

**Testimony of Dr. Cynthia J. Arnson
Director, Latin American Program
Woodrow Wilson International Center for Scholars**

**U.S. House of Representatives
Committee on Foreign Affairs
Subcommittee on the Western Hemisphere
“Challenges to Democracy in the Western Hemisphere”
September 10, 2013**

Mr. Chairmen and Members of the Subcommittee:

Thank you very much for this opportunity to testify about the numerous challenges to democracy in the Western Hemisphere.

Tomorrow, September 11, 2013, marks the 40th anniversary of the military coup in Chile. The coup ushered in years of cruel dictatorship and the violation of human rights on a massive scale. Commemorations of the anniversary in Chile demonstrate how the legacy of these abuses—the reckoning with the past and the search for justice—pose ongoing tasks for Chilean society even decades after the formal transition to democracy.

In terms of democratic governance, there is much to celebrate since the 1960s, '70s, and '80s, when many countries of the region were in the grip of military dictatorships or civil war.¹ Given the diversity of experiences with democratization in Latin America, one must take care to avoid broad-brush generalizations. Military coups for the most part have been discredited as a path to power, but interruptions of the democratic process—the coup in Honduras in 2009 and the removal of Paraguay's president in 2012—are not totally a thing of the past. An authoritarian regime remains firmly entrenched in Cuba. At the same time, in most countries of the region, ideological conflicts have dissipated as center-left and center-right regimes have converged on the need for a strong state to facilitate both the dynamism of a market economy and the enhancement of social welfare. A peace process underway in Colombia holds the promise of ending close to fifty years of internal armed conflict. For the most part, the armed forces have gone through serious processes of professionalization and are subject to civilian authority. The first decade of the 21st century has seen historic reductions in poverty and some smaller reductions in inequality, the growth of the middle class, and the engagement of vibrant civil societies in articulating and solving national problems. Indeed, representative democracy has appeared to thrive most fully in some of the countries that experienced the devastation of democratic breakdown in the 1960s and 1970s.

¹ This testimony draws on the following recently published works: Cynthia J. Arnson and Carlos de la Torre, “Conclusion: The Meaning and Future of Latin American Populism,” in Carlos de la Torre and Cynthia J. Arnson, eds., *Latin American Populism in the Twenty-First Century* (Baltimore, MD: Woodrow Wilson Center Press and Johns Hopkins University Press, 2013), 351-76; Cynthia J. Arnson and Abraham F. Lowenthal, “Foreword,” in Guillermo O'Donnell and Philippe C. Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore, MD: Johns Hopkins University Press, 1986 and 2013).

Before addressing the major setbacks to representative democracy in several countries of the Andean region, I would like to indicate several broader challenges to democratic governance even in those countries where liberal democracy is strong.

First, and despite the strides in reducing poverty and inequality since the early 2000s, the region as a whole remains the most unequal region in the world. Social mobility has improved and millions have entered the middle class, albeit they remain highly vulnerable to falling back into poverty. Regressive tax structures help to perpetuate longstanding social inequities. Frustration with corruption, with the poor quality of services, and with unequal distribution of the fruits of economic growth remains high, sparking protests from Chile to Brazil to Colombia. Racial and ethnic minorities, women, and those in rural areas continue to suffer the highest rates of marginalization and poverty.

Second, in the majority of countries it has been difficult to combine the procedural minimum of democracy—free and fair elections under conditions of universal suffrage—with more substantive dimensions such as adherence to the rule of law, the functioning of robust institutions, and the practice of citizenship. Liberal democracy is founded on the separation of powers, accountability that is horizontal (within and across government institutions) as well as vertical (between governments and voters), and respect for basic civil and human rights and liberties. Against this ideal is the fact that all too often, power is hyper-concentrated in the executive branch, governance institutions as well as political parties are in disrepute, inequality before the law remains high and impunity is rampant. These “deficits” of the democratic system, and particularly the weakness of institutions, help explain why political systems have imploded in several countries of the region, giving rise to populist regimes.

Third, in many countries, electoral democracy survives amidst new threats—the unprecedented increase in rates of crime and violence abetted but not entirely caused by the growing activities and sophistication of transnational organized crime. Latin America as a whole has a homicide rate that is more than double the global average,² is increasing in most countries (Colombia is an important exception), and disproportionately affects young people, especially men, in urban areas. This is a grave problem in Central America, particularly the so-called “Northern Triangle,” as well as some parts of the Caribbean. Rampant citizen insecurity in turn undermines support for democratic systems and expands support for hard-line, *mano dura* approaches that perpetuate patterns of abuse—the disproportionate targeting of marginalized youth, for example, and the swelling of prison populations, in which the majority of those incarcerated in many countries have never formally been convicted of a crime.³ The expansion of organized crime, including but not limited to drug trafficking, has spawned violence as well as the penetration and corruption of state institutions and political and economic structures of power.

² United Nations Office on Drugs and Crime, http://www.unodc.org/documents/data-and-analysis/statistics/Homicide/Globa_study_on_homicide_2011_web.pdf

³ Carlos Basombrío, *What Have We Accomplished? Public Policies to Address the Increase in Violent Crime in Latin America*, Woodrow Wilson Center Reports on the Americas, No. 30, November 2012.

In addition to these overall trends is the growing authoritarianism of regimes in the Andean region but with echoes in such places as Argentina and Nicaragua. Political scientists have coined the term “competitive authoritarianism” to describe the ways in which leaders combined democratic rules with authoritarian governance, winning elections in which the voting was technically fair but the electoral playing field was skewed in ways that overwhelmingly and systematically favored the incumbent.⁴

Authoritarian populism in Latin America is not characterized by the repression and massive human rights violations of bureaucratic authoritarian military regimes of decades past; rather, it is reflected in the ways that power is held and exercised. Most significantly in the Andes, today’s populist regimes are focused on transformational or revolutionary projects that concentrate power in the executive and do not envision ceding power to political opponents. Even when leaders enjoy significant popular support (largely as a result of social programs financed by the boom in commodity prices), the institutions and legal frameworks that constrain the unfettered exercise of power have been systematically eroded. Constitutional reforms that do away with limits on presidential terms are one factor in that erosion; the weakening or elimination of checks and balances through the packing of institutions such as the judiciary or electoral councils, are another. Leaders foster the polarization of society from above; politics are lived not as a process of bargaining within shared rules of the game but as a full-blown confrontation between irreconcilable interests. The fostering of polarization is not unique to populist regimes; indeed, all politics rests to some extent on the confrontation of ideologies and personalities and the mobilization of mass followings behind a particular leader. What matters is the institutional framework within which power is contested and exercised; whether those institutions serve to constrain presidential power and permit or prohibit peaceful alternation; and whether a vast array of rights, from media freedoms to individual civil and political rights, are upheld by the rule of law.

The profound deficits of representation and consequent collapse of party systems in Venezuela, Ecuador, and Bolivia have given rise to new forms of populism that explicitly reject liberal, representative democracy in favor of direct and vertical linkages between the leader and “the people” and the gutting of checks and balances on executive power. Populist leaders have not only skirted or undermined existing institutions; they have also coupled processes of de-institutionalization with efforts to create new institutions that “re-found” the state based on a new constitutional order. This “re-foundational” aspect through constitutional reform is one of the defining features of radical populism in contemporary Latin America.⁵

⁴ According to Steven Levitsky and Lucan Way, “competitive authoritarian regimes are civilian regimes in which formal democratic institutions exist and are widely viewed as the primary means of gaining power, but in which incumbents’ abuse of the state places them at a significant advantage vis-à-vis their opponents. Such regimes are competitive in that opposition parties use democratic institutions to contest seriously for power, but they are not democratic because the playing field is heavily skewed in favor of incumbents. Competition is thus real but unfair.” See Steven Levitsky and Lucan Way, *Competitive Authoritarianism: Hybrid Regimes After the Cold War* (Cambridge: Cambridge University Press, 2010), 5.

⁵ See César Montúfar, “Rafael Correa and His Plebiscitary Citizens’ Revolution,” in de la Torre and Arnson, op. cit., 295-321.

Populism's authoritarian qualities are most evident and advanced in Venezuela. Before his death earlier this year, Hugo Chávez dominated virtually every aspect of political life. Through lavish social spending financed by the high price of oil (Venezuela has the largest proven oil reserves in the world), and through the sheer force of his charismatic personality, Chávez assembled a loyal base of supporters among those who received concrete material and political benefits. He buttressed his dominance by stacking institutions such as the judiciary (in 2004 and again in 2010) and the electoral council with his political supporters. He ensured the loyalty of the armed forces through successive purges and likewise stacked the state oil company, PdVSA, with loyalists following a failed strike in 2002.

Since his victory by a razor-thin margin in April 2013 elections, Chávez's designated successor, Nicolás Maduro, has struggled to establish his authority. The opposition has refused to recognize the legitimacy of his election amidst numerous credible allegations of fraud. The government has failed to investigate reliable reports of violence against opposition supporters in the April electoral period, at the same time that it conducts thorough investigations of incidents in which the government alleges the opposition was responsible.⁶ Venezuela's withdrawal from the inter-American system of human rights protection, as of today, September 20, 2013, deprives Venezuelan citizens of one of the few instruments of redress provided by international legal norms when abuses are not adequately addressed in the domestic court system.

The Venezuelan economy continues to be in crisis; expropriations have undermined domestic investment, while rampant inflation and shortages of electricity, food, and basic consumer goods pose a mounting problem for the government. Attempts to reconcile with the private sector, to combat low-level corruption, and to name a moderate as Finance Minister have been touted as signs of greater pragmatism. So far, however, these measures remain timid; worse still is the way anti-corruption cases unfairly target political opponents of the regime. President Maduro routinely blames the opposition for the country's mounting economic difficulties—including a blackout in early September and the explosion at the Amuay refinery in August 2012—and regularly denounces assassination plots hatched from abroad in an effort to deflect attention from the government's responsibility for Venezuela's mounting domestic problems. This provides a toxic setting for upcoming municipal elections in December 2013.

Attacks on the press in Venezuela, Ecuador, and to a lesser extent Argentina, constitute troubling indicators of the degradation of fundamental freedoms. Conditions for the press have deteriorated in many countries of Latin America; from Mexico to Honduras to Brazil, journalists covering issues of drug trafficking and organized crime have been threatened, physically assaulted, and murdered as a result of their reporting. While these attacks reflect a state failure to protect citizens and, more generally, to uphold the rule of law and overcome impunity, criminal groups, not the state, are for the most part responsible. By contrast, the pressures on independent media under contemporary populist regimes are explicit, state-directed policies, aimed at harassing and punishing critics and limiting the free flow of information.

⁶ See Human Rights Watch, "Letter to the UN about post-electoral violence in Venezuela," July 11, 2013; based on reports by the Venezuelan human rights NGOs, PROVEA and COFAVIC as well as the Human Rights Center of the Central University of Venezuela.

The pressures have been the most severe in Venezuela but Ecuador is not far behind. There the Rafael Correa administration has seized private media outlets, sued journalists and editors who criticize his policies, and interrupted broadcasts to allow government spokespersons to rebut unflattering news reports.⁷ Since his re-election last February, a legislature dominated by Correa's supporters has passed a new communications law that subjects the media to criminal and civil sanctions for "undermining the prestige" of an individual or entity. The government also issued a presidential decree giving the state broad powers to interfere with the work of civil society organizations.

In Argentina, the government of Cristina Fernández de Kirchner has used tax audits to harass critics, including *Clarín*, the most widely circulated newspaper. In defiance of a Supreme Court ruling, the government used the state advertising budget to reward supportive media and punish outlets critical of the government; fined economists for publishing inflation statistics at odds with the government's figures; and brought the sole newsprint manufacturer under government regulation, a company in which the two largest papers sharply critical of the government—*Clarín* and *La Nación*—owned a majority stake.⁸

The erosion of media freedoms and of political space for autonomous civil society, the aggressive concentration of power in the hands of the presidency, the destruction of checks and balances, the assault on the notion of political pluralism and alternation in power, and the fostering of polarization at all levels of society—these characteristics of contemporary populism constitute the face of authoritarianism in Latin America today. But they are not the only threats to democratic governance in the region. Efforts to support democracy must include policies to improve citizen security, combat organized crime and its corruption at all levels of society, and foster inclusionary growth and development that benefit the region's citizens more broadly.

Thank you for this opportunity to share my thoughts and concerns about the state of democracy in Latin America. I look forward to any questions you might have.

⁷ The most notorious case involved an editor and three board members of the largest privately owned newspaper, *El Universo*, who were convicted of defamation and sentenced to three-year terms for publishing an editorial entitled, "No a las mentiras," ("No to Lies"); the paper was also fined \$40 million. All four of those convicted were pardoned in early 2012.

⁸ The government accused *La Nación* and *Clarín* of collusion with the military dictatorship in acquiring ownership of the company, Papel Prensa. Under anti-trust provisions of a controversial 2009 media law, the government also ordered *Clarín* in late 2012 to sell its extensive cable, radio, and television stations.