

ORIGINAL ARTICLE

Regime betterment or regime change? A critical review of recent debates on liberal democracy and populism in Latin America

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In the past three decades, debates in Latin American political theory have shifted from struggles over competing regime-types to a discussion about the meaning and potential of democracy. After the region-wide consolidation of democracy, a new political consensus was reached: democracy became the only acceptable form of legitimate rule. The latter was no small accomplishment for a region like Latin America where political struggles often entailed a clash not only over different political programmes but also, frequently, over alternative forms of regime. Regime change consequently was an ingrained aspect of political dynamics. In a scenario of political and institutional instability, authoritarian, semi-authoritarian, and democratic regimes frequently succeeded one another without being able to establish the ground for the consolidation of a stable political order.

The emergence of a democratic consensus throughout the continent marked the end of the era of institutional instability, inaugurating the most prolonged period of democratic rule in the region. The calls for regime change were consequently abandoned in favor of an agenda that sought to consolidate and improve the workings of the new democratic regimes. Such novel concerns were reflected in academia with the creation of a vibrant field of democratization studies and in the axis that organized the two central subfields of analysis: “consolidology” and the “quality of democracy” approaches. The first one dominated the agenda in the initial post-transition years; its main concern being how to how to stabilize existing regimes to prevent an authoritarian reversal. Once it became clear that democratic rule had developed strong roots in most of the region, the “quality of democracy” subfield gained prominence.

The quality of democracy approach focused on what it considered was a selective pattern of democratic institutionalization that gave birth to a peculiar form of polyarchy. The outcome of democratization in Latin America resulted in a delegative form of polyarchy that while adopting the basic features of democratic rule, exhibited notorious rule of law deficits that set these regimes apart from the Western model of representative polyarchy. Delegative democracy was the term that gained prominence to denominate this subtype of polyarchy. Delegative democracy's distinguishing feature was the absence of effective checks on Executive power due to the poor functioning of the principle of separation of powers and the system of checks and balances. To overcome such deficits, O'Donnell and others argue, it was imperative to strengthen and further develop the network of state agencies responsible for enforcing governmental accountability. As is clear from the previous description, political debates were channeled into a common concern: how to preserve and strengthen existing institutional structures.

The previously described democratic consensus found a major political and conceptual contender in the works of proponents of populism as radical democracy. Pro-populism arguments introduce a normative and epistemological

break, questioning not only the prevailing understanding of democracy upon which the field of democratization was predicated but also their diagnosis of the current political ills of Latin America. In the first place, the populist paradigm openly questions the notion of polyarchy that served as the normative framework of the quality of democracy approach, for it considers that the institutions of representative government are designed to render the principle of popular sovereignty impotent. The ideal of limited government privileges the interest of powerful minorities over those of popular majorities. In the second place, they propose a political strategy towards democratization completely opposite that of QDA. A political agenda which fundamentally seeks to channel political energies into the perfection of the institutional machinery of representative government is a misleading one and only serves the interests of conservative forces. The goal of a truly democratizing intervention should not be to emulate the representative model prevalent in the West but to transcend such a form of democracy altogether. Far from seeking the reinforcement of the institutional arrangements of polyarchy, radical politics should break loose from them: the value of populist interventions lies precisely in their disruptive potential, that is, in the capacity they exhibit for challenging the prevalent institutional order. Hence the current populist revival. The paradigm of populism as radical democracy breaks with what has been a central presupposition of democratizing studies: that processes of democratization and institutionalization largely overlap, reopening the question of regime change.

In brief, the Latin American field of democratization finds itself in a conceptual deadlock: on the one hand, the QDA approach privileges an institutional understanding of democracy while those who side with the cause of populism as radical democracy seek to transcend existing institutional arrangements altogether. In brief, we are left with a drastic choice between constituted and constituent power. The article seeks to review the main tenets of current debates, to propose in the concluding remarks an alternative conceptual democratizing strategy from the ones which the reviewed approaches respectively predicate.

1 | DEMOCRATIC CONSOLIDATION AND THE EMBRACING OF THE IDEAL OF LIMITED GOVERNMENT

Debates on Latin American democratization, particularly in the Southern Cone,¹ took place within the historical background of a new breed of authoritarian regimes that engaged in massive human rights violations. This troublesome human rights record is a distinctive feature of this last democratizing wave, one which set it apart from previous democratization processes. As a consequence, the process of democratization included a rule-of-law concern: the establishment of constitutional safeguards to prevent eventual episodes of governmental wrongdoing. A crucial factor in understanding such a process of collective learning was the web of human rights movements and organizations that emerged during authoritarian rule to expose and denounce the crimes committed by those dictatorships. The discourse and politics of human rights significantly shaped the contours of the transitions to democracy, particularly in the Southern Cone, which had been the birthplace of this more radical form of military authoritarianism. The latter represented a major cultural and political turn away from past democratic traditions which opened the door for the proliferation of a liberal and republican concern on rights and checks of government (Peruzzotti, 2002).

Academic debates reflected those concerns, arguing for the need of a stronger model of democracy than a purely electoral one. The holding of free and competitive elections, many argued, cannot be the exclusive yardstick for evaluating the success of a process of democratization. Democracy should also mean the instauration of a legally accountable government, that is, the establishment of a regime of limited government that is respectful of citizen's rights. Such concerns prompted the emergence of the *quality of democracy approach* (QDA) within democratization studies. The latter adopted a critical view of the ongoing processes of institutionalization: its diagnosis focused on the institutional weaknesses that many of the newly consolidated regimes exhibited, particularly in the area of governmental accountability. Democratic rule, they argued, only becomes fully institutionalized when electoral mechanisms are complemented with constitutional safeguards against arbitrary government (O'Donnell, 1995).

Accountability became the buzzword of democratization studies. The term played a key role in structuring the research agenda of the quality of democracy approach. For the betterment of democratic rule is, according to this

perspective, directly linked to improvements in governmental accountability. In fact, O'Donnell and others considered the absence of mechanisms of horizontal accountability to be the most distinctive and troublesome feature of existing *delegative* democracies. Delegative democracies are a subtype of polyarchy that rest on the combination of well-functioning vertical electoral mechanisms and the malfunctioning of horizontal checks on those elected authorities.² The end result is a regime characterized by the institutional predominance of a presidential figure that governs unconstrained by the usual checks and balances of representative government.

A direct correlation was consequently established between the performance of democratic government and the strength of institutional checks on power. While a certain degree of institutional innovation was considered, particularly in the area of human rights protection, the main tenet of the QDA is that the challenge which delegative democracies face is not the absence of formal accountability institutions. The fact is that in most delegative democracies those sort of institutions are in place, since they are inscribed into the constitutional design of existing regimes: in a formal sense, delegative democracies do not greatly differ in their constitutional structure from representative polyarchies. Their constitutions are organized around the principle of division of powers and include an intricate system of mutual checks and balances. Their problem lies in the dominance of informal institutions (fed by a political culture hostile to accountability) over those one of formal arrangements. To put it in O'Donnell's words,

A non-institutionalized democracy is characterized by the restricted scope, the weaknesses, and the low density of whatever political institutions exist. The place of well-functioning institutions is taken by other non-formalized but strongly operative practices – clientelism, patrimonialism, and corruption. (O'Donnell 1999:163)

Delegative democracies are constantly torn by the contradiction between what constitutional provisions say and the actual dynamics of power. This is why for the QDA the main issue confronting such regimes is how to actualize existing constitutional arrangements, that is, how to promote the coupling of formal institutions and political behaviours.

While efforts at democratic betterment might demand some degree of institutional innovation, for the most part the challenge for delegative regimes is how to “activate” the dormant machinery of horizontal accountability, setting into motion constitutional, legal, and administrative mechanisms that are already in place.³ In this respect, the process of democratic betterment is conceived as one of “actualization” of the potentials of existing institutional arrangements. While O'Donnell referred to such process as entailing a “second transition”, such movement is not conceived as a process regime change per se (as was certainly the case with the original transitions from military rule): it refers instead to a movement of change that takes place within the boundaries of existing democratic regimes. It simply seeks to strengthen the muscle of horizontal agencies of accountability. From this perspective, then, the parameters of the agenda for further democratization are clearly defined by existing institutional boundaries and the goal of any democratizing initiative should be oriented to the improvement of a regime's institutional performance. Successful democratic consolidation definitely closes any questioning about regime change. Politics, from then onwards, becomes institutionally confined, seeking to further develop the potentials of existing democratic arrangements.

For the quality of democracy approach, accountability is largely understood as “limited government”.⁴ The delegative democracy diagnosis focuses on a specific dimension of the notion of democratic accountability: the legal and constitutional control of political power. O'Donnell's concern was not with the performance of all mechanisms of democratic accountability⁵ but solely with that particular subset of agencies that were responsible for overseeing and punishing actions or omissions by public officials that might qualify as unlawful. Particularly, he considered that the most urgent problem affecting such democracies was the absence of legal checks on public authorities. The antidote to such situation was the strengthening of rule of law institutions in three directions:

- 1) Prevention of unlawful Executive encroachments over the jurisdiction of Legislative, Judiciary and other state agencies whose operation is crucial for the proper functioning of the horizontal system of intrastate controls,
- 2) Protection of individual civil rights and of the autonomy of civil society,
- 3) Avoiding the capture and colonization of state agencies by unscrupulous groups or public officials.

The quality of democracy approach generated a copious amount of empirical studies to evaluate the performance of specific agencies of democratic accountability. A large body of studies followed O'Donnell's lead, focusing on specific developments in each of the signaled dimensions. A first set of studies focused on Executive encroachments over the jurisdiction of the Judicial and Legislative branches of power (Llanos, 2002; Siavellis, 2000). A second group described a series of civic initiatives oriented to denounce the violation of civil rights by state agents under democracy, continuing and expanding the line of work that the human rights movement inaugurated in the last authoritarian period (Fox, 2008; Fuentes, 2004, Peruzzotti, & Smulovitz, 2006). Finally, a third set of studies analyzed the workings of anti-corruption mechanisms and the role of media exposes of governmental wrongdoing (Blake, & Morris, 2009; Rosen, & Downes, 1999; Tulchin, & Espach, 2007; Waisbord, 2000). Overall, the findings of all three lines of research served to clarify how existing institutional deficits affect democratic outcomes, showing how on many occasions certain initiatives can help to close the institutional gap that set a particular subset of *delegative* polyarchies apart from the normatively desirable representative model.

2 | THE POPULIST REVIVAL

The quality of democracy approach was soon to be questioned by a literature that considered its goal of achieving limited government as resting on a conservative vision of politics. Such criticism came from a group of authors who sought to reorient regional political debates, calling for a more radical understanding of democracy. In their view, the deficits of existing regimes are neither of a liberal nor of a republican nature but are strictly *democratic* ones. The problem in most of the region is the lack of true democracy, that is, regimes that could adequately and forcefully express the will of the people. What the region needs are transformative leaderships with the political will to promote fundamental reforms that could advance the fate of the popular sector. This transformative agenda cannot be realized within the narrow confines that politics assumes under existing representative polyarchies. On the contrary, the model of polyarchy is predicated on the need to ensure the government of minorities, not to realize majority aspirations. It is consequently misleading to emphasize an agenda that fundamentally seeks to reinforce counter majoritarian institutional devices. Such a program is predicated on conservative presuppositions and its implementation can only result in the protection and reproduction of the existing status quo. It is thus imperative to drastically reorient the political and conceptual debate on democracy away from the tenets set by the quality of democracy approach. The latter entails the rejection of the institutional and formal conception of democracy that such an approach promoted, to welcome a more radical understanding of democratic politics.

An important dimension of this attempt to formulate a more radical understanding of politics is the conceptual rehabilitation of the notion of populism, a concept that quickly moved to the center stage of contemporary political debates about democratic deepening. The rise of new leaderships and regimes in countries such as Argentina, Bolivia, Ecuador and Venezuela certainly contributed to the political revival of a democratic tradition that had been influential in promoting previous processes of political incorporation but which, as has been previously argued, played no significant role in the last democratizing wave where debates on democracy adopted a liberal and republican framework (Arnson, & de la Torre, 2013; de la Torre, & Peruzzotti, 2008; Hawkins, 2010). The reappearance of the notion of populism, however, was not limited to a conceptual revival; its current usage departs in important ways from the traditional understanding of the concept. The most notorious novelty is that in its current reformulation, populism is presented as the most paradigmatic expression of a radical form of democratic politics.

In the past, the concept of populism – as is the case today with that of delegative democracy – was evaluated against the normative yardstick of the consolidated representative Western democracies. The literature on classical populism acknowledged the democratizing record of regimes such as Cardenas, Peron or Vargas, yet at the same time it regretted that such accomplishments were obtained by resorting to questionable political behaviors which undermined key aspects of representative democracy. A classic example in this regard is the work of Gino Germani on the experience of classical *Peronismo* in Argentina (1945-1955). The Peronist regime, Germani argued, contributed to the full social and political incorporation of the popular sectors, placing Argentina at the vanguard of political modernization in the

region. However, the outcome of such process was not the final consolidation of representative democracy but the establishment of a national-popular regime that exhibited many authoritarian features (Germani, 1979).

In contrast, today's usages present populism as a normatively superior alternative to representative democracy. The ideal of representative government that the model of polyarchy expresses, they argue, is predicated on a conservative institutional vision of politics geared to render the notion of popular government impotent. The institutional design of representative polyarchies is more concerned with protecting the interest of minorities than realizing majoritarian aspirations. The fact is that the real deficit of existing Latin American regimes is neither a liberal nor republican but a *democratic one*. There is the need for a type of democracy that can properly express the political aspirations of the people, transformative leaderships with the political will to promote fundamental reforms that could advance the fate of the popular sector. Such a transformative agenda would be impossible to carry out within the narrow confines which politics adopts in representative regimes.

Contemporary proponents of populism consequently seek to drastically reorient the debate on democratization away from the emphasis on limited government. If the real challenge that the regions face is how to make the principle of popular sovereignty effective, the prerogatives of popularly elected presidents should not be constrained within a different sort of "accountability" mechanism. Populism's diagnosis is the opposite of the one proposed by QDA: electoral delegation of power on a strong presidential figure is the privileged way to make the principle of popular sovereignty effective. Populism's fate is in the leadership principle, not in liberal/republican institutions: there is consequently no need to be apologetic regarding the infringements that populist leaders might exert on liberal/representative arrangements because the obstacles to democratic deepening are to be found elsewhere. A radical democratic politics can only unfold outside the straightjacket of constitutionalism.

Laclau's work is the one that best exemplifies the central tenets of the contemporary approach to populism. *On Populist Reason* represents the clearest attempt to defend the notion of populism as the expression of radical democracy. Albeit in contradictory manner, the argument is built on three equivalencies:

"The political" = populism = democracy

According to Laclau, "the political" comes to life whenever there is a rhetorical operation that successfully generates an antagonistic process of symbolic identification around an ambiguous notion of the people. In a way reminiscent of Schmitt's contraposition between representation and identification as two alternative paths for the establishment of political unity (Schmitt, 2008), Laclau distinguishes between "institutional" and "populist" ways of constituting political identities. The logic of institutionalization, he states, is one of "difference" that is, it refers to a type of dynamic that keeps social demands isolated from one another. The relevant issue for any representative regime, in his view, is not whether the institutional system is able to absorb demands or not but rather the capacity that the latter has for processing them as isolated claims: "We will call a demand which, satisfied or not, remains isolated a *democratic demand*" (Laclau, 2005:74). In contrast, populist processes of identification seek to establish 'equivalent' relations among those unsatisfied claims. It does so by articulating and unifying them under a vague notion of "the people".

Populism, Laclau argues, is a way of constituting the unity of a group as "the people" (Laclau, 2005:73). There are several preconditions that have to be present for a populist mode of identification to be successful. The first is the existence of a crisis of representation or incorporation that results in unsatisfied social demands.⁶ The second is the political articulation of those unsatisfied social demands, or what in Laclau's terminology is referred to as the establishing of an "equivalent" relation between them. The third is the unification of those various demands as a unified group – "the people" – which identifies itself with the whole. The people, Laclau argues, are a part of the community that views itself as the only legitimate totality (Laclau, 2005:81).

Like Schmitt's, in Laclau's conceptual scheme, (populist) identification comes to the rescue of "the political", which had been neutralized by the straightjacket of constituted politics. Also like Schmitt, the process of identification is exclusively evaluated according to its polarizing effectiveness. In fact, the whole notion of populism is predicated on a purely formal theory of identification: populism does not express a specific program or ideology, it simply refers to a particular rationale of political identity formation. Its value does not lie in its ideological content but rather on its

capacity to polarize the political camp. The antagonistic label these “empty signifiers”. As Andrew Arato argues in his insightful critique of Laclau,

The vagueness of the ideology is compensated for by the intensity of antagonism. The absence of real identity is made up for by affective, libidinal ties, love for the leader, and love for all those whom the leader really loves” (Arato, 2013:160).

Laclau's conception of populism is indifferent to the content of validity claims around which the process of identification crystallizes. In fact, he acknowledges that, given its formal and ambiguous nature, populism can (and in fact does) assume very different political forms: signifiers of entirely different political orientations might be consequently mobilized to secure political legitimation. As he argues:

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” (Laclau, 2005:87).

A similar argument can be made regarding the institutional outcomes of populist processes. A populist intervention might not necessarily have a democratizing outcome as is clear from the examples that Laclau enumerates throughout the book. Populism in government frequently results in a form of regime that exacerbates the delegative presidential behaviors that troubled the quality of democracy approach⁷ or (not unlikely, given theological construction that lies behind this conception of the people-as-one) that would directly result in the establishment of a dictatorial regime (Arato, 2013:20). The bet for populisms is thus a risky one: the coin could fall on the side of democracy or of authoritarianism. In fact, Laclau's conception of populism is far from providing the foundations for a democratic theory. Rather, it consists of a questionable model of political change. I say political and not regime change for it is a theory that has nothing to say about the ideological or institutional outcome that a populist intervention might bring about. This is quite odd for a theory that presumes to be a *democratic* theory.

The democratic credentials of Laclau's theory are quite shaky, first, because it favors a form of politics that is inherently hostile to institutionalization. In fact, he equates populism with “the political”, a category which seems to transcend specific institutional orders and, even more, any form of institutionalization. Second, because it is a theory that cannot provide a conception of regime change: it does not seek to push for the betterment of an existing regime (as was the case of the QDA) nor can it postulate any specific path to regime change, due to its realistic conception of institutions which reduce any political order to a mere crystallization of relations of domination. If institutional orders are mere crystallizations of power relations, any question regarding the quality and potentials of any sort of institutional arrangement becomes irrelevant. If Laclau's premises were to be taken seriously, they would inevitably lead to a celebration of institutional precariousness and *personalismo*, for it would be always necessary to keep the personal bond between leader and people alive to prevent it from becoming “routinized” and transformed into a new hegemonic order.

3 | REGIME BETTERMENT OR CHANGE?

The goal for populist/radical democrats to transcend representative polyarchy challenges a major assumption of the quality of democracy approach: that one that assumes that processes of democratization and institutionalization coincide. For the proponents of populism, a true process of democratization cannot be accomplished by working within the confines of existing institutional arrangements, instead it must transcend them. The value of populist interventions lies precisely in their disruptive potential and the capacity they exhibit for challenging the prevalent institutional order.

In contrast, the QDA placed particular emphasis on self-limiting political behaviors (particularly on the part of the presidential figure) given that a key concern of this perspective is to align and subordinate political behaviors to the authority of legal and constitutional arrangements. For the QDA democratization and institutionalization coincide. Furthermore, democratoc deepening is understood as extending and strengthening the influence of institutional arrangements and reducing the role those of informal institutions that undermine the latter's logic. In contrast, the populist perspective is guided by a completely opposite objective: to transcend existing institutional arrangements.

From the previous discussion, it becomes clear that contemporary Latin American political theory finds itself in a situation of conceptual deadlock: the scenario is dominated by two contrasting models of conceptualizing democracy, each one suggesting opposing democratization strategies. As it stands, the question is which of those alternative models to choose and, once made – given their completely antagonist views of democracy and politics – such decision would mean turning a blind eye to the concerns of the discarded model. Translated into conceptual terms, the choice could be presented as where to privilege constituent or constituted power. While neither approach openly uses or refers to such categories, each perspective can be understood as entailing a unilateral emphasis of either constituted or constituent power. On the one hand, the QDA approach prioritizes an institutional understanding of democratic rule which orients the debate over questions of constitutional design, accountability deficits, and the horizontal interactions among representative agencies of government. In brief, such a perspective is largely concerned with guarding constituted powers against eventual threats from an unbound constituent power. On the other hand, the populist perspective places its democratizing hopes on the creative energy of constituent power. In this rendering, a radical democratic impulse to be effective must break loose from the straightjacket of constituted powers. We are left with an apparent impasse: there seems to be no conceptual option but an 'either/or choice' between constituent or constituted power.

Such a quandary, however, is predicated on a false dilemma: democratic politics supposes the intertwining of both constituent and constituted power and thus neither dimension could be privileged at the expense of the other without compromising our understanding of democratic life. Any theory built on a unilateral emphasis of either dimension will be partial and inadequate: to make sense of a complex relationship such as the ones that help reproduce democratic representation it is necessary to adopt a relational perspective, focusing on the tensions and interactions that exist between these two tangled dimensions of democratic life. Behind their opposing conceptions of what democracy is, the liberal/republican and populist perspectives agree on one major point: dissociating the notion of constituent power from the regular workings of representative government. In both cases, constituent power is associated with the realm of the extraordinary in politics and ordinary, everyday politics is seen as the exclusive domain of constituted power. Their failure to ensure a constant presence of constituent power in the realm of constituted power results in a weak and elitist notion of political accountability for the task of representing seem fundamentally to rest on the shoulders of the elected aristocracy of professional politicians or on charismatic leaders.

How to go beyond the zero-sum conceptualization of the constituent/constituted realms of politics that informs both the liberal/republican and populist approaches? How to articulate those dimensions of democratic politics in a productive way without assuming the unilateral weakening of one of them? A way to move out of such a sterile dilemma is by developing a democratic theory that articulates both dimensions of politics, thus avoiding the reduction of democracy to an institutional regime that ignores the creative dimension of constituent politics or to an unbound and authoritarian conception of constituent power. The latter requires the elaboration of a conception of constituent politics which, without losing its creative and transformative edge, could be compatible with an institutional conception of democracy. In brief, what is missing in both models is a democratic understanding of constituent power, that is, a conception that could integrate a notion of constituent politics within (and not outside) of democracy. It reorients democratic theory into a query about the proper mediations between state and civil society and to a comprehensive theory of democratic accountability.

There is a need to rethink inherited models of democracy to be able to include a democratic conception of constituent power, that is, granting a prominent role to actors who are outside or in the periphery of the realm of constituted politics. The latter demands the development of a stronger and more comprehensive theory of democratic accountability than the one that prevails in the QDA. There are some grounds for populism's criticism regarding the narrow legal understanding of accountability that organizes the agenda of the QDA. The latter exhibits an excessive focus on rule of law issues to the detriment of other aspects of democratic life. Democracy is more than limited government and consequently, a democratic understanding of accountability should go beyond the liberal/republican concern with constitutional checks on government. On this point, the populist critique is right in arguing that such an approach ignores the *political dimension* of the notion of accountability, a dimension that is linked to the ideal of popular sovereignty. While the QDA might be right in signaling the liberal and republican deficits of existing regimes, they tend

to ignore in their diagnosis the specific democratic deficit that many of the democracies exhibit and which frequently translates into governments unresponsive to the people.

The populist observation regarding the narrowness of the conception of democracy that informs the QDA is a valid one. Given the specific historical circumstances that framed the transitions to democracy in the Southern Cone, questions of legal accountability came to the fore and were a dominant concern in the past decades. However, there are other forms of deficits that go beyond such specific thematic: many democracies are not just affected by a deficit of horizontal legal accountability but also of vertical political accountability as well. This latter dimension is an aspect that the model of delegative democracy largely overlooked: delegative democracies not only are affected by the weakness of its horizontal mechanisms of accountability but also by a shortage of structures of political mediation. While sensitive to this last problem, populism develops a troublesome answer to it, one that ends up promoting the simultaneous deterioration of all three dimensions (liberal, republican, and democratic) in those societies in which populism is in government (Peruzzotti, 2014). The consequences of populism in liberal and republican institutions have been ample documented and in fact are many times presented as the price to pay for the improvement of democratic responsiveness. But far from solving the democratic deficit, populism reproduces it, for its interventions usually further undermine the system of political mediations due to its privileging an unmediated form of politics. If truly successful in promoting an antagonistic process of identification, populism in government opens up a process of regime change from a weak democracy to authoritarianism (Peruzzotti, 2017b); a process clearly exemplified by the case that represents the text book case of Laclaurian populism: Hugo Chavez's Venezuela.⁸

Populism's attempt to solve the accountability issue by eliminating accountability (and thus indirect government) altogether to replace it with a more simple and unmediated political scenario is predicated on a questionable notion of unbounded constituent power as the expression of pure democratic power. Such a notion, combined with the notion that all expressions of constituted power are intrinsically conservative, has troublesome political implications: after several decades in which political debates centered on the question of regime betterment, the possibility of a regime change has been reopened. Populism has presented an appealing counterpoint to the liberal/republican perspective that for many decades dominated the Latin American debate on democracy and democratization. To challenge such a discourse is imperative to move the discussion forward, avoiding the sterile contraposition between constituent or constituted power or between indirect and direct democracy. The latter demands a more comprehensive theory of accountability, which could include the political concerns that help give rise to populist interventions.

4 | OVERCOMING THE DICHOTOMY BETWEEN CONSTITUENT AND CONSTITUTED POWER: DEMOCRATIC ACCOUNTABILITY AS CIRCULARITY

An adequate notion of democratic accountability has to go beyond the mainstream understanding of accountability as governmental control that informs the QDA. Such perspective was predicated on a conventional theory of accountability, wherein accountability's role was reduced to the function of controlling or limiting governments. The QDA moved within the narrow confines of this conceptual understanding of the term, focusing its attention on the deficiencies that horizontal mechanisms – such audits, legislative scrutiny, judicial review, etc. – exhibited in channeling governmental dynamics into the existing constitutional, legal, and administrative norms. This exclusive concern for *legal* accountability could not only be explained by the peculiar historical circumstances in which the democratic transitions took place (particularly in the Southern Cone), which brought the issue of limited government to the forefront of the political agenda. It was also based on a narrow conception of *political* accountability, which was mainly reduced to the celebration of free elections. The attainment of regular, free and honest elections was consequently considered an accomplishment sufficient enough to leave the whole question of *political* accountability out of the agenda of democratization studies. There are, of course many arguments to support the presupposition that elections are the quintessential mechanism that citizens have at hand to control their representatives (Manin, 1997:174). Yet, at the same time, there are numerous arguments which raise important doubts about the suitability of elections as a tool of political accountability. There can be many circumstances that might affect the accountability performance of elections, such

as the non-existence of viable political alternatives to official candidates, the existence of weak political parties, or the absence of a well-structured party system (Mainwaring, & Scully, 1995; Moreno, Crisp, & Shugart, 2003; Mainwaring, Bejarano, & Pizarro, 2006; Stokes, 2001). Other authors raise even more substantial objections: in their view, there are some structural features of electoral mechanisms that make them inadequate as a tool for popular control (Manin, Przeworski, & Stokes, 1999:5; Przeworski, 2006). If democracies were to remain faithful to the classical conception of accountability (horizontal legal controls + vertical political electoral mechanisms), their political dynamics would probably result in a low degree of political responsiveness and legal control.

The recent history of Latin American democracies shows, however, that the region did not remain indifferent to existing accountability deficits. Many of the new democracies developed political and institutional innovations to address them, resulting in the creation of a spectrum of mechanisms that were not in the original listing of classical political science manuals on governmental accountability. Those processes of innovation have enriched the toolbox that citizens have at their disposal to promote governmental accountability. As a result, citizens now have at hand a variety of venues to make their claims heard and to control governmental officials. The latter include the creation of informal watchdog organizations to expose and document governmental wrongdoing, the establishment of different forms of articulated oversight that combine horizontal and social resources, the creation of numerous instances of institutionalized participation such as social councils, participatory budgeting, or national policy conferences, the growth of a tier of public interest organizations to lobby government, etc. The proliferation of alternative means for holding governments accountable defies a view of democratic representation that continues to place electoral competition at the center-stage of democratic practices.

Democratic innovations are redefining the traditional scenario in which the practice of democratic representation takes place, adding novel mediating arenas and accountability mechanisms to engage actors that traditionally were not actively involved in accountability politics. This is why it is misleading to limit the question of accountability to the classical set of horizontal and electoral mechanisms. The practice of democratic representation – understood as a constant and pluralistic process of claim-making – inevitably breeds complexity,⁹ promoting the growth of new circuits and leading to the decay of older ones. Democratic Latin America has not been an exception to this trend: its field of mediated politics has grown increasingly complex as the result of those innovations. In the process, the very notion of democratic accountability is being redefined. The exercise of accountability is no longer the prerogative of a limited number of state agencies or limited to the occasional call for elections: there is a variety of social actors and institutional tools at the citizen's disposal to promote more responsible and responsive democratic governments.

While the landscape for the practice of democratic representation is becoming more complex than originally envisioned by democratization studies, there have not been many conceptual innovations in the theory of governmental accountability. The end result is an either/or choice between the narrow understanding of accountability of QDA and the rejection of accountability altogether as expressed in the populist vision. Any attempt at developing a *democratic* theory built around the privileging of one of the dimensions at the expense of the other one leads to questionable results: to a conservative institutionalism that is blind to the creative dimension of constituent politics, as is the case of some strands of mainstream political science or to the unbound and authoritarian conception of constituent power as illustrated by current notions of populism as radical democracy.

The only way out of this dilemma is the developing of a democratic theory predicated on the articulation of both dimensions of politics. The latter demands a greater understanding of accountability. Debates on accountability should consequently shift from the notion of accountability as limited government that informed the liberal/republican perspective to a properly *democratic* notion of the term (Borowiak, 2011).

A democratic notion of accountability can help us to overcome the antagonistic understanding of the relationship between constituent and constituted power. Such a notion should be built around the tension that inevitably characterizes the relationship between those two intertwined dimensions of democratic politics. Understood in this way, accountability refers to the particular articulation that constituent and constituted powers assume under representative democracy. Democracy is consequently understood as the type of regime that guarantees a continuous role and permanent presence to constituent power. In such a definition, constituent politics are not relegated to make

themselves present occasionally either in foundational moments of regime change or in those moments of institutional disarray that facilitate the emergence of populist interventions. On the contrary, in a properly functioning democracy the role of constituent power should be both more prominent and permanent. If representation, as Nadia Urbinati argues, "...designates a form of political process that is structured in terms of the circularity between institutions and society..." (Urbinati, 2006:24), in a democratic understanding of the term, it would be the main role of accountability mechanisms to ensure such circularity.

NOTES

- ¹ Peru, Colombia, and more recently Mexico provided alternative experiences of human rights violations that differentiated them from the political path of Southern Cone societies. While in those cases state violence was certainly a variable, other forms of violence were as prominent, particularly those stemming from guerrilla and criminal organizations.
- ² O'Donnell classified accountability mechanisms according to a horizontal/vertical axis, each plane corresponding to the state and society distinction. The term "horizontal mechanisms of accountability" referred to the intra-state system of mutual checks and controls of representative government. "Vertical mechanisms" referred to the role of an external accountability agent rooted in society, be it the electorate, organized civil society or the independent media.
- ³ This was one of the main predicaments of the social accountability approach. According to this perspective, civil society initiatives and media exposes were a crucial external force that through mobilization and media pressure could compel reluctant horizontal agencies to activate themselves to investigate and punish wrongdoers. The proliferation of a diverse array of social accountability initiatives could trigger a "virtuous cycle" of induction and activation. Peruzzotti and Smulovitz, 2006; O'Donnell, 2006.
- ⁴ The following references to a "liberal/republican perspective" are primarily intended to describe those works which shaped the agenda of the period of democratic consolidation in Latin America. In no way is it meant to be a general evaluation of liberal or republican ideals. For some representative works of this approach, see, O'Donnell, 1994; Mendez and O'Donnell, 1999; Schedler, Diamond, and Plattner 1999; Peruzzotti and Smulovitz 2006.
- ⁵ Delegative democracy is a subtype of polyarchy that exhibits a particular deficit in its liberal and republican components. The specifically democratic dimension is in place thanks to the proper institutionalization of regular, free and competitive elections. Its weak spot is rather in those institutions that seek to protect citizens' freedom and legally constrain the actions of public officials.
- ⁶ The emergence of a gap between institutional performance and the claims and aspirations of specific social groups is the prerequisite for the very possibility of populism. For Laclau, there has to be a perception that a gap has emerged which prevents the harmonious continuity of the social. "Without this initial breakdown of something in the social order... there is no possibility of antagonism, frontier, or, ultimately, people" (Laclau, 2005:85).
- ⁷ Laclau has promoted the principle of unlimited presidential reelection and complained about the role of organized civil society in deterring presidential ambitions in Argentina (Peruzzotti, 2017a).
- ⁸ Venezuela under Nicolás Maduro has experienced an authoritarian regression. While other cases of contemporary populism are characterized by worrisome authoritarian trends, they overall do not amount to a process of regime change as in contemporary Venezuela. In Kirchner's Argentina, for instance, the populist formula did not fully crystallize. This is a feature that constantly worried Ernesto Laclau who, despite his enthusiastic support for the Kirchners, regretted the fact that they were never able to promote a proper process of populist identification. In fact, throughout the years, Laclau repeatedly encouraged them to radicalize their political discourse and strategy to foment the political partition of Argentine society into two clearly demarcated political camps as it had occurred in Chavez's Venezuela or under classical Peronism. Yet, for various reasons, such goal was never pursued/accomplished, resulting in a situation that Laclau termed "a populismo a medias" (a partial situation of populism) (Peruzzotti, 2017a).
- ⁹ As David Plotke argues, "...Successful democratic movements most often make politics more complex and less direct... When democratic movements win, however, politics as a whole tends to become more complex... Democratic successes expand the number of voices in conversations about what to do and thereby make decisions more complicated. If democratic movements tend to increase political complexity, we should not identify democracy with simplicity or directness per se..." (Plotke, 1997: 24). The scenario of representative democracy is a dynamic one: the field of mediated politics adopts different historical and national configurations and tends to grow in complexity as a result of democratic innovation.

REFERENCES

- Arnsón, C. J., & de la Torre, C. (Eds.) (2013). *Latin American Populism in the Twenty-First Century*. Washington DC and Baltimore: Woodrow Wilson Center Press/John Hopkins University Press.

- Blake, C. H., & Morris, S. D. (Eds.) (2009). *Corruption and Democracy in Latin America*. Pittsburgh: Pittsburgh University Press.
- Borowiak, C. (2011). *Accountability and democracy. The pitfall and promise of popular control*. Oxford: Oxford University Press.
- De la Torre, C., & Peruzzotti, E. (Eds.) (2008). *El Retorno del Pueblo. Populismo y Nuevas Democracias en América Latina*. Quito: FLACSO.
- Fox, J. (2008). *Accountability Politics. Power and Voice in Rural Mexico*. Oxford: Oxford University Press.
- Fuentes, C. (2004). *Contesting the Iron Fist. Advocacy Networks and Policy Violence in Argentina and Chile*. New York and London: Routledge.
- Germani, G. (1979). La Transición Hacia un Régimen Político de Participación Total en la Argentina. In Gino Germani (Ed.), *Política y Sociedad en una Época de Transición* (pp. 300–325). Buenos Aires: Editorial Paidós.
- Hawkins, K. A. (2010). *Venezuela's Chavismo and Populism in Comparative Perspective*. Cambridge: Cambridge University Press.
- Laclau, E. (2005). *On Populist Reason*. London and NY: Verso.
- Llanos, M. (2002). *Privatization and Democracy in Argentina. An analysis of President-Congress Relations*. London: Palgrave.
- Mainwaring, S., Bejarano, A.M., & Pizarro, E. (Eds.) (2006). *Crisis of Democratic Representation in the Andes*. Stanford, CA: Stanford University Press.
- Mainwaring, S., & Scully, T. (Eds.) (1995). *Building Democratic Institutions: Party Systems in Latin America*. Stanford, CA: Stanford University Press.
- Manin, B. (1997). *Principles of Representative Government*. Cambridge: Cambridge University Press.
- Manin, B., Przeworski, A., & Stokes, S. (1999). Elections and Representation. In A. Przeworski, S. Stokes, & B. Manin (Eds.), *Democracy, Accountability and Representation*. (pp. 29–54). Cambridge: Cambridge University Press.
- Mendez, J.E., O'Donnell, G., & Pinheiro, P.S. (Eds.) (1999). *The (Un)rule of law and the underprivileged in Latin America*. Notre Dame: Notre Dame University Press.
- Moreno, E., Crisp, B. F., & Shugart, M. S. (2003). The Accountability Deficit in Latin America. in Mainwaring & Welna (Eds.), *Democratic Accountability in Latin America* (pp. 79–131). Oxford: Oxford University Press.
- O'Donnell, Guillermo (1994). Delegative Democracy. *Journal of Democracy*, 5, 55–69.
- O'Donnell, G. (1995). Illusions about Consolidation. *Journal of Democracy*, 7, 34–51.
- O'Donnell, G. (2006). Notes on various accountabilities and their interrelations. In Peruzzotti and Smulovitz 2006.
- Peruzzotti, E. (2017a). Conceptualizing Kirchnerismo. *Partecipazione e Conflitto. The Open Journal of Sociopolitical Studies*, 10, 1, 47–64.
- Peruzzotti, E. (2017b). Populism as Democratization's Nemesis: The politics of regime hybridization. *Chinese Political Science Review*, 2, 3, 314–327.
- Peruzzotti, E. (2014). Accountability deficits of delegative democracies. In D. Brinks, M. Leiras, & S. Mainwaring (Eds.), *Reflections on Uneven Democracies. The legacy of Guillermo O'Donnell* (pp. 269–286). Baltimore: John Hopkins University Press.
- Peruzzotti, E. (2002). Towards a New Politics. Citizenship and Rights in Postdictatorial Argentina. *Citizenship Studies*, 6, 77–93.
- Peruzzotti, E., & Smulovitz, C. (Eds.) (2006). *Enforcing the Rule of Law. Social Accountability in Latin America*. Pittsburgh: Pittsburgh University Press.
- Plotke, D. (1997). Representation is Democracy. *Constellations*, 4(1), 19–34.
- Przeworski, A. (2006). Social Accountability in Latin America and beyond. In Peruzzotti and Smulovitz 2006.
- Rosen, K.S., & Downes, R. (Eds.) (1999). *Corruption and Political Reform in Brazil: The Impact of Collor's Impeachment*. Coral Gables FL: North/South Center Press at the University of Miami.
- Schedler, A., Diamond, L., & Plattner, M. (Eds.) (1999). *The Self-Restraining State: Power and Accountability in New Democracies*. Boulder, Colo: Lynne Rienner.
- Schmitt, C. (2008). *Constitutional Theory*. Durham and London: Duke University Press.
- Siavellis, Peter M. (2000). *The President and Congress in Post-Authoritarian Chile. Institutional Constraints to Democratic Consolidation*. State College: Pennsylvania State University.
- Stokes, S.S. (2001). *Mandates and Democracy: Neoliberalism by Surprise in Latin America*. Cambridge: Cambridge University Press.
- Tulchin, J.S., & Espach, R.H. (Eds.) (2007). *Combating Corruption in Latin America*. Washington DC and Baltimore: Woodrow Wilson Press/The John Hopkins University Press.
- Urbinati, N. (2006). *Representative Democracy. Principles and Genealogy*. Chicago: University of Chicago Press.
- Waisbord, S. (2000). *Watchdog Journalism in South America: News Accountability, and Democracy*. New York: Columbia University Press.

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