

c.5 Democratization and Human Rights Issues

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Introduction

Democracy is a highly under-rated system by most North American students these days. The appreciation for a set of beliefs and institutions that have only existed for some 300 years of the 2000 years of written human history is sorely lacking. The idea of universal or natural human rights, such as freedom from slavery, is a very recent development in historical terms. Modern democracy is really the first system of government that posits individual, inalienable rights, rule of the majority, the need for regular elections to change governments enabling peaceful succession, and an institutionalized system of checks and balances. Perhaps because the U.S. is the pioneer of democracy, the fact of U.S. dominance in international relations masks the remarkable internal features of its governance systems. Perhaps it is the slow and deliberative need to create consensus in a democratic society before engaging in major social decisions that leads some to frustration. Or perhaps growing up in a democracy with clear rights allows one to forget the tyrannical situation under which most of humanity has had to live.

In any case, for Latin America, we should first define what we mean by democracy. Second, we should discuss the history of both human rights and democracy in the region. Then we will be able to offer a prognosis on both the desirability and possibility of creating a well-functioning democracy in the region.

Defining Democracy in a Latin American Context

For much of the U.S., Canada, and Europe, there has been great befuddlement at the inability of developing countries to develop well-functioning democracies. Democracies in developing regions seem prone to frequent military coups, party corruption, dictatorship, and general volatility. Leaders who are elected, even with a popular mandate, seem to be ineffectual in changing the general chaos with which most developing countries fight against on a daily basis.

While we can not completely explain the reasons for the difficulty of democracy in a Latin American context, it may help to understand some of the tensions that distinguish Latin America from the U.S. and Europe. Recent work in comparative political studies on different types of democracy by Huber, Rueschmeyer, and Stephens, takes us in this direction. Their article suggests that there are actually three types of democracy, which they name procedural, bourgeois, and social democracy, typologies actually used by a variety of authors. By procedural democracy, they refer to the sets of rules, laws, and institutional frameworks, such as free and fair elections, legislative, executive, and judicial separation, and the like that create the basic democratic structures. We could include basic respect for human rights and civil liberties, such as freedom to

denounce the government in a non-violent manner. However, the experience of developing countries is that procedural democracy is often not enough to create a government that reflects the will of the majority of the people. All too often we find highly divided governments, such as that of Allende in Chile in the 1970s, Alan Garcia in Peru in the 1980s, or Rafael Caldera in Venezuela in the 1990s, that fulfill the formal requirements of democracy, but are ineffective in forming policies or responding to mandates. Moreover, we see frequent violations of individual rights, even under the advanced democracies of the region.

Thus, comparative political analysts, going back to Huntington's seminal work, suggest that there is a second stage of democratization, one in which political demands are more effectively translated into institutional action. The means for smoother institutional relationships and more effective policy formation might include an independent media and judiciary; well-developed and internally democratic political parties; a literate and engaged populations; etc. These political mechanisms ensure some degree of coordination, accountability, and functionality of the overall political system. They channel political demands into institutional activity, and hold the political system accountable when it fails to satisfy. In short, the activity of democracy is not limited to occasional elections, but is subject to constant conversation and adjustment. No Latin American countries, with the possible exception of Costa Rica and Uruguay, have well-functioning democratic institutions. Costa Rica and Uruguay have long-standing traditions of democracy and well-developed political parties. They are also small and relatively homogeneous populations, which may make institutional development somewhat easier.

Many authors label such a well-developed institutional system as "bourgeois," because they think democracy should entail more than just well-functioning political institutions. These analysts probably have the contrasting well-developed social welfare systems in Europe vs. the U.S. in mind when they suggest that a "social democracy" is an even higher state of development. As you might guess, such a claim is controversial in that it seems to mix together the desirability of social welfare with the meaning of democracy, but it is nevertheless a powerful suggestion. Yet the fact remains that the levels of marginalization in Europe, such as homelessness, are much lower than in the U.S. The underlying suggestion is that bourgeois democratic institutions have an obligation to ensure some basic equality of opportunity, social safety net, and maybe even social redistribution. These principles imply an activist state, one that creates rough equity in health care, education, judicial access, and provides protections for marginalized populations. In practice, while there are a few Latin American nations with social welfare systems, none really come close to protecting marginalized populations in the way these analysts suggest is desirable. The one notable and fleeting exception was the Batlle regime in Uruguay during the 1920s and 30s.

Last but not least, analysts of democracy in Latin America, such as O'Donnell, building on work by Barrington Moore and Marx, point out that political development is intimately linked with the particular nature of an economy. Therefore, O'Donnell observes that Latin American nations are late industrializers leads to a competitive

disadvantage with already developed states. This aspect of late industrialization means that the state becomes more involved in the economic development process, and, in the case of Latin America, works through the military to hold down wages by organized labour. This allows the country to have a better chance to become internationally competitive, and seeks to explain the economic side of the “bureaucratic-authoritarian” military governments rampant in Latin America in the 1960s and 1970s. We will discuss the outcomes of such efforts in the next chapter on Latin American economies. For the moment, let us note that even in an industrialized country, there can be pockets of feudalism, such as the continuation of large unproductive agricultural landholdings; subsistence agriculture; informal economies; and an advanced capitalist sector in both agriculture and industry. Part of the reason for this “articulation” of the modes of production points to the persistent social and class stratification in Latin America and the limited possibilities for social mobility. Therefore, we must understand that the skepticism Latin Americans have towards democracy and capitalism stems not only from the foundational anti-imperialist sentiments, but also from the internal divisions within Latin America- economic development has had very uneven benefits! In sum, if formal democracy is a reflection of middle class interests, as Moore describes, then Latin America must first move beyond its oligarchic tendencies in order to create a stable democratic polity.

Our analysis is helpful in pointing out that much of the problem of Latin American fragmentation lies in the poor development of institutions, that is their inability to create accountability or representation of the majority. However, we are still quite unclear about how those institutions become well-functioning, and to what degree a social welfare state can be created; this is a question that scholars are presently studying.

The Military In Latin America

If we move beyond the differences in institutional development between the U.S. and Europe and Latin America, we inevitably stumble at the ubiquitous role of the military governments. From colonial times, the military has been the foremost institution in Latin American history. Indeed, we could make a plausible suggestion that the very under-development of Latin American institutions is in good part caused by continual military incursions into democratic life. In the colonial period, the military was the main wing of the Spanish and Portuguese administration. In the independence period, the military was the primary tool used to consolidate national territories from regional fragmentation. Indeed, many of the modern Latin American constitutions enshrine the military’s role in maintaining order in the society, and not just its right, but its obligation to intervene in times of crisis.

Yet, the military’s role in Latin American history has also evolved over time. Whereas up to the 19th century, the military was closely allied with the Church and economic elites, such as agricultural or mining landowners, to prevent change, by the 1920s and 1930s, change was underfoot. As we discussed in chapter 2, the change was related to demographic shifts as well as changes in the international context. During this period, the military evolved from control predominantly by officers from aristocrat backgrounds to include ones from middle class backgrounds. This is quite natural for an

organization that thinks of itself as meritocratic. Like many other institutions in society, the military also increased in size over time, thus also giving greater weight to middle class officers. The middle class officers used the military to promote national development from their own standpoint, such as aiding nascent industrialists and extending suffrage. The rise of Alessandri in Chile, Peron in Argentina, and Vargas in Brazil are all directly related to these progressive elements of the military. As Latin America began to develop an industrial base, the military became a leading partner in the process.

By the 1960s, the military saw itself in much of Latin America as the vanguard leader for the industrialization process. The military considered development a process that could be planned rationally. However, the military was faced at the same time with the even greater threat of fighting anti-communism. As O'Donnell and others have pointed out in their analysis of this period, the military saw the rising power of the unions by the 1960s as a major threat to social order, and a major foundation of Communist support. Therefore, with anti-Communism, most Latin American militaries became decidedly more conservative again. This period of military rule in Latin America also witnessed gross violations of human rights by both the military and the guerrillas. The military, with some reason, saw the guerrillas as constituting elements of civil war. The U.S. government provided training and military aid in many cases, largely overlooking the human rights violations in order to defeat communism. For their part, facing a far superior foe backed by the U.S., the guerrillas felt that terror and chaos were their best strategies for what some mis-calculated as a winnable war in the short-term. In a sense, human rights were discounted by both sides, and continue to be in the remaining conflicts in Colombia and Peru.

As the military was successful on the battlefield, however, questions increasingly arose as to why it remained in power. These questions multiplied with the economic stagnation from the mid-1970s. By the 1980s, with the exception of Chile, there was no doubt that the military regimes were equally, if not more, incapable of creating stable economic growth than their civilian counterparts, as the region was wracked with a debt crisis and hyperinflation. In line with increasing unrest from economic causes, the military faced a growing unity among non-violent pro-democratic activists, including elements of the Church. What really led to the democratic transition of the military to the civilians, however, was not just non-violent protest activities, but a shift in the opposition itself. When the bulk of the opposition declared that it was no longer for Communism, the military had no enemy left to fight. The combination of these factors has led to a conditional transition to civilian rule. The degree and nature of the conditions on civilian governments by the military vary greatly by country, but there is no doubt that the military continues to wield great influence in Latin American politics. Few Latin Americans rest easy that the military can or will not intervene in the future.

Case Study: Chile's Democratic Transition

A case that deserves particular attention is that of Chile, which occupies an unusual position both in political and economic terms in Latin America. Not only has Chile had a unique trajectory, reflecting its isolation from the region, but has at the same

time been used as a model for Latin America to follow. During the 1960s, Chile's long-standing multi-party democracy was supposed to be a model for the region in political terms. However, the brutal dictatorship of Pinochet (1973-89) led to some of the most severe human rights abuses in the region. While Pinochet became a model of the brutal extremes of authoritarian rule, Chile's stable economic growth, particularly from 1982-present raised the question of whether dictatorships are needed for development. The question was partly answered after 1989, when democratic governments took over. Even the center-left regimes since 1990 have been able to maintain stable economic growth. However, no government has been able to tackle relative inequality in the country. Critics claim that Chile's democratic governments are constrained from increasing social programmes by the military, and that Chile's export and savings booms are environmentally and financially unsustainable. Recent strife in Chile indicates unhappiness at the lack of social equity, however, nothing seems to have shaken a strong consensus for both democracy and a market-based economy.

The Legacy of the Dirty Wars

For most North Americans, and for a core group of Latin Americans, the military's human rights violations require some meting out of justice. Yet, the ugly reality of the situation is that, in most cases, justice will never be fully served. The military remains quite powerful behind the scenes of Latin American democracies, and often pressured transition governments into some form of amnesty as a condition for the transfer of power. Furthermore, the military destroyed many of the records, to the extent they existed, before leaving power. As a result, there are still scores of "disappeared" relatives, unaccounted for after the civil wars. The situation is even more complicated. As in Eastern Europe, Latin American militaries often relied upon personal intelligence to track down dissidents, so that the net of implication is possibly quite wide in society. Furthermore, in many cases, torturers disguised themselves, using masks and giving pseudonyms.

Despite all of this, Latin Americans have shown a remarkable resilience in the face of economic volatility, and military conditions on democracies. In some cases, large segments of society, such as in Chile, and Uruguay, where an amnesty referendum was passed, have decided to move on from the issue. The goal in many of the countries seems to be to gradually push the military from power by showing both economic competence and building political solidarity across the spectrum of democratic parties. The focus rightly seems to be to prevent any recurrence of the conditions of the 1960s and 1970s by creating a respect for the rule of law, for electoral outcomes, and working towards better-functioning institutions, such as a judiciary. Moreover, there have been numerous analysts who have proposed that, in lieu of slowly dismantling the military, the role of the military could be changed. The threats of narco-trafficking and changing the military to public works projects have been discussed as alternative missions of the military, but obviously these suggestions are quite problematic for both the military and society generally. Training the military to respect civil authority and to act humanely are also long-term projects. The generation that grew up under the military regimes will be

poised to take power in the next 2 decades, and that is when they will remake Latin American society, hopefully with these lessons in mind.

Is Democracy Desirable for Latin America? Is it possible?

Given our analysis in the second section of this chapter that democracy often does not serve the well-being of the majority of Latin Americans, we can ask whether it is a desirable form of government. Unfortunately, we are left with the conclusion that Churchill once espoused, that this that democracy is the least worst form of government. Unfortunately, there is almost no adherence that a communist form of government, even if it could succeed in gaining power, which is well night impossible, is superior. Many students like to point to the Castro experience in Cuba as evidence that a Communist dictatorship is better, despite the incredible repression and failure of Communist regimes everywhere else. However, we only need to think back to the dictatorships of Batista, Trujillo, and Noriega to remember that, as Aristotle pointed out many years ago, dictatorship can be the best or worst form of government, and, in history, it has tended almost always towards the latter. Secondly, we should remember that a true communist system would be one in which there is a dictatorship of the proletariat or the majority. This would mean that such a revolution would only take place once a full capitalist and industrial transformation took place. Castro is a one person dictator, and privileges depend on the communist party, so that exclusion from decision-making is very much a part of the Cuban system, though basic needs are well-met. What happens after an arguably enlightened dictator such as Castro, is a question that is wide open.

Case Study: Hugo Chavez In Venezuela

Hugo Chavez has become one of the most polarizing figures after Fidel Castro in Latin America. Chavez is a genuine paradox- hard to pin down in any particular area or ideology, yet seemingly a firebrand nonetheless. Chavez came into prominence in Venezuela in 1992 as the leader of a failed coup. A military officer with a lower middle class background, Chavez became a martyr amidst the breakdown of the a system that had become known as “partyocracy.” Since the signing of the Pact of Punto Fijo in 1958, the Accion Democratica (AD) and COPEI parties had together ruled Venezuela, using their patronage to keep voters in line and happy. However, the whole system was based on passing on bits of Venezuela’s oil-based largesse. When oil prices began to drop in the early 1980s, the corruption of the system became an openly sore point. The system broke down completely in terms of retaining confidence of voters as economic conditions deteriorated. In 1998, a freed Chavez rose triumphantly to the Presidency, riding the wave of discontent and promising a “Bolivaran Revolution.” Chavez soon created a hand-picked constituent assembly that passed through a new Constitution, with his forces in charge of key institutions, including the legislative and judiciary as well as the executive branches. Chavez’s new constitution promised major reforms, including land redistribution and guaranteed access to public health and education and housing. Chavez’s natural political style veered towards populism, and his firebrand rhetoric and affinity for Castro only heated things up, polarizing the nation. Chavez instinctively deflected Venezuela’s problems upon US imperialism. His claims seemed to be buttressed in 2002 when a military coup was not condemned initially by the US. After

the coup fell apart, Chavez's triumphant return could only seal his place in the annals of revolutionary victories. With ultra-high oil prices, Chavez has not only consolidated power at home but begun to export his own brand of imperialism, which we discuss in the final chapter.

Conclusion

This leaves us with the question of whether a democratic system in Latin America could exist that takes some concern for the marginalized portions of the population. The answer, if we take Costa Rica and Uruguay, as having replicable and expandable elements, has to be in the affirmative. Both states have high literacy rates, well-functioning political and civil rights and institutions, and elements of a social welfare state. Costa Rica, in particular, has a long-standing tradition of respect for human rights, related to the absence of a military force as well as a lack of leftist guerrillas. Certainly, the obstacles for reproducing such elements, particularly in the larger states such as Mexico and Brazil. Also, both model states have suffered from volatile economic growth at times. Chile demonstrates that a formerly repressive Latin American state can begin to reinstate democratic processes and maintain high economic growth rates. While Chile still has a long way to go in terms of social equity, it has made great progress in terms of improving absolute living standards in recent years.

Despite all the outcry of external interference, there have been some positive elements in recent years. For years, some human rights groups such as Amnesty International, have made an important difference in terms of the treatment of political prisoners. The OAS and the Carter Center, among other groups, have developed a laudable system of monitoring of elections which has reduced fraud in a number of recent Latin American nations. As stated previously, the greatest pressures for reduction of human rights abuses come from abroad. Last but not least, a number of institutions, both international and academic, have attempted to lend a hand to institution-building in the region, including the development of a civil society that would make democracy a living, and not just hoped-for, principle. Indeed, problems of "governance" seem to be the most important development focus of the mainstream development organizations.

On the other side, a number of academics, ngos, and a few development organizations are pointing to the importance of social capital, and civil society to create a well-functioning democracy. While we discuss these concepts in greater detail in the social movements chapter, let us note that the key point here is that democracy requires not only well-functioning institutions, but also for the vast majority of the population to feel that they have a "stake" in the present system. For civil society activists, this means overcoming the sense of malaise and alienation with stable democratic systems in the North, and creating or "empowering" social groups to demand state representativeness, accountability, and responsiveness to the usually neglected needs of the majority in the South, and to the particular needs of specifically marginalized social groups and locales. We discuss the issues of civil society and participation in greater detail in c.7.

In a book of this nature, we are not able to provide an analysis of the intricacies and complexities involved in engendering democracy and respect for human rights in the region. However, like other ideals, democracy is an end goal, one that envisions participation, order, and equity, but the exact form in which comes depends on the particular time and situation. Democracy should be seen as a living process, one that Latin Americans need to work out according to their own schedule and idiosyncrasies.

Key terms: democracy, authoritarian, procedural, bourgeois, and social welfare democracy, institutionalization, mobilization, state of emergency; relative vs. absolute inequality

Discussion Questions:

-What is democracy? What are human rights? Is democracy the best form of government? How do you think human rights develop over time? What is needed to get a society to accept them?

-What do you think of the Huber et. al typology of democracies? Do the classifications of procedural, bourgeois, and social welfare make sense? What are the strengths and weaknesses of bourgeois vs. social welfare democracy in a developing country setting? How would you measure whether Canada and other countries fall into each category?

How does the end of the Cold War affect the prospects for democracy in the region?

-What should be done about human rights violations when a democratic transition has taken place under duress? Is an amnesty with a truth commission ever sufficient? If not, how can the perpetrators be brought to justice?

Why does the military often intervene in developing countries? Is intervention ever legitimate- under what circumstances? What can be done to prevent such intervention? Is there a different mission that the military can be used after the end of civil war?

What is your assessment of what policies should followed to deal with narcotrafficking? What are the root causes and solutions for narcotrafficking?

Suggested Exercises

I find that students are often not well-versed in basic democratic theory, such as the separation of powers, the idea of the rule of law, and the role of political parties and institutions. I think it is quite helpful to give a brief review of the evolution of such institutions in the West, to show that our democracies are constantly evolving. Similarly, pointing out the major differences from one system to another, eg. Sweden vs. the U.S. can be very helpful to move students out of the simple dichotomies they often fall into. On the other side, some reminders of the nature of the Communist regimes under Stalin, Mao, and others can help students to better understand the dangers of dictatorship, and the unique aspects of Castro's Cuba. Giving a brief history of the Batista regime,

Castro's multiple failures, the fact that the world was surprised by Castro's Marxism, etc, can shed a lot of light on why Cuba as a model should be viewed with caution. In terms of human rights, there are a number of good works of art and film that dramatize both the extent of the depravity of once and for all solutions, and the complexity and challenge of peaceful resolution. Similarly, a review of the long history of cycles of violence in Latin America can show that the internal factors of Latin America worked hand in hand with U.S. and Soviet foreign policy to create the acidic climate of the Cold War. One of the more interesting exercises is to have students look closely at a particular democratic transition, and how prospects might change after the Cold War. This allows them to understand the difficulties and the compromises that many Latin American civilian governments have made.

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