Political Debates in Latin America after Democratic Consolidation
Diverging Views on How to Strengthen Democratic Rule in the Region

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Abstract

Having exorcised the threat of authoritarianism and institutional instability thanks to a successful process of democratic consolidation, Latin America has turned its attention to the nature, workings, and delivery of existing democratic regimes. A new body of literature has emerged that focuses on existing democratic deficits and eventual roads to overcome them. The essay reviews those debates, focusing on three distinctive approaches to democracy: (a) a liberal one that seeks to strengthen the institutional structure of representative democracy, (b) a populist one that calls to overcome the limitations of representative government through presidential leadership, and (c) a leftist reformist road that seeks to promote democratic deepening through the introduction of mechanisms of participatory governance. The aim of this essay is to review the main tenants of each perspective and the different ways in which they conceptualize the notion of democratic accountability.

Keywords: Democracy, accountability, populism, participation, representation, democratic innovation, Latin American politics.

After decades of political instability and authoritarianism, Latin America has successfully inaugurated the longest period of democratic rule of its contemporary history. Democracy has become “the only political game” in town.1 The closing of the period of transitions from authoritarianism as well as that of institutional consolidation of the new regimes has prompted a substantial shift of the political agenda and, consequently, on the regional

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debate concerning democracy. Having exorcised the threat of authoritarianism, the region has turned its attention to the nature, workings, and delivery of existing democratic regimes.\(^2\)

A new body of literature has emerged that focuses on issues such as the quality of democracy, democratic deepening, and political innovation. The common concern of these approaches is the need to close the gap between the normative promise of democracy and the social and political realities of a region marked by the persistence of great social inequalities, extended poverty, and serious institutional deficits. At the same time, there are different perspectives regarding the route that can lead to a substantially improved version of democratic rule. In this respect, three distinctive approaches have dominated the post-consolidation debates:

(a) A liberal approach, as found in the literature on the quality of democracy, that seeks to strengthen the institutional structure of representative democracy,

(b) Populism’s call to overcome the limitations of representative government through strengthened presidential leadership, and,

(c) A leftist reformist road that seeks to promote democratic deepening through the introduction of mechanisms of participatory governance.

Each perspective is built around some basic assumptions regarding what democracy is, for each one proposes a specific democratic model. In contrast to past political debates which revolved around different regime options (military authoritarianism, revolution, or democracy), today’s disagreements depart from the recognition of the legitimacy of democratic institutions. The proposals differ in their peculiar ways of understanding what democracy means, that is, in contemporary Latin America, political struggles have become definitional struggles over the very meaning of democracy. The aim of this essay is to review the main tenants of each perspective and the different ways in which they conceptualize the notion of democratic accountability.

\(^2\) I use the term democratic consolidation in a narrow way to refer to a situation in which the concern about authoritarian regression has dissipated, and, consequently, actors no longer subordinate their decisions to such concern. Therefore, there exists a procedural consensus over fair and competitive elections as the only way to access power. In brief, democracy is considered “the only game in town.” See Guillermo O’Donnell, “Transitions, Continuities, and Paradoxes,” in Issues in Democratic Consolidation: The New South American Democracies in Comparative Perspective, ed. Scott Mainwaring, Guillermo O’Donnell, and J. Samuel Valenzuela (Notre Dame, IN: University of Notre Dame Press, 1992), 48-49.
The Liberal Approach

The liberal approach is predicated on a conventional institutional perspective: the problems of existing Latin American democracies result from an inadequate development of the classical institutional setting of representative democracy. The point of departure of this approach is the liberal model of democracy as expressed in Dahl’s notion of “polyarchy,” which provides the yardstick against which current Latin American regimes are evaluated. From this perspective, democracy is understood as a complex constitutional order of legal safeguards and mutual checks and balances among state powers to prevent the tyrannical rule of a majority. The poor quality exhibited by several democracies of the region is consequently seen as deriving from the malfunctioning of those institutions that serve as a legal-constitutional check on a popularly elected president. In brief, the emphasis of the liberal approach is on the deficits of the rule of law exhibited by a certain group of Latin American democratic regimes.

Guillermo O’Donnell has developed the most sophisticated conceptual and analytical framework from the liberal perspective. His work focuses on the deficits of legal accountability exhibited by some of the new democracies and their consequences for democratic life. In his view, the main problem that some of these democracies encounter is the lack of effective formal checks on the executive branch of government. He has organized accountability mechanisms around horizontal and vertical axes, each plane respectively corresponding to the distinction between state and society. Horizontal mechanisms of accountability refer to the intrastate system of mutual checks and controls present in liberal representative regimes. Vertical mechanisms entail the presence of agencies of external accountability, mainly, the electorate, organized civil society, and the media. O’Donnell is fundamentally concerned with the particular workings of the horizontal axis, since he considers the main vertical mechanism of accountability between state and society to be elections; in his view, electoral freedoms are not under threat in delegative democracies. This is why he turned his attention away from the question of the workings of vertical mediations

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between state and society toward the horizontal system of intrastate controls. In particular, his attention focuses on a subset of horizontal mechanisms: those responsible for overseeing and punishing actions or omissions by public officials that may be qualified as unlawful, that is, agencies responsible for the enforcement of the legal dimension of accountability. Horizontal agencies of legal accountability are designed to ensure that the behavior of public officials is in accordance with existing administrative and legal procedures by placing sanctions on those who violate them.

Legal mechanisms of accountability, O’Donnell argues, perform three key and interrelated roles: (a) they protect citizens from state arbitrariness, (b) they prevent/sanction misuse of public office by unscrupulous elected officials and bureaucrats, and (c) they delimit and protect the jurisdictions of the different branches of the state and of other state agencies. The weaknesses of mechanisms of legal control impoverish political life, for they prevent the proper workings of the principle of separation of powers and the system of checks and balances that are the defining features of representative government and conspire against the effective exercise of citizenship rights.

A significant number of authors have followed O’Donnell’s call to propose an agenda of institutional reform to increase the jurisdictional autonomy and effectiveness of the legislative and judiciary branches of government as well as of other agencies that are part of the traditional network of intrastate controls against illegal encroachments on the part of the executive power. Others have focused on the roles that more recently introduced “appointed agencies,” such as ombudsmen, human rights commissions, state councils, and anticorruption offices, fulfill in the enforcement of legal accountability. Another important group of works calls attention to the poor functioning of electoral institutions as a mechanism of accountability in Latin America. In the view of these scholars, O’Donnell’s diagnosis does not take into full consideration some problematic features of electoral systems and institutions in the region that have made elections ineffective as a mechanism of vertical control. The listing of problematic features includes questions of electoral design, the existence of radical policy switches, and weakly embedded political parties that fail to

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respond to voters’ mandates. Finally, the literature on social accountability focuses on the alleged contribution of mechanisms of social oversight to the betterment of constitutional and legal controls on government. The emergence of civic networks and social movements organized around rule of law discourse and rights-oriented politics in many democracies of the region adds a valuable complement to the intrastate network of horizontal agencies.

The above discussions take place within the confines of a conventional conceptual approach to democratic accountability. As previously argued, their yardstick is the representative model of polyarchy: delegative democracies are a particular subtype of polyarchy characterized by the absence of strong horizontal accountability. Their goal is to promote the process of institutional betterment to achieve the same degree of legal accountability as present in representative polyarchies. This liberal approach is challenged by both populists and leftist reformists, alike, although on very different grounds. Populism challenges the very notion of representative polyarchy altogether and seeks to replace it with an alternative form of majoritarian democracy that relies largely on executive leadership. Far from emphasizing legal checks on government, populism calls for the freeing of the elected executive from the constraints imposed by the notion of horizontal accountability. Constitutional limits on the executive are the tools through which minorities seek to restrain the popular will, blocking necessary processes of social and economic transformation that need to be carried out to overcome existing social inequalities.


10 The social accountability approach does not break with the classical understanding of representative democracy. Rather, it calls attention to a subset of civil society politics which has the public sphere as its main scenario. The assumption of such literature is that a context characterized by the strength of social accountability networks provides an important source of “stimulation” for horizontal agencies to fulfill their responsibilities, and that such stimulation can increase the number of horizontal agencies that are willing to perform their duties and responsibilities. The latter can stimulate new waves of social accountability politics. As O’Donnell forcefully put it, “[I]t is in these interactions, both of induction and stimulation, where chances to move forward in the much-needed democratization of these countries can be found.” Horizontal and social mechanisms of accountability can reinforce each other in a virtuous cycle of “induction and stimulation” that in the end results in improved state compliance. If civil society and the media are capable of sustaining social pressure through denouncing and exposing government wrongdoing, they could eventually encourage a reinforcing cycle of accountability. For this debate, see Jonathan A. Fox, Accountability Politics: Power and Voice in Rural Mexico (Cambridge, UK: Cambridge University Press, 2008); Enrique Peruzzotti and Catalina Smulovitz, eds., Controlando la Política. Ciudadanos y Medios en las Nuevas Democracias Latinoamericanas [Controlling politicians: Citizens and media in the new Latin American democracies] (Buenos Aires: Editorial Temas, 2002); Enrique Peruzzotti and Catalina Smulovitz, Enforcing the Rule of Law (Pittsburgh, PA: Pittsburgh University Press, 2006); and Silvio Waisbord, Watchdog Journalism in South America: News Accountability, and Democracy (New York: Columbia University Press, 2000).
Leftist reformism does not seek to replace the institutional structure of representative polyarchies but considers it insufficient to address the challenges that contemporary regimes face. Leftists thus propose to complement traditional representative institutions with a new set of participatory mechanisms that enhance the voice of previously marginalize constituencies. The next two sections respectively analyze the main arguments of each perspective.

**Populism**

Populism is an ingrained concept of the region’s political traditions that has made an impressive comeback in recent years. In Latin America, populism was linked to the historical process of incorporation of the masses into the political system.\(^{11}\) There is general agreement regarding the democratizing role played by classical populist regimes in Latin America in promoting the social and political incorporation of the popular sector into public life. It is also accepted that, in many occasions, this process took place under ambiguous institutional forms that threatened key elements of representative government, such as the principle of separation of powers or basic civil liberties. The novelty introduced by current approaches to populism is that the ambiguity that was generally recognized in the concept is gone: populism is now presented as the very realization of democracy, while representative government is seen as problematic because it seeks to undermine majoritarian rule. In this way, previous arguments and diagnoses are reversed: in this new rendering of the concept of populism, the problem lies in representative democracy.

In recent years, populism has presented itself as a radical political alternative to representative democracy. The populist alternative is not conceived as a way to deepen representative democracy, but rather as an alternative to it. Far from seeing representative polyarchy as the normative yardstick (as was the case of the quality of democracy approach), representative government is openly criticized as a regime that seeks to neutralize “the political,” replacing real politics with administration and innocuous institutional games.

Perhaps the most forceful proponent of populism as a road to further democratization is Ernesto Laclau. In *On Populist Reason*, he proposes populism as the path to rescuing the political sphere from the depoliticizing dynamics of representative government. Populism rejects the “absorbing”

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logic of representative democracy, and replaces it with a radical antagonism. The rescue operation is in the hands of leadership, and it rests largely on his or her ability to promote a successful process of political identification that seeks to create an ambiguous—but politically effective—vision of the demos as the people. Such a process of symbolic identification does not say much about the ideological content of the construct: populism relies on “empty signifiers” who are by nature ambiguous. Populism, Laclau argues, does not refer to a specific political ideology or platform, but instead expresses a rationale for political identity formation. What matters in such a process of identity formation is not ideological content but the ability of empty signifiers to polarize society into two antagonistic groups. Signifiers of entirely different political orientations can serve such purpose; this is why Laclau recognizes that “between left wing and right wing populism there is a nebulous no-man’s land that can be crossed—and has been crossed—in many directions.”12 The bet for a populist process relies on the blind faith that supporters exhibit in the qualities of populist leadership. Nothing specific is said regarding the institutional setting that will follow the populist intervention: the relevant and dynamic element in this interpretation is charisma, not institutions.

What is clear is that the emerging institutional setting will be one oriented toward realizing the full promise of popular sovereignty, the latter understood as a monolithic will that finds its institutional incarnation in the figure of the popularly elected executive. Thus, it is imperative to free presidential action from all the constraints that polyarchies have establish on majority rule. Populism considers that there is a zero-sum relation between legal and political accountability. The liberal promotion of horizontal controls is believed to be a detriment to the principle of popular sovereignty, thus, the latter can be advanced only at the expense of legal accountability. If the goal is to promote majoritarian rule (and not rule by minorities), it is necessary to lift constitutional restrictions on the popularly elected executive. This is the road that authors such as Sebastian Etchemendy propose. Etchemendy calls for a regime organized around a strong and centralized executive who is powerful enough to promote significant policy change.

As does Laclau, Etchemendy sees in the mechanisms of accountability of representative democracy a political trap: in his view, the sole function of the system of checks and balances and the division of powers is the weakening of a popularly elected presidency to lessen the principle of popular sovereignty. The liberal politics of accountability is openly questioned. Such an agenda seeks a conservative purpose: to protect the privileges of powerful minorities. The agenda of democratic accountability as formulated by liberal republicanism is disregarded as elitist by proponents of populism. It is counterproductive to

try to limit presidential prerogatives in lieu of the formidable challenges that an agenda of radical transformation must confront in a region such as Latin America that is characterized by extreme social inequalities. The challenge of the post-consolidation period is not to control the power of the executive, but the opposite: the strengthening of presidential prerogatives to overcome the de facto power of special interests.\textsuperscript{13}

**Leftist Reformism**

Leftist reformists recognize that accountability deficits directly affect the quality and performance of democratic regimes across the region. Yet, unlike liberals, they refuse to restrict the debate to a narrow and conventional understanding of democratic accountability or to the legal dimension of the concept. There are, they argue, important deficits of political accountability as well, deficits that result in inadequate representation of the demands of the poor and other groups in the political system. As populists, liberal reformists prefer to emphasize the political over the legal dimension of the concept of accountability, yet unlike the former, they refuse to abandon the agenda of legal accountability altogether in the name of a questionable majoritarian understanding of democracy. Instead, they seek to increase the responsiveness of the political system through the creation of a set of complementary mediating mechanisms that can improve the access of certain groups to centers of decision making. In their view, tackling social inequalities in a region such as Latin America requires a stronger medicine than that provided by conventional electoral and legal institutions.

While not rejecting the liberal call to strengthen the workings of the horizontal mechanisms of legal accountability, leftist reformists seek to complement those horizontal mechanisms with a new set of vertical participatory institutions to improve the political responsiveness of authorities to disadvantaged groups. Such a project expands and redefines the conventional landscape of representative polyarchy by adding to the conventional system of vertical mediations of elections and the public sphere, a novel tier of participatory institutions, such as participatory budgeting and social and indigenous councils. Like the populists, leftists prefer to strengthen political accountability, yet this improvement should not come—as in the case of

\textsuperscript{13} The discourse on accountability does not completely disappear from this perspective; rather, it is displaced away from the political system. It no longer refers to a crucial mechanism which regulates the interactions within the political system but is an agenda that is demanded by spheres outside the formal institutional setting of government. Populism claims to be a form of rule that seeks to make special interests accountable to the people. Thus, the demands for regulation move outside the political realm to market or media actors. The end result is a trade-off between political authoritarianism and market regulation. Sebastian Etchmendy, “Peronismo e izquierda y el problema del institucionalismo vacío”[Peronism and the Left’s empty institutionalism], *Umbrales* 1 (2012): 133-142.
populism—at the expense of legal horizontal accountability.

The leftist reformist approach does not yet provide a coherent model of democracy but expresses itself in the proliferation of multiple institutional innovations that largely take place at the local level.\textsuperscript{14} During the past two decades, the continent experienced a significant wave of political and institutional innovation that resulted in the introduction of a wide variety of participatory mechanisms, such as participatory budgeting, educational, health, children, and adolescent rights councils, national policy conferences, participatory urban planning, neighborhood committees, public hearings, and so on.\textsuperscript{15} The goal of these participatory arenas is to improve the process of formulation and implementation of public policies by empowering citizens, particularly the poor, so that they can effectively influence governmental outcomes. The creation of mechanisms of institutionalized participation is part of an effort to reduce inequities in service provision by expanding the number of schools, clinics, and other social services in underserved areas. A central argument in support of these novel structures is that, for disadvantage groups, neither the traditional channels of indirect civic participation in the public sphere nor competitive electoral politics provides a strong enough influence over policymakers.

Participatory mechanisms are meant to empower pro-poor groups in civil society by allowing them to directly intervene in the decision-making process. Brazilian health councils, for instance, are organized around a power-sharing logic that allow grass-roots civic actors to negotiate policy priorities on equal terms with state officials and private actors.\textsuperscript{16} Health councils are spaces of

\textsuperscript{14} I return to this question in the concluding section.


\textsuperscript{16} Not all mechanisms of institutionalized participation are organized around a power-sharing logic. There are other arenas in which the influence of civil society is not as strong as in health councils, such as participatory urban planning councils. See Avritzer, \textit{Participatory Institutions in Democratic Brazil}, 9.
mandatory negotiation and deliberation on health issues that bring together local administrations, private-sector providers, and civil-society actors. As such, they exercise deliberative, consultative, and monitoring roles. They are to approve and follow the yearly implementation of the annual municipal plan in the area of health and its corresponding budget. If the plan and budget are not approved by the council, the municipality does not receive funds from the federal government.17

Mechanisms of institutionalized participation are designed to create strong publics with the authority to co-determine in deliberative forums the content of policies in particularly relevant areas. Through their incorporation into these arenas, local-level neighborhood organizations, parent-teacher associations, unions, NGOs, and other community organizations are empowered to directly engage in public and deliberative policy negotiations with state officials and to have a say over budgetary and/or policy priorities in areas such as health and educational service provision or access to basic urban infrastructure.

When properly designed and implemented, participatory arenas establish more public and deliberative modalities of connecting with public authorities, which can eventually promote the eradication of political practices such as clientelism and corruption that traditionally have conditioned the access of the poor to social services. Clientelism reverses the logic of accountability, promoting the disempowerment of the targeted social group: access to public goods is mediated by local political brokers.18 Brokers stand in a position of power over their clientele, a position which entails threatening citizens with the withdrawal of public services if they do not comply with the brokers’ political demands. Jonathan A. Fox rightly describes clientelism as an “upward vertical accountability relationship,” in which political bosses are able to monitor and sanction citizens in society.19 The sign of success of participatory mechanisms is the extent to which they are able to replace poor people’s access to public goods via the mediation of political brokers with open, public, and deliberative channels. The direct participation of social groups replaces the mediating role

19 Fox, Accountability Politics, 42.
of political brokers. This is accompanied by a discursive shift: the negotiation over distribution of public goods now is framed within a rights-approach and takes place in an open and deliberative setting. The provision of public services is no longer considered a concession to be made by a broker, but is demanded of the state as a people’s right.\footnote{For an analysis of the role that participatory institutions such as participatory budgeting play—when properly designed and implemented—in replacing traditional brokers with a new type of grass-roots activists, see William Nylen, \textit{Participatory Democracy versus Elitist Democracy: Lessons from Brazil} (London: Palgrave Macmillan, 2003), and Brian Wampler, \textit{Participatory Budgeting in Brazil: Participation, Contestation, and Accountability} (State College: Pennsylvania State University Press, 2007).}

The deliberative dimension of participatory institutions is important, for it helps to shape participatory practices as well, forcing social groups to provide public justification for their particular claims and demands as well as to hear the arguments provided by other civic organizations. In some formats, the deliberative process is explicitly connected to the idea of redistribution justice, to prioritize the allocation of basic public goods to those groups that have not had previous access to them.\footnote{For an analysis of the distributive effects of participatory institutions, see Leonardo Avritzer, \textit{Democracy and the Public Sphere} (Princeton, NJ: Princeton University Press, 2002), 108-109, 136-137.} This discursive interaction promotes a better understanding of the public good among citizens and public officials, alike. In this way, it changes the participatory format of social actors, replacing private bargaining practices with more discursive and public forms of interaction.

In brief, arenas of institutionalized participation are being introduced as an effective way to expand and increase the voice of citizens in the policy-making process beyond the views traditionally heard in electoral politics. The opening of new venues of citizen participation is seen as a way to thicken the field of mediating mechanisms beyond legislatures and parties in order to promote the access of previously marginalized specific sectors to the political system. Participatory mechanisms, they argue, strengthen democratic representation by giving voice to previously disenfranchised groups and establishing more fluid channels of communication between the citizenry and the political system. Yet, so far, participatory reforms have been partial, mostly focused on the local level, many times inconclusive in their effects, and not clearly presented as an alternative model of democracy. This is why Lawrence Whitehead prefers to label current processes of democratic innovation as “kaleidoscopic.”\footnote{Lawrence Whitehead, “Prólogo,” in \textit{Caleidoscopio de la innovación democrática en América Latina} [Kaleidoscopic democratic innovation in Latin America], comp. Yanina Welp and Laurence Whitehead (Mexico DF: Flacso, 2011), 20. I return to the question of the kaleidoscopic nature of many of the innovations and the need to place them under a more conceptual model of deepened democracy in the concluding section of the essay.}
Concluding Remarks: Reconstructing the Democratic Agenda

As the previous sections illustrate, the process of regional democratization in Latin America has opened up a rich agenda and debate on the nature of democratic accountability and political representation. The post-consolidation debate revolves around conflicting interpretations of democracy that point toward diverging routes to further democratize existing democracies. Right now, the political scene seems to be dominated by two opposing models of democracy: the liberal and the populist. On one extreme, the liberal view sees democracy as “rule by minorities” and considers that the presence of social pluralism and mechanisms of legal accountability prevents tyrannical government. On the other extreme, populism defines democracy as majoritarian rule. Against the belief of Dahl that elections cannot reveal the will of the people, populism sees in elections mechanisms that signal who will become the sole interpreter of popular sovereignty. While the constitutional structure of liberal democracy aims at preventing the tyranny of one group over the rest through a sophisticated system of separation of powers and “horizontal” checks and balances, populism seeks to establish the rule of the electoral majority over all minorities. For proponents of populism, the whole constitutional structure of mutual horizontal controls is seen as a questionable device that minorities use under representative government to render the will of the majority impotent. In this sense, the legal and political dimensions of accountability are conceived in this approach as standing in a zero-sum relationship. This is why proponents of populism argue for the need to free the elected president from the constraints imposed by the whole structure of mechanisms of horizontal accountability to fully realize the principle of political accountability.

Leftist reformism is a third alternative that expresses itself in a multiplicity of heterogeneous initiatives that take place largely at the local level. In contrast to liberalism and populism, it does not yet constitute a coherent democratic model as the other two approaches do. So far, the process of democratic deepening through the promotion of new participatory structures has taken, to borrow Whitehead’s expression, a “kaleidoscopic” form in the sense that it expresses itself in a variety of participatory experiments that take place largely at the local level.

The leftist reformist model might point to a third and more promising road to democratic deepening that neither negates the relevance of legal horizontal mechanisms of accountability, which are the main concern of the liberal approach, nor is indifferent to the emphasis on political accountability and the demand for more socially inclusive polities that is present in the populist model. Unlike populism, it seeks to increase the political responsiveness of existing democracies to the poor, without resorting to the myth of a unified and monolithic people that is incarnate in the figure of the elected president, and instead seeks to address the representational deficits of liberal democracy through the promotion of new participatory channels of political mediation.
that complement the roles of elections and the public sphere by leveraging the voice and access of some constituencies, such as the poor or indigenous communities, in the political system. In this way, the leftist reformist model promotes processes of democratic deepening that (a) avoid the risks of political polarization and authoritarianism that populist interventions usually generate in the name of a questionable understanding of the idea of popular sovereignty, while (b) addressing in a more comprehensive way the accountability deficits which were partially tackled by the liberal model of democracy.

The fate of the democratic project depends to a large extent on the outcome of current struggles to define the very notion of democracy. While this struggle seems to be currently taking place between a conventional model of representative democracy and populism, there is a third and more promising model in the making, one that has been developing gradually in a very fragmented and experimental way. The various processes of participatory innovation that have been taking place in several countries of the continent suggest the emergence of a third alternative path for addressing current democratic deficits. Against some of the limitations exhibited by the conventional notion of representative polyarchy and the authoritarian risks that populism always involves, the leftist reformist model might provide an auspicious road to bring Latin America closer to realizing the promise of the democratic project that the region has embraced with the hope of bringing to a close a history marked by political authoritarianism and social inequality.