing nations. Post recession data from the World Bank, however, found a broad reduction in poverty around the world and confirmed that contrary to their own predictions, the global recession did not increase poverty in developing countries. The proportion of individuals in extreme poverty (living on less than USD\$1.25 per day) actually fell in every developing region between 2005 and 2008, and according to preliminary data from 2010, has not climbed since (Hudson, 2012). This is because, to a great extent, government aid is no longer the only player in global poverty reduction and other forms of cross-border transfers have helped sustain developing economies. It follows, then, that official government aid is no longer the sole measurement of countries' generosity either. In the case of México, for example, private philanthropy, private and collective remittance inflows from migrants living in the U.S., and private capital flows easily exceed official U.S. assistance across the border. Then U.S. Secretary of State Hillary Clinton observed,

² According to Roseanne Mirabella (2007), in 2007 there were 240 programs that taught nonprofit management in the U.S. In Latin America, she found six programs in Brasil, and one each in Argentina, Jamaica, Mexico, and Puerto Rico. In their SWOT analysis of community foundations in Colombia, Hodgson and Philippoteaux (2011) wrote that one of the three weaknesses is, "Donor education in Colombia: There is no education in philanthropy. There is no preparation at school, university or businesses about a responsible solidarity with our social problems. People don't know where to give donations..." (p.28).

It's imperative to recognize a fact that is important in all of our deliberations. Official development assistance from governments and multilateral organizations is no longer the primary driver of economic growth. In the 1960s, such assistance represented 70 percent of the capital flows going into developing countries. But today, because of private sector growth and increased trade, domestic resources, remittances, and capital flows, it is just 13 percent—even as development budgets have continued to increase.³

For philanthropy to compensate for the reduction in official development assistance from donor states to recipient states, it needs information on civil society that was not imperative in the state-to-state model of assistance. Practitioners and scholars (Anheier et al., 2001; Heinrich, 2007; Heinrich & Fioramonti, 2007; Salamon et al., 2004) alike maintain that information on civil society organizations (CSOs) is critical to understanding the third sector. Without that information, Appe (2011) notes that some “argue that we cannot see civil society organizations as legitimate players in policy if we have no clear ways to define them and if we lack information explaining their functions” (p.158). In the past two decades, attempts have been made to standardize taxonomy of entities across cultures, countries, and civil societies. Clark (2010) wrote of the need of “a robust system for the [cross-] national assessment of civil society, a vital exercise in the design of effective policies to tackle relative poverty and social exclusion in developing and transitional countries” (p.16). On the practitioner end, a 2013 call by the Bill and Melinda Gates Foundation pressed for solutions in “increasing

³ Secretary of State Hillary Clinton, Keynote at the Opening Session of the Fourth High-Level Forum on Aid Effectiveness, November 30, 2011.

Interoperability of social good data” for collaborative purposes worldwide. They wanted to “Imagine a world where it would be simple to: ...Visualize nonprofits, social enterprises, and funders in a particular geography on a map and match them to local needs, quickly identifying gaps in need, services, and funding” (Global Grand Challenges, 2013). Earlier, in 2005, the World Bank prioritized the need to “develop tools for analytical mapping of civil society to assist Bank country and task teams in determining the relevant [civil society organizations] to engage on a given issue, project or strategy’ (World Bank, 2005, p. xii). Thus, in order to strategically address human challenges and strengthen civil society in Colombia, a vision of what the civil society landscape looked like was needed. Therefore, the primary research question for this study is—What is the size and scope of civil society in Colombia? This dissertation, in good measure, provides the answer. It provides a geographical and taxonomical map of civil society organizations in Colombia.

A case study method to study Colombia’s civil society sector was employed. Both Stake (1995) and Yin (2003) base their approach to case study on a social constructivist paradigm. According to Yin, a case study design should be considered when one wants to cover contextual conditions because one believes they are relevant to the phenomenon under study (Baxter & Jack, 2008). Under a social constructivist paradigm, researchers rely as much as possible on the participants’ views of the situation being studied (Creswell, 2009). While primarily quantitative data are collected and analyzed herein, this case study would be remiss to ignore the Colombian worldview which leads to why some data are available and other data not. Implicit in the research question is—

Why is it that Colombians don't readily have the answer to the size and scope of civil society? The history chapter provides a guide, in part, to that answer with a political audit trail, but the collection of data revealed the contextual worldview held by registrars or decision makers at the various civil society registries. The need for citizens to participate in the public agenda has become a consensus for Colombian government agencies, and after the Constitution of 1991 the government monopoly on public interest ended. Nevertheless, bureaucratic inertia, resistance to change, mistrust, jealousy, oligarchies, a concentration of power, and stale institutional design persist and have prevented a single database that reveals the size and scope of civil society. It took an outsider to do so. Early in the research (May 2013) at a breakfast in Bogotá, the executive director at the foundation *Compartamos* informed the Researcher that he was aware of no fewer than three failed attempts to map the whole of Colombian civil society, including his own that failed for the reasons above.

Susan Appe (2012) elegantly addresses this issue by noting that "who is mapping" is often neglected in academic debate and that findings are contextually based on the objectives and bias of the mapper. She identifies five types of civil society mappers and contends each type brings a different agenda that influences the deliverables. The first type, Research Community Type 1, maps what has been called "global civil society" to capture a civil society that is not confined by national or regional borders. An example of this is the Global Civil Society Yearbook (p.207). This type of mapping has generated significant debate on the definition of "global civil society" and how it is operationalized for empirical inquiry. Much of this debate centers around

descriptive versus normative orientation to civil society (p.159). Anheier (2007) situates civil society mapping within the “standard social science practice” of “using descriptive, operational definitions to ‘map and measure’ contours of an empirical phenomena not well understood” (p.4). A descriptive taxonomical coding system is used in this study, described later. It is U.S. biased, however, and to that extent normative in its structure. Exceptions (CSO types that exist in Colombia but not in the U.S.) are noted in the methodology.

Research Community Type 2 includes mapping by researchers in specific contexts, generally at the national level, to subsequently compare civil societies across contexts by their composition (Salamon et al, 2004) and also by their strength and impact (Heinrich, 2007; Heinrich & Fioramonti, 2007). An example of this type is the Johns Hopkins Comparative Nonprofit Sector Project and resultant Global Civil Society Index. Forty countries participated in the Hopkins study, including Colombia. In 2003, the United Nations published the *Handbook on Non-Profit Institutions in the System of National Accounts* as an attempt to create a uniform cross-national system of taxonomy. The Handbook is based on the International Classification of Non-Profit Organizations (ICNPO) developed by Johns Hopkins for the Global Civil Society Index. Where possible, the Researcher applied the ICNPO to CSOs in this study. Another example of Type 2 mappers is the CIVICUS: World Alliance for Citizen Participation. Their Civil Society Index (CSI) was the result of a collaboration between Helmut Anheier and the World Alliance for Citizen Participation as a way of indexing civil society and helping civil society activists to understand their working environment (Anheier, 2007). The Index consists of

four main variables (structure, space, values, and impact), but does not provide any coding system for practical application in a national taxonomy. Seven of the 44 countries that participated were from Latin America, but Colombia was not one of them.

Appe's Type 3 mappers are Donor and International Institutions who conduct mappings often to determine possible partnerships with civil society, such as the AVINA Foundation or the World Bank noted above. Government Type 4 mappers are gaining more attention. Governments at both national and sub-national levels conduct mapping projects for regulation and fostering collaboration between the state and CSOs or to match CSOs together (Appe, 2012, p.207). Melton's (2016) view is pessimistic—she holds government mappers do so to repress civil society that threaten politics as usual. In recent years, restrictions on foreign funding for civil society continue to multiply around the world (e.g. China, India, Russia, Cambodia, Hungary, Uganda) as cross-border philanthropists fund democratization nonprofits in other countries (Rutzen, 2015; Allen and Gershman, 2006). This worrisome trend on restrictions is what Thomas Carothers calls the "closing space" for civil society (Carothers, 2015). Not surprisingly, then, previous attempts of civil society mapping by government agencies in Latin America have been met with resistance due to distrust of the government (Appe, 2011).

Finally, Appe's (2012) Type 5 are civil society organizations creating their own maps, while sometimes limited in scope, to increase public legitimacy and foster self-regulation regimes. In recent years, several limited attempts have been made by select

nonprofit institutions within Colombia to map the sector for mutual benefit (e.g. Malakai, AFE).⁴

The partnership between the Lilly Family School of Philanthropy at Indiana University and the Mayor's Office of Greater Bogotá merges the best features of Appe's mapper types—Research Community Type 2 and Governmental Institution Type 4. On the Type 4 side, this partnership provided political clout that gained access to CSO information across the Colombian political landscape that would have otherwise been difficult, if not impossible, to secure. It legitimized the research for registrar/registry steward participants. On the other hand, given inter-agency suspicion and fear of federal paternalism, as a Research Community Type 2 mapper (and a non-Colombian), the Researcher mitigated suspicion of a hidden agenda that could threaten the registrars' autonomy. In short, the mayor's office opened the doors and the Researcher closed the deal. It is unlikely one party could have done it successfully without the other. This blend was a good fit given historical levels of political corruption in Colombia which sought to infiltrate other agencies to obtain power over them (Seligson and Smith, 2010).

Outside of a surge of articles on social capital (Rubio, 1997; Alvarez, Castillo, & Villar, 1998; Sudarsky, 1999; Gómez, 2011; Mendenhall, 2011) in the previous decade or more, there is scant scholarly literature available on civil society development or mapping in Colombia. Due to escalated armed conflict that greatly affected the third

⁴ In 2014, the Researcher was contacted by the executive director of one organization based in Medellín, who requested a collaboration and that the results be put onto *their* website with their chosen field set. The agenda was to increase visibility for their own funding.

sector, Colombia was less inviting to foreign and domestic researchers until recently.

Brysk (2000) observed that officials, funders, and NGOs

struggled during those years to assess the autonomy and accountability of thousands of NGOs.... Since such evaluations determine the level of resources, protection, and representation these organizations receive in a country where more than a thousand people are killed each year in political violence, civic status may be a matter of life and death. (p. 151).

Literature in the late 1990s and early 2000s center on CSO development under duress, economic uncertainty, and isolation (Flórez, 1997; Villar, 2001; Fernando de Angulo, 2002; Ruiz-Restrepo, 2005; Gutierrez, Franco, & Avella, 2007). Bogotá scholar Ruiz-Restrepo lamented, "The Colombian third sector is isolated from the philanthropic community and international development" (p.17). More recent research focusses on "collecting philanthropic information" (Johnson 2011, p.5), CSOs behaving like community foundations (Hodgson and Philippoteaux, 2011), and high net worth philanthropy and social investment (Johnson, 2015).

To date, only two studies related to mapping of Colombian civil society have been published. The first is the previously mentioned Johns Hopkins Comparative Nonprofit Sector Project. In this study, Villar, List, and Salamon (1999) found that Colombia had a diverse nonprofit sector, high levels of volunteering, and one of the larger nonprofit sectors in Latin America (pp. 412-413). The study, however, looked at economic and census data to determine the size of the sector by employment. It was not a mapping, *per se*, and there was no attempt to find the number or location of CSOs in the country. The second publication was a comparison of civil society mappings by the

Ecuadorian and Bogotá governments, the latter mapping the capital city only (Appe, 2011). Appe's groundbreaking work identifies a future in governments mapping their own civil society by the use of their own registries, despite those registries being "notoriously unreliable" (Sokolowski and Salamon, 2005, p. 237). Appe (2011) observed, "Registries are increasingly positioned as a link between government and civil society not only to collect data for transparency but also to implement regulatory measures and to foster various degrees of collaboration" (p.157). This study employs the most recent registries available, nearly all of them updated in 2015, with 88 percent of the records confirmed by the Researcher or by their registrars.

The significance of this case study to the target audience is illustrated in the following four chapters. Chapter 2 reviews the history of philanthropy in Colombia. It describes how the sector came to be and provides a theoretical framework for implementation of the study. Minimal legislative proceedings or documents are mentioned throughout the narrative until the most recent 20 years, where a new constitution and subsequent decrees fundamentally shifted and multiplied growth in the sector. Included in this chapter, therefore, is a focus on data for the last 20 years to support the significance of this historical shift to present day.

Chapter 3 discusses methodology. It starts with general background information on pertinent legislation and court rulings that set in motion regulation of CSOs today. After this preface, an exhaustive list of CSO types legally recognized in the country is presented. Rather than relegate this table to an appendix, this complete banquet of CSO types in Colombia is illustrative of the breadth and complexity of the sector. This is

followed by a description of the field methods used to obtain those databases, the overcoming of barriers of suspicion and mistrust, the converting, checking, cleaning, and consolidating the data, and then presenting the full case numbers of data collected. Finally, the methodology for the website development is detailed.

Chapter 4 examines the findings in this study. A total of 296,467 records were obtained in 24 registries, representing an estimate of 98.60 percent of all CSOs in the country. An extrapolation is done to estimate data on additional CSOs that could not be obtained for this study. This chapter provides totals of size and scope both in geographical and taxonomical metrics. Both NTEE and ICNPO findings are reported. These records are pinned as markers on maps. Comparisons are made to the U.S. civil society as well as other Latin American nations.

Chapter 5 compares this study to the Johns Hopkins Comparative Nonprofit Sector Project and discusses avenues of further research to compare the two. It also discusses the ability to mine the existing data and produce geographical maps comparing CSOs of different codes or registries. One example is provided, comparing mental health entities to peace and IDP organizations. Then a discussion on the nature of Colombia's civil society relationship with the government follows, utilizing Young's (2000) theoretical framework of supplementary, complementary, and adversarial relationships. Under this framework lens, the current domestic and international CSO context is discussed with issues of internal regulation and recommendations for changes in policy. It concludes by inviting Colombian registrars to build upon this study and provide the next generation of an ESAL database for better research and networking.

Developed by Italian sociologist Corrado Gini, the GINI index is a measurement of the income distribution of a country's residents. This number, which ranges between 0 and 1 and is based on citizens' net income, is used to define the gap between the rich and the poor, with 0 representing perfect equality and 1 representing perfect inequality. As of 2015, Colombia's GINI index was 0.522, ranking it the 12th worst in the world and the worst in the region (World Bank, 2016). In a report by the Hauser Institute (Johnson, 2015) on philanthropy and social investment among wealthy individuals in Colombia, multiple participants reported that Colombia's wealthy reside in what one called a "crystal bubble;" that is, "The wealthy minority often don't even look at the challenges that the majority face. There are too many people with no conscience and no interest" (p. 15). The deliverables of this study, in part, target those in that bubble.

This study does not seek to increase social value, breadth of services, capacity building, transparency, or accountability of the CSOs within the registries themselves. That is left to the respective registrars. Fortunately, data collection of registration information within some registries are progressively more regimented, transparent, and accountable. Rather, this study is designed to inform Colombians (wealthy or otherwise), practitioners, politicians, and academics worldwide how to better engage Colombian civil society in terms of cross-border philanthropy, policy, and research. It is hoped that the geo-referenced web-based map will serve as a tool to synergize disparate and noble efforts to post-conflict peace and prosperity. There is momentum today among civil society in Colombia to circle the wagons and coalesce to solve post-conflict problems that are very real.

María López, founder of the Semana Foundation, highlighted economic and social disparities in Colombia. While recognizing some improvement in recent decades she noted,

“There are two Colombias – there is this Colombia” she said, gesturing at her modern office overlooking downtown Bogotá, “and there is another Colombia that lives in poverty with many unsatisfied basic needs, no clean water, no opportunities. There is such a huge gap between the richest of the rich and the poorest of the poor. Anyone who can help must help. We have to close the gap.” (Johnson, 2015, p. 7).

The Researcher is reminded of the rabbinical tale in the Mishnah where a group of men are traveling in a boat. One man takes out a drill and begins to drill a hole under his seat to the alarm and protest of the others. “Why should this bother you?” he contends, “I am only drilling under my own seat.” They said to him, “But the water will rise and flood us all on this ship!” (Vayikra Rabbah 4:6, cited in Jacobs, 2010). The moral is clear: we are bonded together in our journey as “fellow-passengers to the grave” (Dickens, 1944, p.6). This dissertation (including the web-based map) is one contribution to “close the gap” and keep the boat afloat.

CHAPTER TWO

HISTORY OF PHILANTHROPY IN COLOMBIA

Conquest and Colonization

From 1492 onward, the conquistadores instigated similar administrative functions in New World colonies that were in force at the time in Spain, including deference to the Catholic Church in the area of public welfare. For three and a half centuries of Spanish colonization in the Americas, relationships between the Church and the crown were regulated by the *Real Patronato de Indias*. This “patronage” protected and favored the Church and legitimized the conquest through Christianization of native populations. According to González (1997), the *Patronato* constituted a “partial delegation” of the king’s authority within the ecclesiastical hierarchy and a kind of associate government where educational institutions, social security, and *beneficiencia*, or all things eleemosynary of the time, were entrusted to the Church (p. 123).⁵

The Spanish language term *beneficiencia* has long been synonymous with an orphanage or similar institution for abandoned children.⁶ Except for some usage in México, the term has fallen out of vogue, but its meaning was originally inclusive of the state system of medical care by the Spanish court as well.⁷ By the 1800s the letter “i” in

⁵ González describes the *Patronato* as a “gobierno asociado,” or associate government. Translation mine.

⁶ *Beneficiencia* is transliterated as beneficence, but current dictionaries translate it as welfare, referring to social welfare. See Editorial Científico-Técnica (1985) and Harper - Collins (2011).

⁷ For example, some hospitals in México retain the original usage (e.g. *Hospital Beneficiencia Española de Veracruz, Veracruz*) and in Panamá, the national lottery is still referred to as the *Lotería Nacional de Beneficiencia* (Avenida Cuba, Panamá, Panamá).

the middle of the word was dropped in its etymological journey and today it is usually rendered as *beneficencia*, referring to institutional charity or a kind of welfare charity, of which we have no precise English translation.⁸ The distinction, although subtle, accompanied a transition from charitable services provided by the crown and Church prior to industrialization to the creation of public civil societies in the 19th century throughout the Americas.⁹ Thompson and Landim (1997) observe that the role of the *Patronato*,

particularly by way of its orders like the Franciscans, Dominicans, Augustines and principally the Jesuits through with the Company of Jesus as well as the Sisterhood of Saint Charity – was to be fundamental in cultivating new spaces, initiatives and values which led to what we now call philanthropic ventures in the colonial era. Educational, health and social welfare establishments were almost all the responsibility of the church practically until the mid-nineteenth century. (p. 339).

Thus, as with much of Latin America, early charitable activities in Colombia were sponsored by the Church under direction of the crown. According to Abel (1996), the first charitable institutions in Colombia were hospitals built by municipal governments (called *cabildos*). These were supported by local donations and operated by the religious order Hospitalizarios de San Juan de Dios (p. 65). By mid-17th century, hospitals,

⁸ With the letter “i” removed, both the *Concise Oxford Spanish Dictionary*, Oxford University Press: Oxford, 2009, and *Diccionario Espasa Inglés-Español*, Espasa Calpe, 2000, render the word as both “doing good” and “public charity.” These translations are similar to the English context of the word “charity” in the vernacular, where both the virtue and the public institution are often referred as [a] charity. The Spanish word “caridad,” almost exclusively refers to the virtue of charity, although the derivative “caritativo” meaning “charitable” usually refers to one’s philanthropic engagement.

⁹ In the Medieval Latin history of the rulers of Castile, for centuries (970-1230 c.e.) the nobility class was lauded for their “philanthropic values and virtues,” as it was their duty to care for the poor. Translation mine. Original Spanish: “adjudicó a la clase nobiliaria valores y virtudes filantrópicos” (Rosell, 1953). The first known institution of philanthropy in Spain was the Hospital de S. Juan in Oviedo by Alfonso VI in 1058 (Arenal de García Carrasco, 1861).

orphanages, leper colonies, and asylums were the order of the day, but as urban centers expanded new problems accompanied the growth. Concurrent with paved streets, sewer, and aqueduct installations, a new social order was enforced and controls were in effect for beggars, transients, and epidemics. Poorhouses provided education and liberal Catholic charity dominated the budding philanthropic landscape (Villar, 2001, p. 30).

During this period the first private secular primary schools emerged, although the Church exercised control over their creation. While the *cabildo* issued the license to operate, approval was based upon the founder's reported customs, purity of blood, and mastery of Christian doctrine. Secondary and higher education remained exclusively under the purveyance of the Church, primarily through the Jesuits, Dominicans, and the Franciscans (Helg, 1987, p.18). Not until the end of the 18th century did the crown attempt to gain control over education. Under the late Borbón dynasty, the Spanish government in small measure wrested control of education, properties, health, and charity from the Church. In 1774, the first Borbón reform included practical and technical secularization of public schools and creation of public universities. The reform only lasted a few years as the ecclesiastical weight of the archbishop shifted policy against a public university system in Colombia. This was the first of repeated struggles over education between the state and the Church for another century and a half, culminating in two civil wars (1877 and 1948).

By the late 1700s, *confradías* (brotherhoods) and other private voluntary organizations emerged with a focus on self-help and solidarity among equals (Graff, 1973). These organizations were local and territorial, with members linked to a common

ethnic background or worshipped Saint. This is the earliest known precedent for high levels of community volunteerism found in Colombia today.

After independence from Spain in 1810, conflicts again arose between the Church and the newly secularized state with regard to education and social services, setting the stage for the development of civil societies. With independence, the Church no longer benefited from protection of the crown, and over time, various Colombian statesmen whittled away ecclesiastical control. This included the abolition of tithing, nationalization of ecclesiastical property, expulsion of the Jesuits, and freedom of secular education. Public universities were created from schools previously controlled by the diocese. One of the decrees of acting President of Gran Colombia Francisco Santander (1819-1826) was to establish public primary education for boys in cities with more than 100 families. The financial crisis of the new nation did not permit the state to fully fund public education, so in many cases it was left in the hands of the citizenry, further embedding education in the third sector. In 1842 primary education became obligatory and by the middle of the 19th century there were 712 private and 491 public elementary schools with 7,763 and 19,161 students respectively (Villar, 2001, p. 34). In 1870, the national government created a uniform teaching curriculum, and under the tutelage of German Protestant pedagogues, established the Central School for teachers in each department to establish uniform instruction. The Church's response was to form Catholic education societies to prevent so-called "decatholicism" of the Colombian people (González, 1979). The civil war of 1877 had its roots in the controversy over the

role of the Church and the state in education, and resulted in the Church gaining significant ground.

Filantropía, Beneficencia, and Caridad

Alongside the struggle over education was the less hostile but significant evolution of terms that defined and later, transformed, the Colombian third sector. The word *Filantropía*, or philanthropy, was in scant use at the time. A philanthropist was defined pejoratively as one who supported causes economically but would not get personally involved. As late as 1931, a critic referred to philanthropy as a “pagan word” and the givers of which were “no less pagan” (Sociedad de San Vicente de Paúl, 1931, pp.32-33). Philanthropists were those who “invented dances, shows, and bullfights that carry the title of functions of *beneficencia*, if not charity, but in reality they have a lot of fun; and if they didn’t have a good time, surely they would not impart their money” (Sociedad de San Vicente de Paúl, 1931, p.33).¹⁰

Previously noted, as the crown lost political and cultural influence preceding and during independence, the antiquated definition of public *beneficiencia* changed to *beneficencia*, which encompassed a broader concept of public welfare than orphanages, hospitals, and asylums dating from Spanish medieval times. During the 19th century the definitions of *beneficencia* (welfare/charity) and *caridad* (charity) also underwent a

¹⁰ Translation mine. Original Spanish: “Dejándose llevar de los impulsos de su tiernísima corazón, han inventado bailes, espectáculos y corridas de toros, que llevan el título de funciones de *beneficencia*, cuando no de *caridad*, pero en cambio se divierten mucho; que si no se divirtieran no darían seguramente su dinero...”

transformation in Colombia. Previously, the terms were considered interchangeable. According to Beatriz Castro (1996, 1998), however, the definition that each term carried guided public policy during the secularization movement of the late 19th century. *Beneficencia*, which encompassed the definition of doing good by the giver, also implied that there was a benefit to the recipient (in contrast with *caridad*—a virtue belonging solely to the giver). *Beneficencia* began to differ from charity in that it became necessarily tied to an institution, where as *caridad* was implemented across a broader spectrum of formal and informal services. In short, *caridad* was a concept that guided private societies, religious or mixed, while *beneficencia* became institutional and state driven.

Two examples of the time illustrate this movement. First, following the French model, the *Sociedad San Vicente de Paúl* (St. Vincent de Paul Society) established its first chapter in Bogotá in 1857 (Villar, 2001). This private institution of *caridad*, founded on Catholic principles of charity, was the most significant aid to the poor of the time. It included a system for the distribution of alms, support for education, home hospice care, free medication, soup kitchens, catechism, elderly care, and relief for the unemployed. The other example was the founding of the *Juntas de Beneficencia* (welfare/charity boards). These institutions, called *Juntas*, were in varying degrees linked to the state in terms of funding, administration, inspection, and accounting. In the decades following independence, the state attempted to secularize and nationalize hospitals, asylums, and orphanages and delegate control of these to local municipalities. The plan failed because local governments lacked qualified personnel to operate these

institutions, so eventually *Juntas* were formed to consolidate and manage them. The first such was the Junta General de Beneficencia de Cundinamarca in 1869, where the capital city of Bogotá resides. Government provided 50 to 90 percent of the funding depending on the year or the particular *Junta*, while bequests and individual donations provided the rest. Although the government funded and oversaw the *Juntas*, program services were still provided for by local employees who had the experience, including those of religious orders. Both the St. Vincent de Paul Societies and the *Juntas* relied significantly on religious involvement and public volunteers, but the former differed as a privately operated entity financed by private donations and fundraising events, while the latter was presided over by public officials. The constitution of 1886 limited state sovereignty and direct intervention, indirectly assuring the continuation of contractual agreements with *Juntas* to offer public services (Castro, 1998, pp.7-17).

The significance of the evolution of these terms is more than semantic; it established a precedent for the distinction between public and civil society services into the 21st century. *Caridad* retained religious overtones of compassion and altruism, while *beneficencia* matured to the sense of state responsibility for public welfare in effect today. This widening division in the latter part of the 19th century and early 20th century created a space for secular private societies that sprang forth from the middle ground between the overtly Catholic charities and the dependence on government oversight of the *Juntas*. These new civil societies were identified in areas of nutrition, health and hygiene, libraries, study groups, women's charities, and credit unions (Castro, 1998, 5:14-15). In addition to these, building upon the social capital of the *confradía* model of

the 1700s, Colombia saw the rapid emergence of mutual benefit societies, trade guilds (e.g. barbers, tailors, artists, carpenters), and labor unions during this period (5:17). The influx of immigrants fueled the growth of these societies across Latin America (Alonso, 2009; Beito, 1999; Blanco Rodríguez, 2008; Miller, 1999; Mormino, 1985).¹¹ How these civil society entities were legally constituted will be discussed next. A new constitution would regulate its structure and facilitate this growth.

Constitution of 1886 and Law 57

The average lifespan of a Latin American constitution is 16.5 years; in western Europe, it is 77 (“All shall have rights,” 2014). Cordeiro (2008, p.10) reports Colombia has had 10 constitutions since independence in 1810. Colombia recognizes 16, even though some were not full rewrites, hence the discrepancy of opinions. The first 14 constitutions were adopted in the first 53 years of independence; that is, by 1863. The 15th constitution, officially known as the *Constitución de la República de Colombia*, when Colombia adopted its official name, occurred in 1886 and remained in effect for more than 100 years, guiding 23 presidents. Sweeping and progressive changes were made, including shifting from a decentralized tradition during colonial times to a centralized system with a strong presidential center. It also changed presidential terms from two to six years, with the president being elected by congress. More fundamental to the

¹¹ Fernández (2010) observed, “During the half century from 1880 to 1930 more Spaniards emigrated to the Americas [an estimated 4 million] than in the almost four hundred years between Columbus’s first voyage in 1492 and 1880... but in the context of US immigration history, these Spaniards have become invisible immigrants.”

populace, the constitution of 1886 included *Ley 57* (Law 57) ratified in 1887, known as the *Codigo Civil* (Civil Code). In addition to establishing civil liberties, Law 57 institutionalized the civil society sector. Article 44 of the constitution established:

It is permitted to form companies, associations, and foundations provided they are not contrary to moral and legal order. The associations and foundations may obtain recognition as legal persons.¹²

Article 633 of Law 57 defines “legal persons” as “a fictitious person, able to exercise rights and contract civil obligations and can be represented in both the judicial and extrajudicial.” This is in contrast to a “natural person” which Article 74 defines as an “individual of the human race, of any age, sex, race, or condition.” Continuing, Article 636 and onward of Law 57 provides for the creation of corporations and their statutes. At Article 651, a summation for the benefit of civil society is scripted,

That which Articles 637 through 649 stipulate regarding corporations and the members that comprise them, shall apply to foundations of charity and to the individuals that administer them.¹³

Interestingly enough, the original Spanish (see footnote 13) used for “charity” was the word *beneficiencia* (with the second letter “i”), perhaps as an attempt to summon nostalgic deference to colonial notions of philanthropy. In any case, the 1887 Law 57 specifically provided for three types of nonprofit organizations in Colombia still

¹² Translation mine. Original Spanish: “Artículo 44: Es permitido formar compañías, asociaciones y fundaciones que no sean contrarias a la moral o al orden legal. Las asociaciones y fundaciones pueden obtener su reconocimiento como personas jurídicas.”

¹³ Translation mine. Original Spanish: “Artículo 651. Lo que en los artículos 637 hasta 649 se dispone acerca de las corporaciones y de los miembros que las componen, se aplicará a las fundaciones de *beneficiencia* y a los individuos que las administran. (Artículo derogado por el artículo 45 de la Ley 57 de 1887, publicada en el Diario Oficial No. 7019, de 20 de abril de 1887.) Italics mine.

in effect today: associations, foundations, and corporations. A business in Colombia is referred to as an *empresa* (enterprise), rather than a corporation. There is increasing overlap, however, as market globalization has introduced foreign definitions of “corporation” into the nomenclature. As a result of Law 57, guilds and cooperatives were defined as associations. It wasn’t until 1988 that Law 79 distinguished cooperatives and regulated them. Because of their history, for- and non-profit associations, and more recently, cooperatives, are also known as *entidades del sector de economia solidaria* (entities of economic solidarity).

20th Century Civil Society

A shift in the federal government’s ruling party during the 1920s placed liberals in power after decades of conservative rule. This influenced significant regulation and growth of civil society through the Great Depression and beyond. The door of education again swung toward secularism, but little changed by way of social service implementation. Although Ordinance 51 of 1921 intended to establish a “modern conception of the state,” it was clear that, financially at least, the government could not provide direct public welfare without the continued assistance of the *Juntas* (Villar, 2001, p.34). Indeed, by the mid-1920s, the government actively sought out greater civil society participation to fulfill programs it could not meet. In 1925, for example, the Director of Public Instruction in the Department of Boyacá promoted community school sponsorship societies that consisted of “ladies and notables” who through bazaars and other events sponsored school libraries and school lunch. By 1927, some 2,000 children

of the 32,182 elementary school children in Colombia benefited by school lunch through these societies (Helg, 1987, p. 123). At the same time, the Colombian Red Cross society began programs to distribute milk in some departments (Helg, 1987, p. 137).

In December 1928, banana workers in Ciénaga held a strike against the United Fruit Company (Ayala, 1997, p.139). Government troops sent in during the negotiations ultimately opened fire three times on the strikers, killing between 800-3000. Known as the Massacre of the Bananeras, the event was the catalyst for new laws promoting labor unions. Palacios (1995) tells us that in the first seven years the liberals took power, the government recognized four times as many labor unions than the previous 20 years combined. Between 1909-1929 there were 109 worker associations, but between 1930-1937, that number had increased to 464. During this period, more than 70 percent of labor conflicts were solved through negotiations and governmental intervention (p. 156).

During his term in office, liberal President López Pumarejo (1936-1940) enacted the Constitutional Reform of 1936 that outlined greater state intervention in fulfilling social duties, increased secularization, and more citizen engagement. By establishing welfare as a state function, revoking the Catholic Church status as the state religion, and subsequently eliminating Church prerogatives in social issues, the liberal agenda created enemies from the conservatives and polarized party interests. Thus, in addition to meteoric growth in labor unions during the 1930s and 1940s, there was a surge in the growth of political and advocacy nonprofits on both extremes. In this period, the federal government sought to tighten control of *beneficencia* organizations and did so with

gradual success, but it underestimated the enormity of the task and proved too weak to circumscribe the whole of education, public benefit, and healthcare within the government's hegemony.

The Violence Over Education

In reaction to the secularization of education, the Catholic Church established 60 new schools between 1934 and 1938, and in 1936 the archbishop requested that school principals no longer accept federal dollars that required a secular federal curriculum. By 1938, for every student in a public school, there were two students matriculated in a religious private school (Helg, 1987, p. 285). The liberal rule ended in 1946, and by 1948 conservative-led education had made an about-face to "re-Christianize" public education. This time, the door swung with disastrous results. Neither political agenda fully took into account the current pulse of the peasantry in the centuries-old struggle for secular reform. The continued dramatic swing between ideologies over time peaked in the discontent of the populace over education in 1948. While it is commonly held that the 9 April 1948 assassination of liberal politician Jorge Eliécer Gaitán was the straw that broke the camel's back, liberal and conservative historians alike agree that education was underpinning the civil war that erupted followed the assassination. Known as *La Violencia* (The Violence), this dark period in Colombian history left between 200,000-300,000 dead between 1948-1958 (Palacios, 1995; Villar, 2001, p. 52).

Ultimately, the struggle over education in Colombia would reach equilibrium between the state and the Church. Colombians would let the market drive educational

choices, rather than religious ideologies (James, 1993). And the market did drive it. Some chose religious education, others secular private schooling, while others accepted the state secular public school system. By 2004, Salamon et al. found that of the 42 countries in their civil society survey, only three qualified as a “balanced” nonprofit (i.e. civil society) structure between education, health, and social services (2004, p. 21). These three were Australia, Finland, and Colombia. A balanced structure meant that no more than 26 percent of nonprofit employment was in found in any given subsector. The structure distribution for Colombia was reported as follows: education, 26.1 percent; health, 17.5 percent; labor unions and professional associations, 15.1 percent; social services, 14.6 percent; economic, social, and community development, 13.1 percent; culture, 9.4 percent; all other, 4.3 percent (Villar, List, & Salamon, 1999, p. 418). All other Latin American nations in the study had heavy Education-Dominant nonprofit structures. For example, Salamon found that 74.5 percent of all employment in the Peruvian nonprofit sector is in the education subsector, as compared to the 44.4 percent average for Latin America. To put this in perspective, the combined nonprofit employment for health and social services in Perú in 1999 accounted for only 5.4 percent of the sector. Of the approximately 127,000 employees in the nonprofit sector in Perú, more than 94,000 were employed in education. This was nearly as much as the country’s mining (about 40,000 workers) and fishing (about 60,000 workers) industries combined (Sanborn, 1999, pp. 3-29).

Unlike the strife that characterized education of the time, increased government control and supervision over civil society entities that provided *beneficencia* produced

no conflict during the liberal period of the 1920s and 1930s. In fact, these organizations continued to thrive and voluntary action became more socially acceptable than ever. By 1939, the *Juntas de Beneficencia* in Bogotá and Sibaté served approximately 5,300 personas, with some 820 staff and volunteers.

Law 93—Public vs. Private Foundations and “Nonprofit Entities”

That same year, the Colombian Congress passed *Ley 93* (Law 93): legislation that introduced and delineated the nature of public and private foundations. Public foundations were considered government entities, similar to public government agencies in the U.S. Private foundations were those entities not ruled by government, and include what are identified in the U.S. as public charities and private foundations. There is no legal distinction between a grantmaking foundation and a grant recipient foundation (public charity) in Colombia. Within the country, practitioners identify grantmaking foundations as *fundaciones de segundo piso* – “second floor” or “second story” foundations – referring to their added prestige and position in the Colombian sector (i.e., the higher the floor in the building, the more prestigious). It is significant that the *Juntas* were classified as private foundations, rather than folding them in as government agencies. This author attributes the decision to the *Juntas*’ reliance on volunteer labor at the time. Given that the *Juntas* had an early history of receiving government funds to carry out welfare programs on behalf of the weak state (i.e., state failure theory), this set an important legal precedent in Colombia for government funding of civil society agencies in the future. More than 50 years later, Article 355 of

the 1991 Constitution expressly allowed for federal, state, and municipal governments to provide welfare services through contracts with civil society agencies.¹⁴

Perhaps the most enduring contribution of Law 93 of 1939 is that it specified two defining criteria for these foundations—they must have a *finalidad social* (social purpose) and were *no lucrativo* (non profit). They were to be called *entidades sin animo de lucro* (nonprofit entities), hereafter ESAL, rather than CSOs. This represented an important shift in forming civil society organizations. Not until decree-law 3130 of 1968, however, was this distinction between foundation types fully formalized and defined, when foundations were entities clearly separate from state or public institutions, including their board members. Decree 54 in 1974 both confirmed and broadened the chasm between the private and public institutions and their revenue and endowment characteristics (Tafur, 1990, pp. 44-47).

From 1939 onward, advances in medicine and technology influenced a shift in the management of the *Juntas*. Although a residue of religious influence remained, medical and technical professionals gradually replaced religious leaders on the boards of directors and other governing positions, making the *Juntas* decidedly secular and scientifically oriented. The 1940s and 1950s saw the launch of numerous social service organizations, many still in operation today, such as La Casa de Madre y el Niño (1942), Amparo de Niños (1934), Huérfanos y Viudas de Naim (1947), Fundación para la

¹⁴ Constitución Política de Colombia, Artículo 355. 1991. The article reads: "El Gobierno, en los niveles nacional, departamental, distrital y municipal podrá, con recursos de los respectivos presupuestos, celebrar contratos con entidades privadas sin ánimo de lucro y de reconocida idoneidad con el fin de impulsar programas y actividades de interés público acordes con el Plan Nacional y los planes seccionales de Desarrollo. El Gobierno Nacional reglamentará la materia."

Educación del Niño Ciego y Sordomudo (1956) (now the Cartagena Rotary Club), and others. Bequests began to increase and fueled the growth of private foundations, as understood in the U.S., which broadened philanthropy beyond social services. The Beatriz Osorio Foundation (1951) sponsored museums, the Carlos and Antonia Michelsen Foundation (1957) provided scholarships for technical training, and the Itagüí Foundation (1945) founded libraries.

Further, as Colombia was visited with post WWII prosperity and a growing middle class, numerous ESAL of *beneficencia* were established and operated by women. While the focus of these ESAL were social in nature, the leadership capacities and networks were utilized in promoting women's full citizenship and suffrage. The Union Feminina (1944) and the Alianza Feminina (1945) counted on women from both liberal and conservative persuasions. In fact, Luna and Villareal (1994) observed that the women set aside their political differences as professional, educated conservative women worked side by side with socialist working class and single mothers to bring about the right to vote. In cooperation with the dictatorship of Gustavo Rojas Piniella (1953-1957) who seized power during *La Violencia*, women won the right to vote in 1957.

The 1950s and 1960s saw prosperity in the growth of Colombian guilds and associations (cooperatives), increasing the mass exportation of cotton and coffee. We see the first corporate foundations (e.g., Corona 1963) appear on the scene as well during the 1960s.

The National Front

The most significant change to civil society in the mid-20th century came as a side effect of political reconciliation. After a decade of *La Violencia* and fear of continued dictatorship, the political elites in conjunction with ecclesiastical leaders developed a program of shared political power, known as the *Frente Nacional* (National Front). The intent was to temper party violence, restore democracy, and strengthen the state. The National Front consisted in intercalating presidential terms sharing the bureaucracy in equal parts from 1958 to 1974, four complete presidential terms of four years each, two of liberal mandates and two of conservative mandates. The *Frente* was effective. Not only did it diminish violence, it had the effect of weakening party identification and involvement. With the political question put to rest, citizens were able to shift their attention elsewhere and the number of ESAL outside of the political sphere grew. It also changed the Church's role. Previously aligned with the conservative party, the Church needed to rise above party lines and worked to ensure peace through neutrality. This shifted the Church's position from single party focus to social cause foci. The National Front also exploited the volunteering nature of the Colombian people, but this time outside of the context of the Church, family ties, or equal identity societies (i.e. "thick bonding" social capital). In 1958, the government instituted *Juntas de Acción Comunal* (JACs) (Community Action Boards). These were local neighborhood watch and service boards that performed public works, reduced poverty, and improved citizen relations. Volunteer labor was used to construct sidewalks, schools, medical posts, and water and sewer lines. The populace warmly embraced the program. In 1974 there were more

than 18,000 JACs. By the 1993 census, that number had risen to 42,582 with 2.5 million members (Villar, 2001, p. 65). The momentum of civic engagement prior to the *Frente*, harnessed to the 16 years' peace of the *Frente*, nurtured high levels of volunteerism in the country that continues to this day. Anheier and Salamon (1999) found that 48 percent of Colombians volunteer, making it the highest level among Latin American countries in their study (p.58).¹⁵

In consequence of the National Front, federal priorities focused on social causes, and with larger coffers in prosperous times, the state increasingly shifted to direct fulfillment of social services. As the population grew, so did government social service agencies. This relative stability, in turn, accompanied the entrance of international non-governmental organizations (NGOs) during the 1960s and 1970s.

Social Capital

Putnam's *Bowling Alone* (2000) turned our attention toward the role of social capital and civic engagement. Putnam held that social capital would facilitate cooperation in communities and nations and would therefore be a valuable means of combating many of the modern social ills. Principally, this would play out on the political stage as individuals would become civically engaged, but Putnam also argues that the major forms of social capital are the relationships that people develop when spending time with others in activities not specifically focused on collective political objectives,

¹⁵ This is compared with 31 percent for Perú, 20 percent for Argentina, 12 percent for Brasil, 10 percent for México, and 7 percent for Chile.

such as playing cards in bridge clubs or bowling in leagues. Thus, as interpersonal trust increases through social networks, civic engagement in other areas of society, such as volunteerism and giving, should also increase. Several studies show a strong association between membership in civil society organizations and interpersonal trust (Brehm & Rahn, 1997; Paxton, 2007; Stolle, 1998). Klesner (2007) reports that in Latin America, interpersonal trust and organizational involvement outside the political arena that involves acts of voluntarism do push individuals to be more politically active as Putnam's model proposes, but that the type of social networking that takes place in the workplace, at church, or in sports clubs, "does not seem to promote civic activism in Latin America in ways that Putnam's arguments suggest they should, however" (p.29). In other words, Latin America's brand of social capital defies Putnam's predictions for positive civic engagement. In the case of Colombia, the products of social capital may run counter to improving civic engagement, while contributing to high levels of volunteering. Mendenhall (2011) observes that "justice-seeking" through *guerrilla* warfare in the 20th century was fueled by resources concentrated in personal networks, indicating the presence of what one scholar terms "bad civil society" [Edwards, 2004] (p.17). Bogotá scholar Mauricio Rubio (1997) argues that in Colombia there are two kinds of strong social capital: one as Putnam suggests and a perverse type used by drug cartels in early cocaine transactions. He observes, "The various illegal activities in Colombia could not have taken place without a considerable accumulation of perverse social capital" (p. 808).

Sudarsky (2007) found the most significant sources of social capital in the Colombian context are in vertically articulated networks (e.g. church, central government, associations, family-owned business) because it is within these hierarchical institutions that citizens place their trust and produce collective action. These elements call to mind the brotherhood of the *confradías* of centuries past. Scholars have long supposed that civic attitudes persist from generation to generation (Almond and Verba, 1963; Putnam, 1993). Rice and Feldman (1997) observed that civic attitudes of contemporary Americans bear a strong resemblance to the civic attitudes of the contemporary citizens of the European nations with whom they share common ancestors, even though the last direct contact with the ‘mother country’ may have been several generations ago.

Civic engagement and volunteering differ among countries within Latin America (Anheier and Salamon, 1999; Salamon, 1999; Klesner, 2007; Johnson, 2011). Putnam noted that some regions of the U.S. had higher levels of civic engagement than others (Census, 2010) and that Tocqueville “observed precisely the same pattern in his travels in the America of the 1830s, attributing it, at least in part, to patterns of settlement” (2000, p.292). Patterns of settlement include the “mother country” systems of social capital and civic engagement that accompanied the immigrants to the New World. These were relatively maintained without drastic evolution during the colonial and post-independence periods in some countries, since indigenous populations were too small to begin with or widely decimated during colonization to have a significant altering influence (Stannard, 1992; Lovell & Lutz, 1991). This was particularly the case in

Colombia and may also contribute to its high level of volunteerism and philanthropic tendencies. For example, the *Paisas* are a race of genetically isolated people in the northwestern mountain regions of Colombia and are predominantly of Spanish and German descent from the 16th and 17th centuries. The men who settled this region brought their wives with them in contrast with other regions of Latin America where the men intermarried with indigenous populations (Bedoya et al, 2006; Service et al, 2006). Given the cultural homogeneity of European descent in this case, we would expect, according to Rice and Feldman and Almond and Verba, to find similarly high levels of civic engagement in the *Paisa* region as we do in the European lands of origin of their ancestors, rather than the comparatively low levels Salamon found overall in Latin America (2004). One study bears this out. The principal *Paisa* department is Antioquia, with its capital city Medellin, and a population of approximately 6.3 million. Private philanthropy is higher in Antioquia than other parts of Colombia and Latin America. A 2010 study found that there were 32 multi-purpose fundraising organizations in the department of Antioquia, as compared to 16 similar organizations in all of México, with a citizenry 20 fold larger (Johnson, 2011, p.93).

Democratization, Decentralization, Privatization

On the heels of WWII and concurrent with the rise of communism, the United States government began to support authoritarian regimes that repressed communist, socialist, and democratic socialist movements, particularly in Latin America (Adams, 2003, p. 31). Specifically, we saw authoritarian governments in Argentina, Brasil, Bolivia,

Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Paraguay, Chile, and Peru. But in the last quarter of the twentieth century, a dramatic political change swept through the region. Scholars identify the onset of a “third wave” of democracy in 1978 (Mainwaring and Pérez-Liñán, 2013). At the time, the only democratic regimes were Costa Rica, Venezuela, and Colombia. Throughout the 1980s, Mainwaring and Pérez-Liñán report, “radical actors became less common and less powerful, and moderation became the tone of the day in most of Latin America,” and “after 1978, more actors were committed to democracy, and far fewer normatively embraced the ideals of a revolutionary ‘dictatorship of the proletariat’ or a right-wing dictatorship” (pp. 119-120). By 1995, all the countries in the region, with the exception of Cuba, were democracies or semi-democracies. Concomitant to the third wave of democracy in the region were new ideologies. Chief among these were the themes of privatization and decentralization of power. Pressacco (2012) observes that neoliberals had in their sights the weakening of the central state, the privatization of social services, and the recovery of democracy (p.12). In hindsight, with decentralization, municipal governments strengthened their roles on several fronts in addition to stronger localized democracy. Pressacco found that throughout the region, local governments had increased fiscal control over public funds, they assumed greater responsibility in the provision of public goods, and were innovative in management and citizen participation (p.12). Although he specifically addressed decentralization in Ecuador, Carrión (2012) holds that for any nation, decentralization and subnational autonomy must be integrated into the whole of the state, else division and fragmentation could abound (p.

167). He argues that with greater decentralized autonomy, the central government must be equally powerful. If not, an “absolute centrifugal reality” would exist “composed of a constellation of scattered spaces, each one [i.e. municipality or department] moving in its own direction.” Further, a strong central government (but not a large one) gives the nation “a filter and a cushion that can support the weight of globalization” (p. 168).¹⁶ After a number of Colombia’s neighbors democratized in the “third wave” they decentralized political power. Ecuador decentralized in 1998 and again in 2008 (Carrión, 2012, p. 149). Perú decentralized in 2002 (Trelles & Silveri, 2012, p.187), Bolivia in 1993 (Pereyra, 2012, p.13), Chile in 1992 (Pressacco, 2012, p.64), and Uruguay started in 1993 but didn’t have substantial implementation until 2007. (Arocena, 2012, p.241).¹⁷

Colombia’s path to decentralization was less organic to the wave of democracy over the region and more reactive to internal strife. For although Colombia was already a committed democracy, it had a strong central government, and while the country prospered, half the population lived in poverty. For Colombia, the 1980s saw the rise of pervasive *guerrilla* warfare in the fight against “absolute poverty” (Bejarano, 1991, p. 91).¹⁸ The *guerrilla* (Spanish for “a little war”) was the token of discontent of a citizenry who felt it had no voice. In 1988, open elections were allowed to elect leaders at the

¹⁶ Translation mine. Original Spanish: “Caso contrario tendremos una realidad absolutamente centrífuga, compuesta por una constelación de espacios dispersos, cada uno moviéndose con su propia lógica. La necesidad de un centro fuerte...es de enorme importancia para contar con un filtro y un colchón que pueda soportar el peso de la globalización.”

¹⁷ Although not in the region, the Latin American nation of México began decentralization in 1988, but reforms continued through 1997. Latina, D. E. A. (2000). *Descentralización y desarrollo económico local: una visión general del caso de México*. pp. 12-14.

¹⁸ Translation mine. Original Spanish: “lucha contra la pobreza absoluta.”

municipal level for the first time and voter turnout reached an all time high (Santana, 1996, pp.31-32). Despite this first step toward decentralization and repeated invitations for dialogue, the Betancur (1982-1986) and Barco (1986-1990) presidencies were unable to curb political violence and the coinciding rise of *narcoterrorismo* (drug terrorism) from the Medellin and Cali cartels. Numerous and disparate paramilitary factions were scattered throughout the country by the early 1990s. Civil society leaders themselves were unable to institutionalize the conflict and a rapid deterioration of democratic society ensued. Taken altogether, the years from 1982-1996 were a vote of no confidence for the nearly paralyzed federal government. Under these conditions (and for the first time since 1886), a new constitution was drafted in 1991 with three core themes— *democratización, descentralización y privatización* (democratization, decentralization, and privatization) (CP, Constitución de Colombia de 1991).

The new constitution guaranteed free expression (Article 40) and free association (Article 38) as fundamental human rights. Article 103 of the constitution recognizes that “civil societies are the natural mechanism” of the democratic process and citizen representation and that the government is to promote, train, and contribute to said organizations. This may explain why Paula Johnson (2011) found that the environment for establishing a nonprofit in Colombia to be easier than México and Brasil (p. 41 and p. 87).

Colombians understood that political decentralization without its fiscal counterpart would render democratic gains ineffective or at least hamper them (Article 294, Constitution of 1991). They viewed decentralization as an essential element to

economic development models introduced at the local level (Dangond-Gibson, 2012, p. 127); and that in time, tax revenue would drive local budgets that in turn would drive social investments. Dangond-Gibson adds that, over time, decentralization in Colombia is at risk of becoming exclusively about money, rather than an expression of citizen participation (p. 146). Under the new constitution, a federal accounting system called the *Sistema General de Participaciones* (General System of Participation), funded departments and municipalities to administer public services giving priority to health, education (preschool, primary, and secondary), potable water, and basic sanitation (Article 356, *Carta Política* of the Constitution of 1991). Henceforth, ministries, headed by a secretary, were created in each department for health and education and are overseen by their respective governors. Given that responsibility for health and education were shifted from federal to departmental hands, Colombians reasoned that ESAL related to these themes should also become the responsibility of the departments.¹⁹ Thus, nonprofit entities whose declared missions are related to health or education are required to register at the department level under their respective ministries (e.g. Secretary of Education). Because potable water is related to the environment, Bogotá D.C. and a few other departments have a Secretary of Environment as well.

Further, Colombia has a rich and diverse cultural history, with annual festivals

¹⁹ There was a precedent for this move. Article 2 of Law 22 of 1987 allowed the President of the Republic to delegate to department governors or the mayor of Bogotá powers of “inspection and oversight to be exercised over institutions of common utility.” Translation mine. Original Spanish: “...la función de inspección y vigilancia que ejerce sobre las instituciones de utilidad común” (Artículo 2, Ley 22 de 1987).

occurring nearly every day of the year in some locality of the country. These are coordinated on the municipal or departmental level. Moreover, sports are closely tied to education and soccer is integrated into the national culture, thus most sports related ESAL register at the department level, and cultural and arts entities do as well. Exceptions, discussed later, include such ESAL as the national soccer and Olympic teams. In summary, where data are available, each of the 32 departments have a Secretary of Education, a Secretary of Health, and a few have a Secretary of Environment and a Secretary of Culture, Recreation, and Sports. ESAL register at these ministries in their respective departments.

Parliamentary Aid and Corruption

Prior to the new constitution, congressional representatives from all over the land were each entitled to spend public funds called *auxilios parlamentarios* (parliamentary aid). These discretionary public funds were designed for relief and aid in their respective departments and municipalities, where it was assumed the representatives were acutely aware of the social or economic needs of their constituents. Law 25 of 1977 gave a wide interpretation of this aid with the federal accounting office's General Controller stating, "[Law 25] is sufficiently ample and in practice authorizes any type of expenditure with this aid" (Belalcázar and Riascos, 2011, p.6).²⁰ There was no coordinated agenda for public benefit and no accountability by the

²⁰ Translation mine. Original Spanish: "es lo suficientemente amplia y en la práctica autoriza cualquier tipo de gasto con ellos" (Informe Financiero del Contralor, Enero de 1991).

recipient either. Between 1980 and 1990 its budget grew by almost 22 percent annually. By 1991, parliamentary aid expenditures had reached 27 billion pesos (or \$34.3 million USD in 1991 pesos), no small sum for this developing nation that year. The problem was that politicians were giving the monies to friends and influential constituents, to the tune of 86 million pesos per representative per year. Accounting revealed that in 1990, 90 percent of these monies went to *personas jurídicas* (legal persons) and only 9.5 percent were directed at municipalities, government agencies, or JACs. By the early 1990s, conscientious citizens had had enough. High court hearings revealed the corruption,

Initially all the aid was destined for direct implementation by the municipalities, *juntas de acción comunal* (JACs), or government agencies. In just a few years, however, someone invented the idea of foundations or private corporations [ESAL] as recipients of these resources and managed to autonomously flow public funds through them, with virtually no fiscal control; this permitted them expenditures of personal investments by the congressman who declared it 'aid' for payment of election activists and direct bribery to municipal or community leaders. (Proyecto de Acto Constituyente de Vigencia Inmediata, Sentencia C-372 de 1994).²¹

As noted in the history in the previous chapter, Colombia has had a long history of contracting for public services with the third sector, beginning with the *Juntas* in the

²¹ Translation mine. Original Spanish: "Inicialmente todos los auxilios se destinaban para ejecución directa por los municipios, juntas de acción comunal o agencias gubernamentales. A la vuelta de pocos años, sin embargo, alguien se inventó la figura de las fundaciones o corporaciones privadas como destinatarios de los recursos y se las ingenió para, a través de ellas, manejar autónomamente fondos públicos, prácticamente sin control fiscal; lo que permitió inclusive atender con ellos gastos o inversiones personales del congresista que decretaba el auxilio o el pago de activistas electorales y el directo soborno a jefes municipales o comunales."

late 19th century as part of the Constitution of 1886. Article 355 of the Constitution of 1991 maintained this precedent with three fundamental points:

1. No branch of government has the power to declare aid in favor of natural persons or legal persons.
2. National, departmental, district, and municipal governments can, with their respective resources, contract with qualified ESAL to carry out programs and activities of public benefit in accordance with the National Plan and selected plans of development.
3. The federal government will regulate the matter.

Article 355 abolished parliamentary aid—and stopped the hemorrhaging of public funds. To close further loopholes and direct social objectives, the executive branch issued two decrees, Decree 777 of 1991, and Decree 1403 of 1992. In the end, shifting funds out of the hands of corrupt federal politicians and directing them to departments and municipalities was the first step accomplished. The second step tightened the requirements on contracts. Belalcázar and Riascos (p.11) report that ESAL could now compete for and receive public funds if they complied with the following:

1. They were a legally registered and approved ESAL.
2. They carried out programs or activities for public benefit.
3. Programs or activities were in accordance with the the national plan of development.

4. Contracts conformed with accounting regulation stipulated in Decrees 777 and 1403.

Decree 2150

Beyond the education and health subsectors, decentralization dramatically affected how the civil society sector was regulated. Under the new constitution, *Decreto 2150* (Decree 2150) of 1995 attempted for the first time to classify civil society organizations in the country based upon their activity or mission at the time of registration.²² The activity would determine where and with what agency the ESAL would register. Given the decentralization goal of increased civic participation at the local level, it followed that ESAL registered at the municipal level would help achieve the goal. Neither the federal government nor the departments had a developed system for registering general nonprofits *en masse*, but chambers of commerce were already doing this for businesses.²³ Article 2 of Decree 2150 mandated, therefore, that the overwhelming majority of ESAL, similar to 501(c)(3) organizations in the U.S., are registered, approved, and tracked at the municipal level by local chambers of commerce as listed in Table 1:

²² Capítulo II del Título I y el Capítulo XV del Título II del decreto 2150 de 1995. Artículo 2, 1-23, Diario Oficial No. 42.736, de Marzo 6 de 1996. Ministerio de Justicia, Bogotá, Colombia. See Appendix A for Decree 2150.

²³ To illustrate this point of lack of technological currency, during the investigation for this study from 2013-2015, it was discovered that one of the remote and more underdeveloped departments in the Amazon region were, for the first time, in the process of transferring all ESAL ministerial registrations to an Excel spreadsheet from a paper registry used throughout the 20th century.

Table 1. Article 2 of Decree 2150—ESAL that must register at chambers of commerce.

	Spanish	English
1	Juntas de acción comunal	Community Action Boards
2	Entidades de naturaleza cooperativa	Cooperatives
3	Fondos de empleados	Employee Funds
4	Asociaciones mutuales, así, como sus organismos de integración	Mutual Benefit Associations
5	Instituciones auxiliares	Relief and Rescue Institutions
6	Entidades ambientales	
7	Entidades científicas, tecnológicas, culturales, e investigativas	Scientific, Technological, Cultural, and Research Entities
8	Asociaciones de copropietarios, coarrendatarios, arrendatarios de vivienda compartida y vecinos, diferentes a los consagrados en el número o. Del artículo siguiente	Home Owner, Tenant, and Neighborhood Block Associations
9	Instituciones de utilidad común que prestan servicio de bienestar familiar	Community Institutions that provide Family Welfare Services
10	Asociaciones agropecuarias y campesinas nacionales y no nacionales	Agricultural associations and National Peasant Associations
11	Corporaciones, asociaciones y fundaciones creadas para adelantar actividades en comunidades indígenas	Corporations, associations, and foundations created to advance activities in indigenous communities
12	Gremiales	Guilds
13	De beneficencia	Charities
14	Profesionales	Professional Associations
15	Juveniles	Children Societies, Orphanages
16	Sociales	Social Clubs
17	De planes y programas de vivienda	Housing and Urban Planning
18	Democráticas, participativas, cívicas y comunitaria	Democratic, participatory, civic and community societies
19	Promotoras de bienestar social	Social Welfare Advocacy
20	De egresados	Alumni Associations
21	De rehabilitación social y ayuda a indigentes, drogadictos e incapacitados, excepto las del numeral o. Del artículo siguiente	Social Rehabilitation and Assistance to the homeless, drug addicts and physically disabled.

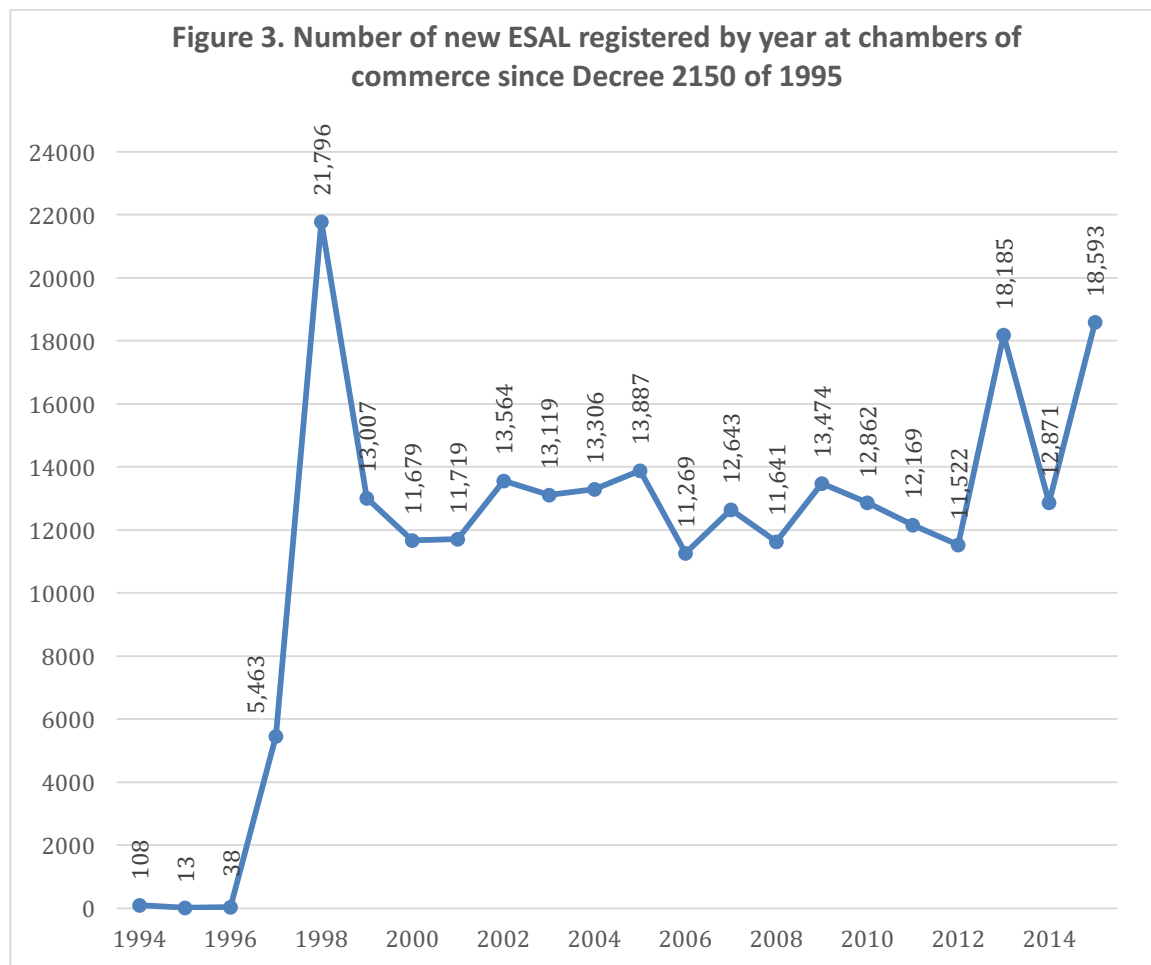
22	Asociaciones de padres de familia de cualquier grado	Parent-Teacher Associations
23	Las demás organizaciones civiles, corporaciones, fundaciones y entidades privadas sin ánimo de lucro no sujetas a excepción.	Other civil society organizations, corporations, foundations and private non-profit entities not subject to exception.

Source: Capítulo II del Título I y el Capítulo XV del Título II del decreto 2150 de 1995. Artículo 2, 1-23, Diario Oficial No. 42.736, de Marzo 6 de 1996. Ministerio de Justicia, Bogotá, Colombia.

The chambers of commerce themselves are nonprofit entities similarly in the U.S. and other Latin American countries. Colombia recognizes that to outsiders, registration of an ESAL with another ESAL appears unorthodox or nonsensical, and the Bogotá Chamber of Commerce leadership claim they are unique in the region for this. In the catch-all phrase on line 23 above, Article 2 of Decree 2150 makes mention of exceptions. To help clarify the exceptions, Decree 2150 applies to ESAL that are “legal persons” as defined previously (associations, foundations, and corporations formed by individual citizens). It does not apply to ESAL entities that are created by decree or legislated by congress that would be regulated by a federal agency, with a few other exceptions like churches. Perhaps a comparable example would be 501(c)(1) organizations in the U.S. which are created by acts of congress (Internal Revenue Service, 2016), but in this case are regulated by a federal agency. The next chapter will discuss ESAL registration in greater detail.

Decentralization gave municipal governments greater financial control over public services, including entering into contractual agreements with ESAL to provide local services as noted above (Vargas and Sarmiento, 1997).

The combined regulatory overhaul of parliamentary aid, Article 355 of the new constitution (with Decrees 777 and 1403), Decree 2150, and overall decentralization was a stimulus that exponentially expanded the civil society sector in Colombia in the 1990s and 2000s. These favorable conditions spawned the rise of new ESAL throughout the departments and the capital district as shown in Figure 3.



Source: Comfecámara, June 2015

Prior to late 1996 when Decree 2150 went into force, the number of annual new registrations throughout the country averaged less than a hundred. In 1997, the number rose to 5,463 new registrations, and skyrocketed to 21,796 in 1998. Since then, new registrations have never dropped below 11,000 ESAL annually. In 2012, the capital district and the federal government each issued a decree that required an update to registrations. District Decree 397 and National Decree 734 required that all ESAL that participated in contracts for public funds, must demonstrate their administrative, operational, and financial capacity to fulfill contractual agreements.

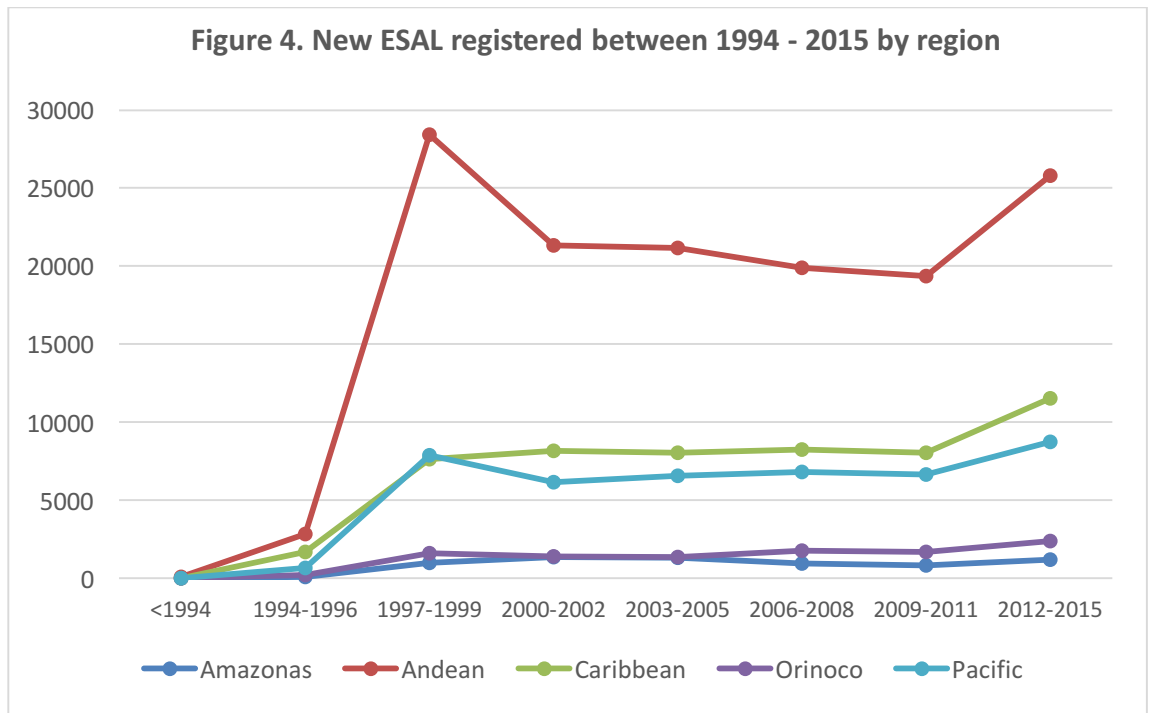
Further, that same year the federal government also issued Decree 019, the *Registro Único Empresarial y Social* (Social and Business Single Registration) (RUES). In an attempt at efficiency in registering for- and non-profit entities, the RUES required all active businesses (for profit) and ESAL to update their records into a single, consolidated system by 2015.²⁴ In many cases, some of the nonprofits in the country were operating without proper registration. In order to comply with RUES and take advantage of contracts for public funds required by District Decree 397 and National Decree 734, many ESAL boards of directors reactivated, renewed, or launched new ESAL. The RUES and these two decrees may account for the surge of new registrations in 2013 and again in 2015 as seen in Figure 3.

To put this into perspective, 74 percent of all ESAL registered in the chambers of commerce are less than 15 years old as of June 2015. Another 24 percent are between

²⁴ It also included and consolidated registration of gambling halls and casinos, national tourism sites, foreign private law registrations, citizen oversight agencies, and all cooperatives (Alcaldía Mayor de Bogotá, 2013, p.38).

15 and 29 years old. Less than two percent of all chamber registered ESAL in Colombia are older than 30 years. By comparison, as previously discussed, labor unions saw growth earlier in the 20th century. Three percent of all labor unions are at least 75 years old. Twenty-two percent of all labor unions are between 45-59 years old, another 25 percent are between 30-44 years old, 16 percent are between 15-29 years old, and only 24 percent are those less than 15 years old (Alcaldia Mayor de Bogota, 2015, p. 42).

In addition to departments and districts, there are six political regions in Colombia. These primarily run along departmental borders, mostly based upon geographic similarities. They are: Amazonas, Andean, Caribbean, Orinoco, Pacific, and Insular. Figure 4 shows the distribution of new ESAL from 1994 – 2015 by region, divided into three-year periods. This chart is intended to show, without exact numbers, how decentralization increased new registrations in departments distant from the capital city. While Bogotá is included in the Andean Region, only 28.7 percent of the Andean growth is the capital district. Medellin and other cities in the *eje cafetero* (coffee axis or region) are in the Andean region. Amazonas and Orinoco have very low populations, but we do see an increase of new ESAL even in those regions. The Pacific and Caribbean coastal regions see a significant rise in new ESAL after decentralization.



Source: Comfecámara, June 2015. Insular Region comprises two small islands and is not significant.

In nearly all regions, Colombians eagerly pressed forward to exercise their new rights and establish ESAL to bring hope and change in a corner of the world filled with violence and corruption. It would be unfair to wholly attribute the explosive growth to financial opportunism, since high levels of voluntarism and social capital testify otherwise. Nevertheless, billions of parliamentary aid pesos previously squandered in corruption now became available to legitimate ESAL. In addition, decentralization made it accessible to launch an ESAL and channeled additional federal pesos (the *Sistema General*) beyond the redirected parliamentary aid to local governments, which, in turn, were eager to provide new services through ESAL contracts. Taken altogether, the new political ideologies and structures ushered in a gold rush with tens of thousands rushing to claim virgin philanthropic territory. Colombia had awakened to the nonprofit sector.

One final note. The corruption of the previous system and the subsequent explosive growth in the sector heightened the awareness of regulation but also of administrated competency and altruism. Thousands of new ESAL were run by volunteers and a new cadre of paid directors and other employees who had no previous experience in the sector. There was confusion about what it meant to be nonprofit. Could they have a positive bottom line or engage in “mercantilism?” By 1997, it became expedient for the Colombian Supreme Court to issue a clarification: nonprofit associations are defined as a “plurality of persons that join forces and activities to a non lucrative end, as they have a spiritual, intellectual, sport, or recreation goal” (Belalcázar and Riascos, p.27). And citing Article 98 of the Commercial Code, the State Counsel declared that making a profit or not is irrelevant, rather that

...the stipulation or rule, which eliminates profit purposes, is that surplus or obtained yields are not subject to distribution or sharing among those partners or members of the legal person who generates them.” (Consejo de Estado, 1986).²⁵

Colombia had its own version of the non-distribution constraint.

Neo-populism and the Uribe Administration

After several decades, the Colombian people grew weary of armed conflict. The Álvaro Uribe administration (2002-2010) made remarkable strides against corruption

²⁵ Translation mine. Original Spanish: “el criterio lucro de lucro o las finalidades de lucro no se relacionan, no pueden relacionarse a las utilidades obtenidas, sino a la destinación que se les dé. La estipulación o norma, que elimina los fines de lucro, es la que tiene como consecuencia, la de que los rendimientos o utilidades obtenidas no sean objeto de distribución o reparto entre socios o integrantes de la persona moral que las genera.”

and *guerrilla* factions (DeShazo et al, 2009),²⁶ building a successful amnesty program for rebel *guerrilleros* (soldiers) who, in droves, laid down their arms (Theidon, 2007). The increasing peace and stability brought accelerated annual growth of 7 percent GDP from 2002-2007, and 5.7 percent in 2011 despite the global recession. Poverty was reduced by 20 percent and unemployment by 25 percent (Hodgson and Philippoteaux, 2011, p. 7). Foreign investment poured in as a result along with international NGO involvement (Marín, 2011). According to The Foundation Center, in 2012, Colombia became the third largest recipient of grants in the region, after México and Brasil (Evans, 2012, p.4). Uribe succeeded in unifying the people against violence through increased national solidarity and the wave of neo-populism prevalent in Latin America today (Weyland, 2003). Neo-populism is an economic and social system based on worker initiative and democratic ideals. Through Uribe's deft political leadership style, patriotism rebounded. He strengthened both the decentralized and centralized powers of the nation. Colombia's strong, shared, local and federal governance in the globalized era is thriving and shared political power is the vanguard of thriving civic engagement. Uribe was re-elected on 28 May 2006 for a second presidential term (2006–2010), and became the first president to be consecutively re-elected in Colombia in over a century. During early 2008 Uribe's approval rating hit an impressive 81 percent, but in June 2008, after

²⁶ During Uribe's administration, the Colombian army inflicted severe damage on the guerrilla factions *Fuerza Armada Revolucionaria de Colombia* (FARC) and the ELN. One study estimated that between 2002 and 2008 army attacks cut FARC offensive capabilities by 70 percent. By 2008 FARC military units, which overwhelmed Colombian army battalions in the 1990s, were unable to function in units larger than squad size. Between 2006 and 2008, more than 3,000 FARC fighters deserted the organization. FARC's remaining forces are believed to be scattered, disorganized, and cut off from their top-level leadership, which has fled into exile in Ecuador and Venezuela (DeShazo et al, 2009).

Operation Jaque, Uribe's approval rate rose to an unprecedented 91 percent.²⁷ Although the Constitution of 1991 prohibits a president from running more than two terms, supporters presented five million signatures petitioning a referendum on a constitutional amendment to allow him to run for a third term. Uribe declined the referendum and endorsed his Defense Minister Juan Santos to succeed him. Through negotiations with *guerilla* groups, the Santos administration (2010-) is focusing on peace and post-conflict restoration and growth. Future research will bear it out in the civil society sector, but the state and market sectors already manifest greater networking internally and globally. Under present conditions, the dispersing and isolating effect of ESAL decentralization employed two decades ago has become detrimental to the third sector in one sense. The third sector is being left behind as state social services and commercial markets find greater efficiency in economies of scale and strategic partnerships within. Further, the Colombian third sector is also isolated from international development and philanthropic communities (Edie and Nober, 2002; Ruiz-Restrepo, 2005) because of decentralization and lack of coherent global access. Philosophically, the Santos administration has synthesized clear goals for post-conflict resolution and has invited civil society to play their part. Nevertheless, the state of regulation of civil society in Colombia is in fulfillment of what Carrion predicted would exist—a “constellation of scattered spaces, each one [i.e. agencies and departments] moving in its own direction” (Carrión, 2012).

²⁷ Operation Jaque was a Colombian military operation that resulted in the successful rescue of 15 hostages, including three Americans and former Colombian presidential candidate Ingrid Betancourt.

CHAPTER THREE

METHODOLOGY

Purpose and Rationale

A case study method was employed to study Colombia's civil society sector. Under a social constructivist worldview, researchers rely as much as possible on the participants' views of the situation being studied. While quantitative data is collected and analyzed herein, this case study would be remiss to ignore the Colombian worldview which leads to why some data are available and other data not. The primary research question is—What is the size and scope of civil society in Colombia? Implicit in this question is—Why is it that Colombians don't readily have the answer? The history chapter guided us, in part, to that answer with a political audit trail, but the collection of data has revealed the attitudes and worldview held by registrars or decision makers at the various registries. The need for citizens to participate in the public agenda has become a consensus for Colombian government agencies, and after the Constitution of 1991 the government monopoly on public interest and civic action ended. Nevertheless, bureaucratic inertia, resistance to change, mistrust, jealousy, oligarchies, a concentration of power, and stale institutional design persist and have prevented a single database that reveals the size and scope of civil society. It took an outsider to do so. Early in the research (May 2013) at a breakfast in Bogotá, the executive director at the foundation *Compartamos* informed the Author that he was aware of no fewer than three failed attempts to map the whole of Colombian civil society, including his own that

failed for the reasons above. The *process* of data collection, therefore, has revealed understanding nearly as valuable as the quantitative findings. Creswell (2009) noted that, “Researchers recognize that their own backgrounds shape their interpretation, and they position themselves in the research to acknowledge how their interpretation flows from their personal, cultural, and historical experiences” (p. 8). The Researcher’s background, originally as a missionary in Peru, and later for nineteen years as a humanitarian in Peru, Bolivia, Ecuador, Honduras, and Colombia, offered both an advantage and a bias as one who has worked in the civil society field in the region. The Researcher shares an advocacy and participatory worldview that focuses on the needs of those in society that are marginalized or disenfranchised (p.9). Indeed, the geo-referenced database website which forms part of this project is developed to that end. This website provides worldwide access to foundations and other funders interested in supporting social causes in Colombia (esalcolombia.co). Moreover, as a clinical psychotherapist, the Author stretched his capacity in navigating a minefield of personal agenda with regard to data access. Some meetings were similar to therapy sessions, validating frustrations of officials and then challenging their concerns of mistrust or autonomy. Taken altogether, an affinity for the humble *funcionario* (Colombian government employee), the employment of psychotherapeutic skills, and long patience enabled access to obtain data that have heretofore remained inaccessible.

To prevent a case study from becoming too broad, Yin (2003) and Stake (1995) recommend boundaries of place and time. This case will be bound by utilizing the most current data available, ostensibly 2014-2015 (Creswell, 2009), and include only *actively*

(Miles & Huberman, 1994) registered ESAL of Colombia by various government agencies in addition to the chambers of commerce. Geographically, the boundaries are set within Colombia's national borders although some international NGOs included have their headquarters abroad. That is, included are those international NGOs that have a satellite office or branch in Colombia and are registered there. The research took place inside Colombia although analysis was done in the U.S.

Demographics

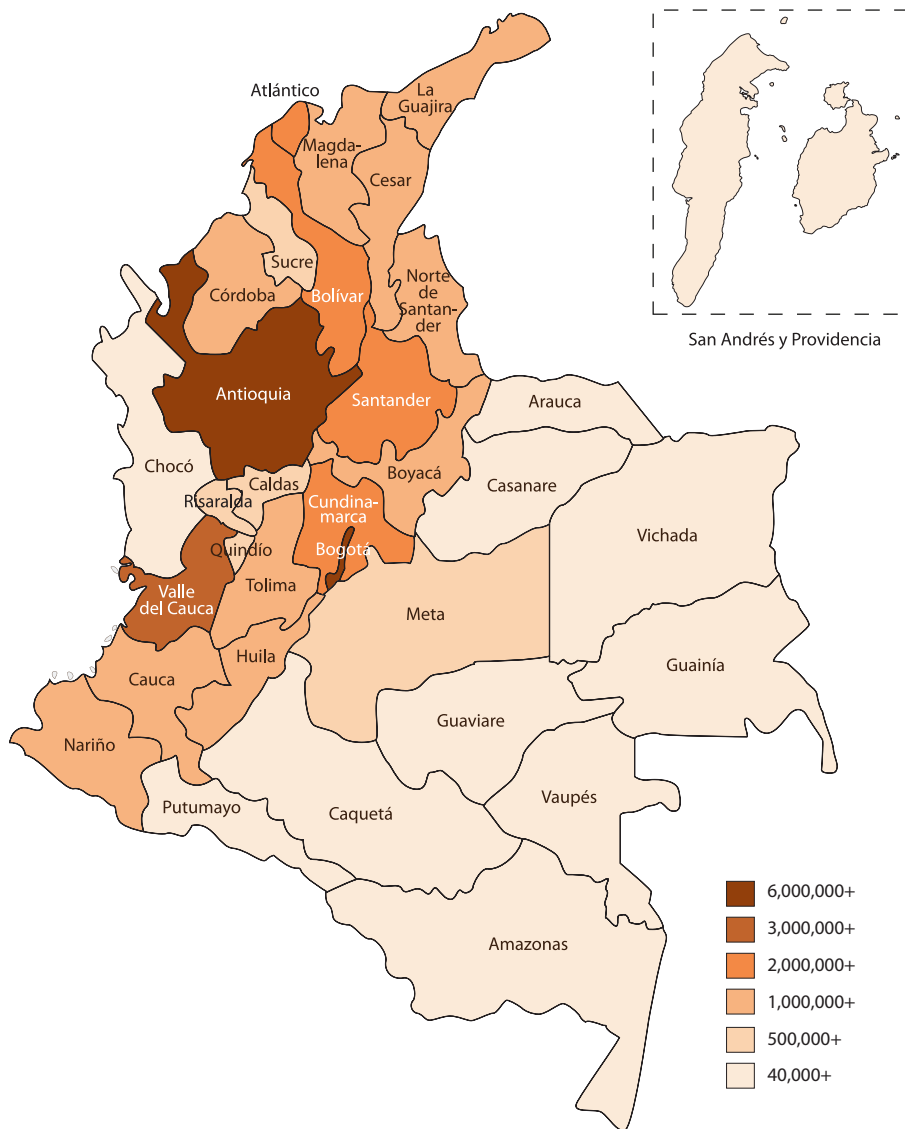
The Republic of Colombia, with more than 48 million inhabitants, is the fourth largest country by population in the Americas, after the U.S. (322 million), Brasil (204 million), and México (112 million) (DANE, 2016; U.S. Census Bureau, 2016).

Geographically, it is the fifth largest country in Latin America, after Brasil, México, Perú, and Argentina (CIA, 2012). Colombia has the world's 29th largest economy by nominal GDP. As of 2013, per the World Bank, 24.12 percent of Colombia's population is rural and 75.88 percent is urban. Almost twenty-eight percent of the population is under the age of fifteen, and 6.16 percent of the population is over the age of 65 (World Bank, 2016a).

The Colombian census and statistical agency *Departamento Administrativo Nacional de Estadística* (DANE) divides the country into 32 Departments (similar to U.S. states), 10 districts, 1,101 registered municipalities plus an additional 20 areas not municipalized (DANE - Divipola, 2016). Registries for this study are taken from 16 federal agencies, 5 capital district agencies, and three departments. Civil society organizations

are found in all departments in this study with, as expected, higher concentrations in the more populated regions. Figure 1 shows the departments and the capital district of Bogotá by population density. The majority of the population lives in the northwestern Andean regions. The southeastern portion of the country forms part of the Amazon River basin.

Figure 1. Political map of Colombian departments and capital district by population.



Source: DANE (2009). *Proyecciones Nacionales y Departamentales de Población 2005-2020*. Bogotá, Colombia: Departamento Administrativo Nacional de Estadística. p. 50.

In addition to departments and districts, there are six political regions that run along departmental borders, mostly based upon geographic similarities. They are: Amazonas, Andean, Caribbean, Orinoco, Pacific, and Insular. The latter is not significant in this study. Figure 2 shows the regions, departments, and the capital district of Bogotá.

Figure 2. Political map of Colombian regions by departments and capital district.



Source: Instituto Geográfico Agustín Codazzi (Igac.gov.co) (2012).

Study Design

Creswell (2009) informs us that in a qualitative case study researchers focus on the “process that is occurring as well as the product or outcome” (p.195). Thus, to shed additional light on how the Colombian regulatory landscape became so varied, the next three sections provide general background information on pertinent legislation and court rulings that set in motion regulation of ESAL today. Afterward, table 2 shows each civil society type recognized along with the legal *raison d'être* as the sector evolved. Nearly all of the federal registries were obtained for this study, but the few exceptions and department secretaries are noted later. This is followed by the field methods used to obtain the databases, the overcoming of barriers of suspicion and mistrust, converting the data to a standard readable format, checking and cleaning the data, and then consolidating the files and presenting the full case numbers of data collected. Finally, the methodology for the website development is included.

1991 Constitutional Rights and Regulation

The Constitution of 1991 grants the right of association (Article 38) and establishes a list of association types to which it assigns both specific prerogatives and mandates. Highlights include:

- Churches or religious congregations and their attendant freedom of worship (Article 19).
- Economic associations based on the principle of mutual benefit (Articles 58, 60 and 333).

- Employee and employer labor unions (Article 39).
- Professional associations, which are required to have a democratic structure and to which the law permits controlled public functions (Article 26).
- Associations that champion the right to housing (Article 51).
- Associations that work to guarantee land rights to agricultural workers (Article 64).
- Political parties and movements (Articles 107 and 108).
- Businesses, both sole proprietor and entities of multiple persons that society recognizes that are the expression of the right of private property and free enterprise (Articles 58 and 333).

Article 103 mandates that the state,

...contribute to the organization, promotion, and education of these professional associations, civic associations, unions, community organizations, juvenile associations, and non-governmental public society benefit organizations, without *any detriment to their autonomy*.²⁸

While the Constitution of 1886 established the right for citizens to form foundations and associations, it was the Constitution of 1991, through Article 38, that made it a fundamental right. Belalcázar and Riascos (2011) observe that by defining the right of association as a fundamental right, the constitutional court further drew a

²⁸ Italics mine. Translation mine. Original Spanish: "... contribuir a la organización, promoción y capacitación de las asociaciones profesionales, cívicas, sindicales, comunitarias, juveniles, benéficas o de utilidad común no gubernamentales, sin detrimento de su autonomía..." (Constitución de 1991, Carta Política, Artículo 103).

jurisprudential line by clearly defining three dimensions of this right, which are expressed in the following dimensions:

- Positive Dimension: It is the right of every citizen to establish, or to take part in freely and voluntarily, organizations recognized by the State that engage in legal contracts and develop social, cultural, or economic projects.
- Negative Dimension: It is the right of every citizen to refuse or refrain from being compelled to be a party to any association or partnership, either directly or indirectly. This dimension is inherited from paragraph 2 of article 20 of the Universal Declaration of Human Rights, that affirms "no one may be compelled to belong to an association" (Lauterpacht, 1948).
- Dimension of Self-Regulation. This dimension consists of the right of private associations to self-determination and self-regulation, within the confines of their by-laws, and to freedom of administrative operations and internal structures.

The first two dimensions affirm individual rights, but the third dimension applies to civil society in general, and as the ink dried on the new constitution, the high courts of Colombia began establishing limits and parameters on regulation that would, in turn, affect civil society registration. This was new territory for the newly formed judicial, legislative, and executive branches. Some of the rulings, laws, and executive decrees were proactive, while others reactive to a burgeoning third sector that lacked the

evolution of ripening philanthropy and self-restraint that typifies much of the United States' philanthropy over the past few centuries.

The Constitutional Court and State Counsel (similar to the U.S. Attorney General) recognized that some elements of civil society performing public benefits required more regulation than others, both to protect society and/or to those individuals who belonged to those organizations. As a result, in cases where the state mandated greater internal regulation, it also assigned or created an external agency to “regulate, control, and oversee” them (Belalcázar and Riascos, 2011, p.3).²⁹

A couple of examples will suffice. Those ESAL that provide community public television must conform to technical (e.g. broadcast frequency and power) and political (e.g. not presume to speak on behalf of the state) guidelines. These are regulated by the National Commission of Television under Law 182 of 1995. In this case, these ESAL also have to register at the chambers of commerce. In another case, the Constitutional Court ruled in 1996 that Volunteer Firefighters needed state protection. On behalf of the Court, Justice Alejandro Martinez Caballero declared,

It is admissible that the law regulates with certain detail the internal structure of corps of volunteer firefighters, inasmuch as they are community entities that provide a high risk service to the public.

Volunteer firefighter bodies are not simply a private association or recreational club, rather they provide an important and public service at great risk. ... it is clear they work for the prevention of fires and calamities, and in doing so put in danger their lives, their honor, and their belongings. Therefore, for this reason, the possibility of intervention of the law is greater, since although these public services may be provided by private individuals and communities, the law is to establish their legal

²⁹ Translation mine. Original Spanish: “El Estado debe regularlos, controlarlos, y vigilarlos.”

status and the State must regulate them, control them, and monitor them. In the present case, the duty of the State is clear, because the catastrophic risks that may derive from fires poorly prevented or controlled. Thus, it is normal that there are regulations aimed at ensuring the adequacy and efficiency of firefighter corps, whether official or volunteer. (Sentencia C-770/98).

This ruling served as the basis of Law 322 of 1996 which established federal regulation for firefighter corps. Subsequently, volunteer firefighter ESAL register at the Ministry of Interior under the *Dirección Nacional de Bomberos de Colombia* (National Directorate of Colombian Firefighters).³⁰

The degree to which the state limited its intervention in ESAL depended on the constitutional makeup of the associations themselves (i.e. articles of incorporation and by-laws), which in turn varied according to the type of organization and its mission. Such interpretations of the Constitutional Court had profound consequences, not just in the application of regulation, but they gave rise to question the scope of power the Court had to limit the fundamental right of association. Some rulings could wade dangerously into waters that drowned the fundamental right the new constitution had just affirmed. This was not lost on Court magistrates. Again, Justice Alejandro Martínez Caballero ruled,

the Constitution requires that certain associations have a democratic structure—such as labor unions and professional schools— yet this requirement does not blanket all associative forms. This normative difference corresponds, therefore, to the scope of constitutionality of regulation. Indeed, it would be unconstitutional to regulate the structure and functioning of professional schools which were not democratic, while it is constitutionally legitimate that there are other associative forms

³⁰ See <http://bomberos.mininterior.gov.co>

which are not governed by democratic principles, such as the political parties [e.g. communism], according to article 108 superior (Sentencia C-265/94, Magistrado Ponente: Alejandro Martínez Caballero).³¹

One should bear in mind that in the mid 1990s Colombians were desirous of peace and hopeful over new found liberties. The people were embroiled in a civil war stemming from political impotence. In this context, judges and legislators were reluctant to impose more restrictions than necessary, and the third sector was no exception given Article 103's mandate that government should promote civil society organizations "without any detriment to their autonomy" (Constitución de 1991, Artículo 103). Thus, rank-and-file citizens were like children let out of school exploring the boundaries of their new freedom.

Chambers of Commerce

Previously noted, Decree 2150 stipulates that unless otherwise specified by law, all ESAL must register at chambers of commerce. The chambers' boundaries and regulation in Colombia are not entirely clear, although they self-regulate to some degree and also perform functions similarly exercised by state departments of commerce in the U.S. (such as registration of business entities, Doing Business As [DBAs], zoning

³¹ Translation mine. Original Spanish: "la Constitución exige a ciertas asociaciones tener una estructura democrática—como los sindicatos y los colegios profesionales—mientras que tal exigencia no abarca a otras formas asociativas. A esa diferencia normativa corresponde entonces un alcance diverso del control de constitucionalidad de las disposiciones reguladoras de la materia. En efecto, sería inconstitucional una regulación de la estructura y funcionamiento de los colegios profesionales que no fuese democrática, mientras que es legítimo constitucionalmente que existan otras formas asociativas que no se rijan por principios democráticos, como los partidos políticos, de acuerdo al artículo 108 superior."

compliance, etc.). Colombian chambers of commerce themselves register at the federal level at the *Superintendencia de Industria y Comercio* (Superintendent of Industry and Commerce).³²

As of 2016, there are 57 chambers of commerce in Colombia plus the *Confederación Colombiana de Cámaras de Comercio (Confecámaras)* (Colombian Federation of Chambers of Commerce). *Confecámaras* is an association of the chambers of commerce in Colombia. It consolidates and maintains ESAL registrations of the other 57 chambers scattered throughout the country. As previously mentioned, Colombia is divided into 32 departments and ten districts, including the Capital District of Bogotá. As of March 2016, there were 1,101 registered municipalities nationwide in the 32 departments plus an additional 20 areas not municipalized (DANE - Divipola, 2016). Thus, the 57 chambers do not correspond one-for-one with the 1,101 municipal and township registrations in the country. That is, each chamber of commerce may represent more than one municipality. Or, conversely, in dense metropolitan areas, there may be more than one chamber for a municipality or city. This is the case in Medellín, with a population of more than 2.5 million, where there are three chambers, Medellín, Oriente Antioqueño, and Aburra Sur. Article 9 of Decree 2150 mandates that ESAL registration happens at the chamber that corresponds to the municipality where the “legal person” resides, but enforcement is not thorough and grandfathering is supported since the boundaries of chambers of commerce themselves evolve or

³² Article 78 of Commercial Code and Article 4 of Decree 1252 of 1990.

adjust.³³ Also, larger nonprofits have satellite offices throughout the country, adding to the complexity of whether or not there should be a single registration or each satellite office should register within its own chamber's jurisdiction.

Decree 2150 Exceptions and Decree 427

Article 45 of Decree 2150 lists exceptions of those ESAL that do not register at the chambers. Briefly, these are: higher education, trade schools, private security, churches and religious ministries, labor unions, political parties, chambers of commerce (i.e. they cannot register with themselves), certain grades of JACs, community housing boards, community associations, and family welfare organizations. The following year, in 1996, Decree 427 added to the list of exceptions: Private sector health organizations, author's rights societies, agencies that offer official public instructions and training, high-rise or condominium homeowner associations, *Cajas de Compensación* ("Family Compensation Funds"— there is no direct translation or U.S. counterpart for this entity, but it is similar to an employee credit union that also provides basic medical services, employment assistance, and operates family resorts), retirement pensions, *casas cárceles* (house jails), and indigenous councils recognized by the Ministry of Interior.³⁴

House jails are ESAL that serve as an alternative to the federal or district prison system.

³³ Article 9, *Diario Oficial No. 42.736*, de Marzo 6 de 1996. Ministerio de Justicia, Bogotá, Colombia. Article 9 reads that registration *should* be within the jurisdiction of the residence, but leaves some wiggle room; Original Spanish: "La inscripción *deberá* efectuarse únicamente ante la Cámara de Comercio que tenga jurisdicción en el domicilio principal de la persona jurídica." Italics mine.

³⁴ *Cajas de Compensación Familiar* (Family Compensation Funds), a type of social security system originally created by the National Industrialists Association in 1954 to distribute subsidies for workers' families. By 1957, the national government made employer payments to these nonprofit organizations mandatory (Villar, List, and Salamon, 1999, p.416).

In Colombia, if you kill a person while operating a motor vehicle, you must serve prison time, even if it was an accident with no intentionality to harm, such as exercising poor judgment while negotiating traffic, texting, or driving under the influence. There are only a handful of house jails in Colombia, and non violent perpetrators of car accidents or other negligence reside there. The *Juntas* (JACs) became a point of dispute. At first Decree 2150 excepted some of them based on their legal status, then Decree 427 overturned this and required them to register at the chambers of commerce beginning 31 December 1998 (Article 7). Today, they register on the district or departmental level, such as the case with the Department of Santander introduced in the findings chapter later. Given that JACs are organizations of civic activity rather than commercial activity, the switch from a national registry to the chambers, and then to the local departments is emblematic of decentralization. To complicate the matter, similar ESAL to JACs are community housing boards and federations and confederations of community action. These agencies register at the District Institute of Community Action and Participation (IDPAC) if they reside in Bogotá. In other parts of the country, they register at the department ministry along with the JACs.

Civil Society Registry and Legal Justification

Table 2 presents an exhaustive list of civil society organization types legally recognized in Colombia. It also provides the registry, the agencies that oversee them, and the history of law that justified the registry entity and oversight. Where there is no direct translation of ESAL similar in the U.S., the original name is left in Spanish with an

attempted translation. The shading of cells in the Civil Society Organization column indicates those database records that have been obtained and are included in this study.

Table 2. Civil society organization types in Colombia

Civil Society Organization	Agency Responsible for Oversight	Registry	Legal Justification
Associations, corporations, foundations, institutions of common utility (guilds, charities, professional, minors, social clubs, democratic/civic/community, alumni, social rehab, help for indigenous populations)	Department Ministry	Chamber of Commerce	Law 22 of 1987
			Federal Decree 1318 of 1988
			Federal Decree 1093 of 1989
			Federal Decree 1066 of 2015 Articles 2.2.1.3.1.
	Bogotá Mayor's Office		District Decree 059 of 1991, modified - codified by Decree 530 of 2015.
			District Decree 267 of 2007, Article 30, replaced by Article 2 of Decree 502 of 2009, modified by Decree 085 of 2011
Technology, science, and research	Department Ministry	Chamber of Commerce	Law 22 of 1987
			Federal Decree 525 of 1990
			Federal Decree 1066 of 2015 Articles 2.2.1.3.1.
	Bogotá Mayor's Office		District Decree 059 of 1991, modified - codified by Decree 530 of 2015.
			District Decree 267 of 2007, Article 30, replaced by Article 2 of Decree 502 of 2009, modified by Decree 085 of 2011
	Ministry of Interior	Chamber of Commerce	Law 52 of 1990, Article 3 Paragraph 1

Civil Society Organization	Agency Responsible for Oversight	Registry	Legal Justification
ESAL created to promote indigenous communities	Department Ministry		Federal Decree 1407 of 1991
	Bogotá Mayor's Office		Federal Decree 200 of 2003
Public entity associations	Department Ministry	Chamber of Commerce	Law 489 of 1998, Article 95
	Bogotá Mayor's Office		
ESAL that promote activities between public entities and private participation	Department Ministry	Chamber of Commerce	Law 489 of 1998, Article 96
	Bogotá Mayor's Office		
Shooting and hunting clubs and gun collector associations	Department Ministry	Department Ministry	Law 61 of 1993
	Bogotá Mayor's Office	Bogotá Mayor's Office	
Cultural	Department Ministry	Chamber of Commerce	Law 397 of 1997
			Federal Decree 1589 of 1998
			District Decree 558 of 2006
	Bogotá Mayor's Office Secretary of Culture, Recreation, and Sports		District Decree 627 of 2007
	District Decree 402 of 2013, modified - codified by Decree 619 of 2013 and Decree 245 of 2014		
Sports and recreation that do not pertain to the National Sport System.	Department Ministry	Chamber of Commerce	Law 181 of 1995
			Law 582 of 2000
			Law 1445 of 2011, Article 1
			Federal Decree 525 of 1990

Civil Society Organization	Agency Responsible for Oversight	Registry	Legal Justification
	Bogotá Mayor's Office Secretary of Culture, Recreation, and Sports		Decree 1227 of 1995
			Federal Decree 1228 of 1995
Environmental protection and renewable natural resources	Bogotá Mayor's Office Secretary of Environment	Chamber of Commerce	Law 99 of 1993, Article 106
	Department Ministry		Article 25 Decree 854 of 2001, modified by District Decree 358 of 2005
ESAL that provide services to children 0-6 years old in the Capital District that are not included in the ICBF registry (see ICBF below)	Bogotá Mayor's Office Secretary of Social Integration	Chamber of Commerce	Law 1098 of 2006
			District Agreement 138 of 2004
			District Decree 057 of 2009
			Resolution 325 of 2009 (Secretary of Social Integration)
Title, public property announcement, recovery, lease, and brokerage of housing	Bogotá Mayor's Office Secretary of Housing	Chamber of Commerce	Law 66 of 1968
			Law 9 of 1989
			Federal Decree 2610 of 1979
			Federal Decree 078 of 1987
	Outside of Bogotá, at secretary of municipal mayors		Federal Decree 2391 of 1989
			Resolution 044 of 1990 (Superintendencia de Sociedades)
			District Decree 100 of 2004
			District Decree 419 of 2008

Civil Society Organization	Agency Responsible for Oversight	Registry	Legal Justification
			District Decree 121 of 2008, Article 20 modified by Decree 578 of 2011
Parent - teacher associations	Department Ministry	Chamber of Commerce	Federal Decree 1068 of 1994
			Federal Decree 1860 of 1994
			Federal Decree 1286 of 2005
	Bogotá Mayor's Office Secretary of Education		District Decree 854 of 2001, Article 23
	District Decree 330 of 2008, Article 16		
Formal education, informal work and human development training	Department Ministry	Department Ministry, except for formal education that registers at local Chamber of Commerce	Federal Decree 525 of 1990
			Federal Decree 1860 of 1994
			Federal Decree 4904 of 2009
	Bogotá Mayor's Office Secretary of Education	Department Ministry, except for formal education that registers at local Chamber of Commerce	District Decree 059 of 1991, modified - codified by Decree 530 of 2015.
			District Decree 854 of 2001, Article 23
			District Decree 330 of 2008, Article 16
Private health	National Health Superintendent	Ministry of Health	Law 10 of 1990
			Law 100 of 1993
			Federal Decree 1088 of 1991
			Resolution 13565 of 1991 (Ministry of Health)

Civil Society Organization	Agency Responsible for Oversight	Registry	Legal Justification
	Department Ministry of Health	Department Ministry of Health	Resolution 1315 of 2006 (Ministry of Social Protection, now Ministry of Health)
	Bogotá Mayor's Office Secretary of Health	Bogotá Mayor's Office Secretary of Health	District Decree 059 of 1991, modified - codified by Decree 530 of 2015.
			District Decree 581 of 1995
Agriculture and peasant associations	Ministry of Agriculture & Rural Development	Chamber of Commerce	Federal Decree 1279 of 1994
			Federal Decree 2716 of 1994
	Non-national at secretary of municipal mayors		Federal Decree 2478 of 1999
	Decree 967 of 2001, Article 2		
	District Decree 622 of 1995		
Domestic public utilities committees for social control and development	None	Secretary of municipal mayors	Law 142 of 1994, Articles 62, 63, 64, 65 and 66
			Law 689 of 2001, Articles 10-11
			Federal Decree 1429 of 1995
		Bogotá Mayor's Office	District Decree 161 of 2005
			Decree 085 of 2011, number 10
Consumer leagues	Superintendent of Industry and Commerce	Secretary of municipal mayors	Decree 1441 of 1982
		Bogotá Mayor's Office	District Decree 085 of 2011 numeral 7
<i>Juntas of acción comunal</i> (JACs), community action and housing boards,	Department Ministry	Department Ministry	Law 743 of 2002
			Law 753 of 2002
			Decree Law 2893 of 2011, Article 12

Civil Society Organization	Agency Responsible for Oversight	Registry	Legal Justification
federations and confederations of community action			Federal Decree 890 of 2008
			Resolution 2070 of 1987, Ministry of Government
			Resolution 4688 of 1989, Ministry of Government
	In Bogotá District Institute of Community Action and Participation (IDPAC)	In Bogotá District Institute of Community Action and Participation (IDPAC)	District Decree 298 of 2006
Sports and recreation ESAL pertaining to National System of Sports	Colombian Institute of Sports (COLDEPORTES)	Department Ministry	Law 181 of 1995
			Law 582 of 2000
			Law 1445 of 2011 Article 1
			Federal Decree 525 of 1990
			Federal Decree 1227 of 1995
			Federal Decree 1228 of 1995
	Bogotá Mayor's Office Secretary of Culture, Recreation, and Sports	District Decree 402 of 2013	
	Resolution 163 of 2007		
Citizen oversight	Department Ministry	Chamber of Commerce	Law 850 of 2003
	Bogotá Mayor's Office		District Decree 267 of 2007, Article 30, replaced by Article 2 of Decree 502 of 2009, modified by Decree 085 of 2011
	None		Law 675 of 2001, Article 8

Civil Society Organization	Agency Responsible for Oversight	Registry	Legal Justification
Condominium associations		Office of Registration of Public Instruments where the condo title or deed is registered	District Decree 854 of 2001, Article 50
Indigenous councils	None	Ministry of Interior	Law 89 of 1890
			Federal Decree 1088 of 1993
			Law 962 of 2005, Article 35
			District Decree 085 of 2011 number 11
Higher education	Ministry of Education	Ministry of Education	Law 30 of 1992
Volunteer firefighter corps	National Directorate of Firefighters	Department Secretary	Law 1575 of 2012, Articles 18 literal B, and 24
<i>Casas cárceles</i> House jails		Prior approval from the INPEC	Law 65 of 1993, Article 23, modified by Article 14 of la Law 1709 of 2014
			Federal Decree 2758 of 1991
<i>Cajas de compensación</i> Compensation Funds	Superintendent of Family Credit	Superintendent of Family Credit	Law 21 of 1982
			Federal Decree 341 of 1988
Family welfare	Colombian Institute of Family Welfare (ICBF)	Colombian Institute of Family Welfare (ICBF)	Law 7 of 1979
			Law 28 of 1981
			Law 1098 of 2006
			Federal Decree 361 of 1987
			Federal Decree 276 of 1988
			Federal Decree 1422 of 1996
			Federal Decree 427 of 1996

Civil Society Organization	Agency Responsible for Oversight	Registry	Legal Justification
			Resolution 5068 of 2010 - ICBF
Private security	Superintendent of security and private surveillance	Superintendent of security and private surveillance	Law 161 of 1993
			Federal Decree 356 of 1993
			Federal Decree 2453 of 1993
Churches, denominations, their federations and confederations	None	Ministry of Interior through the office that registers religious ESAL	Law 133 of 1994
			Federal Decree 782 of 1995
			Federal Decree 1396 of 1997
			Federal Decree 1455 of 1997
			Federal Decree 354 of 1998
			Federal Decree 1319 of 1998
			Federal Decree 505 of 2003
Chambers of commerce	Superintendent of Industry and Commerce	Superintendent of Industry and Commerce	Article 78 of Commercial Code
			Decree 2153 of 1992
International NGOs	None	Chamber of Commerce, after providing suitable proof of its legal status in the country of origin Ministry of Interior	Article 48 of the Civil Code, modified by Decree 019 of 2012.
Political parties	National Electoral Council	National Electoral Council	Law 130 of 1994
			Resolution 4150 of 2003, National Electoral Council

Civil Society Organization	Agency Responsible for Oversight	Registry	Legal Justification
Author's rights	National Directorate for Author's Rights, Ministry of Interior	National Directorate for Author's Rights, Ministry of Interior	Law 23 of 1982
			Law 44 of 1993
			Federal Decree 3942 of 2010
Associations, federations, and confederations of retired persons	Ministry of Labor	Ministry of Labor	Law 43 of 1984
			Federal Decree 1654 of 1985
			Resolution 2795 of 1986 - Ministry of Labor
Labor and Employer Unions	Ministry of Labor	Ministry of Labor	Articles 364 y 365 of Substantial Labor Code, modified by Law 50 of 1990
Employee funds	Superintendent of Economic Solidarity	Chamber of Commerce	Law 79 of 1988, Article 131
			Law 454 of 1998
			Law 1391 of 2010
			Decree Law 1481 of 1989
			Federal Decree 2150 of 1995, Article 143
			Decree 1778 of 1998
			Federal Decree 186 of 2004
Mutual benefit associations	Superintendent of Economic Solidarity	Chamber of Commerce	Law 79 of 1988
			Law 454 of 1998
			Federal Decree 2150 of 1995
			Federal Decree 1798 of 1998
			Federal Decree 186 of 2004
Cooperatives of second and third grade, pre-cooperatives, and cooperative support organizations	Superintendent of Economic Solidarity	Chamber of Commerce	Law 79 of 1988
			Law 454 of 1998
			Law 1233 of 2008
			Law 1429 of 2010, Article 63
			Decree Law 1333 of 2008

Civil Society Organization	Agency Responsible for Oversight	Registry	Legal Justification
			Federal Decree 1798 of 1998
			Federal Decree 4588 of 2006
			Federal Decree 400 of 2008
			Federal Decree 2025 of 2011

Source: Camilo Rodriguez, Alcaldia Mayor de Bogotá, 2016.

Field Method to Obtain Data

Introductions were made for the Researcher to key government officials at the Mayor’s Office of Greater Bogotá in early 2013 by nonprofit organizations in Miami and Bogotá. Discussions were held with officials at the Mayor’s Office over the summer about working together to map the nonprofit sector of the country. There is no federal agency assigned to map the nonprofit sector in its entirety, but the capital district government held the most promise and experience. Previous mapping had been done in the capital district, spearheaded by Miguel Solano, a statistician at the *Subdirección SuperPersonas Jurídicas* (Legal Persons Department), a division of the Mayor’s Office of Greater Bogotá. *SuperPersonas Jurídicas* is the department responsible for “inspection, oversight, and control” (hereafter IVC) of the nonprofit sector in the capital district. The agency was managed by Deputy Director Dr. Bernardo Antonio Gonzalez Velez. Dr. Gonzalez is an attorney who hails from the Caribbean coastal city of Santa Marta. He was responsible for IVC of the more than 45,000 registered nonprofits in Bogotá

(Alcaldia, 2015, p.78), a city of some 7.98 million people—a population comparable to the country of Switzerland (DANE, 2005). Under Colombian tradition, a justification for collaborating with any outside entity, in this case the Indiana University Lilly Family School of Philanthropy (LFSOP), was needed prior to developing a Memorandum of Understanding (MOU). Therefore, in the fall of 2013, the *Justification for the Letter of Intention with Indiana University* was prepared and approved. Then the *Carta de Intención* (Letter of Intention) commonly referred to in the U.S. as an MOU, was signed by Dr. Dwight Burlingame on January 13, 2014 and signed and returned by Susana Muhamad, Secretary General of Mayor’s Office of Bogotá on February 20, 2014. Approval from the Institutional Review Board (IRB) was granted on February 25, 2014.³⁵

After the institutional relationship was formally established, Dr. Gonzalez assigned a team of four persons to the project, including himself. Data collection required one or more of three methods: 1. Formal letter of request on government letterhead; 2. In person meetings with officials; and 3. Telephone or email requests. Colombia has its version of a freedom of information act (Law 1581 of 2012 and National Decree 886 of 2014), but it was unclear which federal agencies are obligated to surrender information to the public and which are not and as well as at what level information can be divulged.

³⁵ See Appendix B for the IRB approval and C, D, and E for my translation of the justification letter, the copy of the signed MOU or *Carta de Intención*, and the letter of authorization, respectively.

1. Formal letters. Requesting databases from some entities required a formal letter of request from a government official on official letterhead. By virtue of his position as Deputy Director in the capital district, Dr. Gonzalez sent letters to federal agencies and the Comfecámara (which has stewardship over all chambers of commerce registries). The formal letters requested the most recent data in electronic format, preferably in an Excel spreadsheet format (tab delimited). In a few cases, a response was prompt, but the data were returned in a printed format or PDF file. In the case of printed format, these were scanned and then using optical character reader software, were converted to text or portable document format (PDF), and later to an Excel file. These were checked by a research assistant to confirm the resultant Excel file matched the printed records. Those databases that were received only after a formal letter are: COLDEPORTES, Author's Rights, Consumer Leagues, Private Security and Surveillance, *Cajas de Compensación* (Family Compensation Funds), and Chambers of Commerce, but information on the latter two are also available to the public via the internet.
2. In-person meetings. When formal letters proved fruitless, a face-to-face meeting was arranged with the director or other employees of an agency. The Researcher travelled to Colombia a number of times from January 2014 – November 2015 to meet with officials and gather data, including an extended stay from September through November 2014. Meetings were held with the following agencies on at least one occasion: Bogotá Chamber of Commerce, Secretaries of the capital

district, ICBF, condominium associations, Ministry of Interior for OACs and JACs, Presidential Agency for International Cooperation (APC) (formerly Ministry of Exterior) for international NGOs, Secretary General for the Department of Cundinamarca, and Legal Director for the Department of Antioquia. Two other meetings were useful. The first was the *Departamento Administrativo Nacional de Estadística* (DANE) (National Administrative Department of Statistics). DANE is the national census agency of Colombia and provided crucial geopolitical maps and census information for this dissertation. Future ESAL geocoding may include a municipal coding system provided by DANE, although the current website does not reflect this. The second meeting was with the Deputy Director of Strategic Analysis for the *Unidad de Información y Analisis Financiero* (UIAF) (Financial Analysis & Information Unit). The UIAF agency is the Colombian equivalent of the U.S. Central Intelligence Agency and National Security Agency rolled into one. Security and scanning for the meeting were thoroughgoing. No notes could be taken from this meeting and no computer equipment, cell phones, or even prescription eyeglasses were allowed. Among other tasks, the UIAF is charged with infiltrating activities by drug cartels and terrorism. Since nonprofit entities in Colombia have historically been used to launder monies, this study was warmly approved and welcomed by UIAF Deputy Director Javier Gutiérrez. Again, this study adds to the field of knowledge of civil society in Colombia since no government agency is assigned to collect and publicize the data. Nevertheless, it is probable the UIAF possesses the most accurate accounting of

ESAL of any agency. During the meeting the director informed me there were approximately 290,000 ESAL, but that given the covert nature of their mission, their policies prevented them from providing data. Findings show the director's estimate to be slightly low, but his declaration was far and away the most accurate of any agency or person encountered.

3. Telephone/Email. In six cases, a simple telephone call from the Author or Dr. Gonzalez's team resulted in the registry. Those agencies that openly released their data to the public did not discriminate against the Researcher as a foreigner, and expressly noted that availability of public records do not require citizenship.

Overcoming Barriers of Suspicion and Mistrust

Outside of the formal letters of requisition, consultation with personnel at different federal agencies was insightful. Meetings, phone calls, and emails were met with mistrust or wholly ignored. Some were vocal with their suspicions that surrendering the registry would risk the autonomy or health of the agency in some way, even if the law granted us access. The Colombian Institute of Family Welfare (ICBF) is an example of this bureaucratic mistrust. The data requested was published on the agency's public website, but would require many hours converting it into a readable format. Moreover, obtaining data from the source through proper channels would ensure the most current data and future collaboration. Dr. Gonzalez sent more than one letter to the director of the ICBF and these were followed up with several telephone

calls with no response. When that proved fruitless, he and the Researcher visited the ICBF headquarters unannounced and no employee of consequence or authority would give an audience, stating that no data would be available unless authorized by the director of the agency, who was unresponsive. While leaving, however, we were received by a young clerk in the *atención al ciudadano* (citizen-customer service) department to see about arranging a meeting with the director. After explaining the study, to our astonishment the clerk took our memory stick and immediately copied the latest registries, affirming it was unnecessary to meet with anyone over public data.

The representatives of the Secretaries in Bogotá, however, were remarkably progressive and fully enthusiastic. The Confecámara, which holds the majority of registrations, also surrendered the full database, but withheld some of the fields, citing privacy concerns of the legal representatives of each ESAL (e.g. their home addresses and cell phones). The Confecámara also offered their records on the condition that the data be used for academic purposes only and that no commercial gain could be had.

Unquestionably, the broadest reluctance came from the departments. Requesting ESAL registries (health and education) by Bogotá was viewed by most departments as a reversal on decentralization and a symbol of federal paternalism. Ultimately, only 3 out of 32 provided their data. They are Antioquia, Valle de Cauca, and Santander. In hindsight, it is not surprising that these three departments contain the three of the seven largest metropolitan areas after Bogotá—Medellin, Cali, and Bucaramanga—respectively, and their leadership were more visionary. For example, expecting the need to patiently coax leadership in Antioquia to buy into the study, a 12-

day stay in Medellin was arranged. The day after arrival the Author met with Erika Tatiana Sanchez Gomez, *Directora Asesoría Legal* (Legal Director) over the department of Antioquia and her staff. After explaining the study in the first 15 minutes, the director over ESAL exclaimed, “It’s about time somebody did this!” It took eight months for them to clean up the data and provide it for the Researcher.

Registries Not Obtained

Those registries not obtained are as follows:

1. Private health and Department Secretaries. The database for health related ESAL from Bogotá D.C. is included, as are those from the departments of Antioquia, Santander, and Valle de Cauca. No other health related ESAL from other departments or from the federal Ministry of Health were obtained.

It is unclear what, if any, records the federal agency has and no attempt has been made to retrieve them since the law expressly requires ESAL with health and education related missions registration at the department level. All 32 of the departments were invited to participate in this study. Nine of the 32 (28 percent) departments responded with interest in the mapping. They are: Atlántico, Boyacá, Caldas, Cundinamarca, Guaviare, Huila, Santander, Tolima, and Valle del Cauca. Of these, only Santander and Valle del Cauca actually surrendered their registries. However, Antioquia, which had not originally responded, later joined and provided all their records. Table 3 lists the 2016 population of Bogotá and the departments that participated in the study. These

four represent a total population of 21,246,615, which is 43.58 percent of the population of Colombia.

Table 3. Population of participating departments and districts

Department - District	Population
Bogotá D.C.	7,980,001
Antioquia	6,534,857
Valle de Cauca	4,660,741
Santander	2,071,016
Total	21,246,615

Source: DANE (2009). *Proyecciones Nacionales y Departamentales de Población 2005-2020*. Bogotá, Colombia

Figure 5 highlights these departments participating in the study. Further, the Central Region, comprising the Departments of Cundinamarca, Boyacá, and Huila, reported total numbers of ESAL, but did not turn over their records (Alcaldia, 2015). Nearly all of the coastal, Amazonas, and Orinoco Regions' departments never responded, either indicating they have no formal system to share, or are too protective and mistrustful of releasing their data.

Figure 5. Map of departments participating in the study (shown in dark).



2. Domestic public utilities committees for social control and development. The records for these related ESAL from Bogotá D.C. are included, but the law specifies that registrations happen on the municipal level with the respective secretary of municipal mayors or whomever the local mayor designates. Given

there are 1,101 municipalities, a suspicion of centralized power, and the fact that these ESAL types are very rare, no attempt has been made to collect these records. We found only two of these ESAL types in the chambers records, one in Bogotá and the other in Santa Marta, Magdalena.

3. Condominium associations. The name for this ESAL in Spanish is *propiedades horizontales*, which ironically means “horizontal properties.” In Bogotá, most of the condominiums are actually high-rise buildings, so “vertical properties” would seem more appropriate. These associations register at the Office of Registration of Public Instruments where the building or condominium project title or deed is registered. This would be similar to county land title recorder offices in the U.S. This ESAL type only applies to Bogotá D.C. and there is no IVC agency, so there is no federal or district agency that maintains a registry. The co-directors of the association of condominium associations report there are approximately 250 of these associations in the capital district and promised to send a spreadsheet list of these but did not follow through. Subsequent telephone calls were not returned.
4. Volunteer firefighter corps. After an extensive investigation, the Researcher was referred to Pedro Manosalva, whose title was Director of International Cooperation of the National Directorate of Firefighters of Colombia. Although initially enthusiastic over the telephone, no records were obtained and further phone calls and emails were not returned by Mr. Manosalva. He did note, however, that there are approximately 500 volunteer corps in Colombia. Some

of these registered with the chambers of commerce—and a search of chamber records returns 203 firefighter corps—but without the records from the directorate, no triangulation or checking can occur.

5. Indigenous councils. An attempt was made to contact the Ministry of Interior for these records, but has not been fruitful thus far. The website indicates there are six major indigenous organizations:

- *Confederación Indígena Tayrona.* (Indigenous Confederation of Tayrona).
- *Consejo Regional Indígena del Cauca.* (Regional Indigenous Council of Cauca).

This ESAL represents seven chapters of indigenous tribes. The Employee Fund of this ESAL is included in our database through a separate chamber of commerce registration.

- *Organización Nacional Indígena de Colombia.* (National Indigenous Organization of Colombia). This ESAL is included in our database through a separate chamber of commerce registration in Bogotá.

- *Organización de los Pueblos Indígenas de la Amazonía Colombiana.* (Organization of Indigenous Peoples of the Colombian Amazon). This ESAL represents 52 indigenous Amazon tribes (two of which live in voluntary isolation) representing 76,000 inhabitants. This ESAL is included in our database through a separate chamber of commerce registration in Bogotá.

- *Organización Zonal Indígena del Putumayo.* (Indigenous Organization of Putumayo Zone). This organization claims they have 128 *cabildos* or civil society chapters.

Table 4 lists the agencies that hold the registries, the method(s) used to collect the data, and the format in which the database was received. A total of 24 registries was collected. This includes 21 out of 24 possible federal or district registries, and 3 out of 32 possible departments. Formats are: Comma Separated Value (CSV), Microsoft Excel document (XLS), and Adobe Portable Document Format (PDF). Registries in Bogotá D.C. are shaded in beige, departments are shaded in orange, federal agencies have a white background, and the Confecámara (Chambers of Commerce) in blue.

Table 4. Registries of ESAL, Method of Collection, and Data Format Received.

Agency or Department	Letter	Meeting	Phone/Email	Format
Confecámara (Chambers of Commerce)	X	X	X	CSV
District IDR Clubs—Bogotá		X		XLS
District Institute of Community Action and Participation (IDPAC)—Bogotá: JACs		X		XLS
District Secretary of Culture, Recreation, & Sports—Bogotá		X		XLS
District Secretary of Education—Bogotá		X		XLS
District Secretary of Environment—Bogotá		X		XLS
District Secretary of Health—Bogotá		X		XLS
Colombian Institute of Family Welfare (ICBF)	X	X	X	XLS
Colombian Institute of Sports (COLDEPORTES)	X			XLS
Condominium Associations (no agency applicable)		X	X	—
INPEC: Casas Carceles (House Jails)			X	PDF
Ministry of Interior: Author's Rights	X			PDF
Ministry of Interior: Churches, Denominations, their Federations and Confederations			X	XLS
Ministry of Interior: Community Action Organizations (OAC)		X		XLS
Ministry of Interior: Indigenous Councils			X	—
Ministry of Interior: International NGOs		X		XLS
Ministry of Labor: Labor Unions			X	XLS
Ministry of National Education: Higher Education				XLS
National Directorate of Firefighters			X	—
National Electoral Council: Political Parties			X	XLS
Superintendency of Family Support: Cajas de Compensación/Credit Unions	X	X		PDF
Superintendency of Industry & Commerce: Chambers of Commerce	X			PDF
Superintendency of Industry & Commerce: Consumer leagues	X			PDF
Superintendency of Security and Private Surveillance	X			PDF
Antioquia	X	X	X	XLS
Valle de Cauca	X			XLS
Santander	X			XLS
Cundinamarca	X	X	X	—

Creating a Common Field Set

All 24 registries were converted to an Excel format (XLS) with column titles on the first row. Field sets for each database were unique, given there is no standard. Table 5 shows the distribution of fields across the databases. There were 52 fields types in the 24 registries. Three more were added for control: NTEE, ICNPO, and Database number.

Table 5. Field set for database

#	Field Name	Confecámara	IDRO Clubs -BOG	IDPAC -BOG IACS	Sec. Cult, Rec & Sports -BOG	Sec. Education -BOG	Sec. Environment -BOG	Sec. Health -BOG	IGB	COOPERATIVAS	INPEC: House Jails	Author's Rights	Ministerio: Churches	Ministerio: ONG	Ministerio: Internal NGOs	Min. Nat. Ed. Higher Ed	Cajas de Compensación	Chambers of Commerce	Consumer leagues	Super Sec & Private Surv	Antioquia	Valle de Cauca	Santander
1	Name	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
2	City	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
3	Commercial Address	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
4	Commercial Phone	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
5	Department	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
6	Legal Representative	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
7	Email	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
8	Unique ID number	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
9	Date Registered - Founded	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
10	Activity	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11	NIT	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12	Website	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13	Local - Barrio - UPZ	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
14	Code: Registration status	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
15	Fax	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
16	Last Year Renewed - Modified	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
17	Solicitud - Resolution - Decree	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
18	Mobile phone	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
19	Code: Category	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
20	Code: CSO Type	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
21	Employees - Members	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
22	Fiscal Address	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
23	ID Class	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
24	Legal Representative ID Number	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
25	Approved	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
26	DIAN code	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
27	Acronym	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
28	Chamber code	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
29	Code: Legal Person Type	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
30	Fiscal Phone	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
31	Legal Representative ID Type	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
32	Renewal Date	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
33	Verification Digit (Chamber)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
34	Accredited, Date Accredited	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
35	Cancellation Date	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
36	Chamber Benefit Indicator	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
37	CIU	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
38	Commercial Municipal Code	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
39	Date Beginning Economic Activity	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
40	Endowment	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
41	File - Folder	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
42	Fiscal Auditor	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
43	Fiscal Auditor ID Number	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
44	Fiscal Auditor ID Type	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
45	Fiscal Municipal Code	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
46	Grade - Level	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
47	Hours of Attention	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
48	Income: Operations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
49	Income: Other	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
50	Merchant registration ID	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
51	Number Locations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
52	Social Capital	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
53	NTEE																						
54	ICNPO																						
55	Database number																						

The field titles were then mapped on all column titles of all spreadsheets. For example, the same column that included city field data in each spreadsheet was given the consistent column title “city,” instead of variants of “city” from the original spreadsheets such as locale, barrio, municipality, and so forth.

Server Database and Lily Padding

Structured Query Language (SQL) is the most popular database in the world. MySQL is a fast, stable and true multi-user, multi-threaded SQL database server. The MySQL database was selected for this project in order to handle the hundreds of thousands of records this case study would contain on a server used by potentially thousands of users worldwide. We, a programmer and the Researcher, used PHP as the programming language of the server, using scripts on the server side to search for data. To safeguard stability, compartmentalize database updates in the future, and assure speed, we developed the server side web-based server in a clever array of separate but interconnected database tables, a process sometimes called *lily padding*. Contrasted with a single database that holds all of the records, each spreadsheet registry would be imported into its own database table (a lily pad) and the 24 database tables would work together during searches. In technical terms, MySQL supports multithreaded searches, and each lily pad is its own thread. With asynchronous programming, queries to the server are returned on each thread, sorted, and then displayed, in this case, on a map. This process is lightning fast, because the whole database isn't a single thread with queries always searching through all records for a keyword. In laymen's terms, if the

user searches, for example, for the keyword “refugee” and selects three registries (e.g. Churches, International NGOs, and ICBF), the search sends workers to the three selected lily pads only to look for the word “refugee” in their records, skipping the other 21 database tables. When these workers come back, in the order they finished the search, they each get to share the map and upon return immediately sort and draw their own payload of markers on the map. Thus, instead of a single worker looking through millions of fields in hundreds of thousands of records alone and placing markers on a map alone, multiple workers simultaneously search through a limited number of database tables and draw the results as points on a map simultaneously.

Cleaning Data: Bad characters, Bad Addresses and Inconsistencies

After columns titles were made consistent across all the spreadsheets, and the matching MySQL database fields/tables developed, a test was done to confirm field data integrity. The spreadsheets from the secretaries of Bogotá (education, culture, and environment) were imported to the MySQL database and then sent to Google Earth to geocode each record (Geocoding is more fully discussed later). The test proved insightful. The spreadsheet registries given by the various agencies were developed in different character sets as expected (i.e. different versions of Spanish, of Excel, and of the operating system used), and errors were not noticed or displayed until they were imported into MySQL and were geocoded. Tens of thousands of bad characters in the data were found. Some of this was due to user input error, but most of it was due to accent characters in versions of the Spanish language keyboard. For example, the

proper spelling of Colombia's capital city is "Bogotá" with the accent on the letter "a." Versions of Excel or text documents and operating systems used different underlying characters to display "á" on the screen, and importing the spreadsheets into MySQL rendered the character and word as "BogotÃ¡" or "BogotÃ±." We found similar random character assignments with accents on the letters "i" and "o" as well (e.g. Ã¡ = í, Ã- = í, Ã³ = ó). Left uncorrected, Google Earth could not geocode properly and some addresses showed up in Mexico or Africa. Worse still, selecting a bad address would crash the server, return an empty query, or rendered searches inoperable. Figure 6 displays an example in a spreadsheet of what these bad characters do to the process of geocoding. In column C on entries three and four in the example, bad characters returned an address in Yucatan, Mexico. Some of the programmatic errors were fixable by the team at Google Earth, but they were not responsive to our requests. An extensive and iterative "find and replace" routine of all discovered bad characters consistent with the latest version of Excel and MySQL on U.S. English keyboard character sets was performed. In addition, across the 24 registries many variations of data entry for the capital city were found, such as: BOG, BOGOTA, Bogotá, Bogota D.C., D.C., DC, BOG DC, and so forth. To prevent search discrepancies, even when there were no bad characters, all variations of Bogotá were replaced with a single spelling, proper case, and accent. There were some 54,400 tokens updated—53, 864 of these were in the city field and the rest were in the name of the ESAL or street address.

Figure 6. Sample geocoded return of addresses due to bad characters

C	D	E
address	longitude	latitude
Cra. 50, Bello, Bello, Antioquia, Colombia	-75.5580224	6.329697700
Cra. 45 27-16, Medellín-n, Medellín-n, Antioquia, Colombia	-75.5728496	6.2283764
Calle 34, Campestre, Mérida, Yuc., Mexico	-89.6138077	21.010122
Calle 23, Caucel, Yuc., Mexico	-89.693261	21.0079726
Cl. 30 50-50, Cartagena, Cartagena, Bolívar, Colombia	-75.5063897	10.4038658
Colección de Arte Banco de la República Bogotá, Bogotá, Cundinamarca	-74.07341	4.59696
Cra. 10, Los Patios, Los Patios, Norte de Santander, Colombia	-72.5143095999999	7.8205599
Cra. 1, San Andrés, San Andrés, San Andrés y Providencia, Colombia		
Cra. 11, Santander de Quilichao, Santander de Quilichao, Cauca, Colombia	-77.1830479	3.0148204
Cra. 9, Mocoa, Mocoa, Putumayo, Colombia	-76.6483873	1.1533348
Ak 68 90-88, Bogotá, Bogotá, Colombia	-74.0742732	4.687544

In addition to Bogotá, there are 10 departments that have accents in their names plus the Department of Nariño has the “ñ” character. Many cities also have accents in their names, such as Medellín. The “find and replace” method of bad characters and naming variations of data entry with all other known cities and departments was repeated one by one.

The spreadsheet databases were then imported into a FileMaker Pro flat file database. FileMaker is known for its robustness and speed on the desktop, allowing quick searches on hundreds of thousands of records. In Filemaker Pro, a general cleaning of the data was performed. A search for duplicate records found a few hundred ESAL in Bogota secretary databases that were also registered in the chamber of commerce. It is believed that during the RUES period, some registrants unnecessarily believed they needed to update their records at the chamber in addition to the secretary. Since *PersonasJuridicas* retains jurisdiction of IVC over these records, chamber’s duplicates were deleted, as well as empty records that were prevalent in

most of the registries. The cleaning of the data was reviewed by a second party and programmer.

Total Records

The total number of records and the most recent date of the database registries are presented in Table 6. They are divided into capital district, federal or national, and departmental sources and then alphabetized by name within the divisions. The total number of civil society records collected are 296,467. Beyond these, an extrapolation of total records is estimated in the Findings chapter had all registries responded.

Table 6. Total records by registry

Agency or Department	Latest Date	Total Records
Bogotá D.C.		
District IDR Clubs—Bogotá	3/20/15	935
District Institute of Community Action and Participation (IDPAC)—Bogotá: JACs	10/1/15	1,729
District Secretary of Culture, Recreation, & Sports—Bogotá	10/27/15	938
District Secretary of Education—Bogotá	10/27/15	994
District Secretary of Environment—Bogotá	10/27/15	590
District Secretary of Health—Bogotá	10/27/15	488
Federal or National		
Comfecámara (Chambers of Commerce)	7/20/15	253,228
Colombian Institute of Family Welfare (ICBF)	6/19/15	338
Colombian Institute of Sports (COLDEPORTES)	5/5/15	65
INPEC: Casas Carceles (House Jails)	12/31/14	12
Ministry of Interior: Author's Rights	1/22/15	6
Ministry of Interior: Churches, Denominations, their Federations and Confederations	3/18/15	5,284
Ministry of Interior: Community Action Organizations (OAC)	8/4/15	36
Ministry of Interior: International NGOs	12/1/12	346
Ministry of Labor: Labor Unions	2/1/14	10,640
Ministry of National Education: Higher Education	3/1/15	359
National Electoral Council: Political Parties	12/1/15	14
Superintendency of Family Support: Cajas de Compensación/Credit Unions	1/25/15	44
Superintendency of Industry & Commerce: Chambers of Commerce	1/8/15	58
Superintendency of Industry & Commerce: Consumer leagues	6/26/15	156
Superintendency of Security and Private Surveillance	1/14/15	51
Departments		
Antioquia	7/17/15	9,654
Santander	12/31/14	5,565
Valle de Cauca	4/10/15	4,937
	Total	296,467

NTEE and ICNPO Taxonomies

One of the expected outcomes for this study is to increase visibility for Colombian nonprofits by U.S. grant making foundations. As Colombia continues to globalize, the for- and non-profit sectors conform closer to U.S. and global practices and policies.³⁶ As such, the National Center for Charitable Statistics' (NCCS) National Taxonomy of Exempt Entities (NTEE) codes were applied in this study as the primary taxonomy classification (NCCS, 2003) because of the codes' specificity. Application of NTEE codes to ESAL contributes greater knowledge about the nature and make up of civil society in Colombia. Furthermore, it should favorably aid in cross-border grant making to Colombia by allowing foreign foundations to identify recipient organizations that share similar missions. The NTEE classification system has three levels: major groups, decile level groups, and centile level groups. There are 26 major groups as shown in Table 7:

Table 7. NTEE Major Group Codes

A - Arts, Culture & Humanities
B - Education
C - Environment
D - Animal-Related
E - Health Care
F - Mental Health & Crisis Intervention
G - Voluntary Health Associations & Medical Disciplines

³⁶ The U.S. is Colombia's largest trading partner, and the passage of the free trade agreement "United States-Colombia Trade Promotion Agreement (CTPA)" or *TLC* in Spanish, went into effect on May 15, 2012 and will increase trade and philanthropy between the two nations. See: <http://www.ustr.gov/uscolombiatpa>

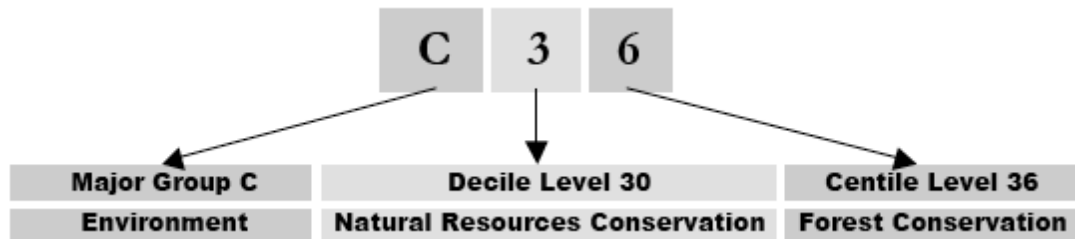
H - Medical Research
I - Crime & Legal-Related
J - Employment
K - Food, Agriculture & Nutrition
L - Housing & Shelter
M - Public Safety, Disaster Preparedness & Relief
N - Recreation & Sports
O - Youth Development
P - Human Services
Q - International, Foreign Affairs & National Security
R - Civil Rights, Social Action & Advocacy
S - Community Improvement & Capacity Building
T - Philanthropy, Voluntarism & Grantmaking Foundations
U - Science & Technology
V - Social Science
W - Public & Societal Benefit
X - Religion-Related
Y - Mutual & Membership Benefit
Z - Unknown

Codes from the decile and centile levels are sometimes referred to as “core codes” or “CC.” There are about 400 core codes. The NTEE-CC uses a mixed notation numbering system as follows:

- Major Groups (1st Digit): Letter
- Decile Level Codes (2nd Digit): Number
- Centile Level Codes (3rd Digit): Number (or, infrequently, a letter)

As an example of the components of a typical core code, C36 Forest Conservation, is shown in Figure 8:

Figure 8. NTEE sample core code breakdown



Where possible, NTEE codes have been assigned to the records with the major code, the decile code, and the centile code.³⁷ There is a fourth character that indicates the organization in other functions other than direct service. These are called “common codes.” Common codes are not used by NCCS and are not assigned in this study. Four difficulties arose in assigning NTEE codes:

1. Spelling. Poor spelling of the name during original ESAL registration made it difficult to search for entities to properly assign. For example, NTEE code B94 is for Parent & Teacher Groups. In Spanish these groups are called *Asociación de Padres de Familia* (Parents of Families Association). Many of these names were poorly spelled, such as the ASOCIACION DE PEDRES DE FAMILIA DEL COLEGIO JOSE MAX LEON where *Padres* is spelled incorrectly. *Familia* and *Asociación* could also be misspelled. Thus, to improve accuracy of NTEE assignments, multiple searches over various keywords was done to capture all applicable ESAL for a given NTEE code. These searches were iterative. First NTEE codes were

³⁷ Decile and Centile codes were not determined for all ESAL as such level of detail was unavailable or not applicable in the Colombian context. The NTEE 26 major groups were translated into Spanish by Michael Layton (2011) of *Centro Mexicano de Filantropía (CEMEFI)*. Layton’s translation is utilized here for consistency.

assigned to all those *Padres de Familia* ESAL that were correctly spelled. Then a series of searches were run for other key words in the translated description of the code title, omitting those already assigned an NTEE code in each query round. In some cases, searches for keywords that were intentionally spelled incorrectly were conducted which returned records as well. Figure 9 shows results of the search keyword *Familia* (Family), where the word *Asociación* (Association) was misspelled in most of the entries. No attempt to correct spelling in the original records was made since this would invalidate the actual name of the ESAL in the official registries.

Figure 9. Sample results of incorrect spelling of ESAL name (e.g. *Asociación*)



ASOCIAC ION DE PADRES DE FAMILIA
ASPOCIACION DE PADRES DE FAMILIA
ASDOCIACION DE PADRES DE FAMILIA
PADRES DE FAMILIA DEL COLEGIO
ASOCIACON DE PADRES DE FAMILIA
ASOCIACCION DE PADRES DE FAMILIA
ASOCIACIACION DE PADRES DE
ASOCION DE PADRES DE FAMILIA Y
ASOCIAXCION DE PADRES DE FAMILIA
ASOCIAON DE PADRES DE FAMILIA DE
ASOCION DE PADRES DE FAMILIA
ASOCIAION DE PADRES DE FAMILIA
ASOCIAION DE PADRES DE FAMILIA
ASOCIAON DE PADRES DE FAMILIA
ASOIACION DE PADRES DE FAMILIA
JUNTA DE PADRES DE FAMILIA DE LA

2. Overlap. A few ESAL titles made it difficult to determine which NTEE code to assign to it. For example, the long name CORPORACION GRUPO DE INVESTIGACION GESTION Y EDUCACION AMBIENTAL LIBELULA QUE PARA EFECTOS DE PUBLICIDAD Y COMERCIO SE DENOMINARA is translated as DRAGONFLY GROUP OF RESEARCH, MANAGEMENT, AND ENVIRONMENTAL EDUCATION FOR PURPOSES OF PUBLICITY AND TRADE. The NTEE code C05 applies to Environmental Research Institutes & Public Policy Analysis and code C60 applies to Environmental Education. Either of these codes could apply to the ESAL. Sometimes an educated guess was required, but rarely was more than one NTEE code assigned since this would result in a duplicate ESAL if showing results by NTEE code. No triangulation or checking on NTEE coding could be made without interviewing each ESAL. Given the sheer number in question, this task falls outside the scope of this study. On the website, explained below, record modification has not been disabled in the current version. This will allow staff of ESAL to modify their record to reflect a more accurate NTEE or assign one where none was applied.
3. No U.S. NTEE equivalent. Colombia has some civil society types that do not exist in the U.S. biased NTEE coding system. Table 8 lists the number of cases found of these ESAL and how they were coded.

Table 8. ESAL without direct U.S. equivalents under NTEE coding system

ESAL Type	Cases	Taxonomy Assignments
Pharmacies	304	E - Health Care and 2400 - ICNPO
Private Security	51	I20 - Crime Prevention and 4100 - ICNPO
House Jails	12	I44 - Prison Alternatives and 7200 - ICNPO
Tourism agencies	771	N - Recreation & Sports and 1 - ICNPO
Political parties	14	R20 - Civil Rights and 7100 - ICNPO
Cajas de Compensación	44	Y43 - Voluntary Employees Beneficiary Assoc. and 6100 - ICNPO

4. Vague ESAL name. A full 20 percent of the ESAL had names that revealed no mission identifying keywords, such as FUNDACION UNIDOS POR LAS ISLAS (United for the Islands Foundation) or FUNDACION ABUELO BUHO (Grandfather Owl Foundation). These ESAL were assigned the NTEE major code Z Unknown.

In 2003, the United Nations published the *Handbook on Non-Profit Institutions in the System of National Accounts* as an attempt to create a uniform cross-national system of taxonomy. The Handbook is based on the International Classification of Non-Profit Organizations (ICNPO) developed by Johns Hopkins for the Global Civil Society Index (Salamon, 2004). Forty-two countries participated in the Hopkins study, including Colombia. The ICNPO is divided into 12 major groups with limited minor groups, as shown in Table 9:

Table 9. International Classification of Non-Profit Organizations (ICNPO) major and minor groups

GROUP 1: CULTURE AND RECREATION
1 100 Culture and Arts
1 200 Sports
1 300 Other Recreation and Social Clubs
GROUP 2: EDUCATION AND RESEARCH
2 100 Primary and Secondary Education
2 200 Higher Education
2 300 Other Education
2 400 Research
GROUP 3: HEALTH
3 100 Hospitals and Rehabilitation
3 200 Nursing Homes
3 300 Mental Health and Crisis Intervention
3 400 Other Health Services
GROUP 4: SOCIAL SERVICES
4 100 Social Services
4 200 Emergency and Relief
4 300 Income Support and Maintenance
GROUP 5: ENVIRONMENT
5 100 Environment
5 200 Animal Protection
GROUP 6: DEVELOPMENT AND HOUSING
6 100 Economic, Social and Community Development
6 200 Housing
6 300 Employment and Training
GROUP 7: LAW, ADVOCACY AND POLITICS
7 100 Civic and Advocacy Organizations
7 200 Law and Legal Services
7 300 Political Organizations
GROUP 8: PHILANTHROPIC INTERMEDIARIES AND VOLUNTARISM PROMOTION
GROUP 9: INTERNATIONAL
GROUP 10: RELIGION
GROUP 11: BUSINESS AND PROFESSIONAL ASSOCIATIONS, UNIONS
GROUP 12: [NOT ELSEWHERE CLASSIFIED]

In addition to NTEE codes, the ICNPO major and minor group codes were applied where possible.

Geocoding

After NTEE and ICNPO codes were applied, the registries were again exported back to Excel documents and columns were added for longitude and latitude. These were then processed through Google Earth to assign a geocode to the ESAL. The geocoding process assigns a longitude and latitude to the provided street address (by city and department) so these can be pinned on a map. After processing 145,700 records, significant errors were discovered in the geocoding due to addresses poorly entered in the registries and Google's rigid and unforgiving geocoding criteria in Spanish. Most of the points on the map were incorrect and once again pinned ESAL with random coordinates such as Africa or the middle of the Pacific Ocean. Bogotá and most Colombian cities are laid out in a grid with *streets* running north and south and avenues or *routes* running east and west. When registering their ESAL, many Colombians abbreviated the word *calle* (street) to CL, CLL, CLLE, and other variations. They also abbreviated *carrera* (route or street) to CRRR, CRA, CR, etc., or in both cases added too many spaces or a period afterward. A majority of addresses in the country contain both *calle* and *carrera* words as coordinates and both are usually abbreviated, such as this example: "CLL 127-35 CRA 76b." Google Earth was unable to discern non-standard

abbreviations and extra spaces and periods broke the address parsing routine. Though not exhaustive, Table 10 lists the major anomalies and the number that were found.

Table 10. Address field anomalies

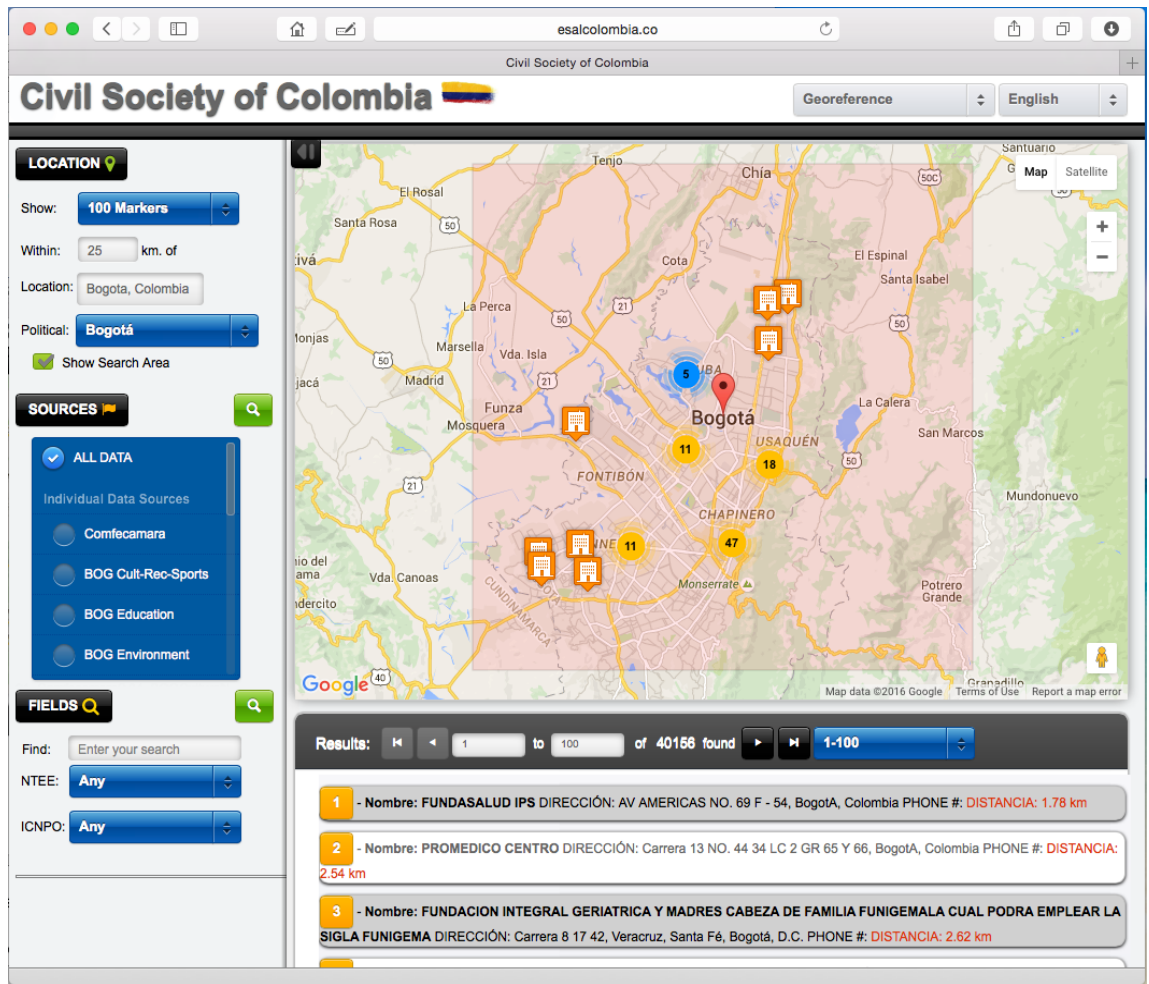
Anomaly	# of Errors
CL	61,177
CRA	27,558
CR	39,171
Carrera . (space period)	14,743
Calle . (space period)	11,209
CARRERA	17,542
CALLE	31,044
Three spaces after calle	45,918

In all 24 registries, all the address fields were searched for anomalies and replaced with the full words *Calle* and *Carrera*. Geocoding was again completed. The second time around an industrial system of geocoding was employed called Architecture as a Geographic Information System (ArcGIS). Geocoding with ArcGIS was much smoother and many times faster. Google Earth would process 2000 records per day, but ArcGIS did the entire database set within a few hours. Geocoding was done in groups of 20,000 records and then reviewed for errors. Significant errors on field alignment were discovered between series 48,000 – 62,000 of the *Confecámara* registry and later on as well. In all, another 120,000 records were recoded for accuracy. ArcGIS stores geocoded data in a proprietary format. After all 24 registries were properly geocoded, a public domain application called QGIS (previously known as Quantum Geographic Information System) was used to convert ArcGIS files into CSV files. Then using an application called Navicat for MySQL, the CSV files were uploaded into MySQL for web access.

Website: <http://esalcolombia.co>

Over the course of six months, a website was created to host the civil society database. The site was launched December 15, 2015 and registered with a Colombian domain (.co). This site is available to the public at no charge and requires no user or password access. Figure 10 is a screenshot of the home page. The main view shows search options on the left panel with the map at the right. You can select ESAL within a location, by database source, or search by NTEE or ICNPO. If you click on a pin/marker, a balloon pops up with contact information about the ESAL plus a link to the street view of the entity. For geocoding, a 72% perfect *match* to the front door was obtained and the rest to the street and department. The Ministry of Labor would not include a street address in the labor union registry, ostensibly to protect the unions from corporate retaliation. In this case, markers on the map point to the center of the city or department. ArcGIS returned a 2.1% error rate where the ESAL could not be geocoded. Below the map is the found set of records searched for. The footer includes copyright information and logos. The website can be localized to English or Spanish.

Figure 10. Civil Society of Colombia website



The menu that reads “Georeference” is the View menu and you can select “NPOs by Department” which displays a map of Colombia and shows NPO density by population for each Department. The List view is the raw database. It is optimized to run searches through all the fields of all 296,467 records in less than 2 seconds (about 1.18 million fields per second). This was done to optimize the search for limited bandwidth and firewalls in Colombia. Further, given that Colombia is a developing nation, the website was programmed to consider various browsers (Internet Explorer,

Chrome, Firefox, Safari) and their older versions using backward compatible HTML/CSS (hypertext markup language/cascading style sheets) versions. This will encompass most user experiences up to six-year-old computer systems. Record modification has not been disabled in this version. The first filter used on the website search is the distance. After the search point and distance are specified, the registries are then searched within the geographical parameters. The web pages were written in Javascript, which loads a PHP query to the MySQL server and then translates what PHP returns into map coordinates and then draws them on the map. In many cases, mapping programs use a variable to find data points within a radius of a specified distance, such as 25 miles. Radial searches are popular but choke the server and are slow. To avoid this with the volume of records in this study, the webpage employs a query of latitude and longitude in a square from the requested search point. If the user wants to search all ESAL within 25 km of, say, Cartagena, the northwest corner and southeast corner latitudes and longitudes 25 km out from Cartagena are used and create a range box. This speeds up the queries and gives the user a real time experience. In short, the site is fast and stable for users of a developing nation with limited bandwidth. The technical specifications for the server are found in Appendix F.

CHAPTER FOUR

FINDINGS

Introduction

This chapter answers the research question of Colombia's civil society size and scope in that order. The total number of ESAL found is 296,467. This represents an estimate of 98.60 percent of all ESAL in the country. The Size section below presents tables and figures by departments and regions to give meaningful appreciation of the size of the country's civil society. A full map of all ESAL is then presented. Given the sheer numbers involved, however, only a visual sense of location is comprehended, and the ESAL taxonomical types are examined in maps later on. After the full map, a comparison of the size of Colombia's civil society sector with other countries in the Americas is provided with the most current data available. Then based upon department secretary data obtained, an extrapolation of the total number of ESAL in Colombia is estimated for those records not obtained. Additional maps depict the size of the sector in Bogotá.

The Scope section is divided into several areas. The first area compares Colombian ESAL types obtained with, where possible, their U.S counterparts under the IRS 501(c) classification. The second area presents Colombian civil society taxonomically and consolidates the 26 major NTEE groups into ten subsectors. This simplifies charts and maps which otherwise would be too unwieldy. The third area examines findings

under the ICNPO taxonomy, in a similar format as the NTEE subsectors. Finally, a series of maps by registry and ten sample comparison maps by NTEE code.

Size of Sector

Total ESAL by Political Geography

Table 11 lists the distribution of ESAL found in each department and region. The region is shaded in a light green and the departments that pertain to the region are listed below it. The 2015 population column is based on DANE population look-up tables the agency extrapolated from the 2005 census (2005). A simple division gives us the number of inhabitants per ESAL in each department and region. On average, there are 163 inhabitants for every ESAL. In other terms, there are 61.5 ESAL for every 10,000 inhabitants. Note there are 22 ESAL that could not be assigned to a department or the capital district as the original records had no key words to indicate a political boundary and permission was not granted to attempt contact. These were religious ESAL from the Ministry of Interior churches registry. The Insular region (archipelago of San Andrés and Providencia) is hereafter included in the Caribbean region.

Table 11. Total ESAL by region and departments (alphabetical by region)

Regions-Departments	Population 2015	Total ESAL	Inhabitants per ESAL
Amazonas	1,095,296	6,877	159
Amazonas	76,243	498	153
Caquetá	477,642	2,243	213
Guainía	41,482	132	314
Guaviare	111,060	591	188

Putumayo	345,204	3,314	104
Vaupés	43,665	99	441
Andean	26,776,699	169,951	158
Antioquia	6,456,299	34,368	188
Bogotá	7,878,783	47,663	165
Boyacá	1,276,407	8,662	147
Caldas	987,991	5,101	194
Cundinamarca	2,680,041	14,971	179
Huila	1,154,777	11,200	103
Norte de Santander	1,355,787	7,094	191
Quindío	565,310	4,128	137
Risaralda	951,953	6,239	153
Santander	2,061,079	20,813	99
Tolima	1,408,272	9,712	145
Caribbean	10,442,134	57,618	181
Atlántico	2,460,863	13,479	183
Bolívar	2,097,161	12,181	172
César	1,028,890	6,974	148
Córdoba	1,709,644	6,900	248
La Guajira	957,797	5,086	188
Magdalena	1,259,822	5,970	211
San Andrés y Prov.	76,442	628	122
Sucre	851,515	6,400	133
Orinoco	1,652,102	10,949	151
Arauca	262,315	1,544	170
Casanare	356,479	3,621	98
Meta	961,334	5,612	171
Vichada	71,974	172	418
Pacific	8,237,174	51,050	161
Cauca	1,379,169	7,834	176
Chocó	500,093	2,517	199
Nariño	1,744,228	11,181	156
Valle del Cauca	4,613,684	29,518	156
Sub-Total	48,203,405	296,445	163
	Not assigned:	22	
Total ESAL		296,467	

Figure 11 displays the above data in a pie chart by percentage of total by region.

More than half of all ESAL in Colombia are in the Andean region. This includes the capital district and surrounding departments. It also includes the *paisa* region of Antioquia, Caldas, and Risaralda. The next largest region is the Caribbean with 20 percent. This region includes the large coastal cities of Cartagena and Barranquilla with significant cultural and ethnic ESAL. The region also includes the Department of Córdoba, which received a large number of IDPs during the armed conflict. Today, Monteria, the capital of Córdoba, is a base for human services ESAL for victims.

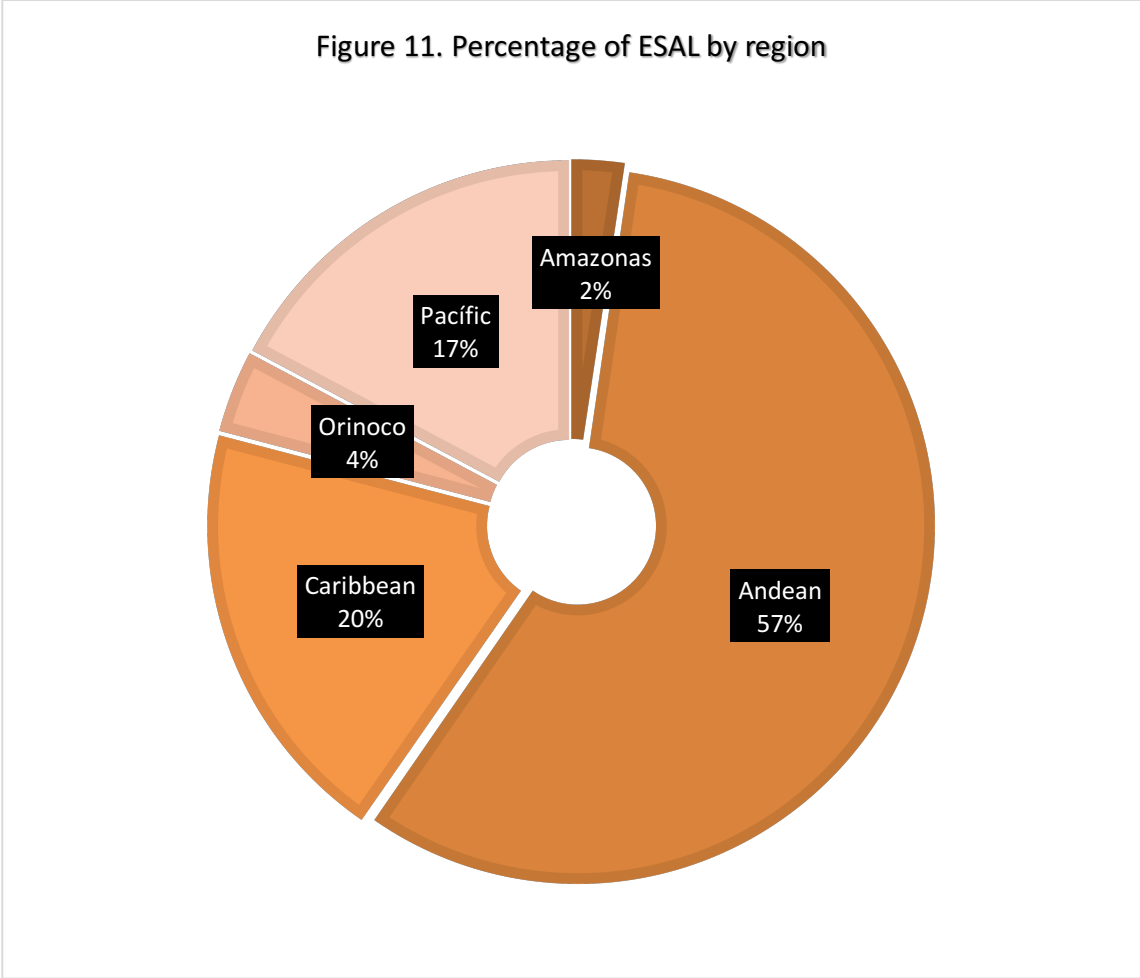
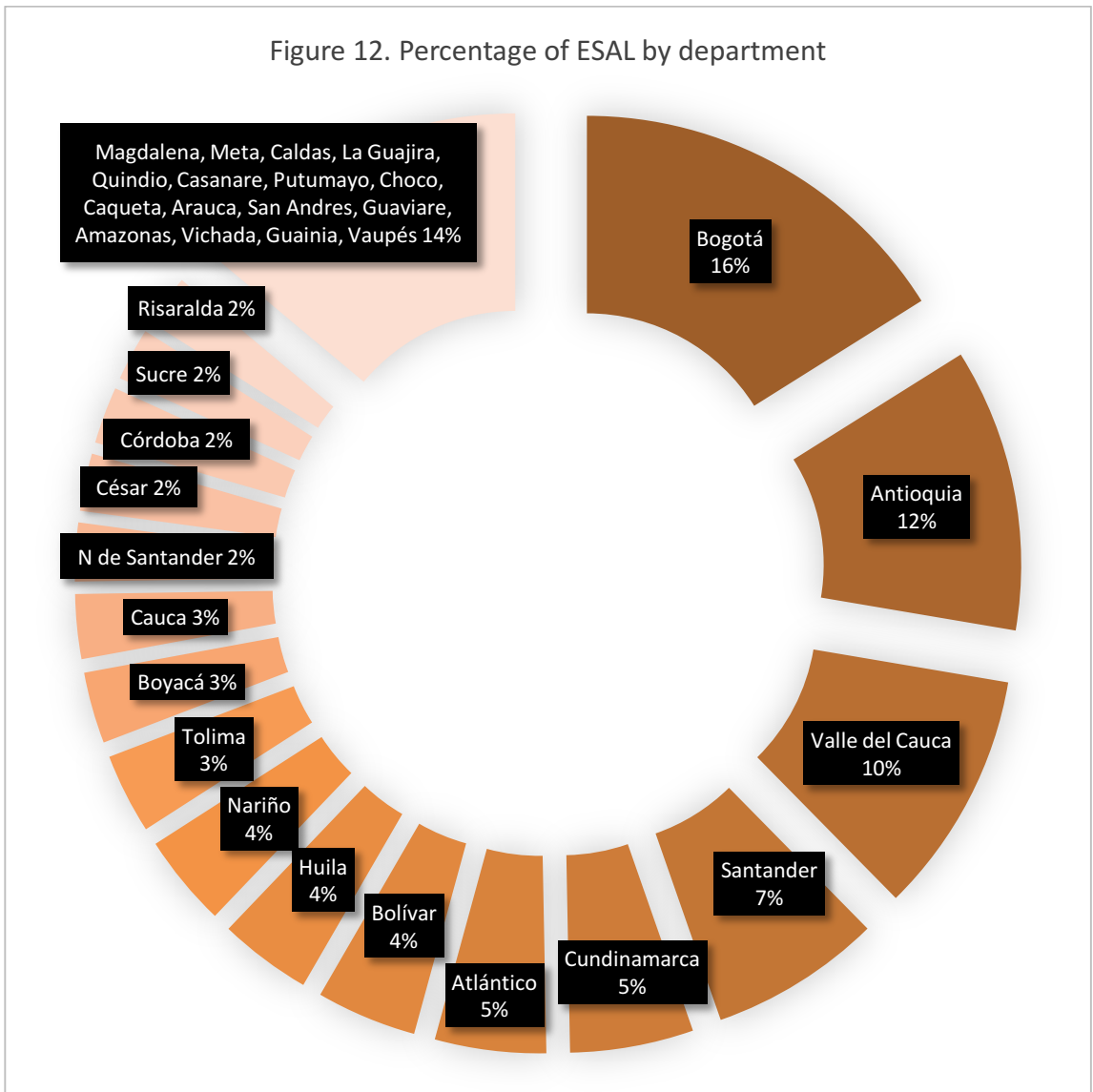


Figure 12 displays ESAL data by percentage of total in a pie chart by department. To make the chart readable, the smallest 16 (out of 32) departments are combined and comprise a total of 14 percent of all ESAL in Colombia. Bogotá, therefore, has more ESAL than the lowest half of the country combined (even with Risaralda included).



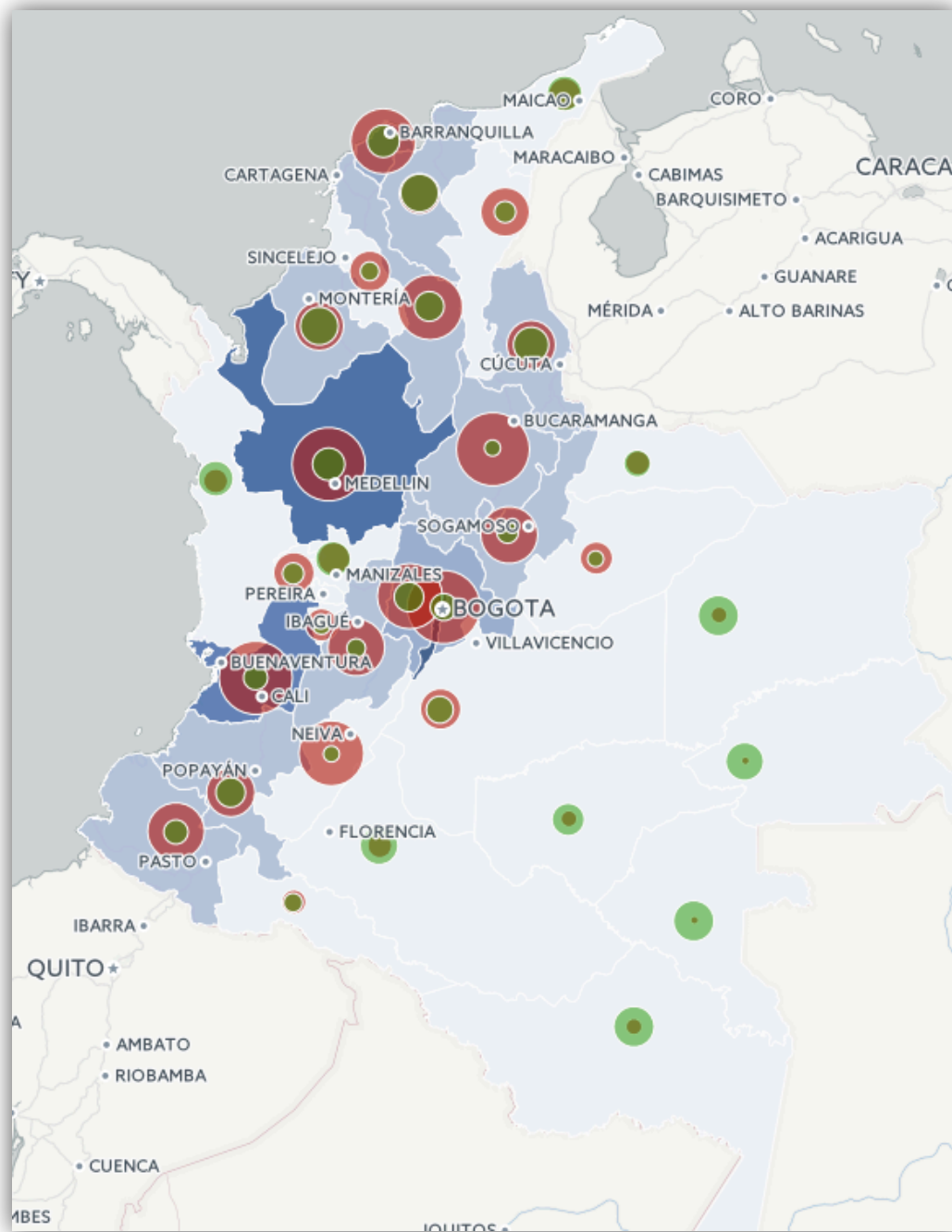
Although one might expect a higher percentage of ESAL in the capital city, Bogotá has 16.3 percent of the country's population and 16.07 percent of the ESAL in

the country as well. The difference between percentage of population and the percentage of ESAL in the departments is generally small except for a few Amazonian departments where ESAL percentages are considerably lower. For example, the top three departments follow Bogotá's symmetry: Antioquia (Medellín) has 13.4 percent of the population and 12 percent of ESAL; Valle de Cauca (Cali) has 9.6 percent population and 10 percent ESAL; and Atlántico has 5.1 percent population and 5 percent ESAL. Two departments stand out. First, Santander only has 4.3 percent of the population and yet boasts 7 percent of ESAL. This may be attributed to the fact that Santander is one of three departments whose health and education registries are included in this study. Second, the tropical Department of Casanare has only 356,479 inhabitants, or just 0.74 percent of the population and yet has 1.22 percent of all ESAL in the country (this may be attributed to Casanare's capital city's proximity to Bogotá, a mere 347 km away). In other words, there is an ESAL for every 98 inhabitants in Casanare and an ESAL for every 99 inhabitants in Santander. By contrast, in the Amazonian Department of Vaupés, there is an ESAL for every 441 inhabitants, more than a four-fold difference. Bogotá has an ESAL for every 165 inhabitants, close to the Colombian national average of 163.

Figure 13 displays in concentric circles the number of ESAL in each department (red) relative to the number of inhabitants per ESAL for each department (green). These are laid over population shading of the departments. The larger the red circle, the more ESAL. The larger the green circle, the greater number of inhabitants per ESAL. At a glance, one sees the concentration of ESAL in the northwestern mountains of Colombia, known as the Andean region. Yet large concentrations of ESAL are also found

in the Caribbean Region as well as the southern Pacific Region. The green circles in the Amazonas and Orinoco Regions are predominant and ESAL numbers are very small.

Figure 13. Inhabitants per ESAL and ESAL concentration map of Colombia



Civil Society Comparison

As previously noted, there are 163 inhabitants for every ESAL in Colombia.

Compared to the most recent data available for other countries, Colombia has the highest number of registered ESAL per capita in the Americas, save the United States.

Table 12 shows the distribution of population, the number of inhabitants per ESAL, and the number of ESAL per 10,000 inhabitants for seven countries in the Americas.

Table 12. Civil society sector (ESAL) comparison in the Americas

Year	Nation	Population	No. ESAL	Inhabitants per ESAL	ESAL per 10,000 inhabitants
2015	United States	322,755,353	2,043,799	158	63.3
2015	Colombia	48,203,405	296,467	163	61.5
2009	Chile	17,650,114	106,000	167	60.1
2015	Ecuador	16,080,778	67,605	238	42.0
2009	Argentina	40,913,584	120,000	341	29.3
2010	Brasil	190,766,799	556,846	343	29.2
2009	México	123,166,749	40,098	3072	3.3

Sources: USA: Internal Revenue Service (2016), Independent Sector (2016), U.S. Bureau of the Census (2016); Chile, Argentina, and México: Ireri Ablanado Terrazas (2009, p.6); Ecuador: Secretaría Nacional de Gestión de la Política, SUIOS (2016); Brasil: Instituto Brasileiro de Geografia e Estatística (2010).

The U.S. total was derived at by adding the total number of 501(c) entities reported by the IRS for 2015, plus the estimate of churches provided by the Independent Sector, and approximately 25,000 chapters of the PTA national association (National PTA, 2016). Since this study includes the latter two for Colombia (religious and *padres de familia*), they are considered in the U.S. total to make it comparable. This study, however, also includes at least 11,500 JACs in Colombia, which are neighborhood

action committees. These are similar to neighborhood watch and community action groups in the U.S., which are not included in the U.S. total. Further, there are many nonprofits in the U.S. that are not included in this comparison because their annual revenue is less than \$25,000 and are exempt from IRS reporting. Therefore, it is likely that the total of civil society organizations in the U.S. is considerably higher than used in the comparison above.

Extrapolation

An extrapolation can be made of missing data. According to the registrars' verbal or web declarations, there are 250 condominium associations in Bogotá, an additional 297 volunteer firefighter corps not registered in the chambers of commerce, and some 136 indigenous councils. A conservative extrapolation of health and education ESAL in other departments is calculated by first dividing the number of ESAL records obtained in each department (in the other registries) by their respective department populations (P). This results in a quotient (Q) of ESAL per inhabitants for each department. Some areas, such as the Amazonas and Orinoco regions, have fewer ESAL per capita for their populations so Q varies by department. Second, totals of four secretary registries obtained (Bogotá, Antioquia, Santander, Valle de Cauca) were divided into their respective populations (again P). An average is taken of these three quotients and labeled Y . Then the population for each department was multiplied by factor Q and divided by Y to arrive at the estimated ESAL (N). The equation is as follows: $P \times Q \div Y = N$. The N results were summed for the remaining departments. The total number

estimated of department health ESAL is 1,143 and education is 2,334. Table 13 adds the extrapolated totals to the total records obtained to arrive at the possible total of ESAL for Colombia (n=300,627). If the extrapolation is accepted, the records obtained in this study represent 98.60 percent of all possible ESAL in Colombia.

Table 13. Extrapolation of missing data

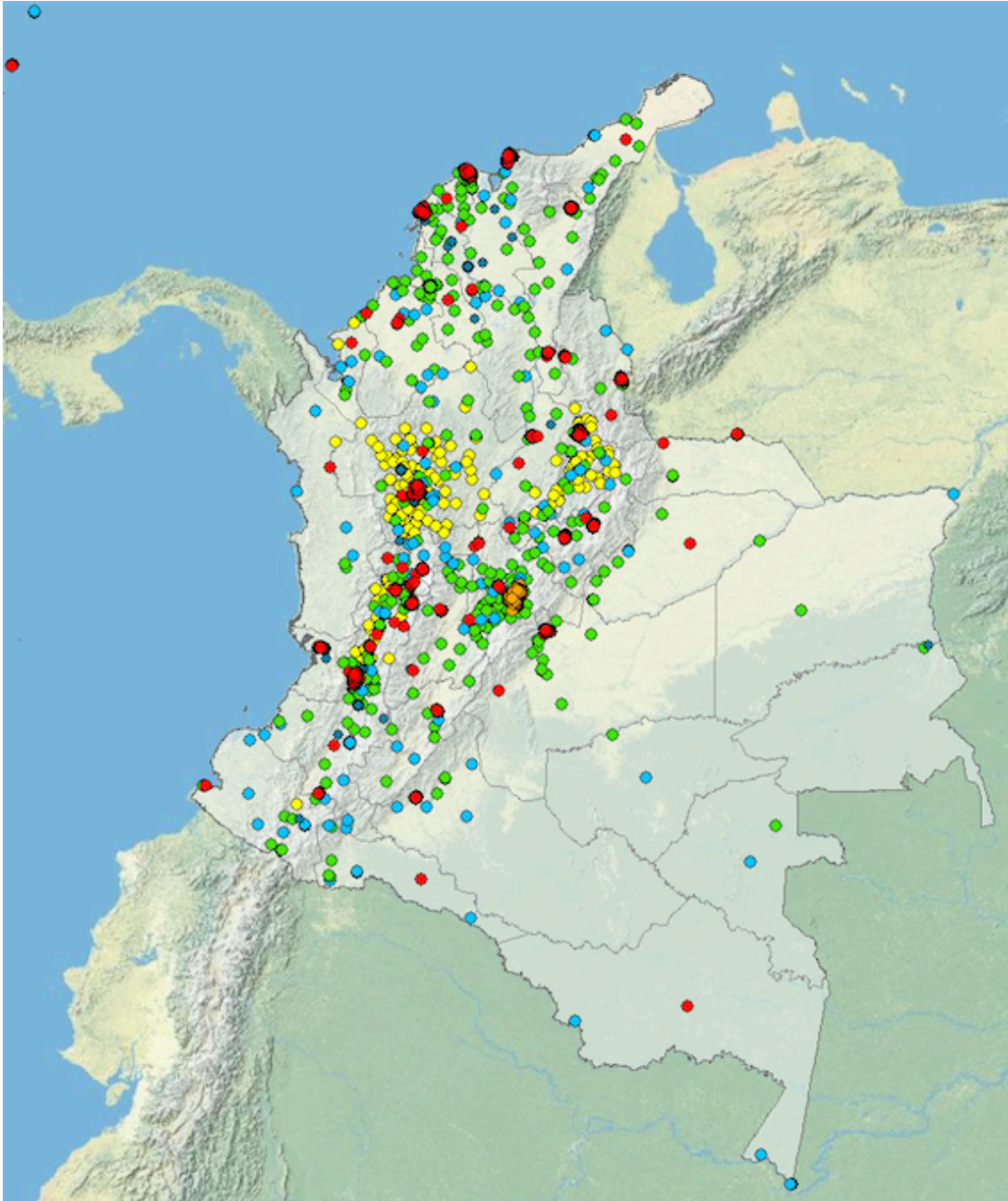
Data	Number ESAL
Obtained records	296,467
Estimated or extrapolated registries	
Department secretaries: Health	1,143
Department secretaries: Education	2,334
Condominium associations (D.C.)	250
Volunteer firefighter corps	297
Indigenous councils	136
Grand Total	300,627

Geographical Full Country Map

Figure 14 displays a geo-referenced map of all ESAL found in this study. The scale is 1 cm/85 km or 1:8,500,000. At this scale, the points on the map either represent individual ESAL or clusters and only a visual sense of location is comprehended. For example, there are 100 ESAL in the southern tip capital town of Leticia in the Department of Amazonas, a point on the Amazon river where Colombia, Peru, and Brasil come together. This is represented as a single marker point since at this scale, all of the markers are stacked one on top of another in a small town of 33,000 inhabitants. In Bogotá, however, there are 47,000+ ESAL, and these appear as a small cluster of a dozen or so markers over the 613 square miles that comprises the capital district. As we zoom

in closer on other maps, fewer markers stack on top of each other and it appears as though there are more ESAL.

Figure 14. Geo-referenced map of all ESAL in Colombia. Scale 1:8,500,000



Orange – Bogotá; blue – federal; yellow – depts.; red – Confecámara; green – churches

Maps of Bogotá

Santa Fe de Bogotá was founded in 1533 by marching *conquistadores* (conquerors) en route to Peru who noticed natives carrying large salt cakes. Salt was a valuable commodity during Spanish rule, and the area was settled to exploit the mineral. The nearby mountain of salt just north of Bogotá in Zipaquirá is still productively mined today. Nestled in the high savanna at 8,580 feet above sea level, and with the name shortened to Bogotá, it is the third highest capital city in the Americas after La Paz and Quito.

Colonists first settled along the eastern mountains near present day Chapinero and Santa Fe localities and over time established ESAL in those population centers as seen in high concentration in Figure 15. This area includes a concentration of private K-12 and higher education institutions as well. For example, among many others, the Catholic University *Pontificia Javeriana* founded in 1623 is located in Chapinero. Figure 15 displays all capital district and federal ministry registered ESAL. After Decree 2150 of 1995, chamber of commerce ESAL in Bogota multiplied. Figure 16 includes all ESAL registered in the capital district (those in Figure 15 plus chamber records). The red, purple, blue, yellow, and green markers represent secretary and federal registries for the capital city (health, education, environment, culture/recreations/sports, federal). The orange markers on Figure 16 represent the chamber of commerce records.

Figure 15. Geo-referenced map of Bogota without chamber records. Scale 1:4,000,000

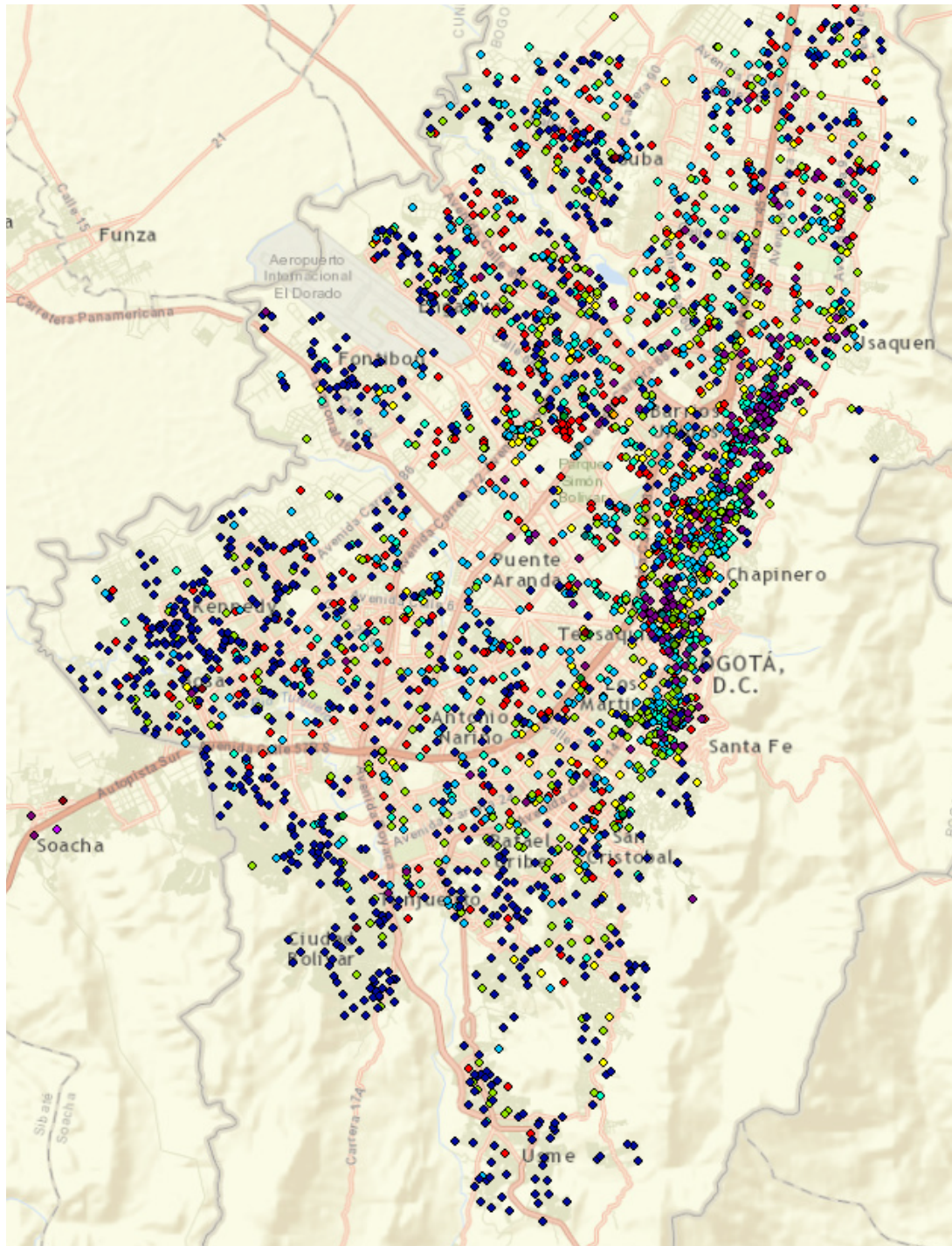
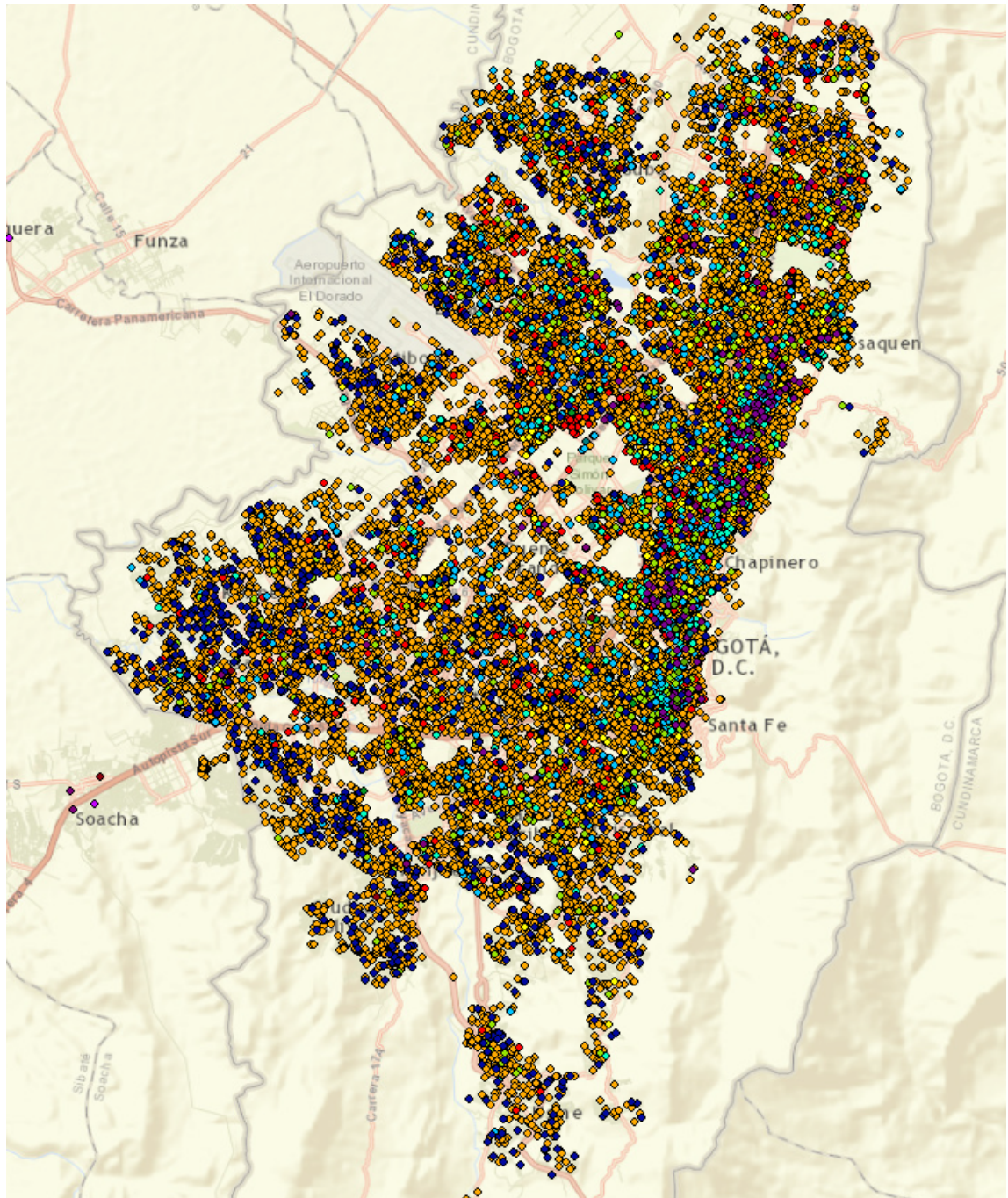


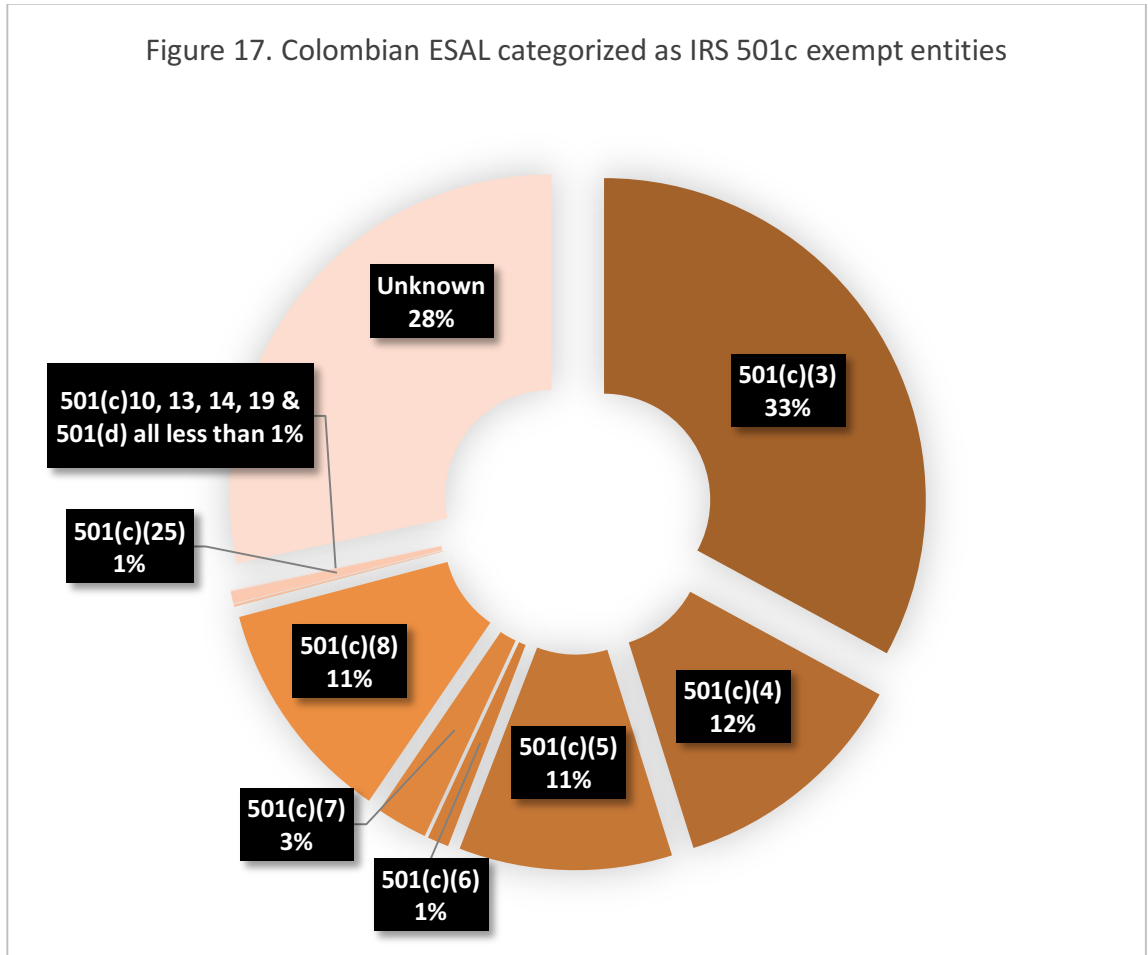
Figure 16. Geo-referenced map of Bogota with all ESAL records. Scale 1:4,000,000



Scope of Sector

501c Equivalentents

By matching ESAL to U.S. 501(c) exempt entities categories, a percentage that each ESAL type constitutes in Colombian civil society is shown in Figure 17.



What if some CSO types constitute a greater or lesser portion of civil society in Colombia than they do in the U.S.? By comparing Colombian ESAL types to U.S. 501(c) exempt entities, the relative magnitude between countries can be calculated. Table 14 lists the distribution of ESAL in Colombia that compare with exempt entities in the U.S. where coding is successful. The far right column of the table indicates the Colombian

relative status to the U.S. with respect to each type's percentage of their nonprofit sector.

Table 14. U.S. - Colombian comparison of 501(c) entities by relative portion of sector

ESAL Type	Number	Number	Relative %
IRS Recognized section 501(c) by subsection:	U.S.	Colombia	of Sector
(1) Corps. organized under an act of Congress	638	-	-0.03
(2) Title-holding corporations	4,499	-	-0.22
(3) Religious, charitable, and similar organizations	1,184,547	96,578	-25.38
(4) Social welfare organizations	84,155	36,262	8.11
(5) Labor and agriculture organizations	46,576	31,760	8.43
(6) Business leagues	63,919	3,196	-2.05
(7) Social and recreation clubs	47,956	7,650	0.23
(8) Fraternal beneficiary societies	46,264	33,718	9.11
(9) Voluntary employees' beneficiary associations	6,559	-	-0.32
(10) Domestic fraternal beneficiary societies	16,226	55	-0.78
(12) Benevolent life insurance associations	5,304	-	-0.26
(13) Cemetery companies	8,977	59	-0.42
(14) State-chartered credit unions	1,887	26	-0.08
(15) Mutual insurance companies	723	-	-0.04
(17) Supplemental unemployment comp. trusts	103	-	-0.01
(19) Veterans' organizations	29,749	187	-1.39
(25) Holding companies for pensions & other entities	790	1,838	0.58
Other 501(c) subsections ³⁸	76	-	0.00
Recognized section 501(d) Religious & apostolic assoc.	217	74	0.01
Section 527 Political organizations	30,490	-	-1.49

³⁸ On this line the IRS combines teachers' retirement funds (section 501(c)(11)); corporations to finance crop operations (section 501(c)(16)); employee-funded pension trusts (section 501(c)(18)); black lung trusts (section 501(c)(21)); veterans' associations founded prior to 1880 (section 501(c)(23)); trusts described in section 4049 of the Employee Retirement Income Security Act of 1974 (ERISA) (section 501(c)(24)); State-sponsored high-risk health insurance organizations (section 501(c)(26)); State-sponsored workers' compensation reinsurance organizations (section 501(c)(27)); the National Railroad Retirement Investment Trust (section 501(c)(28)); and qualified health insurance issuers (section 501(c)(29)). Tax-exempt status for legal services organizations (section 501(c)(20)) was revoked effective June 20, 1992 (IRS 2016). None of these apply to Colombia.

Nonexempt charitable trusts and split-interest trusts	122,612	-	-6.00
Churches and PTAs (U.S.)	341,532		
Unknown (Colombia)		85,064	
Totals	2,043,799	296,467	

For example, 501(c)(3) types of organizations in Colombia represent a 25.38 percent smaller size relative to Colombian society than they are in the U.S. Some of the 501c entity types are particular to U.S. society and do not apply or coding data are not available. Hence, we see negative relative percentages in the table. Conversely, we see five 501c entity types that constitute a larger portion of civil society in Colombia than they do in the U.S. Labor and agricultural organizations, 501(c)(5), are an 8.43 percent greater part of Colombian civil society than similar organizations are in U.S. society. Given the armed conflict and resultant IDP and victims crises in recent decades, it is not surprising that social welfare organizations, 501(c)(4), are a greater part of Colombian society than they are in the U.S. today. Social and recreation clubs, 501(c)(7) entities, are slightly more pronounced in Colombia than they are in the U.S. This has cultural and historical roots. By the mid-19th century, middle class and wealthy Colombians began to form clubs and casinos for members of their regions for leisure and to celebrate their culture.³⁹ The right to establish a private club or casino is held so inviolable today that corrupt individuals abuse this right to establish nonprofit brothels in Bogotá and

³⁹ Casino is a Spanish word, derived from casa (house) and the emotional diminutive –ino, meaning “the little house.” It may also refer, in a reflexive form of the noun, to mean the members of a club, such as “man belonging to the house.” In this case, the Spanish suffix –ino is applied to identify a person who pertains to a noun, such as a *campesino* belongs to the *campo*. Early casinos were a place to drink, chat, and play games (e.g. card games) for its members. The modern gambling institution of the casino grew out of this tradition.

throughout the country (Evans & González, 2015). Finally, as noted in the history chapter, the growth of mutual benefit societies in the latter part of the 19th and early 20th centuries accompanied the waves of immigration to the New World. Given that Colombia has been an underdeveloped nation until late, it stands to reason that fraternal beneficiary societies, 501(c)(8), continue to be a significant portion of Colombian rural civil society as they were in the U.S. prior to their decline in the mid-20th century as U.S. technology and business evolved (Beito, 1999; Putnam, 2000).

A limitation of Table 14 is that there are 85,064 records not yet coded, and would likely effect these percentages. It is expected that nearly all of the un-coded records would fall into the 501(c)(3) or 501(c)(4) categories. In the event of the former, the relative percentage would only be -10.35 percent, rather than -25.38 percent.

NTEE Coding

Of the 296,467 records, all but 85,064 records were coded. Records coded constitute 71.3 percent of all records in this study and those not coded constitute 28.7 percent.

There are more than 400 NTEE core codes. Records in this study have been coded to 209 of the 400+ core codes. For example, the core code “A63 - Ballet” was assigned to the ESAL “Corporacion Ballet Clasico Del Tolima” (Classic Ballet Corporation of the Department of Tolima). In the example above, the ballet ESAL (A63) is part of the total for major group A. A complete listing of the 209 core codes and 26 non-specific major group codes assigned to Colombian ESAL and the number of ESAL for each code is

found in Appendix G. A full 53 percent of all coded ESAL fall under 20 core codes. These “Top 20” are listed in Table 15, sorted from largest to smallest.

Table 15. Top 20 NTEE core codes

#	Core	Description	No. of ESAL
1	Y03	Mutual & Membership Benefit Associations	28,214
2	K03	Food, Agriculture & Nutrition Associations	20,318
3	S22	Neighborhood & Block Associations	11,859
4	B94	Parent & Teacher Groups	11,563
5	J40	Labor Unions	11,442
6	A20	Arts & Culture	9,401
7	S03	Community Improvement & Capacity Building Assoc.	8,893
8	W80	Public Utilities	8,292
9	L50	Homeowners & Tenants Associations	7,427
10	X21	Protestant	7,091
11	S81	Women’s Service Clubs	6,438
12	N50	Recreational Clubs	5,822
13	P50	Personal Social Services	4,079
14	Q71	International Migration & Refugee Issues	3,160
15	P70	Residential Care & Adult Day Programs	2,553
16	S20	Community & Neighborhood Development	2,532
17	S40	Business & Industry	1,976
18	Y30	Pension & Retirement Funds	1,838
19	Q40	International Peace & Security	1,740
20	P20	Human Services	1,098
Total			155,736

Perhaps no other table or figure in this dissertation gives a more succinct snapshot of Colombian culture than Table 15. It elegantly reflects the story of the history chapter in this dissertation. Early mutual benefit societies staked their claim a century ago and still thrive. Agricultural associations for peasant land reform, cooperatives, and rights are well established, followed by neighborhood associations

(JACs) for civic engagement prior to the Constitution of 1991. As one moves further down the list, the growth and size of community support from the arts to community improvement to tenant associations and women’s service clubs all speak to active social capital engagement post WWII. The final 10 slots speak of an evolving Colombia with the growth of non-Catholic religions as missionary work expanded in recent decades. We also see IDP, victim, and refugee social services, adult day care programs, and peace & security ESAL existing in abundance in consequence of armed conflict. In the post-conflict era, the growth of community development, business, and industry ESAL naturally follows.

Each of the 26 NTEE major code groups falls under one of 10 subsectors as listed in Table 16.

Table 16. Subsectors and NTEE major groups

Subsectors	NTEE major code group
Arts, Culture, & Humanities	A
Education	B
Environment/Animals	C, D
Health	E, F, G, H
Human Services	I, J, K, L, M, N, O, P
International	Q
Public & Societal Benefit	R, S, T, U, V, W
Religion	X
Mutual/Membership Benefit	Y
Unknown	Z

Table 17 shows the total ESAL for each NTEE major group codes grouped by subsectors. These include records coded to major groups only (e.g. an ESAL with only

the word environment in its name was coded to “C”) and all core coded ESAL are totaled under their major group code.

Table 17. Total ESAL by NTEE major group codes

NTEE Major Group Codes (Subsectors in green)	Number ESAL
Arts, Culture, & Humanities	
A - Arts, Culture & Humanities	12,823
Education	
B - Education	16,430
Environment/Animals	
C - Environment	6,613
D - Animal-Related	343
Health	
E - Health Care	4,040
F - Mental Health & Crisis Intervention	402
G - Voluntary Health Associations & Medical Disciplines	199
H - Medical Research	6
Human Services	
I - Crime & Legal-Related	377
J - Employment	11,950
K - Food, Agriculture & Nutrition	23,069
L - Housing & Shelter	8,178
M - Public Safety, Disaster Preparedness & Relief	263
N - Recreation & Sports	9,294
O - Youth Development	2,003
P - Human Services	18,603
International and Foreign Affairs	
Q - International, Foreign Affairs & National Security	6,143
Public & Societal Benefit	
R - Civil Rights, Social Action & Advocacy	795
S - Community Improvement & Capacity Building	36,262
T - Philanthropy, Voluntarism & Grantmaking Foundations	802
U - Science & Technology	1,058
V - Social Science	258
W - Public & Societal Benefit	10,099
Religion-related	

X - Religion-Related	7,561
Mutual/Membership Benefit	
Y - Mutual & Membership Benefit	33,832
Unknown	
Z - Unknown	85,064
Total	<u>296,467</u>

The totals for the subsectors are shown in Table 18 and are displayed as a pie chart in Figure 18.

Table 18. Total ESAL by NTEE Subsector

Subsectors	Number ESAL
Arts, Culture, Humanities	12,823
Education	16,430
Environment, Animals	6,956
Health	4,647
Human Services	73,737
International	6,143
Public & Societal Benefit	49,274
Religion	7,561
Mutual/Membership Benefit	33,832
Unknown	85,064
Total	<u>296,467</u>

Figure 18. Colombian ESAL by subsector percentage

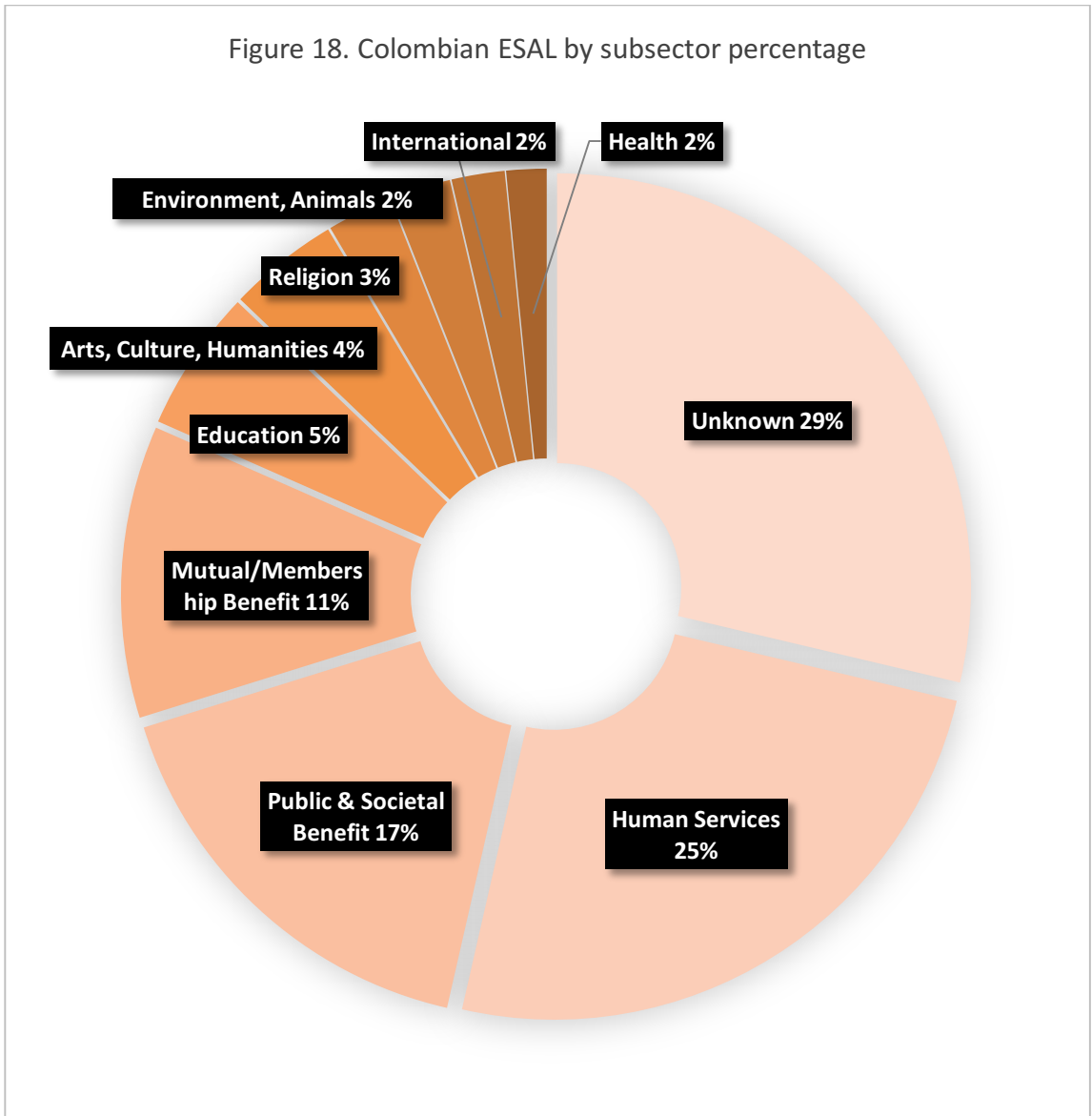
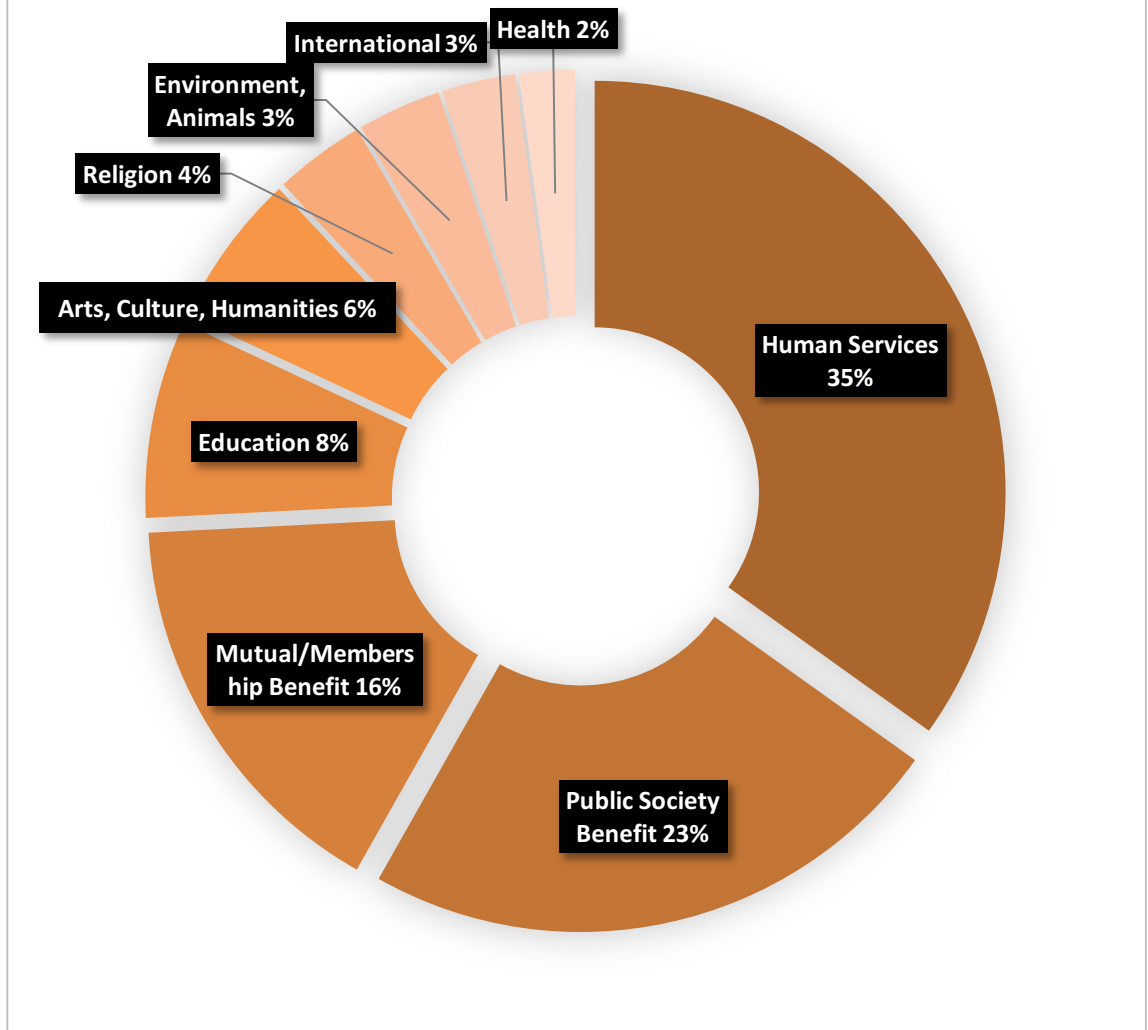


Figure 18 gives us a correct representation of the subsectors for all 296,467 records. If we exclude the Unknown (Z) NTEE code records, we get a better percentage representation of each subsector for the records that have been coded. This is shown in Figure 19. Human Services and Public & Societal Benefit combined are 58 percent of the all ESAL in Colombia.

Figure 19. Colombian ESAL by subsector - Unknown (Z) excluded



Religion Subsector

Religious organizations constitute a unique case in this study, as they would in the U.S. due to the lack of full reporting or registration. Beltrán (2012) reports that 70.9 percent of Colombians identify themselves as Catholic (p. 209). Therefore, while it is not in dispute the overwhelming majority of Colombian citizens are Catholic, the Catholic Church registers as larger entities and relief service agencies, not individual parishes or

congregations. In the obtained registries only 292 records were coded as X22 - Roman Catholic. A similar situation exists with other faiths. One estimate reports the Seventh-day Adventist Church has about 180,000 members in Colombia but there are only 24 registrations in this study. The Church of Jesus Christ of Latter-day Saints has more than 193,000 members with 311 congregations, missions, and centers but only two registrations. Jehovah's Witnesses have perhaps 120,000 members with only one registration. Generally, however, Protestant churches tend to be smaller in congregation size and register as single units in most cases. Thus, Protestant religious entities round out at position 10 on Table 15. The *Conferencia Episcopal de Colombia* (Episcopal Conference of Colombia) (CEC) is the governing body of the Catholic Church in Colombia. The *Anuario Pontificio* (Pontifical Yearbook) is the registry that contains statistics managed by the Church in the country and are reported to the Vatican. According to the Office of Communications of the CEC, as of year end 2014 there were 5,552 Catholic churches in Colombia. While the records have not been officially updated in the yearbook, nor made available for this study, the Office reports that with other Catholic entities such as convents, monasteries, *noviciados* (training homes), improved tracking and growth, "there are more than 6,000 churches today" in Colombia (M. Alvarez, personal communication, April 17, 2016). Villar, List, and Salamon (1999) were unable to establish religion's significance in the nonprofit sector in the Johns Hopkins study and do not offer any frame of comparison to this study. They report their total number "would undoubtedly be larger if churches and other places of religious worship were included, but such data were unavailable for Colombia" (p. 413). Table 19 lists

religion related ESAL by core code in this study plus additional Catholic entities reported by the CEC. Further research directed at internal church registries will increase this total.

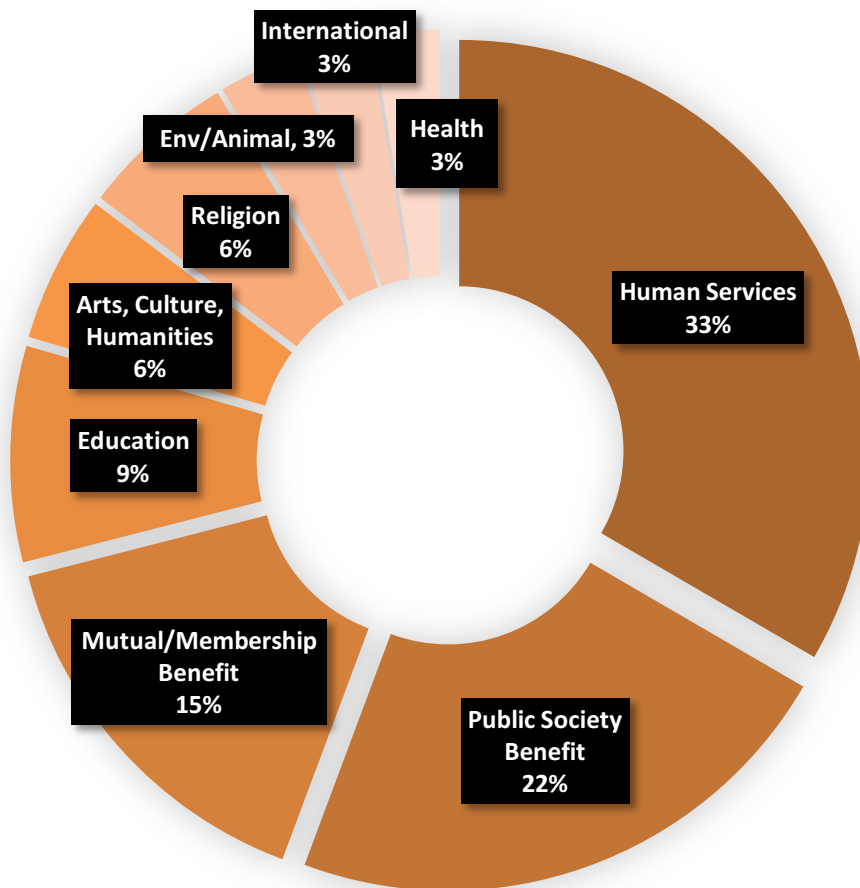
Table 19. Religion related ESAL

#	Core	Description	No. of ESAL
1	X21	Protestant	7,091
2	X22	Roman Catholic	292
3	X03	Professional Societies & Associations	74
4	X30	Judaism	41
5	X01	Alliances & Advocacy	37
6	X40	Islam	22
7	X50	Buddhism	4
		Catholic entities reported by the CEC	6,000
		Total	13,561

Religion and Department Extrapolated Data Considered

Unfortunately, neither the registry for CEC Catholic entities is included in this study nor department secretary data for 29 departments. Based upon the previous extrapolations, however, Figure 20 displays all subsector percentages with extrapolated secretary and CEC reported numbers. Education comprises just 9 percent of civil society. Twenty years ago, Villar, List, and Salamon (1999) found that education comprised 26.1 percent of all nonprofit employment in Colombia, and add, “although education does absorb the largest share of employment in Colombia, it does not dominate the sector as it does in the rest of Latin America” (p. 417). Future research may reveal a higher percentage of education ESAL through final coding of the Unknown (Z) coded records and obtaining missing department education registries.

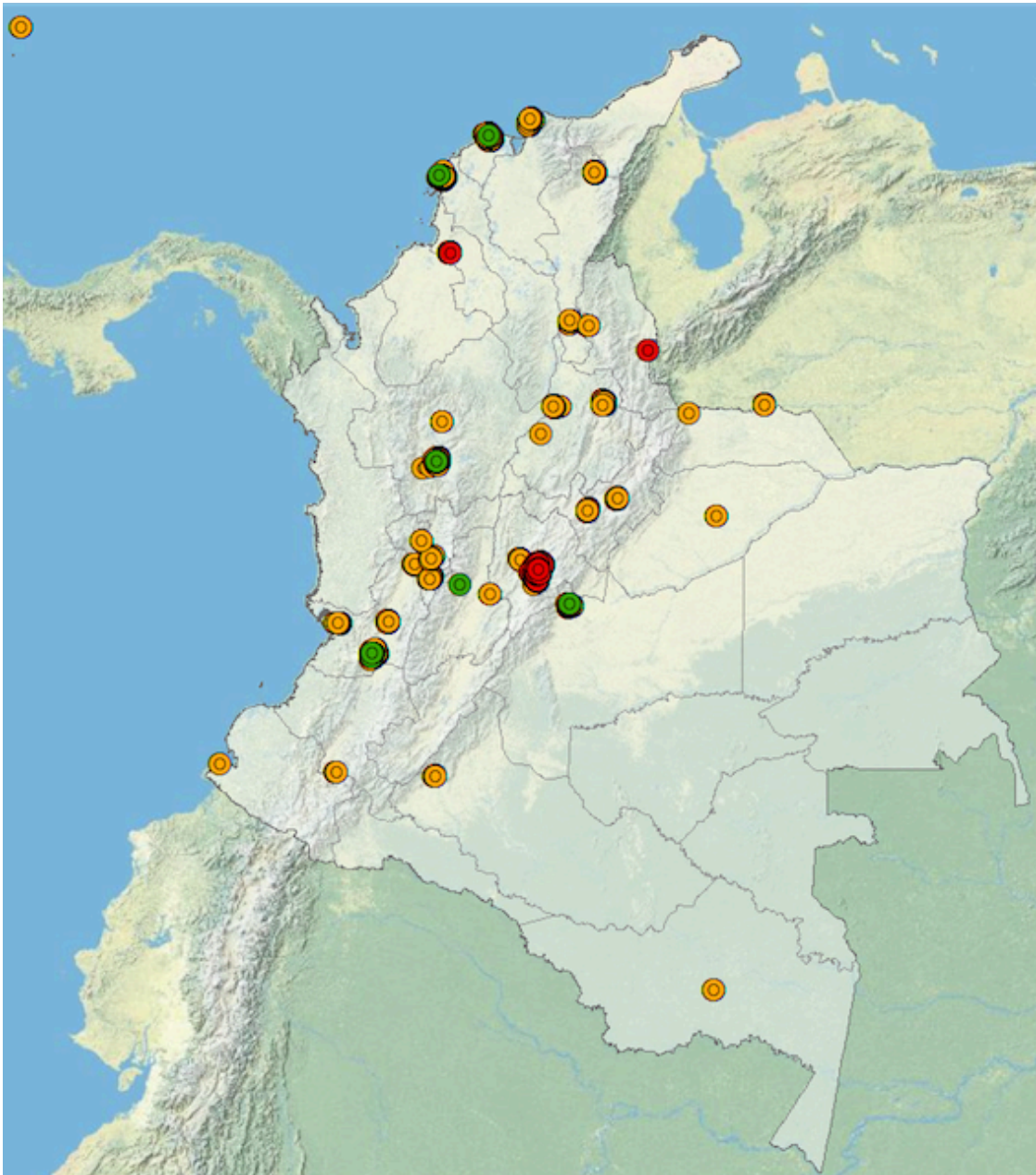
Figure 20. Colombian ESAL by subsector - Extrapolated



Subsector Maps

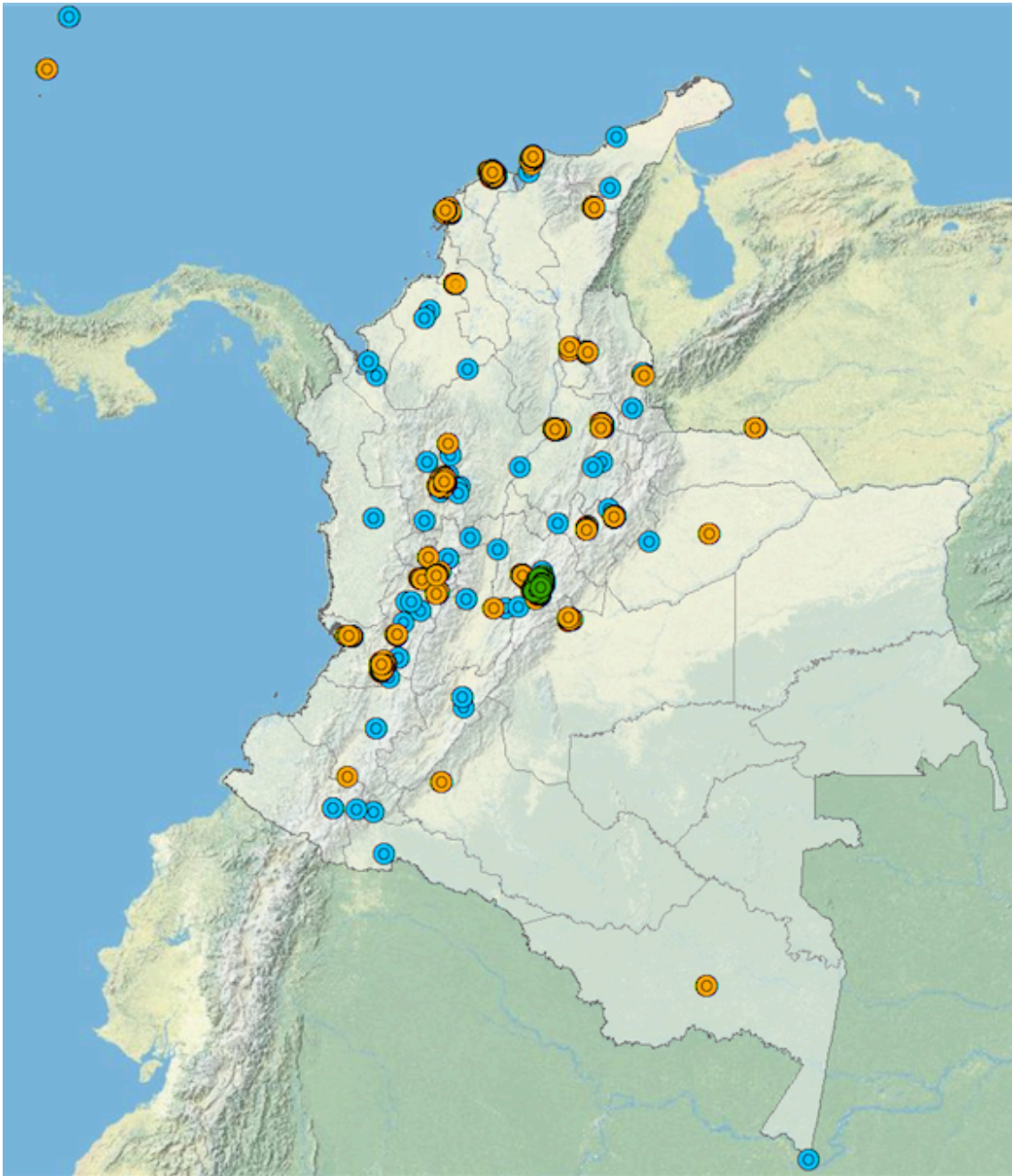
The following 10 figures, 21-30, display geo-referenced maps (Scale 1:8,500,000) of each of the subsectors in this order: Arts, Culture, Humanities; Education; Environment/ Animals; Health; Human Services; International; Public & Societal Benefit; Religion; Mutual/Membership Benefit; Unknown. Registries that comprise the maps are below each map with an assigned colored marker.

Figure 21. Map of Arts, Culture, Humanities Subsector. Scale 1:8,500,000



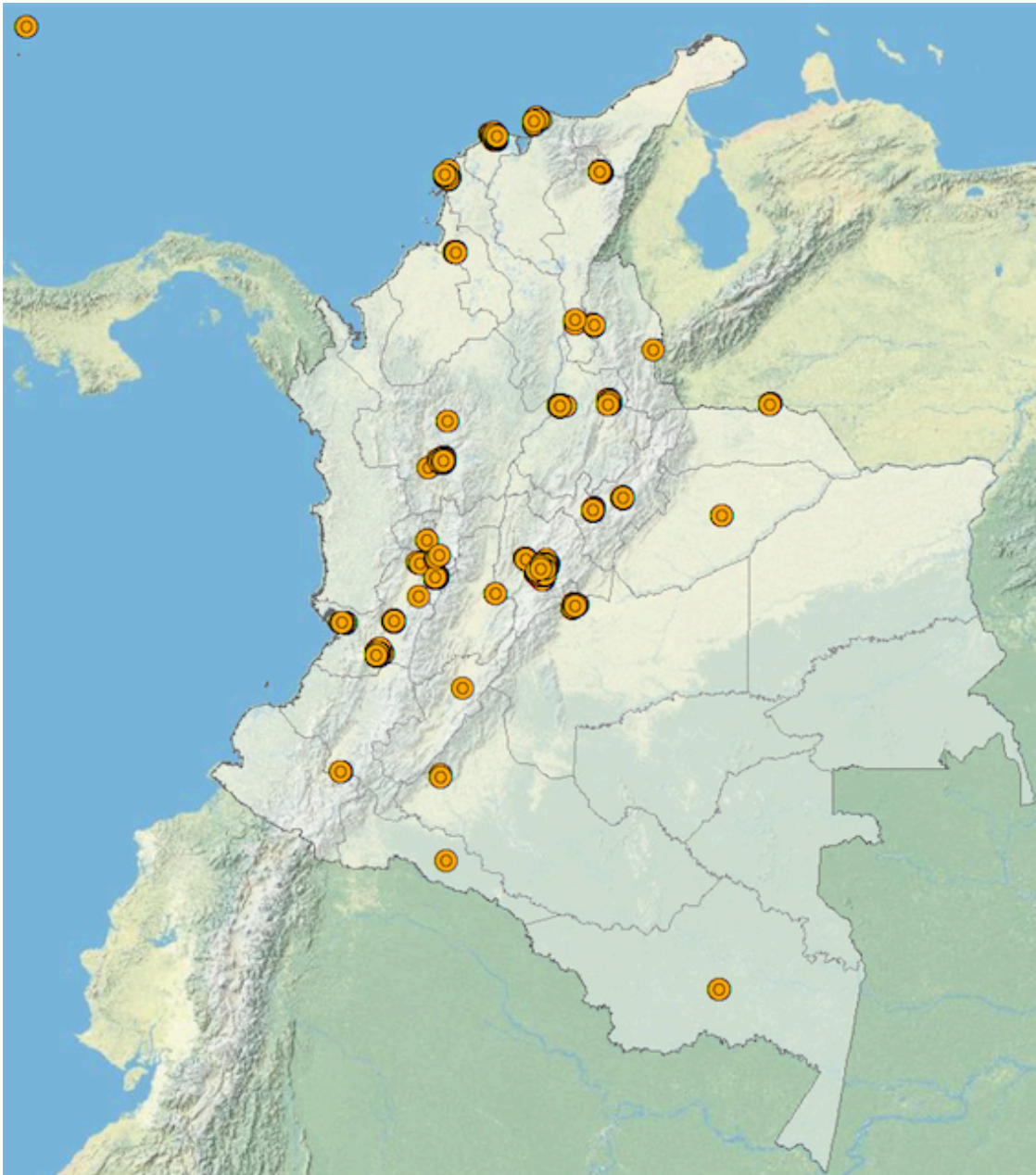
Green – COLDEPORTES; red – Bogota Secretary of Culture, Rec.; orange – Comfecámara

Figure 22. Map of Education Subsector. Scale 1:8,500,000



Blue – Higher Education; green – Bogota Secretary of Education; orange – Comfecámara

Figure 23. Map of Environment/Animals Subsector. Scale 1:8,500,000



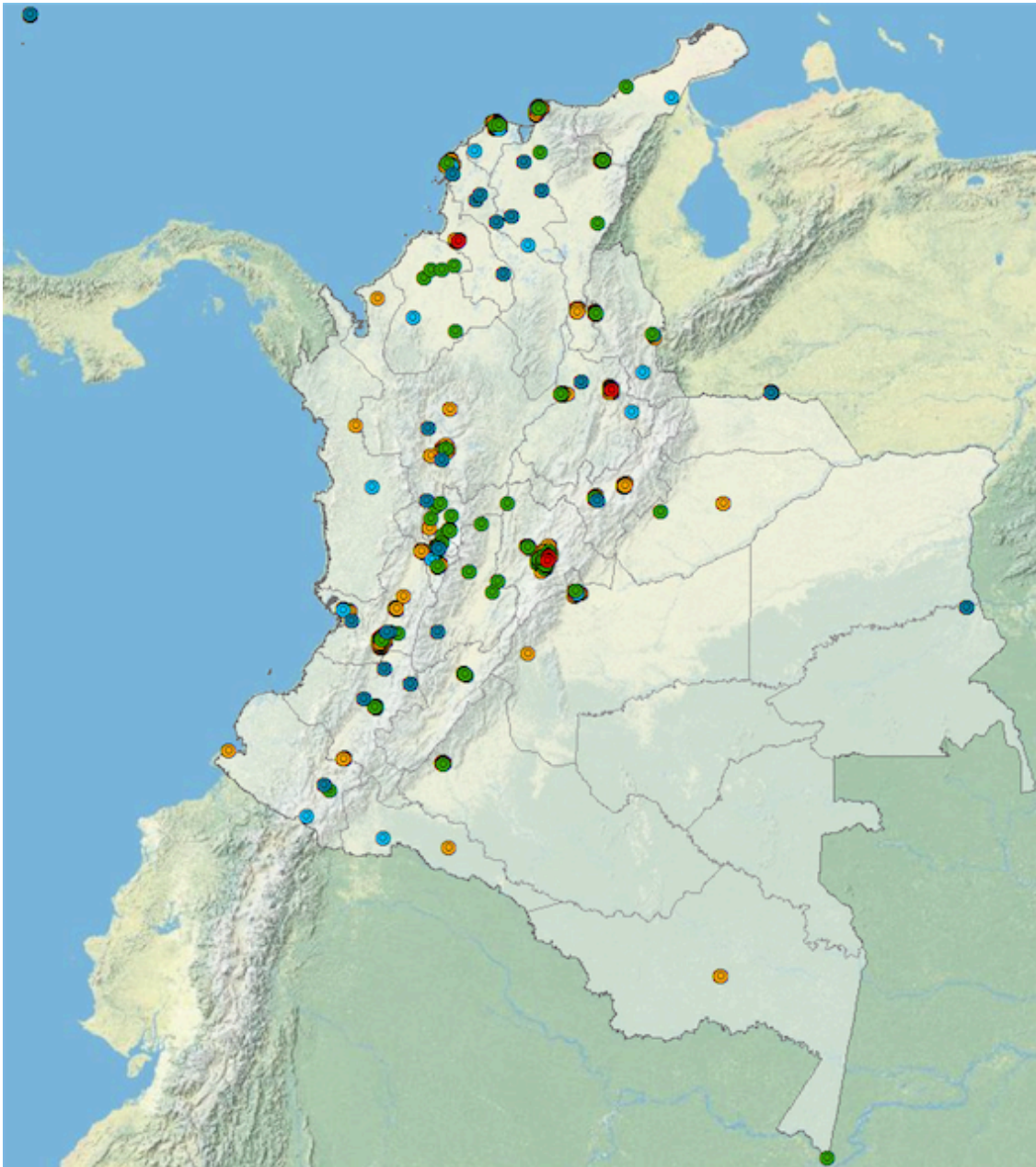
Orange – Comfecámara

Figure 24. Map of Health Subsector. Scale 1:8,500,000



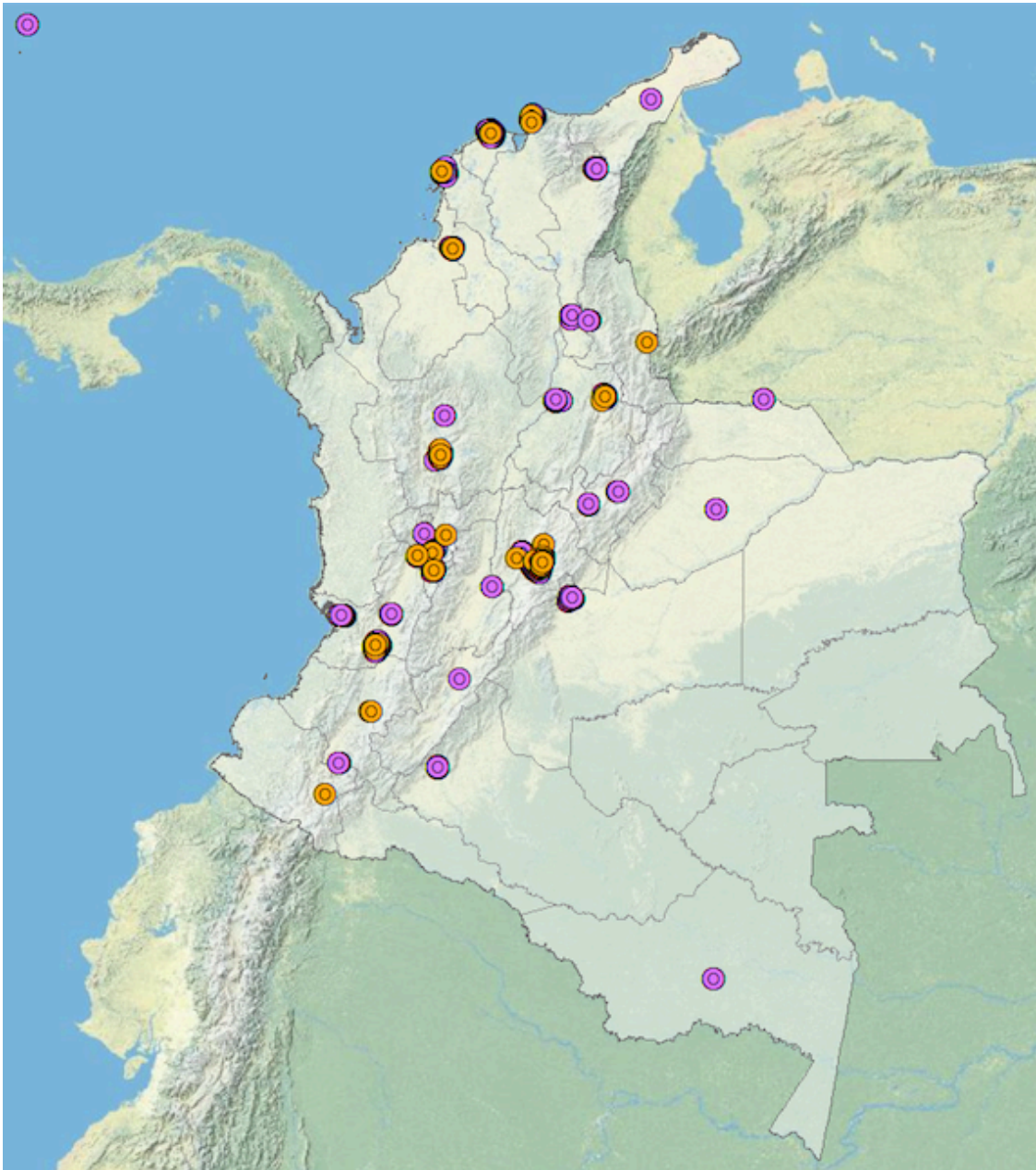
Orange – Comfecámara

Figure 25. Map of Human Services Subsector. Scale 1:8,500,000



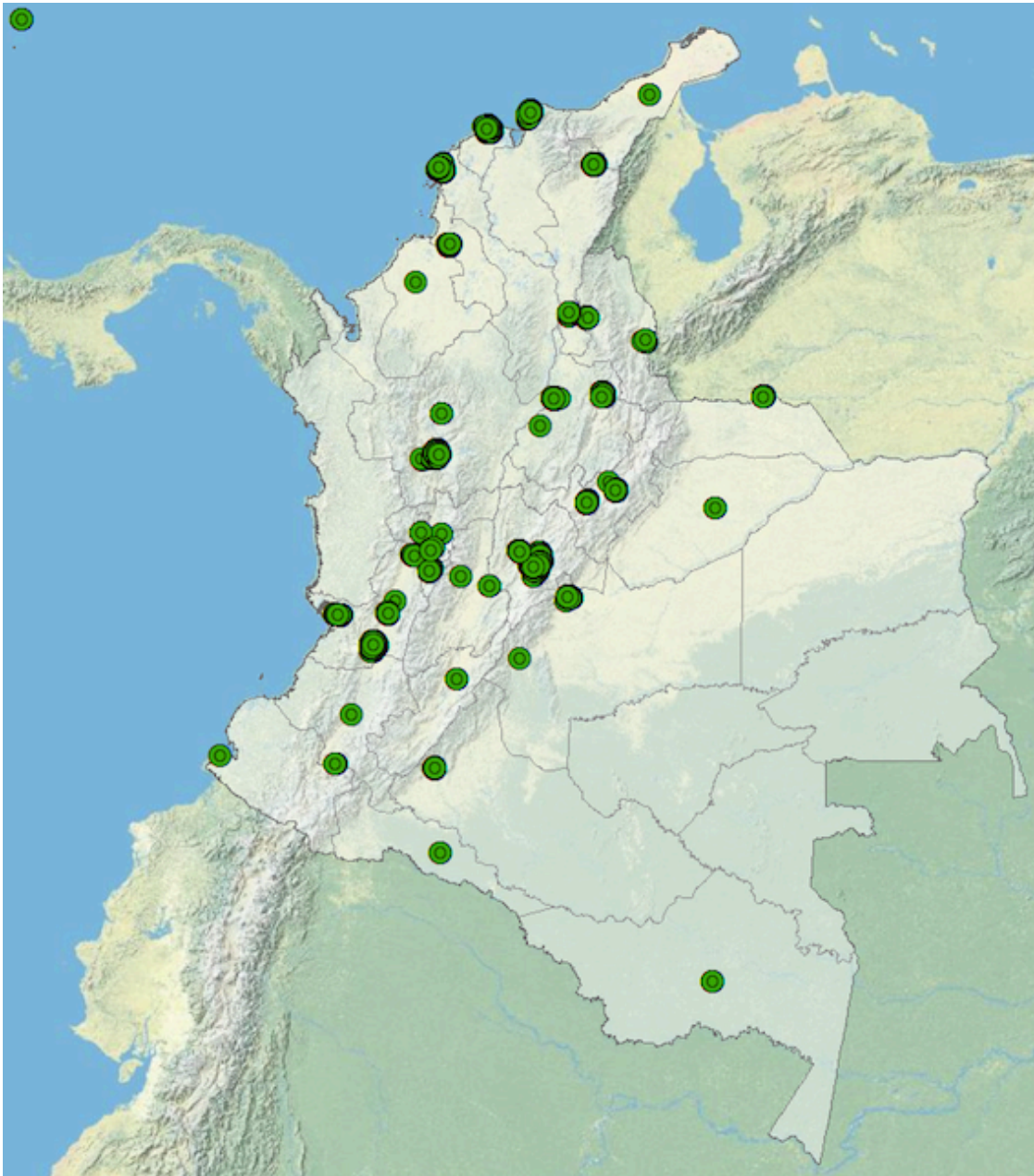
Red – Political Parties; dark blue – Labor Unions; light blue – OAC; green – Consumer Leagues; orange – Comfecámara

Figure 26. Map of International Subsector. Scale 1:8,500,000



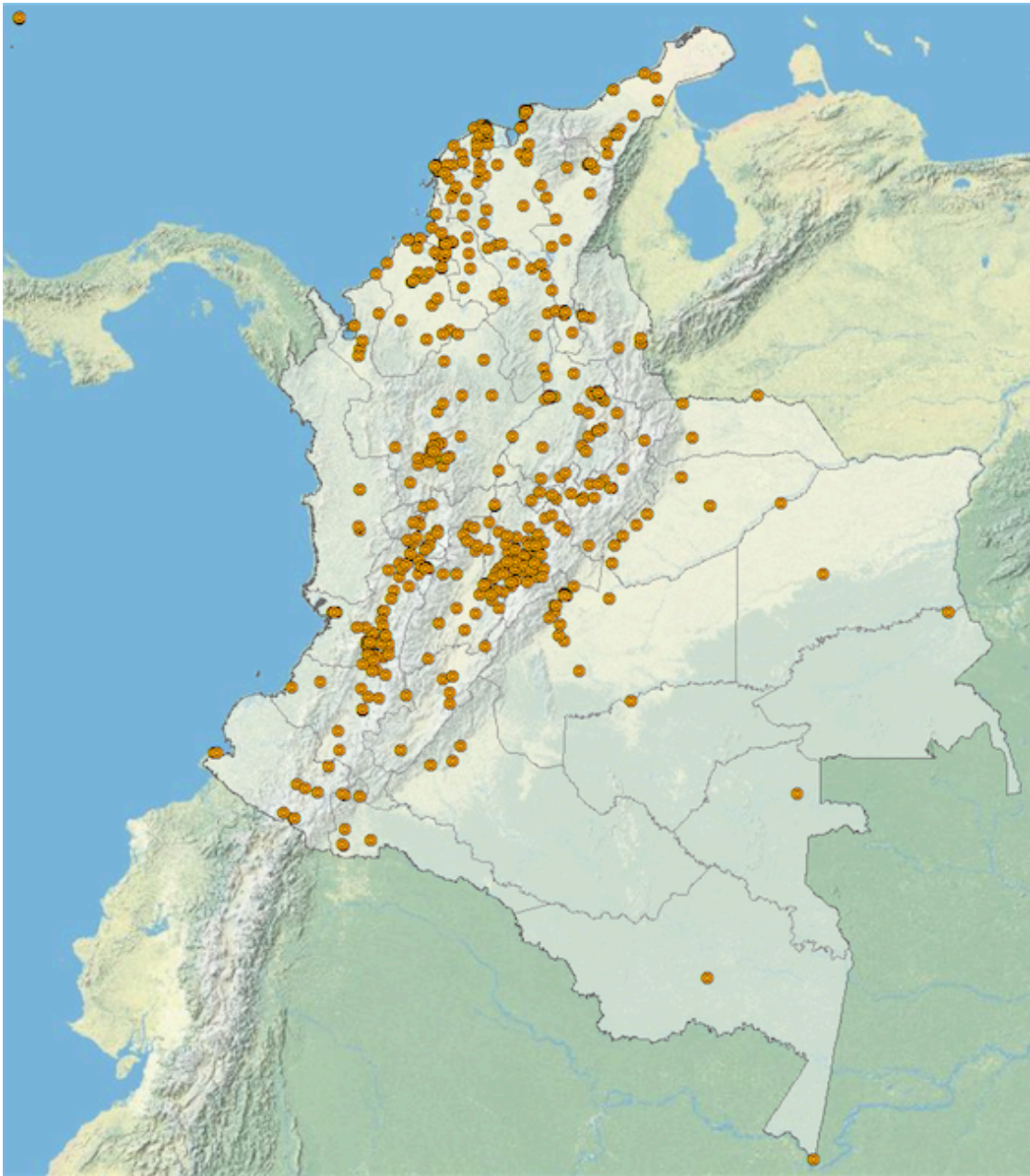
Orange – International NGOs; lavender – Comfecámara

Figure 27. Map of Public & Societal Benefit Subsector. Scale 1:8,500,000



Green – Comfecámara

Figure 28. Map of Religion Subsector. Scale 1:8,500,000



Orange – Comfecámara and Ministry of Interior Religion

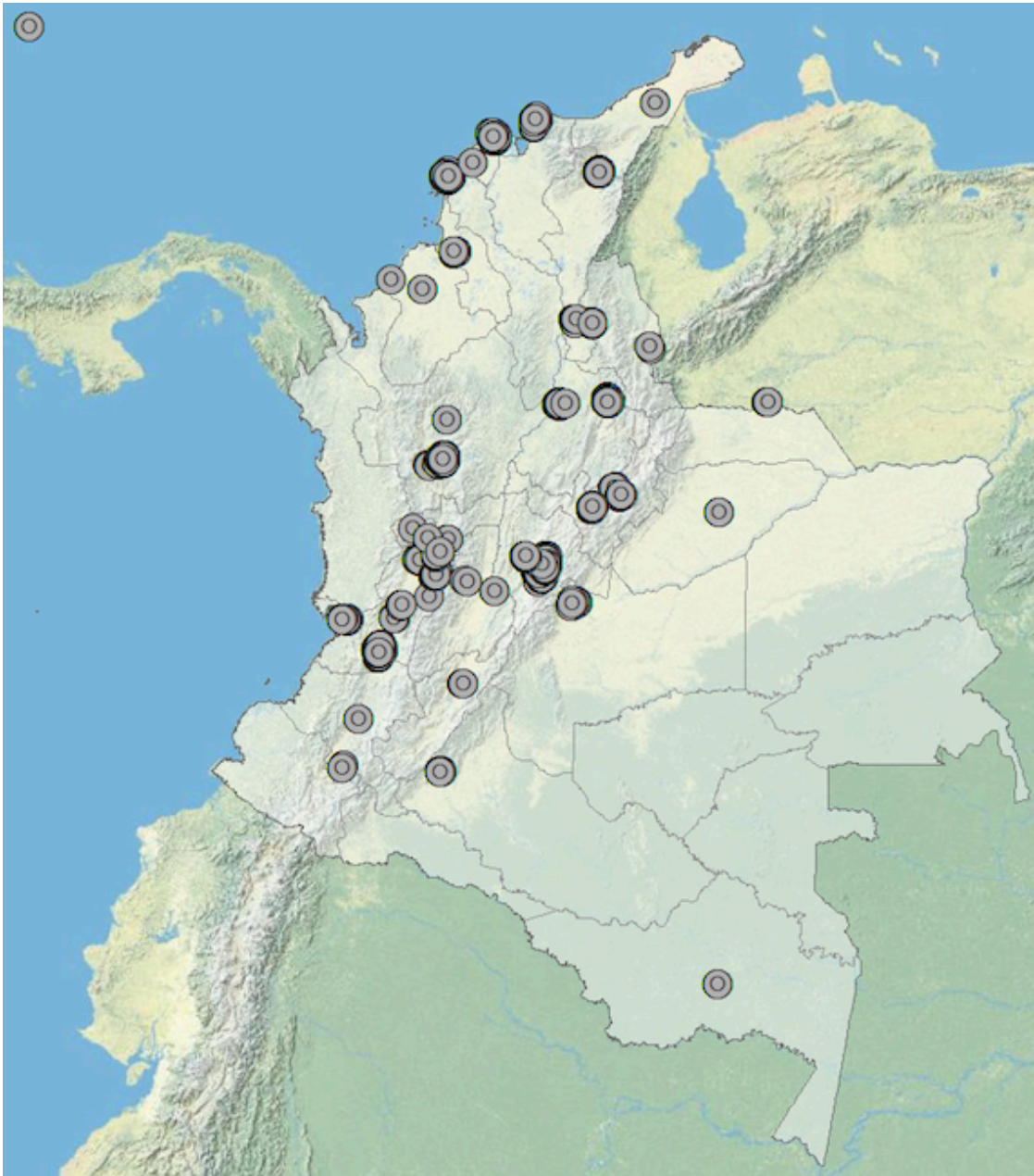
Only the Religion subsector has ESAL in all 32 departments and the capital district.

Figure 29. Map of Mutual/Membership Benefit Subsector. Scale 1:8,500,000



Yellow – Comfecámara. Mutual benefit ESAL exist in every department except a few in the Amazonas region. Note these ESAL exist in the insular region.

Figure 30. Map of Unknown Subsector. Scale 1:8,500,000



Grey – All databases. There are ESAL with Unknown NTEE coding in every region and department except for three Amazonas departments and one Orinoco department.

ICNPO Coding

Of the 296,467 records, all but 83,467 records were coded. Records coded constitute 71.8 percent of all records in this study and those not coded constitute 28.2 percent. ICNPO codes are fewer and less specific than NTEE codes. A complete listing of the total number of ESAL by major and minor group codes is shown in Table 20. Major group codes are not inclusive of their minor sub-codes. ESAL were assigned to a major group code when it could not be determined if a minor group code applied.

Table 20. Total ESAL by ICNPO major and minor group codes

ICNPO Code	No. ESAL
GROUP 1: CULTURE AND RECREATION	2,179
1 100 Culture and Arts	11,557
1 200 Sports	4,888
1 300 Other Recreation and Social Clubs	3,532
GROUP 2: EDUCATION AND RESEARCH	492
2 100 Primary and Secondary Education	12,021
2 200 Higher Education	730
2 300 Other Education	3,359
2 400 Research	185
GROUP 3: HEALTH	2,256
3 100 Hospitals and Rehabilitation	218
3 200 Nursing Homes	-
3 300 Mental Health and Crisis Intervention	370
3 400 Other Health Services	1,389
GROUP 4: SOCIAL SERVICES	10,322
4 100 Social Services	24,029
4 200 Emergency and Relief	3,140
4 300 Income Support and Maintenance	3,802
GROUP 5: ENVIRONMENT	73
5 100 Environment	6,500
5 200 Animal Protection	383
GROUP 6: DEVELOPMENT AND HOUSING	9,285

6 100 Economic, Social and Community Development	8,686
6 200 Housing	7,790
6 300 Employment and Training	529
GROUP 7: LAW, ADVOCACY AND POLITICS	340
7 100 Civic and Advocacy Organizations	917
7 200 Law and Legal Services	12
7 300 Political Organizations	14
GROUP 8: PHILANTHROPIC INTERMEDIARIES AND VOLUNTARISM PROMOTION	987
GROUP 9: INTERNATIONAL	1,045
GROUP 10: RELIGION	7,561
GROUP 11: BUSINESS AND PROFESSIONAL ASSOC., UNIONS	84,409
GROUP 12: [NOT ELSEWHERE CLASSIFIED]	83,467
Total	296,467

To simplify these findings into only major groups, the minor totals have been added into their respective major group totals as shown in Table 21 and are displayed as a pie chart in Figure 31.

Table 21. Total ESAL by ICNPO major group codes

ICNPO Code	No. ESAL
GROUP 1: CULTURE AND RECREATION	22,156
GROUP 2: EDUCATION AND RESEARCH	16,787
GROUP 3: HEALTH	4,233
GROUP 4: SOCIAL SERVICES	41,293
GROUP 5: ENVIRONMENT	6,956
GROUP 6: DEVELOPMENT AND HOUSING	26,290
GROUP 7: LAW, ADVOCACY AND POLITICS	1,283
GROUP 8: PHILANTHROPIC INTERMEDIARIES AND VOLUNTARISM PROMOTION	987
GROUP 9: INTERNATIONAL	1,045
GROUP 10: RELIGION	7,561
GROUP 11: BUSINESS AND PROFESSIONAL ASSOC., UNIONS	84,409
GROUP 12: [NOT ELSEWHERE CLASSIFIED]	83,467
Total	296,467

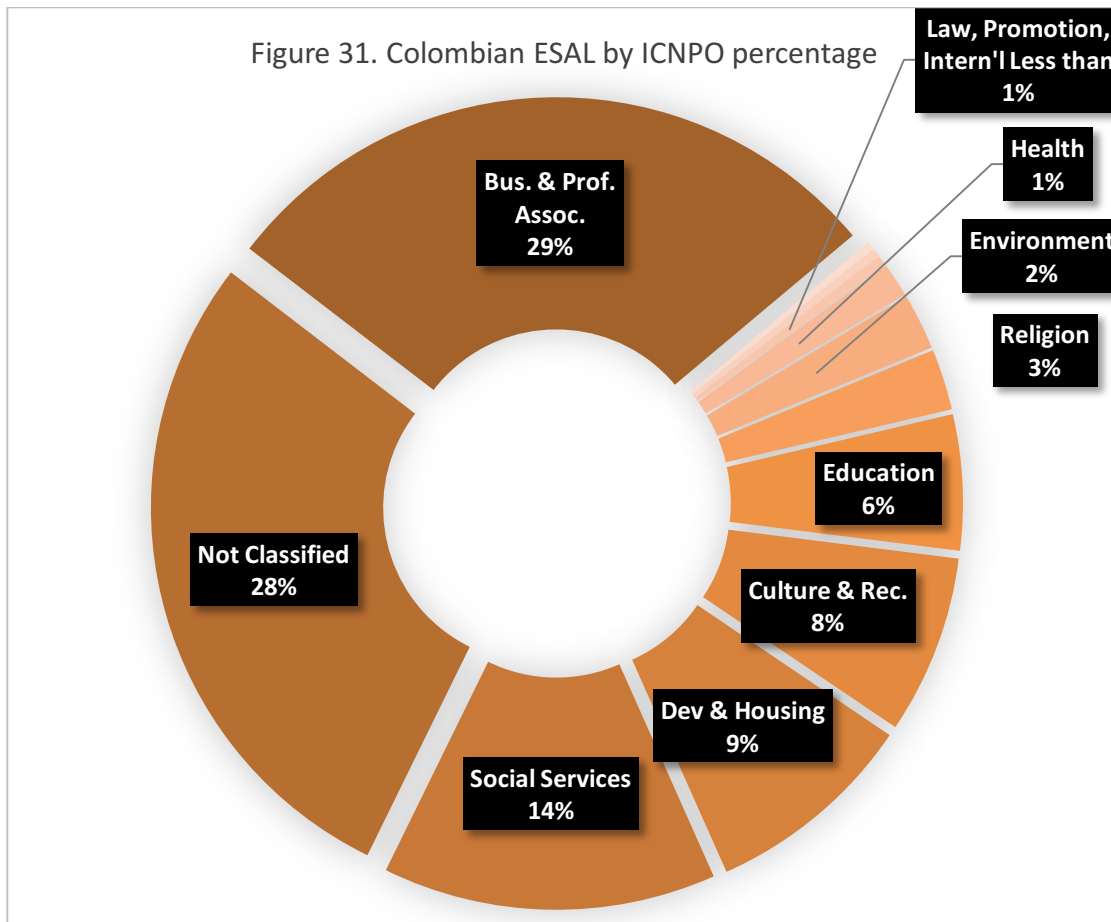
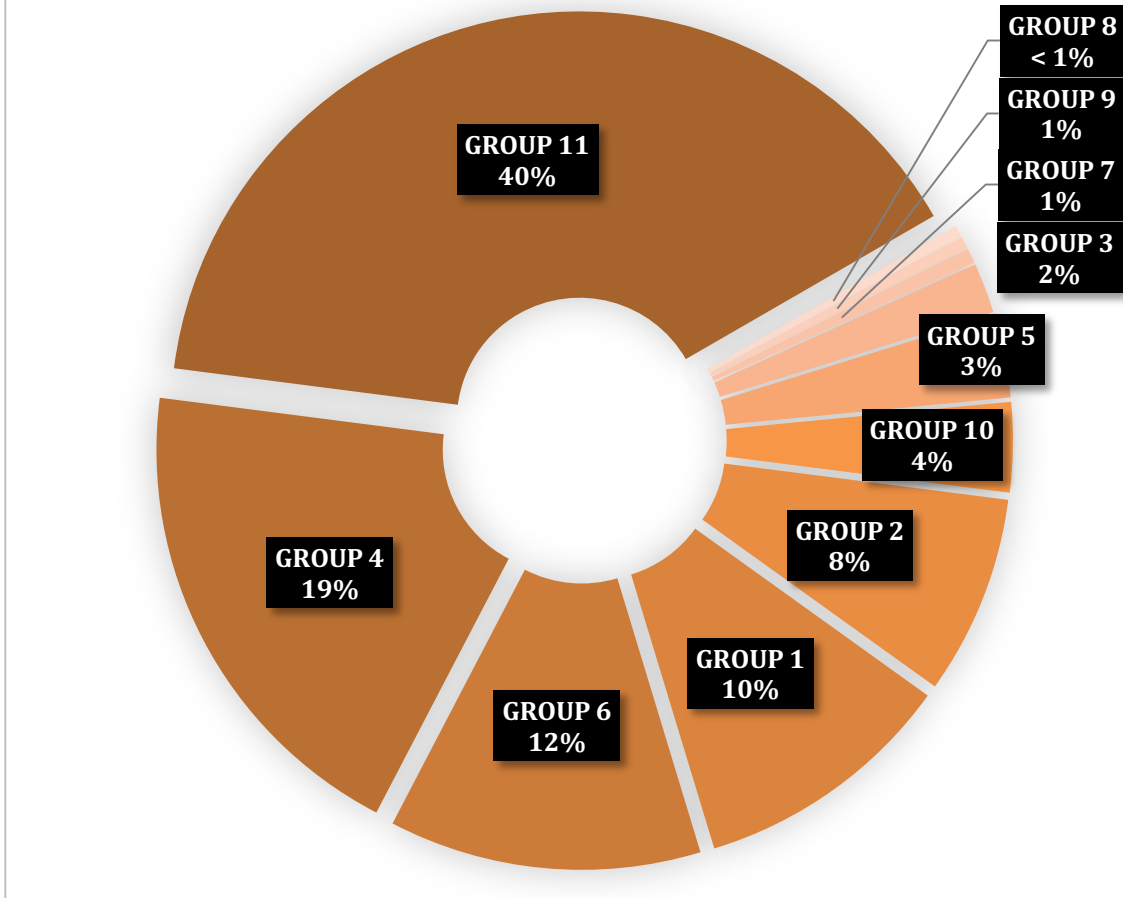


Figure 31 gives us a correct representation of the ICNPO Groups for all 296,467 records. If we exclude the Group 12 (Not Elsewhere Classified) records, we get a better percentage representation of each major group for the records that have been coded. This is shown in Figure 32. As with the NTEE above, Human Services and Public & Societal Benefit combined are 58 percent of the all ESAL in Colombia. Bear in mind that Health and Education are small because these records come from departments and most did not participate in the study.

Figure 32. Colombian ESAL by ICNPO - Group 12 Excluded



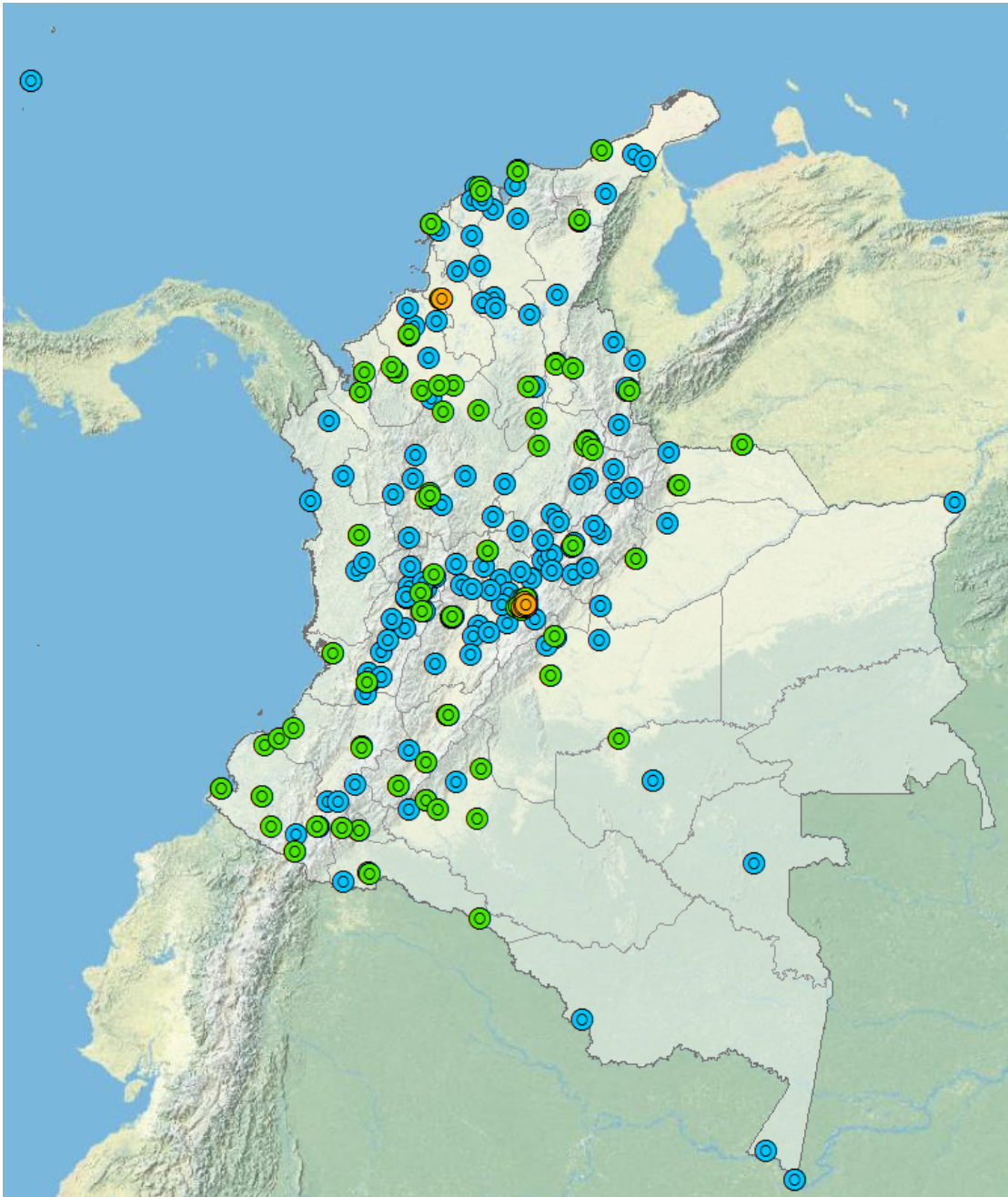
Legend:

- Group 1: Culture and Recreation
- Group 2: Education and Research
- Group 3: Health
- Group 4: Social Services
- Group 5: Environment
- Group 6: Development and Housing
- Group 7: Law, Advocacy and Politics
- Group 8: Philanthropic Intermediaries and Voluntarism Promotion
- Group 9: International
- Group 10: Religion
- Group 11: Business and Professional Associations, Unions
- Group 12: [Not Elsewhere Classified]

Registry Maps

The following 14 maps, figures 33-46, provide imagery for the registries. Scale 1:8,500,000.

Figure 33. Map of Colombian Institute of Family Welfare (ICFB) centers. N=338.



Orange – emergency centers; green – centers for victims; blue – regional offices

Figure 34. Map of Colombian Institute of Sports (COLDEPORTES). N=65.



All national sport ESAL are located in the three large metropolitan areas (Bogotá, Medellín, Cali) or the Caribbean coast, with the exception of Meta and Tolima. There are 52 federal level sports ESAL, 5 non-conventional, and 8 recreations associations.

Figure 35. Map of INPEC: *Casas Carceles* (House Jails). N=12.

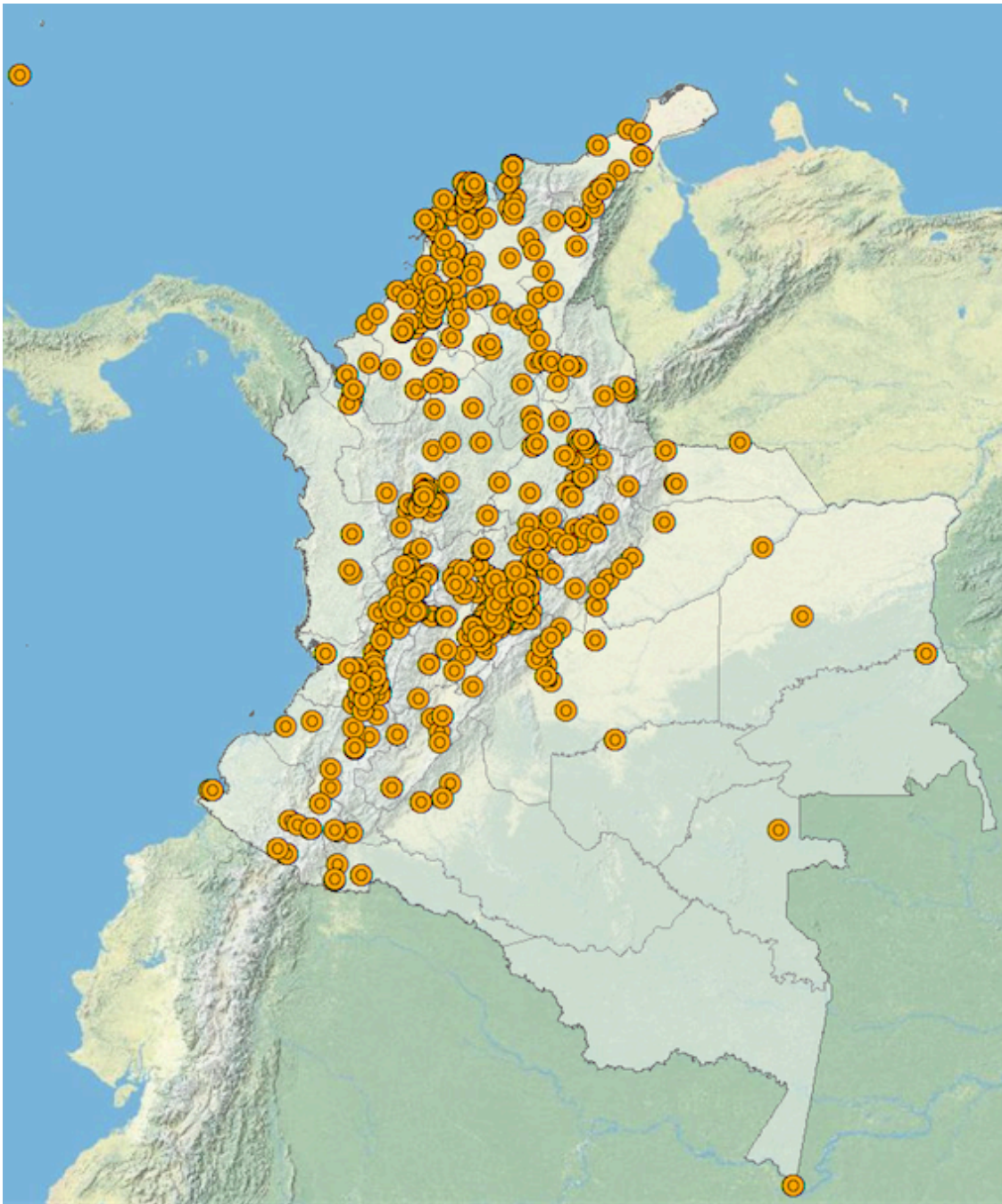


Figure 36. Map of Ministry of Interior: Author's Rights. N=6.



Five of the six Author's Rights ESAL are in Bogotá and the sixth is in Medellín.

Figure 37. Map of Ministry of Interior: Churches, Denominations, their Federations and Confederations. N=5,284.



Religion coded ESAL are the only subsector that has a presence in all 32 departments and the capital district.

Figure 38. Map of Ministry of Interior: Community Action Organizations (OAC). N=36.



The OAC are associations of JACs.

Figure 39. Map of Ministry of Interior: International NGOs. N=346.



Figure 40. Map of Ministry of Labor: Labor Unions. N=10,640.



The labor union registry did not include addresses, only cities and departments, hence the markers are stacked, giving the impression there are fewer than 10,640.

Figure 41. Map of Ministry of National Education: Higher Education. N=359.

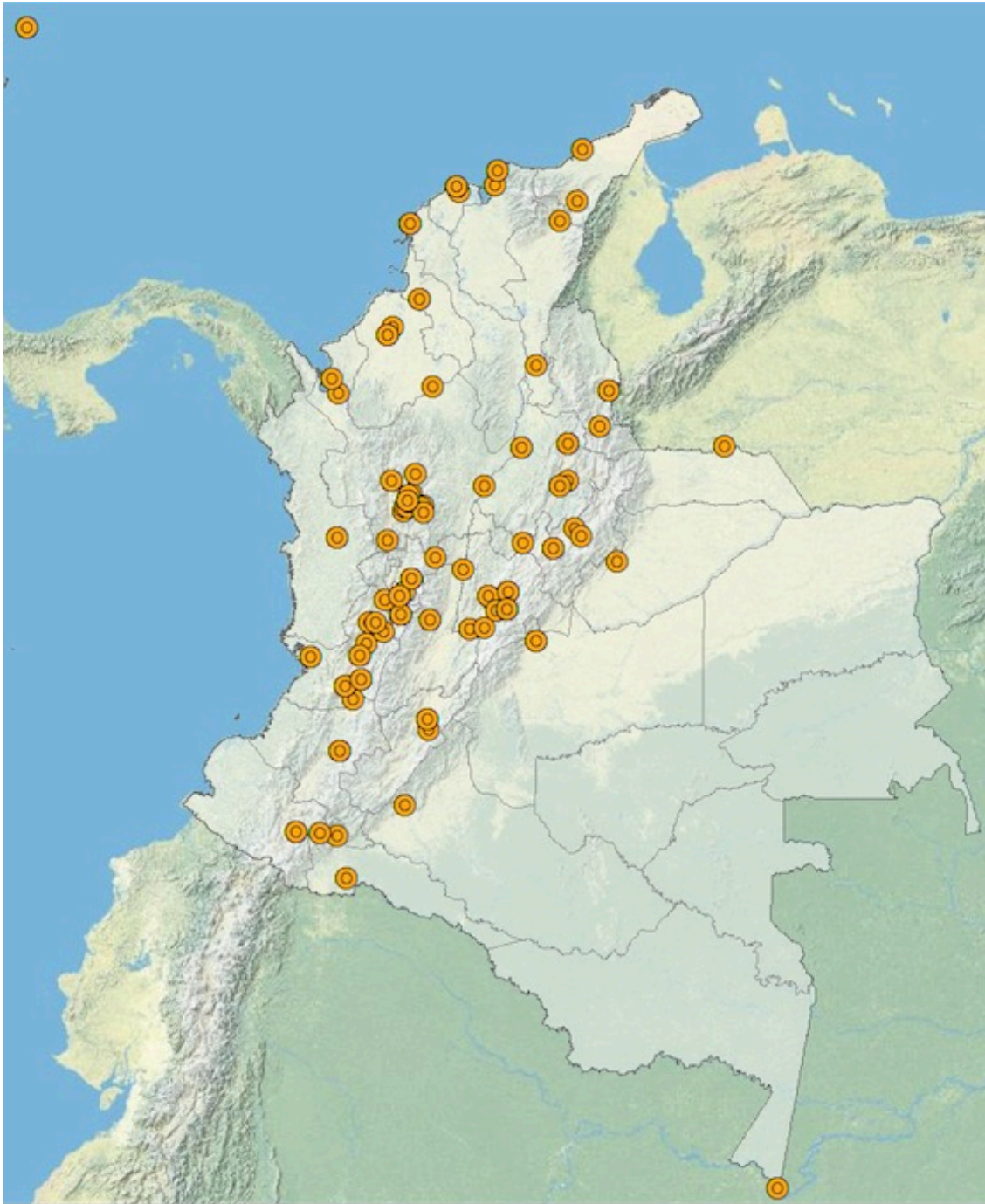


Figure 42. Map of National Electoral Council: Political Parties. N=14.



Figure 43. Map of Superintendent of Family Support: *Cajas de Compensación* (Family Compensation Funds). N=44.

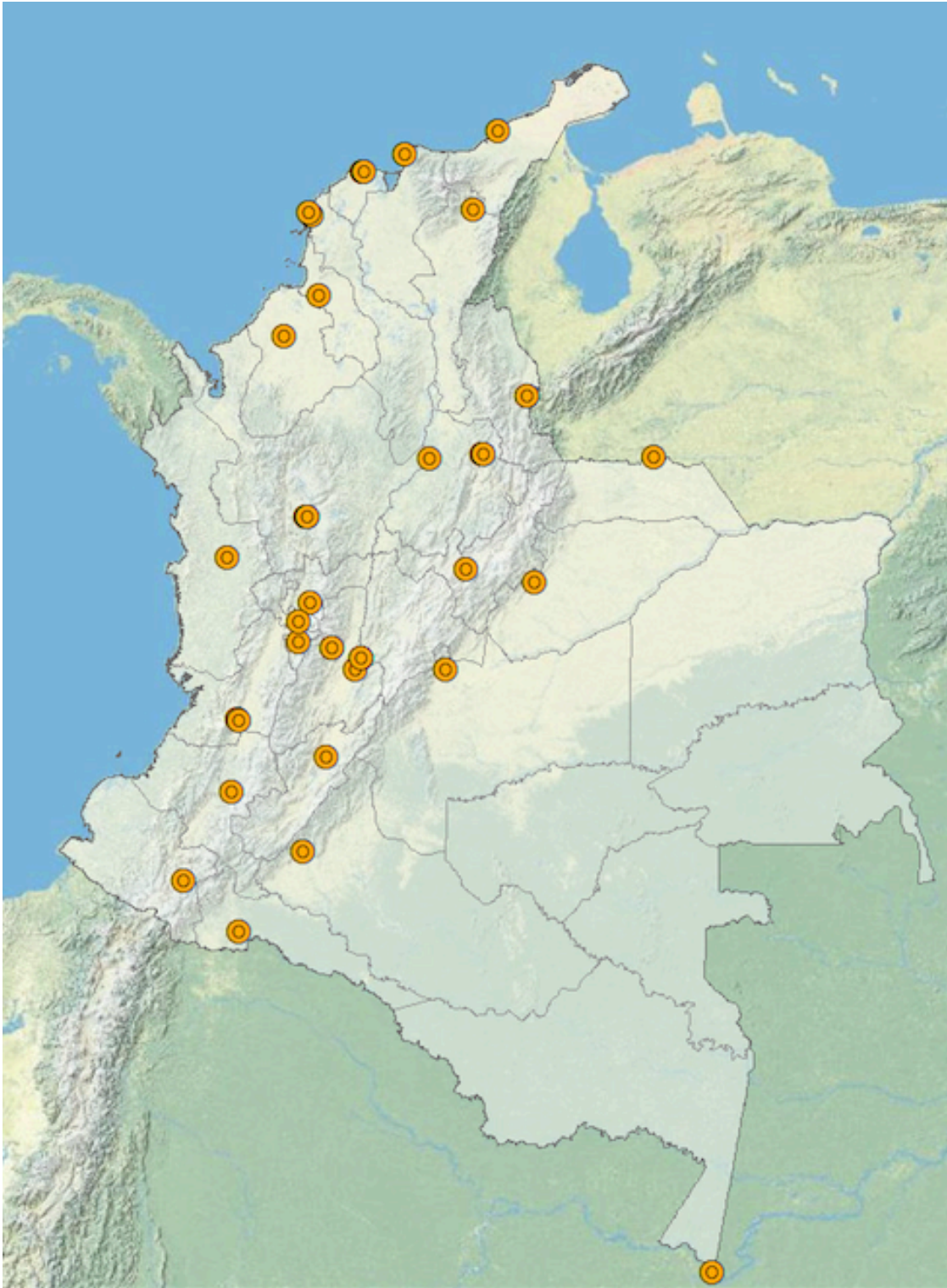


Figure 44. Map of Superintendent of Industry & Commerce: Chambers of Commerce.
N=58.



Figure 45. Map of Superintendent of Industry & Commerce: Consumer leagues. N=156.

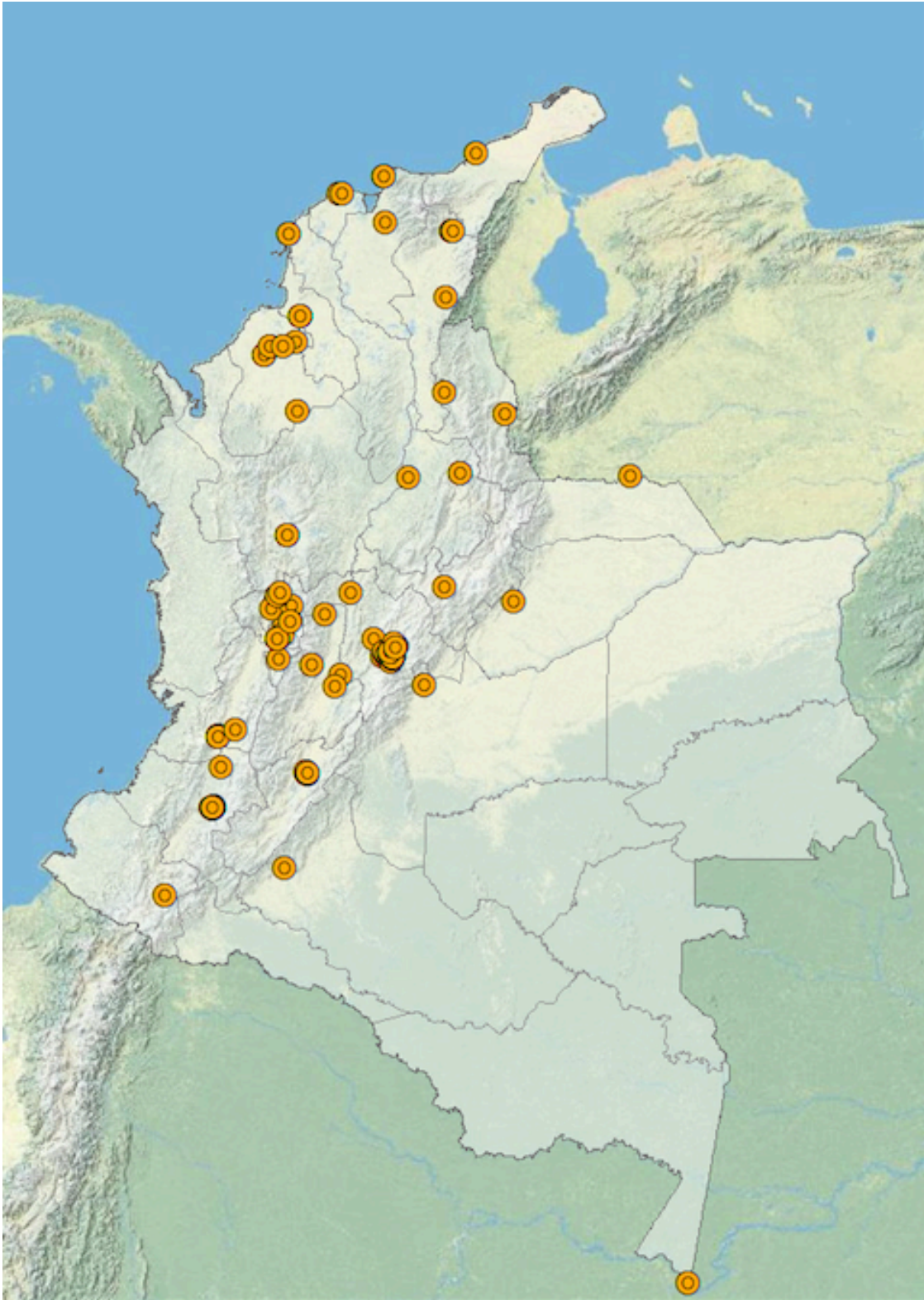
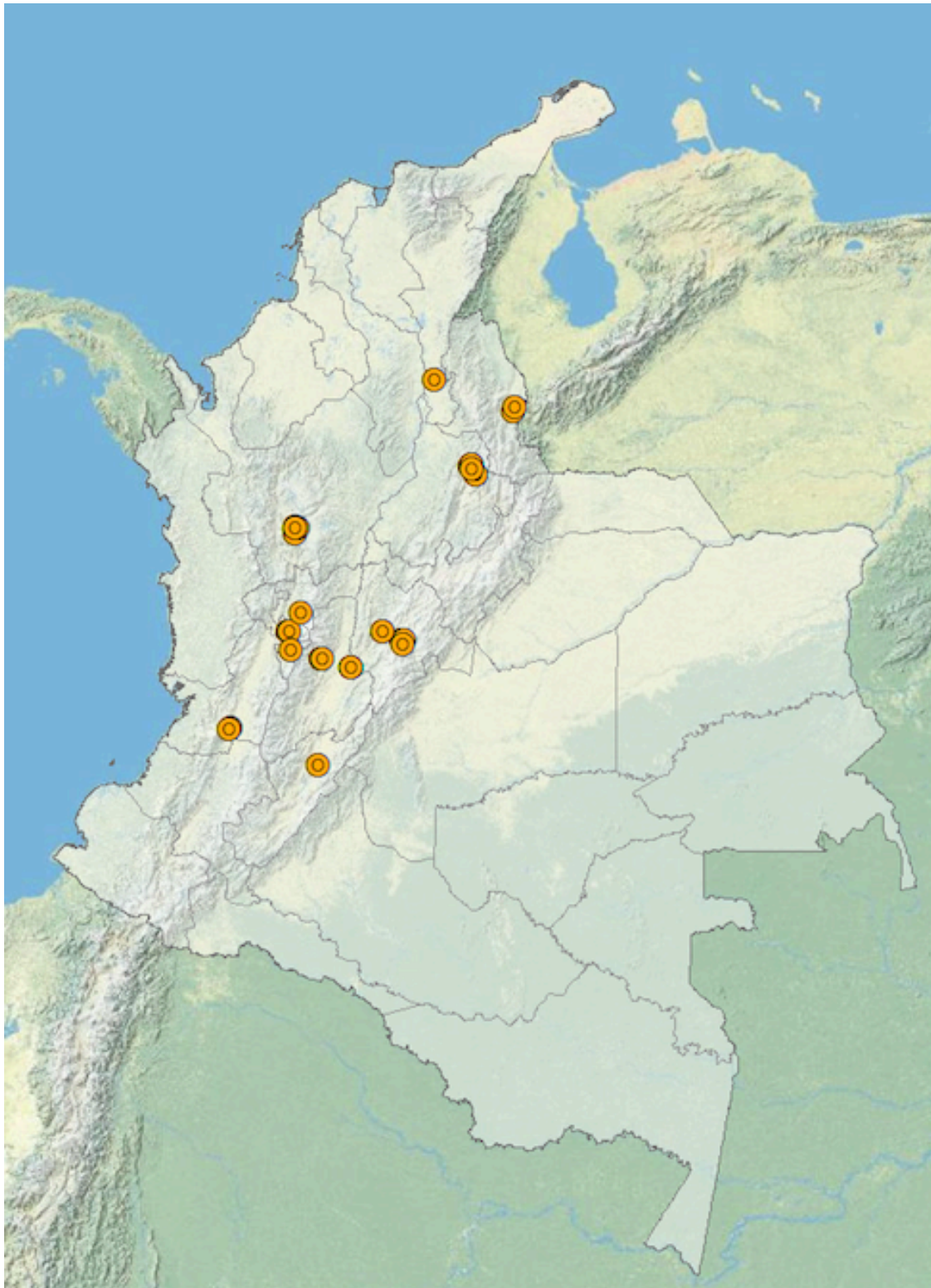


Figure 46. Map of Superintendent of Security and Private Surveillance. N=51.



CHAPTER FIVE

DISCUSSION AND RECOMMENDATIONS

Introduction

A review of the charts and maps of the Findings chapter reveals a Colombia strong in mutual solidarity, an emphasis in human services and public benefit, and a healthy diversity of arts, religion, education, and the environment. No single subsector comprises more than 26 percent, distinguishing Colombia as having a balanced civil society sector (Salamon, 2004). This makes Colombia unique in Latin America, where traditionally civil society sectors are education dominant (p. 21). Colombia's historical struggle with education and political strife position it today to move forward with equanimity as it enters the post-conflict era. The website of this dissertation may serve a small, but important part in unifying disperse agenda and help parties network effectively. A limitation to this study and website is that a full 29 percent of the data has not been coded (NTEE Z – Unknown). How a complete and accurate coding would affect this study's findings remains to be seen.

The Johns Hopkins Comparative Nonprofit Sector Project looked at economic and census data in Colombia to determine the size of the sector by employment (Villar, List, & Salamon, 1999). It found that Colombia's nonprofit sector comprised 2.4 percent of total employment, just ahead of the Latin American average of 2.2 percent (p. 415). It found that a full 48 percent of the population reported some type of volunteering. It also reported that Colombia was a fee dominant sector, with 70.2 percent of revenue

fee based, 14.9 percent coming from philanthropy, and 14.9 percent coming from the public sector (p. 420). That data is now 20 years old and Colombia has seen an astonishing transformation. It is expected that these latter percentages have shifted.

This study differs in that no economic data is used. This study gives a more accurate count of the number of ESAL rather than the percentage it occupies in the three sectors based on economic data. Further, the Hopkins study divided the civil society sector into 8 “fields” (health, education, social services, culture, professional, development, environment/advocacy, and other) and returned percentages between them based upon employment, census, and volunteer data. This study utilizes the higher detail of NTEE core codes, major codes, and subsector totals. If ESAL staff in this study were to update their records with financial data regarding employment, revenue streams, and support versus program expenses, future research could compare this study with the Johns Hopkins study. A more current measurement of the Johns Hopkins study data could be provided and a comparison could indicate trends.

The Remarkable Growth of ESAL

During the preliminary investigation to see if the mapping research was feasible, a general understanding was had about the distinction between federal records, departmental records, and the chambers of commerce records (Comfecámara). During the investigation, no information was noted or mentioned from any source or person regarding the remarkable historical growth since the Decree 2150 of 1995. While the

total numbers of ESAL and the size of the sector is greater than anticipated at the beginning of the study, it is the growth of the sector that warrants observation and commentary.

Consider this: Records at the Comfecámara registry represent 85.4 percent of all found records in this dissertation, and 84.2 percent of all possible (extrapolated) ESAL in Colombia. Of the 253,228 records in the Comfecámara registry, 74 percent of all ESAL are less than 15 years old as of June 2015. Another 24 percent are between 15 and 29 years old. Less than two percent of all chamber registered ESAL in Colombia are older than 30 years. If we were to assume (incorrectly) that all other records in all other registries are older than 30 years, this would still mean that at least 82.5 percent of all ESAL in Colombia are less than 29 years old. Moreover, at least 62 percent of all ESAL in Colombia were created after the year 2000! Given that ESAL growth in the capital district mirrors Comfecámara ESAL growth for the same time period, these two period percentages increase. In reality, it is also likely all other registries experienced growth during this period as well.

This, therefore, is perhaps the most astonishing and unexpected finding in the research—an estimated two thirds of all ESAL in Colombia were created since the year 2000. Nevertheless, one is equally astonished that the Colombians themselves regard this growth as unremarkable. As these statistics were confirmed for this research, the Researcher received no responses of wonder or amazement from any of the registrars. Upon reflection, this lack of wonder makes sense within the Colombian context. Colombia had plunged to nearly a failed state. Civil war peaked in the 1990s, tens of

thousands of citizens were killed or kidnapped, and millions were internally displaced. A new constitution was drafted and approved by the populace while market forces, investment, and GDP all grew in double digits in the 2000s. Given these bewildering and preoccupying circumstances, the phenomenal growth of ESAL would be invisible at worst, or at best, unremarkable.

Will the Colombian third sector continue to grow at its current pace? This remains to be seen, although there is no evidence to suggest that it will not. Recent decrees (such as the RUES of 2012) continue to lean toward efficiency and streamlining legal requirements and Colombian ESAL continue to find better ways to network and increase visibility.

Lessons in Mapping

Mapping projects require geographic and computer sophistication. Technological hurdles were significant in this project, and a road map with warning signs and short cuts can be provided to others considering similar mapping projects. Susan Appe turned our attention to the importance of “who is mapping” and lessons learned in this research suggest the following:

- A partnership between Research Community Types and Government Type 4 mappers can open doors to record access and provide academic neutrality to suspicious governmental agencies. This type of partnership worked well.

- A partnership between Research Community Types and Government Type 4 mappers provides a check and balance against favoritism of Donor and International Institutions types that partner with government.
- Patience and careful negotiations are important to align registrars and embrace them as actors. Mappers are to expect delays or denial of records due to bureaucratic inertia.

Self-assignment and Future Research

Colombian ESAL and political communities are invited to embrace the website and enhance its utility. First, to help refine the coding, staff members at Colombian ESAL could take it upon themselves to search their database record and assign an appropriate NTEE and ICNPO code to it. This would undoubtedly require some corrections to coding assignments applied here. Second, if resources permitted, other fields could be added to the database to invite ESAL staff to promote their mission, announce their projects, improve their public accessibility, display financial data, and find ways to network both domestically and globally. The by-product would be increased transparency. The Open Society Institute believes that when “the public has access to the registry of [civil society organizations], it can provide additional and useful oversight and bring to light possible problems that may have been overlooked by the government” (Open Society Institute, 2004, p. 27).

In order for a critical mass of the ESAL public to reach the database, easy access to the records must be given. Assigning a password for access at the outset would be impossible given the sheer numbers involved and no effective way to communicate the password to the ESAL. After all, if Colombia *did* have a simple way to contact all ESAL, this case study would have been unnecessary! An awareness campaign inviting ESAL to seek out and self-assign is the only way to accomplish this, short of a decree mandating it. Self-assignment requires trust and strong social capital. Jealous or mean-spirited personnel could negatively enter data and alter a competing ESAL's perception, which is not improbable given a significant portion of ESAL depend on competitive government contracts. While that problem can be programmatically solved through password creation after ESAL have embraced the system, an element of trust and good will must exist to bring the system to that place. Further, even if no enmity were ascribed to ESAL staff regarding competitors, trust is still required for ESAL to self-assign to proper codes that accurately represent their mission as it is done in the U.S. Mission drift and "gold poisoning" (where the ESAL is motivated primarily by financial contracts), already a concern, could become more prevalent if ESAL staff believe the primary purpose in NTEE coding had a lucrative end.

Concurrent with self-assignment, future research and development would be as follows:

1. With the web-based database launched, the next stage would be to get the contributing government registrars on board to maintain current data. It is ideal

that a single agency would assume control of the project and establish protocols for updating data from registrars.

2. Establish the second stage field set. Crucial fields would include:
 - a. Projects list field. This would list the active projects the ESAL is working on, including government contracts.
 - b. Email address of the person responsible for maintaining the web-based database record.
 - c. Compliance grade. This policy has been discussed and might increase transparency and decrease fraud. While working on this research, the Mayor's Office of Greater Bogotá was considering adding a percentage-like grading system to each ESAL, based upon the ESAL's legal compliance. For example, if the ESAL had completed all annual accounting, documentation submission, and registration renewals, that ESAL would receive a grade of 100%. This 100% would be displayed in the record of the ESAL in the web-based database. ESAL would be incentivized to comply with all legal requirements or suffer the consequences of exposure and distrust from the public. The assumption is that no foundation would donate to an ESAL say, only 60% compliant, and no corrupt local government agency would dare to contract with a colluding ESAL when the public has full access to knowledge of these contracts and the grade the ESAL has. With the web-based database now

online, further research could implement the grading system envisioned by the Mayor's Office to help reduce fraudulent ESAL.

- d. Financial data. This could include disclosure of annual revenues and expenses. It could also include salaries of directors.
- e. Individual password protection. This would allow the individual ESAL to update all of their data that would not be updated by the registrars.
- f. Program related metrics would be added such as the number of accesses to a particular record (ESAL) and also a record complete percentage.

If a government agency would assume the financial burden, this project would be sustainable. The agency with the most to benefit would be Comfecámara, since they possess over 80 percent of the records. But an outside agency that is not a registrar, such as the UIAF (spy agency) or DIAN (tax agency) or DANE (statistics agency) would be a better choice, given potential preferential treatment of a registrar's own records. If no agency is willing to step forth to maintain the website, a single foundation or federation of foundations could fund the development and maintenance of the site.

The Value of Location in Mapping and Post-conflict ESAL Comparison

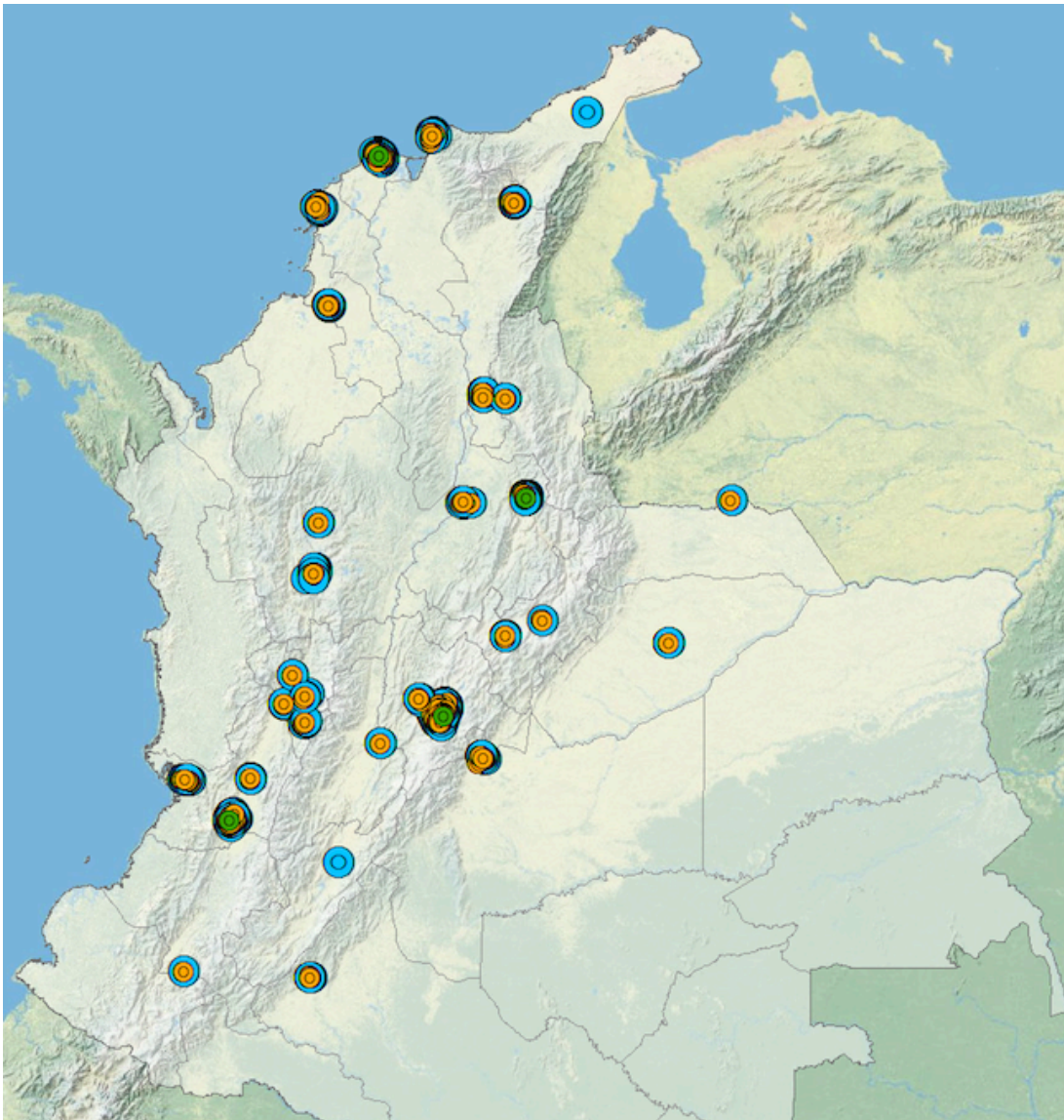
As discussed in the introduction, previous civil society mappers focused on economic and registry data. Appe's Research Community Type 2 mappers compare civil societies across contexts by their composition, *not* by location, except to state which country these civil societies belong to. If we rethink this approach to include a specific

location of longitude and latitude along with political coordinates (e.g. street address), more than just economic data can be utilized.

Despite limitations, the database and ArcGIS mapping platform of this dissertation are tools to unearth one of Colombia's rich resources—civil society. They are the mother lode of data waiting to be mined for the sector. The ArcGIS mapping application permits programming a comparison of all combinations of NTEE and ICNPO coded ESAL to be displayed as markers on a map. In this study, between the 235 applied NTEE codes alone there are millions of possible mapping combinations. One comparison is presented here for illustration. Figure 47 displays all ESAL coded as Q40 - International Peace & Security in blue (n=1,740), Q71 - International Migration & Refugee Issues in orange (3,160), and F30 - Mental Health Treatment in green (12).

Note the strong visual correlation between ESAL that work with IDPs and victims of the armed conflict, and ESAL dedicated to peace. In only two areas do we see blue only markers, indicating peace related ESAL but no migration & refugee or IDP ESAL. In both cases, nearly all ESAL are located in metropolitan areas to where people fled from the countryside. Victims of armed conflict often suffer post-traumatic stress and cannot afford mental health services since most have lost their homes and income as IDPs. As one might expect, therefore, all mental health treatment coded ESAL are found in population centers where IDPs and victims are located.

Figure 47. Map comparing mental health, IDP, and peace-related ESAL.



Orange – Q71; blue – Q40; green – F30

Figure 33 prior shows the 78 Colombian Institute of Family Welfare (ICFB) victim centers that serve this population not included in figure 47. Taken altogether, 78 ICBF and 12 mental health treatment ESAL appear insufficient to serve a population of between 3.9 and 5.3 million IDPs. What can be done with this location data? ESAL location comparisons lead to more than one potential course of action.

First, this is one example how taxonomical and geographical data combined can help determine needs and influence policy or philanthropy. In this case, policy makers can increase the number of state-sponsored mental health clinics where absent, or endorse and encourage mental health ESAL to establish clinics in areas less served or not served at all. Specifically, we see there is a need for mental health centers in the coffee axis region. Local governors and federal ICBF officials could establish government clinics, and contact mental health ESAL in other regions of Colombia to request and facilitate clinics in the Departments of Caldas, Quindío, and Risaralda. This comparison map could also be used in grant requests to international NGOs and foreign donors to establish need.

Second, in addition to policy reform and administrative programming, knowing the location of ESAL in a country can facilitate rapid response to mitigate emergencies. In 2012, USAID created a task force called GeoCenter, a team designed to build geospatial capacity within USAID. The GeoCenter teams has created a global network of ArcGIS specialists across the globe to map population centers, agricultural needs, climate anomalies, and governmental crises. This researcher has been in contact with Patricia Solís, Ph.D., Research Associate Professor of Geography, at Texas Tech University to collaborate our efforts (P. Solís, personal communication, July 3, 2016). Dr. Solís is the principal investigator for a program called YouthMappers, a network of university students established under the Mapping for Resilience University Consortium, which works on USAID projects. The Mapping for Resilience University Consortium creates base maps that can be used by development agencies in case of challenges such

as drought, change of government, an earthquake, or the climate change. By overlaying “challenge” or “disaster” maps with this mapping project, USAID, Colombian response agencies, and other developmental agencies will have the ability to instantly locate and contact service providers in the regions where the crisis occurs (Wheeler, 2016).

In summary, mapping a location provides practical application for fields workers and governments agencies in policy implementation and emergency response. Further, academic and foundation researchers can benefit by projecting trends and promoting increased philanthropic networking.

Civil Society - Government Relations

Since the turn of the century, scholars have suggested different models that characterize how the civil society sector interacts with government (Najam, 2000; Young, 1999, 2000). Young holds there are three frameworks of government – civil society relations. The first is a supplementary relationship, where on a voluntary basis civil society fulfills the demand for public services left unfulfilled by government (i.e., government failure). Second, a complementary relationship occurs when civil society partners with government to deliver public goods and services usually with public funding. This theory mitigates the consequence of “free riding,” where people attempt to consume non-rival or non-excludable collective goods provided on a voluntary basis in the supplementary framework. Lastly, the relationship with government is considered adversarial when civil society organizations pressure government policymaking and

service delivery or press the government to be more accountable to the public. Or, to take different approaches to policy formation, implementation, or governance.

Young hypothesizes that the “complementary relationship, with an emphasis on governmental assimilation and control of nonprofit organizations, is likely to become more prominent in times requiring national unity, such as wartime... or the forging of nationhood... In such periods, the supplementary and adversarial modes may be suppressed” (p. 169).

The Constitution of 1991 was, in praxis, forging a new beginning for the nation and, just as Young hypothesized, the government embraced a complementary relationship with civil society and vice versa. Young also predicted that the “supplementary relationship becomes more prominent in times of surging prosperity in the private economy and when government is relatively passive in its approach to social policy or slow to respond to social issues” (p. 169).

Colombia realized a surge of prosperity during the Uribe administration, and the supplementary relationship grew in moderation.⁴⁰ Currently, as Colombia rebuilds in the post-conflict era, however, a complementary relationship is again emphasized. Appe and Layton (2015) report that “key civil society players in Colombia (including CCONG [Colombian Confederation of Nongovernmental Organizations], social organizations, and universities) have joined together to create the National Pact for Peace that calls for the sector to play an active role in the peace process... The position of the National Pact

⁴⁰ Adversarial conditions with civil society also grew during the Uribe administration in the area of human rights CSOs and when Uribe publicly discredited the third sector (Appe and Layton, 2015, p.7).

is that the transition to peace will require the expertise and experience of civil society, which might bring about more complementary relations between the government and the nonprofit sector in Colombia” (p. 8).

Based upon case studies, Appe and Layton (2015) offer a visual representation of the civil society - government mix of several Latin American nations as seen in Figure 48. Colombia ranks higher than other nations in the complementary and supplementary relationships.

Figure 48. Civil society—government relations in Latin America.



Source: Appe and Layton (2015), p. 15.

Present Climate – Domestic Context

Due to decentralization, there is no uniform consistency in the application of national public policy, even though legislation requires it. Federal mandates requiring departments comply with standards set forth are sometimes ignored and are seen as a

violation of department rights, similar to states' rights issues in the U.S. As such, across the nation there is a wide variety of services contracted by local governments and delivered by ESAL that are substandard. For examples, nutrition and healthcare for children 0-6 years of age is insufficient; free primary education does not reach remote territories; research and social innovation are isolated; and in general, basic services such as water and sanitation are unsatisfactory. The roots of the problem are two-fold. First, federal funding (Sistema General) does not allocate sufficient funding for these services. Departments, through local business taxation called *regalías* (royalties), are required to supplement federal pesos to meet acceptable standards. Wealthy departments, such as those that comprise the *eje cafetero* (coffee axis), are able to meet or exceed national standards. When departments suffer economically, their tax revenues diminish, and basic services disappear. An example occurred in the department of La Guajira in February, 2016 where 16 children were hospitalized for malnutrition after four others died. Around 15,000, or 27.9 percent, children in the department are at risk of malnutrition (El Espectador, 2016; TeleSur, 2016) because the department lacks sufficient funding from federal and royalty sources.

Second, department and municipal authorities contract with ESAL that serve their political purposes and guarantee continued political power—reminiscent of parliamentary aid days. On April 14, 2016, Mayor Henry Montes of the municipality of Aguachica in the Department of Cesar was arrested and imprisoned for accepting kickbacks from the Provenir Foundation. A contract worth 530 million pesos (approximately \$177,000 USD) was executed to provide school lunch for children in the

town. During school lunch, a full plate of food was handed to the first child in line for a photographer, then taken from the child and given to the next child in line for another photo. This was repeated with several children. The children were actually given a small portion of food placed directly in their hand (no plate) and some were forced to sit on the floor as lunch room tables were not provided. An anonymous citizen recorded the fraud and the video went viral in Colombia, sparking the investigation that led to the arrest of Mayor Montes and five others (El Tiempo, 2016). In 2014, another fraudulent case valued at six billion pesos (\$2 million USD) was uncovered regarding a contract with Semilla Foundation and the ICBF in the department of La Guajira (El Tiempo, 2016).

While the law requires transparency and accountability, the corruption exists between both the ESAL and the local government who retains IVC. Thus, the public is unaware and swindled by the very agency assigned to protect it.

The web-based database created in this project is the first step to providing an environment for public transparency to prevent the examples above. As noted in the Self-Assignment section above, if other fields were added to the database to require ESAL staff to divulge their government contracts, improve their public accessibility, and display financial data, the by-product would be increased transparency. The above types of cases of fraud would be reduced as the public and competitors would “provide additional and useful oversight and bring to light possible problems that may have been overlooked by the government” (Open Society Institute, 2004, p. 27).

Present Climate – International Context

Historically, Colombian diplomats and ambassadors abroad channeled foreign assistance they had independently acquired to favored ESAL back home. This favoritism guaranteed them opportunities once their term of service expired. There was no centralized institutional system for consolidating foreign assistance arranged by independent diplomats. The Colombian Presidential Agency of International Cooperation (APC) was created for the purpose of coordinating all public and private donated funds of foreign cooperation received. The creation of this agency was precipitated by dwindling official development assistance from foreign governments in recent years. It is designed to eliminate favoritism and follow a concerted national plan of development. The APC contracts with ESAL to work on post-conflict peace building, sustainable rural development, and environmental sustainability (Agencia Presidencial de Cooperación Internacional de Colombia, 2016). All Colombian ESAL are permitted to receive direct funding from foreign funders, but many lack access to contact information for fundraising purposes. The smaller ESAL with limited resources also lack staff or other wherewithal to access foreign funding. The web-based database created in this project puts all ESAL on even ground, as one ESAL is just as searchable as another by the APC as well as foreign funders. It also levels the playing field for Colombian ESAL as foreign funders may opt to search for ESAL by convenient location rather than by market visibility.

Internal Regulation

While no formal research was conducted on the internal operations and self-regulation of the sector in Bogotá, after serving three years as Deputy Director of *SuperPersonas Jurídicas* and performing hundreds of audits of ESAL, Dr. Bernardo González concludes the following three points (B. González, personal communication, March 24, 2016):

- Mission drift and gold poisoning abound. An estimated 30 percent of ESAL in Colombia are created to receive government contracts and will modify their missions accordingly. Given Colombia's weak fundraising climate and lack of education in philanthropy, it would be expected that ESALs rely heavily on a complementary relationship with the government.
- Board composition. The majority of ESAL personnel are family or friends. Few ESAL invite a diversity of team members or hire on the basis of qualifications. Approximately 50 percent of ESAL are run as a dictatorship, rather than the required democratic processes stipulated in ESAL by-laws.
- Non-compliance. Approximately 20 percent of ESAL are noncompliant with their statutes and financial accountability.

The accessibility of enhanced data through the website of this study could expose to the public the internal governance problems of ESAL noted by Dr. González, thereby inviting improved internal regulation or risk exposure and loss of contracts.

Further, in its current state or with some field enhancement, the web-based database also offers:

- Awareness of social services by ESAL that exist in the country.
- Indications which industrial, agricultural, or financial businesses are linked to social responsibility via an ESAL.
- Identification of concentrations of ESAL by region and their proportionality to populations.
- Identification of vulnerable populations according to constitutional priorities.
- Historical reference by creation date and survivability as well as growth trends.
- Identification of social services provided by private funding versus state funding and the possibility of unifying resources for greater efficiency or impact.
- Possible fiscal control by the state.
- Transparency of public works through ESAL contracts.
- Development of new partnerships, both public-private as well as private-private.
- Institutionalization of a single, or at least fewer, regulatory agencies over ESAL in Colombia.

In order for Colombia to move further toward a supplementary relationship, increased donor awareness, fundraising skills, and increased trust in the sector is required.

Policy Recommendations

Throughout the fulfillment and progression of the MOU in this study, a series of policy recommendations were consulted with the Researcher and others and announced by Dr. Bernardo González at the *Primer Congreso Internacional de entidades sin fines de lucro* (First International Congress of Nonprofit Entities) in the Huitaca Auditorium at the Office of the Mayor of Greater Bogotá on November 6, 2015. Seeking a consensus of those present, the following points were included in the declaration:

1. Create an enduring Third Sector Commission, formed between academic, state, and civil society actors: for the promotion of research and monitoring of social impact of nonprofit entities in Bogotá's Capital District.
2. Issue a bi-annual statistical bulletin publicizing services offered and public policy.
3. Assume the legality and sharing of services and good practices of social innovation and corporate governance.
4. Solicit the Third Commission of the Senate of the Republic to summon foundations, associations, and corporations to meetings with the aim of informing the third sector on tax reform and its impact on society.
5. Between the capital district and the department governments, design connectivity strategies, to constitute a single technological platform allowing access to the supply of data at the national level.
6. Hold annually the International Congress of Nonprofit Entities at the behest of the legal persons department of the Secretary General of the Mayor's Office.
7. Create a physical and virtual central document that contains the historical evolution of social non-profit organizations in Colombia.
8. Support agreements with national and international agencies that celebrate proposals that affect the regulation, promotion, and participation of volunteers in Colombia.
9. Strengthen philanthropy in Colombia through networks with academia, business groups, and the state.

10. Produce literature in which are shown exemplary cases in the development of democracy and the participation of civil society in Colombia.
11. Centralize the inspection, oversight, and control into a single administrative body.
12. Assign a czar of philanthropy and voluntarism.⁴¹

This declaration was well received by the audience of 600+ persons, but Dr. Gonzalez was released from his position before following through on implementation of each point. Dr. Gonzalez's position is appointed by the Mayor and is political. With a new Mayor in January 2016, he was replaced after eight years of service. Points seven and eleven above are now feasible with the web-based database online.

Conclusion

Ultimately, the goal of this dissertation and the web-based database is to promote increased development of civil society in Colombia. By giving worldwide access to Colombian ESAL and international organizations, it is hoped that greater networking will increase cross-border philanthropy. As Colombian ESAL diversify their funding base, they can move toward a more supplemental relationship with government. This can mean a diversity of services by high demanders not met in a complementary system. This move will require accountability to external funding sources that are less likely to conspire in corruptive practices. Further, Colombian ESAL will need to compete for

⁴¹ Translation mine. See Appendix H for the original document.

funding by improving transparency and making adjustments aligned with best practices. This means greater internal democracy, competitive salaries, fiscal transparency, improved fundraising, improved utilization of volunteers, and efficiency in providing goods and services.

As mentioned in the introduction chapter, Appe (2011) noted that some “argue that we cannot see civil society organizations as legitimate players in policy if we have no clear ways to define them and if we lack information explaining their functions” (p.158). Even if individual ESAL do not engage the web-based database in this study, *collectively*, however, the ESAL in the database do witness as a voice to the global community that Colombia takes the third sector seriously and that Colombians are a philanthropic people to be reckoned with. Internally, if ESAL will organize and lobby, that can become the legitimate players in policy Appe speaks of. The web-based database in its current state will permit them to do so, but modified to more easily facilitate networking, it has the potential to fully motivate government.

This project is timely in the post-conflict movement and rhetoric, as stakeholders in government, market, and civil society work together to rebuild trust and equality after decades of conflict. The difficulty in collecting data for this case study speaks to the same distrust that must be rebuilt in society at large. If the database is successfully utilized and not swept under the carpet due to competition, competing priorities, budget restraints, or other perceived threats, internal discussions will follow by allying actors who are responsible for the registries themselves. These actors will take the project upon themselves and build upon these efforts. No better unification of civil

society in Colombia could exist than a top-down approach by the current registrars who, with vision, can improve upon this database, creating a *version 2.0* with their unique Colombian world view. A new bureaucratic inertia can replace the old, resulting in an acceleration of ideas, networking, and synergy. This could tip the balance of politics and civil society as usual, and heal a country eager to be the happiest in the world.

APPENDIX A.

Decree 2150 of 1995

Diario Oficial No. 42.736, de marzo 6 de 1996.

MINISTERIO DE JUSTICIA

Por el cual se reglamenta el Capítulo II del Título I y el Capítulo XV del Título II del decreto 2150 de 1995

EL PRESIDENTE DE LA REPÚBLICA DE COLOMBIA

En ejercicio de sus facultades constitucionales y legales, en especial la conferida por el numeral 11 del artículo 189 de la Constitución Política, y el parágrafo del artículo 40 y el artículo 148 del decreto 2150 de 1995

DECRETA

CAPÍTULO I

DISPOSICIONES GENERALES

ARTICULO 1o. REGISTRO DE LAS PERSONAS JURÍDICAS SIN ANIMO DE LUCRO. Las personas jurídicas sin ánimo de lucro de que tratan los artículos 40 a 45 y 143 a 148 del decreto 2150 de 1995 se inscribirán en las respectivas Cámaras de Comercio en los mismos términos, con las mismas tarifas y condiciones para el registro mercantil de los actos de las sociedades comerciales.

Para el efecto, el documento de constitución deberá expresar cuando menos, los requisitos establecidos por el artículo 40 del citado Decreto y nombre de la persona o entidad que desempeña la función de fiscalización, si es el caso. Así mismo, al momento del registro se suministrará a las Cámaras de Comercio la dirección, teléfono y fax de la persona jurídica

PARÁGRAFO 1o: Para los efectos del numeral o. Del artículo 40 del Decreto 2150 de 1995, las entidades de naturaleza cooperativa, los fondos de empleados, las asociaciones mutuales y las fundaciones deberán estipular que su duración es indefinida

PARÁGRAFO 2o: Las entidades de naturaleza cooperativa, los fondos de empleados y las asociaciones mutuales, así como sus organismos de integración y las instituciones auxiliares del cooperativismo, para su registro presentarán, además de los requisitos generales, constancia suscrita por quién ejerza o vaya a ejercer las funciones de representante legal, según el caso, donde manifieste haberse dado acatamiento a las normas especiales legales y reglamentarias que regulan a la entidad constituida.

ARTÍCULO 2o. Conforme a lo dispuesto por los artículos 40 a 45 y 143 a 148 del decreto 2150 de 1995 se registrará en las Cámaras de Comercio las siguientes personas jurídicas sin ánimo de lucro:

1. Juntas de acción comunal;
2. Entidades de naturaleza cooperativa;
3. Fondos de empleados;
4. Asociaciones mutuales, así, como sus organismos de integración;
5. Instituciones auxiliares;
6. Entidades ambientales;

7. Entidades científicas, tecnológicas, culturales, e investigativas;
8. Asociaciones de copropietarios, coarrendatarios, arrendatarios de vivienda compartida y vecinos, diferentes a los consagrados en el número o. Del artículo siguiente;
9. Instituciones de utilidad común que prestan servicio de bienestar familiar ;
10. Asociaciones agropecuarias y campesinas nacionales y no nacionales;
11. Corporaciones , asociaciones y fundaciones creadas para adelantar actividades en comunidades indígenas;
12. Gremiales;
13. De beneficencia;
14. Profesionales;
15. Juveniles;
16. Sociales;
17. De planes y programas de vivienda;
18. Democráticas, participativas, cívicas y comunitaria;
19. Promotoras de bienestar social;
20. De egresados;
21. De rehabilitación social y ayuda a indigentes, drogadictos e incapacitados, excepto las del numeral o. Del artículo siguiente;
22. Asociaciones de padres de familia de cualquier grado;
23. Las demás organizaciones civiles, corporaciones, fundaciones y entidades privadas sin ánimo de lucro no sujetas a excepción.

ARTÍCULO 3o. EXCEPCIONES. Se exceptúan de este registro, además de las personas jurídicas contempladas en el artículo 45 del Decreto 2150 de 1995, las siguientes:

1. Entidades privadas del sector salud de que trata la Ley 100 de 1993;
2. Las sociedades de gestión colectiva de derechos de autor y derechos conexos de que trata la ley 44 de 1993;
3. Las personas jurídicas extranjeras de derecho privado sin ánimo de lucro, con domicilio en el exterior y que establezcan negocios permanentes en Colombia;
4. Establecimientos de beneficencia y de instrucción pública de carácter oficial y corporaciones y fundaciones creadas por leyes, ordenanzas, acuerdos y decretos, regulados por el decreto 3130 de 1968 y demás disposiciones pertinentes.
5. Las propiedades regidas por las leyes de propiedad horizontal, reguladas por las leyes 182 de 1948 y 16 de 1985;
6. Cajas de compensación familiar reguladas por la ley 21 de 1982;
7. Cabildos indígenas regulados por la ley 89 de 1890;

8. Entidades que conforman el Sistema Nacional de Deporte de los niveles nacional, departamental y municipal regulados por la ley 181 de 1995 y decreto ley 1228 de 1995;

9. Organizaciones gremiales de pensionados de que trata la ley 43 de 1984;

10. Las casas- cárcel de que trata la ley 65 de 1993.

ARTÍCULO 4o. ABSTENCIÓN DE REGISTRO. Las Cámaras de Comercio se abstendrán de inscribir a una persona jurídica sin animo de lucro, con el mismo nombre de otra ciudad ya inscrita, mientras este registro no sea cancelado por orden de autoridad competente o a solicitud del representante legal de la última.

PARÁGRAFO. En cuanto fuere acorde con la naturaleza, las personas jurídicas a se refiere este decreto deberán observar en lo relacionado con su nombre y sigla, o razón social, según el caso, las reglas previstas para el nombre comercial de las sociedades. Las cooperativas que prestan servicios de ahorro y crédito observarán, igualmente, lo previsto para instituciones financieras.

ARTÍCULO 5o. PUBLICIDAD DEL REGISTRO. El registro de las personas jurídicas de que tratan los artículos 40 y 143 del decreto 2150 de 1995 es público. Cualquier persona podrá examinar los libros y archivos en que fuere llevado, tomar anotaciones de sus asientos o actos y obtener copias o certificaciones de los mismos.

ARTÍCULO 6o. SOLICITUD DE TRÁMITE. Las autoridades que venían conociendo solicitudes para el otorgamiento de personerías jurídicas de las entidades de que trata el artículo 2o. que no se encuentren resueltas a la vigencia del presente decreto, devolverán a los interesados los documentos allegados para tal efecto, con el fin de que éstos procedan a registrarse ante las Cámaras de Comercio en los términos previstos en este decreto.

ARTÍCULO 7o. INSCRIPCIONES DE LAS PERSONAS JURÍDICAS ACTUALMENTE RECONOCIDAS. La inscripción de las personas jurídicas actualmente reconocidas a que se refiere el parágrafo del artículo 40 y el artículo 148 del decreto 2150 de 1995, deberá hacerse a partir del 2 de enero de 1997, en los libros que para el efecto llevarán las cámaras de comercio.

Para la inscripción, el representante legal de cada persona jurídica entregará a la Cámara de Comercio respectiva un certificado de existencia y representación, especialmente expedido para el efecto por la entidad competente para tal función hasta antes de esa fecha. Dicho certificado deberá contener los datos establecidos en el artículo o del presente decreto y el nombre de la persona o entidad que desempeña la función de fiscalización.

En el evento de faltar la información señalada en el inciso anterior, las cámaras de comercio deberán abstenerse de efectuar la inscripción, en cuyo caso, a solicitud del particular interesado, la autoridad que expide el certificado de que trata el inciso precedente deberá complementarla o aclararla.

PARÁGRAFO. Los representantes legales de las personas jurídicas actualmente reconocidas a que se refiere el presente decreto deberán, al momento de solicitar el registro en las cámaras de comercio respectivas, informar la dirección, teléfono, fax y demás datos que permita la ubicación exacta de la misma

ARTÍCULO 8o. CERTIFICACIÓN Y ARCHIVO. A partir del registro correspondiente, las Cámaras de Comercio certificarán sobre la existencia y representación de las entidades de que trata el presente decreto, así como la inscripción de todos los actos, libros o documentos respecto de los cuales la ley exija dicha formalidad.

A partir del 2 de Enero de 1997, las entidades que certificaban sobre la existencia y representación de las personas jurídicas de que trata este decreto, solamente podrán expedir el certificado especial que se indica en el artículo anterior y con destino exclusivo a la Cámara de Comercio respectiva. Sin embargo, dichas autoridades conservarán los archivos con el fin de expedir, a petición de cualquier interesado, certificaciones históricas sobre las formas de estatutos u otro eventos que consten en los mismos, ocurridos con anterioridad al 2o. de enero 1997.

PARÁGRAFO TRANSITORIO: Las autoridades que a la fecha de expedición del presente decreto certifiquen la existencia y representación legal de las entidades sin animo de lucro continuarán expidiendo dicho certificado hasta el 2 de enero de 1997.

ARTÍCULO 9o. LUGAR DE INSCRIPCIÓN. La inscripción deberá efectuarse únicamente ante la Cámara de Comercio que tenga jurisdicción en el domicilio principal de la persona jurídica.

ARTÍCULO 10o. VERIFICACIÓN FORMAL DE LOS REQUISITOS. Para la inscripción del documento de constitución de las entidades de que trata este decreto las Cámaras de Comercio verificarán el cumplimiento formal de los requisitos previstos en el artículo o del presente decreto.

Para efecto de la inscripción de los demás actos y documentos de las entidades sin ánimo de lucro, las Cámaras de Comercio deberán constatar el cumplimiento de los requisitos formales para su procedencia, en la misma forma establecida en el Código de Comercio para las sociedades comerciales.

Las entidades de naturaleza cooperativa, los fondos de empleados y las asociaciones mutuales, inscribirán en las cámaras de comercio sus demás actos de acuerdo con las normas especiales que las regulan.

ARTÍCULO 11o. PROCEDIMIENTOS Y RECURSOS. El trámite de la inscripción se realizará siguiendo el procedimiento previsto para las actuaciones iniciadas como derecho de petición en interés particular, en el Código Contencioso Administrativo.

Las modificaciones de los actos de inscripción se surtirán de conformidad con lo establecido en el inciso 4o del artículo 44 del Código Contencioso Administrativo y la de los demás actos en la forma general establecida en dicho código.

Contra los actos administrativos relacionados con el registro de las personas jurídicas de que trata este decreto, procederán los recursos previstos en el Código Contencioso Administrativo.

La Superintendencia de Industria y Comercio conocerá de las apelaciones interpuestas contra los actos de la Cámara de Comercio. Surtido dicho recurso quedara agotada la vía gubernativa.

ARTÍCULO 12o. VIGILANCIA Y CONTROL. Las personas jurídicas a que se refiere el presente decreto continuarán sujetas a la inscripción, vigilancia y control de las autoridades que venían cumpliendo tal función.

PARÁGRAFO. Para efectos de lo previsto en el presente artículo y en el artículo 18 de éste decreto, las personas jurídicas sin ánimo de lucro deberán presentar ante la autoridad que le compete la inscripción, vigilancia y control, el certificado de registro respectivo expedido por la correspondiente Cámara de Comercio, dentro de los 10 días hábiles siguientes a la fecha de inscripción, más el término de la distancia cuando el domicilio de la persona jurídica sin ánimo de lucro que se registra es diferente al de la Cámara de Comercio que le corresponde. En el caso de reformas estatutarias además se allegará copia de los estatutos. Las entidades de vigilancia y control desarrollarán mecanismos para que las obligaciones se puedan cumplir por correo.

ARTÍCULO 13o. LICENCIA O PERMISO DE FUNCIONAMIENTO Toda autorización, licencia o reconocimiento de carácter oficial se tramitará con posterioridad a la inscripción de las personas jurídicas sin ánimo de lucro en la Cámaras de Comercio, conforme a lo dispuesto por los artículos 40 y 41 del decreto 2150 de 1995.

ARTÍCULO 14o. ENTIDADES ENCARGADAS DE SUPERVISAR EL REGISTRO. La Superintendencia de Industria y Comercio impartirá las instrucciones dirigidas a que el registro de las personas jurídicas sin ánimo de lucro, que se realiza en las Cámaras de Comercio, se lleve de acuerdo con la ley y los reglamentos que lo regulen, adoptando para ello, las medidas necesarias para su correcto funcionamiento

ARTÍCULO 15o. INFORMES. Sin perjuicio de la obligación de las entidades registradas de presentar a la correspondiente entidad de vigilancia y control los informes y documentos que ésta solicite en cualquier momento, las Cámaras de Comercio suministrarán cada tres meses a las autoridades que ejercen la vigilancia y control sobre las personas jurídicas a que se refiere este decreto, una lista de las reformas de estatutos y entidades inscritas durante este período. Esta lista sólo mencionará las inscripciones realizadas, sin alusión a su contenido. Además, se podrá remitir por medio magnético, si lo acuerda la Cámara de Comercio con la respectiva entidad de vigilancia y control.

Para efectos de agilidad en la elaboración de la lista, al momento de la inscripción, el solicitante indicará a las Cámaras de Comercio la entidad de vigilancia y control a las que se informará sobre sus inscripciones.

Los trámites de registro ante la Cámara de Comercio, que regula este decreto, no requiere la presencia del representante legal, ni de los miembros de la persona jurídica sin ánimo de lucro.

ARTÍCULO 16o. CORREO, PAGOS, Y CORRESPONDENCIA. Las Cámaras de Comercio estudiarán mecanismos para implementar inscripciones, solicitud de certificaciones y demás trámites de registro por correo; hacer pagos de los derechos de registro a través de entidades financieras, especialmente las ubicadas en municipios alejados de sus sedes, mediante acuerdos con dichas entidades; y establecer corresponsalías en donde no tengan sedes.

CAPÍTULO II

NORMAS ESPECIALES REFERENTES A PERSONAS JURÍDICAS VIGILADAS POR EL DEPARTAMENTO ADMINISTRATIVO NACIONAL DE

COOPERATIVAS

ARTÍCULO 17o. FACULTADES DE SUPERVISIÓN DEL DEPARTAMENTO ADMINISTRATIVO NACIONAL DE COOPERATIVAS.

Corresponde al Departamento Administrativo Nacional de Cooperativas ejercer el control y la vigilancia sobre las entidades de naturaleza cooperativa, de los fondos de empleados y asociados mutuales, para que su funcionamiento se ajuste a las disposiciones legales sobre el particular y a los intereses de los asociados. Cuando una entidad esté sujeta al control de una Superintendencia, las acciones de salvaguarda de la naturaleza jurídica de las vigiladas se adelantarán por intermedio de esta última.

PARÁGRAFO. Para efectos de lo previsto en el presente artículo el departamento administrativo nacional de cooperativas acordará con cada Superintendencia las acciones que, enmarcadas en el artículo 209 de la Constitución Política, permitan a cada organismo cumplir sus funciones y ejercer sus competencias. En desarrollo de lo anterior, el Departamento Administrativo Nacional de Cooperativas podrá prestar colaboración de orden técnico a las Superintendencias.

ARTÍCULO 18o. REFORMAS ESTATUTARIAS. Corresponde a las cooperativas y organismos, vigilados por el Departamento Administrativo Nacional de Cooperativas informar a ese departamento la reforma de estatutos.

ARTÍCULO 19o. VIGENCIA. El presente decreto rige a partir de la fecha de su expedición.

APPENDIX B.

Institutional Review Board (IRB) Approval



INDIANA UNIVERSITY

OFFICE OF THE VICE PRESIDENT FOR RESEARCH
Office of Research Compliance

To: Dwight Burlingame
LILLY FAMILY SCHOOL OF PHILANTHROPY

From: Human Subjects Office
Office of Research Administration – Indiana University

Date: February 25, 2014

RE: NOTICE OF EXEMPTION - NEW PROTOCOL

Protocol Title: The Civil Society Sector in Colombia

Protocol #: 1312159316

Funding Agency/Sponsor: None

The Indiana University Institutional Review Board recently reviewed the above-referenced protocol. In compliance with 46 C.F.R. § 46.109 (d), this letter serves as written notification of the IRB's determination.

The study is accepted under 45 C.F.R. § 46.101 (b), paragraph(s) (4) Category 4: Secondary Use of Pre-Existing Data (Data must exist at the time the research is submitted for review.) Research involving the collection or study of existing data, documents, records, pathological specimens or diagnostic specimens if: i) these sources are publicly available, or ii) the information is recorded by the investigator in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects..

Acceptance of this study is based on your agreement to abide by the policies and procedures of the Indiana University Human Research Protection Program and does not replace any other approvals that may be required. Relevant policies and procedures governing Human Subject Research can be found at: http://researchadmin.iu.edu/HumanSubjects/hs_policies.html.

The Exempt determination is valid indefinitely unless changes in the project may impact the study design as originally submitted. Please check with the Human Subjects Office to determine if any additional review may be needed.

You should retain a copy of this letter and all associated approved study documents for your records. Please refer to the assigned study number and exact study title in future correspondence with our office. Additional information is available on our website at <http://researchadmin.iu.edu/HumanSubjects/>.

If your source of funding changes, you must submit an amendment to update your study documents immediately.

If you have any questions or require further information, please contact the Human Subjects Office via email at irb@iu.edu or via phone at (317)274-8289 (Indianapolis) or (812) 856-4242 (Bloomington).

/enclosures

APPENDIX C.

Justification for the Letter of Intent with Indiana University

Carrera 8 No. 10 - 65
Código Postal: 111711
Tel.: 381 30 00
www.bogota.gov.co
Info: Línea 195



ISO 9001: 2008
NTC GP 1000: 2009
BUREAU VERITAS
Certification
N° C0232924 / N° GP0113



Justification for the Letter of Intent with Indiana University

Prepared by Miguel Solano. Translated by Van C. Evans, January 6, 2014

Considering that the Constitution in its article 38 establishes the right of free association for the development of the different activities that people in society do, this translates into the creation of non-profit entities.

Article 18 of the District Agreement 257 of 2006 authorizes the Mayor to assign or distribute business and other functions among agencies and district entities, taking into account the purpose and general functions of the respective agency or district entity.

The Secretary General of the Mayor's Office of Greater Bogota, D.C., provides administrative and legal services that the Mayor requires for the exercise of his powers as set out in line "A" of article 7 of District Decree 267 of 2007.

Article 30 of Decree 85 of 2011 establishes the functions of the district inspection branch, monitoring control of legal non-profit entities as follows:

- Exercise the inspection, oversight and control of associations, foundations, corporations, and institutions of common utility or non-profit, with domicile in the Capital District, to determine legal and statutory compliance, without prejudice to the competencies assigned in matter, in special provisions, to other district agencies.
- Manage, upgrade and operate the computer information system of legal entities "SIPEJ" in accordance with the rules that determine District Government and legal jurisdiction.
- Coordinate the exercise of inspection, oversight, and control of associations, foundations and corporations and institutions of common utility or non-profit, with other entities and district agencies that are responsible for the development of this function.

- Perform the necessary activities in coordination with sectors of the Central Administration to carry out the function of inspection, oversight, and control of non-profit entities.
- Interact with the Bogotá Chamber of Commerce and other organizations in the private sector, with the purpose of unifying criteria, efficiently develop, and coordinate exercise of inspection, oversight, and control of associations, corporations, foundations, and institutions of common utility or non-profit, based in the Capital District.
- Project and/or issue jointly with the District Legal Management those legal concepts and pronouncements designated to him/her (Mayor).
- Assist the District Legal Management in the exercise of its functions and legal powers.

Likewise, considering that Subdirección Distrital of inspection, oversight, and control of legal corporations - legal SUPERPERSONAS — has power to administrate, update, and operate the computer information system of legal entities “SIPEJ” according to the rules that determine the Government District and the Dirección Jurídica Distrital, for the purpose of coordinating the exercise of inspection, oversight, and control of the associations, foundations and corporations, and institutions of common utility or non-profit, with other entities and district agencies that are responsible for the development of this function and perform the necessary actions and activities in coordination with sectors of the Central Administration carrying out the function of inspection, oversight, and control to non-profit entities.

The importance of establishing a contractual relationship with Indiana University lies in the exchange of expertise for the construction of the Observatorio (no direct translation, but similar to a think tank) of the Third Sector for the city of Bogotá, with option to replicate this for all of Colombia and to position Bogotá internationally in this field.

Given the advances in the process of registration, inspection, oversight, and control to nonprofit entities by district agencies who have carried out this mission, namely: the Secretary General; Ministry of Culture, Recreation, and Sports; Ministry of the Environment; Ministry of Education; Ministry of Health; Ministry of Housing; Ministry for Social Integration; and the District Institute of Sports and Recreation, being the first agency who leads the process, it is necessary to establish general guidelines based on information, with value-added registration data to uncover new areas of research and monitoring, thereby setting aside the role as enforcer and adopting a new role as social collaborator.

The constant exercise of institutional interaction in order to have clarity of concepts and definitions that are solid and guarantee the State act in support of the exercise of the rights that would be structured better manages plans and programs for local authorities and in favor of the community.

By counting on the methodology of experts in the process of learning and continuous improvement, the human element that is responsible for the stated mission will be able to view from a different angle the “why” and “how” of their labor.

By transcending daily routines, creating new productive spaces, and delivering to government administrations finished products for decision-making, based on real, timely, and reliable information—all lead to the sustainability of the stated objective, to act as a whole, building a culture of proactive thought, eliminating short term or reactive thinking, or putting out fires.

Indiana University is one of the top 200 universities in the world according to the QS Ranking, whose areas of administration and social sciences are especially well positioned.

The Lilly Family School of Philanthropy at Indiana University constitutes one of the academic centers most recognized in the area of philanthropy, pioneering in research in the field, known for its academic rigor and its impact on a global level.

Article 103 of the Constitution, requires that the State shall "contribute to the organization, promotion, and training of professional, civic, trade union, community, youth, and charitable associations or non-governmental organizations, without detriment to their autonomy."

The Plan of Economic, Social, Environmental, and Public Works for Bogota D.C. 2012-2016: called BOGOTA HUMANA, includes within its policies and programs, the strengthening of civil society organizations.

This includes the development of data control panels of the common variables/fields of nonprofit entities, and specific variables for different sectors, to make them compatible on the local, national, and international level, will facilitate and promote planning of public policies that respond to the needs of the community.

The previous concept illustrates the path for organizing, coordinating actions and resources at the district level, and will elevate us to higher opportunities, such as public-private alliances.

The enrichment of these processes that will reduce the distances that are obstacles to the immediacy of benefits that improve the quality of life for our people, we unite

national and international actors such as State-Academic-Private Enterprise, with the application of proven practices by scholars of the Third Sector, and thus justify this contractual relationship with Indiana University.

It is not enough to have a list of records if it is not analyzed, consolidated, and results interpreted, thereby noting changes in the sector according to characteristics previously determined for a specific topic.

For the foregoing reasons, the following points are proposed for the realization of the letter of intent:


AGREED

1. The parties commit to define joint research projects, whose results will be useful for both institutions and having as objective the strengthening of social organizations and the role of inspection, oversight, and control.
2. The parties commit to formulate programs of transfer of knowledge and training on topics of interest to both parties.
3. The parties commit to provide economic expenditures for financing of the projects that are approved by its budget.
4. The parties will jointly define the support that each of the institutions will contribute depending on the completion of activities, according to their possibilities and budgetary provisions.
5. The parties will have available the technical, financial, and physical resources that will enable them to comply with the agreements made, for the sake of the effective coordination and implementation of activities and actions in the framework of this letter of intent.
6. The parties will designate the delegates that it deems appropriate to facilitate the implementation of the actions and dialogue between the parties.

APPENDIX D.

Carta de Intención — Memorandum of Understanding

Signed by Dwight Burlingame on January 13, 2014 and signed and returned by Susana Muhamad, Secretary General of Mayor's Office on February 20, 2014.

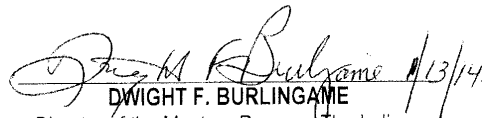
<p>LILLY FAMILY SCHOOL OF PHILANTHROPY LILLY FAMILY SCHOOL OF PHILANTHROPY OFFICE</p>	 <p>ALCALDIA MAYOR DE BOGOTÁ D.C. SECRETARÍA GENERAL</p>
<p>CARTA DE INTENCION ENTRE LA SECRETARIA GENERAL DE LA ALCALDIA MAYOR DE BOGOTA D.C., Y LA UNIVERSIDAD DE INDIANA - INDIANA UNIVERSITY</p>	
<p>LAS PARTES</p>	
<p>Por una parte, la Secretaria General de la Alcaldia Mayor de Bogota representada legalmente por MARIA SUSANA MUHAMAD GONZALEZ, segun consta en el Decreto Distrital de Nombramiento No. 250 del 6 de junio de 2013; y acta de posesión No. 166 del 14 de junio de 2013 y, DWIGHT F. BURLINGAME, en su calidad de Director de la Escuela de Filantropia de la Universidad de Indiana, Glenn Family Chair in Philanthropy, debidamente autorizado para suscribir el presente documento.</p>	
<p>ANTECEDENTES Y CONTEXTO</p>	
<p>Que la Universidad de Indiana es una de las universidades mejores 200 del mundo segun el Ranking QS, cuyas areas de Administración y Ciencias Sociales estan especialmente bien posicionadas.</p>	
<p>Que la Lilly Family School of Philanthropy de la Universidad de Indiana, constituye uno de los centros academicos mas reconocidos en el area de la filantropia, siendo pionera en programas de investigaci6n sobre la materia, que se caracterizan por rigurosidad academica y su impacto a nivel global.</p>	
<p>Que la Alcaldia Mayor de Bogota, Secretaria General -Direcci6n Juridica Distrital -Subdirecci6n Distrital de Inspecci6n, Vigilancia y Control de Entidades sin Animo de Luera -SUPERPERSONAS JURIDICAS-, tiene dentro de sus funciones ejercer, inspecci6n, vigilancia y control a las Entidades Sin Animo de Lucro con domicilio en Bogota, asi como adelantar programas de orientaci6n, dirigidos a estas organizaciones de utilidad comun o filantr6picas.</p>	
<p>Que el Articulo 103 de la Constituci6n Politica, prescribe que el Estado debera "<i>contribuir a la organizaci6n, promoci6n y capacitaci6n de las asociaciones profesionales, cívicas, sindicales, comunitarias, juveniles, benéficas o de utilidad comun no gubernamentales, sin detrimento de su autonomia</i>".</p>	
<p>Que en concordancia con lo anterior, el Plan de Desarrollo Econ6mico, Social, Ambiental y de Obras Publicas para Bogota D.C. 2012-2016: BOGOTA HUMANA, contempla dentro sus polticas y programas, el fortalecimiento de las organizaciones de la sociedad civil.</p>	

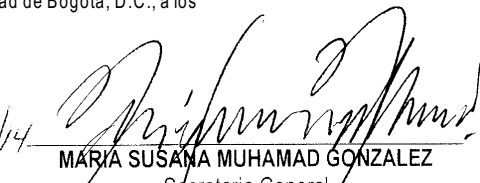


EN VIRTUD DE LO ANTERIORMENTE EXPUESTO, LAS PARTES

1. Se comprometen a definir proyectos para el desarrollo de investigaciones conjuntas, cuyos resultados sean de utilidad para ambas instituciones y que tengan como objetivo el fortalecimiento de las organizaciones sociales y la función de inspección, vigilancia y control.
2. Se comprometen a formular programas de transferencia de conocimiento y formación en temas de interés para las partes.
3. Se comprometen a proveer con cargo a su presupuesto las erogaciones económicas para el financiamiento de los proyectos que se aprueben.
4. Definirán conjuntamente el apoyo que cada una de las instituciones aportará en función de la realización de actividades, según sus posibilidades y disposiciones presupuestales.
5. Dispondrá de los recursos físicos, técnicos y financieros que les permita cumplir con los acuerdos pactados, en aras de la efectiva coordinación y realización de actividades y acciones en el marco de la presente carta de intención.
6. Designará los delegados que estime pertinentes para facilitar la implementación de las acciones y el diálogo entre las partes.

Firmado en duplicado en el idioma español en la ciudad de Bogotá, D.C., a los


DWIGHT F. BURLINGAME
Director of the Masters Program The Indiana
University Lilly Family School of Philanthropy
-Glenn Family Chair in Philanthropy
Universidad de Indiana


MARÍA SUSANA MUHAMAD GONZALEZ
Secretaria General
ALCALDIA MAYOR DE BOGOTÁ D.C.

APPENDIX E.

LFSOP Dean Eugene R. Tempel letter of authorization



**LILLY FAMILY
SCHOOL OF PHILANTHROPY**

INDIANA UNIVERSITY
Office of the Founding Dean
IUPUI

January 8, 2014

Dra. Susana Mauhamad
Secretaria General de la Alcaldia Mayor de Bogota
General Secretary Office of the Mayor of Greater Bogota

Dear Dra. Mauhamad:

As the Dean of the Lilly Family School of Philanthropy at Indiana University, I hereby authorize Dr. Dwight Burlingame, Professor of Philanthropic Studies and the Glenn Family Chair of Philanthropy to sign the Letter of Intention and other documents necessary to carry out the mapping of the civil society sector for Colombia. This project will be principally carried out by Van Evans, a PhD candidate in the Lilly Family School of Philanthropy under the direction of Dr. Burlingame.

We at the Lilly Family School of Philanthropy are most excited about the potential benefits of this project as spelled out in the JUSTIFICACIÓN CARTA DE INTENCIÓN. Thank you for the opportunity this collaboration provides.

Cordially,

Eugene R. Tempel
Founding Dean

cc: Bernardo Antonio Gonzales Velez
Subdirector Distrital Alcaldia Mayor de Bogota
Deputy District Director Office of the Mayor of Greater Bogota

APPENDIX F.

Web Server Specifications

The technical specifications for the website server are as follows:

- Connection: 100 Gigabit Fiber Optic line
- CPU: Intel Core i7-4790K 4.0GHz Quad-Core Processor, Liquid CPU Cooler
- Memory: G.Skill Ripjaws Z Series 32GB (4 x 8GB) DDR3-1866 Memory
- Storage: Samsung 850 Pro Series 512GB 2.5" Solid State Drive
- OS: Windows 10 Pro Container with multiple Centos/Ubuntu Linux VMS
- PHP version: Linux Centos 7/VirtualMin; Control Panel/PHP5.4 & 5.5
- Uninterruptible Power Supply: APC BR1500G UPS

APPENDIX G.

Number of ESAL by NTEE Core Codes

NTEE	Description	No. ESAL
A	Arts, Culture & Humanities	83
A01	Alliances & Advocacy	6
A03	Professional Societies & Associations	12
A20	Arts & Culture	9,401
A24	Folk Arts	49
A30	Media & Communications	516
A32	Television	1,020
A34	Radio	1
A50	Museums	100
A62	Dance	294
A63	Ballet	54
A65	Theater	399
A68	Music	623
A69	Symphony Orchestras	6
A6C	Bands & Ensembles	207
A6E	Performing Arts Schools	52
B	Education	3,318
B03	Professional Societies & Associations	61
B20	Elementary & Secondary Schools	220
B24	Primary & Elementary Schools	3
B28	Special Education	5
B30	Vocational & Technical Schools	183
B43	Universities	220
B60	Adult Education	2
B70	Libraries	16
B80	Student Services	221
B83	Student Sororities & Fraternities	2
B84	Alumni Associations	616
B94	Parent & Teacher Groups	11,563
C	Environment	5,514
C03	Professional Societies & Associations	79
C05	Research Institutes & Public Policy Analysis	12
C27	Recycling	371
C30	Natural Resources Conservation & Protection	514
C32	Water Resources, Wetlands Conservation & Management	16

C35	Energy Resources Conservation & Development	3
C36	Forest Conservation	4
C40	Botanical, Horticultural & Landscape Services	20
C41	Botanical Gardens & Arboreta	62
C42	Garden Clubs	1
C60	Environmental Education	17
D	Animal-Related	1
D03	Professional Societies & Associations	1
D20	Animal Protection & Welfare	308
D40	Veterinary Services	1
D50	Zoos & Aquariums	32
E	Health Care	2,492
E03	Professional Societies & Associations	733
E20	Hospitals	201
E40	Reproductive Health Care	8
E50	Rehabilitative Care	164
E61	Blood Banks	1
E62	Emergency Medical Services & Transport	2
E70	Public Health	4
E80	Health (General & Financing)	13
E90	Nursing	29
E99	Health Care NEC	393
F	Mental Health & Crisis Intervention	345
F30	Mental Health Treatment	12
F32	Community Mental Health Centers	3
F50	Addictive Disorders NEC	32
F53	Eating Disorders & Addictions	6
F70	Mental Health Disorders	4
G	Diseases, Disorders & Medical Disciplines	11
G05	Research Institutes & Public Policy Analysis	1
G25	Down Syndrome	1
G30	Cancer	67
G32	Breast Cancer	1
G41	Eye Diseases, Blindness & Vision Impairments	1
G43	Heart & Circulatory System Diseases & Disorders	4
G45	Lung Diseases	2
G50	Nerve, Muscle & Bone Diseases	7
G54	Epilepsy	1
G60	Allergy-Related Diseases	3
G70	Digestive Diseases & Disorders	2

G81	AIDS	12
G83	Alzheimer's Disease	1
G84	Autism	13
G94	Geriatrics	1
G96	Neurology & Neuroscience	20
G98	Pediatrics	20
G9B	Surgical Specialties	31
H	Medical Research	2
H41	Eye Diseases, Blindness & Vision Impairments Research	1
H42	Ear & Throat Diseases Research	2
H99	Medical Research NEC	1
I	Crime & Legal-Related	77
I03	Professional Societies & Associations	27
I20	Crime Prevention	51
I21	Youth Violence Prevention	12
I44	Prison Alternatives	12
I50	Administration of Justice	59
I60	Law Enforcement	139
J	Employment	376
J03	Professional Societies & Associations	48
J20	Employment Preparation & Procurement	22
J22	Job Training	62
J40	Labor Unions	11,442
K	Food, Agriculture & Nutrition	1,460
K03	Professional Societies & Associations	20,318
K20	Agricultural Programs	377
K26	Animal Husbandry	798
K28	Farm Bureaus & Granges	65
K30	Food Programs	25
K40	Nutrition	26
L	Housing & Shelter	360
L41	Homeless Shelters	391
L50	Homeowners & Tenants Associations	7,427
M20	Disaster Preparedness & Relief Services	35
M23	Search & Rescue Squads	52
M24	Fire Prevention	176
N	Recreation & Sports	771
N03	Professional Societies & Associations	115
N32	Parks & Playgrounds	162
N40	Sports Associations & Training Facilities	65

N50	Recreational Clubs	5,822
N52	Fairs	88
N60	Amateur Sports	354
N61	Fishing & Hunting	99
N62	Basketball	87
N63	Baseball & Softball	86
N64	Soccer	612
N65	Football	190
N66	Racquet Sports	134
N67	Swimming & Other Water Recreation	117
N68	Winter Sports	115
N69	Equestrian	34
N6A	Golf	66
N71	Olympics	12
N72	Special Olympics	5
N80	Professional Athletic Leagues	2
N99	Recreation & Sports NEC	358
O	Youth Development	1,364
O20	Youth Centers & Clubs	585
O40	Scouting Organizations	50
O50	Youth Development Programs	4
P	Human Services	8,157
P20	Human Services	1,098
P21	American Red Cross	33
P24	Salvation Army	1
P30	Children & Youth Services	1,006
P31	Adoption	106
P32	Foster Care	7
P40	Family Services	251
P42	Single Parent Agencies	171
P50	Personal Social Services	250
P50, S	Personal Social Services, Community Improvement	4,079
P60	Emergency Assistance	67
P62	Victims' Services	78
P70	Residential Care & Adult Day Programs	2,553
P75	Supportive Housing for Older Adults	62
P81, R25	Senior Center, Seniors' Rights	397
P84	Ethnic & Immigrant Centers	1
P86	Blind & Visually Impaired Centers	9
P87	Deaf & Hearing Impaired Centers	62

P99	Human Services NEC	215
Q	International, Foreign Affairs & National Security	1,018
Q22	International Academic Exchange	5
Q30	International Development	172
Q31	International Agricultural Development	1
Q32	International Economic Development	1
Q33	International Relief	36
Q35	Democracy & Civil Society Development	1
Q40	International Peace & Security	1,740
Q51	International Economic & Trade Policy	1
Q70	International Human Rights	8
Q71	International Migration & Refugee Issues	3,160
R	Civil Rights, Social Action & Advocacy	71
R20	Civil Rights	583
R24	Women's Rights	65
R26	Lesbian and Gay Rights	60
R30	Intergroup & Race Relations	16
S	Community Improvement & Capacity Building	2,681
S03	Professional Societies & Associations	8,893
S20	Community & Neighborhood Development	2,532
S22	Neighborhood & Block Associations	11,859
S30	Economic Development	317
S40	Business & Industry	1,976
S41	Chambers of Commerce & Business Leagues	229
S43	Small Business Development	678
S47	Real Estate Associations	1
S50	Nonprofit Management	27
S80	Community Service Clubs	631
S81	Women's Service Clubs	6,438
T	Philanthropy, Voluntarism & Grantmaking Foundations	490
T40	Voluntarism Promotion	127
T50	Philanthropy, Charity & Voluntarism Promotion	185
U	Science & Technology	889
U21	Marine Science & Oceanography	12
U31	Astronomy	10
U33	Chemistry & Chemical Engineering	38
U34	Mathematics	22
U36	Geology	7
U40	Engineering & Technology	1
U41	Computer Science	2

U50	Biological & Life Sciences	77
V	Social Science	44
V21	Anthropology & Sociology	37
V22	Economics	45
V24	Political Science	8
V31	Black Studies	7
V32	Women's Studies	2
V34	Urban Studies	5
V36	Gerontology	110
W	Public & Societal Benefit	73
W03	Professional Societies & Associations	88
W20	Government & Public Administration	231
W22	Public Finance, Taxation & Monetary Policy	8
W30	Military & Veterans' Organizations	187
W40	Public Transportation Systems	95
W50	Telecommunications	768
W60	Financial Institutions	70
W61	Credit Unions	26
W70	Leadership Development	58
W80	Public Utilities	8,292
W90	Consumer Protection	189
W99	Public & Societal Benefit NEC	14
X	Religion-Related	621
X01	Alliances & Advocacy	37
X03	Professional Societies & Associations	74
X20	Christianity	0
X21	Protestant	7091
X22	Roman Catholic	292
X30	Judaism	41
X40	Islam	22
X50	Buddhism	4
Y	Mutual & Membership Benefit	3,587
Y03	Professional Societies & Associations	28,214
Y20	Insurance Providers	26
Y30	Pension & Retirement Funds	1,838
Y40	Fraternal Societies	55
Y43	Voluntary Employees Beneficiary Associations	53
Y50	Cemeteries	59
Z	Unknown	85,064
Total		296,467

APPENDIX H.

Proyecto de Declaración del Congreso (Declaration of Congress)

PROYECTO DE DECLARACIÓN DEL CONGRESO

Reunidos en Bogotá D.C. en el Primer Congreso Internacional de entidades sin fines de lucro, desarrollado en auditorio Huitaca de la Alcaldía Mayor, los días 5 y 6 de noviembre de 2015 se hace pública la siguiente;

DECLARACION POR CONCENSO

1. Conformar entre los distintos actores: Academia – Estado – Sociedad Civil una comisión observatoria de carácter permanente del tercer sector: para el fomento de la investigación y seguimiento del impacto social de las ESAL en Bogotá Distrito Capital.
2. Emitir el boletín semestral de estadística de las ESAL para la publicación de datos que visibilicen las oferta de servicios y la producción de políticas públicas.
3. Asumir la legalidad y compartir información de servicios y buenas prácticas de las ESAL en la innovación social y el gobierno corporativo.
4. Solicitar a la Comisión Tercera del Senado de la República, convoque a las fundaciones, asociaciones y corporaciones a audiencias con la finalidad de conocer los estudios del tercer sector sobre reforma tributaria y su impacto en la sociedad.

5. Diseñar entre el Distrito Capital y las Gobernaciones, estrategias de conectividad, para constituir una única plataforma tecnológica la cual permita acceder al suministro de datos a nivel nacional.
6. Instituir el Congreso Internacional de Entidades Sin Fines de Lucro a celebrar cada año a instancia de la Dirección Jurídica Distrital de la Secretaría General de la Alcaldía Mayor.
7. Crear el Centro Documental Físico y Virtual que contenga el devenir histórico de las Organizaciones Sociales Sin Ánimo de Lucro en Colombia.
8. Apoyar y celebrar convenios con los organismos nacionales e internacionales que permitan obtener propuestas que inciden en la regulación, fomento y participación del voluntariado en Colombia.
9. Fortalecer la Filantropía en Colombia a través de vínculos con la academia, los grupos empresariales y el Estado.
10. Impulsar la producción de literatura en los que se muestran los casos ejemplarizantes en el desarrollo de la democracia y la participación de la sociedad civil en Colombia.
11. Centralizar la inspección, vigilancia y control en un ente administrativo.
12. Institucionalizar la cátedra de voluntariado y filantropía de las entidades sin fines de lucro.

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Young, D. R. 2000. "Alternative Models of Government-Nonprofit Sector Relations: Theoretical and International Perspectives." *Nonprofit and Voluntary Sector Quarterly* 29 (1):149–72.

CURRICULUM VITAE

Van C. Evans

Education

Ph.D. Philanthropic Studies, 2016

Lilly Family School of Philanthropy

Indiana University - Purdue University, Indianapolis, Indiana

Master of Science in Nonprofit/NGO Leadership, 2009

Interdisciplinary degree with School of Social Policy and Practice, the Wharton School,
and Fels Institute of Government

University of Pennsylvania, Philadelphia, Pennsylvania

Master of Social Work, 2007

International Social Work Certificate

University of Utah, Salt Lake City, Utah

Bachelor of Arts, Philosophy, 1989

University of Utah, Salt Lake City, Utah

Minor: Spanish

Work Experience

Indiana University School of Philanthropy (Indianapolis, Indiana)

International Programs Fellow — Latin America

Teach Nonprofit and voluntary sector, P521, graduate level

Teach Philanthropy and Latin America, P530, graduate level

Teach for the China Philanthropy Research Institute at Beijing Normal University, Beijing and Shanghai, China. Executive Management Program. Courses: Social

Entrepreneurship, Intro to Philanthropy. May 2015, June, 2015, August 2015

2015 — Present

Self employed, clinical psychotherapy

Part-time clinician

2009 — 2015

Compass Counseling and Consulting

Part-time clinician

2009 – 2010

College of Social Work, University of Utah

Adjunct professor

I taught the nonprofit sector to graduate students (history, volunteerism, religion, cross sector collaboration, NGOs, governance, strategic planning, resource

2006 — Aug 2008, Sept 2014

LDS Social Services

Part-time clinician

Sandy and Sugar House, Utah

Clinical work in both individual and group therapy. Member of the Sexual Abuse Treatment Team (SATT) 2006-2007, a Utah state approved program for treatment of sex offenders. I carried a caseload of clients including anxiety-related disorders (GAD, PTSD, OCD, Acute Stress Disorder).

2005 — 2006

Valley Mental Health

Salt Lake City, Utah

MSW Intern

Conducted individual and group psychotherapy and psycho-educational programs for severely and persistently mentally ill clients, primarily those with anxiety, bi-polar, and schizophrenia disorders. Research into latest methods of exposure response and prevention (ERP) for obsessive-compulsive disorder (OCD) and acceptance commitment therapy (ACT) for anxiety disorders.

Languages

English (Native)

Spanish (Fluent)

Portuguese (Conversant)

Quechua (Conversant)

Publications

Curtis, D., Evans, V., & Cnaan, R. A. (2014). Motivating Mormons: An analysis of what motivates members of The Church of Jesus Christ of Latter-day Saints to volunteer and donate. *Nonprofit Management & Leadership*, 25(2), 131-145.

Evans, Van. (2013). Filantropía Transfronteriza (EUA a México) [Cross-border philanthropy] In J. García-Colín (Ed.), *Generosidad en México (Giving México)*, Mexico DF: Porrúa.

García-Colín, J., & Evans, V. (2013). Capítulo introductorio y principales hallazgos In J. García-Colín (Ed.), *Generosidad en México (Giving México)*, Mexico DF: Porrúa.

Evans, V., McKittrick, M., Hayat, A. (2013) *The 2013 Congregational Economic Impact Study*. Indiana University Lilly Family School of Philanthropy, Indianapolis, Indiana.

Evans, V., Curtis, D., & Cnaan, R. A. (2013). Volunteering among Latter-day Saints. *Journal for the scientific Study of Religion*, 52(4), 827-841.

Cutler, D., Evans, V., & Cnaan, R. (2013). Charitable practices of latter-day saints. *Nonprofit and Voluntary Sector Quarterly*, first published on November 6, 2013 doi: 10.1177/0899764013508010

Evans, V. (2012). *Grantmaking and Foundations for Latin America and the Caribbean (2010-2012)*, Council on Foundations, Washington, D.C.

Evans, V. (2012). Giving to Religion, In M. McKittrick (Ed.), *GivingUSA 2012, The Annual Report on Philanthropy for the Year 2011*, Indianapolis: GivingUSA Foundation.

Presentations

El mapeo del sociedad civil de Colombia: [Map of Civil Society of Colombia], El 3°. Seminario Internacional de Inspección, Vigilancia y Control de Entidades Sin Ánimo de Lucro," [3rd International Seminar for Inspection, Oversight, and Control of Non-profit Entities], Bogotá, Colombia, November 5, 2015.

Evans, V. and Gonzalez, B. (2015, August). Nonprofit Brothels of Bogotá: For Whose Common Good? Paper presented at the 10th Annual Conference of the International Society for Third Sector Research (ISTR). San Juan, Puerto Rico.

Evans, V. *Border Patrol and the Future of the Nonprofit Sector*, 2015 Alliance Management Institute, Nonprofit Leadership Alliance, Salt Lake City, UT: January 5, 2015.

Evans, V. and Gonzalez, B. Nonprofit Brothels of Bogotá: For Whose Common Good? Poster Session - Public Policy & Law. The 43rd Annual Conference of the Association for Research on Nonprofit Organizations and Voluntary Action (ARNOVA). Denver, CO: November 19-22, 2014.

Evans, V. and McKittrick, M. The 2013 Congregational Economic Impact Study. The 42nd Annual Conference of the Association for Research on Nonprofit Organizations and Voluntary Action (ARNOVA). Hartford, CT. November 20, 2013.

¿Cómo innovar en cooperación al desarrollo en un país de renta media alta como Colombia y en medio de grandes transformaciones socioeconómicas? [How do we innovate development cooperation in a medium income country like Colombia during great socioeconomic transformations?] X Encuentro del Sistema Nacional de Cooperación Internacional, APC [Tenth Encounter for National System of International Cooperation, Presidential Agency for International Cooperation of Colombia], Bogotá, Colombia, October 1, 2013

“Tendencias en los tres sectores en los EE.UU. hoy: ¿Durmiendo con el enemigo?

[Tendencies in the three sectors in the US today: Sleeping with the enemy?], El 2°.

Seminario Internacional de Inspección, Vigilancia y Control de Entidades Sin Ánimo de Lucro,” [2nd International Seminar for Inspection, Oversight, and Control of Non-profit Entities], Bogotá, Colombia, August, 2013.

“El mapeo del tercer sector de Colombia: Resultados Inimaginables [Mapping the third

sector in Colombia: Unimaginable Possibilities], El 2°. Seminario Internacional de

Inspección, Vigilancia y Control de Entidades Sin Ánimo de Lucro,” [2nd International

Seminar for Inspection, Oversight, and Control of Non-profit Entities], Bogotá, Colombia, August, 2013.

“Filantropía Estratégica” [Strategic Planning], Filantropía Transformadora, Bogotá,

Colombia, May, 2013.

Evans, V. Did Sixteenth Century Spanish Conquests Influence Voluntarism and Donating

in Latin America Today? Poster Session - Public Policy & Law. The 41st Annual

Conference of the Association for Research on Nonprofit Organizations and Voluntary

Action (ARNOVA). Indianapolis, IN: November 16, 2012.

"Program Evaluation & High Impact Philanthropy," Wells Fargo Economic Summit for

Nonprofits, Salt Lake City, Utah, May, 2012.

“Called to Serve: The Pro-social Behavior of Active Latter-day Saints,” The Pew Forum on Religion & Civic Life, Washington, D.C. March, 2012, with Ram Cnaan, and Dan Cutler.

“Did Sixteenth Century Spanish Conquests Influence Voluntarism and Donating in Latin America Today?” Latin American Social and Public Policy Conference, University of Pittsburgh. Pittsburgh, Pennsylvania, February, 2012.

Cnaan, R. A., Evans, V., & Curtis, D. Volunteer Behavior of Members of the Church of Jesus Christ of Latter-day Saints. The 40th Annual Conference of the Association for Research on Nonprofit Organizations and Voluntary Action (ARNOVA). Philadelphia, PA. November, 2011.

“Volunteer Attitudes among members of the Church of Jesus Christ of Latter-day Saints,” Lt. Governor’s Conference on Service, Utah Commission on Volunteers, Salt Lake City, Utah, April, 2011.

“A Child Without A Country: How Statelessness Affects Children in the Americas.” Presented at the Graduate School of Education, University of Pennsylvania, April, 2009.

“Toward Balanced Child Labor: Away from the Polarizations of Slavery and Slothfulness in Latin America,” Presented at the School of Arts & Sciences, Organizational Dynamics, University of Pennsylvania, Philadelphia. April, 2009.

“Involving Grass-roots Church Groups in International Development,” Global Poverty Conference, Marriott School of Management, Brigham Young University, Provo Utah, 2000.