

GERARDO L. MUNCK  
JUAN PABLO LUNA

# LATIN AMERICAN POLITICS AND SOCIETY

A Comparative  
and Historical  
Analysis



## LATIN AMERICAN POLITICS AND SOCIETY

Taking a fresh thematic approach to politics and society in Latin America, this introductory textbook analyzes the region's past and present in an accessible and engaging style well-suited to undergraduate students. The book provides historical insights into modern states and critical issues they are facing, with insightful analyses that are supported by empirical data, maps, and timelines. Drawing upon cutting-edge research, the text considers critical topics relevant to all countries within the region such as the expansion of democracy and citizenship rights and responses to human rights abuses, corruption, and violence. Each richly illustrated chapter contains a compelling and cohesive narrative, followed by thought-provoking questions and further reading suggestions, making this text a vital resource for anyone encountering the complexities of Latin American politics for the first time in their studies.

**Gerardo L. Munck** grew up in Buenos Aires, Argentina, and is Professor of Political Science and International Relations at the University of Southern California. His books include *Critical Junctures and Historical Legacies* (with David Collier; Rowman & Littlefield, 2022); *A Middle-Quality Institutional Trap: Democracy and State Capacity in Latin America* (with Sebastián Mazzuca; Cambridge, 2020); and *Measuring Democracy: A Bridge Between Scholarship and Politics* (Johns Hopkins, 2009). He worked on *Democracy in Latin America* (2004), a United Nations Development Programme report. His awards include the Frank Cass Prize for Best Overall Article in *Democratization* in 2016, and the Award for Conceptual Innovation in Democratic Studies in 2003.

**Juan Pablo Luna** grew up in Montevideo, Uruguay, and is Professor of Political Science at the Pontificia Universidad Católica de Chile, and Associate Researcher with the Millennium Institute for Foundational Research on Data. His books include *Latin American Party Systems* (with Kitschelt, Hawkins, Rosas, and Zechmeister; Cambridge, 2010); *Segmented Representation, Political Party Strategies in Unequal Democracies* (Oxford, 2014); *The Resilience of the Latin American Right* (with Rovira-Kaltwasser; Johns Hopkins, 2014); *En vez del optimismo. Crisis de representación política en el Chile actual* (Catalonia, 2017); and *Political Parties and Diminished Subtypes* (with Rosenblatt, Piñeiro, and Vommaro; Cambridge, 2021).

# **LATIN AMERICAN POLITICS AND SOCIETY**

## *A Comparative and Historical Analysis*

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*Gerardo dedicates this book to Claudia, who supported me throughout the writing process, but was very happy to see me finish this book*

*Juan Pablo dedicates this book to Karina, Joaquina, and Santiago*

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Dr. Gerardo L. Munck is Professor of Political Science and International Relations at the University of Southern California (USC). Professor Munck grew up in Buenos Aires, Argentina. He moved to the United States during the country's last military regime to study, and received an MA in Latin American Studies from Stanford University, and a PhD in Political Science from the University of California, San Diego (UCSD). He taught at the University of Illinois, in Champaign-Urbana, before moving to USC. He has taught courses on Latin American Studies, comparative politics, democratization, and research methods.

Dr. Munck's research focuses on democracy and democratization, state capacity, Latin America, and methodology. His books include *Critical Junctures and Historical Legacies: Insights and Methods for Comparative Social Science* (with David Collier; 2022); *A Middle-Quality Institutional Trap: Democracy and State Capacity in Latin America* (with Sebastián Mazzuca; Cambridge University Press, 2020); *Measuring Democracy: A Bridge between Scholarship and Politics* (2009); *Regimes and Democracy in Latin America* (2007); *Passion, Craft, and Method in Comparative*

*Politics* (with Richard Snyder; 2007); and *Authoritarianism and Democratization: Soldiers and Workers in Argentina, 1976–83* (1998).

His book *Authoritarianism and Democratization: Soldiers and Workers in Argentina, 1976–83* was selected by *Choice Magazine* as one of the “Outstanding Academic Titles for 1999.” His article “Conceptualizing and Measuring Democracy: Evaluating Alternative Indices” (*Comparative Political Studies*, 2002) received the 2003 Award for Conceptual Innovation in Democratic Studies, of the International Political Science Association (IPSA) Committee on Concepts and Methods (C&M) and the Facultad Latinoamericana de Ciencias Sociales (FLACSO), Mexico. His article “What Is Democracy? A Reconceptualization of the Quality of Democracy,” *Democratization* (2016) received the Frank Cass Prize for Best Overall Article in *Democratization* in 2016.

He has worked in the field of democracy promotion over the past twenty years. He worked on *Democracy in Latin America* (2004), a report of the United Nations Development Programme (UNDP), and has been active in various initiatives to promote and monitor democracy. He was a member of the International Expert Panel of the Open Government Partnership (OGP), and a member of the Expert Advisory Board for the development of International IDEA’s Global Democracy Index. He has consulted for the UNDP, the Organization of American States (OAS), the World Bank, the Inter-American Development Bank (IDB), and the United States Agency for International Development (USAID).

Dr. Juan Pablo Luna is Professor of Political Science at the Pontificia Universidad Católica de Chile. Professor Luna grew up in Montevideo, Uruguay. At age 10 he witnessed the country’s transition from dictatorship to democracy, a watershed event that prematurely shaped his interest in

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Dr. Luna's research focuses on political parties and representation, state institutions, organized crime, and the political economy of Latin America. His books include *Latin American Party Systems* (with Herbert Kitschelt, Kirk Hawkins, Guillermo Rosas, and Elizabeth Zechmeister; Cambridge University Press, 2010); *Segmented Representation, Political Party Strategies in Unequal Democracies* (2014); *The Resilience of the Latin American Right* (with Cristóbal Rovira-Kaltwasser; 2014); *En vez del optimismo. Crisis de representación política en el Chile actual* (2017); *La Chusma Inconsciente* (2021); and *Political Parties and Diminished Subtypes* (with Fernando Rosenblatt, Rafael Piñeiro, and Gabriel Vommaro; Cambridge University Press, 2022). He is currently working on a manuscript on the impact of state capacity, violence, and corruption on current challenges for democratic citizenship in Latin America.

Dr. Luna has consulted for the UNDP, the OAS, the USAID, the Economic Commission for Latin America (ECLAC), and International IDEA, on issues related to democratic representation, political parties, and campaign financing and regulation. Between 2011 and 2017, he was the leader of the Millennium Nucleus for the Study of Stateness and

Democracy in Latin America. In 2018, he helped design the Millennium Institute for Foundational Research on Data (2018-2028), which promotes interdisciplinary work on demographic change, production patterns, state capacity, and political conflicts in contemporary Latin America. More recently, Dr. Luna participated in a new Millennium Institute project titled VIODEMOS (2021-2031), which seeks to analyze the interaction between violent social processes and democracy in the region. He joined both Millennium Institutes as Associate Researcher and board member.

# *Preface*

This book is about politics in Latin America. We discuss the region's past but, most of all, problems in contemporary Latin America. We are concerned with progress, defined as gains in the ability of all people in a society to develop to their full potential and live a good life. We believe that part of human development occurs through politics. More specifically, we think that the conquest and expansion of democracy and citizenship rights are key aspects of human progress.

Further, to understand how people in Latin America are doing and whether all and not just a few are treated fairly and are living well, we address a range of political, legal, and socioeconomic issues. We discuss old issues, such as the right to free and fair elections and the rule of law, and new ones, such as transitional justice, gender quotas, and neoextractivism. We also consider the role of many actors, including politicians, judges, members of the security forces, criminal organizations, external actors such as the United States, business elites, social movements, activists, and common citizens. We show how seemingly separate issues (e.g., democratic elections and economic inequality) are associated, and are better understood when viewed as intertwined issues that must be confronted by societies that embark on the quest for democracy and citizenship rights.



This book is intended as an introduction to politics in Latin America for those who are encountering the region for the first time. We do not assume background knowledge. Moreover, although we draw on a vast academic literature and present a large amount of data, we are interested in conveying ideas about substantive, tangible matters (e.g., why is it hard to reduce corruption in Latin America?). Ultimately, this book seeks to connect the reader to this region in an accessible manner, so that they can recognize its achievements and grasp its problems, and better relate to the hopes and disappointments of Latin Americans.

We also believe that this book can serve as a reintroduction to Latin America for those who have a prior exposure to the region. Latin America is like a good book that can be read more than once. It is also a changing region. And we trust that the ideas we present in the pages that follow will engage even those who consider that they already “know” the region. Indeed, this book adopts a fresh perspective on the region, which invites seasoned observers of the region to “see” it in a new way, to rediscover it.

In the remainder of this preface we explain the book’s subject matter, organization, and approach to learning. We also provide a summary of each chapter that specifies the topics covered and briefly anticipates the arguments we make.

# **Subject Matter, Organization, and Pedagogy**

We start with a discussion of what is covered in this book, how the presentation of each subject matter is organized, and what we have done to help readers learn about Latin America.

## Overall Content and Structure

The introductory chapter presents the two perspectives adopted in this book – a historical and a contemporary one – and briefly discusses the topics covered in the book and previews the book's key arguments.

[Part I](#) ([Chapters 1, 2, 3, and 4](#)) offers a series of historical overviews of Latin American politics and society. These overviews offer background information that is important to an understanding of contemporary politics, the focus of the rest of the book. We discuss the formation of states and state capacity; nation-building projects and the place of races and ethnicities in these projects; political regimes and democracy; and economic and social policies and outcomes.

[Parts II, III, and IV](#) focus on contemporary Latin America – roughly from the 1990s onward – and address three kinds of problems faced in the region.

[Part II](#) ([Chapters 5, 6, and 7](#)) focuses on problems *of* democracy, that is, problems linked to the attainment, maintenance, and improvement of democratic rights. The opening chapter of this part offers an overview of democracy in contemporary Latin America. The other chapters discuss the political inclusion of women, indigenous peoples, Afro-descendants, and ordinary citizens; and the role of political parties in fostering political representation.

[Part III](#) ([Chapters 8, 9, 10, and 11](#)) is concerned with civil rights that are considered a problem *for* democracy, that is, civil rights that citizens expect or hope that democracies will protect but have not yet done so. The opening chapter of this part provides a broad introduction to civil rights in

contemporary Latin America. The remaining chapters in this part address transitional justice, high-level corruption, and violence.

[Part IV](#) ([Chapters 12](#), [13](#), [14](#), and [15](#)) turns to social rights that are considered a problem *for* democracy and thus extends the discussion beyond the familiar realm of political and civil rights to the less habitual and potentially polemic but critical realm of social rights. Once more, the part starts with an introductory chapter that offers a sweeping view of social rights in contemporary Latin America. The other chapters of this part focus on sustainable development and neoextractivism, social inclusion and social policies, and policies oriented to the reduction of economic inequality.

We treat the roles of women, indigenous peoples, Afro-descendants, and ordinary people as cross-cutting themes. For example, we address the political inclusion of women – an area where women have made important gains – and then follow up on this discussion by exploring whether these political gains have translated into improvements in civil and social rights. We also consider the political role of indigenous peoples, and then consider the extent to which they attained civil and social rights. Data are not always available to address the connections between the rights attained by different categories of citizens across the political, civil, and social spheres of citizenship. However, we focus on categories of citizens that have been disadvantaged historically throughout the book.

A concluding chapter, [Chapter 16](#), offers a brief recapitulation of the book's main points. An Appendix and a Glossary provide additional resources. The Appendix presents a timeline that summarizes and consolidates some of the key points made in the historical overviews in [Part I](#). The Glossary lists terms and concepts used in the book that are given a distinctive meaning in the social sciences.

## **Chapter Structure in Part I**

The chapters in [Part I](#) are internally organized in a similar manner. We first clarify the core concepts used in the chapter. Subsequently, we offer a periodization of developments from the nineteenth century or earlier until the early twenty-first century. To help the reader navigate these historical chapters, early in each chapter a table is presented with a summary of the dates and key characteristics of each period.

Additionally, in [Chapters 2, 3, and 4](#), we show that after modern states were formed in Latin America, the region's history can be understood in terms of three common periods: 1880 to 1930, 1930 to 1980, and 1980 to the 2010s. This periodization is partly artificial; many countries deviate from this pattern. This periodization does not work precisely for all issues. However, this feature of Latin American history helps readers more easily connect the analysis of issues – the nation-building project, the political regime and democracy, and the model of economic development – within each of the three common historical periods.

All chapters end with a summary of the main points made in each chapter.

## **Chapter Structure in Parts II, III, and IV**

The chapters in [Parts II](#), [III](#), and [IV](#) also rely on a common internal organization. We initially introduce the questions the chapter will address. We then divide our discussion in three parts.

First, we discuss and define key concepts. Where relevant, we note that some concepts (e.g., social rights) are the subject of debate and present alternative ways of understanding a concept.

Second, we describe the successes and failures of Latin American countries in tackling challenges and attaining certain outcomes (e.g., justice for the victims of human rights violations). Here we draw on various sources of information, introduce much new information gathered especially for this text, and identify broad patterns and tendencies within the region.

Third, we explain the record of Latin American countries and present different arguments about why countries have been successful or not in developing democracy and citizenship rights. We draw on an extensive literature about the topics we discuss in order to convey the most up-to-date explanations in the scholarship on Latin America. We also present ideas that draw on our own research on democracy and citizenship rights. Further, we consider many of the same factors (e.g., the state, social movements) across chapters, and thus make the discussion a cumulative one that highlights certain recurring themes.

As in [Part I](#), all chapters end with a summary of the main points made in the chapter.

## **Data and Cases**

A few words are in order regarding the empirical information we have used throughout the book. We present and analyze two kinds of information: cross-national data, frequently on all nineteen countries in the region; and case studies.

Cross-national data (some quantitative, some qualitative) on various aspects of politics are increasingly available. And we use these data especially to identify broad patterns in the region and to compare Latin America to other regions. Cross-national data are a valuable resource in the study of politics, and we show how these data can be fruitfully used.

We also rely extensively on short case studies of specific countries. In selecting cases, we have sought a balanced coverage of the region. We include Brazil and Mexico, the two biggest countries in the region; and we discuss cases from Latin America's three main subregions: the Southern Cone (Argentina, Chile, Paraguay, and Uruguay), the Andean Region (Bolivia, Colombia, Ecuador, Peru, and Venezuela), and Central America (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama). Latin American countries from the Caribbean (Cuba and the Dominican Republic) are also addressed, although in less detail.

We use our discussions of cases for two main purposes. At times, we use them for descriptive purposes, to vividly illustrate achievements and problems. At other times, we use them as part of our exploration of why some outcomes occur. Case studies are particularly useful to understand how processes unfold, who does what, and why things happen. Comparing several cases is also a useful method to learn about politics. Thus, we show

how we can learn about politics not only by studying cases but also by comparing cases.



## **Learning Aids**

Finally, we have included some special pedagogical features to draw out and apply the book's themes.

We provide short asides that supplement the text and that are placed in boxes. We use four kinds of boxes, each with a distinctive label:

- **Debates:** These boxes underscore important conceptual, theoretical, or political debates (e.g., whether members of the judiciary should be concerned about the political consequences of their judicial decisions).
- **Thinking Comparatively:** These boxes make comparisons within Latin America as well as between Latin America and other regions of the world. At times, we make a comparison between Latin America and the United States.
- **Connections:** These boxes make connections among issues, such as the various dimensions of citizenship (e.g., whether democracy can be used to expand social rights).
- **A Closer Look:** These boxes provide a deeper exploration of specific issues introduced in the chapters.

At the end of each chapter, we also include special features to help both instructors and students broaden their understanding of the chapter's subject matter. First, we present several questions to spark a discussion about the chapter's content. Next, we provide a collection of resources that delve more fully into the topics of the chapter; these include articles and books, websites, and documentaries. Most of these resources are references

to English-language materials; however, we also include several resources in Spanish and a few in Portuguese.

# **Summary of the Chapters**

As an overview of the book, we provide, below, a summary of each chapter.

## **Introduction**

A brief introduction distinguishes the historical and contemporary perspectives adopted in the book. It discusses the topics covered in the book's historical overview and anticipates the key arguments made about the historical development of Latin America. It justifies the focus on democracy in the analysis of contemporary Latin America, and introduces the overarching argument used to explain the apparently paradoxical state of politics and society in contemporary Latin America.

## **Part I: A Historical Overview**

[Part I](#) offers a broad historical overview of Latin America that is essential to an understanding of contemporary Latin American politics. Each chapter focuses on one key issue and provides a sweeping discussion that reaches back to the nineteenth century, and earlier in the case of the first two chapters, and traces developments through the early twenty-first century.

[Chapter 1](#) focuses on the state as a distinct form of political organization, the formation of modern states, and the capacity of these states. We start by considering the states created by indigenous peoples and the states subsequently imposed by the Spanish and Portuguese colonial rulers. We next show how modern states were formed in Latin America after independence from Spain and Portugal. We argue, following recent research, that Latin America pursued a trade-led model of state formation and that the resulting states were weak, patrimonial states – that is, states that were treated by rulers, partially at least, as their private property and that did not enforce the rule of law. Moreover, we argue that state weakness has been a persistent problem in Latin America, as we show in the cases of Mexico and Uruguay, and that contemporary states are unable to impose their rule in a uniform manner throughout the territory they claim to control. We show that Latin America has modern states, but also that these states are weak.

[Chapter 2](#) discusses how the sense of nationhood has changed over time since the formation of modern states in Latin America, and how the construction of nations has been closely linked to racial and ethnic identities. We show that nations were not built from scratch, and that nation

builders were conditioned by legacies from colonial times. We also demonstrate that nation building is an ongoing, never-finished project. Indeed, we identify three distinct periods in the process of nation building. In a first period, an elite vision of the nation, which took white, civilized Europe as a model, prevailed. In a second period, a national-popular vision of the nation took center stage, and *el pueblo* (the people) was considered the true essence of the nation. Finally, in a third, ongoing period, nationhood has been understood in multicultural terms and, for the first time in the history of Latin America, the distinctiveness of indigenous peoples and of Afro-descendants has been recognized and treated as legitimate. We argue that, over time, the sense of nationhood has become more inclusive of different races and ethnicities.

[Chapter 3](#) focuses on the record of democracy of Latin American countries. Once more, we identify three periods. In a first period, one of oligarchic dominance, most countries had a variety of types of authoritarianism and only a few countries had experience with partial democracy. In a second period, that of mass politics and regime instability, the entry of the masses and women into politics created pressure for democratic change, and the region started to gain considerable experience with partial and fuller democracy. However, tensions due to the transition from elite to mass politics and then the Cuban Revolution led to political polarization, high levels of violence, and rule by right-wing dictatorships. Waves of democratization were followed by waves of de-democratization. Finally, in a third, ongoing period, Latin America entered a democratic age. Nearly every country in the region has had a democratic regime. Democracies have become more inclusive, as restrictions on the right to vote, which excluded women and the poor, were no longer imposed. And

democracies have endured. Thus, we show that the history of democracy in Latin America is one of considerable progress.

[Chapter 4](#) rounds out the historical overview by addressing how Latin American countries have sought to generate socioeconomic welfare by making choices about the model of economic development – the country’s strategy to promote economic growth and the material well-being of the populations as a whole. Again, we identify three periods during which Latin America adopted distinct models of economic development and we assess the performance of each model. The region’s first model, the market-oriented agro-export model, led to moderate but unequal progress – a mixture of moderate economic growth, a slight improvement in absolute levels of welfare, and an increase in economic inequality. The region’s second model, the statist import-substitution industrialization model, produced strong progress – good economic growth, a big improvement in absolute levels of welfare, and a decrease in economic inequality. Finally, the region’s third model, the market-oriented neoliberal model still used in the region, has yielded slow progress – languid economic growth, a slight improvement in absolute levels of welfare, and a small reduction in economic inequality. We show that the question of what the best development model for Latin America is remains open.

## **Part II: Problems *of* Democracy in a Democratic Age**

[Part II](#) starts the discussion of contemporary politics, the period that begins in the 1990s. This period can be characterized as a democratic age. Yet this part shows that Latin America still faces many problems *of* democracy, that is, problems concerning whether a country is democratic and how democratic democracies are.

[Chapter 5](#) uses the concept of quality of democracy and shows that the most common problem of democracy is that democracies are low-quality or medium-quality ones. That is, we stress that even though Latin America has achieved and stabilized democracy, a notable success, it has not democratized fully. We also note that democracy has broken down in some countries (e.g., Nicaragua, Venezuela). We argue that multiple factors account for the state of democracy in contemporary Latin America. Ideological differences over neoliberal economic policies have fueled some problems of democracy, as we show in some detail in the cases of Honduras and Venezuela. Changes in various aspects of the international context have helped to stabilize democracies. Additionally, the region's problems of democracy are also explained by some enduring features of Latin American politics: the exploitation of advantages that accrue to incumbency in political office, the influence of economic power, and the weakness of the state.

[Chapter 6](#) turns to the issue of the political inclusion of disadvantaged groups: women, indigenous peoples, Afro-descendants, and ordinary people. We highlight many impressive accomplishments – most notably, the important steps taken to increase the number of women in political office by



instituting gender quotas, a mechanism that obliges political parties to field a certain percentage of female candidates. The introduction of various other institutional innovations has also fostered political inclusion. However, we show that indigenous peoples and Afro-descendants have gained less access to political office than women, and that few steps have been taken to redress this problem. We discuss this problem in Brazil, among other places. Moreover, we point out that institutions offering, in principle, an avenue for citizen input into government beyond voting for representatives are frequently hijacked by governments. We highlight both the promise and the limits of various initiatives to make democracy more inclusive. We argue that, even though Latin American democracies have become more inclusive, democracy still works better for some groups than for others.

[Chapter 7](#) addresses the role of political parties as agents of representation that channel citizen interests and values into the policy-making process. We use Peru as a case study to illustrate the flaws of democracy without representative parties. We show that many Latin American democracies have experienced persistent crises of representation because citizens see many party leaders as cut off from common citizens and do not trust their parties. And we offer an explanation for the state of parties in the region. We argue that crises of representation persist when neoliberalism is treated as inevitable and that, as we show in the case in El Salvador, the link between citizens and politicians is strengthened when parties express conflicts over neoliberalism. However, we also show, through an analysis of various parties in Bolivia, Brazil, and Uruguay, that parties become agents of representation only when other demanding conditions are met. Also needed are skillful political leaders, committed activists, vigorous social movements, and resources – conditions that are

rarely met. Another key hindrance to party building is a lack of state capacity; a weak state limits the possibility that elected officials can deliver public goods and engender popular support. Although democracy has become the norm in Latin America, few democracies have parties that act as agents of representation, and this lack of a deep, substantive sense of representation is a key problem of democracy.

### **Part III: Civil Rights as a Problem *for* Democracy**

[Part III](#) discusses civil rights as a problem *for* democracy – that is, deficiencies regarding various civil rights that democracy is expected to solve.

[Chapter 8](#) provides an introduction to civil rights in contemporary Latin America. It proposes a working definition of civil rights that encompasses four classes of rights: equality rights (e.g., equality before the law); liberty rights (e.g., the right to a free press); security rights (e.g., the right to life); and due process rights (e.g., the right to a fair trial). Relying on data about these four classes of rights, the chapter characterizes the state of civil rights in Latin America as mixed. Significant gains have been made in several areas: the politically powerful have had to answer for past abuses of human rights; some former presidents have gone to jail on corruption charges; and the rights of various categories of citizens, such as women, indigenous peoples, Afro-descendants, and LGBTQ+ people, have been legally recognized. However, civil rights are an acute problem for democracy. Many democracies are corrupt, discriminatory, semi-free, violent, and unjust. To explain this state of affairs, we draw on a combination of factors. Democracy has served as a stepping stone for some improvement of civil rights, especially when an active civil society has pressed for certain rights. But the impact of democracy is muted because Latin American democracies are not high-quality democracies. Moreover, the judiciary has not been a consistent promoter of civil rights, and the state has also not been capable enough or state agents have not been committed

enough to enforce the law uniformly throughout the full territory of a country.

[Chapter 9](#) focuses on transitional justice, the challenge of tackling past human rights violations. We show that the record of each country varies considerably, but that, in the aggregate, the record of contemporary Latin America is largely a success story. The frequency with which past human rights violations have been addressed, and the steps taken through truth commissions and trials, puts Latin America at the center of the global transitional justice movement. We also demonstrate, through a comparative analysis of six countries (Brazil and Mexico, El Salvador and Guatemala, Chile and Argentina), that several factors determine the response to past human rights violations. Democracies that are strong and channel citizen preferences succeed in confronting the challenge of transitional justice. Additionally, a positive record of transitional justice is associated with strong civil society organizations, generational change and new legal thinking about human rights law in the judiciary, and progressive developments in international law.

[Chapter 10](#) addresses high-level corruption and the judicial response to those who are known to engage, or are widely suspected of engaging, in acts of corruption. We show that corruption is a persistent problem and that no sustained gains to counter it have been made. We also show that the judicial response is, at best, mixed. There is a widespread and well-founded perception that countries fall short of protecting due process rights by justly punishing those who engage in acts of high-level corruption. High-level corruption is systemic, involving a network of powerful politicians, top-level public administrators, and high-level members of the judiciary. We explore the causes of this poor record through an analysis of three cases

(Brazil, Mexico, and Guatemala) and we draw several conclusions. The weakness of democracy prevents it from reining in corruption. The public administration, with its propensity to link employment more to political loyalty than to adherence to the law, has largely been a hindrance in the fight against corruption. The judiciary has been part of the solution to the problem of corruption when it has been independent and competent; however, the judiciary is frequently corrupt or politicized and thus part of the problem. Finally, civil society organizations have played a consistently positive role, putting pressure on politicians and the judiciary to fight against corruption.

[Chapter 11](#) focuses on the new violence that has erupted in many Latin American countries in the early twenty-first century and on threats to the right to life. Using various forms of data, we show that Latin America is the most violent region in the world, that the main victims of violence are young males living in cities, and that a variety of actors are perpetrators of violence: drug cartels, gangs, common criminals, militias, and state agents. We point out that violence in Latin America is a systemic problem that has deep roots in society and in the state. Here we explore the sources of violence and the state's failure to protect the right to life by looking closely at cases in which drug cartels and street gangs are active – Mexico and the Northern Triangle countries (El Salvador, Guatemala, and Honduras). And we explain the incidence of violence as follows. International factors, such as the global drug trade and US policy toward Latin America, have played a largely negative role. So too have state actors in the security sector – that is, the police and the military. The state has failed to guarantee citizen security, in part because it is absent and thus fails to protect citizens, and in part because it colludes with criminal groups. Additionally, needed reforms of

the state's security forces are not enacted because the democratically elected politicians who have to propose such reforms are threatened or bought off by actors that benefit from violence. Thus, we conclude our discussion of the state of civil rights in Latin America by stressing that problems *of* democracy – the poor quality of democracy – and problems *for* democracy – the failure of democracies to guarantee civil rights – are tightly interconnected.

## **Part IV: Social Rights as a Problem *for* Democracy**

[Part IV](#) discusses social rights as a problem *for* democracy – that is, the existence of deficiencies regarding various social rights that democracy could reasonably be hoped to address and ameliorate.

[Chapter 12](#) provides an introduction to social rights in contemporary Latin America. It proposes a working definition of social rights that encompasses five classes of rights: the right to an adequate standard of living, the right to a family life, the right to health, the right to education and participation in cultural life, and the right to decent work and social security. It uses data on these five classes of rights to show that social rights are a problem for democracy. Social progress across several types of social rights has been widespread and many democracies are partly inclusive. However, most Latin American democracies are unequal democracies. To explain this mixed state of affairs, we consider the impact of several factors. A history of democracy, especially when left-center parties are strong, is associated with relatively easy aspects of redistribution. Social mobilization has also been pivotal in pushing for social rights. Yet, problems of democracy, such as the weakness of political parties, attenuate democracy's redistributive potential. Additionally, weak state capacity has been an obstacle to the implementation of redistributive policies.

[Chapter 13](#) focuses on sustainable development and, more specifically, the impact of neoextractivism, an economic strategy that emphasizes the exploitation of primary products, on the quality of life of the communities where this economic activity is based. We argue that neoextractivism is not just an economic policy; it is also a matter of social and environmental

rights. We show that although neoextractivism has led to short-term economic growth, it has also created massive and unprecedented environmental damage that has been especially detrimental to indigenous peoples and the rural poor. As a central part of the chapter, we explore protests against neoextractivism through case studies of three countries (Bolivia, Ecuador, and Peru) and show that only in Bolivia have affected communities had some success in ameliorating the negative consequences of neoextractivism. We also explain the impact of protests as follows. Democratic institutions and decentralization create incentives for greater accountability at the local level. Moreover, in some cases, the mobilizational strength and political coordination of local communities leads to collective action. Nonetheless, several factors blunt the impact of protests. Leaders on the left and the right of the political spectrum have been committed to neoextractivism and, even though leftist leaders have supported prior consultation – a process whereby affected indigenous communities weigh in on extractive projects – they have essentially co-opted this mechanism of popular participation. In most cases, poor communities of ethnic minorities are unable to organize and mobilize successfully against neoextractivism. Further, the state commonly operates in favor of business interests.

[Chapter 14](#) focuses on the role of social policy and, more specifically, on conditional cash transfer (CCT) programs, a Latin American invention. We show that CCTs have been a striking success story. In particular, they have become somewhat of a basic income support that has reduced poverty and helped historically disadvantaged groups, such as single mothers and indigenous groups. The adoption and implementation of CCTs is a real Latin American success story. To make sense of this achievement, we



explore the causes of CCTs through case studies of Mexico and Brazil and briefer discussions of other countries. And we explain the emergence of CCT programs as a result of a confluence of factors. Increased electoral competition helped to channel popular demands for better social rights. Political ideology facilitated the international diffusion of CCTs and determined the degree of universalism of social policies. Additionally, CCTs were effective because they were designed and implemented in a way that circumvented public administrators traditionally prone to patrimonial and clientelistic practices.

[Chapter 15](#) addresses economic inequality, an inescapable issue in a discussion of Latin America. We illustrate the significance of inequality with brief discussions of Brazil and Chile. We show that wealth and income are unequally distributed and that certain categories of citizens (rural dwellers, indigenous people, informal workers) are among the poorest Latin Americans. We stress that it is paradoxical that several decades after Latin America achieved democracy – a political system based on the idea that citizens are political equals – social inequality remains deep and pervasive. Subsequently, to account for this paradox, we emphasize the difficulties faced by democratic governments in reducing economic inequality through redistributive policies that affect the interests of powerful actors. Elites can restrict redistribution through their structural power (e.g., their control of the production and distribution of economic goods), their instrumental power (e.g., their influence on electoral campaigns and legislation), and their control of the media. Politicians and state agents are also responsible for blocking change. Finally, we note that persistent economic inequality has negative consequences on democracy and show how recent political developments in Chile – for decades seen as the poster child of political and

economic success in the region – are a warning sign against complacency with economic inequality.

## Conclusion

In the final [Chapter 16](#), we highlight the overarching arguments of the book:

- A century and a half into the political life of Latin America's modern states, the question of how to develop state capacity and how to manage the economy for the benefit of citizens has not been resolved.
- The record of democracy and citizenship rights in contemporary Latin America is a mixed one, with some significant achievements but also many serious problems. Latin America has made progress on easy problems, but failed to resolve difficult ones.
- Contemporary Latin American democracies have shown their promise but also their serious limitations. At times, democracy has served as a stepping stone to improve the inclusiveness of democracy and to advance civil and social rights. These gains have shown the power of democracy to improve people's lives. And they have helped to legitimize and to strengthen democracy. Yet, more often, a different dynamic has unfolded. Problems *of* democracy have prevented the elimination of problems *for* democracy, and problems *for* democracy block the possibility of reducing problems *of* democracy.
- The conquest of democracy in Latin America in the late twentieth century, a signal achievement for the region, was not the endpoint of the region's history. Rather, the achievement of democracy in the

late twentieth century is better understood as opening a new horizon in a never-ending quest for democracy and citizenship rights.

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# Introduction

## Latin American Politics and Society



In this book, we analyze politics and the broader societies that shape and are affected by politics in Latin America. We will show how Latin America became what it is today and how it is confronting some of its main challenges.

Latin America is a region full of contrasts. It is currently the second most democratic region in the world, after Europe. It is a global leader in the political inclusion of women, transitional justice, and innovative social policies. However, it also is an endemically corrupt region and the most violent one of the planet. Added to this, the region has had the most unequal distribution of income in the world for over a century. Some of these contrasts are so big that it seems paradoxical that these features could coexist – yet they do.

In this book, we confront the region's core puzzles head on. Very centrally, we seek to convey in a vivid way why Latin America has achieved many things, but also has been unable to make the breakthroughs

required to put an end to such obvious public bads as corruption, violence, and economic inequality. We will show that there are many reasons to be hopeful about Latin America, but that overall we should be measured and cautious about its prospects. The region's problems are deeply embedded in the way politics and society function. Thus, needed changes face many obstacles.

We organize the book in terms of subjects we study historically, over the long run, and topics we analyze in the contemporary period. We initially approach Latin America from a historical perspective, offering a sweeping overview of developments since pre-Columbian times and especially from the late nineteenth century until the present. We focus on the formation of modern states and four key tasks: strengthening the capacity of states, building inclusive nations, crafting democratic regimes, and selecting a model of development that generates socioeconomic welfare. We assess whether Latin American countries have made progress in these areas. We also consider whether some of the region's current problems are actually old problems that have endured over the decades.

Next, in the bulk of the book, we zoom in and study processes that have unfolded in the region from the 1990s to the present. In these parts of the book, we center our analysis on the power and promise of the democracies that emerged as a result of a regional wave of democratization in the 1980s and 1990s. We consider whether Latin America has been able to construct strong and durable democracies that channel the interests and values of citizens into the policy-making process. We also focus on the performance of democracies and examine whether they deliver a bundle of public goods that citizens demand – things as basic as security and the material means to live, but also others as central to a good life as a sense of

justice. We assess whether democracy works well and works well for all, and we explain the achievements and failures of democracy.

We cover all countries in the region where Spanish or Portuguese is the main language: Mexico, six countries from Central America, ten from South America, and two from the Caribbean (Cuba and the Dominican Republic). We use data on all these nineteen countries to shed light on long-term trends and contemporary patterns. We also use case studies, discussions of specific issues in one or more countries, to better understand the significance of different situations and why things happen as they do. We use all this information to reveal characteristics that Latin American countries hold in common, but also to single out features that make each country distinctive.

Here, we offer a preview of the book. We introduce our historical analysis by giving a sense of the subject matters and questions we will address, the general claims we will support, and the lessons from our historical analysis that inform our exploration of current Latin America. Then we turn to our study of contemporary times, and again discuss the topics and questions we engage with, and the broad arguments we make.

## The Historical Overview

The very early history of the territories currently covered by Latin American countries can be divided into two distinct periods: the pre-Columbian and colonial eras. These lands were first populated by various indigenous peoples who developed multiple kinds of political organization – including some of the first states in the world. Subsequently, they were colonized and ruled by the Spanish and the Portuguese for roughly three centuries.

We will briefly discuss these two eras (in [Chapters 1](#) and [2](#)), in part due to their intrinsic interest and in part because they left several legacies that affected the social and political life of Latin American countries. However, we will focus on Latin America once a set of independent countries with central political authorities and well-defined territorial borders were formed. See [Box 1](#) on the origin of the name Latin America.

### **Box 1** A Closer Look: How and When Latin America Got Its Name

The first recorded time that the Western hemisphere was called “America” was in the *Universalis Cosmographia*, the 1507 wall map of the entire world by cartographer Waldseemüller. The name America, drawn from the name of Italian explorer Amerigo Vespucci, was placed on this map on what we now call South America (see [Map 1](#) for the part of the map corresponding to South America).



1830s, and then adapted by Colombian writer José María Torres Caicedo and Chilean politician Francisco Bilbao in the mid-1850s. Subsequently, in the 1860s, the name was used by the French Emperor Napoleon III, who was trying to extend French imperial control over the region and sought to signal the cultural affinity between France and the region ([Ardao 1980](#)).

Thus, the term Latin America is the result of a combination of a geographic term – America – and a cultural term – Latin, which refers to Romance languages (i.e., those derived from Latin) such as Spanish, Portuguese, Italian, and French.

## **Modern States and Four Core Issues**

There are many ways to tell the history of Latin American countries. Thus, we have made some choices about what to address and what not to discuss in the historical overview we provide in [Part I](#). We take guidance from the classic themes in the social sciences and history disciplines.

First, we analyze the birth of Latin American countries. We will use a distinct marker to identify the origin of countries: the formation of modern states, which we define as political organizations that have a monopoly of violence and that rule over a relatively large territory and a population that shares a common sense as nationals. (We will discuss this concept in more detail in [Chapter 1](#).) We will show how a lengthy process of state formation led to the configuration of the countries that we currently recognize as collectively constituting Latin America (see [Map 2](#) for the present-day map of the region). We'll treat the completion of the process of state formation as indicating the beginning of the history of Latin American countries, and we will start our account of Latin America proper at that point.





**Map 2** A map of Latin America.

*Source:* Authors' elaboration

Thereafter, we address four core issues that are related to modern states – they could be considered variable properties of modern states:

- *State capacity*: the ability of a state to impose its rule throughout the territory and over the population it claims to control.
- *Nation building*: the deliberate effort to connect the state and the nation, and to construct a sense of nationhood – of cultural belonging – in part by defining the role of different racial and ethnic groups in constructs of the nation.
- *Political regimes and democracy*: the rules concerning access to the government offices that are endowed with the authority to make the most important public decisions and, in particular, whether these rules allow most citizens to determine who will govern them by voting in free and fair elections – a distinctive feature of democracy.
- *Development models and socioeconomic welfare*: the set of policies that aim to foster economic growth – and that indirectly affect the material well-being of citizens – and the policies that seek to directly ensure the social welfare of citizens.

How countries tackle each of these four issues – which lie at the intersection of politics, culture, and the economy – shapes the basic contours of the country and has a great impact on the lives of citizens. Therefore, we will spend considerable time analyzing how Latin American countries have addressed these matters throughout their history.

After clarifying the key concepts we use, we will characterize Latin American countries in terms of these four issues (e.g., using categories such as the elite vision of the nation, a construct of the nation that draws on European notions of a civilized nation). We will consider whether countries changed or remained the same over time across these issue areas (e.g.,

whether authoritarian regimes turned into democratic ones or endured), and offer explanations both for major changes and significant continuity. We'll also bring a normative perspective to bear on our discussion, and assess whether Latin America has made progress, that is, whether over time its inhabitants have lived better, fuller lives.

Normative questions, questions about what is good and what is bad, about what should be positively and negatively valued, are difficult to answer. Relatedly, legitimate differences exist regarding what metrics should be used to assess progress. However, it is important to know whether Latin America has made progress. It is also possible to offer an assessment that steers clear of controversy and relies on widely shared evaluation criteria. Thus, building on recognized standards, we will hold that countries have made progress when they have changed in the direction of: (1) a capable state, able to enforce the law and implement collective projects; (2) an inclusive sense of nationhood that treats all groups as equally worthy parts of the nation; (3) a democratic political regime that recognizes the right of citizens to determine who governs them; and (4) a development model that generates a high, roughly evenly distributed, level of socioeconomic welfare (i.e., that reduces poverty and inequality).

In sum, we will tell the history of Latin America from its beginning – the birth of countries as marked by the formation of modern states. We will describe and explain the evolution of four fundamental issues: state capacity, the nation, the regime, and development. We'll also evaluate whether the region has made progress.

## **Historical Origin and Evolution**

To foreshadow our analysis, we present our broad claims about the origin of Latin America and how the region subsequently evolved.

A first claim we make is that Latin America was born in the mid-nineteenth century – and not in the 1810s and 1820s, as is commonly believed. The independence movements of the 1810s and 1820s ended colonial rule, but it was only later, in the middle of the nineteenth century, that modern states, with clearly demarked territorial borders and a monopoly of violence, were formed. Indeed, the process of state formation was only completed in a thorough way in the region around 1875.

A second argument is that, after the formation of modern states in Latin America, the broad contours of politics and society have changed, but rarely. One big turning point in the evolution of Latin American societies came roughly in the 1930s, the other in the 1980s. Thus, Latin American history can be divided into three broad periods (1880–1930, 1930–1980, 1980–), each with their characteristic features and distinct dynamic. Big structures are not immutable, but they are not easily altered. See [Photo 1](#) on various changes that started in the 1980s and continued in the 1990s.



**Photo 1 The 1980s and 1990s as decades of change** The 1980s and 1990s was a time of considerable political change and social mobilization in Latin America. Triggered in part by Mexico's default on its foreign debt in 1982, the region entered an economic crisis that led to profound and sudden free market reforms and a wave of protests against the new policies. At the same time, the region underwent a widespread process of democratization. By the early 1990s, the challenge to the old construct of the nation by indigenous movements had also erupted into public view. The picture on the top left shows soldiers deployed to respond to rioters protesting the government's new economic policies in Caracas, Venezuela, 1989. The picture on the top right shows Chileans celebrating the defeat of dictator Pinochet in the 1988 plebiscite and the initiation of Chile's transition to democracy. The picture at the bottom shows women sympathizers of the Zapatista National Liberation Army, which was made up mainly of rural indigenous people, in Chiapas, Mexico, in 1994.

*Sources:* (top left) © Eric Vandeville/Gamma-Rapho/Getty Images;  
 (top right) © Cindy Karp/The Chronicle Collection/Getty Images;  
 (bottom) © Oriana Elicabe/AFP/Getty Images.

A third, more substantive, assertion is that, when major change has occurred, it has not been total – that is, affecting all four issue areas or producing a full transformation in one single issue area. Change has also not always been progressive.

- *State capacity.* The capacity of the state has not changed in a substantial way throughout Latin America's history. Further, what has persisted are states with weak capacity. Latin America began its history with weak states and has not carried out a needed reform.
- *Nation building.* In contrast, the construct of the nation has undergone significant changes, in the 1930s and the 1980s, and these modifications were progressive. Over time, steps were taken to build a sense of nationhood that linked citizens to the state, while treating all races and ethnicities as equal members of the nation and acknowledging and respecting racial and ethnic identities.
- *Political regimes and democracy.* Political regimes also changed throughout the region's history, with big shifts also in the 1930s and the 1980s, and these were also progressive developments over the long term – regimes became more democratic. Also worth mentioning is that the process of democratization in the twentieth century was even more transformative than the innovations in nation building. Indeed, this improvement ranks as the biggest advance in Latin America's history.
- *Development models and socioeconomic welfare.* Finally, development models and the socioeconomic structures they create have changed, undergoing real transformation in the 1930s and the

1980s. However, unlike the changes regarding the nation and the political regime, the evolution of development models and socioeconomic structures cannot be characterized as progressive. The region has oscillated between more and less market-oriented policies. And the current market-oriented model, adopted in the 1980s, has not produced satisfactory outcomes in terms of socioeconomic welfare – in particular, levels of inequality are high and persistent. As a result, the region is still searching for a development model that enjoys widespread legitimacy.

Finally, a fourth point we make concerns categories of people. The availability of data limits how fully and precisely we can estimate whether certain groups of people are disadvantaged. Nonetheless, our overview of Latin America's evolution shows that certain populations have been historically disadvantaged – we demonstrate that this is the case of women, indigenous peoples, Afro-descendants, and ordinary people.

In brief, we will show that, after the birth of countries, Latin America had two periods of major change that have yielded an uneven overall situation regarding state capacity, the nation, the regime, and the development model. Contemporary Latin America has work to do on all four matters. However, the political regime and the construct of the nation can be assessed in relatively positive terms, and state capacity and the development model in relatively negative terms. Additionally, the region has a debt with several historically disadvantaged populations.

## **Historical Novelties and Legacies**

Learning about Latin American history is interesting in itself. Knowing the region's history is also important to better understand its present.

An understanding of Latin America's long-term trends is needed to recognize which features in the contemporary period are historical novelties and which are legacies of the past. These insights escape a short-term view, yet are key to an analysis of short-term developments in the contemporary period. In fact, we build on three lessons from our historical overview when we turn to the study of contemporary Latin America.

A first lesson is that the improvement in the state of democracy in the 1980s and 1990s was *the* key breakthrough Latin America made in its entire history. At no time in its prior history had democracy been dominant, as it currently is. No other feature of Latin American politics and society has been as positively valued throughout most of the region. No other development seemed to open up so many possibilities for progress in the region in the contemporary period.

Therefore, we will put democracy – its power and promise – at the center of our analysis of the contemporary period in Latin America. Starting in the 1980s and 1990s, Latin America faced a historic opportunity: to use the democracy it had conquered to achieve other goals. And nothing was more important for the region than to make the most of the prospects afforded by democracy. Indeed, to understand contemporary Latin America is, in some ways, to make sense of what the region has done with this opportunity, to apprehend whether democracies have performed as hoped or expected.



A second lesson pertains to two negative historical legacies: the persistent nature of state weakness and of economic inequality. There is something about Latin American societies that has entrenched these two features. Moreover, both features have a potentially big corrosive impact on contemporary democracies. State weakness affects whether countries are able to hold free and fair elections (e.g., if the state is not able to prevent drug lords from killing candidates, the electoral process is evidently tarnished) and whether elected leaders can implement policies and fulfill campaign promises. High economic inequality tends to go hand in hand with great political influence by the economically powerful, which undercuts the democratic principle of political equality.

In our analysis of the contemporary period we will thus pay keen attention to the relationships between democracy and state capacity, and between democracy and economic inequality. The history of Latin America suggests that it is important to consider whether democracies in the contemporary period are able to revert these historical legacies or, on the contrary, whether these two enduring problems with deep roots in the region's past are allowed to distort the working of democracy and limit its possible benefits. This is a lesson of history we will revisit at various points in our discussion.

Lastly, we take to heart the importance of another negative legacy: the existence of historically disadvantaged populations. Our analysis identifies four such groups: women, indigenous peoples, Afro-descendants, and ordinary people. And this observation informs our analysis of the contemporary period. Understanding that certain groups have been historically disadvantaged serves as a corrective to ahistorical analyses that assume that all people have the same chances in life, something that is not

true. Hence, we will explore with particular interest whether contemporary democracies have done something to acknowledge and counter the disadvantages experienced by these categories of people.

To recapitulate, our historical analysis yields three lessons regarding how to approach the study of the contemporary period. Most critically, it justifies a focus on democracy and the possibility of making progress through democracy. Also importantly, it reminds us that the study of contemporary democracy should be mindful of the weight of some legacies: state weakness and economic inequality, and the existence of historically disadvantaged populations.

## **The Contemporary Period**

Studying democracy and its performance in contemporary Latin America, while taking into consideration several historical legacies, is a complex task. Hence, in [Parts II](#), [III](#), and [IV](#), we proceed step by step, exploring the state of democracy in Latin America and the results it is associated with, or produces, in different spheres of social life.

## **Problems *of* and *for* Democracy**

We divide our analysis of the contemporary period into three parts.

We first focus (in [Part II](#)) on democracy itself. The most pressing political question in the region, after the dictators who had dominated politics in the Cold War were removed from power, was: What can be done to protect and strengthen democracy? Thus, we start by addressing what we call problems *of* democracy – problems linked to the attainment and maintenance of democracy, but also problems related to the quality of democracy in established democracies.

The most basic question about democracy is always whether a political regime is democratic or not. Simply attaining democracy was the central political goal in Latin America from the 1940s through the 1980s. Furthermore, countries such as Cuba and Venezuela under Maduro show that this objective is still relevant. However, a concern for more countries in Latin America in recent times is how good their democracies are or, as this issue has been commonly framed, what is the quality of their democracies? (This relatively new concept of quality of democracy is discussed in [Chapter 5](#).) Other significant problems relate to the political inclusion of women, indigenous peoples, Afro-descendants, and ordinary people. A related matter is whether political parties act as true agents of representation of citizens. Thus, we first consider the state of democracy in Latin America since the 1980s.

We also address other questions regarding democracy that have been relevant in the contemporary period. Citizens have used democratic rights – to vote, to run for office – to determine who occupies key offices of the

government. These rights were an important conquest, and citizens have valued and used them. Still, they have also wanted their democratic governments to deliver public goods, such as safe neighborhoods, better schools, clear water, and access to health care. Moreover, they have frequently framed demands regarding these goods as a matter of rights.

We consider these issues regarding the performance of democracy under the heading of problems *for* democracy – problems regarding the development and strengthening of civil and social rights that citizens expect or hope democracies will address and solve. And we provide a full analysis of them. We evaluate the state of civil rights and how democracies have performed in protecting civil rights in [Part III](#). We discuss how democracies have dealt with past human rights abuses, what democracies have done to fight high-level corruption, and how democracies have performed in protecting the right to life and reducing violence. We also assess the state of social rights and how well democracies have done in advancing social rights in [Part IV](#). Here, we concentrate on whether democracies have succeeded in fostering sustainable development and have addressed the environmental consequences of economic activities, and what steps democracies have taken to reduce poverty and inequality.

Our examination of the contemporary period is infused with normative considerations and uses many normative concepts. At the same time, the main aim of our discussion is to understand what is happening with regard to democracy, civil rights, and social rights in contemporary Latin America. To that end, we describe the record of Latin America, using extensive documentation, and ascertain whether progress has been made. We also explain the region's record and draw on the experience of different countries to better account for success and failure.

That is, we offer an extensive analysis of contemporary Latin America, which focuses on problems of and for democracy, describes the evolution of the region and assesses whether it is making progress, and provides explanations for accomplishments and shortfalls.

## **Poor-Quality Democracies and Few Public Goods**

We provide what might be considered a qualified view of the prospects of Latin American democracies.

*A Record of Some Progress and Many Failures.* We will show that the state of affairs in contemporary Latin America is mixed, although more negative than positive on balance.

On the positive side, democracies have endured, giving credence to the view that the region has entered a democratic age, in which democracy is the norm throughout most of the region. Democracies have also been relatively successful at providing justice for victims of past human rights abuses through its support of transitional justice and at making innovations in social policy that have helped to reduce poverty by means of conditional cash transfers (CCTs). Finally, democracies have become more politically inclusive of women and made some strides to increase gender equality more broadly. See [Photo 2](#) on the situation and actions of women.



**Photo 2 Women's empowerment and democracy** The political and social gains made by women since the 1990s is one of the clear signs of progress in Latin America. In addition to increasing their political representation, they have secured greater gender equality in other spheres as well. These advances have usually been made as a result of the organization and mobilization of women, activities that have been facilitated by democracy. The picture shows women marching during International Women's Day in São Paulo, Brazil in 2018.

*Source:* © NurPhoto/Getty Images.

On the negative side, most democracies in the region are poor-quality democracies and political parties rarely act as agents of representation. Moreover, they have been unable to solve some important challenges. Democracies have failed to control rampant corruption and rein in the epidemic of violence that has swept through the region – two issues that are closely associated with violations of civil rights. They have also done little to contain the environmental damage produced by a reliance on extractive



activities such as mining and to reduce economic inequality – two issues that affect the state of social rights. They have also not done much to improve the situation of indigenous peoples and Afro-descendants. See [Photo 3](#) on typical social conditions in Latin America.



**Photo 3 Poverty, inequality, and politics** Socioeconomic welfare is important in itself, and also a condition for active participation in politics. When surviving day to day is a key concern, it is very difficult to have a political voice. Yet one of the distinctive traits of Latin America is its high level of poverty and especially of inequality. The picture shows a slum in Ciudad Bolívar, in the south of Bogotá, Colombia, in 2019.

*Source:* © Juan Barreto/AFP/Getty Images.

These failings are glaring and concern many fundamental issues. Thus, overall, many of the hopes placed on democracy have been dashed. Democracies have not delivered the public goods that citizens reasonably expect from democracy. They have made only partial progress in addressing the situation of historically disadvantaged populations. Latin America's democratic age has been more sobering than inspiring.

***The Interaction between Problems of and for Democracy.*** To account for the state of affairs in contemporary Latin America, we will elaborate an overarching argument about the link between problems of democracy and problems for democracy.

We will maintain that, at times, Latin American democracies have served as a stepping stone to improve democracy and advance civil and social rights. Democracy creates incentives for politicians to use their power as elected leaders to introduce political reforms that improve the quality of democracy and to meet the demands of citizens. In turn, these decisions by politicians help to legitimize and further strengthen democracy.

However, we'll also see that the impact of Latin American democracies is frequently limited. Problems *of* democracy, such as the poor quality of democracy, and the fluctuating, unstructured, nature of political party systems, prevent democracies from truly representing the interests of citizens and restrict their positive effect. A related part of the problem is that democracies must work through weak states, which they have been unable to reform, and with economic structures that reproduce inequality, which they have not managed to transform. Thus, such democracies, unsurprisingly, fail to introduce needed political reforms and to take steps to protect civil rights and advance social rights.

Furthermore, we will draw attention to the way these effects of democracy have consequences for democracy itself. The failure to resolve problems *for* democracy, those things citizens expect democracy to deliver, raises questions about the legitimacy of democracy. Indeed, when democracy does not deliver, citizens ask: What is the point of democracy if democratically elected leaders do not work to solve the urgent problems

they confront? Additionally, democracy's failure to resolve problems for democracy keeps democracy weak. When corruption and violence are not controlled, they seep into the political process and basic democratic rights are undermined. When poverty and inequality are not reduced, the collective action of common citizens is hindered and the influence of the wealthy increases.

In summary, we will argue that, in contemporary Latin America, problems *of* democracy prevent the elimination of problems *for* democracy, and unresolved problems *for* democracy block the possibility of reducing problems *of* democracy.

## **Next Steps**

Latin America is a region of contrasts. And contemporary Latin American democracies are paradoxical in many regards. For example, it is perplexing that democracy, a political regime based on the principle of political equality, could endure in the context of weak states that do not enforce the rule of law consistently and of societies with high levels of economic inequality. Yet, as we will show, this paradox is solved once we realize that Latin American democracies are enduring but poor-quality democracies, and that such democracies – which had never existed on a large scale before they emerged in Latin America in the 1980s and 1990s – simply work differently than the long-lasting democracies in the West most observers are accustomed to think about.

Before turning the focus to democracy in the contemporary period, though, we offer a historical overview of politics and society. The historical chapters that follow will ground the reader in the history of the region and provide essential background information. Indeed, without a historical perspective, it is not possible to understand the contemporary period. Thus, we next delve into the history of Latin America.

# Part I



## A Historical Overview

1

# The State and State Capacity





**Photo 1.1 Latin America's weak states** The state's primary function is to provide order. It is also responsible for enforcing the law and protecting citizens' rights. Yet, throughout Latin America, the state's lack of capacity is on display in a number of ways. In some instances, the state is simply absent, a scenario exemplified by the existence of self-defense groups that take over responsibilities of the state. The picture shows one example, a self-defense group on patrol in Michoacán, Mexico, in 2009. The weakness of the state is a defining feature of many Latin American countries.

*Source:* © Miguel Tovar/Staff/Getty Images.

The modern state is the political organization that centralizes political power, marks the territorial boundaries with neighboring states, and maintains control over the population within the delimited territory. The modern state is also the guarantor of all citizen rights – political, civil, and social. If a state is incapable of enforcing rights, democracy is weak at best and citizenship rights are unevenly distributed. Thus, we start our broad

historical overview of Latin American politics and society by discussing the state in what is today Latin America since pre-Columbian times.

In this chapter, we first address conceptual questions and clarify the concepts of state and state capacity, and offer an overview of states in Latin America. We then consider what forms of political organization were common in pre-Columbian times and during Spanish and Portuguese colonial rule. We next discuss the process that starts in 1810 with the call for independence from Spain and Portugal and ends in 1875 with the creation of new, modern states in Latin America. Here, we focus on the question: When and how were Latin American modern states formed? Thereafter, we consider whether the modern states formed after independence were capable states – that is, whether they had the capacity to rule over the population in an effective and uniform manner. We also assess whether states have built greater capacity in the period from 1875 to the 2010s. Finally, we present a summary of the chapter.

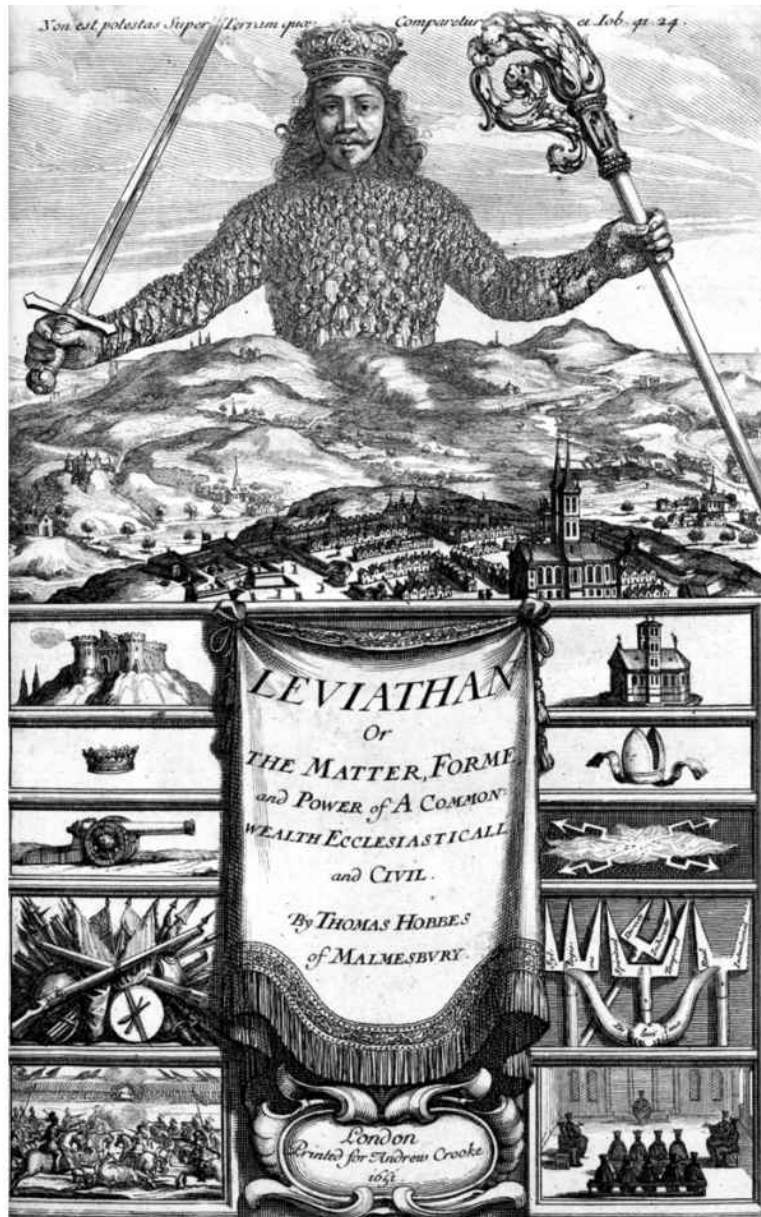


## **1.1 Concepts and Overview**

The concepts of state and state capacity are key to the study of politics. They will be used throughout this chapter and will be important in the rest of the book. Thus, to begin our discussion, we explain what we mean by the state and state capacity. We also present a preview of the state and state capacity in Latin America.

### 1.1.1 The State and the Modern State

The *state* can be defined, following sociologist Max [Weber's \(1946 \[1919\]:](#) 78, emphasis in the original) classic formulation, as a “human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory.” In other words, the state is an organization, differentiated from society, that is distinguished from other organizations in that it relies on the use, and the threat of the use, of coercion. It does not plead with citizens to follow the law – for example, by paying taxes. It commands citizens to do things and can coerce them to do these things. The state is a powerful organization, and it wields a kind of power that is distinct from that of economic and cultural organizations. [Photo 1.2](#) connects this definition to the related concept of the Leviathan.

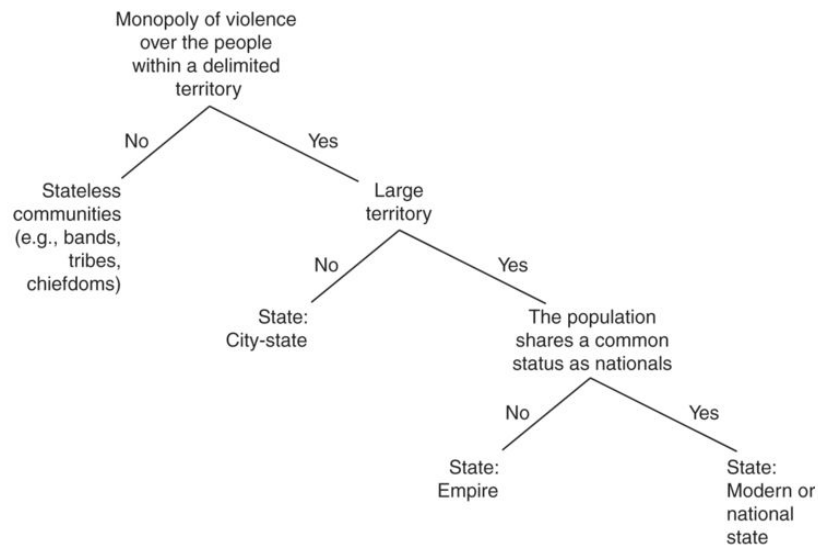


**Photo 1.2 The state as a Leviathan** Political philosopher Thomas Hobbes calls the entity that controls a population within a territory through means of violence a Leviathan. This graphic is a copy of the cover of Hobbes's classic 1651 work, titled *Leviathan*, a book that provides an influential image of a powerful state. Hobbes also provides a justification for the state, as he argues that individuals in a society voluntarily give up their capacity to act violently in favor of a ruler who can enforce the rule of law and arbitrate conflicts in a society, so as to

avoid a violent “state of nature” in which “[a] man is a wolf to another man” ([Hobbes 1998 \[1651\]](#)).

*Source:* Engraving by Abraham Bosse, 1651.

We can use Weber’s definition of the state to distinguish between communities that have states and stateless communities, which include communities with less specialized and elaborate political organizations such as bands, tribes, and chiefdoms ([Service 1971](#)). However, Weber’s definition of the state encompasses city-states, empires, and modern states or national states – currently the dominant type of state around the world, including Latin America ([Tilly 1990](#); [Mazzuca 2021](#)). Thus, to specify what a *modern state* or *national state* is, we should note that, in addition to meeting the criteria of Weber’s definition, it has some features that neither city-states nor empires have. In contrast to a city-state, a modern state rules over several cities and rural populations; that is, modern states rule over large territories. In contrast to an empire, a modern state rules over a national population that has a political allegiance to the state but not over colonial subjects; that is, modern states rule over populations that share a common status as nationals of a country. See [Figure 1.1](#) for a visual representation of these distinctions.



**Figure 1.1** Types of political organization: Stateless communities and communities with states.

*Source:* Authors' elaboration.

### 1.1.2 State Capacity

All states have some capacity. Indeed, a minimum level of state capacity to tax the population and maintain security forces is inherent in a state. However, beyond the minimum level of capacity that states need to exist, they can vary considerably in their ability to impose their rule throughout the territory and over the population they claim to control.

A fruitful way to conceptualize *state capacity* is to draw again on [Weber's \(1978 \[1922\]: chs. 11–13\)](#) concepts, relying on his distinction between two kinds of public administration: patrimonial and rational-legal administrations. Following Weber, we treat *patrimonial* forms of administration – in which the state apparatus is an extension of the rulers' private property, and in which jobs in the public sector and the enforcement of rules and regulations are contingent on personal favors – as a sign of a lack of state capacity. In turn, we see the replacement of patrimonial forms of administration by *rational-legal* administrations – bureaucracies that are relatively autonomous from and more enduring than those who run the government at a given moment in time; that are rule-based and function according to impersonal rules; and that are founded on merit – as a sign of the development of state capacity.

State capacity, at its core, is about the nature of the public administration and develops through the introduction of administrative practices that put a premium on impersonal rules as a corrective to personal loyalty and personal or partisan bias. Only a rational-legal administration is not self-serving, does not defer to nor is captured by functional or territorial actors that seek to protect narrow interests, treats all citizens in the same

way, and truly enforces the rule of law over its entire population and throughout a state's entire territory.

It is also useful to clarify what a capable state is by saying what it is not. State capacity is not something that is legally defined. Constitutions may grant officeholders the authority to pass laws; however, in the absence of state capacity, laws will likely be selectively or partially enforced. State capacity is also not merely a matter of the size of the state apparatus (e.g., whether government has many or few employees). Small administrative apparatuses can be more capable than large, bloated state bureaucracies. Furthermore, state capacity is not the same as the structure of government (e.g., whether government is unitary or federal). Decentralized polities might have more capacity than heavily centralized polities in which the state apparatus does not successfully reach every corner of a country's territory.

States, and modern states in particular, are powerful organizations. But they can be forces that solve problems of society or that become part of the problem. This ambiguity is why we focus on states in this book.

### 1.1.3 The State and State Capacity in Latin America

Using the concepts we have presented above, what follows provides a sweeping overview of the types of political organizations created in the area that we now call Latin America. We start by considering the political organizations of pre-Columbian times. We next discuss the distinctive political organizations developed by the Spanish and Portuguese colonial rulers. We then analyze how modern states were formed in Latin America in the nineteenth century, through a long process in the decades after independence from Spain and Portugal. Finally, we will show that the modern states formed in Latin America were largely patrimonial in nature and that state weakness has been a persistent characteristic of Latin American countries since the late nineteenth century.

Each of these periods has distinctive features (see [Table 1.1](#)). We discuss these features in what follows.

**Table 1.1** The state and state capacity in Latin America: an overview

Period and characterization	Key developments
Pre-1500: Pre-Columbian times	Early civilizations First states Development of a variety of political organizations: empires, city-states, chiefdoms, and tribes
1500–1810: Spanish and Portuguese colonial rule	Colonial rule: “Latin America” was part of the Spanish and Portuguese empires Growth of patrimonial administrations
1810–1875: Independence and state formation	
1810–1825: Independence	End of Spanish and Portuguese colonial rule Splintering of Spanish colonies into multiple new units
1825–1845: Anarchy	Proliferation of <i>caudillos</i> at the local and regional level Lack of centralized control and civil wars; general pattern of anarchy
1845–1875: State formation	Formation of modern states, with clear demarcation of territorial boundaries and (with a few exceptions) the monopoly of violence
1875–2010s: Modern states with weak capacity	Persistence of patrimonial or semi-patrimonial administrations States with low capacity (i.e., that do not provide public goods)

*Note:* A patrimonial administration is a public administration that is seen as an extension of the rulers’ private property, and in which jobs in the public sector and the enforcement of rules and regulations are contingent on



personal favors. A caudillo is a strongman capable of mobilizing a sizable group of armed followers.

*Source:* Authors' elaboration; the characterization of the 1810–1875 period is based on [Mazzuca 2021](#): Pt. 1.

## **1.2 Before Modern States**

Before Latin America came into being, as a set of politically sovereign countries, the region had a long and rich history in which it was governed through various types of political organizations. This history can be divided into two periods: the pre-Columbian and the colonial times.

### **1.2.1 Pre-Columbian Times**

The peoples who inhabited the Americas before the arrival of the Europeans developed some of the first civilizations in world history – that is, societies with a high level of development, which included cities as a distinct marker. The Caral civilization (sometimes called the North Chico civilization) flourished between 3000 and 1800 BCE in the north of Peru, and is considered the first civilization in South America. The first civilization in Mesoamerica (an area spanning from roughly central Mexico to the north of Costa Rica) was the Olmec civilization, which began around 1600 BCE and thrived from about 1200 BCE to 1200 CE in the southeast of current-day Mexico. Thereafter, various civilizations bloomed in Mesoamerica – the Zapotec, Teotihuacán, Maya, Toltec, Mixtec, and Aztec civilizations – and in the Andean region of South America – the Inca civilization.

Mesoamerica and the Andean region were also two of the six areas in the world where the first states in history emerged. The first such states were city-states developed in Mexico's Oaxaca Valley around 300–100 BCE, in central Mexico around 100–1 BCE, and in Peru's Moche Valley around 200–400 CE. (The first states in the world were formed in Mesopotamia around 3500 BCE.) Later on, other states were formed. These political organizations had the basic characteristics of state organizations: a central decision-making authority, the monopoly of violence, and a hierarchically organized set of administrative specialists who performed distinct functions. These features also allowed these organizations to expand the territory they controlled ([Stanish 2001](#); [Spencer and Redmond 2004](#); [Spencer 2010](#)).

Over time, some states grew in size and became the center of empires ([Chase \*et al.\* 2009](#)). One such example was the Aztec Empire, which united many small political units under a single monarch. Its center was the city of Tenochtitlán, on an island in Lake Texcoco (the location of current-day Mexico City), and it spanned across the southern part of Mexico. By the late fifteenth century, 25 million people were ruled by the Aztec Empire. Another example was the Incan Empire, based in the valley of Cuzco (in current-day Peru), which extended from Ecuador in the north to Chile in the south. The Incan Empire was the largest empire in pre-Columbian America. It encompassed a population of 6 to 14 million people.

The Aztec and Incan Empires were the main political organizations encountered by the Europeans when Columbus arrived in the Americas. However, many of the indigenous peoples who lived at that time inhabited areas outside the Aztec and Incan Empires, under different political organizations. Some lived in large villages under chiefdoms, which had a paramount chief at the top of their political hierarchies and several subordinate chiefs. These were common in the Caribbean and the lands surrounding the Caribbean Sea, in the islands of Cuba and Hispaniola, as well as in current-day Costa Rica, Panama, Colombia, and Venezuela. Others lived in nomadic conditions as members of tribes, small, egalitarian groups with tribal leaders who had a position of authority based on personal prowess and not on an institutionalized process. Such communities lived, among other places, in the Brazilian Amazon basin and in Patagonia (see [Map 1.1](#)).



**Map 1.1** Indigenous groups in Latin America, pre-1500.

*Source:* Authors' elaboration, based on [Lombardi and Lombardi, with Stoner 1983](#): 11

When Columbus arrived in the Americas in 1492, a total of 54 million indigenous people lived in the region, in societies that had different political

organizations – empires, city-states, chiefdoms, and tribes ([Bethell 1984](#): Pt. 1; [Denevan 1992](#): xxvii).

### **1.2.2 Spanish and Portuguese Colonial Rule**

After the “discovery” of the Americas by the Europeans, the Spanish and the Portuguese proceeded to conquer territories and peoples in the Americas. Key landmarks of the conquest were Hernán Cortés’s defeat of the Aztecs in 1519–1521 and Francisco Pizarro’s subjugation of the Incas in 1532. And, after the conquest of the Americas by the Spanish and the Portuguese, these two European powers proceeded to colonize large parts of the hemisphere. Colonial rule in the Americas lasted about three centuries, from the early sixteenth century to the early nineteenth century. During this time, the peoples in the Americas were part of two empires: the Spanish Empire and the Portuguese Empire.

The Spanish and the Portuguese ruled through viceroys, who were envoys of the monarchs and their proxies in the colonies. One difference between the Spanish and the Portuguese is that the Spanish subdivided the areas they controlled, and the Portuguese did not. At first, the Spanish had two viceroyalties – the Viceroyalty of New Spain, which had its center in Mexico City and was founded in 1535; and the Viceroyalty of Peru, based in Lima and established in 1543. In the eighteenth century, they subdivided the Viceroyalty of Peru and created two new viceroyalties: New Granada and La Plata. The Portuguese were slower to settle their colony in Brazil. Furthermore, in 1534–1536, they initially divided the colony into fourteen captaincies, run by private individuals, but they then, in 1549, established a single central government, led by a governor general (see [Map 1.2](#)).



**Map 1.2** Spanish and Portuguese colonies in the Americas, c. 1790



*Note:* The map shows the four viceroyalties in Spanish America. It also shows the location of *audiencias*, whose primary function was judicial.

*Source:* [Bethell 1984](#): 398.

Nonetheless, colonial rule in the Spanish- and Portuguese-controlled areas had two shared features. First, the key common political feature of colonial rule was that ultimate authority lay outside the region, in the hands of the Spanish and Portuguese monarchs. That is, most people in the Americas were colonial subjects, beholden to monarchs that were “foreign.” What had been a collection of indigenous peoples living under various political organizations had come under the control of two European powers, and these peoples now lived in colonies. But indigenous peoples were not the only people who were colonial subjects. So too were the Black slaves brought to the Americas starting in the early sixteenth century. And so too were the descendants of Europeans born in the colonies.

Second, both colonial powers took important steps to develop administrative bodies. In the first half of the sixteenth century, in the areas under Spanish control, the Spanish monarchs developed a complex administrative structure that fulfilled many functions – for example, the administration of indigenous towns, the collection of taxes, the control of commerce and trade, the distribution of lands, the administration of justice, and policing. However, an important aspect of these administrative offices was that they functioned as extensions of the personal power of the monarch rather than being run through legal directives and did not project royal authority to distant regions, far from capital cities. In other words, the Spanish developed a patrimonial administration in their colony in the Americas ([Morse 1964](#): 157–8; [Sarfatti 1966](#)).

In the areas under Portuguese control, a similar though smaller administration was established. Administrators were tied to the king through bonds of personal loyalty rather than official duty. All taxes and tributes were the personal income of the king. Furthermore, the colonial administration did not control the widespread Brazilian Empire. Portugal had ceded important powers to the original colonizers, who became large landowners, and never fully reasserted its power over them. For example, in areas far from the main centers of power, the administration of justice was in practice carried out by large landowners ([Barman 1994](#): 20-5; [Roett 1999](#): 1-4; [Faoro 2001](#): chs. 4-6). With some differences, a distinctive kind of administration, a patrimonial administration, was developed in both the Spanish and the Portuguese colonies.

## **1.3 The Formation of Modern States, 1810–1875**

Colonial rule became a source of tension in the early nineteenth century, between those in the colonies who accepted the legitimacy of the Spanish and Portuguese monarchs and those who sought to gain independence and form new countries. That is, some people began to call for the end of colonial rule. And the success of movements of independence from Spain and Portugal was a key step in the move toward modern states in Latin America.

Still, independence did not lead directly to the creation of modern states. Rather, these states were formed through a prolonged process that eventually led to the centralization of power and the demarcation of the borders of the territory controlled by a central power, the key markers of a modern state. Indeed, as political scientist Sebastián [Mazzuca \(2021\)](#) shows, following independence during 1810–1825, Latin America entered a period of anarchy before its successful formation of new, modern states (see [Table 1.1](#)). We discuss these three periods next.

### **1.3.1 Independence**

Independence movements in the Americas, seeking an end to Spanish and Portuguese colonial rule, surged throughout the region in 1810. These movements responded in great part to a power vacuum created by events in Europe. The Napoleonic invasion of the Iberian Peninsula had led to the imprisonment of the King of Spain and the exile of the Portuguese King to Brazil, during 1808–1814. In this context, the ideals of independence began to take root in the region. Also important was the desire of local elites to end the trade monopolies enacted by Spain and Portugal, so that they could trade freely, especially with Great Britain.

Wars of independence rapidly spread through the Spanish colonies. In South America, the armies led by Simón Bolívar and José de San Martín played a key role. In the areas ruled from Mexico City, military actions against the Spanish were led by several leaders: first by Miguel Hidalgo, then by José María Morelos, and finally by Guadalupe Victoria and Vicente Guerrero. And these military actions ended with victories by the pro-independence forces. In Brazil, independence was gained through a peculiar, less violent process (see [Box 1.1](#)).

### **Box 1.1** A Closer Look: The Independence of Brazil

Brazil's independence from Portugal was attained through a distinctive process. Following the Napoleonic invasion of the Iberian Peninsula in 1807, the Portuguese court escaped to Brazil, setting up residence in Rio de Janeiro. Upon arriving in Brazil, Prince João abolished restrictions on trade, thus enabling the expansion of Brazilian trade relations, in particular with the British Empire. Prince João also promoted a wide set of new policies, such as the creation of a public library and a botanic garden in Rio de Janeiro, and these gained him the approval of the local elites.

Upon the expulsion of French troops from Portugal in 1808, Prince João left his son Dom Pedro I in charge of Brazil and returned to Lisbon, and from Lisbon he pursued efforts to recolonize Brazil and reinstitute the colonial restrictions on trade. Nonetheless, under pressure from the Brazilian elites, and especially from landowners interested in free trade, Dom Pedro I declared the independence of Brazil from Portugal, giving rise to a new country in 1822.

The Portuguese fought back, and a series of naval scrimmages and local uprisings in some provinces ensued. By 1825, however, both the British and the Portuguese crowns recognized Brazil as an independent country.

As a result, Latin Americans gained independence from Spain and Portugal in a short period of time. A process that started in 1810 was essentially complete by 1825, with the independence of Bolivia. Only Cuba

and the Dominican Republic would remain under European control after that year (see [Table 1.2](#)).

**Table 1.2** Latin America's independence from Spain and Portugal

Region/country	Beginning of independence process	Ending of independence process
<b>South America</b>		
Argentina	1810	1810
Bolivia	1810	1825
Brazil	1822	1824
Chile	1810	1818
Colombia	1810	1819
Ecuador	1820	1822
Paraguay	1810	1811
Peru	1811	1821
Uruguay	1810	1814
Venezuela	1810	1823
<b>Mexico, Central America, and the Caribbean</b>		
Mexico	1810	1821
Costa Rica	1821	1821
El Salvador	1821	1821
Guatemala	1821	1821
Honduras	1821	1821
Nicaragua	1821	1821
Panama	(1903)*	(1903)*
Cuba	1895	1898**
Dominican Republic	1822***	1865***

*Notes:* \* Panama gained independence from Spain, as part of Colombia, in 1819. Subsequently, it seceded from Colombia in 1903. Panama was a protectorate of the United States between 1904 and 1939.

\*\* After gaining independence from Spain, Cuba was occupied by the United States until 1902. Subsequently, Cuba was a protectorate of the United States between 1903 and 1934.

\*\*\* The Dominican Republic became independent from Spain in 1822, and was then occupied by Haiti during 1822–1844. From 1844 to 1861, the Dominican Republic was an independent country, but it came under Spanish control again, during 1861–1865.

*Source:* Authors' elaboration.

The consequences of decolonization also surfaced rapidly, especially with regard to the drawing of boundaries separating the countries that were emerging. The process of independence led to a significant redrawing of

boundaries in the areas that had been ruled by the Spanish. [Map 1.3](#) depicts the borders of independent countries in 1830, only twenty years after the eruption of independence movements. And a comparison of this map with [Map 1.2](#) reveals some important changes.



**Map 1.3** Independent countries in Latin America, 1830

*Source:* [Bethell 1985](#): 298.



The Viceroyalty of New Spain was now broken into two: a gigantic territory representing post-independence Mexico, and the United Provinces of Central America. The Viceroyalty of New Granada became the independent Gran Colombia, but in 1830 it was divided into three new countries: New Granada (Colombia), Venezuela, and Ecuador. The Viceroyalty of Peru had split into Peru and Chile; as did the Viceroyalty of the Rio de la Plata, which became the Argentine Confederation, Bolivia, Uruguay, and Paraguay. The areas ruled by the Spanish had undergone considerable political fragmentation.

Importantly, the borders of the emerging countries were not secure in 1830. The wars of independence had succeeded in pushing colonial powers out of the region. However, states able to centralize power did not replace colonial rule and hence borders remained unsettled for a long time.

In contrast to what happened in Spanish America, the area ruled by the Portuguese exhibited considerable continuity. Brazil largely overlaps with the former Portuguese colony in South America. But even Brazil, which attained political stability relatively early on, was affected by forces that sought to pull it apart ([Barman 1994](#); [Mazzuca 2021](#): ch. 7).

### 1.3.2 Anarchy

In fact, following the period of independence, Latin America, and the former Spanish colonies in particular, entered a period of anarchy in the 1820s because the withdrawal of colonial powers led to the flourishing of a myriad of local and regional *caudillos*, strongmen capable of mobilizing a sizable group of armed followers. This was a turbulent period, marked by civil wars – either open or latent. And armed confrontations between various caudillos and their followers yielded endemic political instability and economic stagnation.

During this period, civil wars destroyed much of the productive infrastructure, devastating the countryside in particular. At the same time, world demand for Latin American raw materials was weak. And this confluence of factors hindered the formation of states. Because of limits to the levy of taxes on trade and local economic activities, nascent states could not raise needed fiscal resources. In turn, the inability of a political center to garner economic resources prevented the emergence of an organization that could subdue all other armed groups and monopolize the use of violence.

### 1.3.3 State Formation

The anarchy that prevailed in much of the Americas eventually subsided and Latin America began to form modern states. Significantly, the move beyond anarchy and toward peace did not come about because of the decisive defeat of armed caudillos. Indeed, economic rather than military factors played a crucial role ([Mazzuca 2021](#)).

*A Trade-Led Model of State Formation.* The dynamic of conflict during the period of anarchy started to change when new economic opportunities opened up and were seized by Latin Americans. International economic conditions began to change around 1845. European demand for raw materials increased and an opportunity for export-led economic growth emerged. Yet this opportunity could be seized only if the civil wars that had hampered economic activities ended. Thus, external conditions provided an incentive for political leaders to seek pacification agreements. Realizing that continued internal wars might make them lose an important economic opportunity, political actors sought to solve their conflicts.

Moreover, as Latin Americans took advantage of this opportunity, an economic boom due to the growth in exports of raw materials ensued and this economic boom had additional political consequences that further aided state formation. The economic boom provided resources to incumbents seeking to centralize power and co-opt rival caudillos and potential challengers. With this boom, foreign capital also became more abundant and enabled Latin American states to borrow money from abroad. These various resources were then gradually used to build critical state infrastructure, such as railroads connecting the countryside and the mining

areas to major seaports. After a period of anarchy, the creation of modern states took place.

Thus, the process of state formation in Latin America was driven, more than anything else, by the desire to take advantage of opportunities to trade and to meet the European demand for the primary products Latin America could produce. This opportunity changed the incentives of key actors, and the economic activity that followed provided much-needed resources to build states. In effect, Latin America pursued a “trade-led” model of state formation ([Mazzuca 2021](#): 19, Pt. 1).

***Three Paths to a Modern State.*** While sharing many similarities, state formation in Latin America reflects some differences, due primarily to the type of agent in charge of building the state. As argued by [Mazzuca \(2021](#): Pt. 2), three agents played a key role in forming new states in Latin America:

- (1) *port actors* representing the interests of ports, key commercial hubs;
- (2) *party actors* engaged in electoral competition; and
- (3) *lords*, that is, rural caudillos or *hacendados*.

The prevalence of one agent in a given case determined the path to a modern state that was followed.

A first path was dominated by port actors, political elites tied to the commercial interests of port cities, such as Buenos Aires (Argentina), Rio de Janeiro (Brazil), and Valparaiso (Chile). Costa Rica, in Central America, also approximates the political dynamics observed in this path. In Argentina and Brazil, port leaders seeking to pacify their territory formed political

coalitions with peripheral caudillos who could undermine, by violent means, the state being formed. As a result, Argentina and Brazil were formed through the combination of regions, which came together as a result of the political bargaining required for pacification and political stability. This process yielded two large countries, Argentina and Brazil. Costa Rica and Chile, the other two cases in this path, are instances in which commercial interests were also pivotal in pursuing state formation, although the states that were formed were much smaller in size. Following this path, Chile formed a new state early, by the early 1830s; Brazil and Costa Rica by the 1840s, and Argentina by the 1860s.

A second path, leading to the formation of Mexico, Colombia, and Uruguay, was dominated by party actors, political parties that competed electorally but also militarily throughout the nineteenth century. In these three cases, the civil wars were more enduring than those that occurred in the other two paths. Indeed, the competition between political parties, usually by violent means, extended the period of anarchy. In Mexico, a civil war between Liberals and Conservatives was fought in the 1850s and 1860s, and a central political authority that had the monopoly of violence – that is, that was the only actor that authorized the use of violence – was not constituted until the late 1870s. In Colombia, insurgency and civil war between Liberals and Conservatives proved more enduring. Between 1850 and 1902, Colombia experienced seven major civil wars as well as numerous regional and local uprisings. In Uruguay, the struggle between Colorados and Blancos (Reds and Whites) led to armed conflicts lasting from the 1830s until 1904. Colombia and Uruguay would not have a central political authority that had the monopoly of violence until the start of the twentieth century.

A third and final path is exemplified by the cases of Peru, Venezuela, and Central America (with the exception of Costa Rica). This path was led by lords or hacendados who had the capacity to amass sufficient resources to develop an economic and military bastion in the land they controlled. The disproportionate power of a specific lord and his bastion was produced by the sudden inflow of resources created by a raw material that had become valued during the economic boom. Peruvian guano, a natural fertilizer that was massively available in the Pacific islands, typifies this dynamic. And these new available resources allowed specific rural lords in each case to break up larger states and form new states from parts of bigger prior units, as occurred in Venezuela with regard to Gran Colombia (1819–1830), in Peru with regard to the Peru–Bolivian Confederation (1836–1839), and in Guatemala with regard to the United Provinces of Central America (1823–1841).

***The First Region of the Global South with Modern States.*** State formation in the mid-nineteenth century produced, by 1875, a configuration of Latin American states that roughly corresponds to the present-day countries in the region (see [Map 1.4](#)). The map of Latin American countries would still undergo a few changes. These were brought about by the War of the Pacific (1879–1884) and the Chaco War (1932–1935), which reduced the Bolivian territory; the independence of Cuba (1889–1902); and the creation of Panama (1903). (Puerto Rico gained independence from Spain at the same time as Cuba, but it remained an unincorporated territory of the United States and thus did not become an independent country.) However, by 1875, the process of state formation in Latin America was virtually complete.



**Map 1.4** Modern states in Latin America, 1880

*Source:* Authors' elaboration.

Latin America was the first region in the Global South – the developing world – to gain independence from European colonial powers. It was also the first region in the Global South to be fully ruled by modern states. This made Latin America a distinctive region (see [Box 1.2](#)).

### **Box 1.2** Thinking Comparatively: Latin America as a Region in the Global South

The removal of Spanish and Portuguese colonial rulers from Latin America in the 1810s and 1820s, and the formation of modern states by 1875, set Latin America apart from Asia and Africa, the other developing regions of the world. Many Asian countries gained independence from European colonial powers only after World War II, and African countries gained their independence even later. Thus, the history of Latin American countries as independent countries and as modern states is relatively long, compared to other countries in the Global South.

As in other developing regions, independence in Latin America came with caveats. More to the point, it is impossible to fully understand Latin America without comprehending the way in which the United States has exercised power in the region and many times has curtailed the status of Latin American countries as sovereign countries that have control over domestic affairs.

Soon after Latin American countries declared independence from Spain, the 1823 articulation of the Monroe Doctrine by US President James Monroe sought to prevent European countries from establishing new colonies in the region, but also signaled the intent of the United States to exert a hegemonic role in the region. And, since then, the United States has intervened in Latin America through a plethora of different policies: big brother policies, dollar



diplomacy, big stick policies, the hemispheric defense policy, the Washington consensus, and the War on Drugs.

Thus, it is instructive to consider how Latin America, a region that occupies a dependent status within the global system of political and economic power, has confronted challenges that are common to the entire Global South, yet has done so based on its distinctive history.

## **1.4 The Problem of State Capacity, 1875-2010s**

Since 1875, Latin American states have evolved in many ways. They grew in size – as measured, for example, by the number of public employees – and sometimes decreased in size. They took on new functions, such as the implementation of economic and social policies. However, we can characterize most Latin American states since 1875 as weak states.

Indeed, a striking feature of Latin American history is that the capacity of states has varied relatively little, compared with the marked changes in the sense of nationhood, the political regime, and the model of economic development – matters we will address in the next three chapters. For all the changes that Latin American countries have undergone during their history, state capacity has been a persistent problem. Some countries deviate from the regional norm; Brazil, Uruguay, Chile, and Costa Rica have earned a reputation for efficiency in some sectors of the state. Nevertheless, the pattern is a strong one.

In this section, we offer a characterization of Latin American states from 1875 to the early twenty-first century as weak states – that is, having low state capacity, due in large part to the patrimonial nature of these states. We first address the origins of state weakness. Next, we account for the persistence of weak states, using the cases of Mexico and Uruguay to ground our analysis. Finally, we provide evidence to support the characterization of contemporary Latin American states as weak and

patrimonial or semi-patrimonial, while noting some cross-country variations.

### 1.4.1 The Origins of Weak States

The origins of state weakness in Latin America go far back in time. Indeed, inasmuch as scholars disagree on this matter, their dispute regards how far back in time we have to reach to find the origins of state weakness.

Some scholars focus on the inheritance of Spanish and Portuguese colonial rule. One common argument is that cultural predispositions inherited from Iberian colonization are a source of social values that work against the development of state capacity. More specifically, these scholars see the failures regarding state capacity as rooted in Catholic and corporatist traditions transmitted by the Spanish and Portuguese colonizers. Historians such as Richard [Morse \(1964\)](#) and [Stanley Stein and Barbara Stein \(1970\)](#), and political scientist Howard [Wiarda \(2001\)](#), have proposed such a view.

Another variant of the thesis that weak state capacity in Latin America has colonial roots focuses on institutions. For example, economists [Daron Acemoglu and James Robinson \(2012, 2019\)](#) focus on the type of institutions that colonial powers set in place while pursuing colonization, and they elaborate the following argument. Where colonizers set in place power-sharing institutions (e.g., in most British colonies), state capacity proved more likely in the long run. In contrast, where colonizers focused on the extraction of natural resources and the exploitation of indigenous populations (e.g., in the Spanish and Portuguese colonies in the Americas), predatory institutions were set in place, and these caused states to be weak. In this view, the institutional legacies of Spanish and Portuguese colonialism imbued Latin American states with patrimonialism.

Other scholars explain weak state capacity in terms of events in the nineteenth century. These scholars acknowledge that Spanish and Portuguese colonial rule was rife with patrimonial practices. However, they emphasize that the removal of colonial powers and the process of state formation offered an opportunity for a fresh start, for a break with the patrimonialism and privilege of colonial times. Moreover, they stress that this opportunity was lost because of the way in which modern states were formed in Latin America.

This line of argument is sketched by sociologist Miguel [Centeno \(2002\)](#), who explains why – on the basis of the type of war that prevailed – Latin American states were from the outset comparatively weak vis-à-vis European states. According to this view, European states were formed through external wars that forced rulers to consolidate their capacity to levy resources from society in order to fight wars that largely took place at the border (i.e., in the peripheral areas of the nascent states). In contrast, Latin American states were formed through a process of internal wars – civil wars among caudillos – which was detrimental to economic growth, because civil wars limited productivity and destroyed crucial infrastructure in central areas of the territory, and hindered the strengthening of state institutions, because the tax base from which to levy resources to finance the state was reduced. In this way, civil wars in Latin America hampered the development of state capacity.

A related argument is proposed by [Mazzuca \(2021\)](#), who holds that the process through which territorial consolidation occurred in Latin America led to the creation of weak states. The process of state formation in Europe was carried out by warriors and led to the elimination of feudal actors, a key obstacle to the building of capable states. Quite differently, in Latin

America, state-makers pursued territorial consolidation by bargaining with patrimonial powers that controlled significant amounts of land and people. Thus, rather than eliminating the patrimonial practices of colonial times, modern states incorporated these practices and were initially endowed with a low level of state capacity.

Some differences aside, there is a strong consensus that the problems of state weakness and patrimonialism did not begin recently. Patrimonialism was pervasive during colonial times. Moreover, the new states that were created in the nineteenth century were weak, and their public administrations were patrimonial from the start. Latin American modern states were born weak. See, however, [Box 1.3](#) on the ongoing scholarly discussion about variation in state capacity within Latin America.

### **Box 1.3** Debates: Variation in State Capacity within Latin America

Although Latin American states are weak compared to European states, there is variation in state capacity within Latin America. Moreover, scholars have sought to explain this within-region variation.

Political scientist Marcus [Kurtz \(2013\)](#) claims that the political economy of the post-independence era was crucial in setting countries on different state capacity trajectories. Kurtz claims that in countries with labor-intensive agriculture, state-building projects did not advance at the same pace as they did in countries with free labor. State building was also aided when elite cooperation was greater and inter-elite conflict was contained.

Political scientist Hillel [Soifer \(2015\)](#) proposes a different explanation to account for the same variations in state capacity. His theory combines an ideational component with an institutional one. On the one hand, Soifer claims that state building did not proceed in cases where regional elites did not coalesce around a national state-building project. In Colombia, for instance, strong regional elites consolidated around competing urban centers. Given their regional focus, elite groups in Colombia never envisioned a state-building project at the national level.

On the other hand, Soifer argues that even if elites decided to invest in state building, the way in which they sought to implement that task was pivotal. Where national elites delegated state-building efforts to local notables, as in Peru, states remained weak. Where

national elites deployed significant institutional and economic resources to fill the country's territory with schools and police departments in a centralized and hierarchical way, as in Chile, state capacity improved.

As a third argument, political scientist Ryan [Saylor \(2014\)](#) and sociologist Maritza [Paredes \(2013\)](#) explain variation in state capacity within Latin America in terms of the effect of export booms during the nineteenth century. Saylor emphasizes the demand by agricultural elites that the state build the infrastructure needed for their economic activities. He argues that agricultural elites were crucial in pushing political elites to build more capable states in the context of export booms in Argentina and Chile.

In turn, Paredes focuses on diversity within the export sector. She argues that state capacity increased where economic elites had interlocking interests across economic sectors, as in Chile, and hence placed a constraint on the irrational use of resources from the export boom by the government. Where elites had competing interests during the export-led booms, as in Bolivia and Peru, state capacity remained weak.



### 1.4.2 The Persistence of Weak States

Latin American states, born weak, remained so, decade after decade. Even though state reforms aimed at modernizing the public administration have been pursued, especially since the 1930s, the patrimonial nature of the public administration has been altered marginally at best and no Latin American country has developed a rational-legal administration. Indeed, the typical Latin American state since the 1930s is semi-patrimonial in nature. These states are distinct from the government, have some autonomy from governments, and endure more than governments – that is, state agents are not merely the staff of the ruler, a feature of pure patrimonial administrations. Nonetheless, these states are not entirely and consistently based on rational-legal principles, a characteristic of bureaucratic administrations.

To support this point, we next offer brief discussions of the cases of Mexico and Uruguay. Mexico engaged in radical changes that promised to transform its state structures in the twentieth century, yet they failed to do so. Even Uruguay, consistently considered one of the Latin American countries with a relatively high state capacity, has suffered from persistent deficits of state capacity.

***Revolution and the State in Authoritarian Mexico.*** In Mexico, the 1910–1920 revolution put an end to the *Porfiriato*, the dictatorial period from 1876 to 1910, led by Porfirio Díaz. Yet, for all the change brought about by the Mexican Revolution, some key characteristics of the state reappeared, only slightly changed.

The Porfiriato was a typical centralizing dictatorship that promoted economic growth through trade, but inhibited both social progress and democracy. Díaz ruled with a strong hand, and he established order and control in the country through a system that gave a pivotal role to regional and local *caciques* (political bosses), state bureaucrats, the military, and the Church. As a result, the state grew stronger and was able to control society, but it did not develop state capacity as conceptualized earlier in this chapter. The state remained closely tied to Díaz and his associates. Rulers in the Porfiriato imposed arbitrary decisions on society and engaged in a patrimonial management of the state bureaucracy, which they used as their personal booty.

In 1910, in the midst of increasing demands for political incorporation by the country's new bourgeois sectors, Díaz – after having pledged to abstain from running for re-election – decided to run nonetheless for an eighth time and then engaged in electoral fraud. As a result, the defeated candidate Francisco Madero, a representative of the bourgeoisie in the northern part of Mexico, issued a call to arms and demanded his appointment to the presidency. After a few months, Madero succeeded in removing Díaz from office and became president, and the Mexican Revolution was launched.

What ensued was a long and complicated process of political and social change. Indeed, it was not until the 1920s that a new political system began to take shape. The architect of this new political system was Plutarco Elías Calles, president from 1924 to 1928, who advocated for a transition from a country of caudillos to a country of institutions.

The central organization of the new system was the PRI (the Institutional Revolutionary Party), which became Mexico's hegemonic

party during the remainder of the twentieth century. However, Calles's praise of institutions was only cosmetic. He engineered an encompassing pact among elites and powerful regional caudillos, strongmen who had considerable political power. And the organizational expression of this pact, the PRI, guaranteed peaceful elite circulation in government and privileged access to the state apparatus for the political elites. Further, although the PRI was transformed in important ways during the presidency of Lázaro Cárdenas (1934–1940) – workers and peasants were incorporated into the PRI – the way in which the PRI treated the state as its own patrimony did not change.

The Mexican Revolution changed politics in many ways – the PRI was a popular-based party – but the state still resembled the state during the Porfiriato. Although the state was expanded considerably in size, its public administration was colonized by politicians and was filled by administrators who owed their position to political loyalty rather than by administrators who upheld the rule of law. In turn, citizens seeking state-provided goods or state jobs had to pursue them through the popular organizations tied to the PRI. See [Photo 1.3](#) on the relationship between the PRI and its popular base.



**Photo 1.3 Patrimonialism and mass support** The PRI in Mexico built a clientelistic system in which the popular sector received benefits in return for their support of the party. Thus, rather than treat the public administration as an instrument to deliver public goods to the citizenry as a whole, the PRI used the state for their partisan goals. The case of Mexico during the twentieth century shows that patrimonialism can be fully consistent with a dominant political organization that has a mass base of support. The picture, from a mural by Roberto Cueva del Río, shows President Cárdenas meeting with *campesinos* in Jiquilpan, Michoacán, in 1937.

*Source:* Image by Jujumx, distributed under a CC-BY-SA 3.0 license.

In sum, while the PRI encapsulated civil society through hierarchically controlled popular organizations tied to the party leadership, it also colonized the state apparatus. Through this process, the Mexican Revolution finally enabled political pacification and economic progress. However, it also endowed the PRI with privileged access to an expanding state apparatus in ways that perpetuated patrimonialism and hindered the development of state capacity.

*Clientelism and the State in Democratic Uruguay.* Uruguay, in contrast to Mexico, is a country in which two traditional political parties (the Colorados and Blancos) competed for office during much of the twentieth century, in the context of a relatively enduring democracy. Indeed, Uruguay was a democracy during 1919–1933 and 1943–1973, and again after 1985. Yet even there patrimonialism has been persistent.

After independence, pacification was achieved, in 1904, on the basis of a co-participation agreement that committed parties to make appointments to the public administration in an inclusive manner. After every election, both parties would appoint their partisans across all relevant state agencies and bureaucratic bodies, in proportion to their electoral support. As an example of the magnitude of these partisan appointments to the public administration, new appointments in the context of the 1966 election expanded public employment by 4.6 percent in just one year ([Aguiar 1977](#)).

These appointees were then in charge of distributing patronage, as well as goods and services, to citizens who had worked for the party in the electoral campaign, or were identified as either prospective or current party supporters. Pension benefits were more readily allocated to citizens, independent from their job and contributions, if the petitioners were able to

show a personal card signed by a member of congress. At a time when the telephone company was state-owned, citizens could use their political connections to avoid the long wait to receive a landline phone.

An interview by one of the authors of this book adds texture to this story. When a Uruguayan senator was asked how he had started his political career in the 1960s, he answered as follows: "I started distributing telephones (telephone lines). We used to have pensions, water and electricity connections, public employment, free bus tickets. What happens is that Uruguayans are very clientelistic. [Uruguayans were used to] a paternalistic state that provided for everyone" (Blanco Senator Jaime Trobo, personal interview, 2003).

Thus, even in a country like Uruguay, with a strong democratic tradition and reputation for clean politics, politicians and citizens became accustomed to a state in which decisions were made on a particularistic basis ([Filgueira et al. 2003](#)). Indeed, Uruguay's democracy and its semi-patrimonial state worked well together and even alternation in power did not lead to a break with the patrimonial practices that pervaded the Uruguayan state.

***Patrimonialism Breeds Patrimonialism.*** As noted, attempts to reform the state have been pursued in Latin America at times. These reforms have sought to reduce the spoils of office and attenuate patronage (i.e., the appointment of political affiliates and supporters to public sector jobs) by promoting the use of meritocratic criteria in the hiring and promotion of public sector employees. However, as political scientist Merilee Grindle, an expert on the public administration in Latin America, concludes,

“patronage systems resist change with remarkable consistency” ([Grindle 2012](#): x).

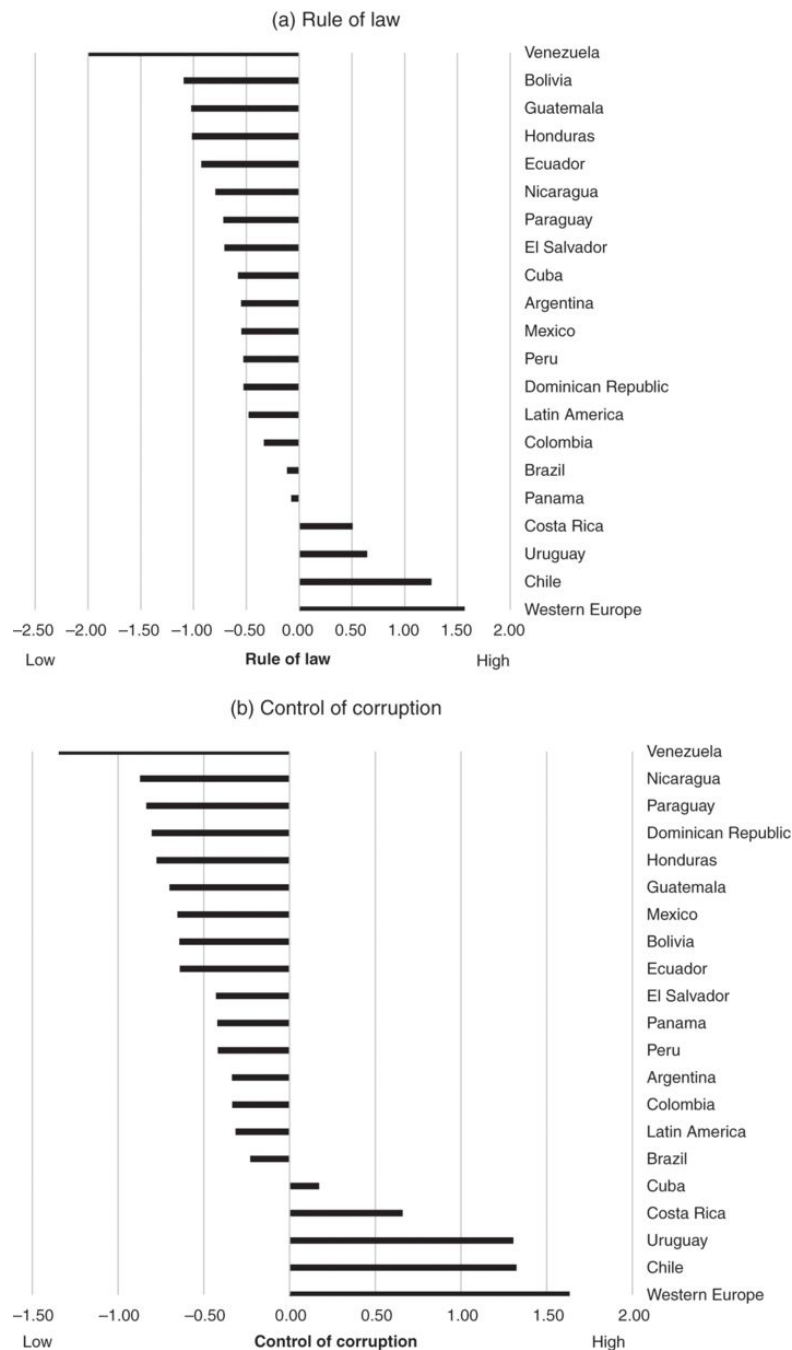
Thus, a key lesson from Latin America’s history throughout the twentieth century is that patrimonialism essentially becomes a self-reinforcing practice. Once patrimonialism takes hold and pervades the public administration, and once politicians realize how hard it is to transition to a rational legal administration and how convenient it is to rely on a loyal administration, successful reforms become unlikely. Patrimonialism breeds patrimonialism, and breaking this cycle is notoriously difficult.

### 1.4.3 The Weakness of Contemporary States

Moving into the contemporary period, we are able to offer a more nuanced depiction of state capacity, because we have more quantitative data that offers a basis for making fine-tuned distinctions. Thus, variations in state capacity within Latin America are more readily apparent. And they offer some basis for a more positive reading of the situation in Latin America. Still, the depiction of the state as weak continues to be accurate. Some gains in state capacity have been made. Nonetheless, the broad characterization of Latin American states that we have outlined remains valid ([Grindle 2012](#); [Cortázar \*et al.\* 2014](#); [Herrera 2017](#)).

***Cross-Country Indicators.*** We can view the weakness of Latin American states in the contemporary period by using cross-country data on two indicators of state capacity (see [Figure 1.2](#)).





**Figure 1.2** Indicators of state capacity: Latin America in comparative perspective, 2010–2019.

*Note:* The scores are deviations from the world average, negative numbers indicating a situation that is worse than the world average and positive numbers indicating a situation that is better than the world average. All scores are an average of the annual scores for the ten-year

period between 2010 and 2019. The average for Latin America is a simple average of the nineteen countries included in the figure. The average for Western Europe is a simple average of fourteen countries: Belgium, Denmark, Finland, France, Germany, Ireland, Italy, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, and the United Kingdom.

*Source:* Authors' elaboration, based on [World Bank 2020b](#).

Adherence to the rule of law and control of corruption are broad measures of how well the state does in avoiding behaviors that are typical of patrimonial and semi-patrimonial states. And the data for the 2010–2019 period reveal some patterns. Although Latin American countries vary considerably on these two indicators, only Chile, Uruguay, and Costa Rica consistently perform relatively well. Moreover, the data also show that, on average, Latin American countries adhere to the rule of law and avoid corruption considerably less than do countries in Western Europe and also somewhat less than does the world as a whole.

***Country Studies.*** In-depth country studies on contemporary politics also highlight the positive experience of some countries that have succeeded in reducing patrimonialism, while noting the limits of these changes.

A study on bureaucrats' career paths and the politicization of appointments to a large set of state agencies in Brazil by political scientists [Katherine Bersch, Sergio Praça, and Matthew Taylor \(2017\)](#) found that some agencies have curbed patrimonialism. However, these authors clarify that the improvements are limited to parts of the Brazilian state and

constitute what they call “archipelagos of excellence” (see also [Bersch 2019](#)).

Research has also identified the rise of technopols and technocrats as a noteworthy and potentially positive development. Technopols are technical elites that have strong political networks. As such, they are able to gain access to political offices and to bring a wealth of technical expertise. Their role in Mexico and in Chile has been noted ([Centeno 1993](#); [Joignant 2011](#)). In turn, technocrats are public policy professionals who lack broad political networks but have strong skills, usually in economics. Political scientist Eduardo [Dargent \(2014\)](#) documents the increasing influence of experts with technical capacities (i.e., the ability to manage macroeconomics and other policy options) in contemporary Peru and Colombia.

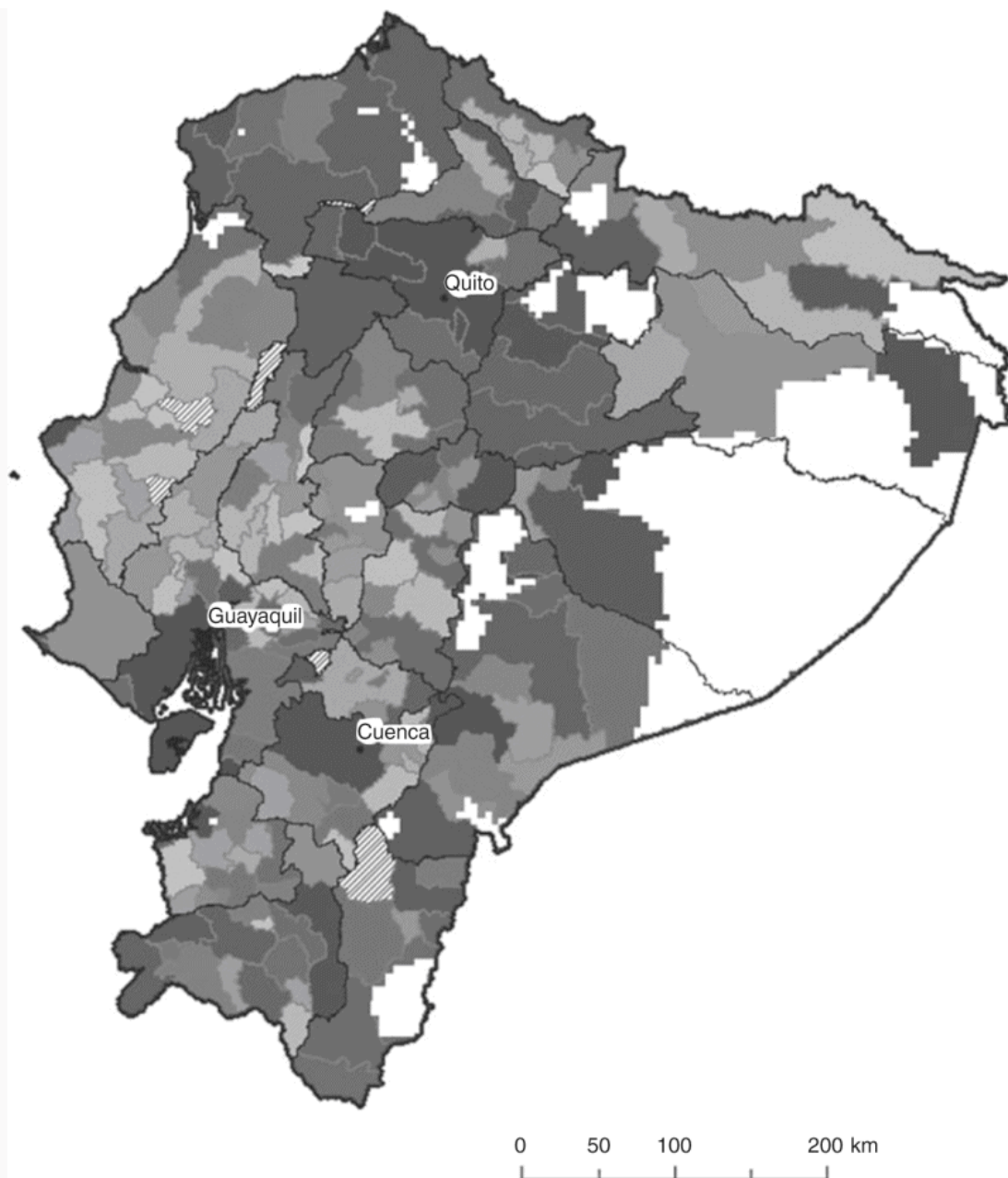
The influence of technopols and technocrats on the public administration is rather meager, nonetheless. They may augment state capacity, but they remain insulated from standing state bureaucracies. Indeed, they are somewhat like Band-Aids that allow governments to respond to pressing policy challenges by circumventing rather than by reforming their bureaucracies ([Grindle 2012](#): 150–1, 234–5; [Bersch 2019](#)).

Thus, some gains in reducing patrimonialism notwithstanding, the key point that we underscore here is that patrimonialism is a ubiquitous feature of contemporary Latin America. The record of Latin American countries in limiting patrimonialism is not positive. The most common feature of Latin American states is the pervasiveness of patrimonialism and, as a result, the failure of the state to rule in an even way, applying laws equally throughout the country’s entire territory. See [Box 1.4](#) on the uneven territorial presence of the state.

### **Box 1.4** A Closer Look: The Uneven Territorial Presence of Latin American States

An important manifestation of weak state capacity in Latin America is the state's uneven territorial presence. In other words, from one locality to another, state capacity can vary significantly. This problem is visually depicted by political scientist Imke Harbers, in her research on Ecuador.

[Harbers \(2015\)](#) maps the capacity of the Ecuadorian state, municipality by municipality. Using data on the taxes raised in each municipality, she shows how the Ecuadorian state does not have a homogeneous presence throughout the country's territory (see [Figure 1.3](#)).



**Figure 1.3** Subnational state capacity, to levy taxes, in contemporary Ecuador.

*Note:* Darker shades indicate higher state capacity. White areas were unpopulated in 2010.

*Source:* Reproduced from [Harbers 2015](#): 384. © 2014 Wiley Periodicals, Inc.

The lack of a state presence is consequential for many outcomes. However, to emphasize a point we made at the outset of this chapter, one consequence is that the state does not guarantee the rights of all citizens equally. Some citizens will be secure, others will not. Some will have access to good schools, others will not. These inequities make clear why the development of state capacity is key to citizenship rights.

## 1.5 Summary

We defined states as political organizations that successfully claim the monopoly of force in a given territory, and modern states as states that govern multiple cities and their contiguous regions and that contain national populations rather than colonial subjects. We also defined capable states as those able to exert – rather than simply to proclaim in legal documents – a monopoly of force, and able to enact laws and policies through the entire national territory in an even way. We also argued that, to develop state capacity, states must eliminate patrimonialism and introduce administrative practices that put a premium on impersonal rules.

We identified common forms of political organization in pre-Columbian and colonial times. We showed that pre-Columbian civilizations created city-states, which were some of the first states in world history, and that indigenous peoples also lived in empires, tribes, and chiefdoms. We also documented that the peoples of the Americas became colonial subjects, ruled by the Spanish and the Portuguese. Thus, we showed that no modern states existed in Latin America prior to the nineteenth century.

We analyzed how Latin America became the first developing region in the world to be decolonized and to be fully ruled by modern states. Following independence, Latin America pursued a trade-led model of state formation and, within this general model, followed three paths. In some cases, actors representing the interests of ports were in charge of the creation of the state. In a second set of cases, party actors were the key agents. In the third set of cases, lords were the key agents.

Turning our focus to the capacity of Latin America's modern states, we argued that, with a few partial exceptions, Latin American states were born weak in the nineteenth century and have remained weak since 1875. Indeed, the weakness of Latin American states has been a persistent feature of Latin American politics. In most countries, patrimonialism pervades state bureaucracies and the operation of state agencies. Latin America has modern states, but these states are weak.



## Discussion Questions

1. The formation of modern states in Latin America was a defining moment in the history of the region. How were Latin American modern states formed? What factors played a role in the formation of states in Latin America? What role did economic factors play in the formation of states? What differences exist among the three paths that were followed in the creation of modern states in Latin America?
2. One of the striking features of Latin American development is the persistence of weak state capacity and patrimonialism in the midst of sweeping transformations regarding social, economic, and political structures. Since when have Latin American states been weak? How might you explain the persistence of state weakness?
3. We began this chapter by positing that without a state capable of enforcing rights, democracy is weak at best and citizenship rights are unevenly distributed. These are points that we will elaborate in [Parts II, III, and IV](#) of this book. However, drawing on your general knowledge, speculate about the following question: What is the likely relationship between state capacity, on the one hand, and the promotion of political, civil, and social rights, on the other?

## *Resources*

## Additional Readings

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Lasso, Marixa. 2007. *Myths of Harmony: Race and Republicanism during the Age of Revolution, Colombia, 1795–1831*. University of Pittsburgh

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## Websites

*Irenees.net*. A website on state capacity and its relation to civil war and post-war contexts in the contemporary world. Website:

[www.irenees.net/index\\_en.html](http://www.irenees.net/index_en.html)

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*Pueblos Originarios de América*. Spanish language site on the indigenous peoples of the Americas. Website:

<https://pueblosoriginarios.com/index.html>

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*Quality of Government Dataset*. A comparative project that measures the quality of government and its institutions around the world, featuring most Latin American countries. Website: <https://qog.pol.gu.se/data>



# Documentaries

*Conquistadors* (2001). Four parts, each of 55 minutes. On the Spanish conquest of the Americas in the sixteenth century. Part 1. *The Fall of the Aztecs, 1517–1519. First Contact*: focuses on Hernán Cortés's conquest of the Aztec Empire. Part 2. *The Conquest of the Incas, 1524–1527. A Land of Wonders*: examines Francisco Pizarro's conquest of the Incan Empire.

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*Crucible of Empire: The Spanish American War* (2007). 120 minutes. An account of the United States' war with Spain in 1898, which eventually led to US control of Cuba and the Philippines, and later resulted in the independence of those two countries.

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*Historia de un País, Argentina Siglo XX* (2008–2010). One part, of 30 minutes, of a twenty-nine-part documentary. In Spanish. Part 1. *La formación de un país*: traces the process of independence from Spain and the formation of the modern state of Argentina.

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*The Inca: Masters of the Clouds* (2015). Two parts, each of 60 minutes. On the origins, accomplishments, and nature of the Incan Empire. Part 1. *Foundations*: on the achievements of the Incan Empire. Part 2. *Clash of Empires*: on the Spanish conquest of the Incas.

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*The Mexican–American War* (2008). 88 minutes. On the Mexican–American War (1846–1848) that reshaped the boundaries of Mexico. In this war, Mexico lost about one-third of its territory, including nearly all of present-day California, Utah, Nevada, Arizona, and New Mexico.

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*Mexico: A Story of Courage and Conquest* (1999). Four parts, each of 60 minutes. An overview of Mexico's history, which discusses social history and culture. Part 1. *God, Gold, and Glory*: explores the Toltec and Mayan civilizations, and examines the battles with the Spanish after the arrival of Cortes in 1519. Part 2. *From Independence to the Alamo*: on the long fight for freedom from Spain, and the Battle of the Alamo. Part 3. *Battle for North America*: chronicles the waves of fighting that rocked the fledgling nation and traces the rise of Benito Juárez. Part 4. *Revolution and Rebirth*: the story of the revolution against dictator Porfirio Díaz that was waged by Pancho Villa, Emiliano Zapata, and others; and how Mexico finally gained stability under the rule of the PRI (Institutional Revolutionary Party).

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*Simón Bolívar: The Great Liberator* (1985). 58 minutes. Discusses the life of Simón Bolívar, including family, education, military career, and his role in the freedom of the South American colonies. Also reviews the history of the colonies under Spanish rule, such as explorations, conquests, and social and economic aspects, as well as the culture of the people.

2

# **Nation Building, Race, and Ethnicity**





**Photo 2.1 The toppling of a statue of Columbus** As part of protests on the day of indigenous resistance, on October 12, 2004, protestors removed a statue of Columbus from its pedestal in Caracas, Venezuela. The relationship with the European colonizers has been central to ongoing constructions of the nation in Latin America. Some influential voices have proposed visions of the nation that draw inspiration from Europe. Others propose visions opposed to European races and culture.

*Source:* © Reuters/Jorge Silva/Alamy.

In the [previous chapter](#), we discussed how Latin American states were formed and whether they were endowed with state capacity. Here, we focus on the nation and nation building, the deliberate effort to construct a sense of nationhood. We consider whether the modern states that were formed in Latin America in the nineteenth century had the property of being the focal point of a nation. We also address how the idea of a shared sense of nationhood changed over time, and the ways in which different racial and ethnic groups were treated in nation-building projects.

To provide a sweeping overview of the nation in Latin America since modern states were formed, we proceed as follows. We first address

conceptual questions – What is a nation? What is nation building? What is race and ethnicity? – and offer an outline of nation building in Latin America. We then discuss the legacies of colonialism that influenced nation-building projects. Subsequently, in the next three sections, we consider the visions that inspired nation-building projects in three time periods. We discuss (1) an early elite-led project that drew on European notions of a civilized nation, from 1880 to 1930; (2) a mass-oriented project that treated *el pueblo* (the people) as the true essence of the nation, from 1930 to 1980; and (3) a project driven by the renaissance of indigenous and Black identities, and based on the idea of multiculturalism and a plural vision of the nation, from 1980 to the 2010s. Finally, we present a summary for the chapter.

## **2.1 Concepts and Overview**

We begin this chapter by discussing the concept of nation and nation building and by highlighting how race and ethnicity are key factors in nation building. We also present a preview of nation building in Latin America.

### 2.1.1 The Nation

The term “nation” is commonly and loosely used as a synonym of country (e.g., the Mexican nation, the Brazilian nation). But the nation has, in the social sciences, a more precise meaning. Therefore, we need to clarify the specific meaning the concept of nation has in this book.

A *nation* is defined as a stable community that shares a culture. Such cultural ties can be formed on the basis of linguistic, racial, ethnic, and/or religious identities, as well as on a shared history or a shared constitution ([Smith 1991](#): ch. 1). Thus, nations extend beyond personal or familial ties and link together members of large communities.

Nations can coincide with a state or not. Nations sometimes exist without a state, and states can lack a sense of nationhood. When the sense of nationhood is strong, and the nation and the state overlaps closely, we speak of a nation-state. When multiple nations share membership in a state, we speak of a multicultural or multinational state.

Understanding states and nations jointly is important because nations provide a sense of belonging to a community. In other words, nations define who are the people that belong to a community. Moreover, nations can create a bond among citizens of a country and even a sense of who should be treated as a citizen and who should be excluded and denied access to citizenship rights.

### 2.1.2 Nation Building, Race, and Ethnicity

It is common to think of the sense of nationhood as capturing some eternal essence of a community. However, one important feature of nations is that they are not natural; rather, nations are, as political scientist Benedict [Anderson \(1983\)](#) put it, “imagined communities.” Thus, we talk about *nation building*, a concept that conveys the idea that nations are constructed through political-cultural processes that are often conflictual. Moreover, nations are regularly political constructs shaped in fundamental ways by government policy and actions of the state.

One of the central issues in the shaping of a nation is the way in which *race* and *ethnicity* are treated. Race and ethnicity are two concepts that are used to differentiate social categories. Although racial categories are based on biological properties (e.g., skin color), they are also based on cultural properties. Ethnic categories, in contrast, are usually based predominately on cultural properties (e.g., language). Sometimes, to emphasize the idea that even racial identities are constructed and mutable – it is not the same to be an Afro-American or an Afro-Brazilian – the terms are used interchangeably. Nonetheless, given that the histories of racial and ethnic identification do not always overlap, it is useful to maintain the distinction between race and ethnicity ([Appelbaum 2008](#): 462; [Wade 2010](#): ch. 1).

Race and ethnicity play a key role in nation building. The idea of a nation can draw on many elements. However, it usually builds on ideas of race and ethnicity, and it can assign a different place to distinct racial and ethnic groups. The idea of a nation can be inclusive and encompassing, creating a sense that all members of a community are equal. Alternatively, it



can be racist or ethnocentric, in the sense of giving centrality to one racial and ethnic group and treating other racial and ethnic groups as inferior.

### 2.1.3 Nation Building in Latin America

The construction of nations in Latin America did not start from scratch. Rather, nation builders in Latin America worked within a series of structural and historical constraints. Additionally, they did not build one nation that endured unaltered thereafter. As in other parts of the world, nation building was an ongoing, never-finished project, subject to contestation and open to change. Nations were imagined and reimagined. Indeed, after discussing the legacies of colonialism that affected later nation building, we will analyze in the rest of the chapter three distinct nation-building projects that influenced the sense of nationhood from 1880 onward (see [Table 2.1](#)).

**Table 2.1** Nation building in Latin America: an overview

Period and characterization	Key developments
1880–1930: Elite vision of the nation	Idea of the nation based on a model of white, European, civilized nations Mass migration, mainly from Europe, and racial whitening ( <i>blanqueamiento</i> , in Spanish) Use of censuses to create an image of the nation as white
1930–1980: National-popular vision of the nation	Creation of national systems of education and military conscription The people ( <i>el pueblo</i> , in Spanish) are the essence of the nation Embrace of <i>mestizaje</i> Portrayal of indigenous civilizations as a source of national pride ( <i>indigenismo</i> , in Spanish)
1980–2010s: Plural vision of the nation	Portrayal of Brazil as a racial democracy Idea of the nation as a multicultural construct Introduction of the concept of plurinational states

*Note:* *Blanqueamiento* was the explicit policy to change the racial profile of a country through the promotion of immigration of white Europeans.

*Mestizaje* refers to the mixing among different racial and ethnic groups.

*Indigenismo* is a discourse about indigenous peoples that gives Indianness a central role in the construction of the nation. A plurinational state is a state that recognizes the existence of more than one national group within the political community.

*Source:* Authors' elaboration.

## 2.2 Before Modern States

Nation-building projects were not launched until after the formation of modern states (see [Chapter 1, section 1.3](#) on the formation of modern states). However, the first nation builders faced constraints and possibilities that were shaped by factors inherited from colonial times and partly altered by the process of independence. Different types of economic activity were associated with different racial and ethnic groups. The practice of racial and ethnic mixing was also critical. Additionally, the abolition of slavery soon after independence changed the legal status of Blacks. Thus, before discussing the first nation-building project, we address developments that would affect subsequent nation building.

### 2.2.1 Race and Ethnicity in the Colonies

Colonial rulers in Spanish and Portuguese America engaged in three main types of economic activity: mining, plantation agriculture, and extensive agriculture. And these economic activities had a significant impact on the racial and ethnic composition of the population.

Colonial powers sought to extract precious metals, such as gold and silver, through mining. Mining economies were initially based on the forced labor of indigenous peoples through two labor systems: the *mita*, a system of part-time forced labor for the provision of public goods; and the *encomienda*, a system through which a settler could extract tribute from the indigenous people – in kind or in labor – in exchange for evangelization.

Mining was especially prevalent in Mexico and the Andean highlands – in particular in contemporary Peru and Bolivia – the location of the most populous indigenous civilizations. And this activity contributed to the decimation of the indigenous peoples in the Americas. Loss of life of the indigenous peoples was caused principally by diseases that were unknown in the continent and carried by European settlers. Violence and warfare was another cause. And labor exploitation added to the problem. For those three reasons, the original pre-Columbian population of about 54 million indigenous people is estimated to have collapsed by 90 to 95 percent after European settlement ([Denevan 1992](#): xxvii–xxix).

Colonial rulers also established plantations in tropical areas. Sugar cane was an early key crop; later, other crops – cacao, cotton, coffee, rubber, and bananas – became important. And these plantations relied heavily on slave labor. Indeed, plantation economies, and especially sugar

plantations, were closely associated with the slave trade, which brought large numbers of slaves from Africa to work on plantations in northern Brazil, Colombia, Cuba, the Dominican Republic, and Central America.

[Photo 2.2](#) shows slave workers in Brazil in the nineteenth century.

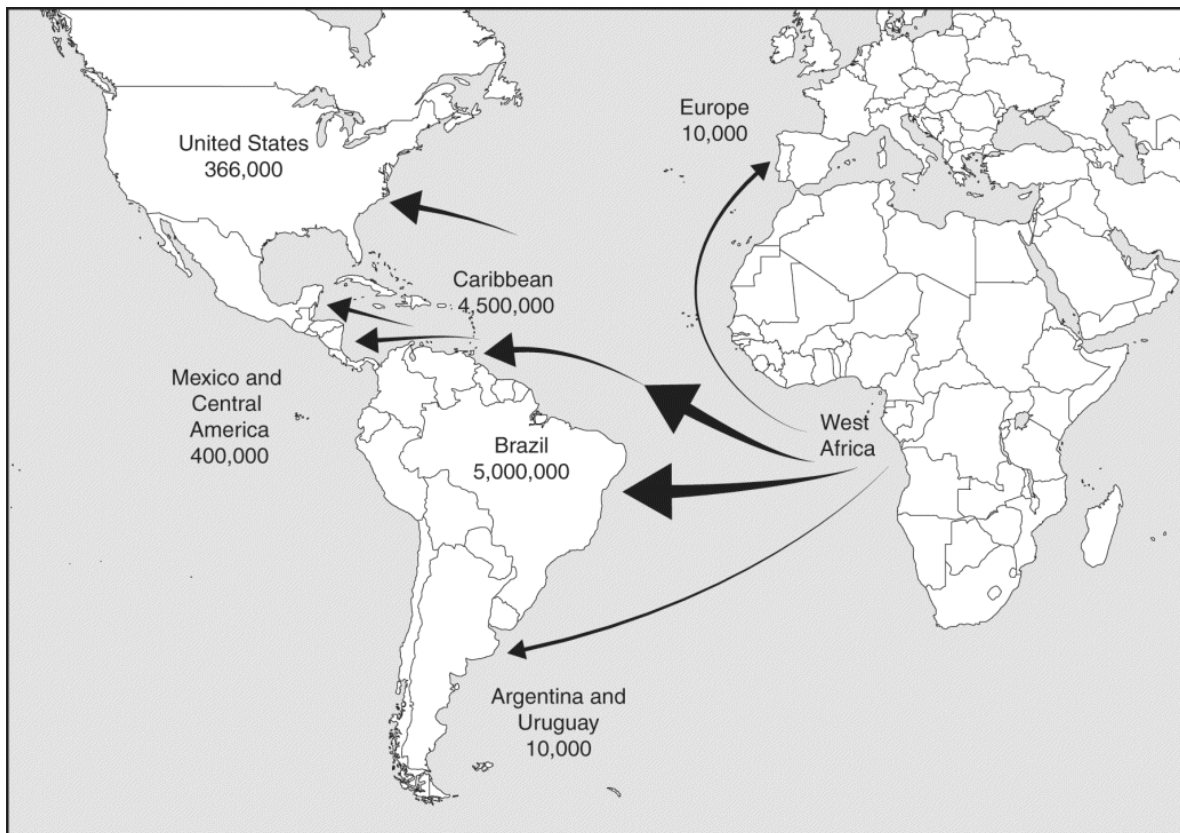


**Photo 2.2 African slaves in Latin America** Portuguese colonists and planters in Brazil initially sought to enslave the indigenous population. Finding Brazilian Indians to be unproductive as agricultural workers, they then turned to African slaves as a source of labor. The photo shows slaves in a coffee farm in Brazil, c. 1885.

*Source:* Marc Ferrez (1843–1923).

The magnitude of the slave trade between 1502 and 1870 was significant (see [Map 2.1](#)). During the slave trade, the Americas absorbed approximately 10.7 million African slaves. And Brazil alone accounted for close to 5 million. Indeed, the comparison between the number of slaves sent to Brazil and the number sent to the United States – over ten times more slaves were taken to Brazil – gives a sense of the massive influence

that African people and their culture had in Portuguese America. In addition, close to 1.5 million slaves were brought to Spanish America, particularly to Cuba and the Spanish-controlled areas surrounding the Caribbean ([Eltis and Richardson 2010](#): 197, 200–3; [Borucki et al. 2015](#): 434, 440; [Eltis 2019](#): 498).



**Map 2.1** Slave trade and slaves in Latin America, 1502–1870

*Note:* The figures are the number of African slaves who disembarked in the Americas following voyages from Africa. Roughly 15 percent of the slaves who embarked on these voyages died in transit. The map depicts the border of countries that were formed later on and does not show the movements of slaves once they disembarked in the Americas.

*Source:* Authors' elaboration, based on [Eltis and Richardson 2010](#) and [Voyages Database 2020](#).

A third kind of economic activity during colonial rule was extensive agriculture, which relied on the use of large tracts of land to raise cattle, sheep, and grains. These activities took place in colonial backwaters: contemporary Argentina, Uruguay, Paraguay, and southern Brazil. With the exception of Paraguay, which had a dense indigenous population, these areas somewhat resembled white settler colonies in North America; nomadic and less dense indigenous populations in these areas were decimated early in the colonial period. Additionally, they did not depend heavily on slave labor.

### 2.2.2 Miscegenation and Manumission

Also key to the racial and ethnic composition of, and race relations in, the Spanish and Portuguese colonies in the Americas was another factor: miscegenation (*mestizaje*, in Spanish), the interbreeding and cultural intermixing of people of different races and ethnicities. The colonizers were white and disproportionately male, and they fathered children with indigenous women and Black slaves in sexual relationships marked by violence, oppression, and inequality. The Spanish and Portuguese colonies rapidly became multi-racial and multi-ethnic.

Race mixing produced three miscegenated groups: Indo-European mestizos, Afro-European “mulattos,” and Afro-Indians. And, with successive generations, more complex mixtures developed. Indeed, a complex vocabulary – consisting of some terms that have fallen into disuse or are now considered offensive – developed to distinguish racial and ethnic categories (see [Table 2.2](#)).

**Table 2.2** Terminology for racial and ethnic categories in Spanish America

Generation/ Parent	Parent				
	Black	Peninsular	Peninsular	Amerindian	Black
First generation		mulatto	criollo	mestizo	zambo
Second generation with a Peninsular parent		quadroon	criollo	castizo	moreno
with an Amerindian parent		chino	mestizo	cholo	cambujo
with a Black parent		negro fino	mulatto	cimarrón	prieto

*Source:* Authors’ elaboration, based on [Fehrenbach 1973](#): ch. 17; and [Mörner 1967](#).

Furthermore, race relations were affected by manumission, a slave owner’s act of freeing his slaves for various reasons (e.g., a slave owner



could grant a slave freedom, or a slave could purchase his freedom). No society emancipated all slaves during colonial rule. However, many slaves gained their freedom through manumission. The offspring of former slaves also escaped slavery. Over time, the number of free Blacks grew significantly.

Brazil relaxed the process of manumission beginning in the early eighteenth century. And, by the late eighteenth century, before Brazilian independence and before the first steps to abolish slavery, 20 percent of all Blacks and mulattos were free. Elsewhere in Latin America the process of manumission advanced even more rapidly. By 1800, the number of free Afro-descendants exceeded the number of enslaved Afro-descendants in all countries except for Brazil and Cuba. As a result, rigid racial lines were somewhat softened ([Skidmore 1999](#): 57; [Andrews 2004](#): 40–51; [Klein and Luna 2010](#): ch. 9).

The idea of a racial hierarchy was strong in colonial times. Whites were considered superior to Blacks. Groups in between these two extremes had an intermediary status. Nevertheless, miscegenation and manumission did break some earlier barriers. Moreover, there was some racial mobility. Individuals could ascend the racial hierarchy by adopting the dressing habits of whites, or by marrying someone with a higher status and becoming wealthier – indeed “money whitened” ([Appelbaum 2008](#): 468; [Wade 2010](#): 24–30; [Cottrol 2013](#): chs. 1–2).

All told, on the eve of independence, it still made sense to think of the Spanish and Portuguese colonies as composed of three core groups: (1) white European settlers and white offspring of Europeans born in the colonies – these were called *peninsulares* (peninsulars) and *criollos* (creoles), respectively, in Spanish America, and *reinóis* and *mazombos*, in

Portuguese America; (2) indigenous peoples; and (3) Blacks. Moreover, these groups were also clearly more or less numerous in different parts of the Spanish and Portuguese colonies (see [Table 2.3](#)). In some areas – such as Mexico, Ecuador, and Peru – indigenous people represented the majority of the population. In others – such as Brazil, the Dominican Republic, Panama, Venezuela, and Cuba – the Black population represented the largest single group. And, in yet other areas – Uruguay, Chile, Paraguay, and Argentina – whites constituted a majority or the largest group.

**Table 2.3 Race and ethnicity in Latin America, c. 1800\***

**Table 2.3(a) South America**

Country	White	Mestizo	Indians	Afro-Descendants		Subtotal	Total
				Free	Slaves		
Argentina	70,000 37%	6,000 3%	42,000 23%	–	–	69,000 37%	187,000
Bolivia	–	–	–	–	–	–	–
Brazil	576,000 30%		61,000 3%	587,000 30%	718,000 37%	1,305,000 67%	1,942,000
Chile	281,000 73%	34,000 9%	37,000 10%	–	–	31,000 8%	383,000
Colombia	203,000 26%	122,000 16%	156,000 20%	245,000 31%	61,000 8%	306,000 39%	787,000
Ecuador	108,000 25%		288,000 67%	28,000 7%	5,000 1%	33,000 8%	429,000
Paraguay	56,000 58%		30,000 31%	7,000 7%	4,000 4%	11,000 11%	97,000
Peru	136,000 11%	244,000 20%	771,000 63%	41,000 3%	40,000 3%	81,000 6%	1,232,000
Uruguay	23,000 77%			–	–	7,000 23%	30,000
Venezuela	185,000 21%		161,000 18%	440,000 49%	112,000 12%	552,000 61%	898,000

**Table 2.3(b) Mexico, Central America, and the Caribbean**

Country	White	Mestizo	Indians	Afro-Descendants		Subtotal	Total
				Free	Slaves		
Mexico	1,107,000 18%	704,000 12%	3,676,000 60%	625,000 10%	10,000 0%	635,000 10%	6,122,000
Costa Rica	5,000 9%	30,000 35%	11,000 20%	–	–	9,000 16%	55,000
El Salvador	–	–	–	–	–	–	–
Guatemala	–	–	–	–	–	–	–
Honduras	–	–	–	–	–	–	–
Nicaragua	–	–	–	–	–	–	–
Panama	9,000 15%		12,000 19%	37,000 60%	4,000 6%	41,000 66%	62,000
Cuba	274,000 46%			114,000 19%	212,000 35%	326,000 54%	600,000
Dominican Republic	35,000 34%			38,000 37%	30,000 29%	68,000 66%	103,000

*Notes:* \* The data are rough approximations for the areas covered by current countries. The first number is the absolute number of people belonging to each category; the second number is the percentage of the total population of each category.

– Data are not available.

*Source:* [Andrews 2004](#): 41.

It also still made sense to see colonial societies as based on a racial hierarchy. Colonial rulers had initially set out to install a system of castes that relegated nonwhites to an inferior legal and social status. And this hierarchy remained in place.

However, the number of mestizos and “mulattos” was significant in many areas. The number of free Afro-descendants was also substantial. Over time, the process of miscegenation and manumission had gradually eroded the strictures of the caste system.

### 2.2.3 The Abolition of Slavery

Colonialism was still associated with slavery. Despite the process of manumission mentioned above, prior to the beginning of the wars of independence in Latin America in 1810, slavery was legal in the Spanish and Portuguese colonies in the Americas. Yet, the institution of slavery ended in the wake of the wars of independence. Indeed, by the time modern states were formed, slavery had practically disappeared.

Slavery came to an end in Latin America mainly because of the wars against the Spanish. The military victories against the Spanish and their defenders were possible only by the participation of Indians, mestizos, “mulattos,” and even slaves. Thus, independence wars contributed in a major way to the marrying of the ideas of patriotism and racial equality, and to the erosion of slavery ([Andrews 2004](#): ch. 2).

The initial steps were rapid: Nearly immediately after independence the slave trade was abolished and “free womb” laws – which made the children of slaves free – were enacted. In contrast, the final abolishment of slavery, leading to the freeing of all slaves, frequently did not come until several decades later (see [Table 2.4](#)).

**Table 2.4** The abolition of slavery in Latin America

Region/country	Slave trade	Free womb law	Final abolition of slavery
<b>South America</b>			
Argentina	1813 (1838)	1813	1853
Bolivia	1840	1831	1861
Brazil	1831, 1850 (1852)	1871	1888
Chile	1811	1811	1823
Colombia	1821	1821	1852
Ecuador	1821	1821	1851
Paraguay	1842	1842	1869
Peru	1821	1821	1854
Uruguay	1825 (1838)	1825	1842
Venezuela	1821	1821	1854
<b>Mexico, Central America, and the Caribbean</b>			
Mexico	1824		1829
Costa Rica	1824		1824
El Salvador	1824		1824
Guatemala	1824		1824
Honduras	1824		1824
Nicaragua	1824		1824
Panama	NA	NA	NA
Cuba	1820, 1835 (1866)	1870	1886
Dominican Republic	1822		1822

*Notes:* Several of the countries listed here had still not been formed, in that the boundaries between states had not been settled, by the dates listed here. The years are the date when laws were passed; dates in parentheses are for the actual implementation of laws. Slavery was abolished in Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua, in 1824, when these five countries were part of the short-lived Federal Republic of Central America. Mexico and the five Central American cases did not enact free womb laws. Panama was born as a country in 1903 without slavery.

NA Not applicable.

*Source:* [Andrews 2004](#): 57.

The last Latin American countries to abolish slavery were Cuba and Brazil, two countries with plantation economies and distinctive political situations: Cuba was still a Spanish colony and Brazil had a monarchical form of government during the nineteenth century. However, in Brazil, free Afro-Brazilians outnumbered the slave population as early as 1850 and 74 percent of all Blacks and “mulattos” were already free by 1872. Beginning with the 1824 constitution, citizenship was granted to all native-born free

people, regardless of race ([Skidmore 1999](#): 57; [Holston 2007](#): 63, 66–81; [Klein and Luna 2010](#): 253; [Cottrol 2013](#): 75). Thus, even in Brazil, the equation of African ancestry and slave status had lost force well before 1888.

### **2.2.4 A Balance Sheet**

In brief, colonialism left two legacies that would condition early nation-building projects. There were some demographic facts that gave a variable racial and ethnic composition to different countries. There was also a sense of racial hierarchy; but it had undergone changes. The rejection of slavery ended a key legal barrier to racial equality. Moreover, social norms allowed for considerable diversity and fluidity.

These legacies did not fully determine what sort of a nation would be built. Various visions of a nation were possible. In spite of this, the first nation builders responded to these conditions with a decidedly elitist vision.

## 2.3 Elite Vision of the Nation, 1880-1930

Nation building started in earnest when the leaders of the new, modern states in Latin America began adopting policies with the explicit aim of shaping a certain kind of nation. These leaders were nearly entirely white male creoles – that is, the sons of colonists born in the colonies. They were members of the dominant elites, usually referred to as the oligarchy. And they were strongly influenced by certain European ideas.

These leaders drew on ideas such as those of the Argentinean liberal intellectual President Domingo Sarmiento, who claimed that emerging countries in the region had to opt between civilization, modeled on Europe, and the barbarism of caudillos that held sway in areas far from cities in the mid-nineteenth century ([Sarmiento 2003 \[1845\]](#)). They also drew on the pseudoscientific theories of Social Darwinism and eugenics, the practice of genetic improvement of the human population, developed in Europe and the United States, which emphasized white supremacy and equated modernity with whiteness ([Hale 1986](#): 396–409; [Stepan 1991](#)). That is, they sought to forge national unity based on a vision of the nation that generally saw diversity as a weakness.

In brief, although the ideal of racial equality had gained a few adherents in Spanish America and even in Brazil in the early nineteenth century, by the time modern states had been formed different views prevailed. The white elites that dominated politics saw the existence of indigenous peoples and Afro-descendants as a problem that should be



overcome through a process of national unification under their leadership.  
To this end, they pursued various policies that we discuss next.

### 2.3.1 Mass Migration and Whitening

One key policy of the modern states concerned immigration. Here, most countries sought to stimulate immigration from European countries. European immigrants, the promoters of this policy thought, would bring civilization, culture, and craftsmanship to Latin America, and they would help whiten the population. Indeed, even though many nation builders espoused liberal views and proclaimed republican and democratic ideals, they defended racist immigration policies that selected in favor of white Europeans and actively discriminated against other potential immigrant groups, such as the Chinese and Japanese.

Bias against Black and indigenous citizens was also blatant. At a time when freed slaves were attempting to integrate into society, rather than repair the damage done by slavery, governments disregarded former slaves and invested resources in attracting white immigrants. In effect, they enticed white immigrants to move to Latin America with land grants and guaranteed access to education, opportunities frequently denied to Afro-descendants and indigenous people. Governments directly sought to shape the sense of the nation – sending a strong signal about who was part of the nation and who was not – through a public policy that has been called *whitening* (*blanqueamiento*, in Spanish) ([Andrews 2004](#): ch. 3; [Cottrol 2013](#): chs. 4–5; [FitzGerald and Cook-Martin 2014](#)).

Overall, the impact of this immigration policy was huge. Roughly 13.5 million Europeans migrated to Latin America between 1850 and 1930 – 11 million Europeans came between 1880 and 1930 alone – making it the largest inflow of people in the history of the region ([Moya 2018](#): 47–8, 53).

(The number of slaves brought from Africa to the Portuguese and Spanish colonies totaled about 6.5 million.) However, European arrivals did not spread across Latin America evenly (see [Table 2.5](#)).

**Table 2.5** European immigrants to Latin America, 1850–1930: Country of destination

Destination country	Number of immigrants, 1850–1930	Percentage of total number of immigrants to Latin America	Total population, 1930	Immigrants as a percentage of total population
Argentina	6,501,000	48.1	11,936,000	54.5
Brazil	4,361,000	32.3	33,568,000	13.0
Cuba	1,394,000	10.3	3,837,000	36.3
Uruguay	713,000	5.3	1,599,000	44.6
Mexico	270,000	2.0	16,589,000	1.6
Chile	90,000	0.7	4,365,000	2.1
Venezuela	70,000	0.5	2,950,000	2.4
Peru	35,000	0.3	5,651,000	0.6
Paraguay	21,000	0.2	880,000	2.4
Others	50,000	0.4		

*Sources:* [Sánchez-Albornoz 1986](#): 122; and [Moya 2018](#): 53.

Some countries were quite successful at attracting white immigrants. European immigration was massive in Argentina, Brazil, Cuba, and Uruguay. These four countries received more than 90 percent of the immigrants that arrived in Latin America from Europe between 1870 and 1930 ([Moya 2018](#): 53; [Sánchez-Alonso 2019](#): 6). Furthermore, there is evidence that these policies accomplished much of the sought-for effect. In Argentina, the political elites aimed to attract white immigrants from Northern Europe and received instead largely Southern Europeans. However, the country's population nearly doubled between 1895 and 1914, from 4 to 8 million, largely because of immigration, and up to 70 percent of the population of some provinces was of European origin ([Bastia and vom Hau 2014](#): 478–9). Similarly, in Brazil and Cuba, European immigration helped whiten the population (see [Table 2.6](#)).

**Table 2.6** The whitening of Brazil and Cuba, 1890–1931

Country/Year	White	“Mulatto”	Black	Others
Brazil				
1890	44.0	32.4	14.6	9.0
1940	63.5	21.2	14.6	0.7
Cuba				
1899	66.9	17.2	14.9	0.9
1931	72.1	16.2	11.0	0.6

*Note:* The data are the percentage of the total population of each category.

*Source:* Authors’ elaboration, based on IBGE (Brazilian Institute of Geography and Statistics) census for various years and [Andrews 2004](#): 155.

Other countries were not very successful at attracting white immigrants ([Sánchez-Albornoz 1986](#): 137–8). For example, immigration from European countries was rather small in Mexico, Peru, Colombia, and Venezuela. And leaders in these countries departed somewhat from the policy of whitening. They began to point to the reality of mestizaje as somewhat of a virtue, although they did so in a way that made Afro-descendants invisible. Additionally, given the demands for labor in the export-led economy, some of these countries drew immigrants from the Caribbean, the Middle East, and East Asia, which added even greater diversity to the region’s racial and ethnic composition. That is, the policy of whitening was implemented unevenly throughout Latin America.

### **2.3.2 Censuses and the Image of the Nation**

The elites also advanced their nation-building project through the launching of national censuses, which they used to collect data on and classify the population by race and ethnicity. Indeed, they frequently used census data to depict the ethno-racial composition of the nation.

National censuses were conducted starting in the 1850s (in Chile and Uruguay). By 1900, fourteen Latin American countries were conducting national censuses of their population ([Loveman 2014](#): 99–105, 113). The census data relied on scientific methods to register objective facts about the population and thus provided a picture of reality. However, the collection of census data also entailed some choices, such as what categories to include in the census, and it left considerable room as to how the data were to be interpreted. And these choices served to construct a certain image of the nation.

An exhaustive study of ethno-national classifications in the censuses of nineteen Latin American countries by sociologist Mara [Loveman \(2014\)](#) offers some interesting insights into the way in which the image of the nation was constructed. In general, Latin American states conducted censuses that, through the ways in which racial categories were measured, underreported ethnic diversity and exaggerated the sense in which homogeneous, white, national communities had been built. In turn, discussions of the results of censuses stressed that the key to modernity lay in restricting the size of nonwhite populations.

At the same time, Loveman points out that this message was adapted to different environments. In cases with large indigenous populations, such

as Bolivia, Peru, Mexico, and Guatemala, censuses stressed both the importance of the indigenous past and the pace of the assimilation of indigenous peoples into the now “civilized” nation. In countries with a sizable Black population, such as Brazil, Cuba, Colombia, Venezuela, and the Dominican Republic, censuses sought to show that Black people were incorporated into the national citizenry ([Loveman 2014](#): chs. 4–5).

In short, states contributed to the political construction of nations through national censuses of the population. And the aim of this policy was in line with the broader goal of whitening the nation.

### 2.3.3 Education and Military Service

In addition to mass migration and national censuses, governments pursued the goal of forging a common national identity through a series of policies regarding education and military service.

The state sought to create a national system of public primary education. In the nineteenth century, education was reserved for social elites, and schools were largely affiliated with the Catholic Church. However, between 1880 and 1930, as the state set out to build schools, the ratio of the school age population enrolled in primary education nearly doubled, climbing from 15.5 to 29.4 percent. Enrollment ratios varied considerably from country to country (see [Table 2.7](#)). But public education was expanding. And with this expansion, the number of students in private schools became relatively small, and public schools increasingly became a key locus where students from different backgrounds met and interacted.

**Table 2.7** Student enrollment in primary education: Enrollment ratios in Latin America, 1880–1930

Region/country	Student enrollment in primary education (percentage of school-age population)		
	1880*	1900	1930**
<b>South America</b>			
Argentina	26.2	33.9	49.9
Bolivia	2.0	7.9	15.5
Brazil	7.4	10.2	21.7
Chile	14.0	21.7	55.6
Colombia	8.0	15.8	26.0
Ecuador	20.6	21.5	31.2
Paraguay	19.0	20.8	45.0
Peru	9.5	12.5	22.4
Uruguay	31.5	28.2	39.1
Venezuela	1.6	3.7	15.0
<b>Mexico, Central America, and the Caribbean</b>			
Mexico	18.6	25.3	31.5
Costa Rica	25.0	25.0	40.5
El Salvador	12.7	15.4	12.7
Guatemala	21.6	21.7	16.2
Honduras	24.2	29.4	18.9
Nicaragua	17.2	17.6	15.2
Panama	NA	7.9	40.8
Cuba	9.7	33.3	38.6
Dominican Republic	10.8	9.6	23.5
<i>Latin America</i>	15.5	19.0	29.4

*Notes:* The average for Latin America is a simple average.

NA Not applicable.

\* The data for several countries (Argentina, Ecuador, Paraguay, Peru, Venezuela, Mexico, and Honduras) is for 1890.

\*\* The datum for Bolivia is for 1935–1940.

*Source:* Authors' elaboration, based on [Benavot and Riddle 1988](#): 205–8.

The state also had strong control over the content of education. A centrally designed educational curriculum was deployed in all public schools – urban and rural – and even in private schools. And the content had a clear aim: Texts began to construct national identities around foundational myths, anchored around each country's fight for independence and a national pantheon of heroes. In other words, schools became an instrument for disseminating national narratives and, to a certain extent, for homogenizing the culture of the population ([Newland 1991](#), [1994](#); [vom Hau 2009](#)).

Additionally, obligatory military service for men through a universal draft was enacted in many countries during this period (see [Table 2.8](#)). The



implementation of military service was uneven. The draft was systematically implemented in Argentina and Chile, but in other countries such as Mexico and Peru it was restricted to lower classes and acted as a vehicle for social mobility. Even in the case of Chile, the army was separated from the national guard, an elitist military organization reserved for wealthy segments of the population. Thus, military conscription did not become “the school of the nation, the crucible of national sentiment” ([Rouquié 1987](#): 94). However, military service did bring some male citizens from different racial and ethnic groups together, did have some integrative effect, and did contribute to a more socially encompassing nation-building project.

**Table 2.8** Obligatory military service in Latin America

Region/country	Obligatory military service law
<b>South America</b>	
Argentina	1901
Bolivia	1907
Brazil	1908, 1916 (implemented)
Chile	1900
Colombia	1911
Ecuador	1902
Paraguay	1916
Peru	1901
Uruguay	None
Venezuela	1926
<b>Mexico, Central America, and the Caribbean</b>	
Mexico	1940
Costa Rica	Never enforced
El Salvador	1886
Guatemala	1872
Honduras	1881
Nicaragua	1867
Panama	Never enforced
Cuba	1918
Dominican Republic	1880

*Note:* The year indicates when the law on obligatory military service was passed. Costa Rica and Panama had a legal provision for obligatory military service, but it was never enforced.

*Source:* Authors' elaboration.

In summary, the nation-building project of the elites was largely founded on a model of white, European nations. At the same time, these elites sought to build a sense of nationhood on a civic, as opposed to an ethno-racial, basis.

## **2.4 The National-Popular Vision, 1930-1980**

The world economic depression of 1929–1933 triggered many changes in Latin America, and opened up a new phase of nation building, one animated by what we call the national-popular vision of the nation. In this period, many ideas dear to the old elites were overturned. Whereas the old elites had looked up to Europe and the United States, the new rulers viewed external forces more warily. Moreover, the common people in Latin America whom old elites had viewed as a problem were now celebrated. However, the national-popular vision of the nation treated race and ethnicity in a way that would eventually be considered as problematic; racial and ethnic identities were downplayed and sidelined rather than being recognized.

### 2.4.1 The People Versus the Elites

The political leaders who engaged in nation building in the 1930–1980 period sought to mobilize popular sectors and, to this end, elaborated an ideology in which the category of *el pueblo* (the people) was used to identify the true essence of the nation. In turn, the people were contrasted in broad terms to the elites and, more specifically, to the *oligarquía*, the oligarchies that had dominated society in the recent past ([Appelbaum, Macpherson, and Roseblatt 2003](#): 6–8; [Appelbaum 2008](#): 471–3).

The changes were more complete in some countries than others. In some cases, the supporters of the old vision of the nation completely lost power. In Mexico, under the leadership of President Lázaro Cárdenas (1934–1940), the replacement of liberal nationalism by popular nationalism was almost complete ([vom Hau 2008](#)). In Argentina, the expansion of a national-popular ideology still competed with the old liberal one. In yet other cases, the supporters of the old vision of the nation retained sway. For example, in Colombia and Uruguay, two oligarchic parties competed to mobilize complete cross-sections of the population on the basis of clientelism and strong party identities. In Central America, oligarchic coalitions remained strong until the 1960s and 1970s. Nonetheless, the impact of the national-popular vision of the nation was felt throughout the region.

### **2.4.2 The Centrality of Anti-Imperialism and Class**

Two connected features of the national-popular project merit attention. First, a core aspect of the discourse of the national-popular project was its anti-imperialist and anti-oligarchic content. The people were treated as the heart of the nation and contrasted to oligarchies, who were considered traitors to the national interest due to their historical alliance with foreign powers and ideas, and to external forces, epitomized by the old European imperialism and increasingly the new US imperialism in the region. [Box 2.1](#) discusses the growing focus of anti-imperialist discourse on the United States.

### **Box 2.1** A Closer Look: Anti-imperialism in the 1960s and 1970s

The 1960s and 1970s introduced a new twist in regional debates about anti-imperialism in Latin America. Originally, anti-imperialism was largely targeted at European culture and oligarchic national elites. However, in the 1960s and 1970s, anti-imperialism increasingly centered on the United States and its local (business) allies.

Two influential books, both published in 1971, exemplify this shift. In *How to Read Donald Duck*, playwright Ariel Dorfman and sociologist Armand Mattelart deconstruct, from a Marxist perspective, the cultural underpinnings of Disney comics. In particular, the book criticizes Disney for stripping from its characters the conflicts and hierarchical relationships that characterize the real world, and for portraying an imaginary world in which consumption and money are key values. [Dorfman and Mattelart \(1991 \[1971\]\)](#) see Disney comics, and more broadly US cultural influence, as instruments that prevent change in unjust capitalist societies.

In *Open Veins of Latin America*, journalist Eduardo [Galeano \(2004 \[1971\]\)](#) offers a very popular analysis of Latin America's economic dependence. The book analyzes how Latin America was incorporated into an international system of production that favored imperial nations and multinational corporations, robbed the region of its natural riches, and left its population in poverty. As did Dorfman and Mattelart, [Galeano \(2004 \[1971\]\)](#): 175–221) also

stressed the growing role of the US government and US corporations in Latin America.

Second, national-popular projects unfolded when a popular coalition that included the lower and middle classes as well as progressive intellectuals was formed, usually by political leaders mobilizing the people from above. These coalitions sought to provide a basis for solidifying a national identity, usually by rhetorical reference to each country's independence heroes and pre-colonial peoples. Yet it is important to note that these coalitions incorporated mestizos, Blacks, and indigenous people as peasants and workers, that is, as members of certain classes, and neglected their racial and ethnic identities. Typical examples of such coalition building include populist leaders such as President Getúlio Vargas (Brazil), President Lázaro Cárdenas (Mexico), and President Juan Domingo Perón (Argentina). See [Photo 2.3](#) on the emphasis on class over racial identities in Argentina.



**Photo 2.3 Perón's *descamisados* and *cabecitas negras*** In Argentina, critics of President Juan Domingo Perón argued that his supporters (depicted here in a famous photo taken in October 1945) were *descamisados* (shirtless), a term with economic connotation, and *cabecitas negras* (Black heads), a reference to their origins in the interior of the country and their mestizo background. Perón, and his wife Evita, turned the term *descamisados* into a badge of honor; they even made plans to raise a monument to honor the *descamisados*. In contrast, and very telling, Perón remained silent about the reference to *cabecitas negras*.

In sum, the new way in which the nation was constructed was an important departure from the prior elite vision of the nation. The liberal elites in the previous period had seen the existence of indigenous peoples and Afro-descendants as a problem, and they had sought to overcome this problem by encouraging European immigration and propagating European culture. Beginning in 1930, populist leaders switched the equation around. The problem now was the influence of foreign (imperial) powers – which



were seen as exploiting Latin America's resources, leaving behind poverty and stagnation – and their domestic allies. However, the idea of the people that these leaders evoked created a notion of the popular sectors that largely ignored racial and ethnic identities. Indeed, during the national-popular period, most countries went so far as to stop the collection of data on race and ethnicity in their national censuses; in 1980, only Brazil, Cuba, and Guatemala collected such data ([Loveman 2014](#): 251–65).

### 2.4.3 *Mestizaje, Indigenismo, and Racial Democracy*

The centrality of class in the new vision of the nation was somewhat reduced in countries that had a large indigenous or Black population. Many renowned intellectuals embraced *mestizaje* (miscegenation) and acclaimed the virtues of racial mixing ([Wade 2010](#): 32–5; [Hooker 2017](#): ch. 4). For example, Mexican philosopher José Vasconcelos wrote about how *mestizaje* was creating a beautiful transnational “cosmic race” in Latin America ([Vasconcelos 1997 \[1925\]](#)). At the same time, the movement of *indigenismo* also took root, praising pure indigenous civilizations as a source of virtue and basis for national pride.

In turn, Brazilian anthropologist Gilberto Freyre published an influential work, *Casa-grande e senzala* (*The Masters and the Slaves*), which is considered the founding text on the concept of racial democracy ([Freyre 1986 \[1933\]](#)). Freyre argued that, in contrast to the racial divisions and conflict observed in the United States, miscegenation and the peaceful coexistence between Amerindians, descendants of Black slaves, and whites would create a “race beyond race(s).” This notion of racial democracy even became a source of pride for Brazilians ([Cottrol 2013](#): 159–70).

Thus, in some countries, racial and ethnic identities were confronted head on. Moreover, these efforts to celebrate diversity, and to recognize indigenous peoples and Afro-descendants as integral parts of the nation, were a departure from the discourse in the previous period. However, we should also recognize their limitations.

The discourse on *mestizaje* and *indigenismo* was combined with top-down state-led policies that sought to incorporate these racial and ethnic

groups into the nation in a somewhat paternalistic fashion. And the discourse on mestizaje and indigenismo did not displace *el pueblo* and, more specifically, *los campesinos* (peasants) and *los trabajadores* (the working class), as the most relevant categories in the construction of the nation. The racial and ethnic identities of the region's nonwhite population were not criticized, as in the past. Yet these identities were less recognized than subsumed under the dominant discourse about the people as the nation in counterposition to imperial influences.

Even more problematic, the discourse about racial democracy had a clearly negative effect. As a part of official policy, it was used to sustain the view that Latin America, and Brazil in particular, did not have the tense race relations seen in the United States in the 1950s and 1960s and had overcome racial discrimination, even when this was not the case. Indeed, the portrayal of countries like Brazil as racial democracies was a myth that was used by white elites to obscure and to legitimize continued racial oppression ([Skidmore 1974](#); [Hanchard 1988](#): ch. 3; [Hernández 2013](#)). See [Box 2.2](#) on the complex comparison of race relations in Latin America and the United States.

## **Box 2.2** Thinking Comparatively: Race Relations in Latin America and the United States

The idea of racial democracy was developed to contrast race relations in Latin America and the United States. And it was based on some actual differences.

Legal scholar Robert [Cottrol \(2013: 5–6\)](#) makes a case that racial barriers in Latin America, compared to the United States, were “less absolute,” prevented a “rigid segregation,” and “did not mandate a separate and inferior position” for Afro-Americans. One of the examples he provides is the differing views of manumission. He stresses that laws regarding slaves and former slaves in Latin America drew on a tradition that differed from the Anglo-American legal tradition and that the Latin American tradition protected the slave’s “right to purchase his freedom through binding manumission contracts” and the “right to be recognized as a citizen and equal after attaining that freedom.” In contrast, US slave states in the nineteenth century passed laws limiting manumission and restricting the rights of freed slaves. Cottrol also discusses the contrast between Latin America’s lack of a legal codification of racial segregation similar to the Jim Crow laws in the US South ([Cottrol 2013: 6, 10, 12](#)). Thus, race relations in Latin America have historically differed from race relations in the United States.

However, the view that Latin American countries have been racial democracies is erroneous and harmful. This characterization denies that the experience of slavery was actually worse in Brazil

than in the United States in some regards. In the mid-nineteenth century, because of the poor conditions in which slaves were kept, the life expectancy of Brazilian slaves was only 66 percent that of Brazilian white men, whereas in the United States slaves lived almost 90 percent as long as slave owners ([Skidmore 1999](#): 53; see also [Schwartz 1985](#)). It also denies that racism and racial exclusion continued to be deeply embedded in Latin American culture, even though the evidence in this regard is strong ([Hernández 2013](#)).

Furthermore, by setting aside the problem of racism, characterizations of Latin America as racial democracies impeded action to redress the problem. Indeed, observers note that whereas the US civil rights movement achieved significant legal victories, no parallel movement has emerged in Latin America ([Hanchard 1988](#)). In other words, the refrain that Brazil is a racial democracy has made it harder for Afro-Brazilians to organize and seek an improvement of their situation. (For research that compares race relations in Latin America and the United States, see [Degler 1986](#); [Marx 1998](#); [Bergad 2007](#); and [Cottrol 2013](#); see an overview in [Fuente and Gross 2010](#).)

The national-popular vision of the nation was in many ways more inclusive than the earlier elite vision. Yet it was far from recognizing the racial and ethnic identities of groups that had been disparaged in the elite vision of the nation as legitimate aspects of the nation.

## **2.5 A Plural Vision of the Nation, 1980-2010s**

A final period in the process of nation building opened up in the 1980s and started to take shape in the lead up to a key anniversary of Columbus's first contact with the indigenous peoples of the Americas: the 1992 commemoration of the 500th anniversary of Spain's arrival in the region. In this context, the role of race and ethnicity in constructs of the nation underwent serious questioning, and a new, plural vision of the nation began to gain prominence.

In this period, the identities of indigenous peoples and Afro-descendants were emphasized. The new sense of the nation neither denigrated the identities of nonwhite populations – a key characteristic of the elite vision of the nation – nor sidelined the identities of nonwhite populations – a feature of the national-popular vision of the nation. The nation became more pluralistic, and for the first time recognized indigenous peoples and Afro-descendants and their views of what the nation should be.

More specifically, the key novelty of the post-1980 nation building was that it was based on the idea of multiculturalism, the view that minority groups should not be expected to assimilate into the dominant culture – as suggested by the metaphor of a melting pot – and instead should be allowed, or even encouraged, to maintain their distinctive collective identities ([Song 2020](#)). Thus, in contrast to the past, the thrust of nation building was aimed less at replacing the dominant nation-popular vision by another dominant

vision, but rather by initiatives to recognize and make accommodations for minority or disadvantaged groups.

Nation building during this period was a variegated process. As in the past, it involved top-down decisions, as in the reform of some constitutions and the renewed emphasis on collecting data on race and ethnicity. But, in many countries, bottom-up action, involving social movements, was key at the very least in putting the issue on the agenda. And these processes were affected by the strength of social movements, the way in which demands were formulated, resistance to multiculturalism, and the racial and ethnic composition of countries (see [Table 2.9](#)).

**Table 2.9** Race and ethnicity in Latin America, c. 2010\*

Region/country	Indigenous	Black, "Mulatto," Pardo, Moreno, or Afro-Latino	Mestizo	White	Asian	Other	Residual category
<b>South America</b>							
Argentina	2.4	0.4					97.2
Bolivia	41.5	0.2					58.3
Brazil	0.4	50.7		47.7	1.1	0.0	
Chile	11.1	0.5					88.3
Colombia	3.4	10.6				0.0	85.9
Ecuador	7.0	7.2	79.3	6.1		0.4	
Paraguay	1.7	0.1					98.2
Peru	26.9	1.5	57.6	4.8		9.2	
Uruguay	2.3	4.6		86.8	0.2	0.1	6.0
Venezuela	2.8	52.4		43.7		1.2	
<b>Mexico, Central America, and the Caribbean</b>							
Mexico	21.5	1.2					77.3
Costa Rica	2.4	8.0		85.7	0.2	0.9	2.8
El Salvador	0.2	0.1	86.3	12.7		0.6	
Guatemala	41.0	0.0					59.0
Honduras	7.2	1.4	82.9	7.9		0.6	
Nicaragua	5.7	2.6					91.7
Panama	12.1	8.8					79.1
Cuba		35.9		64.1			
Dominican Republic		86.2		13.5		0.3	

*Note:* \* The data are the percentage of the total population of each category. Residual category includes all those not included in the categories for which data are provided.

*Source:* Data from national censuses, as compiled by [Madrid 2016](#).

Due to these factors, the success of indigenous peoples and Afro-descendants in reformulating prior constructs of the nation differed somewhat. Thus, what follows focuses first on indigenous peoples, then turns to Afro-descendants, and ends with a comparison of the response to demands by indigenous peoples and Afro-descendants.



### **2.5.1 Indigenous Peoples and the Nation**

One impetus for renewed nation building was the resurgence of indigenous movements. This was not the only driver of the increased role of indigenous identities in the construct of the nation – international networks and organizations also played a role – but it was the most visible one.

***The Revival of Indigenous Identities.*** In 1992, Guatemalan indigenous leader Rigoberta Menchú was awarded the Nobel Peace Prize, for her fight against human rights violations during Guatemala's long civil war (1962–1996), which led to a great loss of life of indigenous peoples and was called a genocide. Menchú also voiced her strong opposition to celebrations of the “discovery” of the Americas, emphasizing the enormous human suffering that the Spanish imposed on the indigenous peoples of the Americas. Furthermore, Menchú was not alone. Many other indigenous leaders around the region voiced similar concerns and organized anti-celebrations. Soon an armed uprising by the Zapatistas (the Zapatista National Liberation Army) in Mexico, in 1994, drew worldwide attention to indigenous peoples and their demands. See [Photo 2.4](#) on the Zapatista uprising.



**Photo 2.4 The Zapatista uprising, 1994** In 1994, an army calling itself the Zapatista National Liberation Army – taking its name from the popular figure of the Mexican Revolution, Emiliano Zapata – struck against some towns in Chiapas, a state in the south of Mexico. The Zapatista uprising was fundamentally an expression of indigenous resistance. Among other things, the Zapatistas demanded greater political and cultural autonomy for indigenous people in Chiapas and the rest of Mexico. The Zapatistas had a big impact in Mexico and Latin America, and were part of a regional surge in indigenous movements. The photo shows fighters of the Zapatista National Liberation Army in late 1994.

*Source:* © Gerardo Magallon/Staff/Getty Images.

This resurgence of indigenous movements – which sociologist and advocate of indigenous rights Rodolfo [Stavenhagen \(2013: 107\)](#) dubbed “the return of the natives” – grew in strength thereafter. In the mid-1990s, strong indigenous movements in Ecuador and Bolivia mobilized against governments pursuing market reforms and, in the latter case, coca eradication as well. In 1997, Mapuche activists in Chile burned down three

trucks owned by a lumber company whose plantations had occupied ancestral lands, and since then the Mapuche movement and the Chilean state have been locked in a low-intensity conflict. In the early twenty-first century, in the context of the region's export boom, indigenous groups in Argentina, Brazil, Colombia, and Ecuador protested against economic projects that relied on the exploitation of raw material extraction and frequently left behind environmental devastation in lands where indigenous peoples lived. (These protests are discussed in detail in [Chapter 13](#).)

Moreover, these indigenous movements backed up demands, more or less explicitly formulated, for a break with the past discourse about mestizaje and indigenismo. This discourse and its associated policies were denounced as assimilationist, for they encouraged indigenous peoples to assimilate into the dominant culture. They were criticized for highlighting class identities and playing down racial and ethnic identities – as noted above, indigenous peoples were treated simply as *campesinos* (peasants). In brief, these movements called for a recognition of their place within the nation as indigenous peoples ([Van Cott 2005a](#); [Yashar 2005](#); [Madrid 2012](#); [Becker and Stahler-Sholk 2019](#)).

***Beyond the Old Discourse on Mestizaje and Indigenismo.*** These movements had a significant impact, and their demands were met, at least in part, in many countries. The first countries to constitutionally recognize indigenous peoples were Colombia, in 1991, and Bolivia, in 1994–1996. Such constitutional recognition usually was made by acknowledging the multi-ethnic and pluricultural nature of the society. The constitutional recognition in some countries went even further, by declaring that they were plurinational states, that is, states within which several different nationalities

coexisted. Ecuador, in 2008, was the first country to claim it was a plurinational state, and Bolivia followed suit, in 2009.

In addition, Latin American constitutions were rewritten or amended to enshrine a series of multicultural rights. These include the right of indigenous peoples to collective property, to institutions of self-government, to their culture (e.g., by giving an official status to indigenous languages and/or by using it in education), and to the use of customary law (see [Table 2.10](#)). Jointly, these rights strengthen the autonomy of indigenous communities. Indeed, the steps taken to acknowledge the rights of indigenous peoples in a majority of Latin American countries add up to a significant development.

**Table 2.10** Multicultural rights for indigenous peoples in Latin America, c. late 2010s

Region/country	Constitutional recognition	Collective land rights	Self-government rights	Cultural rights	Customary law
<b>South America</b>					
Argentina	1994	√	x	√	√
Bolivia	1995	√	√	√	√
Brazil	1988	√	x	√	√
Chile	1993, by statute	x	x	x	√
Colombia	1991	√	√	√	√
Ecuador	1998	√	√	√	√
Paraguay	1992	√	√	√	√
Peru	1993, 2003–2004	√	√	√	√
Uruguay	x	x	x	x	x
Venezuela	1999	√	√	√	√
<b>Mexico, Central America, and the Caribbean</b>					
Mexico	1917, 1992, 2001	√	√	√	√
Costa Rica	1977, 1993, 1999 laws	√	x	√	√
El Salvador	1983, 1991–1992	√	x	x	x
Guatemala	1986	√	x	√	√
Honduras	1982	√	x	√	√
Nicaragua	1987, 1995	√	√	√	√
Panama	1972, 1983, 1993–1994	√	√	√	√
Cuba	x	x	x	x	x
Dominican Republic	x	x	x	x	x

*Notes:* √ = the right is recognized.

x = the right is not recognized.

*Source:* Authors' elaboration, based on [Van Cott 2005b](#): 833; [Aguilar et al. 2010](#): 92–3; [Lucero 2013](#): 20; and [Comparative Constitutions](#)

At the same time, the extent of change should not be exaggerated. In many countries, these changes were formulated in a top-down fashion – even if triggered by a bottom-up mobilization – aimed more to control than to empower indigenous groups, and did not actually break with the ideology of mestizaje ([Wade 2010](#): 138–44). Thus, it is crucial to distinguish how far countries have gone in meaningfully rebuilding nations on a multicultural basis. On the one hand, the countries that have gone further in this regard are Bolivia, Colombia, Ecuador, and Venezuela; some scholars add Mexico and Panama to this list. In Chile, the new constitution in preparation as of 2021 is likely to take important steps to recognize the rights of indigenous peoples. On the other hand, the countries that have done little to reshape the nation in a multicultural sense are Cuba, the Dominican Republic, El Salvador, and Uruguay ([Van Cott 2006](#): 276–8; [Lucero 2013](#): 19; [Fuentes and Fernández 2020](#)). Moreover, in some countries, the legitimacy of certain changes was debated and questioned. See [Box 2.3](#) on the academic counterpart of these debates.

### **Box 2.3** Debates: Indigenous Customary Law and Gender

The recognition of indigenous customary law has been questioned by some observers. The possibility that multiculturalism is “bad for women” has been raised broadly by the feminist theorist [Susan Moller Okin \(1999\)](#). Indeed, she suggests that the recognition of certain cultural practices could lead to the reproduction or accentuation of patriarchy and gender discrimination. Additionally, political scientists Donna Lee [Van Cott \(2008: 226–30\)](#) and Deborah [Yashar \(2005\)](#) argue that indigenous cultures in Latin America are supportive of some illiberal practices and have displayed sexism.

However, political scientist José Antonio [Lucero \(2013: 31–4\)](#) stresses the importance of questioning the assumption behind these claims. He argues that “many Indigenous women have carved out the room in which to forge spaces for the elaboration of projects at the intersection of indigeneity, gender, and class.” Indeed, he stresses that “Indigenous women are not without the agency to work toward more equitable gender orders within the context of Indigenous projects of autonomy and self-governance.”

This debate has not been settled.

### 2.5.2 Afro-Descendants and the Nation

Additional challenges to the older constructs of the nation came from Afro-descendants. In particular, Afro-descendants questioned the idea of racial democracy and sought to address racial discrimination. See [Photo 2.5](#) on one example of Black protests.



**Photo 2.5 Afro-Brazilian protest against racism, 2020** Urban Afro-Brazilians have been at the forefront of the fight against racism in Latin America. In the photo, two protestors kneel in front of police officers in a show of solidarity after the death of African-American George Floyd in Minneapolis, in May 2020. The protest took place in São Paulo, Brazil, in June 2020.

*Source:* © dpa picture alliance/Alamy.

***The Rise of Afro-Latin American Social Movements.*** From the early 1980s, Afro-descendants organized and mobilized as Blacks and challenged racial discrimination and the marginalization of Black identity. This fight

had to contend with the widespread view that Latin American countries were racial democracies and hence did not have problematic race relations akin to the United States. Nonetheless, after years of organizing, an Afro civil society began to mature in Brazil, Colombia, and Central America.

These bottom-up actions coincided with various government statements and decisions, such as Brazilian President Fernando Cardoso's historic speech in 2001, in which he became the first Brazilian president to recognize that racism and racial discrimination existed in his country. Also important was the landmark 2001 UN World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa ([Andrews 2004](#): 182–90; [Paschel and Sawyer 2009](#); [Paschel 2016](#): ch. 3; [Dixon 2020](#)).

Jointly, these actions launched what historian George Reid [Andrews \(2004](#): 187) calls “a genuine ‘paradigm shift’ in how Latin Americans think about race.” The new way of thinking took as its point of departure the recognition that it was a myth that Latin American societies were racial democracies. And the rejection of what had been a widely held belief – and even an official ideology – opened the door to a revision of the relationship between race and nation.

***Beyond the Myth of Racial Democracy.*** Much as the revival of indigenous identities was accompanied by some significant innovations, so too did the rise of Afro-Latin American social movements and the growing recognition of the myth of racial democracy lead to important, if uneven, changes (see [Table 2.11](#)).

**Table 2.11** Multicultural rights for Afro-descendants in Latin America, c. late 2010s



Region/country	Group recognition	Collective land rights	Self-government rights	Cultural rights	Customary law	Anti-racial discrimination rights
<b>South America</b>						
Argentina	x	x	x	x	x	√
Bolivia	√	√	√	√	√	√
Brazil	√	√*	x	x	x	√*
Chile	√	x	x	√	x	√
Colombia	√	√*	√	√	x	√
Ecuador	√	√*	√	x	x	√*
Paraguay	x	x	x	x	x	√
Peru	√	x	x	x	x	√*
Uruguay	–	–	–	–	–	√
Venezuela	x	x	x	x	x	√
<b>Mexico, Central America, and the Caribbean</b>						
Mexico	√	x	x	x	x	√*
Costa Rica	√	x	x	x	x	√
El Salvador	–	–	–	–	–	√*
Guatemala	√	√	x	√	x	√
Honduras	√	√*	x	√	x	√
Nicaragua	√	√*	√	√	√	√*
Panama	x	x	x	x	x	√*
Cuba	x	x	x	x	x	√*
Dominican Republic	–	–	–	–	–	√

*Notes:* √ the right is recognized.

\* the right is recognized in specific, strong terms.

x the right is not recognized.

– Data are not available.

*Source:* Authors' elaboration, based on [Hooker 2009a](#): 144; [Hernández 2013](#): 200; [CEPAL 2017, 2020c](#): ch. 2; [Rangel 2019](#); and [Comparative Constitutions Project 2020](#).

One group of countries that have made a strong commitment to the multicultural rights of Afro-descendants includes Bolivia, Brazil, Colombia, Ecuador, and Nicaragua. A second group has taken important steps: Ecuador, Guatemala, Honduras, and Peru. However, few if any steps to recognize the multicultural rights of Afro-descendants have been taken in many other countries: Argentina, Costa Rica, Mexico, Paraguay, and Venezuela ([Hooker 2009a](#): 143–6; [CEPAL 2017, 2020c](#): ch. 2; [Rangel 2019](#)). That is, Afro-descendants have made varying degrees of progress in different countries.

***Indigenous Peoples and Afro-Descendants Compared.*** More broadly, a contrast between the demands made by indigenous peoples and Afro-

descendants, and the response to these demands, deserves underscoring.

Indigenous groups have tended to make territorially focused demands – that is, in certain areas of a country – and have effectively portrayed themselves as having a distinct culture. In contrast, urban Blacks in particular have placed the focus on racial discrimination, and Blacks in general have not been seen as having a distinct autochthonous culture. In turn, Latin American states have largely treated multiculturalism as more relevant to indigenous peoples, who are seen in ethnic terms, than to Afro-descendants, who are seen in racial terms and considered lacking an ethnic identity that justifies constitutional protection ([Hooker 2005](#), [2009b](#): 80–2; [Wade 2010](#): chs. 2 and 5; [Rahier 2014](#): ch. 4; [Paschel 2016](#); [Hernández 2019](#): 126–8).

As a result, Afro-descendants have not made as many advances as indigenous peoples (compare [Tables 2.10](#) and [2.11](#); see also [Paschel 2016](#): 11). Indeed, as political scientist Juliet [Hooker](#) (2005: 305–6) has argued, Latin American countries are simply “more amenable to demands made on the basis of cultural difference or ethnic identity than racial difference or racial discrimination, and this mode of justifying group rights determines the greater success of indians than blacks.”

Thus, despite gains made in nation building based on the idea of multiculturalism, the nation remains subject to contestation in the early twenty-first century. Blacks still face resistance when they make claims in overtly racial terms, such as the call for an end to racial discrimination. Moreover, to be successful, Blacks have on occasion presented their claims as though they were an indigenous people; that is, they have had to “Indianize” their claims ([Lucero 2013](#): 34; [Rahier 2014](#): 90–2). Although both Blacks and Indians continue to suffer from racial discrimination, an

incentive has been created to privilege cultural recognition over racial discrimination.

## 2.6 Summary

We initially defined a nation as a stable community that shares a culture. Nations can coincide with a state or not. A state that shares the same space with a nation is called a nation-state. But multinational states can also exist. We also emphasized that nations are never finished products, but rather the subject of ongoing projects.

Then, we offered a sweeping overview of the nation in Latin America. We argued that nation builders in Latin America operated with a series of structural and historical constraints, and we spelled out two legacies of colonialism – the variable racial and ethnic composition of different countries, and a sense of racial hierarchy – that conditioned subsequent nation-building efforts. Thereafter, we identified three different periods of nation building in Latin America, from 1880 to contemporary times.

In a first period, from 1880 until 1930, liberal elites sought to build nations based on a vision that took white, civilized Europe as a model and treated the existence of indigenous peoples and Afro-descendants as a problem. They pursued various policies to that end, such as the promotion of immigration, the use of national censuses, and national systems of education and military conscription. A few countries had some success in implementing this elite vision of the nation. In many others, the legacies of the past closed the door to some options that elites would have liked to pursue.

In a second period, spanning the 1930–1980 years, the old vision of the nation was almost turned on its head. Europe, and increasingly the

United States, were considered the problem, and *el pueblo* (the people) was treated as the true essence of the nation. The meaning of the nation was built in opposition to oligarchies and imperialism. Moreover, during this period, racial and ethnic identities were treated in a positive manner, in discourse about mestizaje, indigenismo, and racial democracy. However, to a considerable extent, class identities were emphasized, and racial and ethnic identities were sidelined.

In the third period, which starts in the 1980s, nations were reimagined, based on the idea of multiculturalism and a more plural vision of the nation. For the first time in the history of Latin America, the distinctiveness of indigenous peoples and Afro-descendants was recognized and treated as legitimate. Thus, over time, the sense of nationhood has become more inclusive of different races and ethnicities. Yet, as we note, tensions regarding the sense of the nation in Latin America endure and new national-building projects are likely to emerge.

## Discussion Questions

1. The colonial period and independence left several legacies that influenced nation-building projects in independent Latin America. What were the key legacies from colonial times? How did these legacies affect various nation-building projects?
2. We identify three nation-building projects in the history of Latin America. What are the main features of these three projects? What role did racial and ethnic identities have in each of these three projects about the nation?
3. Nation building is an ongoing, never-finished project. Based on the history of nation building in Latin America, and what you might know about other regions, what could Latin American countries do to build an inclusive and encompassing sense of community, in which all members are treated as equals?

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*Zapatista* (1999). 56 minutes. Traces the story of the Zapatista Mayan peasant uprising in Chiapas, Mexico.



3

# Political Regimes and Democracy





**Photo 3.1 Soldiers overlooking the Presidential Palace, *La Moneda*, during the military coup in Chile, 1973** During the twentieth century, one of the trademarks of Latin American political history was its oscillation between authoritarian and democratic rule. One of the most significant examples of both a lengthy democratic experience and the eventual breakdown of democracy was provided by Chile, where a decades-long democracy was toppled in a military coup led by General Pinochet. Only toward the end of the twentieth century did Latin America finally break with the pendular shift between different types of political regime and settle on democracy.

*Source:* © AFP/Stringer/Getty Images.

This chapter continues our broad historical overview of Latin America by offering a discussion of democracy and authoritarianism. Voting in democratic elections can at times feel like a routine act, and one that has little impact. The day-to-day working of democracies might seem mundane. Some observers even criticize democracy for being inefficient. However, the stakes of democracy become palpable when democracy is overthrown and when citizens who lived under democracy experience dictatorship. The

type of political regime a country has – in stark terms, whether it is a democracy or a dictatorship – is a key concern.

The chapter begins with a discussion about the meaning of political regime and democracy, and previews Latin America's record of democracy and authoritarianism. Thereafter, the next three sections focus on three periods in the history of political regimes in Latin America: (1) a period of oligarchic dominance, from 1880 to 1930; (2) a period of mass politics and regime instability, from 1930 to 1980; and (3) a democratic age, from 1980 to the 2010s. Throughout this discussion, we ask the following questions. What types of political regime did Latin America have? When did democracy flourish and when was it rare? What factors accounted for the rise and fall of democracy? Relatedly, what actors supported or undermined democracy? In the chapter's concluding section, we briefly summarize the answers to these questions.

## **3.1 Concepts and Overview**

We begin the chapter by addressing two basic questions: What is political regime? What is democracy or a democratic regime? We then offer a preview of Latin America's history of political regimes and democracy.

### 3.1.1 Political Regimes and Democracy

*Political regime* is a central concept in political analysis that can be traced back to Plato and Aristotle. It is sometimes also called the form of government, and can be defined as a system of rules that regulates, at a minimum, how key government offices are accessed (e.g., through free and fair elections, a military coup d'état, a revolution). More expansive definitions of a political regime also address the way in which government decisions are made (e.g., following or not the constitution, with or without checks and balances). It is important, nonetheless, to distinguish the political regime from the state ([Mazzuca 2010](#); [Mazzuca and Munck 2020](#): 65–70). Concepts such as democracy and dictatorship concern the political regime, that is, democracy and dictatorship are types of political regime. In contrast, concepts such as patrimonial and rational-legal administration relate to the state (see [Chapter 1, section 1.1.2](#)).

Turning to democracy, there is considerable discussion in both academic and policy circles about how democracy should be defined. Most definitions rely on some notion of free and fair elections, thus suggesting that a country is democratic not just if it holds elections, but rather when it holds a certain kind of elections. Beyond this key point, however, there is disagreement. Some definitions are narrow; others are more encompassing. Some definitions include only political rights (e.g., the right to vote and to run for office); others add civil and/or social rights. This is an important discussion that affects whether countries are considered democracies or not.

We do not seek to dismiss or resolve this debate here. Nevertheless, for the purpose of the empirical analysis in this chapter, we propose a working

definition of democracy that is influenced in particular by the work of political scientist and democratic theorist Robert [Dahl \(1971, 1989\)](#). This definition has been widely adopted in the social sciences.

We view *democracy* as a type of political regime that meets the following five criteria:

- (1) Regular elections are the means of access to top political offices (the top level of the executive and legislative branches of government).
- (2) All adults that are citizens of a country have the right to vote in elections.
- (3) Citizens have the right to organize parties and run for office.
- (4) Elections are devoid of fraud and neither citizens nor candidates participating in elections are threatened.
- (5) Citizens have the freedom of expression, association, and assembly, as well as the right of access to information.

Countries can meet these criteria fully or partly. For example, some citizens may have the right to vote in elections and others may not. Some parties may be allowed to run in elections and others may be banned. Countries can also meet some of these criteria and not others. For example, a country might allow all citizens to vote but ban some political parties. And such shortcomings are problems of democracy.

However, these shortcomings do not necessarily make a country a nondemocracy. Indeed, it is appropriate, especially in a chapter that provides a historical overview of the record of political regimes in Latin America, to acknowledge not only that some countries are democracies and others are not, but also that some democracies are more democratic than

others. Thus, in this chapter, we distinguish three main types of political regime: (1) democracies, (2) partial democracies, and (3) authoritarian regimes. (We will also distinguish among varieties of authoritarianism.)

*Democracies* largely fulfill all five of the criteria we mention above. Of course, some minor deviation from these standards is inevitable. For example, in one part of a country some voters may not be allowed to vote freely, whether because they are pressured to vote for a particular candidate or are denied the right to express themselves freely. Yet, inasmuch as these five criteria are met with only minor infractions, a country can be considered to have a democratic regime.

*Partial democracies* meet some criteria of democracy but have some deficiencies in others. The typical case here concerns the right to vote, which has frequently been extended gradually to different parts of the population. In this scenario, a case could be made that so long as the right to vote is not limited only to the elites, the nature of the election is at least partly democratic. Other scenarios are also relevant. Elections can be fully democratic but with some political offices (e.g., some seats in the Senate) being filled through appointment rather than election. In each of these scenarios, the regime is not fully democratic, yet it is not authoritarian and is thus best understood as partially democratic.

Finally, *authoritarian regimes* (other terms for this type of regime are dictatorships and autocracies) fully fail to meet one or more of these five criteria. The most obvious cases of authoritarianism are those that simply do not hold elections. However, other scenarios are possible:

- Most of the criteria are met, but only a small fraction of the population (e.g., white male property owners) has the right to vote.

- Most of the criteria are met, but only one party or candidate can run for office.
- Most of the criteria are met, but elections are so fraudulent that the result of elections is altered.

In each of these scenarios, a single shortcoming is critical enough to make the process simply undemocratic.



### 3.1.2 Regimes and Democracy in Latin America

Using these distinctions, what follows provides an overview of political regimes and democracy in Latin America. We will analyze three periods that coincide with those used in the discussion of the nation: 1880–1930, 1930–1980, and 1980–2010s (see [Chapter 2](#)). And we will discuss the key developments and distinct patterns of each period (see [Table 3.1](#)).

**Table 3.1** Political regimes and democracy in Latin America: an overview

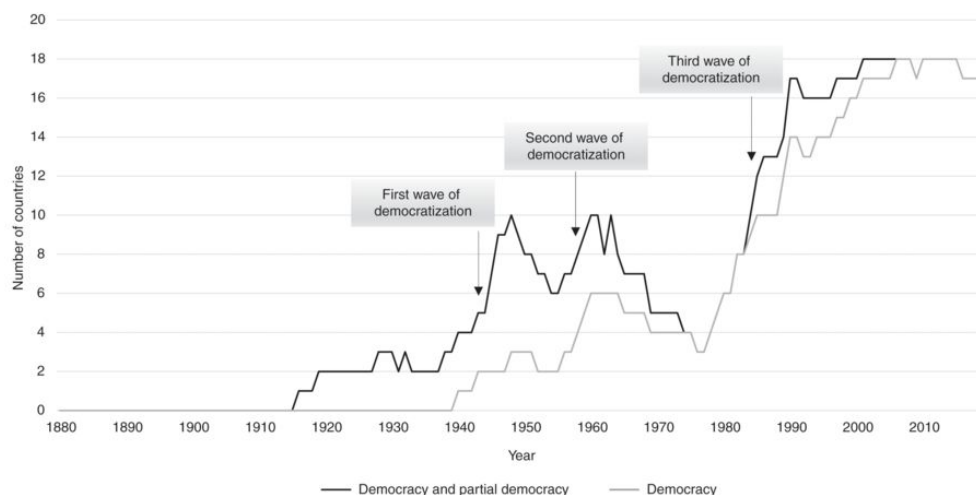
Period	Key developments
1880–1930: Oligarchic dominance and authoritarian regimes	Dominance of the oligarchy Constitutional oligarchies as the typical authoritarian regime A variety of authoritarian regimes A few partial democracies
1930–1980: Transition to mass politics and regime instability	End of the dominance of the oligarchy with the entry of the masses into politics Demand to extend the suffrage to women Initial democratic failures and successes Populist leaders and entry of the military into politics The Cuban Revolution (1959) and Cold War tensions Harsh authoritarian regimes (1960s–1970s) Military dictatorships as the typical regime
1980–2010s: A democratic age	Wave of democratization (1980s–1990s) End of the Cold War Democracies are the norm and are durable Democracies are not partial democracies

*Source:* Authors' elaboration.

As a supplement to this overview, it is instructive to consider the number of Latin American countries that were democracies and partial democracies over the entire 1880–2010s period (see [Figure 3.1](#)). This panoramic view shows the considerable progress made in Latin America. The region had no democracies in the late nineteenth century and nearly all countries were democracies in the early twenty-first century. However, this figure also shows that the middle period, between 1930 and 1980, was a particularly volatile one, waves of democratization – periods when a considerable number of countries move toward democracy – being followed

by the retreat of democracy, not once but actually twice. The attainment of democracy was anything but a simple, linear process.

Next, we discuss this rich political experience.



**Figure 3.1** Democracy in Latin America, 1880–2010s.

*Note:* The figure offers a simple count of countries in Latin America that meet the criteria to be classified as a democracy or a partial democracy. The line for “democracy and partial democracy” includes both democracies and partial democracies. The line for “democracy” is the subset of democracies. Thus, the difference between the two lines is the number of partial democracies. The total number of countries in Latin America is nineteen.

*Source:* Authors’ elaboration, based on data presented in [Tables 3.2](#), [3.5](#), and [5.1](#).

## **3.2 Oligarchic Dominance and Authoritarian Regimes, 1880-1930**

The first period in the history of political regimes and democracy started once the process of state formation had been completed. During this period, a social class known as the oligarchy was the dominant actor. Thus, we focus on the oligarchy in this section.

### 3.2.1 The Power of the Oligarchy

Members of the *oligarchy* were the wealthiest people in their countries. Many were cattle barons, sugar planters, coffee growers, mine owners, and bankers who took advantage of a rapidly expanding global economy. And they held great economic power in their hands.

An extreme case was that of El Salvador. In the early twentieth century, the oligarchy of El Salvador was comprised, at its core, of fourteen family groups and sixty-five families in all, and they controlled the production and export of coffee, sugar, and cotton ([Dunkerley 1985](#): 7, 295–8). In other countries, although the size of the oligarchy was larger, the concentration of economic power was still notable. For example, in Peru, it was common to refer to “the Forty Families” who owned most of rural Peru, possessing landed estates of hundreds of thousands of hectares. In Argentina, the oligarchy consisted of several hundred families that owed their wealth to land ownership, finance, and commerce. If we consider the region as a whole, the number of oligarchic families varied from only several dozen to a few hundred ([Gilbert 2017](#): 11–13, 41, 55).

Members of the oligarchy also had a special social status. In part because of their descent from white Europeans, they related to other members of society – to common people – in a hierarchical fashion. They also supported, and benefited from, the elite vision of the nation that prevailed during this period (see [Chapter 2, section 2.3](#)). See [Photo 3.2](#) for depictions of the oligarchy.



**Photo 3.2 The oligarchy in Mexico and Argentina** Depiction of President Porfirio Díaz during the oligarchic age in Mexico, late nineteenth century (top), and of members of the oligarchy in a social setting in Argentina, late nineteenth century (bottom).

*Source:* (top) © Album/Alamy.

Finally, political power was firmly in the hands of members of the oligarchy. All governments during this period were pro-oligarchic in a

policy sense; that is, they supported policies that benefited the oligarchy. Many times the oligarchy ruled directly; presidents, ministers, and congress members were frequently coffee barons (e.g., Brazil), sugar planters (Peru), mining barons (e.g., Bolivia), or owners of agricultural estates (Chile) ([Gilbert 2017](#): ch. 2). However, the political regimes varied in substantial ways, a point we elaborate in detail in the [next section](#).

### 3.2.2 Varieties of Regimes

During the period of oligarchic dominance, Latin American countries had various types of political regimes (see [Table 3.2](#)).

**Table 3.2** Political regimes in Latin America, 1880–1930

Region/country	Type of political regime				Partial democracy
	Authoritarian regimes				
	Constitutional oligarchy	Civilian authoritarian	Personalist dictatorship	Puppet regime**	
South America					
Argentina	1880–1916				1916–1930
Bolivia	1884–1934*				
Brazil	1891–1930				
Chile	1833–1920				
Colombia	1886–1899, 1909–1938				
Ecuador	1895–1925*				
Paraguay		1886–1936		1870–1876	
Peru	1860–1919*				
Uruguay	1890–1918				1919–1933
Venezuela			1889–1908, Cipriano Castro; 1908–1935, Vicente Gómez		
Mexico, Central America, and the Caribbean					
Mexico			1876–1911, Díaz		
Costa Rica	1889–1928*		1870–1882, Guardia		1928–1948
El Salvador		1871–1976, 1885–1927		1876–1885	
Guatemala			1873–1885, Barrios; 1898–1920, Estrada Cabrera		
Honduras	1925–1932*	1876–1903		1907–1924	
Nicaragua			1893–1909, Zelaya	1909–1933	
Panama				1904–1939	
Cuba				1903–1934	
Dominican Republic	1924–1930*			1916–1924	

*Notes:* The table includes relatively durable regimes that existed in the 1880–1930 period; some originated earlier and some continued after 1930. In some cases, these periods include interruptions (e.g., civil war in Chile 1891).

\* Country periods with asterisks had less constitutional rule than the other constitutional oligarchies.

\*\* The term “puppet regimes” is used when the leaders are directly appointed by an occupying force (e.g., President Roosevelt appointed Charles Maggon as “provisional governor” of Cuba during 1906–1909) or

when foreign occupation either conditioned who was the country's leader or restricted the power of a country's leader.

*Source:* Authors' elaboration.

***Constitutional Oligarchies.*** The most common regime type – indeed, the typical one – was a constitutional oligarchy (the labels oligarchic republics and republican oligarchies are frequently used to refer to the same regime type). These regimes were characterized by a considerable respect for constitutional rule – which put a limit on the arbitrariness of political leaders – and the use of regular elections as a means of access to the presidency and the legislature.

Constitutional oligarchies varied in terms of their compliance with the constitution and their openness to participation and competition (see column 2 in [Table 3.2](#)). Some countries (e.g., Argentina, Brazil, and Chile) were good examples of constitutional rule. In contrast, some cases had occasional constitutional breakdowns. For example, Costa Rica had a brief military regime in 1917–1919. Electoral fraud and violence and/or restrictions on competition were more prevalent in some countries or periods than in others. However, a common feature of constitutional oligarchies was that even when the popular classes could vote, their participation was manipulated by the elites. Moreover, women were denied the right to vote in all constitutional oligarchies ([Drake 2009](#): ch. 5; [Sabato 2018](#): ch. 2).

Some numbers provide a measure of the extent to which suffrage was limited. In Argentina, the average percentage of voters relative to the total population for the 1880–1910 elections was 2.6 percent; for a point of comparison, this figure was 17.2 percent once workers were fully enfranchised (in 1946) and 42.3 percent once women gained the right to vote



(in 1951). In Brazil, the same figure – the average percentage of voters relative to the total population – for the 1891–1930 elections was 2.0 percent, and in Chile for the 1891–1920 elections it was 3.9 percent ([Ochoa 1987](#): 869, 872–3). Even the more open constitutional oligarchies (e.g., Argentina, Brazil, and Chile) were not partial democracies.

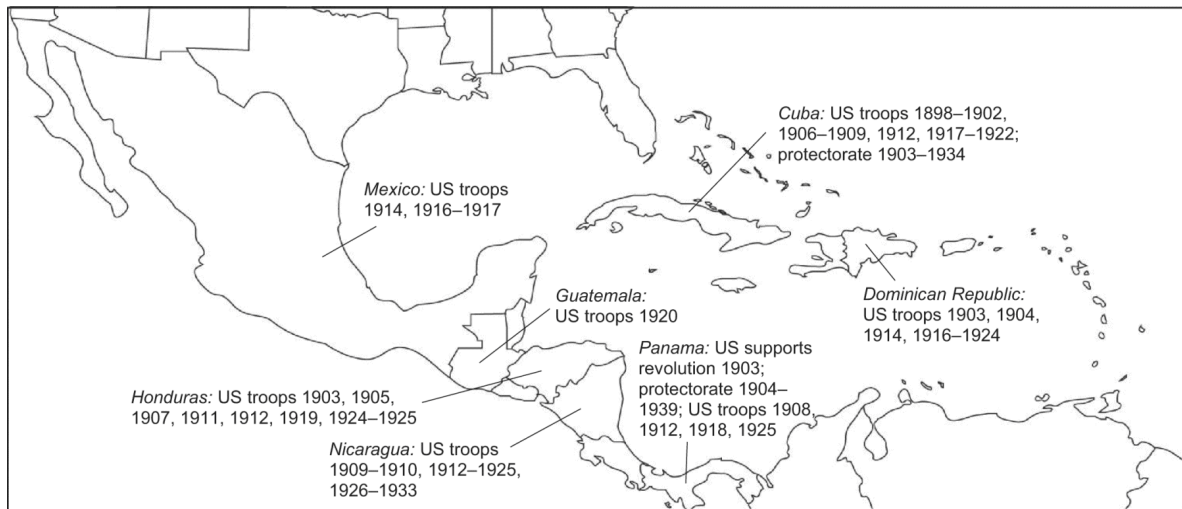
***Civilian Authoritarianism.*** Another regime type found in Latin America in the late nineteenth and early twentieth century was a civilian type of authoritarianism. These regimes shared elements with constitutional oligarchies, in that they relied on regular elections. Nevertheless, the replacement of leaders regularly involved force or electoral fraud. Paraguay, El Salvador, and Honduras were examples of this type of regime. In these cases, infighting among factions of the oligarchy was not managed within constitutional rules. For example, two parties – the Liberals and Colorados – were prominent in Paraguay during 1886–1936. Still, presidents were regularly overthrown, military coups frequently took place, and civil war raged during some periods. Although elections continued to be held, with a narrow suffrage, as in constitutional oligarchies, constitutions were simply not binding documents.

***Personalist Dictatorships.*** A third regime type was a personalistic dictatorship. These dictators frequently had a military background, and they sometimes were called *caudillos*, in a loose reference to the regional military leaders who fought in the civil wars immediately after independence. However, since these dictators were national leaders, they are more accurately treated as strongmen who concentrated great political power.

In some countries, personalistic dictators ruled continuously for several decades. Such dictators played a prominent role in Mexico, Venezuela, and

several Central American countries (briefly in Costa Rica, and for longer periods in Guatemala and Nicaragua). In some cases – such as with Juan Vicente Gómez, ruler of Venezuela during 1908–1935 – these dictators stayed in office without holding elections. In other cases – such as with Porfirio Díaz, ruler of Mexico during 1876–1911 – elections were held. Yet, in line with the pattern at the time, the number of voters who could participate in these elections was small. In Mexico, the average percentage of voters relative to the total population in the 1876–1911 elections was 0.1 percent ([Ochoa 1987](#): 888).

***Puppet Regimes.*** Another regime type was strongly shaped by external forces. The first three decades of the twentieth century were a time when the United States intervened frequently in the affairs of countries in Central America and the Caribbean in particular. These interventions were carried out under the guise of the US Monroe Doctrine of 1823 and the Roosevelt “corollary” or extension to the Monroe Doctrine of 1905; through these policies, the United States claimed the right to intervene in the affairs of Latin American countries ([McPherson 2016](#): chs. 1–6). These interventions were largely motivated by US interest in protecting US investments in sugar and banana plantations (e.g., the United Fruit Company in El Salvador, Honduras, and Guatemala). And they were carried out by force, through the threat of or actual deployment of the US Marines. They led to prolonged periods of occupation on several occasions until the early 1930s, when the United States adopted a less interventionist policy, the 1933 Good Neighbor policy (see [Map 3.1](#)).



**Map 3.1** US military interventions in Latin America, 1898–1930s

*Source:* Authors' elaboration, based on [Williams 1980](#).

These US interventions affected the regime type of countries. Indeed, it is appropriate to call some regimes “puppet regimes,” in that they were conditioned heavily by the government of a different country. The two most obvious cases that fit this characterization are Cuba between 1903 and 1934 and Panama between 1904 and 1939. Both countries were formally protectorates of the United States, in that a treaty between these countries and the United States – the Cuban–American Treaty of Relations and the Hay–Bunau–Varilla Treaty in the case of Panama – gave the United States the right to intervene in the domestic affairs of the country ([Bethell 1993](#): ch. 2; [LaFeber 1989](#): chs. 2 and 3).

The United States also occupied other countries in Central America and the Caribbean, and it abridged their sovereignty in a number of ways. It landed its troops and limited the sovereignty of Honduras and Nicaragua for long periods. During its occupation of the Dominican Republic in 1916–1924, the US Navy took over all key government positions and controlled the army and the police. However, puppet regimes were not linked only with

US interventions. For example, Paraguay was under Argentinean and Brazilian occupation during 1870–1886, and in El Salvador Rafael Zaldivar ruled from 1876 to 1885 as a virtual appointee of the Guatemalan caudillo Justo Rufino Barrios. Puppet regimes were a somewhat common regime type prior to World War II.

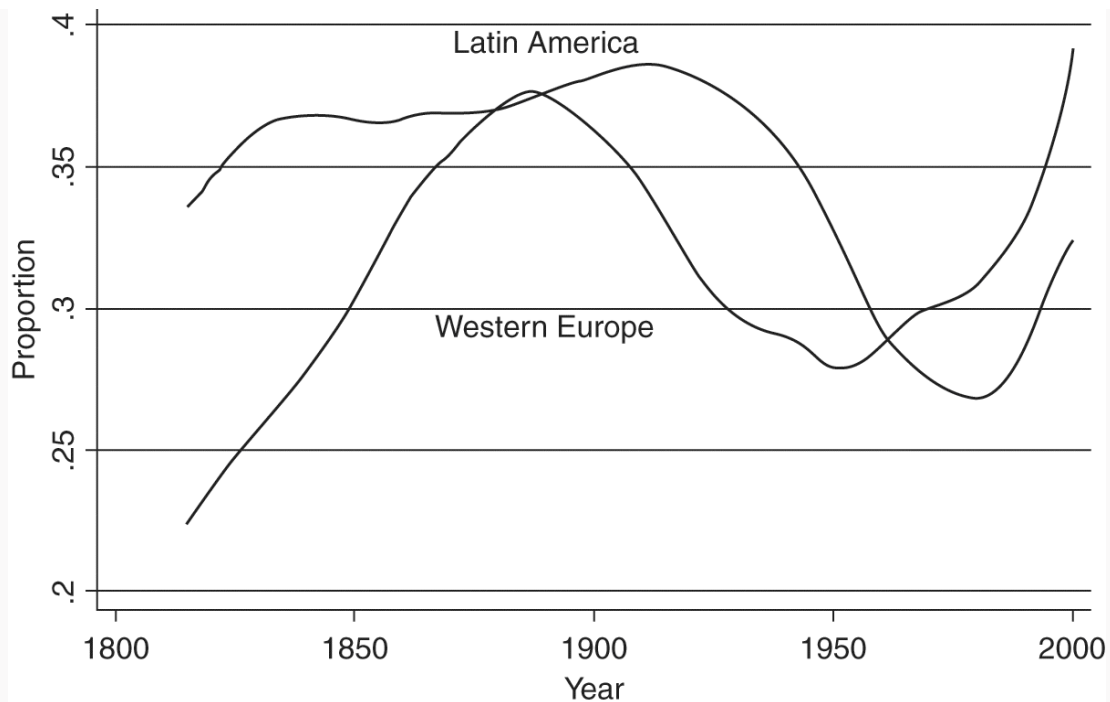
***Partial Democracies.*** Finally, toward the end of this period, a few constitutional oligarchies underwent democratic change and became partial democracies. This was the case of Argentina, Costa Rica, and Uruguay. Democracy was an exception to the general pattern. Furthermore, the democracy attained in these countries was a partial democracy, most obviously because in all of these countries women could not vote. However, these countries had taken an important step toward democracy.

In sum, during the period of oligarchic dominance, a variety of authoritarian regimes prevailed (see [Table 3.2](#)). Nonetheless, if we take a global perspective, the region also had some relatively early experience with democracy, as we discuss in [Box 3.1](#). See also [Box 3.2](#) on the interesting scholarly debate about how the origins of democracy in Latin America might be explained.

### **Box 3.1** Thinking Comparatively: Democracy in Global Perspective

The status of many European countries, the United States, Australia, and New Zealand as early democratizers is well earned. However, as political scientist Adam Przeworski notes, the place of Latin America within the global history of democracy is also significant (see also [Posada-Carbó 2008](#) and [Sabato 2018](#)).

[Przeworski](#) (2010: 55; 2009: 14) remarks that “even if this observation sometimes evokes surprise among ethnocentric Europeans, it bears emphasis that Latin American countries tried elections earlier than Europe” and that “for a long time elections were more frequent in Latin America” (see [Figure 3.2](#)).

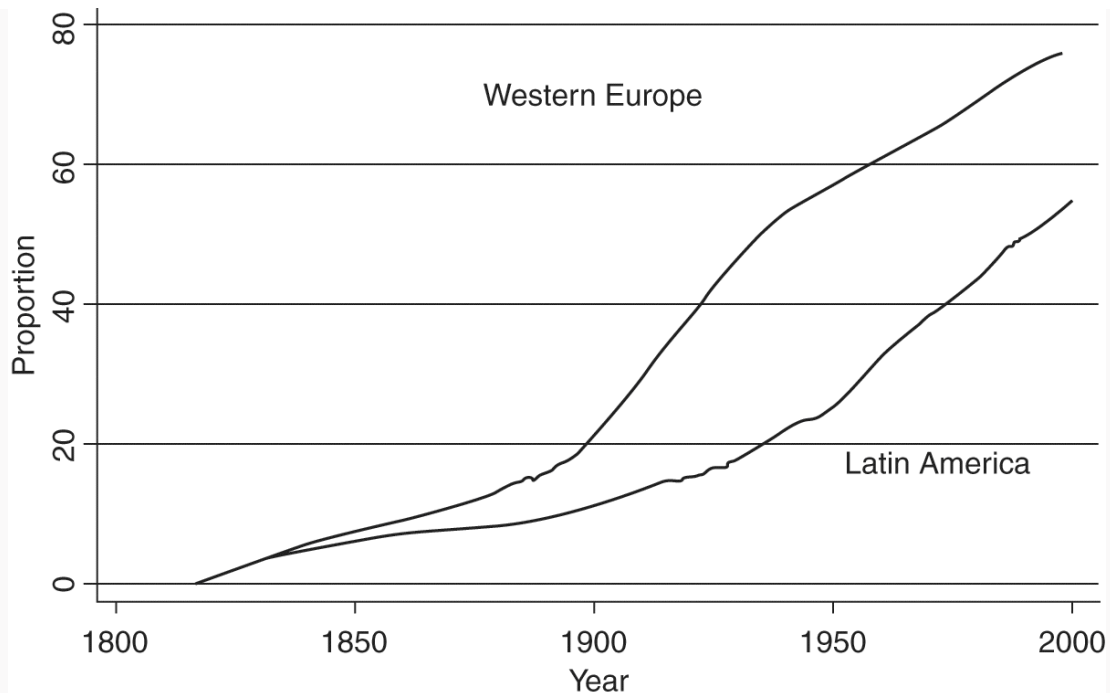


**Figure 3.2** Proportion of countries holding elections: Latin America and Western Europe, 1800–2000.

*Note:* The figure depicts the proportion of countries in each region holding either legislative or presidential elections in each year.

*Source:* [Przeworski 2009](#): 14, fig. 1. Distributed by SAGE Publications under a CC BY-ND license.

Moreover, [Przeworski \(2009: 15, 17\)](#) shows that “universal male suffrage ... arrived more or less at the same time in Western Europe and Latin America.” Indeed, although Latin America lagged behind Western Europe in this regard, the lag was not great (see [Figure 3.3](#)).



**Figure 3.3** Proportion of population eligible to vote in Latin America and Western Europe, 1800–2000.

*Note:* The figure depicts the average proportion of the population that had the right to vote in each region.

*Source:* [Przeworski 2009](#): 17, fig. 3. Distributed by SAGE Publications under a CC-BY-ND license.

Thus, when it is viewed in a broad comparative perspective, what stands out and is intriguing about Latin America is that “by and large, democratic attempts occurred in Latin America earlier and at lower levels of economic development than in Europe” ([Przeworski 2009](#): 7). As historian Hilda [Sabato \(2018](#): 1) argues, there is some basis for viewing the transformations in Spanish America in the nineteenth century as “part of the larger history that involved the English, the American, and the French revolutions” and that ushered in the idea of democracy and popular sovereignty.





### **Box 3.2** Debates: What Explains Early Success with Democratization?

The success of Argentina, Costa Rica, and Uruguay in attaining partial democracy has led scholars to wonder why some Latin American countries moved toward democracy and others did not.

One of the earliest ideas, suggested by historian James Bryce, after he visited many countries in South America in the early twentieth century, is that the level of economic development is important and that wealthier countries are more likely to make political progress ([Bryce 1912](#): 546–7).

More recent theories emphasize the social structure of a country. For example, scholars have argued that democratization is most likely when landlords who depend on the exploitation of peasants are weak, when the bourgeoisie (the class that supports a capitalist economy) is strong, or when nonelite classes (the middle class and workers) are strong ([Rueschemeyer \*et al.\* 1992](#); [Huber and Safford 1995](#); [Collier 1999](#); [Smith and Sells 2017](#): 37–41).

Yet other scholars focus on political factors and competition among political elites, who seek to gain an advantage by extending the suffrage to parts of the electorate they consider will support them ([Valenzuela and Valenzuela 1983](#); [Madrid 2019](#)).

The role of international factors, and the United States in particular, has also been discussed. For example, focusing on the impact of the United States on democracy in Latin America during 1900–1930, one scholar claims that “democracy ... had the earliest

and most success where the United States had the least influence” ([Drake 2009](#): 131; see also [Drake 1991](#)).

Some of the specific arguments put forth by scholars are rival explanations; that is, if one is right, the other is not. However, a complete explanation would most likely have to draw on a range of economic, political, cultural, and international factors.

### **3.3 The Transition to Mass Politics and Regime Instability, 1930-1980**

In the next period in Latin America's history of political regimes and democracy, some basic features stand out. After 1930, with significant variation from country to country, institutionalized politics ceased to be an activity in which only elites participated and advanced their interests. Now the masses – a term used in counterposition to the elites, and understood as including men of the middle class, the working class, and the peasantry – entered the stage and demanded a voice in government. Women also made demands on behalf of their rights. Thus, the demand for democracy strengthened.

Nonetheless, the entry of the masses and women into politics did not lead to democracy everywhere. Moreover, over time, as the power of the old oligarchy receded, other actors – populist movements, guerrillas, the military, and the United States – played an increasingly larger role, and the political dynamic unleashed by these actors had a negative impact on democracy. We discuss this complex story part by part, in chronological order, and we then offer a balance sheet for the record of democracy during this period.

### **3.3.1 Initial Democratic Failures and Successes**

A key turning point in Latin America's history was the transition from elite to mass politics with the appearance of new mass actors in the 1920s, 1930s, and 1940s. The Mexican Revolution of 1910–1920 was a first, early example of the mobilization of workers and peasants. The middle class also began to mobilize in the early part of the twentieth century. Then, with the Great Depression of 1929–1933, male workers and peasants (during this time, the labor force was predominantly male) began to have a salient role in politics throughout the region. See [Photo 3.3](#), which depicts two examples of these actors.



**Photo 3.3 Bottom-up and top-down forms of mass mobilization** The entry of the masses into politics was a common phenomenon in Latin America. In some countries, mass actors mobilized independently and brought about change in a bottom-up fashion. An example is the armed actions of Emiliano Zapata's peasant army in the context of the Mexican Revolution (top). In others, mass actors were mobilized from the state, in a top-down, controlled fashion. An example is the formation of trade unions during the Getúlio Vargas dictatorship in Brazil during 1937–1945 (bottom). The banner reads “the worker also has his place in the New State” that Vargas was creating.

*Source:* (bottom) The National Archives of Brazil.

Women also mobilized and demanded the right to vote. The extension of the right to vote to women in Great Britain in 1918 and 1928 and in the United States in 1920 was an important point of reference for feminists in Latin America. In several Latin American countries, women groups and leaders pressured for the suffrage. See [Photo 3.4](#) of two of the feminists that advocated for women's suffrage.



**Photo 3.4 Women activists and the vote** In the early twentieth century, women mobilized in Latin America to demand the right to vote. Two of the leaders of this movement were Elvia Carrillo Puerto of Mexico (left) and Paulina Luisi of Uruguay (right).

*Source:* (right) image by Wellcome Images, licensed under a CC-BY 4.0 license.

The growing demand for democracy by groups that had been excluded from participation in governmental decision-making was a major change that disrupted the oligarchic order. It also increased the prospects of democracy. Yet it did not necessarily lead to democracy. The transition to mass politics was not

always associated with democratization and in no case led directly to sustainable democracy. The mobilization of women also did not lead directly to the equal and universal suffrage. Indeed, the impact of the transition to mass politics and women's demands was ambiguous.

***Authoritarianism due to Oligarchic Resistance and Defeat.*** Under two very different scenarios, the demand for democratization by mass actors was effectively curtailed. In several cases, resistance to change was so strong that the old elites managed to hold onto power without making any major concession. In countries such as Paraguay, El Salvador, Honduras, Nicaragua, and the Dominican Republic, traditional, strongly personalistic forms of authoritarianism persisted.

In two cases, oligarchic resistance to change was defeated, but the change was so complete that the basis for political pluralism was eliminated. Such an elimination took place in the two Latin American countries that had full-blown social revolutions: Mexico and Cuba. The demand for democracy was the trigger of the Mexican Revolution. Cuba had a brief experience with democracy in 1940–1952. But the revolutions in Mexico in 1910–1920 and Cuba in 1959 destroyed the old regime and its supporters and replaced personalistic dictatorships (led by Porfirio Díaz in Mexico and Batista in Cuba) with a new kind of authoritarianism, one in which one single group – the Institutional Revolutionary Party (PRI) in Mexico and the Castro brothers and the Communist Party in Cuba – held all political power. In those cases, the path to democracy would be blocked for a long time.

***Paths to (Partial) Democracy.*** In contrast, efforts at democratization were successful where certain conditions held. In some countries (e.g., Chile), a key driver of change was intra-elite political competition. More precisely, competition among groups that already had access to public offices drove the

expansion of political rights to previously excluded groups, as one elite faction sought to gain political advantage over other elite factions through strategically granting suffrage to more citizens.

In other countries, where resistance from the old elites was strong (e.g., Argentina, Brazil, and Bolivia), change was driven more from below, as new classes – usually the middle classes first and workers and peasants later – mobilized to demand political rights. However, pressure from below was not always sufficient to dislodge the old elites from power, and in some instances the military, acting as a progressive force, played an important role in destroying the oligarchic order.

The pace and extent of democratization also varied. In a few cases, democracy was achieved relatively suddenly and fully, with a single step that eliminated all restrictions on both electoral participation and electoral competition. This was the case of Guatemala in 1945, Venezuela in 1948, Bolivia in 1952, Panama in 1960, and the Dominican Republic in 1963. Still, in the majority of cases, democratization began with the installation of a democracy that was restricted, usually with voting rights extended only to middle class males and some male workers.

The cases of gradual democratization also varied somewhat. In some countries (Argentina, Chile, Colombia, Costa Rica, and Uruguay), democratization proceeded incrementally until restrictions on the right to vote were fully removed. The prototypical case of a gradual and long process of democratization was Chile, where democratization began in 1925 with the abolishment of property restrictions on the right to vote (although this reform did not lead directly to democracy) and culminated with the enfranchisement of illiterates in 1970. A number of intermediary steps, including the enfranchisement of women in 1949 and the granting of an effective secret ballot in 1958, took place along the way. In other cases (e.g., Colombia), the key



restrictions that were gradually lifted concerned electoral competition rather than electoral participation. See [Box 3.3](#) on key dates in the extension of the suffrage.

### Box 3.3 A Closer Look: The Extension of the Suffrage

The extension of the suffrage is only part of the process of democratization. The right to vote is also only effective inasmuch as elections are held regularly. Indeed, we note that constitutions and laws in Latin America have recognized certain voting rights that simply could not be used. However, the dates when some key rights were legally recognized, and when some key restrictions on full participation in elections were lifted, are an indication of how the process of democratization unfolded (see [Table 3.3](#)).

**Table 3.3** The extension of the suffrage in Latin America\*

Region/country	Removal of property requirement	Removal of literacy requirement	Secrecy of balloting**	Women suffrage
<b>South America</b>				
Argentina	1912	1912	1912	1947
Bolivia	1952	1952	1952	1952
Brazil	1891	1985	1932	1932
Chile	1874/1925	1970	1890/1958	1949
Colombia	1936	1936	1853	1954
Ecuador	1861	1978	1861	1929/1946
Paraguay	1870	1870	1911	1961
Peru	1931	1979	1931/1963	1955
Uruguay	1918	1918	1918	1932
Venezuela	1945	1945	1946	1947
<b>Mexico, Central America, and the Caribbean</b>				
Mexico	1857/1917	1857/1917	1857	1953
Costa Rica	1913	1913	1925	1949
El Salvador	1883	1883	1950	1939
Guatemala	1945	1945	1945	1945
Honduras	1894	1894	1894	1955
Nicaragua	1893	1893	1893	1955
Panama	1904	1904	1904	1945
Cuba	1901	1901	1901	1934
Dominican Republic	1865	1865	1865	1942

*Notes:* \* When two dates are provided, the later date is when some measure is fully and legally implemented. Some of these regulations have changed, even frequently (as in the case of Guatemala).

\*\* The secrecy of balloting is a matter that affects the possibility that all citizens can express their views without intimidation; however, the lack of a secret vote is usually seen as having a negative effect on disadvantaged groups who must worry about the repercussions of voting publicly against the candidates supported by the elites.

*Source:* Authors' elaboration, based on [Lapp 2004](#): 163–4; [Nohlen 2005a](#), [2005b](#); [Drake 2009](#): 44, 46; and other sources.

Other restrictions on the right to vote, beyond those covered in [Table 3.3](#), have been used in Latin America. In the past, in some countries, only Catholics could vote (e.g., Ecuador and Brazil); some Afro-descendants were excluded from the right to vote (e.g., Argentina and Brazil), and some indigenous people could not vote (e.g., Brazil) ([Bushnell 1968](#): 14–15, 26–8; [Holston 2007](#): 62–104; [Posada-Carbó 2008](#): 772; [Miki 2018](#): 13, 28–36). In some countries, some members of the security forces (the military and police) are still not allowed to vote ([Aragón Reyes 2007](#): 183).

A full picture of the extension of suffrage rights must include these other restrictions. However, the exclusions on the suffrage addressed in [Table 3.3](#) have been the main ones in Latin America.

***The Rights of Women and the Attainment of Full Democracy.*** The extension of the right to vote to women was central to the attainment of equal and universal suffrage, whereby all citizens above a certain age can vote in equality

of conditions. And the extension of the right to vote to women added to the complexity of the process of democratization.

First, the conquest of women's suffrage usually had distinctive features. The extension of voting rights to women, and thus the removal of an important restriction on participation, was sometimes part of the same process that led to the inclusion of men of the middle class and workers. Moreover, in several countries, male workers supported the demand to jointly extend the suffrage to broader sectors of the population and to women.

However, in many cases, the campaign for women's suffrage involved a discrete process. Inasmuch as it entailed a push from below, demands were fueled by feminist movements. The extension of the suffrage to women was also driven in fundamental ways by the international diffusion of new norms concerning the political rights of women, a factor that did not play a central role in the extension of the right to vote across class lines. Also, in many cases male-dominated labor groups were hostile to women's suffrage. Indeed, the attainment of women's suffrage was not simply a matter of overcoming the resistance of the men belonging to the elites.

Second, although the achievement of women's suffrage was a key step in the transformation of partial democracies into full democracies, it did not always complete the struggle over the vote. Even when women gained the right to vote, the right to vote was not always equal. For example, in some countries, voting by men was compulsory, whereas it was optional for women. Furthermore, even when women gained the right to vote, that right was not always universal. Because of other restrictions, some women – poor, indigenous, and Black women – continued to be disenfranchised for some time in several countries (e.g., Brazil, Ecuador, Peru). (Concerning the related question of equality in the right to run for office, women's right to run for office was nearly always acknowledged at the same time as their right to vote. The only exception to this

pattern was in El Salvador, where women gained the right to vote in 1939, but could not run for office until 1961.)

In brief, in most cases, democratization advanced through several steps that involved different political processes. Democratization usually advanced initially through the extension of the suffrage to men who did not belong to the upper class. Subsequently, women conquered or were granted the right to vote through a distinct process. Moreover, the extension of the right to vote to women was not always the last step on the road to equal and universal suffrage.

### **3.3.2 Populism and Military Coups**

As complex and fraught a process as the attainment of partial or full democracies was, achieving democracy was also only half of the challenge. Once countries became democracies, these democracies had to be protected. And as soon as democratic gains were made in the first wave of democratization in the 1940s, the difficulty of securing these gains became apparent. A common, unintended effect of the push to expand democracy was a backlash that destabilized the regime and quickly led to the breakdown of democracy.

Such a backlash was especially prevalent in countries that had strong populist movements, such as Argentina, Bolivia, Brazil, Ecuador, and Peru. These movements had some shared features. They relied on a charismatic leader who had a direct, personalized connection with followers and who bypassed intermediary organizations and institutions. They were supported by urban workers and, in some cases, peasants and were a vehicle for the empowerment of these mass actors. And they presented themselves as defenders of the people and contrasted the interests of the people to those of the oligarchy and, more broadly, the elites (see [Chapter 2, section 2.4](#)). See [Photo 3.5](#) on examples of populist leaders.



**Photo 3.5 Latin American populism** Juan Perón, Argentina's prototypical populist leader, addressing his followers from the balcony of the Argentine government house in the late 1940s. Perón was President of Argentina in 1946–1955 and 1973–1974. Other notable populist leaders in the mid-twentieth century were Getúlio Vargas, President of Brazil (1930–1945, 1951–1954) and Lázaro Cárdenas, President of Mexico (1934–1940).

*Source:* © Keystone/Stringer/Getty Images.

Where populist movements were viable contenders for power or had leaders who came to power, the old elites considered democracy threatening. And this tension led to repeated interventions by the military against democratically elected governments, either pressuring governments and forcing them to back down from policies they supported (Brazil 1951) or staging coups that produced the breakdown of democracy in country after country (Peru in 1948 and 1962, Venezuela in 1948, Guatemala in 1954, Argentina in 1955, the Dominican Republic in 1963, Ecuador in 1963, Bolivia in 1964, and Brazil in 1964). See [Box 3.4](#) for different views of populism.

### **Box 3.4** A Closer Look: Populism and Its Implications for Democracy

The term “populism” has many different and frequently supplementary meanings. Some definitions focus on the political dimension of populism, highlighting how populist movements center around a strong and charismatic leader who concentrates political power and places more emphasis on the direct and strong connection of the leader to the mass of followers than on intermediary organizations such as parties and parliaments.

Other definitions underscore the ideology expressed by such movements and, specifically, the way in which populists portray society as being composed of two conflicting groups – the common people, who stand for the whole of society, and the elites, who are portrayed as a foreign element – rather than of conflicting classes or other kinds of groups that are considered as parts of society.

Populism is also used to designate the economic and social policies of governments, which are seen as responding to the need of populist rulers to show short-term results that favor their base of support with little regard for their long-term sustainability.

Importantly, disagreement about the value of populism is common. The term “populism” is frequently given a negative connotation. Indeed, populism is commonly contrasted to liberal democracy and considered a problem that affects or threatens liberal democracy ([Riker 1982](#)).



However, some analysts see populism as a corrective to the tendency for elites, who share little with the common people, to dominate politics and corrupt democracy ([Laclau 2005](#), [2006](#)). Thus, these analysts view populism as necessarily introducing a tension in democratic countries, but they treat populist movements as a vehicle for a legitimate critique of the unavoidable distancing between rulers and citizens.

If we consider this period broadly, the tension between classes was a key factor in making democracy unsustainable. Initially, it was the old elites who were threatened by, and began to express doubts about, democracy. Over time, even the middle class was imperiled by populist movements. And when the middle class felt that democracy harmed its interests, the middle class or at least important sectors of the middle class also began to have reservations about democracy. Jointly, these civilian actors became allies of the military, who started to carry out anti-popular coups throughout the region. In a nutshell, as the distance between classes grew in the 1940s and 1950s, politics became more polarized and managing conflicts within democratic institutions became more difficult. See [Box 3.5](#) on the evolving involvement of the military in politics.

### **Box 3.5** A Closer Look: The Changing Role of the Military

Military coups d'état were common in Latin America in the twentieth century. Indeed, 163 coups occurred during the century ([Marshall and Marshall 2013](#); [Lehoucq and Pérez-Liñán 2014](#): 1110). In any case, not all military coups were alike and their implication for democracy varied over time.

As political scientist José Nun notes, the relationship between the armed forces and the middle class is a crucial one and dictates whether interventions of the military are progressive, in the sense of removing obstacles to democracy, or regressive, by blocking democracy. Specifically, [Nun \(1967](#): 103) argues that it was with the military's support that "the middle class achieved, at the beginning of the [twentieth] century, political recognition from the oligarchy; it was with their protection that it later consolidated itself in power; and ... it [was] with their intervention [in the 1960s] that it [sought] to ward off the threat posed by the popular sectors that it [was] incapable of leading."

Similarly, political scientist Samuel [Huntington \(1968](#): 220) writes that "[w]here the basic issues of politics involve the displacement of the oligarchy and the accession to power of the middle class, the military necessarily are on the side of reform." This was the case in Argentina, Chile, and Brazil early in the twentieth century, and in countries such as Bolivia, El Salvador, Guatemala, Honduras, and Venezuela during and after World War II. However, by the 1950s and 1960s, "the military began to play a

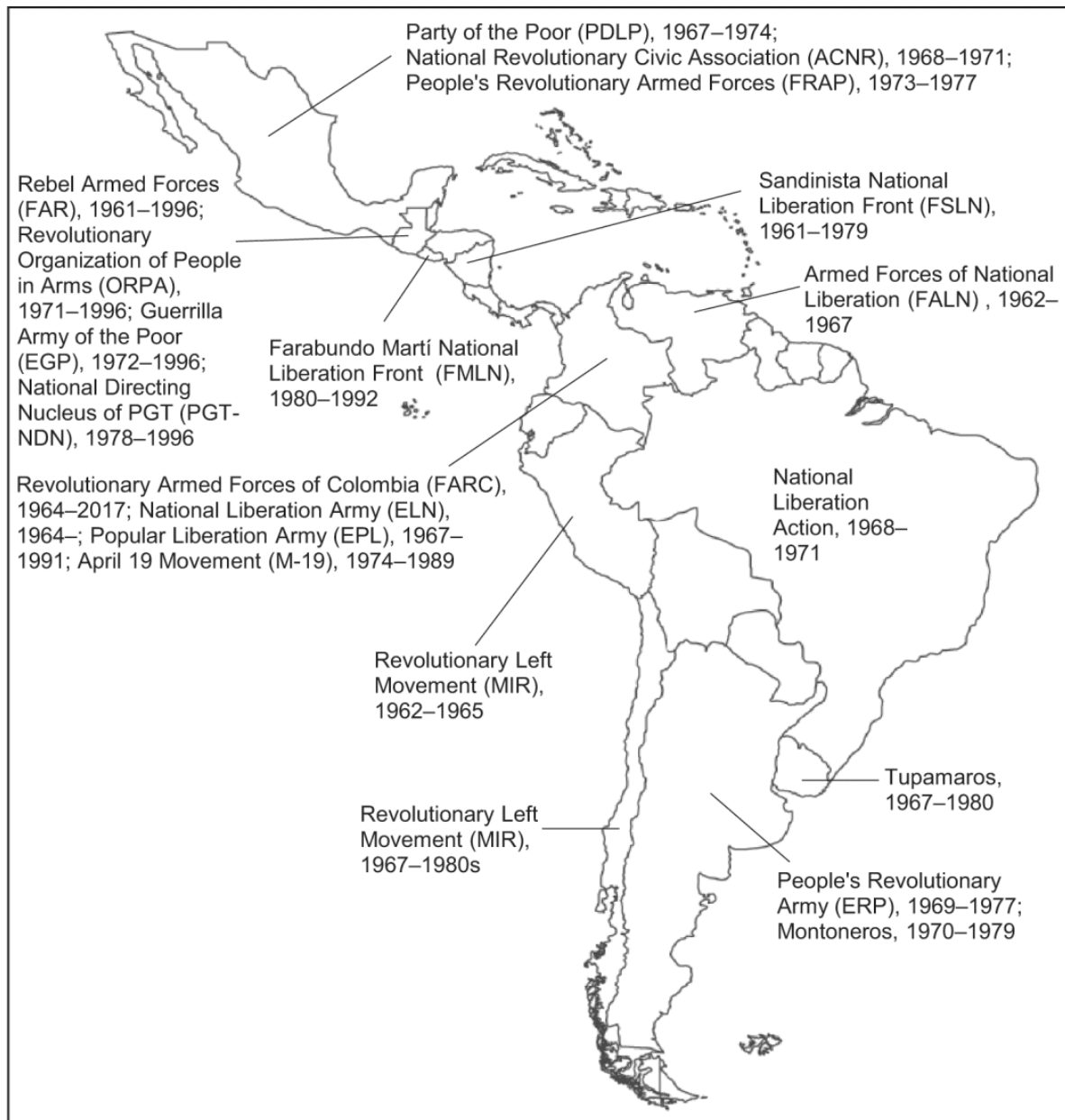
more conservative role,” a change that “was distinctly a function of the mobilization of the lower classes into politics” (*ibid.*). As workers and peasants become more involved in politics, the military acted increasingly in opposition to the changes sought by these groups.

### 3.3.3 The Cuban Revolution and Violent Authoritarianism

The polarizing dynamic that developed in the 1940s and 1950s was exacerbated in the wake of the Cuban Revolution of 1959 and the radicalization of demands from mass actors across Latin America. The Cuban Revolution provided the first example in the region of a modern noncapitalist system. It also provided an example of a Latin American country standing up, successfully, to the United States. And it led to growing political polarization in the region, a new cycle of US intervention in the region, and a strong authoritarian response.

*The Left, Guerrillas, and the Cold War.* The Cuban Revolution was a source of inspiration to many Latin Americans on the left of the political spectrum who sought to emulate what they saw as the achievements of Cuba. And its impact on the region was big.

Groups on the left had different views about how to reach what was usually called socialism, understood in those times as a system that would empower the working class and have a state-led rather than a capitalist economy. Many favored an armed path and formed guerrilla organizations. Starting in the early 1960s, guerrilla groups hoping to replicate the military victory of Fidel Castro and Che Guevara in Cuba were formed in many Central American and South American countries, the strongest being those in Argentina, Colombia, El Salvador, Nicaragua, and Uruguay (see [Map 3.2](#)).



**Map 3.2** Guerrillas in Latin America, post-Cuban Revolution

*Source:* Authors' elaboration.

Others on the left sought a legal and peaceful path to socialism, an option exemplified by Chile, when leftist leader Salvador Allende was elected president in 1970. Thus, there was more than one model of

revolutionary leader and one path to socialism. See [Photo 3.6](#) on some of the iconic leftist leaders of this period.



**Photo 3.6 Revolutionary leaders in the 1960s and 1970s** Cuba's Fidel Castro and Argentina's Che Guevara (left) were proponents of guerrilla warfare. In contrast, Chile's Salvador Allende (right) was a leader who pursued a democratic road to socialism.

*Sources:* (left) image by infoaut.org, distributed under a CC-BY-SA license; (right) image by the Biblioteca del Congreso Nacional de Chile, distributed under a CC-BY 3.0 license.

However, the actions of both the armed left and the democratic left raised tensions in Latin America. The role of Cuba under Castro (and later on the example of Chile under Allende) was a source of alarm to many Latin Americans and to the United States. The conflicts due to the transition to mass politics, and the demands of the popular sectors, were still present in the 1960s and 1970s. And the change brought by the Cuban Revolution added a new element to an already strained situation. The radical demands by armed groups and leftist parties constituted a challenge to the capitalist order and to the supporters of this order, which included the United States. In other words, they turned Latin America into a theater of the international Cold War.

The Cold War, which pulled countries throughout the world into the Western capitalist camp or the Eastern communist camp, started immediately after the end of World War II. The first big sign of Cold War politics in Latin America was the US-sponsored coup against the democratically elected government of Jacobo Árbenz in Guatemala in 1954. Nevertheless, the Cold War affected the region in earnest only after the Cuban Revolution. When Fidel Castro took power in Cuba, the Soviet Union gained a beachhead in the Americas, very close to US territory. Moreover, Cuba's explicit policy of exporting revolution was rightly seen as a threat to US influence in Latin America. And, in reaction, the United States, which since the announcement of the Good Neighbor policy in 1934 had renounced the use of military force in Latin America, took on a growing, and nonpeaceful, role in the region guided by the goal of "containing communism," whether it was seen as being promoted by an armed left or a democratic left.

***The Reaction of the Military and the United States.*** The confluence of these factors had a strong impact on the prospects of democracy. The politics of the Cold War made the military, which had already reacted to conflicts generated by the transition to mass politics by staging coups against democratically elected leaders, prone to topple leftist governments, but also governments seen as too weak to contain the left. And the United States operated in a similar sense.

The United States sought to prevent revolutions by sponsoring reform, including agrarian reform, through the Alliance for Progress, a key US policy toward Latin America launched in 1961. But it also assisted Latin American militaries, training them to fight counter-insurgency wars against guerrillas, and encouraged the overthrow of democratically elected

governments seen as communist threats (e.g., in Brazil in 1964, in the Dominican Republic in 1965, and in Chile in 1973). In the case of the Dominican Republic, the United States even resorted to the use of troops, as it had in the past. Indeed, after the Cuban Revolution, the response of the military and the United States was swift and strong, and it produced a dominant outcome.

The options sought by the armed left and the peaceful left were not attained. There were no more revolutions, until the Sandinista National Liberation Front (FSLN) overthrew the US-backed Somoza dictatorship in Nicaragua in 1979. And when the Sandinistas toppled Somoza, they were prevented by the United States from consolidating power. Also, the experience of Allende in Chile was short-lived and would not be replicated. Che's vision was defeated, as was Allende's.

What prevailed, instead, was a powerful reaction to leftist and popular movements that took the form of military coups d'état supported by the upper class and parts of the middle class. Latin American governments were largely taken over by military leaders who set up US-backed, right-wing authoritarian regimes quite unlike past authoritarian regimes. See [Photo 3.7](#) on some military dictators who governed during this period.





**Photo 3.7 Military dictators in the 1970s and 1980s** General Pinochet, President of Chile (1973–1990) (left), General Ríos Montt, President of Guatemala (1982–1983) (center), and General Videla, President of Argentina (1976–1981) (right) were three dictators during a period when military dictatorship was the prevalent form of government in Latin America.

*Sources:* (left) © Keystone/Staff/Getty Images; (center) distributed under a CC-BY-SA license; (right) © Bettmann/Getty Images.

***The Long, Dark Night of Authoritarianism.*** Authoritarianism itself was not something new in Latin America. The region had experienced many military coups d'état and a variety of types of authoritarianism before the Cuban Revolution. However, there was something new and more vicious about the period of authoritarianism that started in Latin America in the 1960s. These military coups led to prolonged periods of military rule. Furthermore, in seeking to quash the groups they saw as responsible for social and political conflicts in the region, authoritarian rulers relied on a variety of means of repression – including torture, extra-judicial executions, and imprisonment without trial – on an unprecedented scale. Latin America had entered into a distinct, particularly grim phase in its history.

Not all regimes were authoritarian during this period. Indeed, a few countries (Colombia, Costa Rica, and Venezuela) remained democratic

during the 1960s, 1970s, and 1980s. Nevertheless, authoritarian regimes were the norm.

Not all authoritarian regimes were military-led regimes. Mexico had a civilian authoritarian regime. A few personalist dictators endured, at least for a while (e.g., Anastasio Somoza Debayle in Nicaragua and General Alfredo Stroessner in Paraguay). And these differences were important. However, most regimes were military in nature. Militaries throughout the region had become more professionalized and institutionalized, and the traditional personalist dictators of the early part of the twentieth century had become less common. Although traditional personalist dictators had continued to thrive after 1930, especially in Central America, by the 1960s they had largely been replaced by more institutionalized military regimes or what could be generically called modern dictatorships. Even in cases of dictatorships that had a dominant military leader, such as General Augusto Pinochet, military regimes were institutionalized rather than personalistic.

Not all authoritarian regimes were right-wing ones. Yet, a common feature was the prevalence of regimes that not only crushed the armed and peaceful left, but also excluded the mass actors who had mobilized and sought to influence governments since the 1920s and 1930s. Indeed, with only a few exceptions, right-wing authoritarianism was the dominant orientation of political regimes from the 1960s to the 1980s. See [Box 3.6](#) on some exceptions to the pattern of conservative authoritarian regimes.

### **Box 3.6** Thinking Comparatively: Leftist Authoritarian Regimes

There were two kinds of exception to the typical conservative authoritarian regime in Latin America.

Some regimes, in Cuba since 1959 and in Nicaragua during the 1980s, had originated with the overthrow of authoritarian rulers by armed guerrillas and implemented leftist policies.

More surprisingly, some military coups had given rise to left-leaning military regimes. A military regime led by General Torrijos (1968–1981) in Panama was strongly nationalist and anti-imperialist. A military regime in Peru under the leadership of Juan Velasco Alvarado (1968–1975) carried out an agrarian reform. Military rulers in Ecuador (1972–1979) also implemented some reformist measures.

Thus, there were exceptions to the pattern of right-wing authoritarianism. However, apart from Cuba, these were all short-lived.

Finally, not all authoritarian rulers were equally repressive. The level of violence varied considerably from country to country. Some cases stand out because of their high violence: within South America, Colombia, Argentina, and Chile; within Central America, Guatemala, El Salvador, and Nicaragua (see [Table 3.4](#)). Moreover, not all of the violence was carried out by the state's security forces. However, the scope of violence in Latin America in the decades right after the Cuban Revolution, that is, its effect on most countries in the region, was unlike anything in the previous history of Latin America. Although the number of deaths associated with the Mexican

Revolution was larger – it is estimated that more than 1 million people were killed in that conflict – nothing on such a regional scale had happened before. Much of the violence was also considered to entail human rights violations, that is, abuses of fundamental rights by state agents. (The subsequent response to this record of human rights is addressed in [Chapter 9](#), on transitional justice.)

**Table 3.4** Violence in Latin America, post-Cuban Revolution

Region/country	Period of violent conflict	Number of victims*
<b>South America</b>		
Argentina	1974–1977	9,000–30,000
Bolivia	1965–1982	350
Brazil	1965–1982	421
Chile	1973–1990	3,065
Colombia	1964–2019	220,000
Ecuador	None	None
Paraguay	1954–1989	424
Peru	1966–1980	500
Uruguay	1973–1985	300
Venezuela	1960–1968	200–1,000
<b>Mexico, Central America, and the Caribbean</b>		
Mexico	1964–1982	3,000
Costa Rica	None	None
El Salvador	1979–1992	80,000
Guatemala	1960–1996	200,000
Honduras	1970–1990	1,000
Nicaragua	1978–1989	70,000
Panama	1968–1989	148
Cuba	NA	NA
Dominican Republic	1930–1961, 1966–1978	20,000–30,000

*Notes:* NA Not applicable.

\* The number of victims refers to the number of dead people.

*Source:* Authors' elaboration, based on [Wickham-Crowley 1990](#): 204; [Lean 2003](#): 174; [Sikkink and Walling 2007](#): 441; [Center for Systemic Peace 2017](#); [USIP 2019](#); and other sources.

In short, after the Cuban Revolution, Latin America entered a long, dark period of right-wing authoritarianism. These regimes had no analogy in the past. And they had a devastating impact on societies.

### 3.3.4 A Balance Sheet

The overall record of the second period in Latin America's political development, from 1930 to 1980, was, despite its terrible last phase, mixed (see [Table 3.5](#)).

On the positive side, this was the first time that a large number of countries (fourteen of nineteen) experienced democracy. Furthermore, unlike in the period before 1930, many countries became democracies rather than partial democracies. The accumulated experience with democracy was not evenly spread across the region. All the South American countries but one (nine of ten) had some experience with democracy. Only Paraguay stood out, because of its lack of any democratic experience. In contrast, democracy was rare in Central America and the Caribbean, and nonexistent in Mexico. Indeed, only five of the nine nonSouth American countries had some democratic experience and, with the exception of Costa Rica, these democratic periods were brief.

On the negative side, democracy was not sustainable. During this period, only three countries (Colombia, Costa Rica, and Venezuela) constructed democracies that were able to manage the Cold War tensions that spread throughout the region after the Cuban Revolution without collapsing. The trend in the 1960s and 1970s was toward authoritarianism. Moreover, authoritarian regimes lasted for long periods and were generally extremely repressive.

**Table 3.5** Political regimes in Latin America, 1930–1980

Type of political regime						
Region/country	Authoritarian regimes				Partial democracy	Democracy
	Military dictatorship	Personalistic dictatorship	Civilian authoritarian	Semi-authoritarian		
South America						
Argentina	1966–1973, 1976–1983		1932–1943	1958–1962, 1963–1966	1946–1955	1973–1976
Bolivia	1964–1971, 1971–1982					1956–1964
Brazil	1937–1946, 1964–1985				1946–1964	
Chile	1973–1990				1932–1958	1958–1973
Colombia	1953–1958				1938–1948, 1958–1974	1974–
Ecuador	1963–1966, 1972–1979		1970–1972		1948–1961, 1967–1970	
Paraguay		1954–1989, Stroessner				
Peru	1948–1956, 1968–1980				1945–1948, 1956–1962, 1963–1968	
Uruguay	1973–1985		1933–1943			1943–1973
Venezuela	1948–1959					1948, 1959–
Mexico, Central America, and the Caribbean						
Mexico			1929–2000, PRI			
Costa Rica					1928–1948	1949–
El Salvador	1948–1982	1931–1944, General Hernández Martínez				
Guatemala	1954–1958, 1963–1966, 1970–1986	1931–1944, General Ubico			1945–1954	
Honduras	1963–1971, 1972–1982	1933–1949, General Carias Andino	1949–1956, 1957–1963			
Nicaragua		1937–1979, Somoza dynasty	1979–1990, FSLN			
Panama	1968–1989		1940–1960			1960–1968
Cuba		1952–1958, Batista; 1959–1975, Castro	1975–, Communist Party			1940–1952
Dominican Republic		1930–1961, Trujillo	1966–1978		1963	

*Note:* The table includes regimes that existed in the 1930–1980 period: some originated earlier and some continued after 1980. With regard to authoritarian regimes, only relatively durable regimes are listed.

*Source:* Authors' elaboration.

During this period, it became clear that the attainment of democracy in Latin America was more than an aspiration. It also became apparent that Latin American countries were unable to maintain the democracies they did attain.

### **3.4 A New Democratic Age, 1980-2010s**

Eventually, Latin America moved beyond authoritarianism. The period of harsh authoritarianism started to wind down in the 1980s. A few transitions from dictatorship to democracy occurred in the late 1970s and early 1980s. And bit by bit it became evident that Latin America was undergoing a broad-based change that was altering the political landscape in the region and making the region largely democratic. As [Figure 3.1](#) shows, Latin America experienced a third wave of democratization and entered a new, democratic age, unlike any period in the region's past.

To complete our overview of Latin America's political regimes, we turn to the third and final period in Latin America's experience with democracy. The discussion here is brief and focuses largely on the wave of democratization that swept away authoritarian rulers. [Chapter 5](#) will address in full the situation of the democracies that emerged through this change.

### 3.4.1 The Third Wave of Democratization

The end of Latin America's period of long and repressive authoritarianism came in the form of a wave, the third wave of democratization in the region. That is, democratization occurred in country after country in the region in a relatively short period of time (see [Table 3.6](#)).

**Table 3.6** The wave of democratization in Latin America, 1978–2000

Year	Country	Comment
1977	Costa Rica, Colombia, Venezuela	Only three countries are democracies at the beginning of the wave of democratization. The founding elections in Costa Rica, Colombia, and Venezuela were held in 1949, 1958, and 1958 respectively.
1978	Dominican Republic	Founding election in 1978
1979	Ecuador	Founding election in 1979 (the first round was held in 1978)
1980	Peru	Founding election in 1980
1981	Honduras	Founding election in 1981
1982	Bolivia	An election in 1980 was followed by a military coup, but, after two years of military rule, the results of the election of 1980 were reconfirmed and the president elected in 1980 took office in October 1982.
1983	Argentina	Founding election in 1983
1984	El Salvador	Founding election in 1984. Civil war continued until the 1992 peace agreement. The 1994 election was the first election with participation of former guerrillas.
1984	Uruguay	Founding election in 1984 (the new president took office in 1985)
1985	Brazil	An indirect election ends military rule in 1985 (the first direct election for president was in 1989)
1985	Guatemala	Founding election in 1985. Civil war continued until the 1996 peace agreement. The 1999 election was the first election with participation of former guerrillas.
1989	Paraguay	General Stroessner, dictator from 1954 to 1989, was removed in a coup in 1989; a founding election was held in 1989.
1989	Panama	The overthrow of General Noriega, in the US invasion of December 1989, was followed by the installation of the winners of the May 1989 election.
1989	Chile	Founding election in 1989 (new president assumed power in 1990). From 1990 to 2005, Chile had some unelected, designated senators.
1990	Nicaragua	Founding election in 1990
2000	Mexico	Founding election in 2000

*Note:* A founding election is an election “when, for the first time after an authoritarian regime, elected positions of national significance are disputed under reasonably competitive conditions” ([O'Donnell and Schmitter 1986: 57](#)).

*Source:* Authors' elaboration.

Within this wave of democratization, some distinctions can be made.



***South America First.*** The transitions to democracy in South America occurred largely in the 1980s, and they involved the replacement of military rulers with democratically elected authorities. This was a process that started with the inauguration of President Jaime Roldós in Ecuador in August 1979 and was completed when General Pinochet transferred power to President Patricio Aylwin in Chile in March 1990.

These transitions were largely similar, in that they were transitions from military regimes that involved one key election leading to the installation of a democratically elected president. Only Brazil clearly deviated from this pattern, in that military rule ended through two steps – first the inauguration of a civilian president, picked through a complex indirect selection process, in 1985; and subsequently the swearing in of a directly elected president in 1989.

***Central America Second.*** In Central America, the process of democratization started when some countries held somewhat free and fair elections starting in the early 1980s. The first country to take such a step was Honduras in 1981, and this led to the inauguration of Roberto Suazo Córdova as president in January 1982. Elections were also held in El Salvador in 1984, in Nicaragua in 1984, and in Guatemala in 1985. But elections in El Salvador, Nicaragua, and Guatemala were conducted in the context of a civil war that prevented many voters and candidates from participating in the elections because of fear for their lives. Thus, democratic transitions were in part contingent on bringing civil wars to an end. And progress in conflict resolution would not be secure until a regional peace process resulted in the signing of the Central American Peace Accords in August 1987.

Thereafter, the ending of civil wars and democratization advanced in tandem. In Nicaragua, the government led by the Sandinistas agreed to hold a competitive election in early 1990 and the opposition agreed to participate in that election. In El Salvador, following the signing of a peace agreement in 1992, the Farabundo Martí National Liberation Front (FMLN) guerrilla organization was transformed into a political party and an election with parties from across the full political spectrum was held in 1994. Then, in Guatemala, following the signing of a peace agreement in 1996, the Guatemalan National Revolutionary Unity (URNG), an umbrella guerrilla organization that coordinated four guerrilla organizations, was transformed into a political party, and an election with parties from right to left was held in 1999. For Central America, unlike South America, democratic change involved a more drawn-out and complex process that started in the 1980s and continued through the 1990s.

***Mexico Joins and Completes the Wave.*** Finally, the case of Mexico is unique in many ways. Mexico's authoritarian regime, shaped in the wake of the 1910–1920 revolution, revolved around a dominant party founded in 1929, the Party of the Institutionalized Revolution (PRI). In Mexico's civilian authoritarian regime, elections with multiple parties had been held regularly, decade after decade. However, it was not until the 1990s that reforms gave the opposition a fair chance to compete on an equal footing with the PRI. And it was not until 2000 that the PRI lost an election for president and conceded the presidency to the leader of another party, Vicente Fox.

Thus, 2000 was a signal year in the history of Latin American democracy. Mexico's transition to democracy in 2000 ended the longest

authoritarian regime in the region. Moreover, Mexico's democracy transition in 2000 marked the end of the regional wave of democratization. In two decades, Latin America had undergone a sweeping process of democratization. Only Cuba remained authoritarian.

Latin America had also conquered fuller democracies than in the past; the democracies that were attained in the region's third wave of democratization did not have the restrictions on the right to vote that had hampered many earlier democracies. When contrasted to the situation of only a couple of decades earlier, when dictators terrorized the population and their hold on power seemed secure, the change was truly remarkable.

### **3.4.2 Why Did Latin America Democratize?**

The transitions to democracy in Latin America in the last two decades of the twentieth century involved different processes. Thus, many factors must be considered in developing an adequate explanation of why Latin America democratized.

On the domestic front, the re-evaluation of democracy by the left and the role of the left in actively campaigning for democracy are noteworthy. The harsh years of authoritarianism in the 1960s and 1970s had many effects. One was that it triggered a rethinking and re-evaluation of democracy among important parts of the left. During the years after the Cuban Revolution, many had sought to bring about radical change, some through armed means, others through electoral means. And they had adopted a rather instrumental view of democracy. That is, they supported democracy inasmuch as they viewed it as a means to bring about the sought revolution, but not as valuable in itself. This was true even of those who followed the electoral path, such as the supporters of Allende in Chile. However, the experience of brutal dictatorship led many on the left to reflect on the indirect role that they might have had in the breakdown of democracy in their countries. And this reflection prompted a re-evaluation of democracy, which they came to appreciate as valuable in itself and hence as worthy of fighting for and defending. It also made leaders on the left more cognizant of their responsibility to assuage the fears of the right about democracy.

Other important factors, partly domestic, partly international, were the changes associated with economic globalization. One of the reasons why

some sectors of the business elite had opposed democracy in the past was due to the statist economic policies of democratically elected governments. Yet it became clear in the 1980s that Latin American countries were opening up to the world and that the cost of democracy to the more internationally oriented business elites – policies adopted by democratic governments that went counter to their interests – would likely be reduced. A powerful actor that had frequently opposed democracy in the past ceased to be as threatened by democracy and hence did not resist the process of democratization. (This change in economic policy is discussed in detail in [Chapter 4, section 4.4.](#))

On the international front, democratization was associated more broadly with the reduction of Cold War tensions and eventually the end of the Cold War in 1989, and the change in US policy toward Latin America. The United States did not have a positive record in defense of democracy in Latin America during the Cold War years. In general terms, the United States supported authoritarian rulers and even actively undermined democracy when it considered its interests to be at stake. As secret documentary evidence about the activities of the US government has revealed, the United States played a role in supporting coups in cases such as Guatemala (1954), Brazil (1964), the Dominican Republic (1965), and Chile (1973). The United States also supported brutal dictatorships in South and Central America during the 1960s, 1970s, and 1980s. Then again, as the Cold War began to recede in the mid-1980s, the US view of democracy began to change. The United States did not take the lead in the push for democracy. However, as countries started to democratize, the United States did not resist this development and in several cases (e.g., El Salvador)

played an important role in ensuring that the process of democratization was not derailed by reluctant actors.

Some additional insights about the factors and actions conducive to democratization are provided by politicians who helped end authoritarian regimes. Economist and politician Sergio Bitar and political scientist Abraham Lowenthal interviewed Latin American leaders who played a key role in transitions to democracy. And they found, as we noted above, that successful transitions to democracy were “the result of domestic forces and processes, [and] the broader international context and specific external actors.” They also concluded that “[n]one of these structural, historical and contextual factors by themselves determined when and how autocracies ended ... Critical decisions had to be made by political leaders in governments, parties and movements, often among unattractive options” ([Bitar and Lowenthal 2015](#): 419–20). In other words, political leadership was critical.

### **3.4.3 The Post-Transitional Experience with Democracy**

Having attained democracy in the 1980s and 1990s, countries in Latin America next faced the challenge of maintaining their newly gained democracies. In the post-World War II years, Latin America had undergone a cyclical process of regime change, oscillating between authoritarian and democratic regimes. The history of the region showed that democratic gains were not secure. Yet, over time, it became clear that the elections that inaugurated democracy in the 1980s and 1990s were the beginning of a durable democratic age in Latin America.

Democracy can never be taken for granted and, as we will discuss in [Chapter 5](#), democracy was threatened in some countries. Nonetheless, we stress the novelty of this period in Latin American history.

By the end of the twentieth century, it was apparent that the region had finally left behind the problems it had experienced in its transition to mass politics in the first half of the century and the violence that had spread throughout the region in the wake of the Cuban Revolution. The cyclical pattern of democratization followed by the collapse of democracy had been broken and, for the first time, a wave of democratization was not followed by a wave of de-democratization.

Moreover, as the first decades of the twenty-first century unfolded, the durability of democracy was further confirmed. Never before had so many countries been democratic for such a long period of time. Democracy proved to be durable even in countries that had no or little democratic experience prior to the 1980s – Paraguay, Mexico, El Salvador, Honduras,

and the Dominican Republic. The democracies were also, unlike many earlier democracies, not partial democracies.

Latin America had entered a new period in its political history, a democratic age.



## 3.5 Summary

This chapter has provided a broad overview of political regimes and democracy in Latin America. We started by defining a political regime as a system of rules that regulates, at a minimum, how key government offices are accessed. We also defined democracy as a type of political regime in which (1) regular elections are the means of access to top political offices, (2) all adults have the right to vote in elections, (3) citizens and parties have the right to organize parties and present candidates in elections, (4) elections are devoid of fraud and threats, and (5) citizens have the freedom of expression, association, and assembly, and the right to access to information. Subsequently, we discussed three periods in the political history of Latin America and considered factors that drive democratic success and failure.

In a first period, one of oligarchic dominance from 1880 to 1930, the oligarchy was the most powerful actor, and in many countries this social class set up political regimes that were constitutional and had regular elections. Furthermore, in a few cases, these constitutional oligarchies evolved into partial democracies. However, this period was mainly characterized by a variety of types of authoritarian regime: constitutional oligarchies, civilian authoritarian regimes, personalist dictatorships, and puppet regimes.

In a second period, one of mass politics and regime instability from 1930 to 1980, the region started to gain experience with partial and fuller democracy. The transition from elite to mass politics created the conditions

for democratization, by increasing the power of actors who demanded democracy and weakening actors who sought to block democratization. The mobilization of women for the right to vote added to the pressure for democratic change. And many Latin American countries became democracies.

But the transition to mass politics and the entry of women into politics did not always lead to democracy and even less so to sustainable democracy. In some instances, the actors who managed the process of social change installed authoritarian regimes. More frequently, actors on the right of the political spectrum, who had been powerful in the oligarchic period, blocked or undermined democracy. Furthermore, the tensions that emerged in the transition from elite to mass politics were exacerbated in the wake of the Cuban Revolution. The region became more politically polarized, violence was used by actors on the left and the right, and a right-wing backlash ensued. During this period, waves of democratization were followed by waves of de-democratization.

Finally, Latin America entered into a democratic age, from 1980 to the 2010s. It experienced its third wave of democratization in the 1980s and 1990s. This wave of democratization was propelled by a confluence of domestic and international factors that broke the political dynamic of previous decades. It led to the installment of democratic governments in nearly every country in the region. And it yielded inclusive and durable democracies. Indeed, it opened up a new political age that was fundamentally democratic.

## Discussion Questions

1. Any discussion about democracy relies on a concept of democracy. And providing a definition of democracy that is agreed to by all is an elusive goal. However, some features are widely considered as fundamental to democracy and others are a matter of disagreement. What features are widely deemed to be key to democracy? What features are more controversial? Since some concept of democracy is needed if we are to assess whether countries are democratic or not, what options do analysts have? Is any one definition of democracy preferable to other definitions?
2. Democracy is a normative concept used to designate a desirable state of the world. But it is possible to value democracy for different reasons, and it is possible to value additional things beyond democracy (e.g., economic growth). Why should democracy be valued? If there is some trade-off between democracy and, for example, material benefits, how should this trade-off be addressed? Would any limiting situation justify a rejection of democracy?
3. After World War II, Latin American politics involved democracy, military rule, violence, and repression. Then, since the 1980s, it has become more democratic. What accounts for the region's rather tumultuous politics from the 1940s to the 1970s? What changes since then enabled the region to move into its current democratic age?

## *Resources*

## Additional Readings

Alvarez, Sonia. 1990. *Engendering Democracy in Brazil: Women's Movements in Transition Politics*. Princeton University Press. On the role of women's movements in Brazil's transition to democracy in the 1970s and 1980s.

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Bitar, Sergio and Abraham F. Lowenthal (eds.). 2015. *Democratic Transitions: Conversations with World Leaders*. Baltimore, MD: Johns Hopkins University Press and International IDEA. Includes interviews with President Cardoso of Brazil; Presidents Aylwin and Lagos of Chile; and President Zedillo of Mexico; the interviewees discuss how their countries democratized.

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personalist dictators in Latin America: Trujillo in the Dominican Republic, Batista in Cuba, and the Somozas in Nicaragua.

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## Website

*National Security Archive.* The website of the National Security Archive is an online archive of declassified documents of the US government that includes documents on Argentina, Brazil, Chile, Colombia, Cuba, El Salvador, Guatemala, Honduras, Mexico, Peru, and Nicaragua. Website: <https://nsarchive.gwu.edu>

## Documentaries

*A Coup in Guatemala: Made in America* (2001). 46 minutes. On the CIA's involvement in the downfall of Jacobo Árbenz's government in Guatemala in 1954.

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*A Force More Powerful: A Century of Nonviolent Conflict* (2000). Episode 6: *Chile: Defeat of a Dictator*. 34 minutes. On the nonviolent protests in Chile against the dictatorship led by General Augusto Pinochet that ended with the opposition's victory against Pinochet in the 1988 plebiscite and the end of military rule.

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*Americas* (1992). Part 1. *The Garden of Forking Paths: Dilemmas of National Development*. 57 minutes. An overview of politics and economics in Argentina from the times when the oligarchy was dominant.

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*Americas* (1992). Part 2. *Capital Sins: Authoritarianism and Democratization*. 57 minutes. A look at the military regime in Brazil from the 1960s to the 1980s that focuses on its economic boom and the consequences of military rule for Brazilians.

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*The Battle of Chile* (1975–1979). Three parts, of 96, 88, and 79 minutes, respectively. In Spanish, with English subtitles. It chronicles the political tensions in Chile during the presidency of Salvador Allende and the breakdown of democracy in 1973. Part 1, *The Insurrection of the Bourgeoisie* (1975); Part 2, *The Coup d'état* (1976); and Part 3, *Popular Power* (1979).

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*Between the Wars: 1918–1941* (1978). Part 10. *Latin America: Intervention in Our Own Backyard*. 25 minutes. On US policy in the Caribbean, Central, and South America, from the interventionist policy in the first decades of twentieth century through the Good Neighbor Policy.

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*Cold War* (1999). Part 18. *Backyard (1954–1990)*. 45 minutes. On the role of the United States in resisting leftist movements in Latin America; it focuses on Guatemala in 1954, Chile in 1973, and Central America in the 1980s.

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*Condor* (2007). 110 minutes. In Portuguese, with English subtitles. Tells the story of the Condor Operation, a plan of several right-wing military dictatorships in South America in the 1970s to eliminate left-wing activists through political assassinations, kidnappings, and other acts.

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*Era Vargas: 1930–1935* (2011). Three parts, of 50, 52, and 98 minutes respectively. In Portuguese. On the early years of the presidency of Getúlio Vargas in Brazil. Part 1, *1930: Time of Revolution* (1990), focuses on the 1930 military coup. Part 2, *1932: The Civil War* (1992), focuses on the uprising of the state of São Paulo. Part 3, *1935: The Assault on Power* (2002), focuses on the challenge to Vargas in 1935.

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*Fidel Castro* (2005). 109 minutes. On the Cuban Revolution and the transformation of Cuba's politics and economics under Fidel Castro.

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*The Hour of the Furnaces* (1968). Three parts, of 90, 120, and 45 minutes respectively. In Spanish, with English subtitles. Documentary on the liberation struggle waged throughout Latin America, using Argentina as a historical example of the imperialist exploitation of the continent. Part 1,

*Neo-Colonialism and Violence*, provides a historical and economic analysis of Argentina. Part 2, *An Act for Liberation*, examines the ten-year reign of Juan Perón (1945–1955) and the activities of the Peronist movement after his fall from power. Part 3, *Violence and Liberation*, studies the role of violence in the national liberation process.

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*Our Disappeared / Nuestros Desaparecidos* (2008). 99 minutes. Focuses on human rights violations during the 1976–1983 dictatorship in Argentina.

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*The Storm that Swept Mexico* (2011). Two parts, of 60 minutes each. A history of the Mexican Revolution (1910–1920), its causes, and its aftermath. Part 1, *The Tiger is Unleashed*, covers the revolution that ended the dictatorship of Porfirio Díaz. Part 2, *The Legacy*, examines the post-revolutionary regime centered on the PRI (Institutional Revolutionary Party).

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*Las sufragistas* (2012). 79 minutes. In Spanish. Details the political struggle of Eufrosina Cruz, an indigenous woman from Oaxaca, Mexico, as well as Mexican women's long fight for political power, beginning with the revolutionary period.

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*Trujillo: Portrait of a Dictator* (1960). 60 minutes. Tells the story of the dictator Rafael Trujillo, who ruled the Dominican Republic from 1930 to 1961.

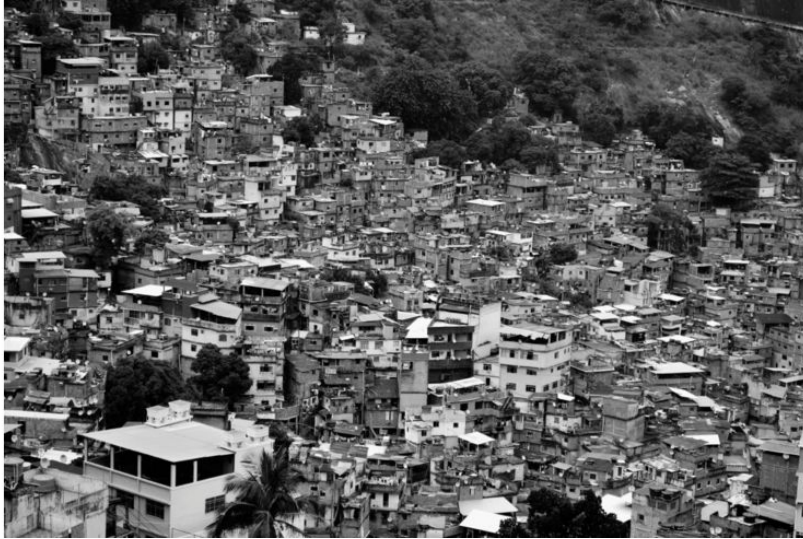
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*Tupamaros* (1997). 95 minutes. In Spanish. On one of the most notorious urban guerrilla movements in Latin America, the Tupamaros, and how they were one of the few guerrilla groups to become a legal political party and succeed politically in elections.

4

# **Development Models and Socioeconomic Welfare**





**Photo 4.1 Latin American slums as a sign of failed development**

Millions of citizens in Latin America continue to live in poverty, lacking many of the most basic goods they need to participate fully in society and to become citizens who in practice, not just in law, have equal rights. A graphic indicator of Latin America's failure to incorporate all its population as citizens are the slums that are common in the region, especially in the big cities. The photo depicts the Rocinha *favela* (slum, in Portuguese) in Rio de Janeiro, Brazil, 2010.

*Source:* Simon Holmes/Moment/Getty Images.

This chapter completes the broad historical overview of Latin America. [Chapter 1](#) discussed how modern states were formed and whether these states had capacity. [Chapter 2](#) considered how nations were built, and how the sense of nationhood included or excluded different races and ethnicities. [Chapter 3](#) provided an overview of Latin America's experience with democracy and authoritarianism. This chapter focuses on socioeconomic welfare and the impact of government policies on the attainment of socioeconomic welfare.



Living in an economically prosperous country is a huge benefit to its citizens. It affects whether ordinary people live a life marked by malnutrition, a lack of access to education opportunities, and a recurring concern about simply surviving. Whether the citizens of a country are more or less economically equal is also critical, for wealthy countries can have many poor people. Economic inequality also has a big political impact, because economic wealth tends to translate into political power and undermine the principle of equality of all citizens.

Many factors affect the socioeconomic welfare of citizens. One key factor is a set of government policies that are commonly called a country's model of economic development, or development model for short. Thus, as we address socioeconomic welfare in Latin America, we will ask the following questions: What models of economic development have Latin American countries adopted? What impact have these development models had on socioeconomic welfare? What are the main challenges faced in the region in its quest for socioeconomic welfare?

We first address conceptual questions and preview the region's development models and socioeconomic welfare outcomes. Then, in the next three sections, we discuss three periods in Latin America's history characterized by distinct development models: (1) the agro-export model of 1880–1930, (2) the import-substitution industrialization model of 1930–1980, and (3) the neoliberal model of the 1980s to the present. For each model, we analyze its adoption, main features, and performance. We also account for the crises that led to the abandonment of the first two models and the challenges currently faced by the neoliberal model. Finally, we summarize the chapter's main points.

## **4.1 Concepts and Overview**

We start by introducing the key concepts we use in this chapter. In this regard, we first define socioeconomic welfare, the outcome we focus on in this chapter. We then explain what a model of economic development is by discussing its two components: economic policies and social policies. We end this section by offering a preview of the development models used in Latin America since 1880 and the socioeconomic welfare outcomes with which these models are associated.

### 4.1.1 Socioeconomic Welfare

A discussion about the welfare of citizens usually focuses on material circumstances. In other words, it deals with economics, economic growth, and economic prosperity. But the welfare of citizens concerns far more than economics. Economic outcomes can be described in cold, impersonal terms, that seem disconnected from the real life of people. As an example, in the context of the so-called Brazilian economic miracle in the 1970s, a period of high economic growth, then-President Emílio Médici – a dictator – acknowledged that “the economy is doing well, but the people are doing poorly.” Thus, we use the concept of *socioeconomic welfare* to convey the idea that what ultimately is important about the economy is its social component, its contribution to the welfare of all citizens in a country.

Relatedly, when we assess whether countries perform well in terms of the goal of socioeconomic welfare, we will use data on economic and social indicators. We will use a ubiquitous indicator, the growth rate of GDP per capita. GDP refers to Gross Domestic Product, a measure of the total economic activity in a country. GDP per capita is the measure of a country's GDP divided by its total population. And the growth rate of GDP per capita is a measure of the increase or decrease in the income citizens make on average in a year compared to the previous year. We also provide information on inflation, which is an indicator of the sustainability of growth.

However, to fully assess socioeconomic welfare, we move beyond strictly economic indicators and rely on a series of social indicators: life expectancy, poverty rate, and economic inequality. These social indicators

are important because they allow us to go beyond depictions of how average citizens are faring in monetary terms and to draw attention to how well citizens are actually faring, how many citizens are able to meet their most basic needs, and whether resources are equally distributed among all citizens.

By adding a social component to a discussion about economics, we simply mirror how citizens commonly assess their welfare. We also echo a growing recognition within the social sciences – including in the discipline of economics – that welfare is not only a matter of economics and is thus not fully captured by data on a country's GDP. See [Box 4.1](#) on the need to go beyond GDP as the single measure of welfare.

#### **Box 4.1** Connections: Socioeconomic Welfare, Agency, and Citizenship

The acknowledgment of an economy's social aspects has led to proposals to move beyond a single-minded reliance on GDP as a measure of the welfare of societies. Since 1990, the United Nations Development Programme (UNDP) has introduced various alternative measures in their annual *Human Development Report*. The Organisation for Economic Co-operation and Development (OECD) recently made a call to move beyond GDP and to use broader metrics ([Sen et al. 2010](#); [Stiglitz et al. 2018](#)). Many economists also recognize the importance of focusing on socioeconomic welfare.

The need to connect economic and social aspects of reality is grounded in the basic proposition that the economy of a country should serve its citizens. It is also related to a fundamental link between socioeconomic welfare and democratic citizenship.

This connection between the economy and social aspects has been emphasized by economist, philosopher, and Nobel Prize winner Amartya Sen, in his influential work on development and freedom ([Sen 1999](#)). Sen stresses that a “deprivation of basic capabilities” hinders human agency and that the principle of equality of citizens is undermined when citizens' capabilities and resources are very unevenly distributed ([Sen 1999](#): ch. 1).

This view has also been strongly endorsed by Latin American thinkers such as Guillermo [O'Donnell \(2010: 121\)](#), who makes a

case that, when many people “do not have opportunities, material resources, education, time, or even energy to do much beyond ... survival,” the situation is best described as one of “low-intensity citizenship.”

### 4.1.2 Models of Economic Development

Socioeconomic welfare is affected by many factors. Historical and international factors surely have some impact. A country's natural endowments play a role. Institutional factors are also important. Although we will cover several of these factors, we will mainly focus on one broad political factor: the set of policies used by a government to promote economic growth and the material well-being of the population as a whole. We will give this factor the overarching name of the *model of economic development*.

A model of economic development consists of *economic policies* that aim to generate economic growth and that indirectly affect the well-being of citizens. Governments can use an assortment of economic policy instruments – fiscal, monetary, trade, and other policies – that have an impact on the level of economic activity (e.g., they can stimulate or slow down economic growth) and on the kinds of jobs that exist (see [Table 4.1](#)).

**Table 4.1** Economic policy instruments

Policy	Definition
Fiscal policy	Decisions about taxes that determine how much the state appropriates from society, and state expenditures that shape how state resources are allocated to different policies and groups.
Monetary policy	Decisions about the monetary supply that determine how much money is available and at which interest rate.
Trade policy	Decisions about the relationship between a country and the global economy. Trade policy varies from free trade to highly protectionist, which imposes many tariffs and nontariffs barriers on imports and exports.
Investment-seeking policies, infrastructure policies, and productive ventures	Decisions regarding incentives to attract investments (e.g., through subsidies, tax breaks, concession of public land); the development of infrastructure (e.g., seaports, airports, highways, railroads); and the creation of state-owned enterprises, the expropriation of private businesses, and/or the establishment of public-private partnerships.

*Source:* Authors' elaboration.

Each of these policy instruments involves complex issues, and the policy choices made by governments do not necessarily add up to a coherent whole. For example, governments can make it hard for some private businesses to raise funds, while assisting other private businesses through tax breaks. However, it is conventional to compare the economic policies of governments in the aggregate, according to a well-established criterion: the extent to which private enterprise and the market are given a free rein or, alternatively, the state is given an important role guiding the economy and even being directly involved in economic activities (e.g., through state-owned enterprises). Thus, models of economic development can be distinguished based on whether governments adopt economic policies that:

- treat the market as the main driver of growth and accordingly create a *market-oriented* economy;
- provide for a role to both the market and the state, and hence support a *mixed* economic system;
- place a heavy role on state intervention in the economy, but allow private enterprise, and thus set up a *statist* economy; or
- rely fully on the state, and largely deny a role to private enterprise, and therefore put in place a *centrally planned* or *command* economy.

A model of economic development also entails *social policies* that seek to directly ensure the welfare of citizens. Social policies are actions of the government in the areas of education, health care, pension or retirement funds, and unemployment benefits, and they can be used to correct market income inequalities, that is, the variable amount of money people make through their jobs and investments. For example, if the condition of the



economy is such that many people are unable to buy health care, the government may decide to offer access to publicly funded health care. In particular, social policies can correct for problems generated by market-oriented economies and have a big impact on the well-being of people.

Governments do not necessarily adopt such social policies, however. The key criterion used to compare social policies is therefore the extent to which governments ensure that citizens' basic needs are met regardless of their fortune in the labor market. On the one hand, countries can simply let citizens fend for themselves and not treat the welfare of citizens as a matter of public policy (e.g., by privatizing and thus ending public pension plans such as the social security program of the US federal government). On the other hand, countries can assume an important role in ensuring the welfare of citizens and thus set up what is usually called a welfare state. Here, the state has an active role in funding education, health care, public pension plans, and unemployment benefits; and it makes sure that these services are available to all citizens, especially those who have not prospered economically and cannot buy these services on the market. As we will see, various intermediary positions between these two options are also possible.

In short, countries can use different models of economic development to promote economic growth and the material well-being of their populations. These models are a combination of economic policies that are more or less market oriented. They also include social policies, which give the state a smaller or larger role in ensuring the well-being of their citizens. And they are of particular interest because they are political choices – and hence matters that, in principle, citizens could change.

### 4.1.3 Development Models and Welfare in Latin America

Using these concepts, we next analyze the models of economic development used in Latin America since 1880 and assess their impact on socioeconomic welfare. Of course, countries in the region vary, at times considerably, in the policies they adopt. They also differ in terms of their performance. Thus, we should make generalizations with care. Still, we distinguish three periods, which coincide with those used in the discussion of the nation and political regimes: 1880–1930, 1930–1980, and 1980–2010s (see [Chapters 2](#) and [3](#)). During each period, one economic development model was dominant in Latin America. And each model has been associated with certain socioeconomic welfare outcomes (see [Table 4.2](#)).

**Table 4.2** Models of economic development and socioeconomic welfare in Latin America: an overview

Period	Model of economic development		Socioeconomic welfare outcomes
	Economic policy	Social policy	
1880–1930: Agro-export model	<i>Market oriented</i> <ul style="list-style-type: none"> <li>• Free trade</li> <li>• Promotion of foreign investment</li> <li>• Emphasis on competitive advantages: natural resources</li> </ul>	<i>Rare</i> <ul style="list-style-type: none"> <li>• Basic insurance schemes in only a few countries</li> </ul>	<i>Moderate, but unequal progress</i> <ul style="list-style-type: none"> <li>• Moderate growth, low inflation</li> <li>• Mixed social record: slight improvement in absolute levels of welfare, increase in economic inequality</li> </ul>
1930–1980: Import-substitution industrialization (ISI) model	<i>Statist</i> <ul style="list-style-type: none"> <li>• State promotion of industry</li> <li>• Trade protectionism, to aid domestic industry</li> <li>• State-owned enterprises</li> <li>• Partial restrictions on foreign investment</li> </ul>	<i>Segmented, stratified coverage</i> <ul style="list-style-type: none"> <li>• Pensions, health care, and education for urban middle classes and workers in the formal sector</li> </ul>	<i>Strong progress</i> <ul style="list-style-type: none"> <li>• Strong growth, moderate inflation</li> <li>• Positive social record: big improvement in absolute levels of welfare, reduction of economic inequality</li> </ul>
1980–2010s: Neoliberal model	<i>Market oriented</i> <ul style="list-style-type: none"> <li>• Privatization</li> <li>• Free trade and regional integration</li> <li>• Promotion of foreign investment</li> <li>• Fiscal discipline and conservative monetary policy</li> </ul>	<i>Means-tested transfers</i> <ul style="list-style-type: none"> <li>• Privatization of service provision</li> <li>• Targeting, narrowly focused on those in greater need</li> </ul> <i>Basic income support</i> <ul style="list-style-type: none"> <li>• Broadly targeted social policy</li> </ul>	<i>Slow progress</i> <ul style="list-style-type: none"> <li>• Slow growth; high inflation, followed by low inflation</li> <li>• Mixed social record: slight improvement in absolute levels of welfare, small reduction of economic inequality</li> </ul>

*Note:* Items in *italics* are the overarching patterns.

*Source:* Authors' elaboration.

## **4.2 The Agro-Export Model, 1880-1930**

We begin our discussion with an analysis of the agro-export model, the first model of economic development used by Latin American countries.

#### **4.2.1 Meeting European and US Demand for Raw Materials**

The Spanish and Portuguese colonies in the Americas had been brought into the world economy as producers of primary goods (mineral and agricultural products) for their colonial rulers. Following their independence (1810–1825), the post-colonial rulers were free from the trade monopolies imposed by Spain and Portugal and hence were able to trade with other countries. However, the decades following independence – the 1820s through the 1840s, and beyond that in several countries – were tumultuous. In a context of frequent civil wars and de facto challenges to property rights, economic activities were difficult to carry out and sustain.

These conditions changed significantly, however. European and US demand for the raw materials that Latin America could produce had been growing since the mid-nineteenth century. And these external changes provided an incentive for pacification. Indeed, political leaders resolved border disputes and internal conflicts in large part to take advantage of a unique opportunity for export-led economic growth. By 1880, once the process of formation of modern states was largely complete, the region as a whole adopted a model of development based on the export of agricultural, livestock, and mineral products – an agro-export model of economic development, for short.

#### 4.2.2 Markets with Little Social Policy

This agro-export model was largely a model for economic growth. Indeed, as we will see, it paid little attention to social policy.

***Economic Policy.*** Inspired by the key tenets of economic liberalism, political leaders in Latin America protected property rights and supported free trade, unhindered by protectionist measures. (Note that the term “liberal” is used here in a strictly economic sense, and not as the term is commonly understood in the United States, where liberal generally means left in a political sense.) Specifically, the dominant view was that countries should focus on their natural competitive advantages within the scope of an international division of labor. Thus, Latin America concentrated, as in its colonial past, on exploiting its natural endowments, whether in agriculture, animal husbandry, or mining.

Inasmuch as the region required manufactured goods, they would be imported from industrializing countries with the revenues from exports. Additionally, foreign investment was promoted, both in production (e.g., mining) and in infrastructure development (e.g., railways, shipping). That is, Latin America engaged with the world economy – and, more narrowly, with the economies of the United States, the United Kingdom, France, and Germany – as producer of raw materials, consumer of finished goods, and recipient of foreign capital ([Bulmer-Thomas 2003](#): chs. 3–5).

The economic role of the state under this model was minimal, in line with the prevalence of the gold standard in the world economy. According to the gold standard, a country’s currency was equal to a certain amount of gold – fiscal and monetary policy instruments were not broadly used. Indeed,

most countries did not create a central bank until the 1920s. Instead, countries relied on an automatic stabilization mechanism, based on international markets and the flow of exports and imports. When demand for exports increased, more money flowed into the economy and thus allowed the financing of imports. At times of low demand, the opposite trend dominated, and recessions ensued.

A partial exception concerning the state's minimal role in the economy was that Latin American countries resorted to tariffs and taxes on trade to finance the state, usually imposing these on imports. Mining economies with a presence of foreign companies also implemented taxes on exports.

We emphasize here that economic liberalism did not go hand in hand with political liberalism and, in particular, with respect for civil liberties. Especially in mining and plantation economies, the state actively repressed workers and prevented them from organizing. That is, the liberal elites that dominated politics during this period did not protect workers with the same vigor as they protected the property rights of the wealthy.

The agro-export model was implemented with variations across Latin American countries. Some countries focused on livestock and grain production, others on products typical of tropical climates such as coffee and sugar, and yet others on mining (see [Map 4.1](#)). And, as we discuss next, each of these products was associated with distinct productive enterprises ([Bergquist 1986](#); [Bértola and Ocampo 2012](#): 104–16).



**Map 4.1** Main products in Latin America, c. 1930

*Source:* [Bulmer-Thomas 2003](#): 1, [map 1](#).

The production of grains and livestock was based on extensive agriculture, which did not require large numbers of workers (see [Photo 4.2](#)).

Workers, usually mestizos, worked on large landed estates, called *haciendas* or *latifundios* in Spanish, through a peonage labor system, a type of involuntary servitude. Extensive agriculture was prevalent in the Southern Cone countries, especially in Argentina, Uruguay, and southern Brazil.



**Photo 4.2 Livestock farming** Animal husbandry in Argentina, 1903.

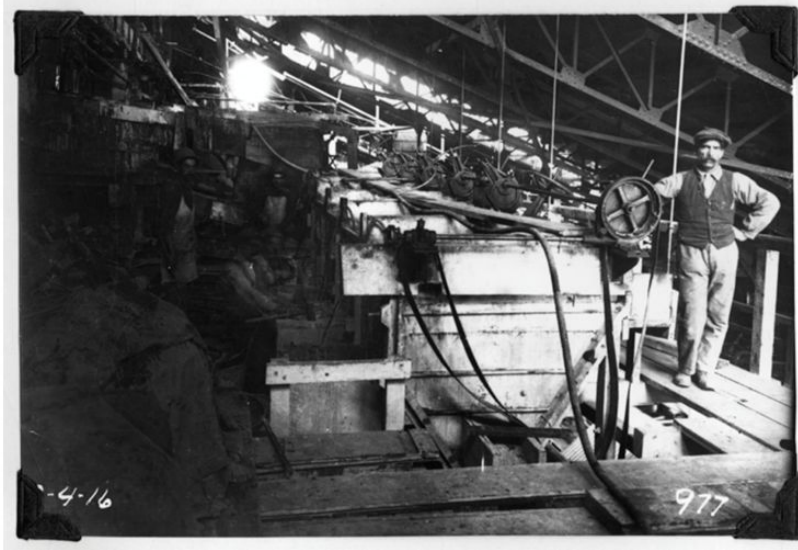
The production of coffee, sugar, cotton, tobacco, tropical fruits, and cacao was associated with plantation economies, usually in tropical areas (see [Photo 4.3](#)). This type of production had previously relied on slave labor. After slavery was abolished, labor conditions in plantations did not improve radically and gave rise to what has been called labor repressive agriculture. Plantations were common in Central America, Cuba, northeastern Brazil, and the northern areas of Venezuela, Colombia, and Ecuador.





**Photo 4.3 Plantation economies** A coffee plantation in Costa Rica, c. 1910.

Finally, the production of silver, gold, copper, platinum, tin, and nitrates was associated with mining economies (see [Photo 4.4](#)). Mine ownership was often in foreign hands and mining sites frequently incorporated technological innovations that had been developed in industrial countries. Most workers were indigenous people, who had populated the highlands since pre-colonial times, and mestizos. However, technical roles, especially those requiring training, were commonly reserved for European immigrants. The key mining regions in Latin America were the state of Minas Gerais in Brazil; the Andean highlands in Bolivia, Chile, and Peru; and the Sierra Madre mountain range in Mexico.



**Photo 4.4 Mining** Worker at El Teniente, one of the largest and oldest copper mines in South America, in the north of Chile, 1916.

***Social Policy.*** Overall, Latin American states did little to develop policies to address the social risks associated with the agro-export model. They expanded primary, and in some cases secondary, public education systems. Some countries took a few steps to offer primary health care in urban areas. Nonetheless, most countries simply had no social policy and did little to directly ensure the well-being of their citizens.

A partial exception to this pattern was provided by Argentina, Brazil, Chile, Uruguay, and Cuba. These countries took some steps to develop basic social insurance plans, especially in the 1920s. These plans provided life and disability insurance, retirement pensions, and basic health care coverage. Yet they were accessible only to certain categories of people – the military, high-level civil servants, and a few public- and private-sector employees. Thus, they were not available on a universal basis; instead, they benefited urban dwellers who belonged to the middle class and a few blue-collar workers, and not those most in need ([Mesa-Lago 1978, 1991](#): 358–61; [Haggard and](#)

[Kaufman 2008](#): ch. 2; [Huber and Stephens 2012](#): 85–101). See [Table 4.3](#) for a summary of the key features of the agro-export development model.

**Table 4.3** The agro-export model in Latin America, 1880–1930: Key features

<b>Economic policy</b>
<ul style="list-style-type: none"><li>• Protection of private property</li><li>• Free trade</li><li>• Focus on the production of a few primary goods (agricultural, livestock, mineral products)</li><li>• Export to industrializing countries in the North Atlantic</li><li>• Import of manufactured goods from the industrializing countries in the North Atlantic</li><li>• Promotion of foreign investment, in production and infrastructure development</li><li>• Automatic fiscal and monetary stabilization, based on trade flows</li><li>• Tariffs and taxes, especially on imports</li></ul>
<b>Social policy</b>
<ul style="list-style-type: none"><li>• Social insurance, based on formal labor categories (urban, professions), in a few countries.</li></ul>

*Source:* Authors’ elaboration.

### 4.2.3 Moderate But Unequal Progress

Did Latin America's decision to adopt an agro-export model of development pay off? Did this model actually help the region attain socioeconomic welfare?

Based on data that allow for comparisons across most countries, we can draw some distinctions between countries within Latin America (see [Table 4.4](#)). The most successful countries were Argentina, Chile, Costa Rica, Cuba, and Uruguay. They made the biggest economic advances and/or attained the highest level of social development in the region. Venezuela led the region in terms of economic growth; its performance was largely due to an oil boom that made Venezuela the largest oil producer in the region in the 1920s. However, Venezuela could not match the social indicators of the more successful countries. In turn, the record of the two large, populous countries in the region, Brazil and Mexico, is significant. These two countries grew slowly and lagged in terms of social indicators. In the case of Mexico, the 1910–1920 revolution was partly responsible for its slow growth and high inflation. Thus, the model's impact was uneven throughout the region.

**Table 4.4** The agro-export period in Latin America, 1880–1930: Economic and social performance

Region/country	Economic indicators		Social indicators					
	GDP growth rate, per capita, 1880–1929 (average %)*	Inflation, 1900–1930 (average annual rate, %)	Life expectancy, at birth (years)		Literacy rate (% of population)		Inequality (Gini index)**	
			1910	1930	1910	1930	1870	1920
South America								
Argentina	2.4	2.3	44	53	60	75	52.2	57.4
Bolivia	–	–	28	33	20	25	–	–
Brazil	1.0	2.7	31	34	35	40	54.8	59.7
Chile	1.9	5.3	30	35	53	75	59.4	64.1
Colombia	1.7	11.3	31	34	39	52	–	–
Ecuador	2.0	–	–	–	38	46	–	–
Paraguay	–	–	29	38	38	52	–	–
Peru	2.5	–	–	–	29	37	–	–
Uruguay	1.8	–	52	50	60	75	48.1	56.2
Venezuela	3.2	2.0	29	32	29	36	–	–
Mexico, Central America, and the Caribbean								
Mexico	0.9	22.3	28	34	30	36	–	–
Costa Rica	–	–	33	42	47	67	–	–
El Salvador	–	–	–	29	27	28	–	–
Guatemala	–	–	24	25	13	19	–	–
Honduras	–	–	–	34	30	36	–	–
Nicaragua	–	–	–	28	–	39	–	–
Panama	–	–	–	36	27	46	–	–
Cuba	2.9	1.3	36	42	57	71	–	–
Dominican Republic	–	–	–	26	–	26	–	–
Latin America***								
Latin America***	1.6	6.8	32.9	37.7	37.2	48.0	53.6	59.4

*Notes:* – Data are not available.

\* For Cuba, Ecuador, and Mexico, the average is for the 1900–1929 period.

\*\* Figures represent Gini coefficients on a 0–100 scale. Larger Ginis indicate greater income inequality in a society.

\*\*\* The total for Latin America's GDP growth rate is weighted by population. The other regional figures are a simple average of cases for which data are available for the comparison years (e.g., 1910 and 1930).

*Source:* Authors' elaboration, based on [Thorp 1998](#): 333, 352; and [Bértola and Ocampo 2012](#): 112, 120, 292–5.

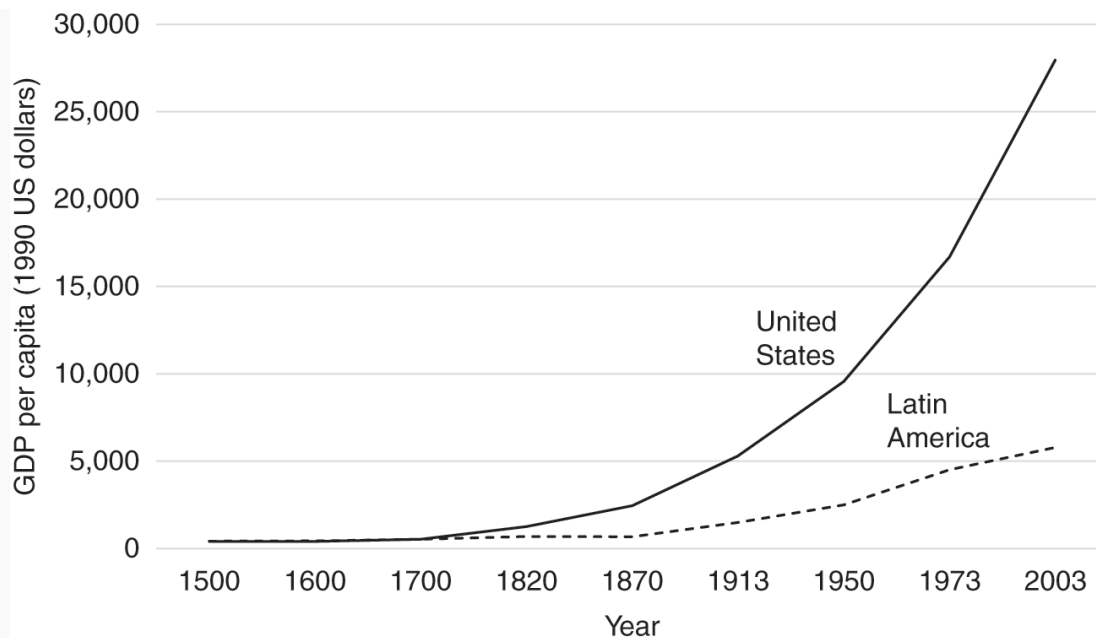
If we view the period in general terms, it was a time during which Latin America's economies grew at a moderate rate (1.6 percent per capita per year) and had low inflation (6.8 percent per year), a sign that growth was sustainable. Still, the social record was mixed. Economic growth did lead to an improvement in the absolute level of welfare of the population. Life

expectancy increased, from 32.9 years in 1910 to 37.7 in 1930, as did literacy rates, from 37.2 percent in 1910 to 48.0 percent in 1930. Yet the benefits of economic growth were not distributed equally ([Bértola and Ocampo 2012](#): 116–23; [Williamson 2015](#)). Indeed, the level of economic inequality in Latin America, as measured by the Gini index, worsened considerably. By 1920, the Gini index was similar to the Gini index of the most unequal countries in the world in the twenty-first century. Thus, the agro-export model of development yielded moderate but unequal progress. See [Box 4.2](#) for a broad comparative and historical perspective on this performance.

#### **Box 4.2** Thinking Comparatively: Economic Development in Comparative and Historical Perspective

It is useful to consider Latin America's economic development from a broad perspective. Currently, Latin America is considered a developing region that is distinguished from developed countries, which are much more prosperous. However, the economic gap between developed and developing countries was not always there; it emerged during a specific historical period, and then largely got reproduced over time.

A comparison between the United States and Latin America is instructive in this regard (see [Figure 4.1](#)). The United States and Latin America had the same GDP per capita between 1500 and 1700. Then, the United States jumped ahead; it was 1.8 times wealthier than Latin America in 1820 and 3.6 times wealthier in 1870. Thereafter, the relative distance between the United States and Latin America varied little through 1973 (the United States was 3.7 times wealthier than Latin America in 1973), and then increased again through 2003 (to 4.8 times). That is, by 1870, the economic gap between the United States and Latin America had been established and subsequently it persisted. And, during the 1880–1930 period, Latin America was neither falling behind nor catching up with its neighbor to the north, the United States.



**Figure 4.1** Economic growth in Latin America and the United States, 1500–2003.

*Source:* Authors' elaboration, based on [Maddison 2003](#): 87–9, 114; [2007](#): 70.

This long-term pattern has led scholars to explore the historical sources of Latin America's underdevelopment. Some authors draw attention to the differences in the legacy of colonialism in the United States and Latin America. For example, economists [Daron Acemoglu and James Robinson \(2012\)](#) argue that we can trace the divergent economic performances of the United States and Latin America back to the “inclusive” economic and political institutions set up by the British in the colonies that became the United States, and the “extractive” economic and political institutions set up by the Spanish and Portuguese in the Americas. Inclusive institutions created an incentive for social cooperation and innovation, and extractive institutions placed the focus on obtaining short-term rents



by exploiting indigenous labor and mineral resources. The same logic explains why countries in Latin America that lacked mineral riches and dense indigenous populations – Argentina, Chile, and Uruguay – performed better than those that were central to the colonial economy – Mexico and Peru. (On the influence of colonial legacies on economic development, see also [Sokoloff and Engerman 2000](#) and [Mahoney 2010](#).)

In contrast, other authors note that the United States and Latin America did not diverge considerably in terms of their wealth as late as the eighteenth century; they place more emphasis on the effects of the wars on independence and their aftermath ([North et al. 2000](#); [Przeworski with Curvale 2008](#)).

Other scholars offer a historical argument for the persistence of Latin America's economic underdevelopment after 1870. For example, political scientist Sebastián [Mazzuca \(2017\)](#) holds that the process of state formation in Latin America led to the creation of states based on “dysfunctional territorial configurations” that restricted the long-term potential for economic growth in the region.

These arguments supplement those about the model of economic development we elaborate here. A full explanation of economic development would have to draw on historical factors and more proximate factors, such as government policies.

#### **4.2.4 The Great Depression**

The end of the agro-export model can be largely attributed to the Great Depression of 1929–1933. Latin American economies had become closely integrated into the world economy. And the Great Depression, an economic shock that started outside Latin America, had a big impact on the region.

The Great Depression led to the collapse of exports. Chile, the hardest hit country, lost 83 percent of its export revenues, and this loss led to a sharp decline in government revenues. It also led to a cut-off of capital inflows from abroad, some of which had financed the budget deficits of governments. Thus, the Great Depression exposed the central weakness of the agro-export model, its high dependence on events outside the control of governments in the region.

The Great Depression also provided a boost to industrial production in some countries. Governments placed tariffs on industrial imports in order to raise revenues, and local manufacturing production benefited from this protection. Indeed, the agro-export model was partly undone by the new international context and the short-term measures taken in response to the international economic crisis. However, it would only be in the course of the 1930s, when governments abandoned their self-regulating economic policies and turned to the active use of various economic policy instruments, that the agro-export model would be replaced by a new import-substitution industrialization model ([Bulmer-Thomas 2003](#): ch. 7).

## **4.3 The Import-Substitution Industrialization Model, 1930-1980**

We turn now to the second model of economic development used in Latin America: the import-substitution industrialization model or, as it is commonly called, the ISI model.

### **4.3.1 Internal Adjustments and a Homegrown Model**

The ISI model was adopted in part because of external circumstances, and in part because of internal developments. On the external front, although demand for Latin America's primary goods resumed in 1933, World War II (1939–1945) limited trade again, curtailing the possibility of exports of raw materials and imports of manufactured goods. On the internal front, various factors combined to bring about changes.

The 1929 shock generated social and political turmoil in Latin America and led to the rise of new political leaders who sought to mobilize the masses and incorporate them into the political system. These nationalistic leaders rejected the way in which the old oligarchies had run countries in the region (see [Chapter 2, section 2.4](#)). They saw dependence on external factors as a weakness and believed that a more integrated economy, capable of producing goods needed for the defense of the country, was desirable. They also welcomed the possibility of developing political coalitions based on a working class that would increase in size if domestic industry grew. New powerful actors saw the benefits of a development model that was more inward-looking and more focused on industrial production ([Cardoso and Faletto 1979](#): ch. 5; [Collier and Collier 1991](#)).

Additionally, economic doctrines were changing. Doubts about economic liberalism were increasing after the Great Depression, and a new way of thinking about economic matters emerged. In the North, Keynesian economics, which assigned an important economic role to the state, became dominant. In Latin America, a school of thought associated with economist Raúl Prebisch, a key figure in the influential United Nations Economic

Commission for Latin America and the Caribbean (ECLAC), offered a related economic analysis.

Prebisch held that raw material producers in the world economy would become entrapped in an increasingly unfavorable – and economically dependent – situation. He also argued that, as a solution, the state should actively promote industrialization ([Prebisch 1950 \[1948\]](#); [Love 1994](#)). And the codification of an explicit doctrine that justified the new policies, largely due to Prebisch's work in the late 1940s, gave credibility to those who argued in favor of the new development model and helped to orient the process of transition to an ISI model.

Thus, this change of development model occurred over more than a decade and was the outcome of a confluence of factors. During the 1930s, Latin America began changing its development model in response to an external shock. In the late 1940s, the ISI model became a recognizable model and, as such, a guide for policy. Furthermore, it was only in the 1950s that the transition to ISI took hold in most countries in the region, though less thoroughly and later in Central America ([Bulmer-Thomas 1987](#): chs. 4–6, and 9; [2003](#): 226–98).

### **4.3.2 State-Led Development with Partial Social Coverage**

The ISI model introduced major changes in economic policy. It also introduced innovations in social policy.

***Economic Policy.*** The ISI model consisted of a few core economic policies. The key novelty, and the centerpiece of the new model, was the role assigned to the state. Development was equated with industrialization. (This change does not mean that agricultural and mineral production ceased; but these sectors would not benefit from government policy as they did in the past.) However, Latin America had no comparative advantage in industrial production; in the 1930s, countries such as the United States and the United Kingdom could produce goods of better quality and at a cheaper price – especially so at the cutting edge of the economy. Private enterprise by itself could not be counted on to vigorously catch up with international producers. Thus, industrialization would have to be a state-led project.

More specifically, under the ISI model, the state would play an active interventionist role through its use of a variety of policy instruments:

- (1) The state supported industrialization through fiscal and investment-seeking policies, for example, by offering subsidies to private entrepreneurs seeking to start or expand industrial production or by providing subsidies to businesses seeking to import machinery for their manufacturing plants.
- (2) The state supported industrialization through monetary policy, for example, by offering a more favorable exchange rate to those needing to buy inputs for the industrial sector.

(3) The state supported industrialization through trade policy, especially by imposing high tariffs on manufactured goods that were produced domestically. The average level of trade protection for Argentina, Brazil, Chile, Colombia, Mexico, and Uruguay in 1960 was 160 percent for durable consumer goods (goods such as cars and consumer electronics, which last more than three years) and 191 percent for nondurable consumer goods (goods such as clothing, which last up to three years) ([Bulmer-Thomas 2003](#): 271).

In sum, the state had a strong presence in the economy as regulator.

Moreover, the state took on an even larger role. It engaged in the provision of infrastructure (e.g., electricity generation and road construction) that would assist the expansion of industrial production in the private sector. It was also directly engaged in production through state-owned enterprises, especially in sectors in which sizable public resources were considered necessary, such as steel and chemicals. Indeed, under the ISI model, the state had a role as entrepreneur ([Trebat 1983](#)). See [Photo 4.5](#) for an example of a state-owned enterprise.



**Photo 4.5 A state-owned enterprise in the industrial sector** The construction of the National Steel Company, in 1941, the year the company was founded in Brazil as a state-owned company.

*Source:* public domain/Arquivo Nacional Collection.

There were limits, nonetheless, to the role of the state in the economy under ISI. Although state-owned enterprises played an important role in some sectors of the economy, most of the manufacturing firms (as well as the agricultural and commercial firms) were privately owned. For example, in Brazil, the country that gave the state the biggest role in the economy, public enterprises accounted for only 7 percent of the largest firms ([Trebat 1983](#): 56). Sometimes the right to private property was abridged through the nationalization of foreign-owned and occasionally domestic-owned companies, especially in the oil, mining, transportation, and public utilities sectors ([Moran 1974](#); [Philip 1982](#)). However, the owners of nationalized companies were compensated.



Moreover, foreign private companies had a role in the economy. Restrictions were placed on foreign direct investment in some sectors of the economy (e.g., the banking sector, the oil sector). Yet, foreign corporations such as the United Fruit Company had a continuous presence in agriculture ([Striffler 2002](#); [Bucheli 2005, 2008](#)). Also, from the 1950s onward, as countries realized that they lacked the technology and capital to enter into new, dynamic growth areas such as the production of automobiles, they invited US and European companies to set up factories in Latin America, and these companies produced goods for the domestic markets ([Cardoso and Faletto 1979](#): ch. 6; [Evans 1979](#); [Gereffi and Evans 1981](#); [Bennett and Sharpe 1985](#)). The only exception to this rule was Cuba, which adopted a centrally planned or command economy after the 1959 revolution and especially after 1975 ([Mesa-Lago 2000](#): Pt. III).

***Social Policy.*** The ISI model was associated with an expansion of social policies throughout the region. Much greater coverage was provided in the areas of education, primary health, unemployment benefits, and pensions. Importantly, many workers who had not been covered by social policies before the 1930s gained coverage. Nevertheless, with the exception of free public education, which greatly extended access to education and increased opportunities for social mobility, in all other areas of social policy, access to benefits was based on contributions through formal sector employment ([Mesa-Lago 1989](#); [Huber 1996](#); [Segura-Ubriego 2007](#); [Haggard and Kaufman 2008](#): ch. 2; [Huber and Stephens 2012](#): ch. 4).

This was an important limitation. It gave security to those who were already doing well in the job market rather than providing, as a universal right, access to certain services that would protect the poor from health

problems, unemployment, and lack of income in old age. Workers in the informal sector and in rural settings were disadvantaged. Moreover, since the model of the male breadwinner was prevalent, women were also disadvantaged.

The situation differed from country to country, however. Sociologists [Carlos Filgueira and Fernando Filgueira \(2002\)](#) distinguish three types of social policy, ordered from more to less inclusionary (see also [Filgueira 2005](#); [Huber and Stephens 2012](#): 77–9; [Barba Solano 2019](#): 37–8).

- A “stratified universal” system, which provided basic coverage to most citizens – social policy was progressive and made income distribution more egalitarian – but in a segmented and stratified way that fell short of the standard of a true welfare state. This was the case in Argentina, Costa Rica, Chile, and Uruguay.
- A “dual” system, which offered some coverage for citizens living in urban areas, but left those living in the rural peripheries largely outside the scope of most social policies. This characterization fits Brazil and Mexico, as well as Colombia and Venezuela.
- An “exclusionary” system, which did not provide significant social assistance. Examples of this category are the Central American countries (except for Costa Rica and Panama), the Dominican Republic, Bolivia, Ecuador, Paraguay, and Peru.

See [Table 4.5](#) for a summary of the key features of the ISI development model.

**Table 4.5** The import-substitution industrialization model in Latin America, 1930–1980: Key features

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**Economic policy**

- State-led development aimed at the industrialization of the economy
- Fiscal and investment policies: Transfers and subsidies to promote local industrialization, subsidies for imported capital goods, development banks to foment substitutive industry, and targeted overtures to attract multinational corporation investment
- Monetary policies: Multiple exchange rates, and monetary controls to reduce reliance on imported finished goods and manage capital flows
- Trade policies: Multiple tariffs, nontariff barriers, and import quotas
- Infrastructure policies: Strategic infrastructure for production
- Productive ventures: Direct state involvement in industry through state-owned enterprises

**Social policy**

- Social protection systems based on contributions through formal sector employment, with variation in coverage – from stratified universal systems to dual and exclusionary systems
- 

*Source:* Authors' elaboration.

### 4.3.3 Strong Progress

What was the effect of this development model on socioeconomic welfare?

As in the previous period, there was considerable country variation in terms of the performance of economic and social indicators (see [Table 4.6](#)). The most successful countries in strict economic terms were two that had performed poorly in the previous period: Brazil and Mexico. In fact, these two countries best exemplified the ISI model, as they grew three times faster under ISI than under the agro-export model. Moreover, as the two Latin American giants, they had a significant impact on the state of the economy in the region. Some countries that were successful under the agro-export model continued to perform strongly; this was the case for Venezuela, Ecuador, and Costa Rica. However, some erstwhile success cases grew at a slow rate; this was especially the case for Argentina. Latin American countries also varied considerably in their ability to keep inflation under control. Especially problematic were Chile and Argentina, as well as Uruguay, Brazil, and Bolivia.

**Table 4.6** The import-substitution model in Latin America, 1930–1980:  
Economic and social performance

Region/country	Economic indicators		Social indicators			
	GDP growth rate, per capita (average %)		Inflation (average annual rate, %), 1940–1979*	Life expectancy, at birth (years), 1970	Poverty (% of population), c. 1970**	Inequality (Gini index), c. 1970***
	1930–1979	1935–1979				
South America						
Argentina	1.3	1.7	57.5	66.5	8	42.5
Bolivia	1.4	1.4	28.0	45.6	–	–
Brazil	3.2	3.5	29.0	58.9	49	57.4
Chile	1.2	1.6	64.5	62.3	17	50.3
Colombia	2.0	2.1	13.3	62.2	45	52.0
Ecuador	2.8	3.2	8.5	58.2	–	62.5
Paraguay	1.5	1.5	18.5	65.4	–	–
Peru	1.7	2.0	16.0	54.2	50	59.1
Uruguay	1.2	1.7	32.3	68.6	15	44.9
Venezuela	3.0	3.6	5.0	64.9	25	53.1
Mexico, Central America, and the Caribbean						
Mexico	2.6	3.0	9.8	61.4	34	56.7
Costa Rica	2.6	3.0	6.3	65.8	24	46.6
El Salvador	1.9	2.3	6.3	55.0	–	53.9
Guatemala	2.1	2.5	5.8	52.5	–	–
Honduras	0.7	1.2	4.5	52.5	65	61.2
Nicaragua	0.8	1.5	9.5	53.5	–	–
Panama	2.3	2.3	3.8	65.5	39	55.8
Cuba	1.6	2.3	2.8	69.8	–	25.0
Dominican Republic	2.8	2.8	6.0	58.1	–	49.3
Latin America <sup>†</sup>	2.4	2.8	17.2	60.0	33.7	51.4

*Notes:* – Data are not available.

\* For Cuba, the average is for the 1940s and 1950s.

\*\* This poverty measure is the proportion of the population living below the poverty line.

\*\*\* Figures represent Gini coefficients on a 0–100 scale. Larger Ginis indicate greater income inequality in a society.

† The total for Latin America's GDP growth rate is weighted by population. The other regional figures are a simple average.

*Source:* Authors' elaboration, based on [Thorp 1998](#): 333, 352; [Bulmer-Thomas 2003](#): 304; [Bértola and Ocampo 2012](#): 292–5; and [World Bank 2020a](#).

In terms of social indicators, performance did not parallel the record of economic indicators. The countries that, under the agro-export model, had achieved the best level of social development – Argentina, Chile, Uruguay, Costa Rica, and Cuba – continued to lead the region. Still, countries with strong economic growth made big advances – for example, in life

expectancy (compare [Tables 4.4](#) and [4.6](#)). See [Box 4.3](#) regarding the performance of Cuba, the one country in the region with a centrally planned economy.

### Box 4.3 Debates: Cuba's Centrally Planned Economy

The record of Cuba after the socialist revolution of 1959, the only example of a centrally planned economy in Latin America, has been the subject of an intense debate.

After 1959, Cuba carried out an ambitious land reform program, and instituted a universal social policy system that provided high-quality health, education, and pension coverage to its people. Thus, many observers have considered Cuba to be an example of how a Latin American society could achieve a more egalitarian society that performs well on key social indicators.

However, the viability of Cuba's command economy has hinged on external support, first from the Soviet Union and later from leftist governments of Venezuela. Also, since the rise to power of Fidel Castro in 1959, political and civil liberties have been severely restricted. Thus, discussions of the Cuban model also usually bring up these less favorable aspects.

It is tricky to objectively compare the performance of different development models, while also considering their relationship to political regimes. Even so, economist Carmelo [Mesa-Lago \(2000\)](#) undertakes this task in his *Market, Socialist, and Mixed Economies*, and the conclusions he derives from a comparison between Cuba, an example of a command economy, and Costa Rica, an example of a mixed economy, are instructive.

Mesa-Lago holds that Cuba has performed better than Costa Rica in terms of social indicators, but worse in terms of political rights. Moreover, he argues that Cuba also displayed significant

shortcomings in terms of promoting growth (which can be attributed in part to the US trade embargo on Cuba). Thus, Mesa-Lago concludes that Costa Rica is superior in political terms and also strikes a better balance between economic growth and social welfare.

Current debates about models of economic development are dominated by assessments of rather extreme applications of free market principles (e.g., the case of Chile during the Pinochet years and after). Thus, debates about other options can offer perspectives that frequently are ignored.

Viewed in general terms, Latin America performed better across the board in this period than it did in the 1880–1930 period (compare [Tables 4.4](#) and [4.6](#)). Latin America's economies grew at a faster pace – the average annual GDP growth rate for the region was 2.8 percent for the 1935–1979 period compared to 1.6 percent in the 1880–1929 period – though the inflation rate was higher, especially in the 1970s. Moreover, the social advances were sizable. In the twenty years from 1910 to 1930, life expectancy increased fewer than five years; in the forty years from 1930 to 1970, life expectancy increased by more than twenty-two years. Thus, life expectancy under the ISI model grew at double the rate of the agro-export model.

Comparative data on inequality are not plentiful. However, a comparison of the cases for which data for 1870, 1920, and 1970 are available shows a clear trend. Countries that became more unequal during 1870–1920 became more equal during 1920–1970. A key problem of Latin America, its unequal distribution of income, partially improved.



In brief, the performance of Latin America under the ISI model was superior to its performance under the agro-export model. The ISI model not only led to more economic growth, but also yielded more social progress. That is, the effect of the ISI model on socioeconomic welfare was a positive one.

#### **4.3.4 Internal Limits and the Foreign Debt Crisis**

Despite its achievements, the ISI model had several built-in limitations – some economic, others political.

The most evident economic shortcoming was that technology and capital goods, physical assets used by a company in the production process, were not developed domestically, but rather were imported. Although all countries were relatively successful in what was called the “easy” phase of ISI – which entailed the production of foods, beverages, textiles, leather goods, and footwear – they were less successful at moving into the “hard” phase of ISI – that is, the production of heavy-industry products and durable consumer goods. At that stage, Latin American countries turned to multinational corporations, which brought their technology and capital to produce goods within Latin America.

This dependence on multinationals was, in itself, an admission of weakness. Latin American countries were still forced, as they were during the times of the agro-export model, to import the more sophisticated goods produced in the more advanced economies in the North. And the reliance on direct foreign investment as a way to foster domestic production and hence avoid imports had its limits. Only a few countries were successful at moving through the “hard” phase of ISI, and in these success cases most industrial production remained oriented to the domestic market. Foreign companies “jumped over tariff barriers” and produced their industrial goods in plants in Latin America (e.g., Ford produced cars in Mexico and Brazil rather than exporting them from Detroit), but these goods were

largely sold on the domestic market and were rarely exported, a concerning sign.

There was also a political limitation to the ISI model. The ISI model was supported by workers and the domestic industrial bourgeoisie, which formed a powerful political coalition. In turn, the ISI policies benefited these workers, who had good jobs and social benefits, and the domestic industrial bourgeoisie, which grew in number and became wealthy by taking advantage of the state's promotion and sheltering of national industry. That is, the ISI model was self-reinforcing: it strengthened the coalition that supported ISI policies and this coalition had a vested interest in maintaining the model. Thus, it was politically difficult to introduce adjustments to the model by making it less inward-looking and more export-oriented.

In the end, the model collapsed when the foreign debt crisis started in 1982 with Mexico's default on its foreign debt. Latin American countries had taken loans from international banks in the 1970s, in part to cover government budget deficits and in part to fund large state-owned enterprises. Then, when Mexico defaulted on its foreign debt, the international banks called in the loans they had made to Mexico and to other Latin American countries, a step that caused countries beyond Mexico to enter into default. Moreover, upon declaring their inability to pay back their international debts, Mexico and other Latin American countries turned to the International Monetary Fund (IMF) and the World Bank (WB), which, in exchange for financial assistance, imposed certain conditions that essentially amounted to a radical rejection of key policies of the ISI model ([Edwards 1995](#); [Bulmer-Thomas 2003](#): ch. 10; [Bértola and Ocampo 2012](#): 164–73, 179–91).

The transition from the ISI model was thus made in a context of crisis, and was in part dictated from abroad. What had started for Latin America as an attempt to gain national economic sovereignty, and to break with its dependence on wealthier countries in the North (and increasingly on the United States) by making countries more self-sufficient, had looked like a promising venture for a few decades. It certainly had its successes. Yet it ended badly. See [Box 4.4](#) on experiences with ISI outside Latin America that evolved differently.

#### **Box 4.4** Thinking Comparatively: Infant Industries and the East Asia Example

The collapse of import-substitution industrialization in Latin America might suggest that the model was doomed to fail. However, import-substitution industrialization was successfully pursued in other countries.

The United States, in its early years, engaged in a highly protectionist strategy to develop its “infant industries,” a strategy advocated, among others, by Alexander Hamilton, the first Secretary of the Treasury. The East Asian tigers (South Korea, Taiwan, Singapore, and Hong Kong) also relied on import-substitution industrialization during the 1960s–1980s period and achieved unprecedented economic growth. Crucially, nevertheless, the policies pursued by these countries differed from those of Latin America in key ways.

In East Asia, a developing region that was comparable to Latin America, industries were initially protected, but were gradually exposed to trade and international competition. Thus, government policies not only assisted the development of domestic industry, but also provided incentives for technological upgrading and the search for international competitiveness. At the same time, East Asian countries invested in human capital, developing massive and high-quality education systems that proved fundamental for technological upgrading and innovation.

Thus, import-substitution industrialization can lead to sustained economic development when a country uses it as a stepping stone to a more open and competitive model. But Latin America differed from countries that successfully used ISI because in Latin America ISI became entrenched and the coalition of actors that supported ISI prevented a smooth transition from import-substitution to export-oriented growth. Rather, the end of ISI in Latin America came through a crisis that was very costly and that imposed serious limits on the options of governments seeking a new development model.

## **4.4 The Neoliberal Model, 1980-2010s**

We complete our overview of development models in Latin America by discussing the neoliberal model – essentially a package of market-oriented policies – adopted in the 1980s and 1990s.

#### **4.4.1 External Pressure and a Model Elaborated in Washington**

As was the case with the ISI model, the neoliberal model was adopted because of both external and internal factors. A continuation of old policies was simply unsustainable – the growing problem of inflation had to be confronted. In turn, given the debt crisis in the 1980s, external funds dried up and Latin American countries were forced to pay back their loans, making Latin America a net exporter of capital. A serious adjustment, involving new fiscal and monetary policies in line with free-market orthodoxy, seemed inevitable. However, the turn to the neoliberal model differed from the transition to the ISI model in two ways. In the case of ISI, Latin American thinkers and think tanks played a key role in developing the new model, which was to a considerable extent being implemented organically, as policies were put to work. In contrast, the neoliberal model was a model developed outside the region and, importantly, was largely an ideologically inspired guide for policy-making as opposed to a well-tested and proven model.

The foreign origin of the new model was evident with regard to the first Latin American country to implement a neoliberal model, Chile during the Pinochet dictatorship (1973–1990). Chile's free-market economic plan was strongly influenced by US economist Milton Friedman and the "Chicago Boys," Chilean economists trained at the University of Chicago. The same applies to subsequent adopters. During the debt crisis in the 1980s, international financial institutions based in Washington, DC (the International Monetary Fund and the World Bank), as well key agencies of the US government (such as the Department of the Treasury), developed a



recipe of free market policies to respond to the debt crisis. This set of policies became known as the Washington Consensus, because it was a consensus elaborated in Washington, among its economists and policymakers. And these policies were then propagated from Washington to Latin America ([Williamson 1990, 2008](#); [Edwards 1995](#): chs. 1 and 3; [Bértola and Ocampo 2012](#): 198–215).

The untested nature of this model was also apparent. Milton Friedman saw the application of his ideas in Chile in the 1970s as a test of what was an ideologically infused set of economic proposals. And the promoters of the Washington Consensus in the 1980s and 1990s not only made untested claims about the virtues of their proposals, but in some sense treated Latin American and other developing countries as unwitting subjects in an experiment ([Przeworski 1992](#)).

Thus, the transition to the neoliberal model was unlike the earlier adoption of the ISI model (see [Section 4.3.1](#)). The neoliberal model was rarely imposed through authoritarian means, as in the case of Chile. In most cases, democratically elected leaders enacted the reforms (the exceptions were Chile, Mexico, and, in part, Peru). However, in contrast to the way in which the ISI model had been formulated and implemented, the content of the neoliberal model was developed outside the region and more in the context of a doctrinal debate than of economic practice. Also, it was internalized in Latin America at the level of the political leadership at a time when powerful actors in Washington held considerable leverage over the economic future of Latin American countries.

#### **4.4.2 A Return to Markets and Retrenchment in Social Policy**

The neoliberal development model was, in some sense, a return to old policies. As the term “neoliberalism” indicates, it was a return to the economically liberal policies of the late nineteenth and early twentieth centuries. (Again, we note that the term “neoliberal” should not be confused with the term “liberal” as used in the United States; in fact, in Latin America, neoliberal is a term usually associated with the political right.) In broad terms, the neoliberal model amounted to a rejection of the state intervention in the economy characteristic of the ISI model and a reversion to the free market and free trade approach of the 1880–1930 period. Still, the world in the late twentieth and early twenty-first centuries was not the same as 100 years earlier. Also, the neoliberal model was not the same as the agro-export model.

***Economic Policy.*** The neoliberal model sought to generate, through various key policies, economic growth that was sustainable. The privatization of state-owned enterprises was one key policy, and it served several purposes. It was a way to remove the state from the economy and to transfer economic initiative from the state to private enterprise. It also was a signal to private domestic and international investors that private property rights would be secure.

Additionally, to consolidate the leading role of private business in the economy and to make the economy more competitive, the neoliberal model included an array of policies. Many fit under the heading of the deregulation of the economy. The fairly unrestricted movement of capital was allowed, through a policy called capital account liberalization. Trade was liberalized through the reduction of tariffs and nontariff barriers as well as the elimination of import quotas. Price controls were removed. Some steps were taken to introduce flexibility in the labor market (e.g., by making it easier to fire workers or to alter

the working conditions of employees). The basic thrust of these policies was to provide a business-friendly environment.

In turn, to make economic growth sustainable, the model relied on various stabilization policies aimed at controlling inflation. Fiscal policies sought the reduction of government budget deficits, by raising taxes and by cutting government expenditures (e.g., by eliminating subsidies to state-owned enterprises and by cutting social programs). Monetary policies sought the restriction of the supply of money, by limiting the amount of money that was printed and by maintaining relatively high interest rates. Furthermore, to depoliticize monetary policy, authority over these policies was transferred to autonomous central banks. For growth to be sustainable, inflation had to be low, and this goal would be reached by these prudent policies.

Latin American countries varied in terms of the timing, pace, and scope of neoliberal reforms. On the one hand, pure examples of the neoliberal model around 2000 were Chile, Bolivia, Peru, Argentina, Uruguay, Panama, El Salvador, and Costa Rica. On the other hand, countries where such reforms were implemented less fully were Mexico, Venezuela, and Ecuador (Lora 2012: 52–65; [Heritage Foundation 2020](#)). Some important differences regarding trade began to emerge in the 2000s, with some countries being more receptive than others to signing free trade agreements with the United States (see [Box 4.5](#)). Thus, there was diversity within the region.

#### **Box 4.5** A Closer Look: Trade Agreements and Partners

One of the key features of Latin America's economic model of development in the twenty-first century is the commitment to international trade. At the same time, countries in the region have pursued a variety of strategies.

One key difference concerned the signing of free trade agreements (FTAs) with the United States. In 1994, after the United States signed an FTA with Mexico – the North American Free Trade Agreement (NAFTA) – the United States sought to develop a Free Trade Area of the Americas (FTAA) that would encompass the entire hemisphere. This planned agreement, which the United States sought to complete by 2005, failed. However, numerous Latin American countries did sign FTAs with the United States (see [Table 4.7](#)).

**Table 4.7** Free trade agreements in Latin America, 2010s

Region/country	FTA with the US	Membership in regional association				
		Mercosur	ALBA	Pacific Alliance	CAN	SICA
South America						
Argentina		1991			2005*	
Bolivia		1996*	2006– 2019		1969	
Brazil		1991			2005*	
Chile	2004	1996*		2011	1969– 1976, 2006*	
Colombia	2012	2004*		2011	1969	
Ecuador		2004*	2009– 2018		1969	
Paraguay		1991			2005*	
Peru	2009	2003*		2011	1969	
Uruguay		1991			2005*	
Venezuela		2004– 2012,* 2012–2016**	2004		1973–2006	
Mexico, Central America, and the Caribbean						
Mexico	1994			2011		
Costa Rica	2009					1991
El Salvador	2006					1991
Guatemala	2006					1991
Honduras	2006		2008– 2009			1991
Nicaragua	2006		2007			1991
Panama	2012					1991
Cuba			2004			
Dominican Republic	2007					2004*

*Notes:* Mercosur is the Southern Common Market. ALBA is the Bolivarian Alliance for the Peoples of Our America. CAN is the Andean Community of Nations. SICA is the Central American Integration System. The years indicate when a country signed an FTA or became a member of an association. End dates are given when a country exited an association.

\* An asterisk indicates that a country is an associate rather than a full member.

\*\* Venezuela's membership of Mercosur was suspended in 2016.

*Source:* Authors' elaboration.

Another key difference revolved around country membership in regional associations. Various groups were constituted:

- Mercosur formed as an alliance that committed countries to joint negotiations with other countries, and it focused on reaching an agreement with the European Union.
- ALBA, an association organized by then-president of Venezuela Hugo Chávez, grouped together the countries most opposed to the US vision of the hemisphere, including Cuba.
- The Pacific Alliance was established by a group of countries firmly committed to free trade; it sought agreements with countries in the Pacific Rim in particular.
- CAN and SICA sought to promote trade among countries in the Andean region and Central America, respectively.

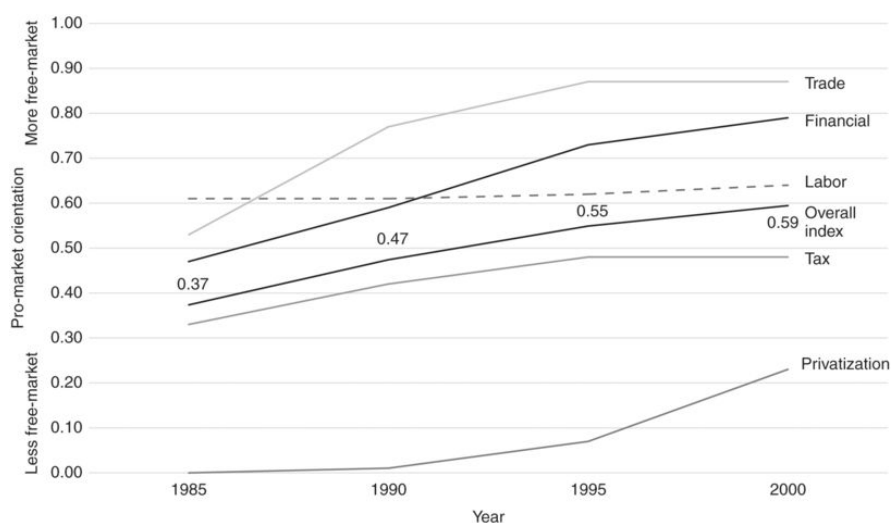
Thus, countries joined different groups, each with a distinct profile (see [Table 4.7](#)).

Finally, countries established different relations with China, a country that, from about 2000, has had an important presence in the region. China–Latin America trade increased from US \$17 billion in 2002 to US \$315 billion in 2019, and China became the second-largest trading partner in the region. (US–Latin America trade totaled US \$886 billion in 2019.) But Chinese and US influence varied throughout the region. China became the top trading partner for Brazil, Chile, Peru, and Uruguay. China also signed free trade agreements with Chile, Costa Rica, and Peru.

China has also invested in several Latin American countries, especially in Brazil and Peru. And Chinese banks became the largest lenders in Latin America, making substantial loans to Venezuela, Brazil,

Ecuador, and Argentina ([Lum 2020](#)). (For a discussion of China's role in Latin America in the twenty-first century, see [Stallings 2020](#) and [Wise 2020](#).)

However, the regional trend toward neoliberalism was clear. In the 1980s and 1990s, Latin America moved away from a model that gave the state an important role as regulator and entrepreneur. By 2000, free market principles had become more important, and countries treated private enterprise as the motor of economic growth. Indeed, the growing importance of market-oriented policies was a notable regional trend, supported by policies regarding trade, finance, labor, taxation, and privatization (see [Figure 4.2](#)) ([Bértola and Ocampo 2012](#): 215–32; Lora 2012).



**Figure 4.2** Neoliberal reforms in Latin America, 1985–2000.

*Note:* The data are measured on a 0.00–1.00 scale, higher numbers indicating a more pro-market policy. The overall index is the simple average of the data on five policy areas: trade policy, financial policy, tax policy, privatizations, and labor legislation.

*Source:* Authors' elaboration, based on Lora 2012: 52–65.

***Social Policy.*** The neoliberal model was associated, in broad terms, with a retrenchment of state-provided social benefits. Consistent with the market principles that underpinned this model, large-scale social policy programs were reduced ([Mesa-Lago 2007](#); [Haggard and Kaufman 2008](#): ch. 7; [Huber and Stephens 2012](#): 155–77; [Pinheiro and Schneider 2017](#); [Sojo 2017](#); [Cruz-Martínez 2019](#)).

The neoliberal model provided a space for targeted social policies, aimed narrowly at those in great need. However, public pension systems and access to publicly funded health and educational services, which had previously benefited middle and upper classes, were either privatized or defunded. In their place, governments created quasi-markets, public–private collaborations for the delivery of public services, which allowed citizens to choose among different and competing private providers of services such as pensions, health care, education, and work insurance. In this model, the role of the state was much reduced; the state would regulate the quasi-markets, while providing citizens with information about social policy providers. In turn, the role of the market increased; many services that earlier had been accessed as a social right now were purchased on the market.

These broad similarities notwithstanding, as in the past, Latin American countries varied in the extent to which they had inclusionary social policies. As of 2010, Argentina, Brazil, Chile, and Uruguay had the region’s most inclusionary social policies. A second group, with some inclusionary policies, included Costa Rica, Venezuela, Panama, Colombia, Mexico, Peru, and El Salvador. Finally, the countries with the least inclusionary social policies were Ecuador, the Dominican Republic, Paraguay, Nicaragua, Bolivia, Honduras, and Guatemala ([Cruz-Martínez 2017](#); [2019](#)).



#### 4.4.3 Challenges and Reforms

The adoption of a neoliberal development model in the 1980s and 1990s was immediately challenged. Popular protests against neoliberalism erupted throughout the region; some of the most notable such events were the 1989 Caracazo food riots in Venezuela, the 1994 Zapatista uprising in Mexico, the 2000 Water War and the 2003 Gas War in Bolivia, and the 2001 protests against the de la Rúa government in Argentina ([Silva 2009](#)). In late 2019, protests against the neoliberal model inherited from the Pinochet regime occurred in Chile. These protests led to significant changes in government, bringing the left and center-left to power in many countries in the 2000s and 2010s. In turn, changes in government led to some policy modifications. However, with only a few exceptions, the new policies were largely consistent with the neoliberal model rather than being full-blown replacements of the model.

In the 2000s and 2010s, the countries that diverged most markedly from the neoliberal model were those that were ruled by radical left and populist leaders: Venezuela, Bolivia, Ecuador, and Nicaragua. These countries were part of the group called ALBA (Bolivarian Alliance for the Peoples of Our America), organized by Venezuelan President Hugo Chávez (1999–2013). They were vocally opposed to neoliberalism and US influence in the region. And they adopted new interventionist policies that could be characterized as statist ([Flores-Macías 2012](#): ch. 2).

Nonetheless, the overall change in economic policies since the 1990s – widely considered the high-water mark of neoliberalism in Latin America – is slight (see [Table 4.8](#)). Significant moves away from neoliberalism

occurred in Venezuela, Argentina, Bolivia, and Ecuador. Yet, if we set aside those exceptions (and Cuba), there has been no change in the market orientation of economic policies in Latin America since the 1990s. (We will discuss a common feature of the economic policy of conservative and leftist government, neoextractivism, in [Chapter 13](#).)

**Table 4.8** The state of neoliberal reforms in Latin America, 2000–2010s

Region/country	Index of economic freedom*		
	1994–1999	2000s	2010s
<b>South America</b>			
Argentina	71.3	56.1	48.7
Bolivia	64.4	58.8	46.8
Brazil	54.5	59.6	55.2
Chile	73.9	77.3	77.4
Colombia	64.9	62.5	69.4
Ecuador	60.7	53.7	48.4
Paraguay	65.5	58.4	61.9
Peru	64.4	64.4	68.1
Uruguay	66.7	68.3	69.3
Venezuela	55.8	47.0	31.9
<b>Mexico, Central America, and the Caribbean</b>			
Mexico	59.5	65.1	65.8
Costa Rica	66.9	66.1	66.6
El Salvador	71.9	70.7	65.2
Guatemala	64.6	60.9	61.9
Honduras	56.7	57.9	58.9
Nicaragua	52.4	61.1	58.1
Panama	72.1	66.2	65.3
Cuba	28.8	30.9	29.3
Dominican Republic	57.1	57.6	61.0
<i>Latin America**</i>	61.7	60.1	58.4
<i>Latin America, without Cuba, Venezuela, Argentina, and Bolivia**</i>	63.5	63.3	63.5

*Notes:* \* The Index of Economic Freedom is a measure that uses a 0–100 scale, higher numbers indicating more pro-market policies. The overall index is the simple average of data on four areas: rule of law, government size, regulatory efficiency, and market openness. For sake of comparison, the score for the United States in 2019 is 76.6 and for France it is 66.0.

\*\* The regional averages are a simple average.

*Source:* Authors' elaboration, based on [Heritage Foundation 2020](#).

Despite the turn to the left in the region in the first fifteen years of the twenty-first century, most countries remained “within the margins of a

market economy” ([Flores-Macías 2012](#): 24). Changes were made within the model adopted in the 1980s and 1990s, and they did not lead to a replacement of the model.

Some significant changes were introduced in social policy, however. Indeed, the introduction of a new social policy, conditional cash transfers (CCTs), in the 1990s, and their subsequent diffusion throughout the region, was a departure from prior policy. CCTs are programs that target certain groups, as prior social policy in the 1980s and 1990s had done. But CCTs target a large proportion of the population and are designed with the goal of providing basic income support. Thus, this one important amendment to the neoliberal model, widely introduced in the 2000s, somewhat reduced the model’s strict adherence to market principles ([Huber and Stephens 2012](#): 177–94; [Borges 2022](#)). (We will address this new social policy in [Chapter 14](#).) See [Table 4.9](#) for a summary of the key features of the neoliberal model.

**Table 4.9** The neoliberal model in Latin America, 1980–2010s: Key features

<b>Economic policy</b>
<ul style="list-style-type: none"><li>• Privatization: Privatization of state-owned enterprises, to foster private enterprise</li><li>• Deregulation: Capital account liberalization, trade liberalization, and labor market flexibilization, to attract foreign investment and foster private enterprise</li><li>• Stabilization: Fiscal discipline and conservative monetary policies, to control inflation</li></ul>
<b>Social policy</b>
<ul style="list-style-type: none"><li>• Retrenchment of the state’s role in pension provision, and health and educational services provision</li><li>• Creation of state-regulated quasi-markets, by privatizing state social services and articulating and regulating a market of private social service providers</li><li>• Narrowly targeted social policy, aimed at the most needy; changed in the 2000s to broadly targeted social policy, with the goal of providing basic income support</li></ul>

*Source:* Authors’ elaboration.

#### 4.4.4 Slow Progress

We ask again: What was the impact of the neoliberal development model on socioeconomic welfare? And we answer this question with the benefit of additional data that reveal the consequences of the neoliberal model in greater detail than we provided for the two previous models.

Once again, there was considerable variation in terms of performance on economic indicators during the 1980–2010s (see [Table 4.10](#)). The countries that grew the fastest were Chile, the Dominican Republic, and Panama. Colombia, Peru, Uruguay, and Costa Rica also did relatively well. (Although Cuba grew at a good rate, it was not an example of the neoliberal model.) Significantly, the economic performance of Brazil and Mexico declined considerably; after growing at a rate of 3 percent or higher (in GDP per capita) during the 1930–1980 period, they grew at a rate of 0.6 percent during the 1980s–2010s years. Only Argentina, Venezuela, and Nicaragua underperformed Brazil and Mexico. Thus, the biggest economies in the region grew slowly. With a few exceptions, countries succeeded at killing inflation, a major problem in the 1980s; only in Venezuela and Argentina did inflation re-emerge as a problem in the 2010s.

**Table 4.10** The neoliberal model in Latin America, 1980–2010s: Economic performance

Region/country	GDP growth rate, per capita (%)				Inflation			
	1980s	1990s	2000s	2010s	1980s	1990s	2000s	2010s
<b>South America</b>								
Argentina	-2.07	2.69	1.52	-0.68	566	253	9	25
Bolivia	-2.37	1.87	1.84	3.13	1,383	10	5	4
Brazil	0.14	0.23	2.18	-0.13	355	843	7	6
Chile	1.55	4.52	3.08	1.86	21	12	3	3
Colombia	1.19	0.98	2.49	2.41	23	22	6	4
Ecuador	-0.01	0.09	2.13	1.11	34	39	18	3
Paraguay	1.24	0.67	0.68	2.26	20	16	8	4
Peru	-2.51	1.29	4.01	2.76	481	808	3	3
Uruguay	-0.50	2.99	2.05	2.22	58	49	9	8
Venezuela	-2.25	0.29	2.27	0.41	23	47	21	8,628
<b>Mexico, Central America, and the Caribbean</b>								
Mexico	0.61	1.78	0.04	1.16	69	20	5	4
Costa Rica	-0.31	2.30	2.65	2.37	27	17	11	3
El Salvador	-2.22	2.53	1.02	2.02	19	11	4	1
Guatemala	-2.05	1.49	1.24	1.83	12	15	7	4
Honduras	-0.14	-0.10	2.01	1.83	7	20	8	5
Nicaragua	-3.80	0.96	1.49	1.86	1,379	1,054	8	6
Panama	-1.38	3.61	3.67	4.43	3	1	2	2
Cuba	4.33	-2.52	5.49	2.20	—	—	—	—
Dominican Republic	1.20	3.16	2.87	4.15	21	15	13	4
<i>Latin America</i>	-0.90	1.10	1.65	0.95	250	181	8	484
<i>Latin America, without hyperinflation cases</i>					26	21	8	5

*Notes:* The total for Latin America's GDP growth rate is weighted by population; the average inflation rate is a simple average. Hyperinflation cases are those countries that have an average inflation for a whole decade over two digits.

– Data are not available.

*Source:* Authors' elaboration, based on [World Bank 2020a](#) and [CEPAL 2020b](#).

In general, Latin America's economy performed worse in the 1980s–2010s than it did in the 1930–1980 period (compare [Tables 4.6](#) and [4.10](#)). The region's GDP per capita had grown at an annual rate of over 2.5 percent between 1930 and 1980, yet from 1980 to 2000 the region essentially stagnated. Although growth resumed in the 2000s and 2010s – the best years of growth occurred from 2003 to 2013 – the overall growth rate in the 1980–2010s period was a meager 0.7 percent, around a quarter of the growth rate in the previous period. Although the inflation rate was lower in the 2000s

and 2010s than it had been in the previous period, this success did not compensate for the economic slowdown.

The record regarding social indicators is mixed (see [Table 4.11](#)). The variation within the region was smaller than it was in earlier years. Some countries (e.g., Uruguay, Costa Rica, Argentina, and Chile) did better than others. But the difference between countries with low levels of poverty and inequality and those with high levels was smaller. Viewed in general terms, poverty and inequality increased in the 1980s and 1990s and then decreased in the 2000s and 2010s. Thus, advances during the forty years from 1980 to 2019 were paltry. The poverty rate in the 2010s was around 10 points lower than in 1980s, and the Gini index declined by 3.28 points between 1980 and 2020 (this figure is calculated by comparing the average Gini index for countries with data in 1980 and those same countries in 2020).

**Table 4.11** The neoliberal model In Latin America, 1980–2010s: Social performance

Region/country	Poverty index*				Inequality (Gini index)**				
	c. 1980	1990s	2000s	2010s	c. 1980	c. 1990	c. 2000	c. 2010	c. 2020
<b>South America</b>									
Argentina	9	20	35	23	39.8	50.1	54.4	41.2	39.6
Bolivia	–	62	57	35	–	53.8	64.3	47.2	43.8
Brazil	39	42	32	19	57.4	62.7	63.9	55.9	54.0
Chile	–	28	16	16	52.9	55.4	56.4	47.8	45.4
Colombia	39	54	49	32	60.0	53.1	57.2	56.0	52.0
Ecuador	–	–	44	25	46.1	46.1	55.9	49.0	45.4
Paraguay	–	59	39	25	53.3	–	55.8	52.7	47.4
Peru	46	48	42	20	–	–	52.5	47.1	43.9
Uruguay	11	–	15	5	40.2	49.2	44.7	43.8	39.1
Venezuela	22	46	39	26	42.3	47.1	46.8	36.4	37.8
<b>Mexico, Central America, and the Caribbean</b>									
Mexico	32	48	42	44	–	53.6	54.2	51.0	47.5
Costa Rica	22	23	26	17	–	43.8	47.4	49.2	49.3
El Salvador	–	53	50	43	–	50.7	53.1	45.4	40.5
Guatemala	65	65	58	51	–	58.2	54.2	54.3	53.5
Honduras	–	79	59	57	–	61.5	57.7	51.9	48.1
Nicaragua	–	72	62	46	–	58.2	57.9	46.3	49.5
Panama	36	–	32	19	48.0	54.5	55.5	53.0	49.8
Cuba	–	–	–	–	–	–	–	–	–
Dominican Republic	–	–	40	32	–	–	53.7	48.0	44.4
<i>Latin America</i>	40.5	45.4	36.7	29.1	46.1	53.2	54.8	48.7	46.2

*Notes:* – Data are not available.

\* This poverty measure is the proportion of the population living below the poverty line. The data are the average of all the data available for each decade.

\*\* Figures represent Gini coefficients on a 0–100 scale. Larger Ginis indicate greater income inequality in a society. The Latin American average for the Gini index is a simple average of all countries with data.

*Source:* Authors' elaboration, based on [CEPAL 1991](#): 50, [2020a](#), [2020b](#).

The collection of more fine-grained data in recent times also allows us to compare the situation for women and men, and that for different racial and ethnic groups (see [Table 4.12](#)). At the end of the 2010s, women in every Latin American country experienced greater poverty than did men. But indigenous peoples and Afro-descendants were even more disadvantaged relative to other categories of citizens. (For studies that support this conclusion, see [CEPAL 2016](#) and [Trejo and Altamirano 2016](#).) Moreover, the economic disadvantage of these groups is a persistent feature that had deep, historical roots ([De Ferranti \*et al.\* 2004](#); [Bucciferro 2017](#); [Camou and Maubrigades 2017](#)). Figures such as the poverty rate and Gini index presented in [Table 4.11](#) depict the lack of resources of citizens and the disparities of resources held by citizens. These figures add further details by making clear that some categories of citizens are more affected by poverty than are others.

**Table 4.12** Poverty among women, indigenous peoples, and Afro-descendants: Latin America, c. 2018

Region/country	Poverty rate			Afro-descendants (number of poor Afro-descendants per 100 poor nonAfro-descendants and nonindigenous)
	Women (number of poor women per 100 poor men)	Indigenous peoples (number of poor indigenous peoples per 100 poor nonindigenous and nonAfro-descendants)		
		Rural locations	Urban locations	
South America				
Argentina	120.6	—	—	—
Bolivia	109.5	134.9	124.9	—
Brazil	111.9	215.2	287.6	221.7
Chile	131.3	206.4	144.8	—
Colombia	116.9	—	—	146.8
Ecuador	116.1	204.8	191.1	162.4
Paraguay	117.8	—	—	—
Peru	110.1	122.8	204.0	198.0
Uruguay	133.3	—	—	277.8
Venezuela	123.3	—	—	—
Mexico, Central America, and the Caribbean				
Mexico	110.0	132.5	252.2	—
Costa Rica	125.7	—	—	—
El Salvador	106.5	—	—	—
Guatemala	104.3	—	—	—
Honduras	100.4	—	—	—
Nicaragua	102.7	—	—	—
Panama	123.2	114.6	159.2	70.0
Cuba	—	—	—	—
Dominican Republic	139.3	—	—	—
Latin America	116.8	161.6	194.8	179.4

*Notes:* The data for Argentina are only for urban settings. The average for Latin America is a simple average.

– Data are not available.

*Source:* Authors' elaboration, based on [CEPAL 2020b](#), [2020c](#): 107.

In sum, the turn to a neoliberal model did not deliver as promised. Latin America made some progress toward socioeconomic welfare. But the rate of progress was less than it had been in the 1930–1980 period, when the region used less orthodox economic policies. The ISI model had in-built limitations, and it was not sustainable. Moreover, the crisis in the 1980s was, in part, a consequence of the excesses of populist economic policies in prior years ([Dornbusch and Edwards 1990](#), [1991](#)). Nonetheless, the gap in economic development between Latin America and the United States did not increase between 1870 and the 1970s, and it did increase in the period when Latin America turned to neoliberalism (see [Box 4.2](#)).



## 4.5 Summary

We began the chapter by framing the general topic of socioeconomic welfare and development models. We defined socioeconomic welfare as the material well-being of all citizens of a country, which is partly conveyed through standard economic indicators such as GDP per capita, but which must also be assessed in terms of social indicators. We introduced the idea that models of economic development are key policy choices that affect socioeconomic welfare, and we defined a model of economic development in terms of a range of choices regarding economic and social policy that can be compared according to the role they assign to the state and the market. Countries seek to promote economic growth by giving either the market or the state a more central role, and they let citizens buy basic services through the market or provide these services to citizens via the welfare state.

We then described and assessed the three development models used in Latin America since 1880 and explained why the first two models were abandoned. In broad terms, Latin America has swung from a market-oriented model (the agro-export model of 1880–1930) to a statist model (the import-substitution industrialization model of 1930–1980) and back to a market-oriented model (the neoliberal model of 1980–2010s). However, we also noted that the neoliberal model differs from the agro-export model. The world has changed, Latin American economies have changed, and a return to the minimal state of the late nineteenth century was simply not feasible.

All three models have strengths and weaknesses. Yet, of these three models, the import-substitution industrialization model performed better

than the other two. In turn, although growth was faster under the agro-export model than under the neoliberal model, economic inequality increased under the agro-export model and has been reduced under the neoliberal model. It is clear, nevertheless, that the neoliberal model has not delivered as much as its promoters promised, and its success continues to be questioned by many groups in society. What model of economic development is best suited for Latin America is an open question.

## Discussion Questions

1. It is common for economists and other analysts to debate the relative merits of different models of economic development in Latin America. Why is a model of economic development important for socioeconomic welfare? How would you assess the relative performance of the three models of economic development used by Latin American countries?
2. The neoliberal model of development has been the subject of much debate. Some analysts, including its promoters in international financial institutions in Washington, DC, consider it to be the right model for Latin America. Others are very critical of the model. What support would you offer in favor of the neoliberal model of development? What criticisms would you raise against the neoliberal development model? What side of the debate has the stronger arguments?
3. Models of economic development change over time. Models can be reformed by making adjustments compatible with the broad principles of the model. Models can be radically transformed through the introduction of a new model based on new principles. What changes in the current neoliberal model in Latin America would help it attain better results in terms of socioeconomic welfare? What role should the state and the market have in such an alternative model of economic development? What trade policy vis-à-vis the United States and China would be advisable? What kind of social policy is preferable?

## *Resources*

## Additional Readings

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workers of Central America and the Caribbean in the early twentieth century.

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Edwards, Sebastián. 2010. *Left Behind: Latin America and the False Promise of Populism*. University of Chicago Press. An analysis of economic policies in early twenty-first-century Latin America.

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Stallings, Barbara. 2020. *Dependency in the Twenty-First Century? The Political Economy of China–Latin America Relations*. New York, NY: Cambridge University Press. On China's new relationship with Latin America in the twenty-first century.

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Wise, Carol. 2020. *Dragonomics: How Latin America Is Maximizing (or Missing Out on) China's International Development Strategy*. New Haven, CT: Yale University Press. On China's new relationship with Latin America in the twenty-first century.

## Websites

*ECLAC (Economic Commission for Latin America and the Caribbean)*. A UN regional commission that provides reports and data on economic and social issues in Latin America. ECLAC's annual report, the *Social Panorama of Latin America*, addresses issues related to this chapter.

Website: [www.cepal.org/en](http://www.cepal.org/en)

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*IDB (Inter-American Development Bank)*. A regional development bank that conducts research and produces regional- and country-level reports on pressing socioeconomic development issues. Website: [www.iadb.org/en](http://www.iadb.org/en)

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*Oxfam*. A nongovernmental coalition of organizations that works to eradicate poverty and promote social development around the world; it includes relevant initiatives on Latin American countries. Website:

[www.oxfam.org/en](http://www.oxfam.org/en)

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*World Bank*. A UN development bank that compiles comparative economic and socioeconomic data for most countries and regions in the world.

Website: <https://data.worldbank.org/indicator>

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*The World Bank in Latin America and the Caribbean*. The part of the UN development bank focused on Latin America. It produces analyses and reports on economic issues in the region, including an annual report.

Website: [www.worldbank.org/en/region/lac](http://www.worldbank.org/en/region/lac)



# Documentaries

*Americas* (1992). Part 1. *The Garden of Forking Paths: Dilemmas of National Development*. 57 minutes. An overview of the development challenges faced by Argentina, one of the richest nations in the world in the early twentieth century.

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*Americas* (1992). Part 2. *Capital Sins*. 57 minutes. A description of Brazil's 1970s economic miracle, during a period of military rule.

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*Brazil in Black and White* (2007). 60 minutes. A documentary on the deep disparities in income, education, and employment between lighter- and darker-skinned Brazilians.

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*Chicago Boys* (2015). 85 minutes. A documentary on the trajectory of the Chilean economists, trained in the University of Chicago, who were pivotal in implementing Chile's neoliberal reforms in the context of the dictatorship headed by General Augusto Pinochet (1973–1990).

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*Civilization: Is the West History?* (2011). Part 3. *Property*. 47 minutes. A comparison and explanation of economic development in North America and South America. It draws attention to the role of individual property rights, the rule of law, and representative government.

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*Commanding Heights: The Battle for the World Economy* (2002). Three parts, each 120 minutes. *Commanding Heights* traces the rise of free markets during the last century, as well as the process of globalization

worldwide. Based on a book by Daniel Yergin and Joseph Stanislaw published in 1998.

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*Eyes Wide Open: A Journey through Today's South America* (2009). 110 minutes. A re-evaluation of arguments presented in Eduardo Galeano's 1971 book, *Open Veins in Latin America*, on the economic exploitation of Latin America.

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*Historia de un País, Argentina Siglo XX* (2008–2010). Part 4. *El modelo agroexportador*. 30 minutes. In Spanish. An analysis of the agro-export model of economic development in Argentina.

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*Mexico* (1988). Part 2. *Mexico: From Boom to Bust (1940–82)*. One part, of 58 minutes, of a three-part documentary on twentieth-century Mexico. An exploration of Mexico's rise to prosperity from the 1940s through the 1960s and its descent into economic ruin by 1982. It provides a good description of the ISI economic model.

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*México Siglo XX* (1998). Part 8. *Lázaro Cárdenas 1934–1940. Entre el pueblo y el poder*. 43 minutes. In Spanish. A focus on Lázaro Cárdenas, President of Mexico (1934–40), noted for his efforts to carry out the social and economic aims of the Mexican Revolution.

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*The Shock Doctrine* (2009). 79 minutes. A documentary covering the history of the economic shock doctrine that has been applied throughout the world, from South America to New Orleans after Hurricane Katrina, from the 1980s to the 2000s.

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*Street Vendors: The Informal Majority of Mexico* (2013). 24 minutes. An examination of the human side of Mexico's informal economy, which is

estimated to comprise some two-thirds of the country's working population.

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*United We Fall* (2010). 123 minutes. A documentary that offers a critical perspective on NAFTA (the North American Free Trade Agreement).

## Part II



# **Problems *of* Democracy in a Democratic Age**

5

# Democracy and the Quality of Democracy

*The Never-Ending Quest*





**Photo 5.1 The peaceful alternation in government, a key feature of democracy** Incoming President of Brazil Luiz Inácio “Lula” da Silva (left) and outgoing President of Brazil, Fernando Henrique Cardoso (right), at the ceremony of transfer of power, in Brasilia, Brazil, January 2003. This change in government in Brazil was the culmination of the rise of Lula, a former trade unionist and leader of the leftist Workers’ Party (PT), and an indication of democracy’s power of renewal. It was also a peaceful alternation in government between leaders of different parties, a key feature of democracy and a common practice in Latin America in the twenty-first century.

*Source:* Vanderlei Almeida/AFP/Getty Images.

We turn now to contemporary politics, from the 1990s to the present. Full citizenship encompasses many kinds of rights: the political rights that are the defining feature of democracy, as well as civil and social rights. And each kind of right affects the others. However, given that Latin America made big strides in its struggle for democracy in the late twentieth century, and the fairer distribution of political power created by democracy can set in motion initiatives to expand civil and social rights, we start our

discussion of citizenship in contemporary Latin America by focusing on the core political rights that are needed for a country to be a democracy.

This chapter continues the discussion of democracy started in [Chapter 3](#) and provides a more detailed examination of developments since the wave of democratization in the 1980s and 1990s. The democratic gains made through this wave of democratization were real and widespread. Latin American countries became democracies. Still, the question of democracy retained relevance in Latin America in the twenty-first century. Some old tensions were settled, but new tensions emerged, especially around the neoliberal economic policies launched in the 1980s and 1990s. Some old, enduring problems introduced flaws in the workings of democracies. Thus, following their transitions to democracy, Latin American countries faced the dual challenge of defending democratic achievements and building on these achievements and improving the quality of their democracies.

We will start by revisiting the concept of democracy presented in [Chapter 3](#) and introducing the concept of quality of democracy. Then we turn to the empirical record of Latin America and ask: What is the state of democracy in contemporary Latin America? To this end, we draw on a variety of sources of information to provide a comprehensive picture of political developments in all Latin American countries. Next we raise the question: What factors explain the state of democracy in contemporary Latin America? Here, we continue to offer a far-reaching overview of the region, and consider developments in many countries. We also discuss some cases – Honduras and Venezuela – in some detail to better ground our analysis. Finally, we present a summary of the chapter.

## 5.1 Democracy and the Quality of Democracy

In this chapter, we continue to use the concept of *democracy* discussed in [Chapter 3](#). There we stated that democracy is a type of political regime that meets the following five criteria, even if not fully:

- (1) Regular elections are the means of access to top political offices (the upper level of the executive and legislative branches of government).
- (2) All adults that are citizens of a country have the right to vote in elections.
- (3) Citizens have the right to organize parties and run for office.
- (4) Elections are devoid of fraud and neither citizens nor candidates participating in elections are threatened.
- (5) Citizens have the freedom of expression, association, and assembly, as well as the right of access to information.

This concept of democracy is useful for the purpose of offering a sweeping historical overview, as done in [Chapter 3](#). It remains useful to distinguish democracies from dictatorships in the contemporary period. In brief, a country is a democracy only if it does not blatantly violate any of the listed five criteria. Otherwise, it is a *dictatorship*.

However, over time, standards to assess democracy change and become more demanding. Deviations from democratic ideals seen as minor



or simply swept aside 100 or fifty years ago might now seem critical. And, on closer inspection, the five criteria listed above have some limitations, in that they do not address various practices that are problematic from the perspective of democratic principles.

Here are some examples of what could be considered loopholes in this way of conceptualizing democracy. Regular elections may be the means of access to top political offices, the first criterion listed above. Military coups d'état may be avoided. But high-level officeholders (e.g., presidents) could be pressured or even forced to leave office in a way that runs counter to the principle of constitutionalism.

All adult citizens can have the right to vote, the second criterion. Yet various obstacles (e.g., the requirement that citizens show hard-to-obtain documents) can prevent many citizens from using this right.

All adult citizens can have the right to run for office, the third criterion. Nonetheless, candidates for office might not compete on a level playing field; candidates with access to large private resources or those who control the government and have access to public resources might have an effective advantage in an election. Further, a context of violence might induce some potential candidates not to run for office.

Elections may be clean, in the sense that electoral fraud does not alter who is the winner of an election, the fourth criterion. Nonetheless, voting might be marred by many irregularities that prevent citizens from expressing their preferences autonomously and having their votes counted accurately.

A free press may exist, and citizens may have a right to access information, an aspect of the fifth criterion. Nevertheless, the media may be

controlled by a few powerful actors and thus available information could be biased.

Finally, these five criteria focus on how key government offices are accessed and do not address the way in which government decisions are made. Yet a president who is elected to office in a democratic process might abuse the power of the office and act outside of the constitution.

That is, the five criteria highlighted by the concept of democracy we used in [Chapter 3](#) leave open several loopholes that allow actions that undermine the spirit of democracy to go unrecognized as problems of democracy.

To address this conceptual problem, here we use the concept of *quality of democracy*. This concept builds on and incorporates the idea that democracy should be studied using the listed five criteria. More specifically, it maintains the core idea that a country may be considered a democracy only if it does not blatantly violate any of the listed five criteria. However, it relies on a higher standard than is used to distinguish a democracy from a dictatorship. Democracies should, in this view, meet all five criteria listed above and do so fully. Additionally, going further, democracies should meet further requirements – in essence, the requirements needed to close loopholes in the concept of democracy.

This new formulation provides a novel basis for distinguishing more from less democratic countries or, to use an increasingly common terminology, *high-quality democracies* from *low-quality democracies*. For a country to be considered fully democratic, that is, a high-quality democracy, it (1) must fully satisfy the five criteria of democracy, and (2) avoid a range of other possible violations of democratic principles. If it only does not blatantly violate any of the five basic criteria of democracy, it is a low-

quality democracy. To give an example, if two countries meet the criteria to be classified as a democracy, the country that better ensures that money does not become an overwhelming factor in elections has a higher quality democracy than the country in which big donors have a disproportionate political influence.

The list of criteria that differentiate a high- from a low-quality democracy is a matter of some debate in scholarly and political circles ([Munck 2016](#)). And we do not present here a precise list of criteria. We also do not claim to have covered all relevant aspects of the quality of democracy in the empirical analysis in this chapter. We are guided, however, by the general idea that an analysis of democracy should focus on processes related to the political regime as distinct from the state ([Mazzuca and Munck 2020](#): 65–70), and our sense of what issues are most relevant in contemporary Latin America.

In assessing political regimes in Latin America in the twenty-first century, we will therefore make two kinds of distinction. We use the concept of democracy to distinguish dictatorships from democracies. We also use the more demanding concept of quality of democracy to distinguish among democracies, identifying those that meet the basic criteria required to be a democracy yet still have some significant deviations from democratic principles as low-quality democracies, and those that avoid significant deviations from democratic principles as high-quality democracies. We will also use the intermediary category of medium-quality democracies.

## 5.2 The State of Democracy

Turning to the empirical record of Latin America, as discussed in [Chapter 3](#), the wave of democratization in the 1980s and 1990s ushered in a new period in the region's political history. Latin America entered what could be characterized as a democratic age. Yet, problems of democracy persisted. Not all democracies survived. More generally, Latin American democracies since the late twentieth century failed to live up to democratic standards in various ways.

To understand contemporary Latin American politics, it is key to recognize both the democratic nature of politics and the flaws of Latin American democracies. Thus, what follows describes democratic achievements, catalogs and then synthesizes information about various kinds of problems of democracy, and provides a balance sheet of achievements and problems. We discuss a great deal of information covering all countries in the region, so as to convey a comprehensive picture of the state of democracy in the region.

### 5.2.1 An Overview of Achievements

The key strengths of democracy in Latin America since the 1980s are its durability, the inclusiveness of elections, and the competitiveness of elections and frequent alternation in government.

***Democratic Durability.*** An indisputably positive feature of Latin American politics in the twenty-first century is that never before had so many countries been democratic for so long. For the first time in the history of Latin America, the removal of incumbents from office through the ballot box, in democratic elections, was the norm in the region. Prior to the beginning of the wave of democratization in the 1980s, only six of nineteen Latin American countries (Argentina, Chile, Colombia, Costa Rica, Uruguay, and Venezuela) had democratic regimes for twenty years or more (see [Tables 3.2](#) and [3.5](#)). Since the 1980s, eighteen countries had democratic regimes for twenty years or more (see [Table 5.1](#)). The period after the 1980s was one of unprecedented democratic achievements.

**Table 5.1** Democracy in contemporary Latin America: A regime classification\*

Region/country	Period of democracy	Period of dictatorship	Years of democracy**
<b>South America</b>			
Argentina	1983–		38
Bolivia	1982–		39
Brazil	1985–		37
Chile	1990–		31
Colombia	1958–		63
Ecuador	1979–		42
Paraguay	1989–		32
Peru***	1980–1992		(12)
		1992–1995	
	1995–2000		(5)
		2000	
	2001–		20
Uruguay	1985–		36
Venezuela	1959–2016		(57)
		2016–	
<b>Mexico, Central America, and the Caribbean</b>			
Mexico	2000–		21
Costa Rica	1949–		72
El Salvador	1984–		37
Guatemala	1986–		36
Honduras	1982–2009		(27)
		2009	
	2010–		12
Nicaragua	1990–2016		(26)
		2016–	
Panama	1989–		32
Cuba	None	1958–	None
Dominican Republic	1978–1994		(16)
		1994–1996	
	1996–		25

*Notes:* \* Countries are classified as democracies if they have elections for top national-level public offices with suffrage extending beyond the elites and without proscriptions of key parties or leaders; otherwise a country is a dictatorship. The starting date for these data is August 16, 1978, when the President of the Dominican Republic was inaugurated and a wave of democratization was launched. However, in a few cases (Colombia, Costa Rica, and Venezuela), democracy pre-dated 1978, and in one case (Cuba), dictatorship pre-dated 1978.

\*\* Periods of democracy that were interrupted are indicated in parentheses. The end date for the information is August 2021.

\*\*\* Some observers consider that Peru had an uninterrupted dictatorship from 1992 until 2000.

*Source:* Authors' elaboration.

***Political Inclusion.*** Another positive feature of Latin American politics since the 1980s has been the absence of restrictions on electoral participation

that were common in the previous periods. In broad terms, although the experience with partial democracy was common before the 1980s, twenty-first-century democracies were more fully democratic.

Contemporary elections have been inclusive, in the sense that all adult men and women have the right to vote. The women's right to vote had been recognized in all countries in Latin America by the early 1960s, and these rights continued to be respected. Additionally, some lingering restrictions to universal and equal suffrage, those concerning the literacy requirement, were removed. The last countries to remove the literacy requirement were Ecuador in 1978, Peru in 1979, and Brazil in 1985. See [Photo 5.2](#) for a depiction of the inclusiveness of electoral participation.



**Photo 5.2 The expansion of electoral participation** Participation in elections in Latin America in the twenty-first century was considerably greater than that in the twentieth century. The electoral participation of an indigenous woman in Ecuador, in 2017, is one example of the inclusiveness of participation.

*Source:* © AFP/Stringer/Getty Images.

Jointly, the effect of these rules was a notable expansion of participation. As an example, in Brazil, the percentage of the population registered to vote went up from an average of 24 percent during the 1946–1964 democratic period (when women already had the right to vote) to 62 percent during the 1989–2002 period. Similarly, in Ecuador, the percentage of the population registered to vote went up from an average of 18 percent during the 1948–1961 democratic period (when women could vote) to 54 percent during the 1989–2002 period. The jump in participation was obviously even bigger compared to earlier periods when women were not enfranchised. In short, the democracies of the twenty-first century were much more inclusive than the partial democracies of the twentieth century. (In [Chapter 6](#), we will discuss additional steps that fostered inclusiveness in the context of candidates and representatives.)

***Political Competition and Alternation in Government.*** Latin American democracies after the 1980s have also had more open competition than in the past. Some democracies before the 1980s were partial democracies because they curtailed competition, most commonly by banning communist parties that were considered threats to democracy. Yet such restrictions were practically not used after the 1980s. If anything, the political system showed strong signs of being open to parties that represented new popular actors, linked to workers in the informal labor sector in some cases, to social movements in others, and to former guerrilla organizations in yet others. The case of Luiz Inácio “Lula” da Silva, a worker who became President of Brazil in 2003 (see [Photo 5.1](#)), is but one among many examples of presidents who came from what in the wealthy countries in the West would be considered a nonorthodox background.



Latin American democracies after the 1980s also performed well with regard to a key test of democracy related to competition: the peaceful alternation in government. A basic requirement of democracy is that multiple parties are allowed to compete in elections and parties are not banned. An even better indicator that democracy is actually working is that incumbents lose elections and peacefully transfer power to the opposition. And, in this regard, the record is decidedly positive (see [Table 5.2](#)). Alternation in office between democratically elected presidents of different parties or coalitions is common in Latin America. The peaceful alternation in government, one of the distinctive features of democracy, has become a routine rather than an extraordinary event.

**Table 5.2** Alternation in government in Latin American democracies, 1980s–2021

Region/country	Alternation in office between democratically elected presidents*
<b>South America</b>	
Argentina	1989, 1999, 2015, 2019
Bolivia	1989, 1993, 1997, 2002
Brazil	2002
Chile	2009, 2013, 2017, 2022
Colombia	1982, 1986, 1998, 2002, 2010, 2018
Ecuador	1981, 1984, 1988, 1992, 1996, 2021
Paraguay	2008
Peru	1985, 1990, 2006, 2011, 2016
Uruguay	1989, 1994, 2004, 2020
Venezuela	1984, 1994, 1999
<b>Mexico, Central America, and the Caribbean</b>	
Mexico	2012, 2018
Costa Rica	1982, 1990, 1994, 1998, 2006, 2014
El Salvador	1989, 2009, 2019
Guatemala	1991, 2000, 2004, 2008, 2012, 2020
Honduras	1990, 1994, 2002, 2006, 2022
Nicaragua	1997, 2007
Panama	1994, 1999, 2004, 2009, 2014, 2019
Cuba	NA
Dominican Republic	1986, 2000, 2004, 2020

*Notes:* NA Not applicable.

\* An alternation in office between democratically elected presidents requires that a democratically elected president ends his or her term in office and transfers power to the leader of another party or coalition that won a

democratic election. Democratic election overseen by presidents who were not elected (e.g., in Peru in 2021) are not included here, even if they bring about a change in the party in government. The end date for this information is December 2021.

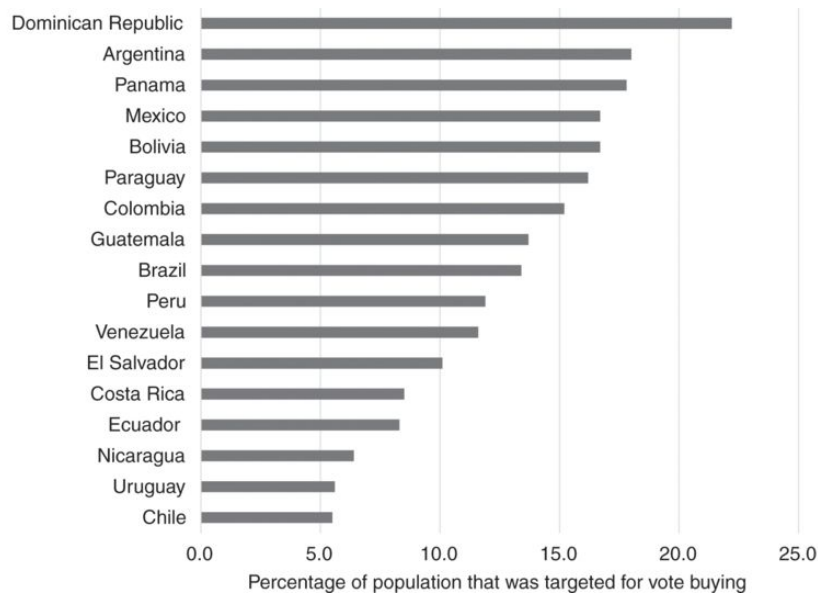
*Source:* Authors' elaboration.

### 5.2.2 A Catalog of Problems

These important achievements notwithstanding, a complete and balanced assessment of contemporary Latin America cannot ignore common deviations from democratic standards. Indeed, despite the overall positive state of democracy, the region has also experienced many problems of democracy. Some problems affect the quality of democracy. Other are so grave that they indicate a breakdown of democracy.

***Electoral Irregularities.*** A range of problems relate to the electoral process through which politicians gain access to government offices.

Vote buying is a common, even pervasive, problem, as revealed by data collected through mass surveys (see [Figure 5.1](#)). In this regard, it is important to remember that the right to a secret ballot is recognized in all Latin American countries (see [Table 3.3](#)). Thus, the sort of intimidation of voters that occurred in the early twentieth century, when voting was not conducted in secret, is not possible. There is also some discussion in the literature on clientelism about the effectiveness of vote buying in getting voters to alter their votes ([Greene 2021](#)). Thus, we do not know for sure just what impact vote buying has. Nonetheless, the act of vote buying is evidence of an intent to illegally sway a voter's choice, a problem in itself.



**Figure 5.1** Vote buying in Latin America, 2010.

*Note:* Percentage of survey respondents who report being offered a material benefit in exchange for a vote.

*Source:* Authors' elaboration, based on [Faughnan and Zechmeister 2011](#): 1.

Another pervasive problem is the manipulation of elections by subnational authorities (governors or mayors) that have a strong influence over the electoral process and use public resources for partisan purposes with little restraint. These electoral problems are localized. However, because the problem is so pronounced – some scholars have called these subnational units “authoritarian enclaves” – and because some of these subnational jurisdictions have an important role at the national level (e.g., through representation in the Senate), these practices have a big impact on the working of democracy at the national level. This is a well-documented problem in Argentina, Brazil, Colombia, Peru, and Mexico ([Gibson 2012](#); [Giraudy 2015](#); [Behrend and Whitehead 2016](#): chs. 4–8; [Eaton 2017](#); [Eaton and Prieto 2017](#)).

In addition, various specific problems have directly affected electoral processes at the national level (see [Table 5.3](#)). In some instances, the manipulation of elections by incumbents has led to credible charges that electoral fraud marred the election results. In other instances, some party leaders were not allowed to run for office, either because they were banned or disqualified from running or because politically motivated charges led to their imprisonment. In yet other instances, presidents who faced a constitutional ban on re-election were nonetheless allowed to run for office. Basic rights concerning the electoral process that aim to contain the advantage of incumbency and give the opposition a fair chance to win elections have been negatively affected.

**Table 5.3** Problems of democracy in Latin America: Elections\*

Kinds of problem	Cases**
<i>Voters.</i> Manipulation of vote counting	<ul style="list-style-type: none"> <li>• <i>Dominican Republic 1994</i>: Election marred by numerous and widespread irregularities to favor incumbent President Balaguer; considered fraudulent by international observers</li> <li>• <i>Peru 2000</i>: Election marred by numerous and widespread irregularities to favor incumbent President Fujimori; considered fraudulent by international observers</li> <li>• Mexico 2006: Disputed electoral results</li> <li>• Honduras 2017: Election marred by numerous and widespread irregularities to favor incumbent President Hernández; considered fraudulent by international observers</li> </ul>
<i>Candidates I.</i> Restriction on the right to run for office	<ul style="list-style-type: none"> <li>• Uruguay 1984: Ban on Wilson Ferreira Aldunate and Liber Seregni in 1984 election</li> <li>• Chile 1989: Ban on Communist Party in 1989 election</li> <li>• <i>Venezuela 2018, 2020</i>: Re-election of President Maduro in 2018, and election for Congress in 2020, under conditions that denied the opposition core rights (e.g., imprisonment of opposition leaders)</li> <li>• Brazil 2018: Questionable electoral proscription of former President "Lula" da Silva</li> <li>• <i>Nicaragua 2016</i>: Opposition party excluded from competition and boycotts the election</li> <li>• <i>Nicaragua 2021</i>: Multiple opposition leaders excluded from competition</li> </ul>
<i>Candidates II.</i> Disregard of term limits for incumbents	<ul style="list-style-type: none"> <li>• Nicaragua 2011: President Ortega is allowed to stand for re-election in 2011 by the Supreme Court, despite a constitutional ban on the re-election of an incumbent president</li> <li>• Bolivia 2019: President Morales is allowed to stand for re-election in 2019 by the Supreme Court, despite a 2016 referendum banning him from running for a fourth consecutive term</li> </ul>

*Notes:* \* The information covers the period since the beginning of democracy (see [Table 5.1](#) for dates) through August 2021.

\*\* The cases highlighted in *italics* are instances in which the deviation from democratic standards falls below the minimum threshold used to

distinguish democracies from nondemocracies.

*Source:* Authors' elaboration.

***Irregularities Regarding Government Offices.*** A range of other problems concern which government offices are filled through elections and, especially, for how long.

The right to an elected government or, more precisely, the principle that there should be no unelected top national executive and legislative offices, is rarely curtailed. However, in several cases, a basic standard concerning the removal from government offices – that the constitutional mandate of democratically elected presidents and legislators should be respected – has frequently not been honored (see [Table 5.4](#)).

**Table 5.4** Problems of democracy in Latin America: Government offices\*

Kinds of problem	Cases**
<i>Offices – elective offices.</i> Lack of elections for top offices	<ul style="list-style-type: none"> <li>Chile 1990–2005: The Senate includes numerous unelected, “designated Senators”</li> <li>Venezuela 2016: A constitutional recall vote of President Maduro is not allowed</li> </ul>
<i>Offices – constitutional mandates</i> <i>I. Premature end of mandate of elected president</i>	<ul style="list-style-type: none"> <li>Bolivia 1985, 2003, 2005, 2019: The presidential term was shortened through an early call for elections in 1985. Two presidents resigned from office, under various forms of pressure, in 2003 and 2005. President Morales resigned, pressured by the military, following an accusation that he oversaw a fraudulent election, in 2019.</li> <li>Argentina 1989, 2001: Presidents resign from office, under various forms of pressure</li> <li>Venezuela 1992, 2002: Failed coup attempt by Lieutenant Colonel Chávez in 1992; short-lived coup against President Chávez in 2002</li> <li>Paraguay 1996, 2000: Failed coup attempts by General Oviedo</li> <li>Ecuador 1997, 2000, 2005: Presidents resign from office, under various forms of pressure (including pressure from the military in 2000)</li> <li>Nicaragua 2005: Curtailment of the executive’s powers by Congress is reversed, and possible removal of President Bolaños is averted</li> <li>Honduras 2009: Forced removal of President Zelaya by the military</li> <li>Paraguay 2012: Questionable impeachment of President Lugo</li> <li>Brazil 2016: Questionable impeachment of President Rousseff</li> </ul>
<i>Offices – constitutional mandates</i> <i>II. Premature end of mandate of elected legislature</i>	<ul style="list-style-type: none"> <li>Peru 1992: Elected President Fujimori closes down Congress, with support of the military</li> <li>Guatemala 1993: Elected President Serrano closes down Congress, with support of the military; this move is reversed and President Serrano resigns and flees the country</li> <li>Venezuela 2016–2020: Usurpation of the power of the legislature under opposition control</li> <li>Nicaragua 2016: Removal of opposition leaders from seats held in the legislature</li> </ul>

*Notes:* \* The information covers the period since the beginning of democracy (see [Table 5.1](#) for dates) through August 2021.

\*\* The cases highlighted in *italics* are instances in which the deviation from democratic standards falls below the minimum threshold used to distinguish democracies from nondemocracies.

*Source:* Authors' elaboration.

Crises involving the premature end of a constitutional mandate of presidents have been the most common. In these cases, constitutional forms, such as the use of impeachment, have not been fully abandoned. Indeed, it is important to note that the removal of presidents has not occurred through traditional military coups, whereby the military removes a president and some general takes over the position. This is a significant difference compared to Latin America's record in the twentieth century. Still, several presidents have seen their term in office end before their constitutional mandate has expired, under dubious conditions. In some cases, pressure has come from civil society; in others, from opposition parties; and, in yet other cases, from the military.

The mandate of legislators has also been abridged. In these instances, the instigator has usually been an elected president. That is, some political crises are associated with presidents who are weak, others with presidents who are strong. Yet, in both scenarios, the consequence is similar: the weakening of a core requirement of democracy, respect for the constitutional right of winners of elections to serve their entire term in office.

***The Influence of Money.*** Other problems regard the role of money in both elections and government decision-making. Corruption is a problem in itself (which we will address in [Chapter 10](#)). However, here we stress the impact of money on democratic politics.

Sometimes gains from corruption have been illegally funneled through kickbacks to candidates in presidential, legislative, and subnational races. Evidence of such practices have come to light in many countries, including Argentina, Brazil, Colombia, Ecuador, Guatemala, Mexico, Panama, Peru, and Venezuela ([Alconada Mon 2018](#); [Casar and Ugalde 2019](#); [Durand 2019](#); [Rosen \*et al.\* 2019](#); [Rotberg 2019](#); [Stolbizer and Martínez 2019](#)). At other times, funds used in electoral campaigns are legal – that is, donated according to campaign finance laws – and hence are less problematic than moneys coming from corruption.

Nonetheless, overall, the influence of money on democratic politics is a major concern. As some candidates gain an upper hand, the competitive nature of elections is negatively affected. Moreover, candidates beholden to big donors are likely to make policy decisions that cater to the interests of their donors rather than to the preferences of common citizens. See [Box 5.1](#) on further examples of practices in government decision-making that are a problem of democracy.



### **Box 5.1** A Closer Look: The Abuse of Power by Presidents and Legislators

Some of the most overt problems of democracy concern how key government offices are accessed (e.g., a fraudulent election, the unconstitutional removal of a president). Yet, many problems relate to the way in which government decisions are made and, specifically, to the abuse of power by elected officeholders in the making of decisions ([Bobbio 1987](#): 59–60, ch. 7).

A typical form of abuse of power by officeholders is the making of policy decisions to reward donors, whether legal or illegal. Evidence of such a practice in Latin America is plentiful. And it is important to recognize how such an abuse of power has an impact on democracy. For example, when a president weighs in, whether directly or through his or her cabinet ministers, to ensure that a public contract is awarded to a company in exchange for a legal donation or a bribe, the preferences of common citizens and the public good are essentially set aside. In other words, at times politicians allow the executive to be captured by powerful interests and in effect relegate the role of citizen input.

A less typical yet not unheard-of form of abuse of power by officeholders is the buying of the votes of legislators. Corroboration of this practice has come to light in the context of some scandals. In the “big monthly bribe” scandal (the *mensalão* scandal, in Portuguese) in Brazil, the government took the initiative to pay legislators a bribe on a monthly basis in the early 2000s to vote on bills supported by the government ([Michener and Pereira 2016](#)). In

Mexico, the government orchestrated the delivery of bribes to legislators to approve a historic law in 2014 opening the country's oil industry to foreign companies ([Lozoya Austin 2020](#)). In Argentina, the government bribed legislators to ensure the passage of an important labor law in 2000 ([Poder Judicial de la Nación Argentina 2014](#); [Delgado 2018](#): 48–9).

Although legislators have fewer opportunities to engage in abuses of power than the head of the executive, they sometimes use their power over legislation to extract favors. And they have the same impact on democracy as abuses of power by the executive. They basically cast doubts on the idea that elected officeholders are representatives of citizens. (The related idea of a crisis of representation is developed in [Chapter 7](#).)

Electing a politician to office through democratic means is key to democracy. As these examples show, ensuring that officeholders do not abuse their power in making decisions is equally central to democracy.

***Drug Cartels and Paramilitaries.*** Finally, other problems are associated with the context of violence within which some democracies operate. As with corruption, the role of drug cartels and paramilitary groups – armed groups separate from yet linked with the official military – is a problem in itself (which we will address in [Chapter 11](#)). However, here we note their negative impact on democracy.

Drug cartels and paramilitary forces have actively supported candidates for public office. Indeed, evidence suggests that these groups began making

contributions to electoral campaigns some time ago. More specifically, drug lords have funded campaigns in Colombia and Mexico since the 1970s ([Casas-Zamora 2013](#): 3). And an extreme case of influence by paramilitary forces is Colombia, where dozens of politicians with links to paramilitary forces were elected to the Chamber of Deputies and to the Senate in the 2000s ([Rodríguez 2009](#)). In such instances, violent groups use the democratic process as one more way of advancing their illegal interests.

Violent groups have also targeted politicians who might harm their interests. Drug cartels have regularly assassinated candidates for office and officeholders. Members of a drug cartel assassinated the Colombian presidential candidate Luis Carlos Galán in 1989. Drug cartels have killed dozens of mayors in Colombia and Mexico. They were also responsible for the killing of 311 local government officials and party candidates in Mexico during 2007–2012, and at least 133 candidates and party workers in Mexico's 2018 election ([Bailey 2014](#); [Blume 2017](#); [Calderón 2018](#); [Steele and Schubiger 2018](#); [Trejo and Ley 2020](#): 23, 215, 217). Drug cartels have also had an impact on whether politicians run for office. Indeed, in some countries, the impact of violence has led to “candidate cleansing,” a phenomenon whereby some candidates are killed and others are dissuaded from running for office or withdraw from electoral competition ([Schedler 2014](#): 14–15).

In short, private groups that use violence undermine the democratic process in the most noxious of ways. They essentially call into question the key democratic principle that candidates should be able to participate in elections without fears and that removal from office should happen through constitutional means.

### 5.2.3 A Synthesis of the Problems

This catalog of problems clearly shows that not all is well with democracy in Latin America. It also suggests that the regime classification we presented at the outset of this chapter (see [Table 5.1](#)) should be further elaborated.

[Table 5.1](#) provides a classification based on a dichotomous distinction between democracies and dictatorships. And the evidence presented in the [previous section](#) substantiates that classification. We have shown that some countries have failed to live up to the basic standard that must be met for a country to be classified as a democracy. However, the information about problems of democracy we have provided also reveals that a more nuanced classification of political regimes, which distinguishes countries in terms of the quality of democracy, is useful.

***Breakdowns and Dictatorships.*** In some instances, the problems of democracy do indeed concern features that are necessary for a country to have a democracy rather than an authoritarian regime. In those cases, the problems of democracy are of such a magnitude that they are indicative of a breakdown of democracy.

Democratic breakdowns in contemporary Latin America have been rare. They have occurred only in Peru, in 1992 and 2000; in the Dominican Republic, in 1994; in Honduras, in 2009; in Venezuela, in 2016; and in Nicaragua, in 2016. Furthermore, some breakdowns have been relatively short-lived; democracy was lost and regained within a few years (e.g., Honduras lost its democracy in 2009 and regained it in 2010). Others led to more prolonged dictatorship; this is the case of Venezuela, where the

breakdown of democracy in 2016 was followed by the entrenchment of the government led by President Nicolás Maduro.

These few democratic breakdowns were the greatest political setbacks since the wave of democratization started in the 1980s. And the new authoritarian regimes in Venezuela and Nicaragua, and the old dictatorship in Cuba, are the biggest democratic deficits in the region as they enter the decade of the 2020s.

***Low-Quality, Medium-Quality, and High-Quality Democracies.*** In other instances, the problems of democracy concern the quality of democracy – that is, problems that affect how democratic a regime is while falling short of being indicative of a dictatorship.

As a way to synthesize a considerable amount of information about problems of democracy, and to incorporate basic distinctions regarding the severity of Latin America's problems of democracy to our earlier dichotomous regime classification, we propose the following classification (see [Table 5.5](#)).

**Table 5.5** Democracy and the quality of democracy in contemporary Latin America: A regime classification

Region/country	Dictatorship	Quality of democracy		
		Low	Medium	High
South America				
Argentina			1983–	
Bolivia		1982–		
Brazil			1985–	
Chile		1990–2005		
				2006–
Colombia			1974–	
Ecuador		1979–		
Paraguay		1989–		
Peru*		1980–1992		
	1992–1995			
		1995–2000		
	2000			
		2001–		
Uruguay			1985–1989	
				1989–
Venezuela			1980s–2002	
		2002–2016		
	2016–			
Mexico, Central America, and the Caribbean				
Mexico			2000–	
Costa Rica				1980s–
El Salvador		1984–1994		
			1994–2019	
		2019–		
Guatemala		1985–		
Honduras		1982–2009		
	2009			
		2010–		
Nicaragua			1990–2008	
		2008–2016		
	2016–			
Panama			1989–	
Cuba	1958–			
Dominican Republic		1978–1994		
	1994–1996			
		1996–		

*Notes:* Countries are classified as democracies if they have elections for top national-level public offices with suffrage extending beyond the elites and without proscriptions of key parties or leaders; otherwise a country is a dictatorship. Democracies are distinguished in terms of their quality, inasmuch as they exhibit various problems of democracy and these problems are more or less severe. The classifications in this table are the authors' assessment. The end date for this information is August 2021.

\* Some observers consider that Peru had an uninterrupted dictatorship from 1992 until 2000.

*Source:* Authors' elaboration, based on information in this chapter and multiple sources.

This classification of regimes highlights a few key points. Problems regarding the quality of democracy are the most common regime problems in the region. Most countries, during most years since the 1980s and 1990s, have been democracies. However, most democracies have not been high-quality democracies. The affected countries are also spread throughout the region rather than being concentrated in some subregion. Thus, these problems are not idiosyncratic features related to the specific circumstances of some countries; rather, they are typical features of the region.

At the same time, this classification of regimes does highlight that some democracies are more democratic than others. Indeed, focusing on the most recent situation (in mid-2021), we can place Latin American democracies into three categories:

- (1) *Low-quality democracies*: Bolivia, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Paraguay, and Peru
- (2) *Medium-quality democracies*: Argentina, Brazil, Colombia, Mexico, and Panama
- (3) *High-quality democracies*: Chile, Costa Rica, and Uruguay

Classifications such as this one are the subject of some dispute. See [Box 5.2](#). Still, this classification reflects objective facts about Latin American countries.

### **Box 5.2** Debates: The Disputed Classification of Venezuela, Brazil, and Bolivia

Regime classifications of contemporary Latin America that incorporate the various problems we catalog above are the subject of some controversy. Observers often disagree about what problems would justify conceptualizing a regime as a dictatorship as opposed to a democracy with problems, but a democracy nonetheless. Observers often disagree about the facts. Indeed, although there is considerable agreement about how to classify most countries during most years, there is great disagreement about the characterization of some key events. The same event is sometimes seen by some as a key problem (e.g., a coup that brings democracy to an end), whereas others diminish or altogether dismiss the problematic nature of the event.

No case has been more controversial than that of Venezuela since Hugo Chávez came to power in 1999. There is broad consensus that Chávez became president in 1999 through free and fair elections. But several authors hold that Venezuela ceased to be a democracy early on, in late 2006. For example, historian Margarita [López Maya \(2014\)](#) characterizes Venezuela as a case of “authoritarian populism” since Chávez’s re-election in 2006. In contrast, others hold that Venezuela continued to be a democracy throughout Chávez’s time in office, until his death in 2013 ([Borón 2009](#)).

After Maduro became President of Venezuela in 2013 and after the government began to unleash harsh actions against the



opposition in early 2016, fewer observers characterized Venezuela as a democracy. However, this was not a universally shared position. For example, when the congressperson Pablo Vidal, of a leftist party in Chile, classified Maduro as a “dictator” and Venezuela as a “dictatorship” in early 2019 ([La Tercera 2019](#)), political scientist Atilio [Borón \(2019\)](#) issued a vehement rejection of this characterization. Moreover, it remained common for discussions of Venezuela to be couched as a matter of the erosion of democracy, which implies that Venezuela was still a democracy, rather than as a clear case of dictatorship or authoritarianism.

Two other cases that became the subject of starkly divergent interpretations are the removal from office of Brazilian President Dilma Rousseff and the resignation from office of Bolivian President Evo Morales.

In Brazil, President Rousseff was impeached and removed from office in 2016, shortly after winning re-election. The procedure followed in Rousseff’s displacement from office was constitutional. It is also clear that the motivation for impeaching Rousseff was political, and that the basis for impeaching Rousseff was a technical matter – Rousseff was impeached for an accounting maneuver aimed at making the government’s performance look better than it actually was. And, rather predictable, two contrary narratives were provided of the same events. Opponents to Rousseff claimed she was removed constitutionally. On the contrary, Rousseff’s supporters claimed that her removal was a “constitutional coup d’état.”

In Bolivia, in the context of an election in which President Evo Morales was standing for a fourth term, Morales abruptly resigned

from office in 2019 in the midst of an election. The lead-up to Morales's resignation was complex. On the one hand, considerable evidence showed that Morales was not constitutionally allowed to run for a fourth term – voters had rejected the possibility that Morales should run for a fourth term in a referendum in 2016 – and that the election held in October 2019 was affected by irregularities. On the other hand, even after Morales agreed to a rerun of the election, Morales was pressured by the military to resign from office, an obvious affront to democratic practices. And, again, two contrary narratives were provided of the same events. Morales's opponents argued that his removal was justified, given the action he and his supporters carried out. In contrast, Morales's supporters responded by claiming that the pressure to remove Morales from office was nothing short of a coup.

We should treat these controversies seriously. Sometimes they reflect genuine uncertainty about regime classifications. They also underline the need to be cautious in assigning terms such as “democracy” and “dictatorship” to a country's regime. Thus, we note that, even though the regime classification we propose is based on a careful conceptualization and considerable research, it is not the only way in which events can be interpreted.

#### **5.2.4 Problems of Democracy in a Democratic Age**

In sum, politics in Latin America since the transitions to democracy of the 1980s and 1990s has largely lived up to democratic standards. With few exceptions, access to government offices follows democratic procedures. Elections occur according to a regular, pre-established schedule. Top offices are elective. Elections are inclusive, in the sense that all adult men and women have the right to vote. Elections are competitive, in that multiple parties and candidates have the right to vie for public office. Most elected presidents and legislators have completed their constitutionally mandated term in office.

However, problems of democracy have been common. The gravest developments concerned Venezuela, which experienced a breakdown of democracy that ended in a consolidated dictatorship, and Nicaragua, which also had a democratic breakdown. Yet Venezuela and Nicaragua were exceptions to the regional pattern. And although Cuba was also a dictatorship, it was a special case – it could be considered a holdover from the Cold War period.

The more familiar problems concern the quality of democracy. The majority of Latin American countries have been low-quality or medium-quality democracies rather than high-quality democracies. Indeed, the typical regime in contemporary Latin America has been a weak, distorted democracy, in which the role of citizen preferences is muted.

Thus, the democratic record of contemporary Latin America is mixed. The democratic achievements are real and unprecedented. We can characterize the period since the 1980s as a democratic age. Nonetheless,

the problems of democracy are also significant. Democratization, understood as the transformation of dictatorship into democracy and the improvement of the quality of democracy, remains an urgent issue on the political agenda of the region.

## 5.3 Explaining Democracy

How can we explain the state of democracy in contemporary Latin America, with its mix of achievements and problems? More precisely, how can we explain the state of democracy in countries that had made transitions to democracy by 2000, with its relatively rare breakdowns of democracy and its enduring but low- and medium-quality democracies? (Since Cuba did not join the trend toward democracy in Latin America, it calls for a special analysis that we will not provide here.)

This question has garnered much interest, and scholars have considered political, cultural, and economic factors; domestic and international ones; as well as historical and proximate factors ([Diamond \*et al.\* 1999](#); [Huber and Stephens 1999](#); [Levitsky and Way 2010](#); [Munck 2012, 2015](#); [Mainwaring and Pérez-Liñán 2013](#); [Giraudy 2015](#); [Haggard and Kaufman 2016, 2021](#); [Mazzuca and Munck 2020](#)). Of the factors discussed in this literature, we focus on the following: (1) ideology and the politics of neoliberalism; (2) various aspects of the international context; and (3) the workings of (political and economic) power and the state. We will argue that some factors are linked primarily with achievements, and others with problems. And we will support our argument with evidence from many Latin American countries.

A more complete answer would surely address other possible causes. However, the factors we discuss below are important ones and go a long way to explain the state of democracy in contemporary Latin America.

### **5.3.1 Ideology and the Politics of Neoliberalism**

One key factor that explains the state of democracy is the ideological divide over the neoliberal economic reforms of the 1980s and 1990s, and the politics of actors on either side of this divide. All Latin American countries that were democracies by 2000 introduced free-market reforms in the 1980s and 1990s (see [Chapter 4, section 4.4](#)). These reforms were regularly challenged by strong opposition movements and even by popular uprisings (e.g., the protests in Caracas in 1989, the Zapatista uprising in Mexico in 1994, and the protests in Argentina in 2001). Furthermore, in a sign of the normal functioning of democratic politics, conflicts between political parties that were ideologically inclined to support neoliberalism (the right) and oppose neoliberalism (the left) were central to electoral politics. Nonetheless, the political tension between supporters and opponents of neoliberalism led to confrontations that, at times, put democracy at risk ([Munck 2015](#)).

***The Early Neoliberal Years and the Case of Peru.*** An initial phase of the politics of neoliberalism unfolded from the late 1980s to the mid-2000s, a time of economic crisis and reform. During this phase, governments throughout the region were dominated by conservative forces or at least governments that were making reforms characterized as austerity or structural adjustment policies. In turn, these governments faced concerted resistance by groups that, through various channels, sought to block or to roll back neoliberal policies. And this conflict led to three distinct scenarios.

In a first scenario, presidents left office before their mandate had been completed because they were weakened by economic crises and resistance to

their policies. Sometimes presidents were “pushed” from office. But to a large extent, governments simply “fell.” This was the case of Argentina in 1989, and again in 2001, and in Ecuador in 1997 and 2000. Indeed, although in some of these cases the leaders who had recently lost an election for president sought to create chaos in the streets with the intent of weakening and displacing democratically elected presidents, the key factor was the weakness of presidents, who then prematurely ended their terms in office.

In a second scenario, actors on the left, acting in opposition to democratically elected presidents who supported neoliberalism, instigated the toppling of presidents. The first such instance was the failed coup attempt by Lieutenant Colonel Hugo Chávez against elected President Carlos Andrés Pérez in Venezuela in February 1992. The left also promoted the removal of the presidents of Bolivia in 2003 and 2005, and it was one of the players that sought to remove President Enrique Bolaños in Nicaragua in 2005.

We note that, during this period, the left was largely a reactive force, responding to an escalation in the use of force by governments. For example, the actions against the elected presidents in Venezuela in 1992 and in Bolivia in 2003 came in the wake of the decision by those presidents to use repression, which killed dozens of protestors who had challenged their neoliberal policies, in Venezuela in 1989 and in Bolivia in 2003. It is also worthy to note that, during this period, the left was able to topple presidents, but not to replace a president with someone closer to its own position.

Finally, in a third scenario, the use of force by conservative presidents committed to free-market reforms led to the clearest deviations from democratic standards. The biggest breach of democratic standards during this period – and the one instance where a democracy broke down

completely – was the *auto-golpe* (self-coup) carried out by the democratically elected President Alberto Fujimori in Peru in April 1992. Fujimori decided to close down the elected and opposition-led Congress, on the grounds that Congress would not delegate to him the powers he claimed he needed to introduce neoliberal economic reforms; the war with the Shining Path guerrillas was another reason given for the self-coup. The action by President Fujimori, carried out with the support of the military, in effect nullified the results of the 1990 election for Congress, a blatant violation of democratic standards. Here, the pursuit of an ideological goal – a neoliberal agenda – was placed ahead of respect for democratic norms. See [Photo 5.3](#) on President Fujimori's coup.



**Photo 5.3 A breakdown of democracy in Peru, 1992** The self-coup by President Alberto Fujimori (left) led to the closing down of Congress and the control of the judiciary. In the early days of the takeover, army troops were stationed, among other places, at the entrance to the Palace of Justice (right). The breakdown of democracy in Peru in 1992 was the first sign that, even as the wave of democratization was sweeping through Latin America in the 1980s and 1990s, democracy would face serious challenges.

*Source:* (right) © Jaime Razuri/Staff/Getty Images.



*The Years of the Leftist Surge.* A second phase in the politics of neoliberalism unfolded during the 2000s and 2010s. By the turn of the century, neoliberal economic reforms were no longer new, reservations about the performance of the economy under the new model were widespread, and the left and center-left began to prevail in elections and win the presidency in many countries (see [Table 5.6](#)).

**Table 5.6** The left in Latin America, early twenty-first century

Country*	Leftist presidents		Characterization***
	Years in office**	Names	
Venezuela	1999–	Hugo Chávez, Nicolás Maduro	Radical Left
Bolivia	2006–2019, 2020–	Evo Morales, Luis Arce	Radical Left
Ecuador	2007–2017	Rafael Correa	Radical Left
Nicaragua	2007–	Daniel Ortega	Radical Left
Chile	2000–2010, 2014– 2018, 2022–	Ricardo Lagos, Michelle Bachelet, Gabriel Boric	Moderate Left
Brazil	2003–2016	“Lula” da Silva, Dilma Rousseff	Moderate Left
Argentina	2003–2015, 2019–	Néstor Kirchner, Cristina Fernández Kirchner, Alberto Fernández	Moderate Left
Uruguay	2005–2019	Tabaré Vázquez, José Mujica	Moderate Left
El Salvador	2009–2019	Mauricio Funes, Salvador Sánchez Cerén	Moderate Left
Costa Rica	2014–	Luis Guillermo Solís, Carlos Alvarado Quesada	Moderate Left
Mexico	2018–	Andrés Manuel López Obrador	Moderate Left
Dominican Republic	2000–2004	Hipólito Mejía	Short-lived Left
Panama	2004–2009, 2019–	Martín Torrijos, Laurentino Cortizo	Short-lived Left
Honduras	2006–2009†	Manuel Zelaya	Short-lived Left
Guatemala	2008–2012	Álvaro Colom	Short-lived Left
Paraguay	2008–2012	Fernando Lugo	Short-lived Left

*Notes:* \* The only country with uninterrupted conservative rule in Latin America since the 1980s is Colombia. Peruvian President Ollanta Humala (2011–2016) campaigned as a leftist candidate but governed as a conservative leader. In June 2021, Pedro Castillo was elected President of Peru and he campaigned as a leftist candidate; we do not include him because his actual policies were still unknown at the time of writing. Thus, these two countries are not included in this table. Cuba is not included because it was not a democracy at any moment in the early twenty-first century.

\*\* The end date for the information in this table is December 2021.

\*\*\* The distinction between the radical and moderate left is based on the extent to which they rejected neoliberal policies.

† Xiomara Castro, President of Honduras as of 2022, ran as a leftist candidate.

*Source: Authors' elaboration.*

The coming to power of the left in the early twenty-first century – the first real electoral breakthroughs of the left since the days of Salvador Allende in the early 1970s – was a sign of the vitality of democracy. It showed, as noted above, that democracy offered real opportunities for new groups to enter into politics and was not tightly controlled by a self-perpetuating elite that could be characterized as oligarchic. It brought new kinds of leaders to power, different from the professional politicians. Some had been trade-union leaders, others guerrilla leaders, a few had been officers in the military, and yet others academics. It also showed that alternation in power among party leaders holding different political ideologies was possible. See [Photo 5.4](#) of some of these new leaders.



**Photo 5.4 Leftist leaders, 2006** Hugo Chávez, Luiz Inácio “Lula” da Silva, Evo Morales, and Michelle Bachelet (from left to right). These were part of the new generation of leftist leaders who came to power through elections in the 2000s.

*Source:* © CityFiles/Getty Images.

However, the coming to power of the left also introduced heightened tensions in many countries and led to threats to democracy from both sides of the political spectrum.

***The Anti-Democratic Right and the Case of Honduras.*** In several cases, the problem was directly due to efforts of the right to remove leftist presidents from power. The most egregious case of a backlash against the left was that of Honduras in 2009. The opposition to President Manuel Zelaya, who had made some overtures to Venezuela’s leftist President Chávez, acted in concert with the military to remove President Zelaya. Although the military did not take over the reins of government, this was a classic military coup d’état. See [Box 5.3](#) on the coup in Honduras in 2009 and its long-term impact.

### **Box 5.3** A Closer Look: The Coup in Honduras in 2009

In June 2009, at a time when Honduran President Zelaya had been tilting toward the left, and following a dispute over Zelaya's proposal to hold a nonbinding referendum, the Honduran army detained Zelaya and removed him from the country. Zelaya was immediately replaced by the president of the legislature, Roberto Micheletti.

This action was widely seen as a military coup d'état and led to a strong international response. The Organization of American States (OAS) took the strongest measure envisioned by the Inter-American Democratic Charter, suspending Honduras from the organization. Other actions, including negotiations and some sanctions, were taken by the United States and by Latin American countries.

However, the leaders who had replaced Zelaya did not budge and refused to restore him to power. The removal of Zelaya had occurred only six months before the scheduled November 2009 presidential election. And Micheletti stayed in power until the newly elected president assumed power in January 2010. Thus, in Honduras, despite strong international pressure, the military coup essentially was successful.

One of the legacies of the 2009 coup in Honduras has been an increased level of violence, including the killing of many activists and journalists, and questionable political practices, such as the holding of an election in 2017 that was widely considered fraudulent. Indeed, the failure to prevent or roll back the 2009 coup was not only a failure of the international community; it was also the

beginning of a period in which the country suffered from multiple problems of democracy.

The anti-democratic actions of the right were not limited to Honduras. The right instigated a short-lived military coup against President Chávez in Venezuela in 2002, and questionable impeachments of Presidents Fernando Lugo (in Paraguay, in 2012) and Dilma Rousseff (in Brazil, in 2016). In Paraguay and Brazil, opposition leaders in Congress provided dubious grounds for, and/or did not follow reasonable procedures in, the impeachment and conviction of democratically elected presidents.

We especially note that in some of these cases – unlike in the earlier actions of leftists against conservative presidents – the actions of the right led to the replacement of leftist presidents by conservative ones. Thus, the right's failure to accept electoral victories of the left, in free and fair elections, led to the premature end of the mandate of presidents, in ways that were clearly questionable and even led to the reversal of electoral results.

***The Anti-Democratic Left and the Case of Venezuela.*** Democracy was also threatened by leftist governments. Seeking to perpetuate themselves in power, some leftist presidents ran for re-election although their constitutions did not allow so. This disregard for term limits occurred in Nicaragua in 2011, when incumbent President Daniel Ortega was re-elected after the Supreme Court allowed him to stand for re-election despite a constitutional ban on the re-election of an incumbent president. A similar, even more blatant show of contempt of term limits occurred in Bolivia in 2019, when incumbent President Evo Morales ran for re-election after the Supreme Court allowed him to do so despite a constitutional ban and a 2016

referendum forbidding him from running for a fourth consecutive term. However, the gravest threat to democracy by leftist governments took place, without a doubt, in Venezuela, a country that turned into a dictatorship under President Nicolás Maduro.

The breakdown of democracy in Venezuela is clearly the most significant setback to democracy in Latin America since Fujimori's autogolpe in 1992. It occurred in a country that during the Cold War years had avoided the fate of most other countries in the region – falling under military rule. In the 1960s and 1970s, Venezuela stood out as one of the few exceptions to the pattern of authoritarian rule in Latin America (along with Costa Rica and Colombia); in fact, it received many exiles escaping repressive governments in the rest of South America. By the 1990s, it was one of the few Latin American countries that had developed a democratic tradition. Yet, after its shift toward the left under President Hugo Chávez (1999–2013) and following the death of Chávez in 2013, President Maduro and his supporters directly produced the breakdown of democracy in 2016.

President Maduro, elected as successor to Chávez in early 2013, abandoned any pretense to live up to democratic standards. The opposition to President Maduro scored a resounding victory in the late 2015 election for Congress, winning two-thirds of the seats of the single-chamber legislature. Thus, the opposition looked poised to have the institutional power to place limits on President Maduro. But, instead, this opposition victory was followed by several strong measures that curtailed the rights of the opposition.

- First, a series of measures in 2016 and 2017 by the Supreme Court, politically subservient to President Maduro, removed powers from

the legislature, to the point that the Supreme Court temporarily took over all functions of the legislature.

- Second, the electoral authorities of Venezuela suspended a constitutionally permitted referendum to recall President Maduro in 2016, in effect denying citizens the right to vote on the permanence in office of the president.
- Third, elections for state governors scheduled for December 2016 were postponed, opposition demonstrations were repressed, and opposition leaders were imprisoned.
- Fourth, an unconstitutional election was held for a Constituent Assembly in 2017, and the Maduro-dominated Constituent Assembly immediately proceeded to strip the powers of the opposition-led legislature elected in late 2015.
- Fifth, Maduro was re-elected in 2018 in an election that had so many irregularities – a change in the schedule of the election to favor the incumbent, the failure to issue a proper call for the election, the effective proscription of opposition candidates, and voter intimidation – that the main opposition parties boycotted the election, as it was obviously fraudulent and widely condemned as flawed.
- Sixth, and finally, new elections for Congress in December 2020 were boycotted due to a lack of guarantees by the opposition.

Venezuela ceased to be a democracy and became a dictatorship in early 2016. It also transformed into a dictatorship that was hard to dislodge.

***Summation.*** In brief, ideological disputes, and conflicts over the neoliberal model of development in particular, have been a source of problems of democracy. As in the past, especially during the Cold War years, democracy has been threatened from the right. Most blatantly, a breakdown of democracy was instigated by the right, in part because of ideological reasons, in Peru in 1992 and Honduras in 2009. But a novelty of this period in Latin America's political history is that some leftist leaders have directly undermined democracy when they have held power. Indeed, the breakdowns of democracy instigated by the left in Venezuela and in Nicaragua in 2016 were the most significant deviations from democratic principles in Latin America in the 2010s.



### 5.3.2 The International Context

Polarized politics was nothing new in Latin America. Further, when placed in historical perspective and compared to the polarization triggered by the transition to mass politics and the Cuban Revolution (see [Chapter 3, section 3.3](#)), the polarization associated with the neoliberal reforms was less acute and less threatening to democracy. For all its problems, Latin America broke with the cyclical pattern of regime change of the 1940s–1970s, a time when military coups d'état and military regimes were actually expected. Thus, to understand why democracy has been rather stable and why breakdowns of democracy have been relatively rare since the 1980s, we should consider the role of various international factors that act as countervailing forces, making the polarized politics discussed in the [previous subsection](#) less acute and less threatening to democracy than they were in the past.

***The End of the Cold War.*** Some problems of democracy in contemporary Latin America originated in the Cold War period. The Cold War tensions had broad ramifications, leading to civil wars in several countries and the support of many dictatorships by the United States. And the end of the Cold War removed these obstacles to democracy.

The end of the Cold War was associated with the end of armed struggle by leftist organizations ([Castañeda 1993](#)). Relatedly, it brought a considerable shift in US policy toward Latin America. With the end of the Cold War, the United States became more supportive of democracy and, specifically, more accepting of leftist presidents ([Weeks 2015](#): chs. 5–7 and 11; [Schoultz 2018](#): chs. 9–11). The United States did not have a consistently

pro-democratic record in the early twenty-first century. For example, there is evidence that it had some role in the short-lived coup against President Chávez in 2002 ([Golinger 2007](#)). However, the difference between US policy during the Cold War years and its recent policy is stark. With the end of the Cold War, tensions that led to authoritarian outcomes were reduced.

***The New Global Economy.*** Another novel international factor that had a positive impact on democracy was the development of a more global economy. The insertion of Latin American countries into an increasingly globalized world economy, with liberalized financial markets, had an impact on the capitalist class in particular.

The rise of financial globalization expanded the options of the more internationalized sector of the capitalist class. Thus, in the face of a threat to property rights or significant income redistribution by democratically elected governments, they could now readily move their assets outside national borders. This change, in turn, affected the regime preferences of this powerful economic actor. Capitalists who in the past were a key partner of authoritarian coalitions that toppled governments that harmed their interests could now simply escape the control of the government by taking advantage of capital mobility. The new global economy made capitalists less of a threat to democracy in the region.

We should not exaggerate the extent of change in the behavior of capitalists. They did not become supporters of democracy. However, given the new structure of the global economy, the internationalized sector of the capitalist class dropped its opposition to democracy or, more precisely, to the somewhat flawed democracies most Latin American countries had developed since the 1980s ([Huber and Stephens 1999](#): 772–80). In a

positive step, actors that were a frequent threat to democracy from the 1960s to the 1980s became neutral players – a stabilizing development.

***The New International Democracy Regime.*** Finally, another noteworthy development has been the construction of an international system to support democracy. Starting in the 1990s, many countries adopted policies explicitly directed at defending democracy in the region. In addition, many international organizations, and in particular the Organization of American States (OAS), became actively engaged in the promotion of democracy. See [Box 5.4](#) for a closer look at the “democracy clauses” of the OAS and other organizations.

#### **Box 5.4** A Closer Look: Regional Organizations and Democracy Clauses

As the wave of democratization in Latin America gained momentum in the 1990s, leaders in the region launched various initiatives to develop a hemispheric system to collectively defend democracy.

The most important efforts were advanced within the OAS, an organization formed in 1948 and the only organization that encompasses all countries in the Western hemisphere. The OAS moved early, as Latin American countries transitioned from authoritarian rule, to approve two documents that contain democracy clauses, mechanisms that commit the organization to defend democracy in the hemisphere: Resolution 1080, on “Representative Democracy,” in 1991, and the Inter-American Democratic Charter in 2001. Thereafter, the OAS has been the most active multilateral organization promoting democracy in Latin America.

Other organizations also adopted democracy clauses that pledge the organization to take specific steps to ensure that their members respect democracy. The Southern Common Market (MERCOSUR), a South American trade bloc formed in 1991 and comprising Argentina, Brazil, Paraguay, and Uruguay (Venezuela was a member of MERCOSUR, but its membership was suspended in 2016), adopted a democracy clause in 1996. The Union of South American Nations (UNASUR), an organization established in 2008,

but which started to unravel ten years later as various countries withdrew from the organization, adopted a democracy clause in 2010.

In sum, many regional organizations in which Latin American countries are members have taken explicit steps that commit its members to act collectively to defend democracy in the region. (For detailed discussions of the role of regional organizations in the promotion of democracy in Latin America, see [Levitsky and Way 2010](#): ch. 4; [Mainwaring and Pérez-Liñán 2013](#): ch. 7; [Heine and Weiffen 2015](#); and [Perina 2015](#).)

The record of these international activities to effectively protect and promote democracy is mixed. In some cases, the international community responded to a threat to democracy and had some success. MERCOSUR was largely responsible for stopping a military coup in Paraguay in 1996. The OAS mission to Nicaragua in 2005 succeeded in reversing the unconstitutional curtailment of executive powers by the Nicaraguan Congress and averted the removal of President Bolaños.

In other cases, the international community was at best partially effective in its response. In the face of evidence of electoral fraud to favor the incumbent Dominican Republic President Balaguer, the OAS was able only to get Balaguer to shorten his new term in office. In the case of the fraudulent election orchestrated by Fujimori in 2000, the OAS took the strong decision to pull out of the country and to refuse to observe the second round of the election, on the grounds that the conditions for a free

and fair election were not guaranteed; but Fujimori went on to hold the election and was re-elected for a third term.

Several other cases show a similar pattern. In the coup in Honduras in 2009, the OAS used the most severe sanction envisioned by the Inter-American Democratic Charter, the suspension of Honduras from the OAS; but this action did not lead to a reversal of the coup and the restoration to office of elected President Zelaya. Although the MERCOSUR suspended Paraguay's membership of the organization following the questionable removal of President Lugo from office in 2012, this action did not change the situation in Paraguay. And in Venezuela the limits of international actions to protect democracy were even more obvious. Concerted and strong actions were taken by the OAS, a large group of Latin American countries, and the United States to stop the breakdown of democracy and, subsequently, to restore it. Nonetheless, the Maduro-led government did not alter its course.

Nevertheless, the global legitimacy of democracy in the twenty-first century did discourage actors from attempting a democratic breakdown. There were few costs to carrying out coups and setting up military-led regimes during the twentieth century; indeed, in many cases, there were actually benefits. In contrast, in the twenty-first century, the new international democracy regime was powerful enough in Latin America to dissuade actors who might seek to overthrow democratically elected rulers and especially to set up overtly authoritarian regimes.

***Summation.*** In brief, various changes in the international context of Latin America in the twenty-first century have helped to make democracy in the region more stable than in the past. The new post-Cold War world, the new

global economy, and the new international democracy regime created incentives for actors to accept democracy and, although not always effective, helped to stabilize democracies in Latin America.

### 5.3.3 Power and the State

To fully understand the contemporary state of democracy in Latin America and, specifically, why Latin American countries have made little progress in improving the quality of their democracies, it is necessary to delve deeper, however, and to consider the role of some enduring factors, which are extremely hard to change.

For democracy to function effectively, two things must be prevented: the use of public office and resources by incumbents for nonpublic purposes; and the conversion of economic power into political power. For democracy to function properly, a further factor is needed: a state that enforces the law evenly throughout the entire territory of a country. Yet the politically powerful and the economically wealthy have never been adequately controlled in most of Latin America. Furthermore, the state has always lacked the capacity to fully guarantee political rights in most of Latin America. And these long-lasting deficiencies are obstacles that prevent the development of high-quality democracies.

***Political Power.*** Some political incumbents, driven by ambition to hold on to power more than anything else, have used the advantage of incumbency and abused their power to perpetuate themselves in power:

- Incumbents have sought to bias elections by using public resources and bribes extracted in return for political favors.
- Incumbents have used their influence over the media (e.g., through the considerable amount of advertising paid for by the government) to favor friends and sanction critics in the media.



- Incumbents have used the state's intelligence services to target their opponents.
- Incumbents have used their control over security forces to repress lawful expressions of dissent.
- Incumbents have used their influence over the judiciary and electoral management bodies to favor their electoral chances.

The pure quest for political power, as distinct from ideological goals, causes some problems of democracy, especially at times when presidents succeed in concentrating great political power. Indeed, one driver of problems of democracy comes from within politics and is associated with the very political leaders who gain access to office through democracy. These leaders follow the rules of democracy to a considerable extent. But, driven by political ambition, they also bend and bypass the rules of democracy in many ways.

***Economic Power.*** In turn, the wealthy, especially when they enjoy great economic power, have skewed the democratic political process in pursuit of their interests.

Wealthy individuals, families, and corporations have used private resources to fund election campaigns. They have provided illegal bribes to politicians, as court records show ([US District Court, Eastern District of New York 2016](#)). They prompt officeholders to pass certain laws, make certain decisions, and appoint certain people to cabinet positions. When economic power is concentrated – as it traditionally has been in many Latin American countries – the economically powerful exert great influence and directly and indirectly pressure politicians.

As has been well studied, one of the ways in which the economically powerful shape politics is through their economic decisions. Since politicians are commonly evaluated in terms of how the economy is doing, politicians are structurally constrained by decisions of the capitalist class ([Przeworski and Wallerstein 1988](#); [Fairfield 2015](#)). We add to this the observation that, in some instances, the wealthy also use their control of the private media to shape politics. Ownership of the media is a key asset. The media market is sometimes dominated by very few actors (see [Table 5.7](#)). And control of the media is routinely used to affect the information environment and set the agenda of public debate in ways that serve business interests rather than the broader interests of the public ([OAS 2011](#): chs. 3–5; [FIP 2016](#); [Becerra and Mastrini 2017](#)).

**Table 5.7** Media concentration in Latin America, 2010s

Medium	Media group/country		
	Clarín (Argentina)	Globo (Brazil)	Televisa (Mexico)
TV Open	Canal 13 Todo Noticias Volver 6 other TV channels	Rede Globo Globo News Globosat 2 other TV channels	Red Televisa 3 other TV channels
TV Cable	Multicanal Cablevisión	Globosat Canal Brasil Telecine GNT Multishow	Cablemas Cablecom Cablevisión Telecable
TV Satellite		Sky Brasil	Sky Mexico
Radio	Radio Mitre 3 other radio stations	Sistema Globo de Radio  Radio Globo (Rio) SporTV 5 other radio stations	Radiópolis
TV, Movie and Video Production	Patagonik	Globo Video Globo News Sport TV Globo Filmes	Videovisa Telecine
News Agency	DyN	Agencia Globo	ECO
Newspapers	Clarín Olé Razón	O Globo Extra Espresso Valor Económico Diário de São Paulo	Ovaciones

*Note:* The information shows how three media conglomerates own multiple media companies of various types.

*Source:* Authors' elaboration, based on [Becerra and Mastrini 2001](#); [OAS 2011](#): 134; and [FIP 2016](#): 60–70.

It is difficult to gauge the precise impact of money on elections and to specify how much it changes the result of an election. It is equally hard to show what impact money has on the policy-making process. Yet, some things are clear. Barriers to prevent the conversion of economic power into political power are weak in Latin America. Money flows into politics for a reason; from the perspective of business, it is an investment to gain influence. And the impact of money on politics practically guarantees that the preferences of the poor and other disadvantaged groups will have less weight than moneyed factions. See [Box 5.5](#) on the related idea of de facto powers that operate in the shadows.

### **Box 5.5** Connections: Invisible Power and the Unfulfilled Promises of Democracy

Scandals involving the use of illegal money to affect elections or buy political access attract a lot of attention and tend to be roundly criticized. However, such scandals are only the most obvious manifestation of a more widespread problem, the influence of powerful actors on political processes and the subtle and not so subtle undermining of the basic democratic principle that each citizen has equal political rights.

Political philosopher Norberto Bobbio addresses this issue and refers to “the presence of invisible power” that exercises influence behind the scenes, outside the view of the public. He argues that invisible power undermines democratic practices and that “the elimination of invisible power” is an unfulfilled promise of democracy ([Bobbio 1987](#): 33), a point that is clearly relevant to Latin America.

A report on *Democracy in Latin America* by the UN Development Programme (UNDP) holds that:

A traditional problem in the countries of Latin America has been the divorce of institutional powers from de facto powers: although written Constitutions give great weight to the executive branch and provide the legislative branch and the judiciary with significant scope for action, real power tends to reside with institutions to which the law assigns other functions (as was the case, in the recent past, with the armed forces) or

with groups that do not form part of the political-institutional order (traditional families, economic groups and others).

[UNDP 2004](#): 154.

This claim is supported by interviews with over 240 political and social leaders from the region, including forty presidents and vice-presidents. According to the UNDP, “[o]f those consulted in Latin America, 80 percent drew attention to the power that has been amassed by business leaders, the financial sector and the media... . They comprise the principal power group that limits the decision-making authority of governments” ([UNDP 2004](#): 159).

***State Capacity.*** Finally, to understand the poor quality of democracy in contemporary Latin America, it is also necessary to consider the state and, more specifically, the deficiencies in state capacity that are a characteristic of most Latin American countries. State weakness is a persistent feature in Latin American history (see [Chapter 1, section 1.4](#)). And the weakness of Latin American states affects democracy in several ways ([Mazzuca and Munck 2020](#)).

The semi-patrimonial nature of the state makes it an ally of politicians who seek to bend and bypass the rules of democracy. Agents within the public administration are key accomplices in bribe-making schemes that generate money used in electoral campaigns, in conspiracies to spy on the opposition, and in the various ways in which officeholders abuse power to favor their electoral chances. Further, the weakness of the state that follows from its semi-patrimonial nature can be linked directly to two of the problems of democracy mentioned above: the manipulation of elections by

subnational authorities; and the use of violence against politicians by private groups.

The weakness of Latin American states has a pervasive impact on democracy due to its failure to impose its rule in a homogeneous way throughout the territory of a country and, more specifically, due to its tolerance of subnational territorial rulers who treat the state as their personal fiefdoms.

These subnational leaders use their power within a certain part of the country (e.g., a state or province, or a municipality) to circumvent laws passed by the central government and to routinely undermine democracy. They occasionally decide to ignore or circumvent a national law that requires that all citizens eligible to vote receive the personal documents they must have in order to vote. They sometimes pressure public sector employees under their control to vote a certain way, suggesting that otherwise they will lose their jobs. At times, they prevent journalists from reporting freely on acts of corruption by local politicians.

Thus, the state's failure to uphold the rule of law, and to rein in subnational leaders that curtail citizens' rights and chip away at some requirements of democracy, is a source of a common problem of democracy. The weakness of the state translates directly into the weakness of democracy.

The most dramatic impact of state weakness on democracy, however, is due to the state's failure to control organized crime and hence provide the order and peace that is needed for democracy.

Organized criminal organizations, such as drug cartels and paramilitary organizations, have political agendas. They use military force against their political opponents, and they invest their economic resources to sway election results, especially by supporting some candidates over others. And

their influence has become a distinct problem of democracy that cannot be ignored. Indeed, the threat to democracy posed by organized crime is one of the most extreme challenges faced in the region. Politicians should never have to worry about their lives when they engage in democratic processes and take on groups engaged in illegal activities.

Still, the ultimate responsibility lies with the state. The state's most basic function is to keep order in a country. It should have the capacity to root out organized crime. And it should protect politicians from physical threats. Thus, the impact of violence on democracy is an indication that the root of some problems of democracy is the weakness of the state.

***Summation.*** In closing, some enduring factors, deeply rooted in Latin American history – concentrated political and economic power, and state weakness – place an obstacle to the improvement of the quality of democracy. Democracy can function when these factors operate. The endurance of democracies in contemporary Latin America shows that it is possible. Nevertheless, these factors introduce some significant deviations from democratic principles.

## 5.4 Summary

Building on the concept of democracy as introduced in [Chapter 3](#), we have now introduced the idea that we can distinguish between low-quality and high-quality democracies based on the extent to which countries respect the core political rights involved in democracy.

We also examined more closely the state of democracy in contemporary Latin America. The evidence of democratic achievements is strong. The wave of democratization in Latin America in the 1980s and 1990s led to a new, democratic age. For the first time in the history of Latin America, the removal of incumbents from office through the ballot box, in plainly democratic elections, was the norm in the region.

However, we also saw the many problems of democracy. These problems are of various kinds: some concern the electoral process (e.g., the explicit manipulation of the electoral process to favor some party or candidate); others relate to government office (e.g., the premature end of the constitutional mandate of democratically elected presidents and legislators). Money and violence also influence electoral campaigns and the making of government decisions in ways that undermine democratic principles.

These problems affect most countries in the region. In a few cases, these problems have been grave enough to produce a breakdown of democracy and the rise of dictatorships. More commonly, Latin American countries have had democracies, but these have been low- or medium-quality democracies.



We also considered the factors that explain the state of democracy in contemporary Latin America. Since no single factor offers a full or satisfactory explanation, we provided a multifactor account. Many problems have their roots in the ideological divide over the neoliberal economic reforms of the 1980s and 1990s, and the politics of actors on either side of this divide. These ideologically driven threats to democracy have been led by actors on both the right and the left of the political spectrum.

A largely positive role has been played by international factors. These include: the end of the Cold War, which reduced civil wars in the region and led to a more pro-democratic US policy toward the region; the new macroeconomic international conditions associated with globalization, which led to a change in the preferences of business elites that had been prone to support coups against democratic rulers; and the new macropolitical international conditions associated with the rise of a new international democracy regime, which has raised the costs to elites who stage coups.

Finally, we discussed some enduring features of Latin American societies. Some problems of democracy have their roots in sheer political ambition, the exploitation of advantages that accrue to incumbency in political office, and the political influence of private economic power. Others are due to the weakness of the state, which does not ensure that the rules of democracy are respected throughout the entire territory of a country.

We must emphasize that Latin America has made important – indeed, unprecedented – strides toward democracy, but also that most countries

continue to experience many problems of democracy. Democratization remains an urgent issue on the region's political agenda.

## Discussion Questions

1. Since the wave of democratization in the 1980s and 1990s, Latin America has had a strong democratic record, far superior to its record earlier in the century. However, the region has experienced many problems of democracy. Focusing on developments after 2000, what kinds of problems of democracy has Latin America experienced? What problems have involved the gravest violations of democratic principles? What are some of the sources of these problems?
2. The defense of democracy has become increasingly institutionalized within the region. Indeed, it is possible to talk about a democratic international regime that includes various forums in which countries act collectively to defend democracy. How successful have the various initiatives within the region and in regional organizations been? What could be done to make the collective defense of democracy more effective?
3. Various factors help to explain whether or not a country is a democracy, and whether it becomes a high-quality democracy. What factors do you think need to be changed in order to strengthen Latin American democracies? How could these changes to strengthen democracy be introduced? Can you think of some factors that affect democracy that were not discussed in this chapter?

## *Resources*

## Additional Readings

Cameron, Maxwell A. 2018. "Making Sense of Competitive Authoritarianism: Lessons from the Andes." *Latin American Politics and Society* 60(2): 1–22. On authoritarian regimes in the Andean region that nonetheless maintained elections.

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Cameron, Maxwell A. and Eric Hershberg (eds.). 2010. *Latin America's Left Turns: Politics, Policies and Trajectories of Change*. Boulder, CO: Lynne Rienner. On the leftist governments that dominated the political scene in the first decade of the twenty-first century.

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Close, David. 2016. *Nicaragua: Navigating the Politics of Democracy*. Boulder, CO: Lynne Rienner. On the evolution of politics in Nicaragua since 1979, and the failure of its experience with democracy after 1990.

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Corrales, Javier. 2018. *Fixing Democracy: How Power Asymmetries Help Explain Presidential Powers in New Constitutions, Evidence from Latin America*. Oxford University Press. On the new constitutions approved under the leftist governments in Venezuela under Chávez, Bolivia under Morales, and Ecuador under Correa.

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Handlin, Samuel. 2017. *State Crisis in Fragile Democracies: Polarization and Political Regimes in South America*. New York, NY: Cambridge University Press. On the impact of state crises on parties and democracy; it includes case studies of Bolivia, Brazil, Chile, Ecuador, Paraguay, Peru, Venezuela, and Uruguay.

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Heine, Jorge and Brigitte Weiffen. 2015. *21st Century Democracy Promotion in the Americas*. New York, NY: Routledge. An in-depth look at the role of the OAS in the defense of democracy.

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Helmke, Gretchen. 2017. *Institutions on the Edge: The Origins and Consequences of Inter-Branch Crises in Latin America*. New York, NY: Cambridge University Press. A study of conflicts between different branches of government that led to the breakdown or erosion of democracy; it covers the entire region.

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Legler, Thomas. 2012. "The Democratic Charter in Action: Reflections on the Honduran Crisis." *Latin American Policy* **3**(1): 74–87. An in-depth look at the role of the OAS in the crisis in Honduras in 2009.

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Levine, Daniel H. and José E. Molina (eds.). 2011. *The Quality of Democracy in Latin America*. Boulder, CO: Lynne Rienner. An assessment of the quality of democracy in countries in Latin America.

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Levitsky, Steven and Kenneth M. Roberts (eds.). 2011. *The Resurgence of the Latin American Left*. Baltimore, MD: Johns Hopkins University Press.

On the leftist governments that dominated the political scene in the first decade of the twenty-first century.

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Levitsky, Steven and Lucan A. Way. 2010. *Competitive Authoritarianism: Hybrid Regimes after the Cold War*. New York, NY: Cambridge University Press. On the authoritarian regimes that nonetheless maintain elections.

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Llanos, Mariana and Leiv Mainstentredet (eds.). 2010. *Presidential Breakdowns in Latin America: Causes and Outcomes of Executive Instability in Developing Democracies*. New York, NY: Palgrave MacMillan. On the frequent and irregular end of presidential mandates.

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Mazzuca, Sebastián L. 2013. "The Rise of Rentier Populism." *Journal of Democracy* 24(2): 108–22. On the political characteristics and economic policies of the leftist governments in Venezuela under Chávez, Bolivia under Morales, and Ecuador under Correa.

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Mazzuca, Sebastián L. and Gerardo L. Munck. 2020. *A Middle-Quality Institutional Trap: Democracy and State Capacity in Latin America*. New York, NY: Cambridge University Press. On the way in which low-quality democracy and weak state capacity work together in contemporary Latin America.

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Pérez-Liñán, Aníbal. 2007. *Presidential Impeachment and the New Political Instability in Latin America*. New York, NY: Cambridge University Press. On the conflicts between the legislature and the executive that has led to the fall of many presidents in Latin America.

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Perina, Rubén M. 2015. *The Organization of American States as the Advocate and Guardian of Democracy*. Lanham, MD: University Press of

America. An in-depth look at the role of the OAS in the defense of democracy.

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Weyland, Kurt, Raúl L. Madrid, and Wendy Hunter (eds.). 2010. *Leftist Governments in Latin America: Successes and Shortcomings*. New York, NY: Cambridge University Press. On the leftist governments that dominated the political scene in the first decade of the twenty-first century.



## Websites

*Congressional Research Service (CRS) Reports.* The website of the Congressional Research Service, a division of the US Library of Congress, regularly publishes up-to-date reports on a range of issues regarding Latin American politics. Website: <https://crsreports.congress.gov>

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*Global Americans.* The website of Global Americans has contributions from a range of authors on current political, social, and economic topics in Latin America. Website: <https://theglobalamericans.org>

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*OAS (Organization of American States), Secretariat for Strengthening Democracy (SSD).* Presents information of the work of the OAS to promote democracy, including their work on election observation. Website: [www.oas.org/en/about/spa.asp](http://www.oas.org/en/about/spa.asp)

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*Observatorio REFPOL (Observatorio de Reformas Políticas de América Latina).* A site coordinated by Professor Flavia Freidenberg that offers up-to-date information on various aspects of politics in Latin America, such as voting rights, gender and politics, media in electoral campaigns, political parties, and the financing of parties. Website: <https://reformaspoliticas.org>

## Documentaries

*Cocalero* (2007). 84 minutes. Focuses on Evo Morales, President of Bolivia (2006–2019), from his roots as an organizer of Bolivian farmers who grew coca to his rise to the presidency.

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*The Edge of Democracy* (2019). 113 minutes. In Portuguese, with English subtitles. It focuses on the political polarization in Brazil during the governments of the leftist PT party, leading up to the impeachment of President Dilma Rousseff in 2016.

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*El Pepe, a Supreme Life* (2018). 74 minutes. An examination of the life, times, and legacy of José “Pepe” Mujica, former guerrilla and President of Uruguay (2010–2015).

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*The Fall of Fujimori* (2005). 83 minutes. Focuses on Alberto Fujimori, President of Peru from 1990 to 2000. It covers the government’s fight against the Shining Path, a guerrilla organization, the breakdown of democracy, and Fujimori’s fall from power.

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*La joven revolución hondureña* (2009). 90 minutes. In Spanish. Shows the perspective of the young students fighting against the 2009 military coup in Honduras.

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*Revolution in Ruins: The Hugo Chávez Story* (2019). 59 minutes. Tells the story of Hugo Chavez’s fourteen-year presidency of Venezuela (1999–2013).

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*South of the Border* (2009). 102 minutes. Focuses on the presidents who were part of the left-turn in Latin America in the early twenty-first century. It covers Hugo Chávez of Venezuela, Evo Morales of Bolivia, Cristina Kirchner of Argentina, Rafael Correa of Ecuador, Fernando Lugo of Paraguay, and Lula da Silva of Brazil.

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*What Happened to Brazil?* (2019). Three episodes of 23 minutes each. It focuses on Brazil during the 2013–2018 years. Episode 1, *The Dream Dies*, shows how widespread corruption, mass protests, a recession, and violent crime undermined what appeared to be a successful period in the country's history. Episode 2, *The Carwash and the Coup*, focuses on the Lava Jato corruption scandal that broke in 2014 and the impeachment of President Dilma Rousseff in 2016. Episode 3, *A Divided Nation*, follows the process that led to the rise to power of Jair Bolsonaro.

# 6

## **Political Inclusion and Institutional Innovations**

*Women, Indigenous Peoples, Afro-Descendants, and Ordinary People*





**Photo 6.1 Women in politics in Latin America** Democratization in contemporary Latin America produced a demand for political inclusion by groups that had previously had little access to high political office. One of the most notable transformations that occurred was the growing presence of women in national-level political offices. A sign of this change was the election of women to the presidency in many Latin American countries. The photo depicts (from left to right) Cristina Fernández Kirchner, Michelle Bachelet, and Dilma Rousseff, Presidents of Argentina, Chile, and Brazil, in 2015.

*Source:* © AFP/Stringer/Getty Images.

We can discuss democracy, as we did in [Chapter 5](#), by focusing primarily on *how* government offices endowed with the power to make binding decisions are accessed and *how* government decisions are made. However, another perspective for us to consider is *who* participates in the actual process of making governmental decisions and whether a cross-section of the population is directly involved in governmental decisions. When the people who make governmental decisions share more characteristics with those who are governed, democracy is more inclusive.

And having an inclusive democracy is intrinsically important and can have many other benefits.

In this chapter, we focus on the political inclusion of various categories of citizens in the actual making of government policy. We initially address what we mean by political inclusion in decision-making and discuss a range of institutions that aim to facilitate political inclusion. Thereafter, we address three important questions: Have Latin American democracies been inclusive with regard to women, indigenous peoples, Afro-descendants, and ordinary people? Have Latin American democracies adopted institutions that effectively increase political inclusion? Why have Latin American democracies adopted or not adopted inclusionary institutions?

We divide the discussion of these questions into three parts. First, we consider the inclusion of women in political office, and the adoption and impact of gender quotas. Second, we focus on the inclusion of indigenous peoples and Afro-descendants in political office, compare the inclusion of these groups to the inclusion of women, and address reasons for the adoption or lack of adoption of inclusionary institutions. Third, we briefly discuss the role of ordinary people in the making of government decisions through two additional inclusionary institutions: participatory budgeting and prior consultation. In these three sections, we use quantitative and other data to provide a comprehensive overview of the region; we also discuss some cases – Bolivia and Brazil, in particular – in more detail. Finally, we present a summary for the chapter.

## **6.1 Democracy, Political Inclusion, and Inclusive Institutions**

Democracy provides an opportunity for citizens to organize and to compete for access to government offices (e.g., the presidency) that are endowed with power (e.g., the ability to make decisions about taxation). At the most basic level, democracy includes citizens because democracy, by definition, gives citizens the right to vote and to run for office. Indeed, at its core, democracy includes citizens through certain institutions. Still, we should think more broadly about political inclusion and consider not just the opportunities to vote for representatives and even to run for office afforded by democracy, but who actually makes legally binding political decisions.

### **6.1.1 The Inclusion of Disadvantaged Groups in Decision-Making**

The reason for using a broader notion of political inclusion is as follows. Neutral rules (e.g., elections with universal suffrage) can yield results that affect disparate groups differently, for a number of reasons. For example, a restriction on the right of women to vote and to run for office can be lifted in a country. Thus, women will have the same formal opportunity as men to participate in the political process. But if women had historically been excluded from participation in politics and lack the credentials needed to compete effectively for office, or if men still control who gets to run on a party ticket and who gets funded to run for office, elections with universal suffrage – that is, elections that in principle treat every citizen the same way – can still lead to a congress with no female representatives.

This is a problem. As political scientist Mala [Htun \(2016: 4\)](#) argues, any “enduring discrepancy” between the political participation of “disadvantaged groups” as citizens and their presence in decision-making bodies is evidence of an injustice. [Photo 6.2](#) depicts this discrepancy between the principle and the reality of political inclusion.





**Photo 6.2 Women, men, and democracy** A popular refrain of women's groups states that "Without women there is no democracy." Yet representatives elected through a democratic process are at times overwhelmingly male. This scenario is captured by a photo of a meeting of Congress in Guatemala, in 2015, in which only men are observed (the actual number of women in Guatemala's congress at the time was 13 percent).

*Source:* © Johan Ordonez/Stringer/Getty Images.

The [previous chapter](#) did not take this broader perspective. There, the discussion focused on participation of different groups in the process of electing representatives. Thus, to supplement the discussion provided in that chapter, and to better understand whether democracy is working well in Latin America, here we address political inclusion in actual decision-making and consider whether those who make decisions that are legally binding reflect, more or less proportionately, a cross-section of all citizens.

We focus on four groups – women, indigenous peoples, Afro-descendants, and ordinary people – because it is important to assess whether democracy works for historically disadvantaged groups and these

groups have certainly been historically disadvantaged (see [Chapter 2](#); [Chapter 3, section 3.3.1](#); and [Chapter 4, section 4.4.4](#)). At its core, this chapter considers whether democracy works for disadvantaged groups, by including them in the political process as more than voters for representatives.

### 6.1.2 Institutions as Avenues of Inclusion

We also focus on the role of institutions as avenues of inclusion and, specifically, on a set of institutions recently adopted in at least some Latin American countries with the aim of fostering political inclusion. Citizens can participate in politics outside of institutions – for example, when they participate in social movements or various forms of contentious politics. And we will address these other forms of political participation and influence in subsequent chapters. However, institutionalized forms of participation are important, in that they offer a low-cost mechanism for political influence on an ongoing basis.

We address three types of inclusive institutions (see [Table 6.1](#)). A first type, which includes *gender quotas* and *reserved seats*, aims to boost the number of women, indigenous peoples, and Afro-descendant representatives in congress. For example, gender quotas seek to increase women’s power by mandating that a certain percentage of candidates for congressional office are women. A second type, exemplified by *participatory budgeting*, directly includes a select number of citizens in specific areas of decision-making (e.g., how to allocate parts of a municipal budget), thus bringing citizens into the decision-making process rather than having citizens act only through representatives. Finally, a third type of inclusive institution, typified by *prior consultation* (*consulta previa*, in Spanish), allows citizens affected by some decision to vote on the matter. More specifically, prior consultation is a procedure to involve indigenous peoples in decision-making on projects that have an impact on their territories.

**Table 6.1** Institutions as avenues of inclusion

Type of institution/example of institution	Type of inclusion
Institutions related to access to the national law-making bodies <ul style="list-style-type: none"> <li>• Gender quotas, for women</li> <li>• Reserved seats, for indigenous peoples and Afro-descendants</li> </ul>	Inclusion in general decision-making bodies
Institutions related to access to the local decision-making bodies <ul style="list-style-type: none"> <li>• Participatory budgeting</li> </ul>	Inclusion in specific decision-making bodies
Institutions related to direct decision-making <ul style="list-style-type: none"> <li>• Prior consultation (<i>consulta previa</i>, in Spanish) for indigenous peoples</li> </ul>	Inclusion in specific decisions

*Note:* These institutions are formal rules that specify who participates, under what circumstances, in a process related to the government. The decisions that are made are not always legally binding, that is, they are sometimes advisory.

*Source:* Authors' elaboration.

Our main goal is to describe the nature of these institutions, to assess whether they are effective in promoting inclusion, and to explore reasons why sometimes they are adopted and at other times they are not, in the context of Latin America. But learning about these institutions for political inclusion has broader implications.

Some of these institutions are innovations pioneered by Latin America and subsequently embraced in other regions of the world. Gender quotas were, for all practical purposes, first introduced in Argentina in 1991, and by the 2010s they were used in fifty-seven countries ([International IDEA 2019a](#)). Participatory budgeting was developed in the city of Porto Alegre, Brazil, in 1988, and by the 2010s it was used in seventy-one countries ([Dias et al. 2019](#): 41). The legal recognition of prior consultation is more developed in Latin America than in any other region of the world ([Torres Wong 2019](#): 41). Indeed, we can use our understanding of how these institutions for political inclusion operate in the region where they originated

or are used more frequently than in other regions to rethink political inclusion and institutional options in other parts of the world.

## **6.2 Women in Political Office**

We start by addressing the situation of women and by documenting the progress made by women in gaining access to key political offices. We then offer a detailed discussion of gender quotas, the key mechanism used to foster the political inclusion of women in Latin America.

### 6.2.1 A Story of Considerable Progress

To offer an overview of the evolution of women's role in high public offices, we present data on the top national-level offices (the presidency, the cabinet, and parliament) that are occupied by women. We begin with information on the situation in 1990 and then track the evolution of the state of women's access to power through 2020. By 1990, most Latin American countries were governed by democratically elected leaders and thus the situation at this time provides a useful baseline against which we can compare subsequent trends. We provide data on all countries, regardless of whether they were democratic or authoritarian. However, we focus on the way in which the political inclusion of women contributes to the deepening of democracy.

***The Executive Branch.*** In 1990, Violeta Chamorro made history. She was elected President of Nicaragua (1990–1997) and as such was the first woman to become president of a Latin American country by winning a democratic election for president. Two women had been presidents of Latin American countries before Chamorro. Isabel Perón was the first female president in Latin America; but she had been elected as vice-president, on a ticket with her husband Juan Perón, and became President of Argentina in 1974–1976 after Juan Perón died. Lidia Gueiler Tejeda was interim President of Bolivia in 1979–1980; but she was designated rather than being elected president after an unsuccessful military coup. Thus, President Chamorro clearly broke new ground.

Since 1990, six more women have been elected as president in Latin America. Three of them led Central American countries: Mireya Moscoso was President of Panama (1999–2004), Laura Chinchilla was President of Costa Rica (2010–2014), and Xiomara Castro became President of Honduras (2022–). Three governed South American countries: Michelle Bachelet, in Chile (2006–

2010, 2014–2018); Cristina Fernández Kirchner, in Argentina (2007–2011, 2011–2015); and Dilma Rousseff, in Brazil (2011–2015, 2015–2016). Thus, starting in 1990, Latin Americans have elected seven female presidents. Nonetheless, these gains were not sustained. For a short period of time, four Latin American countries were governed by women. Since 2018, Latin America has had only one female president.

Other important offices in the executive branch of government are cabinet positions. Cabinet ministers make important decisions. Furthermore, they gain considerable visibility, which they can use to establish political capital and even to launch a bid for the presidency ([Escobar-Lemmon and Taylor-Robinson 2016](#)). In this regard, the evolution is clearly positive. In 1995, fewer than 10 percent of the cabinet positions were held by women. Since then, the proportion of government ministries led by women has increased steadily, decade after decade, surpassing the 30 percent level by 2020 (see [Table 6.2](#)).

**Table 6.2** Women in ministerial positions: Latin America, 1990s–2020

Region/country	Percent of women in cabinets*				
	1995	2000	2005	2010	2020
<b>South America</b>					
Argentina	0.0	7.3	8.3	20.0	22.7
Bolivia	0.0	7.0	6.7	20.0	25.0
Brazil	3.6	0.0	11.4	7.1	9.1
Chile	15.8	25.6	16.7	45.0	33.3
Colombia	10.5	47.4	35.7	21.4	57.9
Ecuador	6.7	20.0	14.3	32.5	37.9
Paraguay	0.0	8.0	30.8	21.7	29.4
Peru	5.6	16.2	11.8	22.2	55.0
Uruguay	0.0	8.0	0.0	21.4	33.3
Venezuela	3.6	0.0	13.6	25.9	23.5
<b>Mexico, Central America, and the Caribbean</b>					
Mexico	<i>14.3</i>	<i>11.1</i>	9.4	10.5	35.0
Costa Rica	14.8	28.6	25.0	35.0	50.0
El Salvador	5.9	15.4	35.3	15.4	47.1
Guatemala	18.8	7.1	25.0	0.0	13.3
Honduras	10.5	33.3	14.3	35.7	33.3
Nicaragua	10.5	23.1	14.3	38.5	58.8
Panama	11.1	20.0	14.3	26.7	31.6
Cuba	3.6	<i>10.7</i>	<i>16.2</i>	<i>25.0</i>	<i>21.9</i>
Dominican Republic	3.4	7.0	14.3	8.7	17.4
Regional average, all countries	7.3	15.6	16.7	22.8	33.4
Regional average, only democracies	7.5	16.1	16.7	22.7	33.2

*Note:* \* The data convey the situation on January 1 for each of the years that are covered. Data in *italics* are for nondemocratic countries.



*Source:* Authors' elaboration, based on [UNDP 1996, 2003](#); and [IPU and UN Women 2005, 2010, 2020](#).

Nevertheless, bias in women's access to ministerial positions persists. In their study of women in Latin American cabinets, political scientists [Maria Escobar-Lemmon and Michelle Taylor-Robinson \(2009, 2016\)](#) reveal that the increase in the number of women in ministerial positions has not eliminated gender bias. First, they show that "women must be better qualified than men to receive appointments" ([Escobar-Lemmon and Taylor-Robinson 2009](#): 685). Second, they show that women are "overrepresented in low-prestige ministries and underrepresented in high-prestige posts (i.e., foreign affairs, defense, finance, interior)" ([Escobar-Lemmon and Taylor-Robinson 2009](#): 689). Thus, although the percentage of women in a cabinet is an important piece of information, an improvement in these numbers does not by itself indicate that gender bias has been eliminated.

***The Legislative Branch.*** Other offices of great importance are those of the national legislature. Offices in the legislature are more numerous and accessible than those in the executive branch, and they are key points of entry into national politics as well as stepping stones in a possible jump to the executive branch. Thus, much of the discussion about women's access to power has focused on the legislative branch.

As with cabinet ministers, the data on women in parliament show a positive evolution. In 1990, fewer than 10 percent of the seats in the lower or single house of parliament were held by women. In the following three decades, the percentage of female representatives increased steadily, nearly reaching the 30 percent level by 2020 in democratic countries (see [Table 6.3](#)). A similar trajectory was followed in the senate (see [Table 6.4](#)).

**Table 6.3** Women in parliaments: Lower or single house, Latin America, 1990–2020

Region/country	Percentage of women in the lower chamber*			
	c. 1990**	2000	2010	2020
<b>South America</b>				
Argentina	6.3	28.0	38.5	40.0
Bolivia	9.2	11.5	22.3	53.1
Brazil	5.6	5.7	8.8	14.6
Chile	5.8	10.8	14.2	22.6
Colombia	8.5	11.8	8.4	18.3
Ecuador	7.4	17.4	32.3	39.4
Paraguay	5.6	2.5	12.5	16.3
Peru	6.7	10.8	27.5	26.2
Uruguay	6.1	12.1	14.1	21.2
Venezuela	10.0	28.6	17.5	22.2
<b>Mexico, Central America, and the Caribbean</b>				
Mexico	7.6	15.6	27.6	48.2
Costa Rica	12.3	19.3	35.1	45.6
El Salvador	8.3	16.7	19.0	33.3
Guatemala	5.2	8.8	12.0	19.4
Honduras	10.2	9.4	18.0	21.1
Nicaragua	16.3	9.7	20.7	47.3
Panama	7.5	9.9	8.5	22.5
Cuba	22.8	27.6	43.2	53.2
Dominican Republic	11.7	16.1	19.7	27.9
Regional average, all countries	9.1	14.3	21.0	31.2
Regional average, only democracies	8.4	13.6	19.8	28.1

*Notes:* \* The data convey the situation on January 1 for each of the years that are covered, except for the 2020 data, which is for December 1, 2020. Data in *italics* indicate the country is nondemocratic.

\*\* The data are for the election closest to 1990.

*Source:* Authors' elaboration, based on [IPU 1995](#), [2020](#); and [IPU and UN Women 2000](#), [2010](#).

**Table 6.4** Women in parliaments: Upper house, Latin America, 1990–2020

Region/country	Percentage of women in the upper chamber*			
	c. 1990**	2000	2010	2020
<b>South America</b>				
Argentina	8.7	5.6	35.2	40.3
Bolivia	3.7	3.7	44.4	47.2
Brazil	2.5	7.4	12.3	13.6
Chile	6.4	4.2	13.2	23.3
Colombia	0.9	12.7	11.8	21.7
Paraguay	5.6	17.8	15.6	20.0
Peru	6.7	NA	NA	NA
Uruguay	0.0	9.7	13.3	29.0
Venezuela	6.5	NA	NA	NA
<b>Mexico, Central America, and the Caribbean</b>				
Mexico	4.7	17.2	19.5	49.2
Dominican Republic	0.0	6.7	3.1	12.5
Regional average, all countries	4.2	9.4	18.7	28.5
Regional average, only democracies	3.7	9.4	18.7	28.5

*Notes:* NA Not applicable.

\* The data convey the situation on January 1 for each of the years that are covered, except for the 2020 data, which is for December 1, 2020. Data in *italics* indicate the country is nondemocratic. Countries that do not have an upper chamber are not included in the table.

\*\* The data are for the election closest to 1990.

*Source:* Authors' elaboration, based on [IPU 1995](#), [2020](#); and [IPU and UN Women 2000](#), [2010](#).

***A Balance Sheet.*** In the early years after the transitions to democracy in the 1980s and 1990s, women faced precisely the kind of situation that makes calls for political inclusion relevant. Women could participate in politics, but they were not actually involved in making governmental decisions. Although by 1990 the wave of democratization had transformed Latin American politics, it resulted in the election of only one female president (Chamorro, in Nicaragua in 1990), the appointment of cabinets in which fewer than 10 percent of the ministers were women, and elections for parliaments in which 8.4 percent of the members of the lower or single house and 3.7 percent of the members of the upper house were women. Latin America had made big strides toward democracy, as documented in [Chapter 3](#). However, women continued to be governed by men.

The evolution of women's role in politics since 1990 is clearly positive. With the exception of the office of the presidency, gains were sizable and sustained. In the thirty years from 1990 to 2020, the representation of women in cabinets and the lower chamber of parliaments increased about fourfold, and in the senate nearly eightfold, in the region's democracies. Indeed, the achievement in this regard in Latin America stands out when we view it in a global perspective. Latin America was one of only two regions in the world – Europe is the other – to have essentially reached the goal, set by the international community in the 1995 Beijing Platform of Action, that at least 30 percent of the

members of decision-making bodies should be women. Additionally, Latin America was the only region of the developing world to achieve this target. See [Box 6.1](#) on women's access to political office in Latin America and other regions of the world.

### **Box 6.1** Thinking Comparatively: Women in Public Office in Global Perspective

The representation of women in Latin American parliaments stands out when viewed in a global perspective. Latin America is the region of the world with the highest representation of women in the lower or single chamber of parliament (see [Table 6.5](#)).

**Table 6.5** Women in parliaments, worldwide, 2020

Region	Percentage of women, lower or single chamber	Percentage of women, upper chamber
Latin America	31.2	28.5
Europe	30.3	29.2
Sub-Saharan Africa	24.8	23.9
Asia	20.6	17.4
Middle East and North Africa	17.5	9.9
Pacific	16.8	44.9
Global average	25.2	24.8

*Note:* Regions are presented in descending order of the percentage of seats held by women in the lower chamber or single chamber of parliament. The data cover the situation in October 2020.

*Source:* Authors' elaboration, based on [IPU 2020](#).

More specifically, not only is the situation in Latin America positive compared to other developing regions, but we can also make an interesting comparison with Europe. The extension of the right to vote to women occurred later in Latin America than in Europe: in Latin America women gained the right to vote in most countries in the 1930s through the 1950s, whereas in most European countries female suffrage was recognized in the 1910s and 1920s. However, Latin America and Europe have progressed in tandem with regard to the representation of women in parliament.

Many problems regarding the political inclusion of women remain unaddressed. As political scientist Leslie [Schwindt-Bayer](#) (2018: 15) underscores, “gender representation in all arenas continues to be hindered by gender-biased candidate selection and electoral, appointment, and arena-specific rules and norms that have long benefited male candidates over female ones” (see also [Freidenberg and Muñoz-Pogossian 2021](#)). And parity in representation still seems like a distant goal. Yet, the achievements made by women in Latin America are of sufficient magnitude to raise questions about just how they made these gains, a matter to which we turn next.

### 6.2.2 An Explanation of Women's Gains

A full explanation of the gains in political representation made by women in Latin America since 1990 would have to address the impact of multiple factors. Economic, cultural, political, and international factors affect women's political representation. More specifically, the literature on women's political representation draws attention to the role of gender quotas, the pressure of civil society organizations, domestic political coalitions, and international norms ([Schwindt-Bayer 2010](#); [Escobar-Lemmon and Taylor-Robinson 2016](#); [Piscopo 2015, 2016](#); [Htun 2016](#); [Piatti-Crocker et al. 2017](#); [Valdini 2019](#)).

Without dismissing the relevance of all these factors, here we start out by focusing on one of them: gender quotas, a distinctive institution designed explicitly to foster the political inclusion of women. We discuss the nature, adoption, and impact of gender quotas. In [section 6.3](#), we will broaden the discussion when we address why inclusive institutions, such as gender quotas, are adopted or not adopted.

***The Nature of Gender Quotas.*** What are gender quotas? How do they work? In general terms, quotas are a mechanism used in the context of elections with the aim of increasing women's representation. However, there are different types of possible quotas. Some are legally mandated, others are voluntary. Additionally, quotas can concern primary elections, candidates in elections, or actual seats in parliament (see [Table 6.6](#)). Thus, the first point that we must keep in mind is that, in the context of contemporary Latin America, the discussion about gender quotas mainly concerns *binding candidate quotas* – that is, quotas in which political parties are legally

mandated to include a certain proportion of women among the candidates who compete in open elections.

**Table 6.6** Types of quotas

Legally binding	Target of quota		
	Primary elections	Candidates in elections	Actual seats
Yes	Binding primary quota	Binding candidate quota	Binding reserved seat
No	Voluntary primary quota	Voluntary candidate quota	Voluntary reserved seat

*Source:* Adapted from [Dahlerup 2006](#): 21.

How a binding candidate quota works depends in part on a country's electoral system, a complex but key matter. All binding candidate quotas specify the precise percentage of female candidates (e.g., 30 percent) that must be placed on the ballot. Nevertheless, the way in which such a mandate is implemented can vary. In countries with a majoritarian electoral system (e.g., the United States), a single seat is at stake within each district and, since only one candidate will win, each party usually fields only one candidate. Thus, the requirement that 30 percent of the candidates are women must be met by parties within some larger jurisdiction (e.g., each state, or the country as a whole). In proportional representation systems (common in Latin America), multiple seats are filled within a single district and parties usually field as many candidates as there are seats. Thus, the same requirement can more easily be met within each multi-member district.

In proportional representation (PR) systems, the force of quotas can also be stronger than it is in majoritarian systems. In the latter, the voter casts his or her vote for an individual candidate. Thus, unless the main candidates (e.g., the Democratic and Republican candidates in the United States) are both women, in the end the voter determines whether a woman will win an election. However, of the two variants of PR systems (one is the



open-list PR; the other is the closed-list PR), only the closed-list PR system gives voters a choice to pick among parties, but not among candidates. Thus, the closed-list PR system can be quite effective in guaranteeing that a quota for female candidates will actually lead to women winning seats in parliament. Indeed, inasmuch as all parties are mandated to field a certain proportion of women and to rank the female candidates in the party list in a specific way (such as alternating male and female candidates throughout the list), the representation of women is clearly aided. See [Figure 6.1](#) for an illustration of how gender quotas work in different electoral systems.

The three panels in this figure depict the format of ballots in three electoral systems and discuss how gender quotas operate in each system.

**a) Plurality-Majority System**

Man (party X)	
Woman (party Y)	
Man (party Z)	

Voters cast one vote among candidates of parties or independent candidates; the candidate with most votes wins the seat. Even if there is a certain percentage of women candidates in races within a certain jurisdiction (e.g., a state), in each race voters can opt to vote only for male candidates.

**b) Open Party List System**

Party X		Party Y		Party Z	
Man		Man		Man	
Woman		Woman		Woman	
Man		Man		Man	
Woman		Woman		Woman	
Man		Man		Man	

Voters cast one vote for a candidate; the vote counts for both the candidate and the party, and seats are distributed to the parties according to the proportion of votes they receive and, within each party, to the candidates that win most votes. Even if there is a certain percentage of female candidates in each multimember district, in each race voters can opt to vote only for male candidates.

**c) Closed Party List System**

Party X		Party Y		Party Z	
1. Man		1. Man		1. Man	
2. Woman		2. Woman		2. Woman	
3. Man		3. Man		3. Man	
4. Woman		4. Woman		4. Woman	
5. Man		5. Man		5. Man	

Voters cast one vote for a party, and the seats are distributed to the parties according to the proportion of votes they receive and, within each party, to the candidates at the top of the list. Thus, in a five-member district with only three parties competing, as long as men and women appear in an alternating order in all party lists (as shown in this example), at least two women will be elected.

**Figure 6.1** Varieties of voting systems and gender quotas.

*Source:* Authors' elaboration.

Thus, binding candidate quotas by themselves do not guarantee an increase in women in parliaments. Yet, when combined with certain electoral systems and some additional rules (which we discuss below), they can foster the political inclusion of women.

Not all people agree that gender quotas are a good thing. Indeed, there has been some debate about its implications for democracy and political representation. See [Box 6.2](#) on arguments in the debate about gender quotas.

## Box 6.2 Debates: The Case for and against Gender Quotas

Drude Dahlerup, a political scientist and expert on gender quotas, summarizes common arguments that support or oppose the introduction of gender quotas as a way to augment the role of women in politics.

Some of the main arguments are as follows ([Dahlerup 2005](#): 143–4):

### *The Case for Gender Quotas*

- “Quotas for women do not discriminate, but compensate for actual barriers that prevent women from their fair share of the political seats.”
- “Women have the right as citizens to equal representation.”
- “Men cannot represent the interest of women. Only many women can represent the diversity of women.”

### *The Case against Gender Quotas*

- “Quotas are undemocratic, because voters should be able to decide who is elected.” (See also [Rehfeld 2009](#).)
- “Quotas are against the principle of equal opportunity for all, since women are given preference.”
- “Political representation should be a choice between ideas and party platforms, not between social categories.”

Nonetheless, the appeal of gender quotas has been widespread. And this appeal has resonated strongly in Latin America. In the region, gender quotas were largely considered an institutional mechanism to promote gender equity and were supported as such.

***The Adoption of Gender Quotas.*** The first country to adopt a significant binding candidate gender quota in Latin America (and the world) was Argentina, in 1991. Thereafter, a number of other Latin American countries followed suit in the 1990s. By 2015, all Latin American countries, except for Guatemala, Venezuela, and Cuba had gender quota laws (see [Table 6.7](#), column 2).

**Table 6.7** Gender quotas: Latin America, 1990s–2010s

Region/country	First quota law		Reforms of quotas		From quotas to parity	
	Year*	Rule**	Year*	Rule**	Year*	Rule**
<b>South America</b>						
Argentina	1991/1993	Lower chamber, 30%	2000/2001	Both chambers, 30%	2017/2019	Both chambers, 50%
Bolivia	1997/1997	Both chambers, 30%			2009/2014	Both chambers, 50%
Brazil	1997/1998	Lower chamber, 25%	2009/2012	Lower chamber, 30%		
Chile	2015 / 2017	Both chambers, 40%†				
Colombia	2000***	Both chambers, 30%	2011/2014	Both chambers, 30%		
Ecuador	1997/1998	Lower chamber, 20%	2000/2002	Lower chamber, 30%	2008/2009	Single chamber, 50%
Paraguay	1996/1998	Both chambers, 20%				
Peru	1997/2000	Single chamber, 25%	2000/2001	Single chamber, 30%		
Uruguay	2009/2014	Both chambers, 33%††	2017/2019	Both chambers, 33%		
Venezuela	1998***	Both chambers, 30%				
<b>Mexico, Central America, and the Caribbean</b>						
Mexico	2002/2006	Both chambers, 30%	2008/2009	Both chambers, 40%	2014/2015	Both chambers, 50%
Costa Rica	1996/1998	Single chamber, 40%			2009/2014	Single chamber, 50%
El Salvador	2013/2015	Single chamber, 30%				
Guatemala						
Honduras	2000/2001	Single chamber, 30%			2012/2016	Single chamber, 50%
Nicaragua					2012/2016	Single chamber, 50%
Panama	1997/1999	Single chamber, 30%			2012/2014	Single chamber, 50%
Cuba						
Dominican Republic	1997/1998	Both chambers, 25%	2000–2002/2002	Lower chamber, 33% (Senate quota revoked)		

*Notes:* \* The first year is the year the law was passed, the second is the first election in which the law went into effect.

\*\* The percentage is the percentage of candidates for office that parties are mandated to field.

\*\*\* The law was declared unconstitutional in 2000.

† Chile's law has a sunset clause and is valid only from 2017 to 2029.

†† The 2009 law envisioned the use of quotas only in the 2014 national election.

*Source:* Authors' elaboration, based on [Piscopo 2015](#): 34, [2016](#): 217; [International IDEA 2019a](#); and [Piatti-Crocker 2019](#): 48–9, 55.

After the initial adoption of quota laws, gender quotas have been strengthened through two kinds of reform. First, steps were taken in most countries to increase the proportion of female candidates mandated by law beyond the proportion specified by the first quota law (see [Table 6.7](#), columns 4–7). The first quota laws mandated that between 20 and 40 percent of the candidates for office should be women. However, after implementing these laws for a few electoral cycles, reforms to increase these percentages were discussed and approved. Moreover, some countries moved from quotas to parity – that is, the requirement that 50 percent of the candidates are women. The move to parity was led by Ecuador in 2008, and Bolivia and Costa Rica in 2009; by 2019, it had extended to eight countries.

Second, steps were taken to ensure that parties could not circumvent the spirit of quota laws – that is, to ensure that a specified percentage of women candidates would have a fair chance of being elected and assuming office, by requiring more than a certain proportion of women candidates. The order in which women appeared on party lists was a fundamental issue, as we noted

above (see [Figure 6.1](#)), but initially this matter had not always been regulated. Thus, new laws were passed regulating the placement of women on party lists (e.g., by requiring that the women and men on closed party lists be ranked in alternating order).

Other reforms established enforcement mechanisms (e.g., by mandating that electoral management bodies must certify party lists and sanction parties that do not comply with the law). Additional reforms closed loopholes that allowed parties to circumvent the quotas (e.g., by pairing female candidates with male alternates and then by having women resign right after being elected; or by fielding women candidates in single-member districts where a party usually lost) ([Schwindt-Bayer 2010](#): 49–51; [Piscopo 2015](#): 33–4). These kinds of reform were introduced in Argentina in 1993 and 2000, in Brazil in 2009, in Costa Rica in 1999, in Ecuador in 2000, and in Mexico in 2014.

Thus, starting in the 1990s, gender quotas were adopted throughout the region. Subsequently, with a few exceptions, they were not only maintained but actually strengthened. Not only did women have the right to run for office; they had had that right for some time. Now they would run for office on a more level playing field.

***The Impact of Gender Quotas.*** The promise of gender quotas was that they would lead to an increase in the number of women in political offices. This promise – though only a possibility – made gender quotas attractive to their promoters and was frequently invoked in debates over their adoption. But, over time, as these quotas were adopted and the record of their use increased, it became possible to know whether gender quotas do indeed lead,

as was widely believed, to an increase in women's access to legislative offices.

Most Latin American countries have quotas; only a few do not. Moreover, quotas vary in terms of their strength. As noted above, they vary in terms of the percentage of female candidates they require, and the extent to which they are specifically regulated and enforced. Their strength also varies as a result of the country's electoral system. Some countries have closed-list PR systems, which, together with the requirement that female and male candidates alternate throughout the list (known as the zipper system), results in a strong gender quota. Others do not have a closed-list PR system (see [Box 6.3](#)). And we can use these differences to test whether quotas work – that is, whether they are effective in fostering greater political inclusion.

### **Box 6.3** A Closer Look: Varieties of Electoral Systems

The strength of gender quotas is in part determined by the electoral system. For example, it is easier to undermine the spirit of quota laws in a majoritarian system than in a closed-list PR system that mandates that political parties place women and men in alternating order within the party list. Thus, we note that in Latin America all countries have PR systems, but they have a few key variants.

As of 2020, a number of countries have a closed-list PR system: Argentina, Costa Rica, the Dominican Republic, Guatemala, Nicaragua, Paraguay, and Uruguay. These are the countries that could potentially have strong gender quotas.

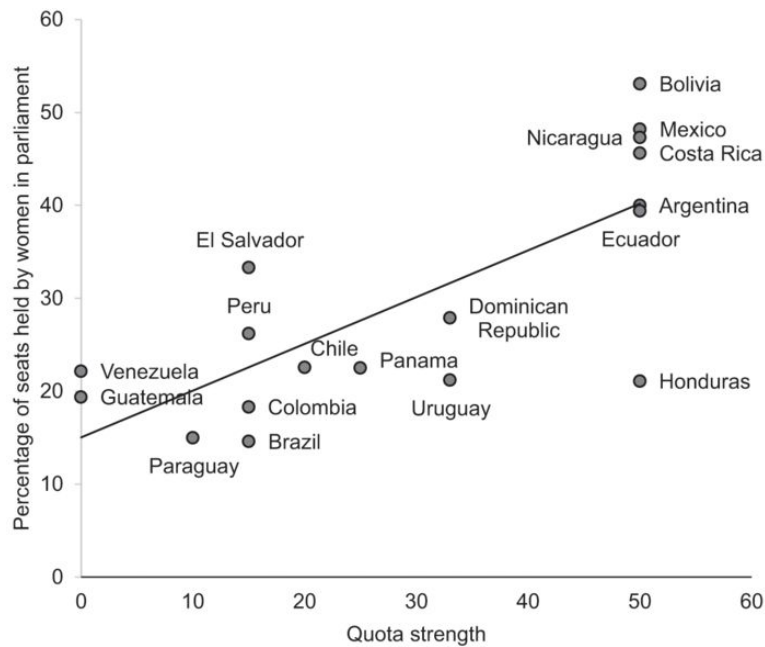
Other countries have an open-list PR system: Brazil, Chile, Colombia, Ecuador, El Salvador, Honduras, and Peru. Yet others combine a PR system with a majoritarian system – that is, they have some offices that are elected with a PR system and others that are elected with a majoritarian system. The countries that have this system are Bolivia, Mexico, Panama, and Venezuela ([Freidenberg and Došek 2016](#): 70–87; [ACE 2019](#); [International IDEA 2019b](#)).

If gender quotas have an impact on women's representation, we would expect countries with quotas to do better than countries that do not have quotas. Additionally, countries with stronger quotas should do better – that is, have more women representatives – than countries with weaker quotas. And this is precisely the pattern we find.



In some cases, we can see the impact of the introduction and the strengthening of gender quotas by tracking changes. For example, with the introduction of a quota law in Chile in 2015 (mandating 40 percent of female candidates in both houses of parliament), the share of seats held by women in the lower chamber rose from 15.8 percent in 2013 to 22.6 percent in 2017, and in the upper chamber they rose from 18.4 percent in 2013 to 23.3 percent in 2017. With the strengthening of the quota law in Mexico in 2014, the share of seats held by women in the lower chamber increased from 37.4 percent in 2012 to 42.4 percent in 2015, and to 48.2 percent in 2018, and in the upper chamber they increased from 34.4 percent in 2012 to 49.2 percent in 2018. With the step-by-step strengthening of gender quotas in Ecuador in 1997, 2000, and 2008, the share of seats held by women in the lower chamber climbed from 3.7 percent in 1996 to 14.6 percent in 1998, to 16.0 percent in 2002, to 32.3 percent in 2009, and to 41.6 percent in 2013, with a small reduction to 38.0 percent in 2017 ([IPU 2020](#)).

This pattern also holds more generally. There is an association between the strength of quota laws and the number of seats women occupy in parliament (see [Figure 6.2](#)). Indeed, the line in [Figure 6.2](#) shows that stronger quotas are associated with a greater percentage of women in the lower or single chamber of parliament.



**Figure 6.2** Gender quotas and women in parliament: Latin America, 2020.

*Note:* Quota strength is based on the mandated percentage of female candidates and the placement mandate, that is, whether parties must place the female candidates in a given order within the party lists. The percentage of seats held by women is for the lower or single chamber of parliament.

*Source:* Authors' elaboration, based on data on seats held by women from [IPU 2020](#); and data on quotas from [Piscopo 2015](#): 34, [2016](#): 217; [Caminotti and Freidenberg 2018](#): 11; [International IDEA 2019a](#); and [Piatti-Crocker 2019](#): 48–9, 55.

Not all the variation in women's representation in parliament is associated with gender quotas. Countries with equally strong quotas vary considerably in terms of the seats held by women in parliament (compare, for example, Honduras and Bolivia in [Figure 6.2](#)). Some countries with no quotas and some countries with strong quotas have a roughly equal

percentage of women in parliament (compare, for example, Guatemala and Honduras in [Figure 6.2](#)). Thus, quota laws are certainly not the only factor affecting women's inclusion in parliament ([Sacchet 2018](#)). Moreover, as the literature stresses, it is a complicated matter to attribute a causal effect to gender quotas ([Hughes et al. 2017](#): 339–42). However, it is safe to say that gender quota laws have had their intended effect: to increase the proportion of women in parliament.

An important reform introduced in Latin America, gender quotas, has led to the greater political inclusion of women. See [Box 6.4](#) on the general lessons that we might extract from Latin America's experience with quotas.

#### **Box 6.4** Thinking Comparatively: Lessons from Latin America's Experience with Gender Quotas

The adoption of gender quotas has been a global trend. Argentina was the first country in the world to adopt binding candidate gender quotas in 1991. Since then, the number of countries with such gender quotas has steadily increased. It reached sixty countries in 2013 and over seventy countries in 2019. Beyond Latin America, binding candidate gender quotas exist in some countries in Europe, Africa, Central Asia, and Southeast Asia. Other countries have other kinds of gender quotas (e.g., voluntary primary quotas).

In thinking about the spread of binding candidate gender quotas, we should not see them as the only or the best way to increase women's political representation, however. One of the countries that do not have binding candidate gender quotas is the United States. And there are many reasons why such quotas are not likely to be adopted in the United States. Indeed, as legal analyst Anisa [Somani \(2013\)](#), argues, a more realistic yet effective reform would be the adoption of voluntary candidate quotas by parties.

Thus, although it is possible and useful to extract some general lessons from Latin America's experience, in thinking comparatively we should also avoid the mistake of considering that a solution that works in one context will work the same way in another context.

## **6.3 Indigenous Peoples and Afro-Descendants in Political Office**

When we look beyond gender, the political inclusion of indigenous peoples and Afro-descendants is especially relevant to Latin America, given the legacy of colonial exploitation of indigenous peoples and African slaves, and the discrimination against these groups after independence. A focus on these groups is also relevant because contemporary Latin America is racially and ethnically diverse. In some countries, the indigenous peoples are a sizable percentage of the population (Bolivia, Guatemala, Peru, and Ecuador) or add up to a large absolute number (Mexico). In other countries, Afro-descendants constitute a sizable percentage of the population (the Dominican Republic, Cuba, Brazil, Panama, Venezuela, and Colombia). Moreover, very few countries in the region can be characterized as largely white countries (see the data in [Table 2.9](#)). The political inclusion of indigenous peoples and Afro-descendants is an important indicator of the health of democracy.

Yet, as we document next, in comparison to women, the situation of indigenous peoples and Afro-descendants is more problematic. Indigenous peoples and Afro-descendants have not made the gains in political inclusion that women have. Moreover, institutions to foster the political inclusion of indigenous peoples and Afro-descendants have not gained the broad legitimacy and support enjoyed by gender quotas. Thus, here we take our discussion of inclusionary institutions one step further and ask why

inclusionary institutions are adopted or not. Not all groups are treated equally, and this difference is significant.

### **6.3.1 Fewer Gains than Those by Women**

Some nonwhites have been elected president in contemporary Latin America. The best-known case is Evo Morales, President of Bolivia during 2006–2019. Morales was Bolivia's first indigenous president and joined a very short list of indigenous presidents in the history of Latin America (another contemporary example is Alejandro Toledo, President of Peru in 2001–2006). Yet another well-known case – though usually discussed in terms of ideology rather than of racial identity – is Hugo Chávez, President of Venezuela during 1999–2013. Chávez can be categorized as Afro-Indian, a person of mixed African and Native American descent. However, these are exceptions to a pattern of divergence between the racial and the ethnic characteristics of political leaders and citizens.



**Photo 6.3 President of Bolivia, Evo Morales, at the UN General Assembly, 2016** The election of Evo Morales as President of Bolivia in 2005 was a landmark for Bolivia and, more broadly, for Latin America. Coming along with the revival of indigenous movements, it showed that access to high political office was possible for indigenous peoples, and it served as an example for others in the region.

*Source:* © Jemal Countess/Stringer/Getty Images.

The political inclusion of indigenous peoples, as measured by their representation in Congress, lags considerably relative to their weight within the general population in most countries (compare the second and third columns of [Table 6.8](#)). The exceptions are Bolivia and Ecuador. And in only a few other countries is the proportion of indigenous officeholders relative to the indigenous population roughly similar to the average proportion of women officeholders relative to the female population.

**Table 6.8** Indigenous people in parliament: Latin America, 2010s



Country*	Indigenous people as percentage of population, c. 2010	Indigenous people as percentage of the lower or single chamber, c. 2015	Proportion indigenous officeholders/ indigenous population, c. 2015**
Bolivia	41.5	40.0	1.0
Guatemala	41.0	12.7	0.3
Peru	26.9	6.9	0.3
Mexico	21.5	2.8	0.1
Panama	12.1	7.0	0.6
Chile	11.1	0.0	0.0
Honduras	7.2	–	–
Ecuador	7.0	6.0	0.9
Nicaragua	5.7	3.3	0.6
Colombia	3.4	1.1	0.3
Venezuela	2.8	1.8	0.6
Argentina	2.4	–	–
Costa Rica	2.4	–	–
Uruguay	2.3	0.0	0.0
Paraguay	1.7	–	–
Brazil	0.4	0.0	0.0
El Salvador	0.2	–	–
Cuba	0.0	–	–
Dominican Republic	0.0	–	–

*Notes:* Data in *italics* indicate the country is nondemocratic.

– Data are not available.

\* The countries are presented in descending order of percentage of population.

\*\* The proportion of indigenous officeholders relative to the indigenous population is calculated by dividing the percentage of indigenous officeholders (column 3) by the percentage of indigenous people in the whole population (column 2). The proportion would be 1.0 if the two figures matched exactly.

*Source:* Authors' elaboration, based on [CEPAL 2014](#): 37; [UNDP 2014](#): 84; [Hoffay and Rivas 2016](#); [Htun 2016](#): 35; [Madrid 2016](#); and [Piscopo and Wylie 2020](#).

Given that women held an average of 31 percent of seats in the lower chamber of Congress in Latin America in 2020 and they are roughly half of the population, the proportion of women in office relative to women in the population is 0.6 (if 50 percent of legislative seats were filled by women, this number would be 1.0). Yet, only in Bolivia, Ecuador, Panama, Nicaragua, and Venezuela have the indigenous peoples done as well as women do on average throughout the region (see [Table 6.8](#), final column). Indigenous peoples are less politically included in government than are women.

Similarly, the political representation of Afro-descendants lags considerably relative to their weight within the general population (see [Table 6.9](#)). Again, some democratic countries do better than others. However, in none of the democratic countries with a large Afro-descendant population were Afro-descendants included as much as women were on average throughout the region (see the final column in [Table 6.9](#)). That is, Afro-descendants are less politically included in government than are women.

**Table 6.9** Afro-descendants in parliament: Latin America, 2010s

Country*	Afro-descendants as percentage of population, c. 2012	Afro-descendants as percentage of the lower or single chamber, c. 2014	Proportion Afro-descendant officeholders/ Afro-descendant population, c. 2014**
Dominican Republic	86.2	–	–
Venezuela	52.4	2.4	0.0
Brazil	50.7	24.4	0.5
Cuba	35.9	–	–
Colombia	10.6	5.4	0.5
Panama	8.8	–	–
Costa Rica	8.0	3.5	0.4
Ecuador	7.2	6.6	0.9
Uruguay	4.6	1.0	0.2
Nicaragua	2.6	–	–
Peru	1.5	2.3	1.5
Honduras	1.4	–	–
Mexico	1.2	–	–
Chile	0.5	–	–
Argentina	0.4	–	–
Bolivia	0.2	0.6	2.6
El Salvador	0.1	–	–
Paraguay	0.1	–	–
Guatemala	0.0	–	–

*Notes:* Data in *italics* indicate the country is nondemocratic.

– Data are not available.

\* The countries are presented in descending order of percentage of population.

\*\* The proportion of Afro-descendant officeholders relative to the Afro-descendant population is calculated by dividing the percentage of Afro-descendant officeholders (column 3) by the percentage of Afro-descendants in the whole population (column 2). The proportion would be 1.0 if the two figures matched exactly.

*Source:* Authors' elaboration, based on [Agrawal et al. 2012](#): 17; [Telles 2014](#): 26–7; [Htun 2016](#): 26, 30; [Madrid 2016](#); [Freire et al. 2018](#): 98; and [Piscopo and Wylie 2020](#).

The political inclusion of women is far from complete. Moreover, we note that indigenous women and Afro-descendant women suffer from a lack of political inclusion due to their racial/ethnic and gender identities. See [Box 6.5](#) on the idea of multiple identities and intersectionality. Even so, the fact that indigenous peoples and Afro-descendants are less politically included in government than women does raise the question of why these groups have fared differently.

### **Box 6.5** Connections: The Intersectionality of Race/Ethnicity and Gender

Citizens have multiple identities. And one of the important issues raised by these multiple identities is whether the same group of citizens might be disadvantaged on multiple grounds. This issue is addressed in the literature on intersectionality, which highlights the possibility that the disadvantages of some groups might intersect and overlap, and that the overlapping of problems has a distinct impact. In particular, the combination of many disadvantages makes them more of a burden than their simple sum would suggest ([Crenshaw 1991](#); [Hancock 2007](#)).

A lack of data places a limit on an analysis of intersectionality in Latin America. However, some data allow us to show that exclusions based on race/ethnicity and gender do overlap (see [Table 6.10](#)). With some rare exceptions (including the anomalous case of Peru, where all three Afro-descendant legislators serving in 2014 were former women volleyball players of note), indigenous women held fewer legislative seats than indigenous men and Afro-descendant women held fewer legislative seats than Afro-descendant men.

**Table 6.10** Indigenous and Afro-descendant women in parliament:  
Latin America, 2010s

Region/ country	Indigenous women		Afro-descendant women	
	Percentage of female indigenous officeholders, lower or single chamber, c. 2015	Proportion female/ male indigenous officeholders, c. 2015*	Percentage of female Afro-descendant officeholders, lower or single chamber, c. 2014	Proportion female/male Afro-descendant officeholders, c. 2014*
<b>South America</b>				
Argentina	–	–	–	–
Bolivia	19.0	0.9	–	–
Brazil	0.0	NA	2.5	0.1
Chile	0.0	NA	–	–
Colombia	–	–	0.0	NA
Ecuador	3.0	1.0	3.6	1.2
Paraguay	–	–	–	–
Peru	1.5	0.3	2.3	All**
Uruguay	0.0	NA	0.0	NA
Venezuela	–	–	0.6	0.3
<b>Mexico, Central America, and the Caribbean</b>				
Mexico	0.8	0.4	–	–
Costa Rica	–	–	–	–
El Salvador	–	–	–	–
Guatemala	1.9	0.2	–	–
Honduras	–	–	–	–
Nicaragua	2.2	2.0	–	–
Panama	1.4	0.3	–	–
Region/ country	Percentage of female indigenous officeholders, lower or single chamber, c. 2015	Proportion female/ male indigenous officeholders, c. 2015*	Percentage of female Afro-descendant officeholders, lower or single chamber, c. 2014	Proportion female/male Afro-descendant officeholders, c. 2014*
Cuba	–	–	–	–
Dominican Republic	–	–	–	–

*Notes:* – Data are not available.

NA Not applicable, because there are no female indigenous or female Afro-descendant officeholders.

\* The proportion of female (indigenous and Afro-descendant) officeholders relative to male (indigenous and Afro-descendant) is calculated by dividing the percentage of female (indigenous and Afro-descendant) officeholders by the percentage of male

(indigenous and Afro-descendant) officeholders. The proportion would be 1.0 if the two figures matched exactly.

\*\* In Peru, all three Afro-descendant legislators were women.

*Source:* Authors' elaboration, based on [CEPAL 2014](#): 37; [UNDP 2014](#): 84; [Hoffay and Rivas 2016](#); [Htun 2016](#): 26, 30; [Rousseau and Ewig 2017](#): 439; [Freire \*et al.\* 2018](#): 98; and [Piscopo and Wylie 2020](#).

Democracies have failed to fully include indigenous peoples and Afro-descendants. But its bigger political debt is its failure to fully include indigenous women and Afro-descendant women.

### 6.3.2 An Explanation of the Failure to Match Women's Gains

To explain the status of indigenous peoples and Afro-descendants relative to that of women, we focus initially on the use of inclusionary institutions. Then we broaden the scope of our discussion and explore why such institutional avenues for inclusion are generally adopted for some groups (women) and not for others (indigenous peoples and Afro-descendants).

***Some Binding Reserved Seats.*** The response to the de facto political exclusion of indigenous peoples and Afro-descendants was different from the response to the political exclusion of women. It was different in kind. The main measure taken to tackle this problem has been the use of *binding reserved seats* – that is, seats in the legislature that are subject to an election yet can be filled only by representatives that belong to a certain category of candidates (see [Table 6.6](#)).

The response to exclusion was also different in scale. Since 1991, Colombia has reserved one seat for indigenous groups in its lower chamber (i.e., 0.6 percent of the chamber), two seats for indigenous groups in the upper chamber (i.e., 2.0 percent of the chamber), and two seats for Afro-Colombians in the lower chamber (i.e., 1.2 percent of the chamber). Panama granted autonomy to indigenous communities in 1997 and 1998, and it gave these communities the right to elect five deputies of its single chamber (i.e., 7.0 percent of the chamber). Since 1999, Venezuela has reserved three seats for indigenous groups of its single chamber (i.e., 1.8 percent of the chamber). Since 2009, Bolivia has reserved seven seats for race- and ethnicity-based peoples in its lower chamber (i.e., 5.4 percent of the chamber). Finally, since 2017, Mexico has reserved thirteen seats for

indigenous groups in the lower chamber (i.e., 2.6 percent of the chamber) ([Navarro Fierro 2020](#): 76).

Thus, in contrast to the considerable steps taken to augment the proportion of women in political office, the response regarding indigenous peoples and Afro-descendants has been negligible. Indigenous peoples or Afro-descendants have gained more than 10 percent of congressional seats in only three Latin American countries (Bolivia, Brazil, and Guatemala). Yet the response to the patent lack of political inclusion of these groups has been limited. Only five countries have taken relatively small steps to actively foster the political inclusion of these disadvantaged groups (Colombia, Panama, Venezuela, Bolivia, and Mexico). Only one country (Colombia) has provided for reserved seats for Afro-descendants. And the number of reserved seats is usually so small that it can be considered an example of tokenism – that is, a gesture to give the appearance of inclusiveness, but one that does not introduce real change.

***Why Few Institutions for Inclusion of Indigenous Peoples Exist.*** The reasons for this relative lack of action, at a time when the use of gender quotas might have served as a model, are complex. However, as research shows, three key factors play a role in explaining the meager success of initiatives to include indigenous peoples relative to the corresponding initiatives focused on women ([Htun 2016](#): ch. 4).

First, indigenous peoples' movements have not been as united as women's movements in pursuit of political inclusion through institutional avenues. For example, the women's movement in Bolivia overcame the differences between various groups (middle-class feminists living in cities, poor women, and indigenous women), and these groups jointly supported



gender quotas. In contrast, indigenous peoples in Bolivia were divided in their support for reserved seats. Although indigenous people are a majority in Bolivia, they actually identify with a specific group such as the Aymara or the Quechua, and all the organizations formed to advance the interests of indigenous peoples did not advocate for reserved seats for indigenous peoples.

Second, in most Latin American countries, the number of potential beneficiaries of quotas for indigenous peoples was smaller and more spatially concentrated than the potential beneficiaries of quotas for women. Quotas for women benefit roughly half of the population, which is spread throughout a country. In contrast, the number of potential beneficiaries of reserved seats for indigenous peoples was relatively small in many countries, and reserved seats for indigenous peoples tend to aid territorially concentrated groups, usually in rural settings. Thus, the basis of support for quotas for indigenous peoples and the incentive for incumbent politicians to pass a law on such quotas are smaller than in the case of gender quotas.

Third, the choice of the type of quota makes a difference. The gender quotas demanded by women leave a considerable degree of power over the process through which women are nominated in the hands of party leaders. That is, gender quotas do not foreclose the possibility that men in control of parties can at least determine which individual women will run for office. See [Box 6.6](#) for other reasons why gender quotas might be supported by male legislators.

### **Box 6.6** A Closer Look: Why Do Male Legislators Pass Gender Quotas?

It might seem puzzling why legislatures dominated by men would pass legislation that most likely would limit the number of seats held by men in future legislatures. Yet, various reasons explain why at least some male politicians might support gender quotas.

Political scientist Ana Catalano [Weeks \(2018\)](#) argues that such a decision might be made because of interparty competition – for example, when party leaders are threatened by new leftist parties and see the passage of gender quota laws as a way to win over female voters; or because of intraparty competition, when some party leaders seek to challenge the party elites that have controlled the process of candidate selection within the party.

Along similar lines, political scientist Melody [Valdini \(2019\)](#) argues that male legislators pass quota laws so as to hold on to power by associating their parties and themselves with women. She argues that male legislators can benefit from this association, because it transmits to the electorate an image that the party is more honest, cooperative, and democratic.

In contrast, reserved seats sought by indigenous peoples are a type of quota that gives indigenous groups considerable control over who gets nominated to run for such seats. Thus, a large proportion of reserved seats for indigenous peoples would bring greater change than would a similar proportion of gender quotas. And this implication hardened resistance to

reserved seats by more than one group. From the perspective of the dominant male and white political establishment in many racially and ethnically diverse countries, the demand for reserved seats was a bigger challenge to the status quo than the demand for gender quotas.

However, at times, political ideology, rather than racial and ethnic identity, played a (somewhat unexpected) role as a source of opposition to the demand for reserved seats. Politicians on the left sometimes put political ideology – and the need to construct country-wide electoral majorities that would advance their ideology – ahead of political identity. This was the case especially in Bolivia, where the party led by Evo Morales, the Movement Toward Socialism (MAS), a leftist party that defended indigenous interests and was supported by the indigenous peoples, did not support the demand for a considerable number of reserved seats. As a result, the request for thirty-six reserved seats was pared down to a mere seven seats ([Htun and Ossa 2013](#)).

Thus, a variety of factors have converged to prevent the adoption of inclusive institutions for indigenous peoples on a scope and scale similar to the adoption of gender quotas.

*Why Is There No Black Quota in Brazil?* Turning to the lack of action to include Afro-descendants, the most instructive case to discuss is Brazil. Brazil is the country with the largest number of Afro-descendants. In Brazil, on several occasions, there was discussion and serious consideration of a binding candidate quota as well as reserved seats for Afro-Brazilians. Nevertheless, this initiative did not prosper. Indeed, we can say that the introduction of a Black quota has failed in Brazil.

In a search for an explanation of this outcome, it is hard not to see the legacy of Brazil's distinct history of race relations at work. This history

started with around 350 years of slavery, between 1532 and 1888. It continued in the late nineteenth and early twentieth centuries with the failure to assist former slaves, at a time when the government offered various forms of assistance to whites and actively promoted, and subsidized, the migration of white Europeans to Brazil. And it was cemented with the active advancement of the myth of racial democracy in the mid-twentieth century (see [Chapter 2](#)).

Because of this myth, Brazil was portrayed as a racially mixed country that had harmonious race relations and thus did not need to address problems of racial discrimination and inequality. Further, because of this myth, organization around racial identity was made difficult and even seen in a negative light. Although racial discrimination and inequality persisted, to bring up the issue of racism was considered “un-Brazilian” ([Hanchard 1988](#); [FitzGerald and Cook-Martín 2014](#): ch. 7; [Johnson III and Heringer 2015](#): 1–2; [Mitchell-Walthour 2018](#): 72–7).

Change did come, gradually, as democracy took hold after military rule in 1964–1985. The first moves came during the administration of President Fernando H. Cardoso (1995–2002). President Cardoso used the opportunity of the UN 2001 World Conference Against Racism to signal the government’s acknowledgment of the seriousness of racial discrimination and inequality. Soon thereafter, the federal government and state-level governments began to take action to combat racism and to implement affirmative action policies, especially in the area of education and the civil service. Moreover, as Black identity became politically legitimate in the twenty-first century, and as Afro-Brazilian voters showed a greater propensity to vote for Afro-Brazilian candidates, the proportion of Afro-descendants in the lower chamber of Congress increased, going from only 7

percent of the seats in 1999 to 24 percent in 2018 ([Johnson III 2015](#): 22; [Mitchell-Walthour 2018](#): 82–3; [Piscopo and Wylie 2020](#)).

However, the weight of the past was still felt. As political scientist Gladys [Mitchell-Walthour \(2018](#): 81) argues, racial discrimination still held back the political inclusion of Afro-descendants (see also [Johnson III 2015](#)). As studies of voting behavior show, even though Afro-descendants were a majority of the population, Afro-Brazilian politicians running for national-level offices did “not believe they [could] be elected if they focus[ed] only on racial issues or appeal[ed] only to Afro-Brazilian voters” ([Mitchell-Walthour 2018](#): 81). Moreover, the proposal of a racial quota collided with some old resistance to using race as a basis for political action.

Thus, given the history of racism in Brazil, the use of a racial quota, as employed to revert past discrimination of women, was justifiable. Yet the lingering views that race relations are not a problem and should not be given political salience prevents an institutional response through racial quotas for political offices.

In closing, Brazil exemplifies the promise and limits of change under democracy. Afro-descendants made gains in political inclusion in Brazil. These gains were gradual, in large part because of the growing recognition of race as a legitimate source of identity. Nonetheless, the lack of a Black quota in Brazil is indicative of a deep-rooted problem. The political inclusion in decision-making by disadvantaged groups always triggers resistance from at least some established elites. However, the political inclusion of Blacks would introduce more change than the political inclusion of women, and the barriers preventing the inclusion of Blacks have been higher than those holding back the inclusion of women. Put starkly, democracy has not worked as well for Blacks as it has for women.

## 6.4 Ordinary People Making Government Decisions

The institutional innovations discussed thus far (gender quotas, reserved seats) both aim to make the system through which representatives are elected more inclusive. That is, they are innovations that build on the core idea that democracy consists of a series of representative institutions. Additionally, Latin America has experience with other kinds of institutional innovations that foster political inclusion by allowing ordinary people – people who have no special standing or advantage in society – to participate directly in the making of governmental decisions.

The institutions that allow ordinary people to be directly involved in decision-making do not replace the core institutions of representative democracy. Rather, they supplement the basic functions carried out by elected representatives. Thus, a country may seek to augment the number of women in political office and, at the same time, take steps to allow ordinary people to directly decide on some matters. And the variety of experiences with these additional institutions for political inclusion in Latin America is rich.

The discussion that follows focuses on two of these further inclusive institutions: (1) participatory budgeting and (2) prior consultation (*consulta previa*, in Spanish). The discussion is brief, aiming more to convey the panoply of institutional options held by citizens in many Latin American countries than to explain the internal working of the institutions, let alone

why they were adopted or not. As in the prior sections, we stress both the promise and the limits of these interesting experiments in democracy.

### 6.4.1 Participatory Budgeting

Participatory budgeting is a mechanism that directly involves ordinary people in decisions about how to allocate parts of a municipal budget. It is an innovation developed in 1989 in the city of Porto Alegre, Brazil, by the leftist Workers' Party (PT). Thereafter, it diffused to other cities in Brazil and, internationally, to some 2,500 cities in other Latin American countries (all except for Bolivia, El Salvador, Honduras, Nicaragua, and Venezuela) and other world regions ([Dias \*et al.\* 2019](#)).

The initial idea of participatory budgeting was to include the poorer sectors of the population (e.g., those living in peripheral neighborhoods) in decision-making. More specifically, each year, citizens were to gather, in public assemblies, to discuss their needs and to vote on their priorities. Subsequently, delegates of the larger group of citizens were to meet and negotiate with city officials throughout the year, and the entire group would monitor the government's compliance with the plans that were adopted. The overarching idea was that popular involvement in budget decisions would result in outcomes that benefited sectors that had frequently been ignored in the past ([Baiochi 2005](#); [Baiochi \*et al.\* 2011](#); [Goldfrank 2011](#)).

As time passed and participatory budgeting spread to an increasing number of cities, some of the more attractive features of the Porto Alegre model faded. Some cities restricted participation, including only organized groups or some neighborhoods. Other cities limited popular input to only some matters, such as expenditures on infrastructure projects, while putting service projects off limits. Yet others reduced the ability of ordinary citizens to provide oversight of the implementation of projects. The amount of



funding allotted to participatory budgeting was sometimes low. That is, in some cases participatory budgeting involved only a small number of participants, restricted the involvement of ordinary citizens, and constrained decisions to a narrow range of issues and a small amount of resources.

Thus, the overall effectiveness of participatory budgeting in giving voice and power to the poor is mixed. The upside of this institutional innovation should be underscored. Participatory budgeting has worked well in some countries – Brazil and Uruguay in particular – making democracy more inclusive and work better. Although falling short of the high expectations generated by the original Porto Alegre experience, participatory budgeting does at times offer an avenue for the political inclusion of the poor. It has also yielded some positive outcomes. See [Box 6.7](#) on the impact of participatory budgeting on the welfare of citizens.

### **Box 6.7** Connections: Does Participatory Budgeting Increase Socioeconomic Welfare?

The actual record of inclusive political institutions has generally been considered as falling short of expectations. For example, political scientist Stephanie [McNulty \(2019: 6\)](#) points out that “nationally mandated participatory reform is by itself not able to overcome the deep-rooted structural problems of corruption, elitism, discrimination, and patriarchy.” Moreover, as political scientist Lindsay [Mayka \(2019: 6\)](#) shows, these reforms are effective only under certain conditions, such as when they are part of sweeping sectoral reforms that “disrupt old bureaucratic structures and displace vested interests, neutralizing the ability of powerful groups to block the construction of new participatory institutions.”

However, research on the impact of participatory budgeting – in particular on various aspects of social life – supports some positive conclusions. Political scientists [Michael Touchton and Brian Wampler \(2014\)](#) studied the impact of participatory budgeting on socioeconomic welfare (see also [Wampler et al. 2020](#)). And, using data on Brazilian cities over twenty years, they show that participatory budgeting is “strongly associated with increases in health care spending ... and decreases in infant mortality rates” ([Touchton and Wampler 2014: 1442](#)).

In short, participatory budgeting is an example of an institution, designed with the purpose of incorporating common

citizens into government decision-making, that does indeed lead to some improvements in the lives of citizens.

At the same time, we should recognize the limits of participatory budgeting. The high inclusiveness and decision-making power that characterized the original Porto Alegre experience were not emulated by many cities that subsequently adopted participatory budgeting. Instead, participatory budgeting was frequently repurposed by elected politicians, who are naturally reluctant to let go of power. As political scientist Benjamin [Goldfrank \(2021: 128–9\)](#) notes, over time the goal of political inclusion – central in the early experiences with participatory budgeting in the 1990s – took a back seat to other considerations, such as the efficient delivery of social services and poverty reduction. Undoubtedly, some of the hope for transformation generated by the Porto Alegre experiment has been eclipsed by other persistent features of politics.

### **6.4.2 Prior Consultation and Indigenous Peoples**

Another institutional mechanism that provides an avenue for ordinary people – and, more specifically, indigenous peoples – to participate in decision-making is prior consultation, sometimes called more formally “free, prior and informed consent” (FPIC). This mechanism was introduced in Latin America through the Indigenous and Tribal Peoples Convention – also known as the International Labor Organization (ILO) Convention 169 – which stipulates that governments should undertake prior consultation with indigenous peoples before permitting any projects (e.g., mining projects) that would affect their land and way of life.

Latin America has been a leader in this field. As political scientist Marcela [Torres Wong \(2019: 41\)](#) notes, “Latin America is the region with the greatest legal development of prior consultation regimes.” However, the actual implementation of ILO Convention 169 has not been even across countries and has not lived up to expectations even in the countries that have embraced prior consultation.

First, even though the ILO Convention was approved in 1989, Latin American countries varied considerably in terms of giving ILO Convention 169 the force of law (see [Table 6.11](#)). In an initial step, the Convention had to be ratified by countries, a step most but not all countries completed. Cuba, the Dominican Republic, El Salvador, Panama, and Uruguay have not yet ratified this convention. In a subsequent step, each country that had ratified ILO Convention 169 had to turn into law their commitments under the Convention and give legal force to the mechanism of prior consultation. And this is a step only seven countries have concluded: Bolivia, Chile, Colombia,

Costa Rica, Ecuador, Mexico, and Peru ([Due Process of Law Foundation 2015, 2018](#)).

**Table 6.11** Prior consultation of indigenous peoples: From ILO 169 to law, Latin America, 2020

Region/country	Year of ratification of ILO 169, Indigenous and Tribal Peoples Convention (1989)	Year of passage of Law on Free, Prior, Informed Consent (FPIC)
<b>South America</b>		
Argentina	2000	
Bolivia	1991	2005
Brazil	2002	
Chile	2008	2009/2014
Colombia	1991	1993/1998
Ecuador	1998	1998
Paraguay	1993	
Peru	1994	2011
Uruguay		NA
Venezuela	2002	
<b>Mexico, Central America, and the Caribbean</b>		
Mexico	1990	2014
Costa Rica	1993	2018
El Salvador		NA
Guatemala	1996	
Honduras	1995	
Nicaragua	2010	
Panama		NA
Cuba		NA
Dominican Republic		NA

*Notes:* Rows left empty indicate that the instrument has not been ratified or turned into law.

NA Not applicable, indicating that this step is only relevant for countries that have ratified ILO Convention 169.

*Source:* Authors' elaboration, based on [Due Process of Law Foundation 2015, 2018](#); [Costa Rica Government 2018](#); [ILO 2019a](#); and [Torres Wong 2019](#): 42.

Second, the countries that have legally recognized prior consultation also varied considerably in regard to two dimensions (see [Table 6.12](#)). On the one hand, they differed in terms of the way in which they institutionalized prior consultation. One case (Bolivia) provided a strong legal framework, applying prior consultation to the critical extractive

industries that threaten the lands of indigenous peoples and giving indigenous peoples a veto power over projects. The other cases set up weaker frameworks. On the other hand, they varied considerably in terms of the frequency of actual prior consultations, with Bolivia again representing a positive case.

**Table 6.12** Prior consultation of indigenous peoples: Legal framework and use, Latin America, c. 2019

Region/country*	The legal framework		The use of prior consultation (number of consultations)**
	Prior consultation applies to extractive industries	Prior consultation gives indigenous peoples veto power	
<b>South America</b>			
Bolivia	Yes	Yes	154
Chile	No	No	–
Colombia	Yes	No	–
Ecuador	Yes	No	–
Peru	Yes	No	21
<b>Mexico, Central America, and the Caribbean</b>			
Mexico	Yes	Not defined	2
Costa Rica	Yes	No	–

*Notes:* – Data are not available.

\* Only countries that have a law on free, prior, informed consent (FPIC) are included.

\*\* The data register events through December 2017.

*Source:* Authors' elaboration, based on [Due Process of Law Foundation 2015, 2018](#); [Costa Rica Government 2018](#); [Torres Wong 2019](#): 42–3; and [Zaremborg and Torres Wong 2018](#): 34, 50–7.

Finally, it is striking that none of the prior consultations implemented in Peru, Bolivia, and Mexico (at least through the end of 2017) blocked the proposed extractive activities in indigenous territories ([Zaremborg and Torres Wong 2018](#): 44; [Torres Wong 2019](#)). This outcome is not what supporters and opponents of ILO Convention 169 expected. And it is a sign that governments, in their pursuit of economic growth, have been able to

manipulate the process and get the results they want, that is, the approval of projects that lead to short-term economic growth, regardless of environmental consequences and their impact on indigenous communities. (In [Chapter 13](#), we will address in detail the use of prior consultation in the context of mining projects.)

Given this track record, it is hardly surprising that most analyses concur that the actual process of prior consultation has not yielded effective participation by indigenous peoples. For example, in 2006, Rodolfo Stavenhagen, UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, drew attention to what he called the “implementation gap,” the gap “between standards relating to indigenous rights [as embodied in ILO Convention 169] and the effective enjoyment of those rights” ([UN General Assembly 2006](#): 5). And other observers have later noted that this implementation gap still exists ([Wright and Tomaselli 2019](#)). Thirty years after the approval of ILO Convention 169, the reduction in the gap between principle and practice is a pending task.

However, we should also stress the benefits and promise of prior consultation. Prior consultation is associated with the peaceful resolution of disputes ([Torres Wong 2019](#)). And, by recognizing the right of indigenous peoples to be consulted before the adoption of any legislative or administrative decision that could affect them, ILO Convention 169 has opened up new possibilities that are still being explored.

## 6.5 Summary

This chapter discussed the political inclusiveness of democracies and considered whether a cross-section of the population is directly involved in governmental decisions. It highlighted the situation of women, indigenous peoples, Afro-descendants, and ordinary people, because these groups have been historically disadvantaged. It also focused on a range of institutions designed to facilitate political inclusion and make democracy more inclusive.

We showed that progress in ensuring access to political office by historically disadvantaged groups has been uneven. Significant gains have been made by women. In 1990, in the early years of widespread democracy in Latin America, few women held high political office. But a concerted response took shape in the ensuing years. Gender quotas were introduced, maintained, and strengthened in most countries in the region. And these quotas proved to be an effective tool to increase the political inclusion of women. In the decades after 1990, the proportion of women in key government offices increased substantially. Latin America became a world leader in this regard.

In contrast, we underscored the more negative situation of indigenous peoples and Afro-descendants. These peoples are more underrepresented in political office relative to women. Yet institutional avenues for inclusion have not been vigorously pursued for them. Quotas for these groups never gained the legitimacy and support enjoyed by gender quotas. And one of the reasons for this difference is a basic matter: the political inclusion of



indigenous peoples and Afro-descendants is perceived as more threatening by established elites, and demands for political inclusion trigger more resistance than do similar demands by women.

We also considered two institutions designed to increase the direct participation of ordinary people in the making of governmental decisions: participatory budgeting and prior consultation. In principle, these institutions offer an avenue for citizen input into government beyond voting for representatives. And, in some cases, they have actually resulted in the empowerment of ordinary people. Yet the potential impact of these institutions on political inclusion has been muted. In many countries, these institutions have not been adopted. And even where they have been adopted, they have frequently been hijacked or manipulated by governments. Latin America has considerable experience with participatory budgeting and prior consultation. But the gap between principle and practice is considerable.

Who gets a seat at the table and participates in decision-making is important. Thus, institutional avenues of inclusion are valuable mechanisms to make those who govern more like those who are governed. However, we should recognize both the promise and limits of various initiatives to make democracy more inclusive. Latin American democracies have become more inclusive. But democracy still works better for some groups of citizens than for others.

## Discussion Questions

1. Most Latin American countries have adopted gender quotas that guarantee that a certain percentage of candidates for the national legislature will be women. How do gender-based quotas work? Can they work everywhere? In what contexts do they work the best? Are there any drawbacks to these quotas?
2. Quotas have been used more frequently to promote the political inclusion of women than to facilitate the political inclusion of indigenous peoples and Afro-descendants. Why is this the case? Is the political inclusion of all disadvantaged groups equally threatening to those who benefit from established practice? Why might white men be more willing to support the political inclusion of women than to support the political inclusion of indigenous peoples and Afro-descendants?
3. Latin American countries have provided various avenues for the participation of ordinary people in government decision-making. Which of these institutions do you find most useful or promising? In what ways have these institutions fallen short of their promise to empower ordinary people? How might these institutions be reformed so as to make them more effective avenues of political inclusion?

## *Resources*

## Additional Readings

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## Websites

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<https://oig.cepal.org/en/indicators>

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*Innovations for Democracy in Latin America (LATINNO)*. A comprehensive and systematic source of data on new institutions for citizen participation in Latin America. Website: [www.latinno.net/en/](http://www.latinno.net/en/)

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*International IDEA (International Institute for Democracy and Electoral Assistance)*. A Stockholm-based intergovernmental organization dedicated to the promotion of democracy around the world. It publishes reports of various aspects of democracy, including the role of women. It maintains the Global Database of Quotas for Women, which provides up-to-date analyses and data on gender quotas in Latin America and the rest of the world.

Website: [www.idea.int](http://www.idea.int)

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*IPU (Inter-Parliamentary Union)*. A global institution that publishes up-to-date data on the percentage of women in national parliaments, including comparative analyses of countries and annual studies that look at historical trends over decades. Website: [www.ipu.org/our-impact/gender-equality](http://www.ipu.org/our-impact/gender-equality)

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*IWGIA (International Work Group for Indigenous Affairs)*. An international organization that promotes, protects, and defends indigenous people's rights

around the world, including Latin America. Website: [www.iwgia.org/en/](http://www.iwgia.org/en/)

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*Minority Rights Group International*. An international human rights organization that works on the rights of ethnic minorities and indigenous peoples around the world. They publish an annual *Minority and Indigenous Trends*. Website: <https://minorityrights.org>

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*UN Women*. The United Nations' organization dedicated to gender equality and women's empowerment. It provides information on a range of initiatives related to women in Latin America and other regions of the world. Website: [www.unwomen.org/en](http://www.unwomen.org/en)

# Documentaries

*Beyond Elections: Redefining Democracy in the Americas* (2008). 104 minutes. English, Spanish, and Portuguese, with English and Spanish subtitles. On the variety of institutions for direct participation by citizens in Latin America. It shows examples of communal councils in Venezuela, social movements in Bolivia, participatory budgeting in Brazil, and worker cooperatives in Argentina.

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*Bolivia in Transition* (2009). 20 minutes. An independent grassroots video shot in Bolivia during the 2009 constitutional referendum that led to important gains in the rights of indigenous peoples.

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*Cocalero* (2007). 84 minutes. Focuses on Evo Morales, President of Bolivia (2006–2019), from his roots as an organizer of Bolivian farmers who grew coca to his rise to the presidency.

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*Sumak Kawsay: The Sarayaku Case* (2012). 30 minutes. In Spanish, with English subtitles. On the Kichwa community of Sarayaku in Ecuador, where indigenous peoples' rights were violated in favor of an oil company despite the Sarayaku's right to consultation.

# 7

## **Political Parties and the Citizen–Politician Link**

*The Persistent Crisis of Representation*





**Photo 7.1 Political parties as agents of representation** Political parties, as a distinct kind of organization, are central to democracy. They are the organizations that run candidates in elections. However, their deeper role is to represent interests and values that resonate with the views of citizens. The images shown are logos of political parties in Mexico that convey a sense of the country's diverse set of parties. Yet, importantly, not all parties are alike. Some are mere electoral vehicles, instruments for leaders seeking to run in elections. Others are more clearly authentically representative political parties. And this difference is significant for democracy. Democracy works well not just because a country has more than one political party. A country's parties need to be agents of representation of its citizens.

*Source:* partidos politicos png 4 distributed by pngimage.net.

Modern, large-scale democracies approximate the ideal of democracy inasmuch as political parties channel citizens' interests and values into the policy-making process and thus represent citizens. Yet elections with multiple parties, and even the political inclusion of various groups in decision-making, do not guarantee effective representation. Politicians and parties can be self-serving actors rather than agents of representation. Thus, to complete the discussion of democracy in [Chapters 5](#) and [6](#), here we

consider the role of political parties and focus on the link between citizens and their representatives.

We initially clarify the concept of political party, introduce a key distinction between two types of parties (electoral vehicles and programmatic party organizations), and spell out the implications of these types of parties for democracy. Since the concept of electoral vehicles is novel and central to this chapter, we clarify it with a case study of Peru. Second, we address the question: Are political parties in contemporary Latin America authentic agents of political representation? Using a variety of sources of information about the region as a whole, we discuss the erosion and collapse of old parties, the difficult and unsettled process of creation of new parties, and the nature of contemporary party systems. In this context, we introduce the idea of a crisis of representation. Third, we address the question: Why have some countries failed and others succeeded at building political parties that are agents of political representation? We focus on political, economic, and ideological factors that affect party building, and the actions of politicians in particular, and we illustrate our argument with discussions of specific parties in Bolivia, Brazil, El Salvador, and Uruguay. Finally, we present a summary of the chapter.

## **7.1 Democracy, Political Parties, and Political Representation**

Political parties play a crucial role in democracies. Without multiple parties, there is no democracy. Still, parties can differ in key ways. Thus, to better grasp the role played by political parties in democracy, we discriminate between two types of political party – electoral vehicles and programmatic party organizations – and use the case of Peru to illustrate why a democracy with electoral vehicles is a flawed democracy.



### 7.1.1 Electoral Vehicles and Programmatic Party Organizations

We can distinguish political parties according to whether they meet a minimal or a more demanding definition of a political party. A minimal definition of a political party treats virtually any group of individuals that competes in an election under the same party ticket as a party. These parties are essentially little more than instruments to run in elections; they lack an elaborate internal structure or organic ties to citizens. Thus, we call such parties *electoral vehicles*.

A more demanding definition incorporates this minimal view of parties and adds that parties should also fulfill two functions: horizontal coordination and vertical aggregation ([Luna et al. 2021b](#)). *Horizontal coordination* refers to the relationship among politicians of the same party during and between elections. During elections, a party manages candidate selection and coordinates the campaign strategy. Between elections, the elected officeholders of a party coordinate their actions and act cohesively when voting in congress and making decisions in the executive branch of government. In other words, horizontal coordination means that actions by candidates and officeholders that are members of the same party are regulated and coordinated by a collective organization.

In turn, *vertical aggregation* refers to the relationship between parties and citizens and, again, extends over electoral campaigns and the times politicians hold office. During campaigns, vertical aggregation involves the formulation of appeals to citizens in general terms – usually specified in party programs – that transcend the specific interests of citizens or various societal groups. That is, voters must know that, by voting for a set of

candidates, they are voting for certain general government programs. Vertical aggregation also entails that, once in office, elected politicians who ran under the same party label work to implement the party platform they ran on and to represent the collective interests of the citizens who voted for them.

We call parties that fulfill these two functions – that have leaders who act in a coordinated fashion and aggregate the preferences of citizens – *programmatic party organizations*.

### 7.1.2 Parties and Democracy

The difference between electoral vehicles and programmatic party organizations has a key implication for democracy.

***Weak Representation as a Problem of Democracy.*** Standard definitions of democracy – including the one we used in [Chapter 5](#) (see [Chapter 5, section 5.1](#)) – make references to political parties that, in essence, reflect the point that without multiple parties there is no democracy. And it is important to stress that the minimal function of parties in democracy, to offer citizens an electoral choice, is fulfilled even by electoral vehicles. In other words, although a democracy with only electoral vehicles might be a low-quality democracy, it is a democracy nonetheless.

However, programmatic party organizations do something more than offer the electorate a choice. Programmatic party organizations are agents of representation, that is, actors that represent the interests and values of citizens when they gain access to political offices and make governmental decisions. And the difference between a democracy with electoral vehicles and a democracy with programmatic party organizations deserves attention.

If multiple parties run in elections, citizens can make a choice that determines who holds government offices, a basic characteristic of a democracy. If parties have taken steps to include different groups, government leaders might resemble a cross-section of the population and hence we might say that steps have been taken to be politically inclusive. Yet if these parties are electoral vehicles, which do not act as agents of representation, the basic link between citizens and their representatives is

only a thin, formal one, lacking in content. And the absence of a thick, substantive sense of representation is an important problem of democracy.

A democracy without representation resembles government for politicians more than government for the people. It leads citizens to perceive their representatives as disconnected from their lives and preoccupations – as representatives only in name – and to question the legitimacy of democracy. It also drives citizens to react against politicians they consider insiders and to support populist leaders who promise a strong, unmediated, even emotional tie with their followers – a path that leads to new problems ([Navia and Walker 2010](#); [de la Torre 2017](#); [Mudde and Rovira-Kaltwasser 2017](#)). A democracy without representation is not a healthy, strong democracy.

***Democracy with Electoral Vehicles in Peru.*** To ground this discussion, we illustrate what politics is like when a democracy functions with electoral vehicles. We use contemporary Peru as a case study.

Peruvian politics is populated by a great number of electoral vehicles which fail to pursue both horizontal coordination and vertical aggregation. Horizontal coordination, whether in elections or in office, is hampered because politicians have a short-term horizon and because parties operate as mere “coalitions of independents” ([Zavaleta 2014](#)). In the 2016 election, only 54 percent of the members of congress sought re-election, and only 24 percent of these candidates were re-elected. More concerning, among those elected to congress, the change of party affiliation by members of congress is so common that the practice has been given the evocative label of *camisetazo* (T-shirt change).

Furthermore, inasmuch as officeholders do act in a coordinated fashion, it is to further the interests of their donors, which are sometimes tied to illegal enterprises, such as narco-trafficking or illegal mining and logging. Indeed, in a 2016 interview by one of the authors of this book, a former director of DEVIDA (the Peruvian anti-drug agency) claimed that a dozen members of congress who had run under different party labels worked in coordination to protect the interests of the drug traffickers who financed their campaigns. Thus, upsetting the entire idea of representation, politicians who do not coordinate with members of their own party to represent citizens, as they would if they acted as agents of representation, do coordinate across party lines to advance the interests of de facto powers.

In turn, vertical aggregation is hindered for various reasons. Since electoral vehicles lack strong programmatic profiles and a track record, campaign messages that involve general issues lack credibility. Thus, candidates seek to structure competition around matters of personality or to buy the votes of their clienteles. Even if parties seek to follow through on campaign promises, officeholders face a major hurdle because the plethora of evanescent electoral vehicles and the fragmentation of the party system makes congress a forum where a debate over general issues, as opposed to the advocacy of particular interests, simply does not prosper.

The role of Peruvian parties at the regional and local levels adds another layer to the problem. Regional and local politics are personally controlled by leaders, local *caudillos*, who form networks with their families, friends, and electoral clienteles. These leaders dominate local politics; for example, candidates supported by these leaders won over 80 percent of all votes cast in the 2010 and 2014 elections. And they work

independently, that is, without establishing alliances with national political organizations ([Dammert and Sarmiento 2019](#)).

Additionally, regional and local leaders, although closer to citizens in some way, do not help to aggregate the policy preferences of citizens. These political leaders are powerful because they manage networks based on patronage and clientelism (e.g., the distribution of jobs and material goods, in exchange for votes) rather than because they articulate general programs that are supported by a large number of voters. Furthermore, most of these regional and local networks are infiltrated by actors who engage in illicit activities and who provide campaign financing via kickbacks. In short, these flaws further obstruct the coordination among leaders and the aggregation of the preferences of citizens.

Thus, the way in which democracy works with electoral vehicles in Peru is clearly problematic. When more than one electoral vehicle exists, citizens can make a choice among multiple candidates. But they do not really make a choice about the public policies officeholders will pursue. Indeed, even when the electorate faces an apparently momentous choice, as it did in Peru in the 2011 national election, the outcome of the election did not have the expected effect on public policy. In that election, the electorate could opt between two candidates who held starkly different policy positions: one who campaigned in favor of the continuation of the neoliberal policies initially implemented by President Alberto Fujimori in the 1990s; another who was opposed to neoliberalism. Yet even though the winner of the election was the candidate opposed to neoliberalism, his government continued rather than changed the neoliberal policies of previous governments.

As political scientist Alberto [Vergara \(2018\)](#) put it, Peruvian citizens have a democracy that yields “alternation without alternatives.” That is, voters can vote, but lack substantive representation.

***Democracy without Representation.*** It is too strong a statement, as we have noted, to claim that there is no democracy without parties that act as agents of representation. Even electoral vehicles offer citizens a choice and the will of citizens determines who governs. However, it is fundamental to recognize that democracy thrives only when citizens perceive that the people they elect to office are doing the citizens’ business.

A democracy without representative parties is a flawed, incomplete democracy. And such a democracy is bound to disappoint. In essence, a democracy without representative parties cheats people of the sense that they are citizens who, as such, collectively determine the direction of a country. Voting ends up being an act devoid of real meaning, because the decisions made by governments will not be driven primarily by the preferences of common citizens.

## **7.2 The State of Parties and Political Representation**

Having highlighted the significance of different kinds of parties to democracy, we turn now to the evolution of parties and, more broadly, party systems – a party system is the collection of all parties in a country. Party systems in contemporary Latin America are the result of two processes. The first process is the deconstruction of many of the party systems that Latin American countries had immediately after their transitions to democracy in the 1980s and 1990s. The second process is the reconstruction of party systems in some of the countries where they underwent substantial change.

We will begin by discussing these two processes. Subsequently, we characterize the party systems that resulted from these processes. We can characterize party systems in different ways (e.g., it is common to characterize the US party system as a two-party system). Nonetheless, the key concern in this chapter is whether Latin American democracies have programmatic political parties – a sign of a healthy democracy – or only electoral vehicles – a sign of a democracy in poor health. Thus, we classify contemporary party systems in terms of the concepts of electoral vehicles and programmatic political parties. We complete our discussion by offering a balance sheet.



### **7.2.1 The (Partial and Complete) Deconstruction of Party Systems**

Latin America had a rich history of political parties prior to the third wave of democratization in the 1980s and 1990s (on the third wave of democratization, see [Chapter 3, section 3.4](#)). The first parties in Latin America date to the nineteenth century, when parties frequently called Conservatives and Liberals were common in the region. Political regimes were not democratic in the nineteenth century, but elections with multiple parties were frequent. During the experiences with democracy prior to the 1970s, parties were also important actors. Thus, when authoritarian regimes came to an end in the 1980s and 1990s, many old, established parties and some relatively new parties competed for power. See [Box 7.1](#) for more information on these parties.

### **Box 7.1** A Closer Look: Political Parties before the Third Wave of Democratization

Political parties have usually been formed in Latin America in waves, associated with specific events and periods.

The oldest parties originated in the nineteenth century, during the times of oligarchic dominance. Examples include:

- The Radical Party (UCR), Argentina
- The Liberal and Conservative parties, Colombia
- The Liberal Party and the National Party, Honduras
- The Colorado Party, Paraguay
- The Colorado and Blanco (National) parties, Uruguay

Other parties were founded in the early decades of the twentieth century, during the region's transition to mass politics. These parties, frequently linked with labor unions, include:

- The Peronist Party, Argentina
- The Revolutionary Nationalist Movement (MNR), Bolivia
- The Communist Party (PC) and the Socialist Party (PS), Chile
- The National Liberation Party (PLN), Costa Rica
- The Party of the Institutionalized Revolution (PRI), Mexico
- The American Popular Revolutionary Alliance (APRA), Peru
- Democratic Action (AD), Venezuela

Somewhat later, in the mid-century, Christian Democratic parties were formed, under the international influence of reformist movements in the Catholic Church. Examples are:

- The Christian Democratic Party (PDC), Chile
- The Social Christian Party (PSC), Ecuador
- The National Action Party (PAN), Mexico
- The Social Christian Party (COPEI), Venezuela

Central American and Caribbean parties generally developed after South American ones due to the predominance of traditional authoritarian rule. However, Christian Democratic parties emerged in several Central American and Caribbean countries in the 1950s and early 1960s:

- The Social Christian Reformist Party (PRSC), the Dominican Republic
- The Christian Democratic Party (PDC), El Salvador
- The Guatemalan Christian Democracy (DCG), Guatemala
- The Social Christian Party (PSC), Nicaragua
- The Christian Democratic Party (PDC), Panama

Finally, some parties emerged during the 1960s and 1970s, in the context of the Cold War conflicts following the Cuban Revolution:

- The Revolutionary Left Movement (MIR) and the Nationalist Democratic Action (ADN), Bolivia

- The Brazilian Democratic Movement Party (PMDB), the Democratic Social Party (PDS), and the Workers' Party (PT), Brazil
- The Dominican Liberation Party (PLD) and the Dominican Revolutionary Party (PRD), the Dominican Republic
- The Democratic Left (ID), Ecuador
- The Sandinista National Liberation Front (FSLN), Nicaragua
- The Democratic Revolutionary Party (PRD), Panama
- The Authentic Radical Liberal Party (PLRA), Paraguay
- The Broad Front (Frente Amplio), Uruguay

(For discussions of the history of Latin American parties, see [Mainwaring and Scully 1995](#); [Coppedge 1998a](#), [1998b](#); [Di Tella 2004](#); and [McDonald and Ruhl 2019 \[1989\]](#).)

From this starting point, one basic trend regarding parties has been the loss of electoral support by parties that were protagonists of the first democratic elections or, in the case of countries that had gained democracy before the 1980s (Colombia, Costa Rica, and Venezuela), the first elections in the 1980s (see [Table 7.1](#)).

**Table 7.1** The evolution of political parties after the third wave of democratization: Latin America, 1980s–2020

Region/ country	Transition year or early 1980s	Main political parties, in transition year or early 1980s	Legislative seats of the main parties at the time of transition or early 1980s (% of seats)*		
			Transition year or early 1980s **	c. 2020***	Difference over time
South America					
Argentina	1983	Peronist Party, Radical Party	94.5	65.3	-29.2
Bolivia	1985	MNR, MIR, ADN	76.0	0.0	-76.0
Brazil	1986	PPB (former ARENA and allies), PMDB, PFL (now Democrats), PTB	89.5	21.0	-68.5
Chile	1989	Concertation (PDC/Socialists/PPD/Radicals), Alliance (UDI/RN), Communist Party	98.3	79.3	-19.0
Colombia	1982	Liberal Party, Conservative Party	86.7	34.0	-52.7
Ecuador	1979	CFP, ID, PSC	68.0	4.2	-63.8
Paraguay	1989	Colorado Party, PLRA	95.8	90.0	-5.8
Peru	1980	APRA, AP, IU	87.7	24.2	-63.5
Uruguay	1984	Colorado Party, National Party (aka White Party), Broad Front	97.6	83.2	-14.5
Venezuela	1983	AD, COPEI	86.5	4.0	-82.5
Mexico, Central America, and the Caribbean					
Mexico	2000	PRI, PAN, PRD	93.8	29.4	-64.4
Costa Rica	1982	National Liberation Party, PUSC	89.5	35.7	-53.8
El Salvador	1994	ARENA, FMLN, PDC	84.3	22.6	-61.7
Guatemala	1994	FRG, PAN, DCG	86.2	2.0	-84.2
Honduras	1985	Liberal Party, National Party	97.0	68.0	-29.0
Nicaragua	1990	FSLN, UNO	97.8	74.7	-23.1
Panama	1989	PDC, PRD, MOLIRENA	80.6	56.3	-24.3
Cuba	NA	NA	NA	NA	NA
Dominican Republic	1978	PRD, PRSC	95.3	4.7	-90.6

*Notes:* NA Not applicable.

\* The data are the percentage of lower chamber seats held by the main parties.

\*\* The transition year is the year when founding elections that initiated democracy occurred; when democracy pre-dated the third wave of democratization, the first election in the 1980s was selected.

\*\*\* In Argentina, the Frente de Todos is treated as a Peronist Party and the UCR's share of seats within Juntos por el Cambio Front is used. For Peru's 2021 election, the figure includes all the seats won by AP, the only main party from 1980 that survived. In Venezuela, although AD and COPEI now form part of an electoral coalition, in our estimation we only compute the seats obtained by those historical parties within that coalition. In Mexico, only the seats won by the PAN, PRD, and PRI are counted, even when they were part of coalitions. In Nicaragua, the figure includes the Conservative Party (PC), which was part of the UNO alliance in 1990. In the Dominican Republic, the figure includes the PRD and the PRSC, as well as their electoral allies.

*Source:* Authors' elaboration, based on data from [Roberts 2014](#): Appendix; and electoral tribunal websites.

The extent of decline of these parties varied from country to country. In a few countries, these parties retained considerable support (Argentina, Chile, Honduras, Nicaragua, Panama, Paraguay, and Uruguay). In other countries, these parties underwent a significant erosion of support (Colombia and Costa Rica). In yet other countries, these erstwhile dominant parties totally collapsed (Bolivia, Brazil, the Dominican Republic, Ecuador, El Salvador, Guatemala, Mexico, Peru, and Venezuela). Nonetheless, the overall trend is toward a decline in support for parties that were major players following transitions to democracy.

Of course, change in the parties that dominate politics is not necessarily a problem. The 1980s and 1990s were a time of social change in Latin America and the replacement of old by new parties could be a sign of a healthy democracy. Parties can erode or even collapse because their leaders become distant from citizens, as occurred in Venezuela in the 1990s and Bolivia in the 2000s. Parties can also endure by relying on clientelism – that is, by distributing tangible goods to supporters in exchange for their vote (e.g., a bribe, food, housing materials) rather than by providing programmatic representation (e.g., a health program accessible to all citizens). Indeed, clientelism is part of the reason why some parties, for example, in Argentina and Paraguay, have persisted. Thus, a full interpretation of the loss of electoral support by many parties would have to address, in more detail, what type of old parties declined and what type survived.

However, in general terms, the loss of electoral support by many parties is a troubling sign. The building of programmatic party organizations takes time; it is easier and quicker to destroy parties than to create authentic ones that are agents of representation. And the considerable change in Latin American parties was not a part of a generalized move to more representative parties. Instead, the partial and complete deconstruction of party systems in several countries is best considered a sign of the inability of political leaders to build links with a changing society and the lack of trust of citizens in parties. It is, as many scholars and observers suggest, a symptom of a crisis of political representation ([Mainwaring \*et al.\* 2006](#); [UNDP and OAS 2011](#): ch. 4; [Roberts 2014](#): ch. 2; [UNDP 2014](#): ch. 4; [Lupu 2016](#); [Cantillana Peña \*et al.\* 2017](#); [Joignant \*et al.\* 2017](#)).

### 7.2.2 The (Difficult and Unsettled) Reconstruction of Party Systems

The demise of the old is frequently associated with the hope that something new that is better than the old will emerge. That is, the crisis of representation that led to the decline of key parties in Latin America in the 1980s and 1990s might have been the prelude to, and impetus for, a regeneration of the party systems. It could have been the opportunity for the formation of new durable parties that connect with citizens and structure options for the electorate. But such a change did not happen in most of the region.

*Many Attempts, Few Successes.* The weakening of parties since the 1980s created an opening for political leaders. And political leaders seized the occasion. Throughout Latin America, hundreds of attempts to found new parties took place. Nevertheless, the vast majority of these attempts failed to create enduring large parties ([Mustillo 2009](#); [Levitsky et al. 2016](#)).

Most attempts were complete failures, in the sense of never gaining a large portion of votes and lasting for long. Others were partial failures. A few gained a large portion of votes but did not last long. A few lasted for a considerable time but never gained a large portion of votes. Indeed, only a few attempts prospered. (Some new parties might eventually be considered success cases, depending on how they perform in the 2020s.)

Some numerical data help to convey the difficulty politicians have faced in creating durable parties that become important players on the national stage. Between 1978 and 2005, a total of 307 parties were created. Of these, 284 (92.5 percent) ended in failure, falling short of obtaining at least 10 percent of the vote in five or more consecutive elections and



enduring after their founder ceased to be a viable presidential candidate. Seven (2.3 percent) have a possibility of success, but they had not lasted long enough as of 2021. And sixteen (5.2 percent) have been successful (these numbers draw on, and update the data in, [Levitsky et al. 2016](#)).

The building of new parties that garner a sizable amount of support over a considerable period of time has proved to be a daunting task. Thus, the space left by the decline of previously powerful parties was largely occupied by fleeting parties, which made a big splash for a short time, and by many more or less durable small parties – two options that accentuated rather than ameliorated the crisis of representation.

***Troubles with Success Cases.*** Additionally, some of the new large and durable parties have recently shown troubling signs. [Table 7.2](#) lists the sixteen cases of successful new parties. This list includes many parties that were seen as the basis for a positive transformation of party systems. However, by 2021, several of these parties displayed a range of problems.

**Table 7.2** The creation of durable and important parties: Latin America, 1978–2021\*

Region/country	Party name (year of party creation)
<b>South America</b>	
Bolivia	Movement for Socialism (MAS) (1987)
Brazil	Workers' Party (PT) (1979)
	Liberal Front Party (PFL) (1985)**
	Brazilian Social Democracy Party (PSDB) (1988)
Chile	Independent Democratic Union (UDI) (1983)
	National Renewal (RN) (1987)
	Party for Democracy (PPD) (1987)
Venezuela	United Socialist Party of Venezuela (PSUV) (1997)***
<b>Mexico, Central America, and the Caribbean</b>	
Mexico	Party of the Democratic Revolution (PRD) (1989)
Costa Rica	Citizens' Action Party (PAC) (2000)
El Salvador	Nationalist Republican Alliance (ARENA) (1981)
	Farabundo Martí National Liberation Front (FMLN) (1992)
Guatemala	National Unity of Hope (UNE) (2002)
Nicaragua	Sandinista National Liberation Front (FSLN) (1979)
Panama	Democratic Revolutionary Party (PRD) (1979)
	Democratic Change (CD) (1998)

*Notes:* \* The list of parties comprises those founded between 1978 and 2005 that succeeded in obtaining at least 10 percent of the vote in five or more consecutive elections and that endured after their founders ceased to be viable presidential candidates. The end date for the information is August 2021.

\*\* The PFL was renamed Democrats in 2007.

\*\*\* The PSUV was formed in 2007, as the continuation of the Fifth Republic Movement (MVR), which was founded in 1997.

*Source:* Authors' elaboration, based on [Levitsky et al. 2016](#): App. I; and additional data.

In Chile, a wave of protests in late 2019 expressed strong and widespread frustration with political parties. What was generally seen as a sturdy party system, built around some old and several new parties, began to show the typical signs of a party system in the throes of a crisis of representation – with large sectors of the population claiming that these parties were out of touch with the needs of the people.

In three countries, Mexico, Brazil, and El Salvador, the recent election to the presidency of personalistic leaders who sought to disrupt politics as usual introduced significant changes to the party system and altered what appeared to be systems that had been restructured by the new parties. The election of Andrés Manuel López Obrador as President of Mexico in 2018 led to an abrupt drop in the electoral support of a new party – the Party of the Democratic Revolution (PRD) – and had a huge impact on Mexico's two old parties – the Party of the Institutionalized Revolution (PRI) and the National Action Party (PAN). The election of President Jair Bolsonaro in Brazil in 2018 shattered the control that two new parties – the Brazilian

Social Democracy Party (PSDB) and the Workers' Party (PT) – had on the executive. And the election of President Nayib Bukele in El Salvador in 2019 and the congressional elections of 2021 in that country exposed a weakness of the party system that had been structured around the Nationalist Republican Alliance (ARENA) and the Farabundo Martí National Liberation Front (FMLN).

Much depends on the success of these three presidents. Thus, some of these new parties might bounce back. Nonetheless, the rise of these three populist leaders shows that even relatively young parties that were seen as embodying the new times could start to look old and distant quite quickly. What were rightly seen for some time as hopeful signs of the regeneration of party systems could be swept away in the broader crisis of representation affecting older parties after the third wave of democratization.

Finally, in two other countries, Venezuela and Nicaragua, two new parties have proved to be successful, in terms of holding on to power, but they have not been fully committed to democracy. Indeed, the democratic credentials of the United Socialist Party of Venezuela (PSUV) in Venezuela and the FSLN in Nicaragua declined over time. In particular, the drift toward authoritarianism in Venezuela under the leadership of the PSUV is a warning sign about the danger to democracy of party system collapse. The new may not resolve the crisis of representation and may even be worse than the old. See [Box 7.2](#) on populism as a regular outcome of crises of representation.

### **Box 7.2** Thinking Comparatively: Leftist and Conservative Populism

A common response to crises of political representation is the emergence of populist movements. Populists can be leftists or conservatives, depending on their cultural construction of “the other” and the position of this “other” in society. Leftist populists depict powerful actors, oligarchic elites, and imperialistic powers as the other. Conservative populists portray weak groups, such as immigrants, religious minorities, or the LGBTQ+ community, as the other ([Ostiguy and Roberts 2016](#): 39). That is, the left aims up, the right aims down. But a shared feature of populists is that they set up a top-down, institutionally unmediated relationship between a leader and followers and thus leave followers in a position of institutional weakness.

The limits of populism as a solution to a crisis of representation are equally evident with leftist and conservative versions of populism. Rafael Correa, President of Ecuador from 2007 to 2017, pursued a leftist populist mobilization strategy. As part of that strategy, Correa promised, in his electoral campaign, to represent indigenous groups in government, and he struck a deal with national indigenous confederations. But Correa’s electoral vehicle, PAIS Alliance (Alianza PAIS), had no organic ties with organized indigenous groups. And his government rapidly reneged on his campaign commitments and broke links with indigenous groups.

In turn, Jair Bolsonaro, the extremely conservative President of Brazil, exemplifies the fragility of heterogeneous electoral coalitions

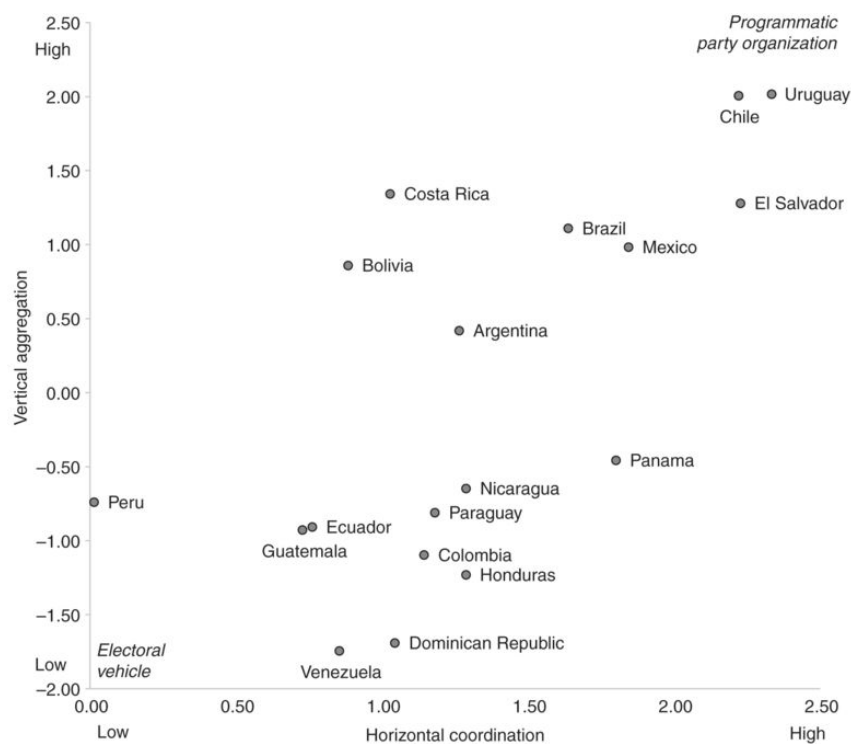
that are brought together in a top-down fashion for strictly electoral purposes. Bolsonaro is said to represent a triple B coalition, made up of cattle ranchers (from *boi*, in Portuguese, oxen in English), a tough-on-crime constituency (from *bala* in Portuguese, bullet in English), and neo-Pentecostal evangelicals (from *biblia* in Portuguese, bible in English). However, these three constituencies only came together under Bolsonaro's leadership, and their respective congressional representatives do not form a cohesive and disciplined group. Thus, while electorally viable, the coalition is organizationally and functionally weak and reliant on its leader.

Populist movements are a response to a genuine problem. They may evolve into representative parties. But their presence is more a symptom of a crisis of representation than a sign of progress in resolving a crisis of representation by building parties that have a stable, organic link with citizens.

### **7.2.3 The Nature of Contemporary Party Systems**

What kind of party systems do Latin American countries have, ongoing changes notwithstanding, as a result of the processes of deconstruction and reconstruction they experienced? Are the parties that make up party systems in the region agents of political representation? To answer these questions, and to complete this overview of parties in contemporary Latin America, we offer a snapshot of the party systems that resulted from the two processes of change we have just discussed using the concepts of electoral vehicles and programmatic party organizations.

As we noted above (see [section 7.1.1](#)), parties that are more than mere electoral vehicles fulfill two functions: horizontal coordination and vertical aggregation. Thus, to show what kinds of party systems Latin America has, we plot countries on a two-dimensional conceptual space that corresponds to these two functions (see [Figure 7.1](#)).



**Figure 7.1** Electoral vehicles and programmatic party organizations: Latin America, 2010–2019.

*Note:* For the “Horizontal coordination” axis, we rely on a measure that uses a 0–4 scale to distinguish whether most parties in the country have or lack permanent organizations in between elections and throughout the country. For the “Vertical aggregation” axis, we rely on a measure that uses a 0–4 scale to distinguish whether parties have programmatic linkages with their voters. For both measures, we rely on V-DEMs standardized scores; thus, the reported scores do not match the original 0–4 scale. To provide an assessment for the 2010–2019 period, we average country estimates for 2010, 2015, and 2019 (for a handful of countries, the most recent available estimate was for 2018).

*Source:* Authors’ elaboration, based on [Coppedge et al. 2020](#).

The interpretation of this figure is relatively straightforward. First, the basic idea is that the more that parties fulfill the functions of horizontal

coordination and vertical aggregation, the more they resemble pure programmatic party organizations. Alternatively, the less that parties fulfill these two functions, the more clearly they can be understood as electoral vehicles. Second, the depiction is a general one. Rather than plotting the location of each party, the figure conveys information about the dominant features of the party system as a whole. Also, rather than plotting the location of party systems at one point in time or tracking changes over time, the figure presents information about the situation in the entire decade of the 2010s. Thus, each dot in [Figure 7.1](#) represents the characteristic of the party system of a country in the 2010s and shows whether parties are mainly programmatic party organizations (those in the upper-right corner), mainly electoral vehicles (those in the bottom-left corner), or some combination of these two options (the intermediary positions between the bottom-left and upper-right corners).

In turn, we can condense the information in this figure as follows. Some countries have parties that are essentially electoral vehicles (Peru, Venezuela, the Dominican Republic, Guatemala, and Ecuador). Most countries have a mix of features, some resembling electoral vehicles more than programmatic party organizations (Colombia, Honduras, Paraguay, and Nicaragua); others looking somewhat more like programmatic party organizations than electoral vehicles (Panama, Argentina, Bolivia, Costa Rica, Brazil, and Mexico). Finally, only a very few countries have programmatic party organizations (Uruguay, Chile, and El Salvador). (As noted, the party systems in countries such as Chile and El Salvador have recently undergone change; yet such alterations are not reflected in this information.)



Thus, the situation in Latin America is mixed, though with more negative than positive cases. Few countries are as extreme as Peru, which we discussed above. Still, most Latin American countries do not have programmatic party organizations. Most party leaders do not work in a coordinated fashion, through a permanent, country-wide organization. They also do not connect to citizens by offering political programs – electoral platforms that become public policy. A great amount of change has not yielded the kind of parties that inspire citizen confidence. (For supplementary assessments of party systems in contemporary Latin America, see [Coppedge 2007](#); Kitschelt *et al.* 2010; [Roberts 2014](#); [Mainwaring 2018](#); and [Luna \*et al.\* 2021a](#).)

#### **7.2.4 A Balance Sheet**

In sum, after the wave of democratization in the 1980s and 1990s, parties and party systems in Latin America underwent many changes. Parties that dominated the political scene in the 1980s and 1990s lost power. This change was associated with a crisis of representation, and many attempts to create new parties were launched.

However, the erosion and collapse of parties was not followed by an equally momentous process of creation of successful parties and by decisive steps to resolve the crisis of representation. In many countries, the vacuum produced by the fading of many parties was filled by short-lived or small parties, coming and going. In those cases, a fluctuating, unstructured, party system contributed to a sense of persistent crisis. Even gains made in building significant and durable parties that could become agents of representation came under threat sometimes. The reconstruction of party systems has been a difficult process and the outcome of this process remains unsettled.

By the twenty-first century, a common feature of Latin American politics was the presence of electoral vehicles, parties that basically are instruments for leaders seeking to run in elections and that do not link politicians to citizens who share similar views about the desired direction for the country. Few countries had parties that acted as agents of representation, and even in these countries signs of distrust in politicians were apparent in the 2010s. Indeed, Uruguay stood alone as the one country in the region with programmatic party organizations that escaped any serious questioning by citizens.

Democracy can function with electoral vehicles. But it thrives only when citizens believe that the politicians they vote for stand for something and will act on the preferences of voters if elected. Only then is democracy a means for advancing collective projects. However, a widespread view among citizens in Latin America is that politicians are out for themselves rather than representing the interests and values of citizens. In fact, in Latin America, it is common to refer to politicians as a “political class” or, even more strongly, as a “political caste” ([Pérez and Sandoval Forero 2003](#): 9; [Zamorano Fariás 2018](#); [Meléndez 2020](#)). Many Latin American citizens view politicians as cut off from common citizens, and this is a key problem of democracy.

## 7.3 Explaining Parties and Political Representation

Why have a few Latin American countries succeeded at building representative political parties while most have failed to do so? A vast literature on political parties in contemporary Latin America discusses various factors and theorizes how they might account for these outcomes ([Mainwaring and Scully 1995](#); [Hunter 2010](#); [Kitschelt \*et al.\* 2010](#); [Morgan 2011](#); [Seawright 2012](#); [Roberts 2014](#); [Levitsky \*et al.\* 2016](#); [Lupu 2016](#); [Handlin 2017](#); [Mainwaring 2018](#); [Silva and Rossi 2018](#)). Of the factors highlighted in this literature, we focus on the following: (1) the economic crisis of the 1980s and the conflict over neoliberalism; (2) leadership, activism, social movements, and resources; and (3) state capacity. Although other factors surely play a role, here we emphasize these political, economic, and ideological factors.

### **7.3.1 Economic Crisis and the Conflict over Neoliberalism**

One process that affected the development of parties was the economic crisis of the 1980s and the conflict over neoliberalism that ensued. The impact of this process was complex. The economic crisis of the 1980s forced a rethinking of the old import-substitution industrialization model in all countries but Cuba (see [Chapter 4, section 4.4](#)). But it did not have the same impact on the party system in all countries ([Roberts 2014](#)).

In cases where neoliberal reforms were carried out by center-left parties or populist leaders, and were not vigorously opposed by labor-based parties, parties that had historically been linked to the labor movement were weakened or lost their profile as representatives of labor. This was the case of Peru, as well as of Argentina, Bolivia, Mexico, and Venezuela, where the old party system was simply undermined and delinked from social cleavages.

This basic argument has been spelled out by various authors. Neoliberal reforms were so unpopular among large parts of the population that several candidates took part in “policy switches” – that is, promising an alternative to neoliberalism in an electoral campaign and abandoning this campaign promise after being elected ([Stokes 2001](#)). In some cases, rapid results in controlling hyperinflation and resuming growth granted some policy-switchers a popularity boost and re-election. But policy switches eventually ended up diluting the party brands of established parties, and brand dilution weakened the ability of parties to credibly mobilize voters in elections ([Lupu 2016](#)).

Furthermore, the actual implementation of neoliberal reforms by parties historically associated with the working class weakened the party organization and the social base of these parties. For example, labor-based parties in Argentina, Mexico, and Venezuela implemented reforms against the interests of its historically associated labor unions. And these reforms proved costly both to parties and to union confederations. Parties and labor unions underwent schisms. Labor flexibilization and de-industrialization also reduced the size of organized labor ([Murillo 2001](#); [Cook 2007](#)). In most of these cases, the view that the Washington Consensus was the only policy option and that ideological conflicts were a thing of the past prevailed, and the building of programmatic party organizations was seriously impaired.

However, in other cases, the conflict over neoliberalism began to serve as a cleavage around which the party system was structured. In the 1990s and 2000s, in most countries, politics revolved centrally around political actors who favored and opposed neoliberalism. And, where market reforms were introduced by conservative parties and were opposed by the left, the party system was structured by the competition between parties that programmatically supported and opposed neoliberalism. This was the case of Brazil, Chile, El Salvador, and Uruguay. In those cases, parties on the left of the political spectrum – some old ones, such as the Socialist Party in Chile and the Broad Front (Frente Amplio) in Uruguay; some newer ones, such as the PT in Brazil and the FMLN in El Salvador – developed a reputation by seeking (in some instances more unambiguously than in others) an alternative to neoliberalism.

The role of conflicts over neoliberalism even served to shape the formation of programmatic parties that had unpropitious origins. In the case

of Bolivia, the old party system collapsed in the 2000s. But the rise of the MAS as a challenger to neoliberalism, and its development of an organization linked with social movements, helped to form a party system that avoided the pitfalls of those based only on electoral vehicles. That is, even though in Bolivia a party historically linked with labor carried out neoliberal reforms, over time the party system was restructured around political actors who favored and opposed neoliberalism when a new party – the MAS – developed a strong reputation as a proponent of an alternative to neoliberalism.

In the case of El Salvador, both the FMLN and ARENA had their origins in a civil war in the 1980s, and they developed their organizations in that context. But, as presidents of El Salvador from the ARENA party implemented neoliberal policies in the 1990s and 2000s, the two parties took on a programmatic profile rooted in the conflict over neoliberalism, with the FMLN providing a programmatic alternative to the pro-business, free-market ARENA. Thus, again, over time, conflicts over neoliberalism infused parties with programmatic content. See [Box 7.3](#) on the ARENA party.

### **Box 7.3** A Closer Look: The Origins of ARENA in El Salvador's Civil War

The Nationalist Republican Alliance (Alianza Republicana Nacional, or ARENA) is an instance of an authoritarian successor party (Loxton 2021). ARENA was founded in 1981 by Roberto d'Aubuisson, an intelligence officer who had links with the death squads active in El Salvador in the late 1970s and early 1980s. ARENA's principles openly embraced anti-communism and anti-reformism. It consolidated through a political alliance between military officers and their paramilitary affiliates, who resisted the leftist insurgency led by the FMLN, and landowning elites, who opposed land reform. Indeed, in a context of civil war, the new party quickly became the favorite political organization of the country's economic elite, which offered financial support for the new party.

However, in the late 1980s, as the civil war came to an end, the party underwent an important change. D'Aubuisson resigned the presidency of ARENA in favor of Alfredo Cristiani, a high-profile business leader. The party gradually shed its Cold War agenda, became the political party of the business sector, and transformed into an advocate of neoliberalism. See [Photo 7.2](#) on D'Aubuisson and Cristiani.





**Photo 7.2 ARENA's shift to neoliberalism** The shift from Roberto d'Aubuisson (left), the founder of ARENA and a committed anti-communist, to Alfredo Cristiani (right), a business leader and promoter of neoliberalism, was a key sign of the party's adaptation to the changing times. The picture shows d'Aubuisson together with Cristiani in 1988.

*Source:* © Cindy Karp/Getty Images.

In 1989, Cristiani was elected president, inaugurating a twenty-year period in which ARENA controlled the national executive. And, during the 1990s and 2000s, ARENA supported neoliberalism and the FMLN expressed opposition to neoliberalism. Thus, the neoliberalism–anti-neoliberalism choice became the key axis of competition between forces that in the 1980s had directly or indirectly confronted each other on the battlefield, and it helped to

structure party competition along programmatic lines ([Koivumäki 2014](#); [Holland 2016](#); [Loxton 2021](#)).

Whether or not conflicts over neoliberalism were glossed over – that is, whether or not neoliberalism was treated as inevitable – did not determine by itself whether party systems would be made up of electoral vehicles or programmatic party organizations. Other factors (which we will discuss next) mattered. Yet, as political scientists [Steven Levitsky, James Loxton, and Brandon Van Dyck \(2016: 3\)](#) argue, “periods of intense polarization ... [and] episodes of intense conflict ... generate the kinds of partisan attachments ... and internal cohesion that facilitate successful party-building.” And conflicts over neoliberalism frequently had that effect. See [Box 7.4](#) on cultural divides that can also be the basis for programmatic parties.

#### **Box 7.4** A Closer Look: Culture Wars and the Evangelical Vote

Contestation over a country's model of economic development is central to most parties' programmatic agendas. Additionally, some new political organizations have mobilized around moral issues and, in particular, against progressive gender and LGBTQ+ legislation enacted in several countries. (We will discuss these laws in [Chapter 8](#).)

The main proponents of these culture wars are evangelical and neo-Pentecostal groups, which have recently expanded their influence in Latin America at the cost of the historically powerful Catholic Church. These groups are especially active in Brazil and Central America; they have less of a presence in more secular societies (e.g., Argentina, Chile, and Uruguay). Further, where they are active, they have roots in society and a capacity to mobilize activists and voters, making them powerful political actors ([Smith 2019](#); [Corrales 2020](#)).

The implications of these culture wars are only gradually emerging, as issues related to gender and sexuality gain salience. Nonetheless, political scientists [Taylor Boas and Amy Erica Smith \(2015\)](#) argue that one tendency that is already visible is that evangelical Christians who tended to vote for the left because of their class position are now shifting toward the right.

### **7.3.2 Leadership, Activism, Social Movements, and Resources**

Even when the experiences a country undergoes are propitious for the formation of programmatic party organizations, the actual building of such parties requires agency, as manifested in skillful political leadership and the work of activists who engage in political organizing, both internally, by connecting groups or factions within a party, and externally, by linking the party to groups in society.

Social movements also play a special role, especially for parties on the left. By unleashing popular discontent, neoliberal reforms fostered the mobilization of new social movements ([Silva 2009](#); [Silva and Rossi 2018](#)). In countries such as Bolivia and Ecuador, these movements activated ethnic grievances and politicized indigenous and mestizo identities ([Van Cott 2005a](#); [Yashar 2005](#); [Madrid 2012](#)). In other cases, such as in Argentina and Brazil, informal sector workers mobilized around territorial identities, forged new movements, and sought innovative alliances with traditional labor movements ([Garay 2016](#); [Rossi 2017](#)). If matched with apt political leadership, social movements can be a key impetus to party building and an eventual component of a party's base.

Finally, resources are always important ([Gutiérrez and Zovatto 2011](#); [Cyr 2017](#); [Parkinson and Zaks 2018](#)). Resources can be the organizations created by guerrillas. They can be labor unions or business networks. They can also be money, an increasingly indispensable ingredient in party building. Success in party building depends on the availability of considerable resources.

These are a demanding set of factors. And we illustrate next the way in which these factors work with three examples from Brazil, Bolivia, and Uruguay. The cases we discuss (the PT in Brazil, the MAS in Bolivia, and the Broad Front in Uruguay) are all relatively successful examples of party building, where the right confluence of factors largely came together. Thus, these cases

stand out as exceptions. Indeed, the broader point of the analysis is to show why it is difficult to form parties that are genuinely representative.

***The PT in Brazil.*** The Workers' Party (Partido dos Trabalhadores, or PT) was founded during Brazil's democratic transition from military rule (1964–1985) as an outgrowth of the labor movement, which played a pivotal role in the opposition to authoritarian rule. After the end of military rule in 1985, the PT continued to engage closely with various social movements, such as the highly influential Landless Workers' Movement (Movimento dos Trabalhadores Sem Terra, or MST). The PT sought to portray itself as a new, distinctive kind of party, and part of its trademark was an emphasis on a grassroots and participatory style – a form of “bottom-up” action called *basismo* in Portuguese – through which the party aspired to deepen Brazilian democracy ([Keck 1992](#)). See [Photo 7.3](#) on the PT.



**Photo 7.3 The PT's origins in the labor movement** Brazil's Workers Party (PT) grew out of the labor movement and allied social movements in the late 1970s. The PT's most influential leader, Luis Inácio "Lula" da Silva, was initially a leader of the Metalworkers' Union, in the industrial city of São Paulo. In the photo, Lula addresses a crowd in São Paulo, in 1982, with a banner showing the PT logo behind him.

*Source:* © Bettmann/Getty Images.

The party's distinctiveness was further developed when it adopted several rules and policy positions. The party used a highly routinized process for

selecting party leaders and attracting new members to the party. It became a cohesive and disciplined organization and, following its early successes in legislative elections, acted in the legislature in a coordinated fashion. Following its first victories in elections for mayors, it introduced participatory budgeting in the municipalities under its control. It also espoused a clear leftist position, critical of various aspects of capitalism. The PT was establishing its brand as an internally cohesive party with a leftist programmatic agenda ([Hunter 2010](#)).

Two additional features of the PT's growth are noteworthy. First, in 1990, the party's key leader, Lula, as Luis Inácio da Silva was popularly known, decided not to seek re-election to congress and to focus instead on expanding the PT's territorial reach. The party's electoral base at the time was heavily concentrated in the south of the country and in Brazil's industrial centers – areas where organized labor, an initial constituency of the PT, was strong. In other regions, such as the extremely poor northeast, the political landscape was dominated by personalistic and clientelistic electoral vehicles controlled by landowning elites. If the PT was going to become a party of national scope, it needed to expand its reach. And this was a task to which the top leadership turned.

Second, the PT's leaders made a key decision regarding its platform. The PT maintained its leftist programmatic commitments to its core constituency; it did so especially through its unrelenting resistance to free-market reforms, such as the pension reform that would have reduced benefits to public employees proposed by President Fernando Henrique Cardoso (1995–2002). However, it also sought to increase its electoral support and, to this end, embraced moderation.

This change had inward- and outward-looking aspects. The PT used its experience at the municipal level, where it scored important victories, to induce pragmatism and political learning within the party and to signal moderation to



voters. Indeed, the practice of governing exposed many PT leaders to the complexities of government decision-making. And the good performance of the PT in the municipalities it governed went a long way toward convincing voters that the PT could take reformist campaign promises and turn them into government policy. Relatedly, the PT changed both its internal practices, as it adopted modern political marketing technology such as frequent polling, and its public image, by detaching itself from the more radical social movements and de-emphasizing its socialist platform ([Hunter 2010](#)).

The evolution of the PT makes it a remarkable success story. It started out with strong internal discipline and partisan identification. Subsequently, it sought to increase its support and underwent some changes. But rather than fully abandon its roots, it sought to grow by adopting a carefully calibrated commitment to change and a realistic appreciation of the compromises it needed to make to win a national election. And these choices eventually paid off. The PT, founded in 1979, won successive victories in presidential elections in 2002, 2006, 2010, and 2014.

This record, which shows how a programmatic party organization can be built, has one important blemish, nonetheless. As is the case of all parties, the PT required considerable funds to run in elections and to maintain the party organization. And in this regard the PT leadership erred in a fundamental way. The PT's mistake, which was particularly damaging to the party's image, was its use of ill-gotten public funds for partisan purposes.

The PT's image was initially tarnished in 2005 by a vote-buying scandal. In this scandal, known as the "big monthly bribe" scandal (the *mensalão* scandal, in Portuguese), the PT paid legislators, on a monthly basis, to vote for legislation favored by the PT government led by Lula. More devastating was the Operation Car Wash scandal (*Operação Lava Jato*, in Portuguese) that erupted in Brazil in 2014 and affected the PT as well as other parties. In this scandal, funds from



Petrobras, the state-owned petroleum company, were funneled through private companies to politicians and the party. A huge amount of political capital accumulated over a considerable time was lost and the party-building effort was greatly set back. See [Box 7.5](#) on the impact of corruption on party building.

### **Box 7.5** Connections: Party-Building Resources and High-Level Corruption

The building of political parties requires resources. The initial formation of a party's organization, connecting politician to politician and politicians to voters in a sometimes vast territory, requires significant funds. Maintaining the party organization after it has been set up costs money. Running electoral campaigns is an increasingly expensive enterprise.

Thus, a key challenge for political leaders seeking to build parties is how to manage the temptation to rely on money from illegal sources. The payoffs of relying on illegal funds from private actors or public sources are important; sometimes a party would simply not get started without such funds. However, the risks are also great. Even if such moneys are used strictly for partisan ends and never for personal purposes, the exposure of such practices to the public can have a highly damaging impact.

The record in this regard is clear. Some old and new parties in Latin America that were very successful have been severely affected by corruption scandals.

The two-party system in Venezuela built around the AD and COPEI collapsed in the 1990s in part because Hugo Chávez was able to credibly portray the leaders of both parties as corrupt. Then, after being elected as an outsider, Chávez radically transformed Venezuela's party system ([Coppedge 2005](#); [Seawright 2012](#)).

In more recent times, the election of outsiders in Mexico, Brazil, and El Salvador was linked to corruption within parties that, at least in

the cases of Brazil and El Salvador, had made strides toward becoming representative parties.

Part of the context of the election of Andrés Manuel López Obrador as President of Mexico in 2018 was the widespread view that the main parties in Mexico, starting with the PRI, were corrupt. The election of Jair Bolsonaro as President of Brazil in 2018 occurred in the wake of a vast corruption scandal that affected the PT and other key parties. Along similar lines, the election of Nayib Bukele as President of El Salvador in 2019 occurred at a time when three presidents who had governed from 1999 to 2014 and who were members of both the ARENA and FMLN parties were under investigation or had been sentenced for corruption.

High-level corruption is a civil rights issue, which we will address in [Chapter 10](#). However, it has a key impact on democracy and parties. Party building not only requires skillful political leadership. It also requires that party leaders display political integrity and concerted vigilance to ensure that no party leader breaks the law in his or her effort to secure resources for the party.

***The MAS in Bolivia.*** The Movement for Socialism (Movimiento al Socialismo, or MAS) is another example of successful party building. The MAS originated as a “political instrument” for the representation of coca-grower peasant groups that resisted coca eradication policies in the Chapare region of Cochabamba, Bolivia, in the late 1980s and early 1990s. It also developed links with indigenous organizations. Subsequently, the MAS transitioned from being a social movement into Bolivia’s largest electoral force in the course of ten years – a short time by comparative standards. See [Photo 7.4](#) on the MAS.



**Photo 7.4 The MAS as a party with popular roots** The Movement toward Socialism (MAS) party grew out of an alliance among rural trade unions and indigenous organizations that started to act in concert in the protests against the 500th anniversary of Columbus's arrival in the hemisphere. This photo shows indigenous supporters of Evo Morales (the banners carry his picture and the logo of the MAS party) in the context of the 2005 electoral campaign.

*Source:* © Alvaro Ybarra Zavala/Getty Images.

The first incursions into electoral politics proved to be highly consequential. Bolivia's indigenous population had not seriously tested the

option of using electoral means to seek change in the 1980s and most of the 1990s. However, electoral gains by the MAS in the 1999 municipal elections had several effects. They convinced leaders of the potential of electoral mobilization. They gave visibility to Evo Morales, a leader of the cocalero (coca growers) union, and helped to consolidate Morales's leadership within the cocalero union. And they transformed the cocalero movement into the leading organization within the indigenous and peasant movements of the country.

The next phase in the MAS's growth revolved around the projection of Morales as a national figure. Key to this development was a wave of protests against the neoliberal reforms promoted by Bolivia's traditional political elite. Evo Morales and the MAS played a critical role in various social protests: the Water War in Cochabamba during 2000; the Gas War in 2003, which led to the resignation of President Gonzalo Sánchez de Lozada; and the second Gas War in 2005, which triggered the resignation of President Carlos Mesa. In a short time, Morales's electoral appeal grew and the MAS, which had originated in the Chapare region, became a national party.

The formation of the MAS is a fascinating and complex story, as analysts have shown ([Van Cott 2005a](#): ch. 3; [Muñoz-Pogossian 2008](#); [Zuazo 2009](#); [Madrid 2012](#): ch. 2; [Anria 2018](#)). Here we highlight two features.

First, the relationship between the MAS as a party and a social movement is distinctive. The MAS developed a core constituency in the countryside, among rural communities that resisted state repression and neoliberal reforms. Those communities, populated by coca growers as well as by former miners with a union-organizing past, were pivotal in designing the political instrument through which they sought to defend their interests. But their role goes further. The organized groups that helped create the party remained active in party affairs and kept the party leadership accountable to the party's base. That is, the

MAS retained its organic links with the rural social movement that created the party.

Second, the role of leadership, in adopting a pragmatic strategy, was key to the transformation of the MAS from a regional party into a national party. The MAS's ethno-populist appeal undoubtedly resonated with peasants and sectors of the population that self-identified as indigenous. However, to expand its electoral base to urban areas, especially in La Paz and El Alto, the MAS party leaders moderated their ethnically focused message, sought to appeal to nonindigenous people of various classes, and formed alliances with a wide set of organizations.

This ideological flexibility differentiated the MAS leadership from other leaders, who espoused a more restrictive ethnic ideology. For example, leaders such as Felipe Quispe defended a radical line of thought, which highlighted ethnic-based solidarity and mainly sought to mobilize indigenous groups. Also, this ideological flexibility was responsible for the MAS's success in turning the party into an attractive umbrella organization for those mobilizing and protesting against Bolivia's traditional political elite and their neoliberal agenda. Indeed, one of the distinctive features of the MAS was its ability to engage in a delicate balancing act: operating as a movement-party with respect to its original base, while also pragmatically mobilizing its urban bases as an electoral party. This was a formula that launched Evo Morales and the MAS to the presidency in 2006 and was not abandoned throughout Morales's tenure as president, from 2006 to 2019.

Thus, the MAS confirms many of the lessons of the PT case regarding the ingredients that go into successful party building. Success came through skillful political leadership, strong links with social movements, and a distinct but not rigid programmatic profile.

As with the PT, the MAS's record was also tarnished by an important blemish. Morales insisted on running for a fourth consecutive term in 2019, even after voters had rejected that possibility in a referendum. And this action led to a serious political crisis in Bolivia. Nonetheless, the staying power of the MAS after this political error was rapidly reaffirmed when it won the presidency again, in 2020, under the leadership of a new figure, Luis Arce.

***The Broad Front in Uruguay.*** The Broad Front (Frente Amplio) in Uruguay, our third and last case, shared characteristics with the PT and the MAS.

Much like the PT, a key stage in the growth of the Broad Front was associated with its access to government at the municipal level, with its initial electoral victory in Montevideo, the capital city of the country, in 1989. (The Broad Front was founded in 1971, but its development was halted during the country's authoritarian regime (1973–1985) and thus largely occurred after Uruguay returned to democracy in 1985.) The experience of governing at the municipal level was instrumental in inducing moderation and demonstrating the party's ability to govern effectively and keep electoral promises. It also expanded opportunities for members of the party, helping to form new leaders and renovate the leadership of the party. As political scientist [Fernando Rosenblatt \(2018\)](#) highlights, such experience enabled the party to effectively channel the ambition of party activists, while reducing incentives for defection and fragmentation.

The Broad Front also resembled other leftist parties with regard to its search for new voters. Seeking to expand its electoral support, it capitalized on discontent with neoliberal reforms and expanded its reach to new constituents in the informal sector by presenting a program critical of neoliberalism. Crucially, it also managed potential conflicts among its varied constituencies in a skillful manner. Part of the leadership and membership of the Broad Front came from the Tupamaros, a former guerrilla organization that had been active in the 1960s

and 1970s. And this feature could potentially limit the growth of the Broad Front. However, under the leadership of José Mujica, who had been a Tupamaro leader and had undergone imprisonment during military rule, the Broad Front embraced moderation in such a way as to recruit new activists without alienating its more radical core ([Luna 2016](#); [Pérez Bentancur et al. 2020](#)). Much like the PT and the MAS, the Broad Front managed to broaden its appeal while maintaining a coherent programmatic profile.

The experience of the Broad Front is the most successful one by a leftist party in Latin America. The party governed Uruguay for three successive terms, from 2005 to 2020. During this time, it accumulated a strong record of accomplishments. Its fortunes have been less tied to one single leader than has been the case of other leftist parties. It largely avoided corruption scandals, and one of the Broad Front's presidents, José Mujica, even set a world example by maintaining an austere lifestyle. Also, when it was defeated in 2019, it oversaw a smooth transition that followed institutional practice and strengthened democracy. The Broad Front avoided some of the costly errors made by leaders of the PT and the MAS.

At the same time, the experience of the Broad Front further confirms the lessons that emerge from the experience of the PT and the MAS. As these three cases show, party building is a distinctly political task in which politicians, together with party and social activists, play a key role. Politicians must seize opportunities. Politicians must balance various considerations. And politicians must navigate around various possible pitfalls, as they seek to strengthen the party's internal discipline and the party's connection with an electorate that is broad enough to win elections. Politicians are not the only actors who should be assigned credit for success or blame for failure in party building. Indeed, in [Box 7.6](#), we draw attention to the role of all citizens in the building of parties. Still, the role of politicians is clearly central.



### **Box 7.6** Debates: And What about the Duties of Citizens?

We have offered a largely politician-centered account. Yet, parties that act as agents of representation thrive inasmuch as citizens participate and do so through parties. Put starkly, political representation requires that all citizens above a certain age participate actively in the public affairs of their countries.

To assess citizen involvement, we can consider various sources of information, which offer a somewhat positive picture. Yet some observers question whether Latin American citizens are doing their part to resolve the crisis of representation that has affected many countries.

If we focus on participation through the classic mechanism of representation, the casting of votes for representatives, the evidence is for the most part positive. Voter turnout is generally high, except in a few countries (see [Table 7.3](#)). The most concerning cases are those with chronically low levels of electoral participation (Colombia) and those that have seen a significant decline in voter turnout (Chile, Costa Rica, El Salvador, Honduras, Mexico, Nicaragua, and Paraguay). For the sake of comparison, the average voter turnout in congressional elections in the United States in the 2010s was 55.5 percent (oscillating between 49 percent in midterm elections and 65 percent in years that coincide with presidential elections.)

**Table 7.3** Voter turnout: Latin America, 1990s–2010s

Region/country	Voter turnout (as a % of registered voters)		
	1990s*	2010s*	Change 2010s, relative to 1990s
<b>South America</b>			
Argentina	81.8	79.1	-2.8
Bolivia	71.8	85.9	14.2
Brazil	81.8	80.8	-1.0
Chile	91.0	47.9	-43.1
Colombia	42.4	45.4	3.1
Ecuador	66.7	79.4	12.7
Paraguay	73.4	64.6	-8.8
Peru	71.3	79.9	8.6
Uruguay	90.6	89.9	-0.7
Venezuela	56.3	70.1	13.8
<b>Mexico, Central America, and the Caribbean</b>			
Mexico	65.5	57.8	-7.7
Costa Rica	77.6	67.7	-9.9
El Salvador	65.7	49.2	-16.6
Guatemala	41.2	68.0	26.8
Honduras	70.9	56.9	-14.0
Nicaragua	79.0	71.3	-7.7
Panama	74.8	73.0	-1.9
Cuba	–	–	–
Dominican Republic	50.5	59.8	9.3
<i>Latin America**</i>	69.6	68.1	-1.4

*Notes:* – Data are not available.

\* The data are an average for all elections for congress in each decade.

\*\* The regional average for Latin America is a simple average.

*Source:* Authors' elaboration, based on data from [International IDEA 2020](#).

Social media activism provides further evidence of citizen involvement. It has played a positive role in the protests against unrepresentative and unresponsive governments, for example in the wave of protests in Bolivia, Brazil, Chile, Colombia, and Mexico in 2019. In particular, the use of social media (Twitter, Facebook, and

WhatsApp) is linked with the participation by young people in these protests ([Wu 2020](#)). Social media has also been used by party activists as a means for parties to engage on a regular basis with volunteers ([Vommaro 2017](#)).

Even so, some analysts cast the role of citizens in a somewhat negative light. They hold that frequent engagement with information spread through social media breeds excessive distrust in democratic institutions, thus generating openings for outsiders ([Lupu et al. 2020](#)). In other words, although participation in exchanges through social media can expose failings of representation, it might also prevent the construction of strong links between citizens and politicians.

Additionally, some observers suggest that one cause of the crisis of representation in Latin American countries is the growing emphasis on consumerism and the associated spread of extremely individualistic behavior ([Canclini 2001](#); [Garretón 2016](#)).

The broad issue raised by these exchanges concerns the duties of citizens in democracies and, more specifically, in the crisis of representation in Latin America. Politicians deserve to shoulder a big part of the blame for the lack of trust of citizens in parties. However, politicians can act as representatives of citizens only inasmuch as people participate responsibly in politics and treat citizenship as a bundle of rights and responsibilities. Thus, it is valid to ask whether people fulfill their duties as citizens on an ongoing basis, and it is justified to suggest that citizens, and not only politicians, must show more commitment to democracy.

### **7.3.3 The Weight of a Weak State**

Finally, another key factor that explains the poor record of most countries in building representative political parties is the capacity of the state. For parties to connect with citizens and to consolidate their role as actors that stand for certain programs, it is fundamental that, when they win elections and have a chance to govern, they deliver public goods. After all, the basic point about party programs is that the winning party will implement their programs and produce results that their supporters want, as opposed to just making statements or even passing laws. Yet, the chronic weakness of Latin American states indirectly hinders the formation of programmatic party organizations.

Weak states limit the possibility that elected officials can deliver public goods. An officeholder might seek to implement some reform in the education sector, yet find that public employees in the ministry of education lack the needed information about the state of the educational sector or are opposed to and hence block the proposed reform. Or an officeholder could set out to reduce crime and corruption but have to work with security forces that are infiltrated by organized crime and members of the judiciary willing to grant impunity for acts of corruption in exchange for a bribe. That is, an honest politician with the full intention of following through on campaign promises might find that state agents are unable or unwilling to implement certain public policies.

In turn, the failure to deliver on campaign promises and to produce results leads, rather predictably, to the questioning of politicians. Citizens have a certain amount of patience and are willing to wait for results to be

delivered. They realize that some changes take time. Citizens have some understanding of the complexity of policy implementation. For example, they know that some police departments are corrupt and reforming such police departments is likely to face resistance and that some procedures must be followed. However, politicians who hold public office are rightly seen as being at least nominally in charge of the state. And a common pattern in Latin America is that expectations regarding the performance of governments are dashed and that public discontent with officeholders, and the parties they belong to, rapidly ensues ([Carlin \*et al.\* 2018](#)).

Thus, an important source of the crisis of representation in Latin America is the kind of states the region has – in essence, semi-patrimonial states that are rife with corruption and favoritism and that are not committed to the rule of law. Politicians can be extremely able and can come to office with well-thought-out programs. Nonetheless, they must work with the public administrations that have been developed in the past. And they pay a political cost for earlier failings in state building. (Over time, once democracy has endured for a while, it is legitimate to ask why politicians do not reform the state and hence remove an obstacle to government performance. But the legacy of past choices still carries considerable weight.)

Deficits in state capacity frequently undermine the ability of politicians to bring about tangible changes. And the failure to deliver the results citizens expect weakens their link with politicians and undermines the prospects of building parties that have the trust of citizens. Indeed, since a capable state has been built in few Latin American countries (see [Chapter 1, section 1.4](#)), this is a widespread hindrance to the building of parties that are agents of representation.

## 7.4 Summary

In this chapter, we identified political parties as fundamental organizations in democracies, introduced a key distinction between two types of parties – electoral vehicles and programmatic party organizations, and emphasized that a democracy without programmatic party organizations is a flawed, incomplete democracy.

Turning to the question, Are political parties in contemporary Latin America authentic agents of political representation? we offered evidence to show that the parties that were protagonists of the first democratic elections after the third wave of democratization have eroded or even collapsed in many countries. We also showed that the crisis of representation manifested by the decline of parties was not resolved by the replacement of old parties by new parties that were trusted by citizens. A common feature of contemporary Latin American politics is the presence of electoral vehicles, parties that are basically instruments for leaders seeking to run in elections and that do not seek to advance the public interest of citizens.

Finally, we addressed the question: Why have some countries failed and others succeeded at building political parties that are agents of political representation? We offered an answer based on several factors. Where neoliberalism was viewed as the only option, parties were weakened; and where conflict over neoliberalism served as a cleavage around which the party system could be structured, the formation of programmatic parties was more likely. Where political leaders were skillful, activists were committed, social movements were active, and resources were available – a

demanding set of conditions – the prospects of forming programmatic parties increased. Where these conditions were not present, the prospect of forming programmatic parties was low. Finally, where a lack of state capacity limited the possibility that elected officials could deliver public goods, the formation of programmatic party organizations was impaired.

Since the 1980s, democracy has become the norm in Latin America. However, Latin American democracies are beset by problems. As [Chapter 5](#) underscored, few of the region's democracies are high-quality democracies. As [Chapter 6](#) emphasized, although important steps have been taken to include citizens in decision-making, some groups – indigenous peoples and Afro-descendants, in particular – are not as politically included as others. Democracy works better for some categories of citizens than for others. Furthermore, as this chapter has shown, few democracies have parties that are agents of representation. And this lack of a substantive, meaningful sense of representation is a crucial problem of democracy.

## Discussion Questions

1. Political parties are widely considered a key aspect of democracy. But not all parties are the same. How can parties be distinguished? What is the difference between electoral vehicles and programmatic party organizations? What is the significance of this difference for democracy?
2. Party systems in Latin America have undergone significant changes since the 1980s. What are the main trends regarding parties? What types of parties does Latin America have? Why do many observers argue that Latin America is experiencing a crisis of representation?
3. How can the different types of political parties in contemporary Latin America be explained? What factors account for success in building parties that are agents of political representation? What are some of the reasons why Latin American countries have often failed to build parties that are agents of political representation? Can you think of some factors that were not discussed in this chapter that are relevant? What might be done to make parties more representative?



## *Resources*

## Additional Readings

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*LAPOP (Latin American Public Opinion Project)*. A US-based research institute specializing in the analysis of public opinion surveys in Latin America. It includes survey data from the bi-annual Americas Barometer and reports on various aspects of Latin American politics based on survey data. Website: [www.vanderbilt.edu/lapop/](http://www.vanderbilt.edu/lapop/)

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*Observatorio REFPOL (Observatorio de Reformas Políticas de América Latina)*. A site coordinated by Flavia Freidenberg that offers up-to-date information on various aspects of politics in Latin America, such as electoral campaigns, electoral systems, political parties, the financing of parties, and presidents and congresses. Website: <https://reformaspoliticas.org>



## Documentaries

*Cocalero* (2007). 84 minutes. Focuses on Evo Morales, President of Bolivia (2006–2019), from his roots as an organizer of Bolivian coca farmers to his rise to the presidency.

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*Comrade Evo* (2009). 45 minutes. Explores the inner workings of power in Bolivia, with a focus on the initial years of the presidency of Evo Morales.

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*El Pepe, a Supreme Life* (2018). 74 minutes. An examination of the life, times, and legacy of José “Pepe” Mujica, former guerrilla, key leader of the Broad Front, and President of Uruguay (2010–2015).

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*Revolution in Ruins: The Hugo Chávez Story* (2019). 59 minutes. Tells the story of Hugo Chávez’s fourteen-year presidency of Venezuela (1999–2013).

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It covers Hugo Chávez of Venezuela; Evo Morales of Bolivia; Cristina Kirchner of Argentina; Rafael Correa of Ecuador; Fernando Lugo of Paraguay; and Lula da Silva of Brazil.

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*What Happened to Brazil?* (2019). Three episodes of 23 minutes each. They focus on Brazil during the 2013–2018 years. Episode 1, *The Dream Dies*, shows how widespread corruption, mass protests, a recession, and violent crime undermined what appears as a successful period in the country's history. Episode 2, *The Carwash and the Coup*, focuses on the Lava Jato corruption scandal that broke in 2014 and the impeachment of President Dilma Rousseff in 2016. Episode 3, *A Divided Nation*, follows the process that led to the rise to power of Jair Bolsonaro.

## Part III



# Civil Rights as a Problem *for* Democracy

8

# The Protection of Civil Rights

*A Pending Task for Democracies*





**Photo 8.1 Equality before the law** The principle of equality before the law is a key aspect of civil rights. The Bolivian government printed the sign shown above – which says “We are all equal under the law” – to promote awareness of a 2010 law against racism and all forms of discrimination. The struggle for democracy occupied center stage in Latin America in much of the twentieth century, and problems of democracy continue to be salient. However, a novelty of Latin America in the twenty-first century is that civil rights have gained a salience they did not have in the past. The idea that citizenship rights include civil rights is now a widely accepted precept in the region.

Typical analyses of Latin American politics offer a narrative built around the struggle to gain and maintain democracy. This story, about political rights, is justly treated as central. Indeed, it is with good reason that scholars consider democracy as a master concept in studies of Latin American politics. Democracy is the most recognized standard for assessing the politics of countries in the region. Basically, governments are considered legitimate only if they are the result of democratic elections,

follow the constitution when making decisions, and respect democratic rights.

However, citizens not only value democracy. They want to vote and to participate in politics. But they also want a government that maintains the safety of their communities and that prevents discrimination, courts that adjudicate the law fairly, good schools, accessible health care, and a clean environment. That is, citizens generally value a broad set of citizenship rights, which include civil and social rights.

Inasmuch as citizens live in a democracy, they also frequently expect that democracy will deliver these goods, whether they consider them as rights or not. And their sense of the legitimacy of democracy is partly contingent on how well democracy does in recognizing and guaranteeing these other goods.

Thus, deficiencies regarding various civil and social rights are doubly important. They are crucial in themselves. For example, we value life and hence see homicides as a social evil, regardless of other matters. Additionally, for countries that are democratic, such problems also become problems *for* democracy, problems that citizens expect or hope democracy will address and solve – and that have key implications for democracy.

[Part III](#) of this book starts our discussion of problems *for* democracy by addressing civil rights. And this chapter provides an introduction to, and an overview of, civil rights in contemporary Latin America.

First, we address some conceptual questions: What are civil rights? How are they different from political rights? What are some of the key specific civil rights? Second, we turn to the empirical record of Latin America and ask: What is the state of civil rights in contemporary Latin America and, in particular, in the region's democracies? To this end, we use

a variety of sources of information and provide a comprehensive picture of civil rights in all Latin American countries. We also discuss why the failure to protect civil rights is significant for democracies. Third, we explore the factors that explain the state of civil rights in contemporary Latin America. Among the various arguments that we consider is whether the conquest of democracy in Latin America has served as a basis for expanding citizenship by stimulating gains in civil rights.

This chapter offers a first glance at complex civil rights issues and provides a sweeping overview of developments. It aims more at introducing ideas than at elaborating them. Because it depicts the state of civil rights in an encompassing way, covering multiple civil rights in all Latin American countries, it sacrifices depth for the sake of coverage. The purpose of this chapter is to map out a broad field of study and open a discussion that we will continue throughout [Part III](#) of the book. Thus, we will use this chapter as a point of entry to our discussion of civil rights. Then, in the next three chapters, we will address in depth topics we preview here (transitional justice, high-level corruption, and violence), elaborate ideas briefly presented here, and make ample use of case studies to anchor our analysis.

## **8.1 The Concept of Civil Rights**

We start by addressing a basic question: What are civil rights? We also address two related questions: How are civil rights different from political rights? What are some of the key specific civil rights? We review both points of agreement and points of debate and then offer the definition of civil rights that we will use throughout this chapter.



### **8.1.1 Agreements about the Meaning of Civil Rights**

The idea of civil rights has its origins in the liberal tradition of political thought that was launched in the seventeenth century. In particular, it is associated with British thinkers such as John Locke and John Stuart Mill, and French thinkers such as Montesquieu, Benjamin Constant, and Alexis de Tocqueville. These thinkers all explain what is distinctive about civil rights in a similar way and they also agree that civil rights are a class of rights that can be distinguished from political rights.

According to this established view, civil rights are those rights and liberties that defend individuals from possible abuses of state power and protect the individual from undue interference by the state. In contrast, political rights – which are at the heart of democracy – ensure that individuals can have a say in government decision-making and can participate (directly and indirectly) in decisions about the goals pursued through the use of state power.

There is also considerable agreement among scholars regarding what specific rights are civil rights and even about which civil rights should be given priority. Standard lists of civil rights include the right to life, equality before the law, the right to due process, freedom of speech and expression, the right to a free press, freedom of association, freedom of assembly, and other such rights and liberties. Moreover, efforts to identify what rights should be included in a list of civil rights routinely recognize that some civil rights are a matter of higher priority than others. The reasoning is that some rights (e.g., the right to life or freedom from slavery) are needed for the enjoyment of other civil rights. To signal the relative importance of some

civil rights, these rights are usually given the label of “fundamental freedoms.” See [Box 8.1](#) on the related idea of nonderogable rights in international law.

### **Box 8.1** A Closer Look: Civil Rights in International Law

Under international law, there is a key distinction between derogable and nonderogable rights. Derogable rights are those rights and freedoms that may be suspended during a state of emergency. An example of a derogable right is the detention of a person by a government without trial.

In contrast, nonderogable rights cannot be suspended or compromised under any circumstance by a government. Nonderogable rights are listed in Article 4 of the United Nations’ International Covenant on Civil and Political Rights (ICCPR) and include: the right to life; freedom from torture; freedom from slavery and servitude; freedom from arbitrary deprivation of liberty; and freedom of thought, conscience, and religion ([UN General Assembly 1966a](#)).

In addition, in 2001, the United Nations’ Human Rights Committee stipulated further exigencies for states beyond those in Article 4 of the Covenant: the treatment with humanity and respect for the dignity of people deprived of their liberty; the prohibition against taking hostages, abductions, or unlawful detention; the protection of the rights of minorities; and the ban on forced displacement ([Human Rights Committee 2001](#)).

### 8.1.2 Debates about the Meaning of Civil Rights

Although there is considerable agreement about the concept of civil rights, there is still an ongoing debate about the nature of civil rights and which civil rights should be prioritized.

Many legal scholars – known as legal positivists – argue that only legal rights exist ([Bentham 1782 \[1970\]](#)); but others claim that moral rights are also civil rights ([Dworkin 1978, 1986](#)). Most thinkers hold that civil rights are strictly individual rights ([Locke 1988 \[1689, 1764\]](#)); yet some argue that they encompass both individual rights and group rights ([Kymlicka 1995](#)).

More specifically, on the issue of individual and group rights, the recent push to recognize the rights of indigenous peoples has triggered a debate about what it means for certain groups to have rights. Some scholars hold that indigenous peoples should have the same specific rights as any other individuals in a country. Others maintain that indigenous peoples are entitled to a different set of rights. Indeed, there is an ongoing debate about whether rights are strictly individual matters or are also matters pertaining to groups or collectives ([Jones 2016](#)), or, in other words, whether countries should have a unitary legal framework or a plurality of legal regimes ([Günther 2008](#)).

There is also disagreement about which civil rights are fundamental and might be considered as priority ones. For example, it is conventional in the United States to invoke Locke's trinity of key civil rights – life, liberty, and property – and to highlight their importance over other civil rights. However, one of the most prominent liberal political philosophers of the

twentieth century, John Rawls, does not include private property among the list of goods that he sees as necessary for a free people ([Rawls 1999](#)).

The concept of civil rights is not completely settled.

### 8.1.3 A Working Definition of Civil Rights

Mindful of the open nature of this discussion, but also recognizing the need to adopt some concept, we start by proposing a working definition of civil rights that we will use in our empirical analysis.

***The Nature of Civil Rights.*** Most broadly, we consider *civil rights* as rights that, as emphasized in the liberal tradition, concern the autonomy of the individual. Relatedly, we follow convention and distinguish civil rights from political rights as follows. Civil rights defend individuals from possible abuses of state power and protect individuals from undue interference by the state. In contrast, political rights enable citizens to participate (directly and indirectly) in the process of decision-making.

We note nonetheless that some civil rights, such as the freedom of speech and expression, are essential to the use of political rights. How could a citizen cast an informed vote if candidates are not free to express their views? Indeed, we have included a select few in our definition of democracy (see [Chapter 5, section 5.1](#)). Thus, we emphasize that some civil rights can be treated simultaneously as both civil rights and political rights. (This definition still differs from the way in which the term “civil rights” is commonly used in the United States, where calls regarding the right to vote have been framed as a civil rights issue – in this book, we classify the right to vote rather as a political right.)

With regard to some debated issues, we do not rely on a restrictive view of civil rights. Although the recognition of civil rights in law is an important step, we do not hold that civil rights necessarily have to be legally acknowledged to be considered rights. For example, it is as

appropriate to claim that there is discrimination against women if they get paid less than men for the same work, whether or not the law bans discrimination based on sex. That is, claims about civil rights can be based solely on ethical or moral grounds. Moreover, although civil rights are fundamentally individual rights, we do not exclude group rights.

***A List and a Prioritization of Civil Rights.*** Turning to the list of rights that qualify as civil rights, we propose a rather long list of rights that we group under four categories ([Nickel 2007](#): ch. 6):

- (1) Equality rights
- (2) Liberty rights
- (3) Security rights
- (4) Due process rights

Moreover, we treat some civil rights as more fundamental than others; in the language of international law, we consider some rights as nonderogable ([UN General Assembly 1966a](#)).

*Equality rights* aim at ensuring that citizens enjoy a relatively equal set of rights and encompass two specific rights. On the one hand, equality rights ensure that the powerful and the wealthy are bound by the law – an idea conveyed by the phrase “equality before the law.” These rights mandate, for example, that political rulers cannot command state security forces to kill people other than during a legally authorized war and that rulers cannot appropriate public resources for private use. They also prevent economically powerful actors from certain acts, such as bribing government officials. On the other hand, equality rights ensure that the weak and

vulnerable are protected by the law – a principle communicated by the phrases “equality of rights” and “freedom from discrimination.”

*Liberty rights* are those rights that are most clearly individual in nature, although they are usually enjoyed in groups. Within this category of rights, the most important are the freedom from slavery and servitude, and freedom of thought, conscience, and religion; these are nonderogable rights. However, the category of liberty rights is a broad one, and it includes a well-known set of rights, such as: the right to privacy; the right to a free press and to access to information; and freedom of speech and expression, association, assembly, and movement.

*Security rights* relate to an individual’s most basic physical needs, life and physical integrity. Both the right to life and the right to physical integrity are nonderogable rights. Thus, a case can be made that, as a category, security rights are the most important or basic ones.

Finally, *due process rights* are rights that protect people, most critically, against arbitrary arrest and detention. Indeed, the ban against the holding of political prisoners – people imprisoned on political grounds – is a nonderogable right. Nonetheless, there are other due process rights. One is the right of the accused to a fair trial. The powerful and the weak should be treated equally for similar crimes. Another is the right of victims to the certain and prompt administration of justice. Crimes should not go unpunished and there should be no impunity for crimes, big or small.

In short, civil rights are a distinct class of legal and moral rights: they defend individuals (and groups) from possible abuses of state power and protect individuals (and groups) from undue interference by the state. They comprise four basic categories – equality, liberty, security, and due process rights – that encompass many specific rights. And they can be prioritized,

for some are nonderogable under any circumstance. [Figure 8.1](#) presents graphically our working definition of civil rights.

Concept	Kinds of rights	Specific rights *	Explanation
Civil rights	Equality rights	Equality before the law: Rights against abuses of power by the strong	The politically powerful and economically wealthy are subject to the law
		Equality of rights (freedom from discrimination): Rights to protect women, racial and ethnic minorities, indigenous peoples, children, migrant workers, and disabled people	Legal protection of historically discriminated against and "vulnerable" individuals and groups in particular
	Liberty rights	<i>Freedom from slavery and servitude</i>	All individuals should enjoy these freedoms
		<i>Freedom of thought, conscience, and religion</i>	All individuals should enjoy these freedoms
		Right to privacy	All individuals should enjoy these freedoms
		Right to a free press	All individuals should enjoy these freedoms
		Right to access to information (or, the right to know)	All individuals should enjoy these freedoms
		Freedom of speech and expression	All individuals should enjoy these freedoms
		Freedom of association (or, the right to organize)	All individuals should enjoy these freedoms
	Security rights	Freedom of assembly	All individuals should enjoy these freedoms
		Freedom of movement	All individuals should enjoy these freedoms
		<i>Right to life</i>	The right against extra-judicial execution by the state and to protection from other members of society
	Due process rights	<i>Right to physical integrity</i>	The right not to be tortured or raped
		<i>Right against arbitrary arrest and detention</i>	The loss of freedom through incarceration must always be based on a legal justification (e.g., it cannot be based on political reasons)
		Right of the accused, to a fair trial	Those accused of a crime should have access to a public defender if they lack economic resources
		Right of the victims to the certain and prompt administration of justice	There should be no impunity for crimes

**Figure 8.1** The concept of civil rights: A working definition.

*Notes:* This is not intended as an exhaustive list of rights.

\* Specific rights in *italics* are those that are usually seen as a higher priority, a moral minimum. These critical rights correspond to those that the International Covenant on Civil and Political Rights (ICCPR) categorizes as nonderogable rights.

*Source:* Authors' elaboration.



## 8.2 The State and the Significance of Civil Rights

What is the state of civil rights in contemporary Latin America? How well have democracies done in guaranteeing civil rights? Why is the failure to protect civil rights significant for democracy?

To answer these questions, we start by addressing three issues that involve key civil rights: human rights violations, high-level corruption, and violence. This discussion offers a partial depiction of the state of civil rights. It also clarifies why the protection of civil rights is significant from the perspective both of civil rights and of democracy. Subsequently, so as to provide a more comprehensive overview of the state of civil rights, we briefly discuss the state of several other civil rights. After this overview, we draw conclusions about the overall state of civil rights and about the implications of problems of civil rights for democracy.

Our main aim is to assess the record of democracies, and we place the focus on the state of civil rights in democracies. However, we consider civil rights in democracies and dictatorships, and draw some comparisons across these regimes. (For a quick overview of which Latin American countries were democracies and which were dictatorships in the contemporary period, see [Table 5.1](#).)

### **8.2.1 Equality before the Law, the Right to Life, and Due Process Rights**

When civil rights are strong, the powerful and the wealthy are bound by the law, the state provides security for citizens, and those who violate human rights, engage in corruption, or kill are tried in a court of law. This is not what happens in Latin America. Some important advances notwithstanding – in the field of transitional justice, in particular – the region's democracies have failed more often than they have succeeded in guaranteeing civil rights. And this record affects democracy.

*Transitional Justice as a Positive Example.* Latin America democratized in the 1980s and 1990s, and one of the major problems that the new democracies had to confront was the deep wounds left by the human rights violations carried out by the prior authoritarian regimes. At stake were whether crimes, orchestrated by dictators and carried out by state agents, went unpunished and whether people who years earlier had been very powerful – and feared by many in society – had to answer to charges in a court of law. These issues were a key test of democracy. And the response made Latin America a leader in the field of transitional justice, a process whereby past violations of human rights are addressed after a transition from authoritarianism.

The state had failed in the past to prevent abuses of power that led to the death and torture of thousands of citizens at the hands of state agents (see [Chapter 3, section 3.3.3](#) and [Table 3.4](#)). However, following transitions to democracy, the courts took some important steps to provide justice, putting violators of human rights on trial for past crimes and thus meeting their responsibility toward victims of past human rights abuses. Moreover, these trials yielded some unprecedented outcomes. Former presidents who in the not-too-

distant past had led authoritarian governments that carried out extra-judicial executions and used torture were sent to jail in three countries (Argentina, Peru, and Uruguay). Hundreds of agents of the security forces, and in some cases their civilian accomplices, were also sentenced to time in prison.

The response to past human rights violations varied from case to case. In some countries, justice fully prevailed; in others, less so or not at all. Nonetheless, the overall record of transitional justice in Latin America is one of its important accomplishments. The powerful were treated as equals under the law. Victims of human rights violations could at least sense that the justice system had, in part, lived up to its name.

Also, to a considerable extent, democracy had proved itself capable of resolving a problem of civil rights. It had tackled an important problem for democracy, taken important steps to solve it, and, in the process, strengthened itself by sending a warning sign to would-be authoritarian rulers. (We provide the full story of transitional justice in [Chapter 9](#).)

***The Failure to Root Out High-Level Corruption.*** On other issues, the record is less positive, showing that the powerful and the wealthy frequently act outside the law and, furthermore, that the justice system is unable or unwilling to make the powerful and the wealthy pay for their crimes. One such issue is high-level corruption.

Big corruption scandals have shown how some democratically elected officeholders break the law and collude with big business for mutual benefit, at the cost of the general public. The mechanisms whereby public resources are diverted for personal or partisan ends, and the scale of corruption schemes – sometimes involving flows of huge amounts of money to many countries – were exposed in the Odebrecht scandal that erupted in Brazil and throughout Latin America starting in 2014. Some corruption scandals in Mexico show that

democratic officeholders also collude with, and receive bribes from, drug cartels.

Democratic governments, however, have generally shown little interest in stopping corruption. Indeed, corruption, at the highest level of government, is endemic in Latin America and shows no signs of waning. Relatedly, the response by the judiciary to acts of corruption – exemplary punishments would at least signal that there are limits to what the politically powerful and the economically wealthy can get away with – has been mixed, at best.

Gone are the days when the powerful and wealthy enjoyed blanket impunity. In some instances, those who committed acts of corruption have been caught and convicted. Indeed, former presidents who headed democratic governments and engaged in corruption were sent to jail in eight countries (Brazil, Costa Rica, El Salvador, Guatemala, Nicaragua, Panama, Paraguay, and Peru). And such decisions by the courts are of great importance. Elites until recently deemed untouchable – out of the reach of the justice system – have had to appear in court and, when the evidence has been strong, have been found guilty and sentenced for their crimes.

Still, there continues to be a widespread and well-grounded perception that the powerful and the wealthy act outside the law in democracies. In many countries, strong evidence about acts of corruption by politicians and businesspeople has appeared in the media. Sometimes the media have revealed that judges or prosecutors who decided on corruption cases were bribed, so as not to file charges or to dismiss charges regarding corruption. Nevertheless, no changes seem forthcoming.

Thus, the public rightly infers that there is a justice system for those who have political power or money and another justice system for those who lack connections, whether in the world of politics or in the world of the judiciary, or are poor. The public also correctly concludes that parts of the judicial system

that is supposed to detect and punish acts of corruption is corrupt itself. Many citizens are convinced, and with good cause, that those who have political power or money are, in many instances, above the law.

The persistence of high-level corruption and the lack of vigorous prosecution of crimes of corruption – a blatant affront to civil rights – are also pressing problems for democracy. The failure to solve these problems reflects poorly on the performance of democracy. It shows that democracy is not able to eradicate actions overtly contrary to the public interest. Additionally, the lack of progress in controlling corruption has implications for the way in which democracy works. The failure to neutralize the corrosive role of corruption leaves the door open for corruption to infiltrate and compromise democracy. Democracy's inadequate response to the problem of corruption weakens democracy itself. (We will develop this argument in [Chapter 10](#), where we discuss high-level corruption in detail.)

***The Tragedy of the Epidemic of Violence.*** The record of democracies is also sobering with regard to the right to life and physical integrity.

The data on homicides, the standard measure used to assess how safe a country is, show that there is variation in the level of violence within Latin America (see [Table 8.1](#)). Some countries are extremely dangerous (e.g., El Salvador, Honduras, Colombia, Venezuela, Guatemala, and Brazil). Given trends in the past decade, we should add Mexico to this list. Other countries can be considered safe (e.g., Chile, Cuba, Uruguay, Argentina, Peru, Bolivia, and Costa Rica). Nonetheless, the basic fact is that Latin America is the region of the world with the highest homicide rate (see [Box 8.2](#)).

**Table 8.1** Homicides in Latin America, 1995–2018

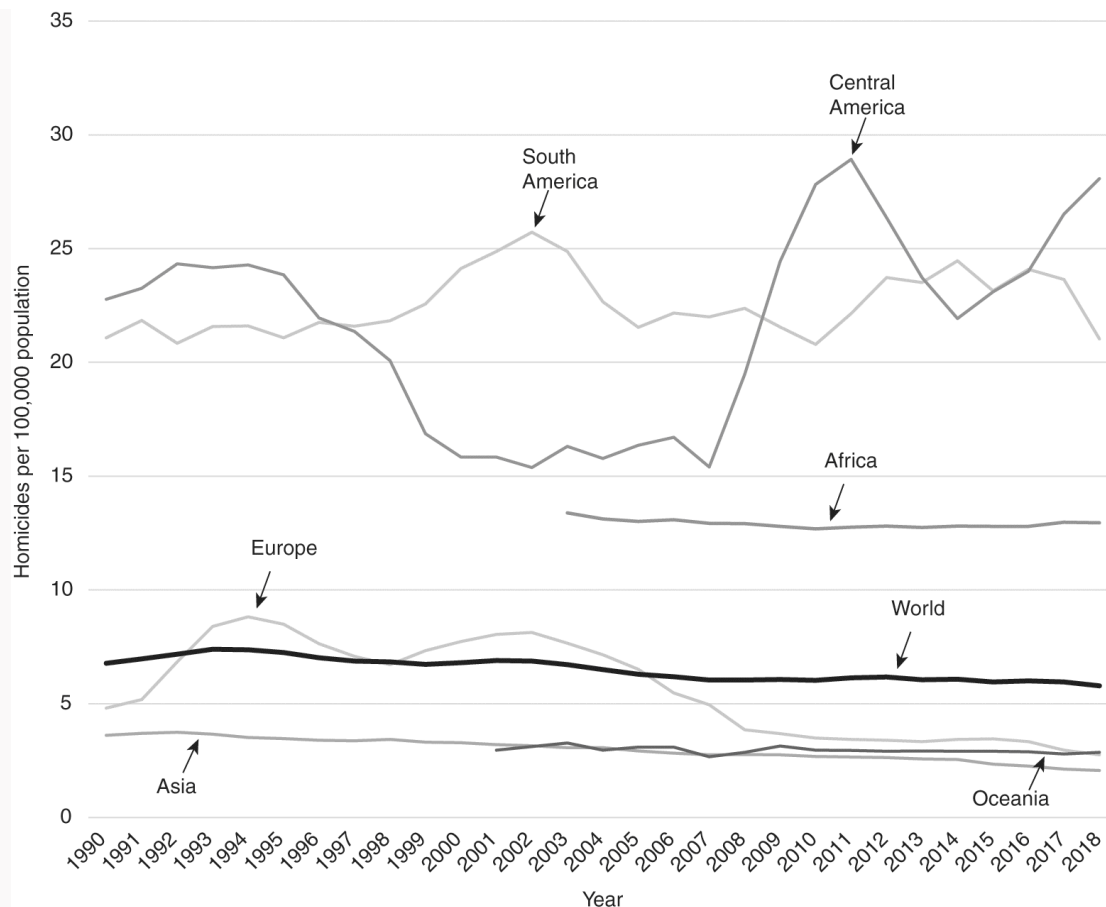
Region/country	Homicides per 100,000 inhabitants, 1995–2018 average
<b>South America</b>	
Argentina	8.4
Bolivia	8.5
Brazil	24.9
Chile	3.4
Colombia	45.1
Ecuador	12.9
Paraguay	13.9
Peru	7.0
Uruguay	7.0
Venezuela	40.7
<b>Mexico, Central America, and the Caribbean</b>	
Mexico	15.7
Costa Rica	8.5
El Salvador	71.5
Guatemala	33.6
Honduras	54.7
Nicaragua	11.8
Panama	11.6
Cuba	5.7
Dominican Republic	18.4

*Note:* As a point of reference, the homicide rate in the United States in 2018 was approximately 5 per 100,000.

*Source:* Authors' elaboration, based on [UNODC 2020b](#).

### **Box 8.2** Thinking Comparatively: Homicide Rates in Global Perspective

Latin America has the sad distinction of being the most violent region in the world. As stated in the authoritative report of the UN Office on Drugs and Crime, “Central America and South America, at 25.9 and 24.2 per 100,000 population, respectively, were the subregions with the highest average homicide rates in 2017” ([UNODC 2019](#): 11). Moreover, the trend is negative, in that, since 1990, the homicide rate in Latin America has worsened as the global average has decreased (see [Figure 8.2](#)).



**Figure 8.2** Homicide rate around the world, by region, 1990–2018.

*Source:* Authors' elaboration, based on [UNODC 2020b](#).

In terms of sheer numbers, the toll of the epidemic of violence is staggering. Roughly 2.5 million people were murdered in Latin America in the first two decades of the twenty-first century. That number is four times more than the total number of people killed during the harsh authoritarian dictatorships and civil wars in the Cold War years. The failure to prevent such loss of life is a grave problem.

Making matters ever worse is the role of public officials. There is no pattern of political orchestration of massive violations of human rights, whereby the killing of citizens is part of a systematic plan of the government to deal with



political dissent, in the region's democracies. The days in which top government officials planned the use of extra-judicial executions, forced disappearances, and torture are, fortunately, in the past. (The one exception to this pattern is authoritarian Venezuela, which we discuss below.) Most of the deaths in Latin American democracies are not due to actions of government officials and state agents. However, government officials and state agents in democracies still violate human rights in the region and some old practices have not been entirely eliminated.

In an emblematic case of the abuse of power in Mexico – the Ayotzinapa case of 2014 – the mayor of the town of Iguala, in the state of Guerrero, and the local police colluded with a crime syndicate, Guerreros Unidos, to kidnap and assassinate forty-three students. And, unfortunately, such incidents are not unusual in the region's democracies. Citizens lose their lives or are tortured at the hands of state agents in several big countries (e.g., Brazil, Mexico, and Colombia) and in a few small countries (e.g., Honduras and the Dominican Republic) (see [Map 8.1](#)). Further, the helplessness of citizens is compounded by the generally ineffective response of the courts (see [Box 8.3](#)).



**Map 8.1** Extra-judicial executions, forced disappearances, and torture in Latin America, 2017

*Note:* The data are based on indicators of state-sanctioned disappearances, extra-judicial killings, and torture. Positive scores indicate a better situation.

*Source:* [Fariss 2019](#).

### **Box 8.3** A Closer Look: Impunity for Acts of Violence

The response of the judiciary adds to the problem of violence. Indeed, we can summarize the response of the judiciary to acts of violence in stark terms: the justice system has been notoriously ineffective at punishing those who kill or torture and at delivering justice for victims of crimes.

The data on the percentage of homicides that go unpunished is alarming. In many Latin American countries, over 90 percent of such crimes go unsolved. Up to 95 percent of the cases of femicide, the killing of women and girls by men, also go unpunished ([UNODC 2019](#)). Thus, there is widespread impunity for some of the most egregious violations of civil rights.

It is not surprising, therefore, that trust in the justice system among citizens is low throughout the region (see [Table 8.2](#)).

**Table 8.2** Confidence in the judiciary in Latin America, 2016–2017

Region/country	Citizens who express little or no confidence that the judiciary will punish the guilty (%)
<b>South America</b>	
Argentina	72.4
Bolivia	68.1
Brazil	89.9
Chile	79.3
Colombia	69.0
Ecuador	48.1
Paraguay	75.0
Peru	70.2
Uruguay	65.0
Venezuela	77.0
<b>Mexico, Central America, and the Caribbean</b>	
Mexico	74.1
Costa Rica	59.2
El Salvador	60.4
Guatemala	56.4
Honduras	52.3
Nicaragua	45.4
Panama	55.3
Cuba	–
Dominican Republic	52.4

*Note:* – Data are not available.

*Source:* Authors' elaboration, based on [Cohen et al. 2017](#): 91.

The failure to guarantee the most basic rights – to life and to physical integrity – is a tragedy. Indeed, the huge toll of lives lost and pain suffered is the biggest civil rights crisis in contemporary Latin America.

The failure to contain the epidemic of violence, and to end the use of torture, is also a problem that is not, and cannot be, separated from the way in which democracy is perceived and functions. It raises disturbing questions about the legitimacy of democracy: What is the point of democracy if democratically elected leaders cannot provide security to citizens? It also introduces pathologies into the functioning of democracy. When violence becomes normalized, it

becomes part of the system rather than some extraneous element. And once violence is incorporated in the repertoire of actions used in the public arena, violence seeps into the political process and encroaches on the peaceful processing of conflicts that is a trademark of democracy. (We will discuss these issues in detail in [Chapter 11](#).)

### **8.2.2 Liberty Rights and Freedom from Discrimination**

Having addressed the state of some civil rights – equality before the law, the right to life, and due process rights – and highlighted their significance, we now consider liberty rights and freedom from discrimination. We offer a brief, bird’s-eye view; however, it fills in some gaps in the previous discussion and contributes to a more comprehensive overview of the state of civil rights.

***Freedom from Slavery and Freedom of Religion.*** Starting our discussion with liberty rights, we note that slavery, the legal ownership of one human being by another, was abolished in the nineteenth century (see [Chapter 2, section 2.2.3](#) and [Table 2.4](#)). However, modern slavery, understood as including conditions such as forced labor and forced marriage, exists. Estimates put the overall number of men, women, and children living in modern slavery in Latin America at roughly 1.5 million. Within Latin America, the countries with the highest prevalence of modern slavery, relative to the country’s total population, are Venezuela, the Dominican Republic, Cuba, and Honduras ([Walk Free Foundation 2018](#): 77–8).

With regard to freedom of religion, the situation is better. Historically, the Catholic Church has had an influential, even dominant, role, and laws privileged Catholics. In the twenty-first century, things are different. Although Latin America is still a predominantly Christian and Catholic region, the religious affiliation of Latin Americans is more diverse (see [Table 8.3](#)). Hence, a possible source of concern relates to the religious freedom of Protestants and various minority groups, such as Muslims, Mormons, Hindus, Jews, Jehovah’s Witnesses, Spiritists, and adherents of

Afro-Caribbean, Afro-Brazilian, and indigenous religions. But the trend has been positive. Laws that previously privileged Catholics have been relaxed and thus other faith groups are not as disadvantaged as they were in the past ([Fox 2008](#): ch. 10, [2016](#): ch. 5; [Lemaitre 2017](#)).

**Table 8.3** Religious affiliations in Latin America, c. 2014

Region/country	Catholic	Protestant	Unaffiliated*	Other
<b>South America</b>				
Argentina	71	15	11	3
Bolivia	77	16	4	3
Brazil	61	26	8	5
Chile	64	17	16	3
Colombia	79	13	6	2
Ecuador	79	13	5	3
Paraguay	89	7	1	2
Peru	76	17	4	3
Uruguay	42	15	37	6
Venezuela	73	17	7	4
<b>Mexico, Central America, and the Caribbean</b>				
Mexico	81	9	7	4
Costa Rica	62	25	9	4
El Salvador	50	36	12	3
Guatemala	50	41	6	3
Honduras	46	41	10	2
Nicaragua	50	40	7	4
Panama	70	19	7	4
Cuba	—	—	—	—
Dominican Republic	57	23	18	2
<i>Latin America**</i>	69	19	8	4

*Notes:*

– Data are not available.

\* Unaffiliated means that the person has no affiliation with any organized religion.

\*\* The average for Latin America is weighted by population.

*Source:* Authors' elaboration, based on [Pew Research Center 2014](#): 14.

***Freedom of the Press and Access to Information.*** The record varies considerably across Latin American countries with regard to freedom of the press. It is respected in Costa Rica, Uruguay, and Chile, but not in Cuba, Venezuela, Honduras, Mexico, and Colombia (see [Table 8.4](#), column 2). With regard to access to information, that is, the right to know, all Latin American countries with the exception of Costa Rica and Cuba have passed

national laws on freedom of information. Furthermore, some of these laws are especially strong, ensuring that citizens can have access to the information they need about what their governments are doing (e.g., Mexico, El Salvador, Nicaragua, Brazil, Colombia, and Panama) (see [Table 8.4](#), columns 3 and 4).

**Table 8.4** Freedom of the press and access to information: Latin America, c. 2019

Region/country	Press Freedom Index (0=best, 100=worst) *	National freedom of information law**	
		Year of approval	Rating of law (0=best, 150=worst)
South America			
Argentina	28.5	2016	58
Bolivia	35.4	2005	80
Brazil	32.8	2011	42
Chile	25.7	2008	56
Colombia	42.8	1985	48
Ecuador	31.9	2004	76
Paraguay	32.4	2014	88
Peru	30.2	2002	57
Uruguay	16.1	2008	58
Venezuela	49.1		
Mexico, Central America, and the Caribbean			
Mexico	46.8	2002	14
Costa Rica	12.2		
El Salvador	29.8	2011	28
Guatemala	35.9	2008	58
Honduras	48.6	2006	66
Nicaragua	35.5	2007	39
Panama	29.8	2002	50
Cuba	63.8		
Dominican Republic	27.9	2004	91

*Notes:* \* The Press Freedom Index is based on information about media pluralism, media independence, the media environment and self-censorship, the legislative framework, transparency, and the quality of the infrastructure that supports the production of news and information. A rough interpretation of the index scores is as follows: 0–15 points: good situation. 15.01–25 points: satisfactory situation. 25.01–35 points: problematic situation. 35.01–55 points: difficult situation. 55.01–100 points: very serious situation.

\*\* Rows left empty indicate that the law was not passed. The rating of the national freedom of information law is based on seven main categories: right



of access, scope, requesting procedures, exceptions and refusals, appeals, sanctions and protections, and promotional measures.

*Source:* Authors' elaboration, based on [Reporters Without Borders 2019](#); and [CLD and Access Info Europe 2019](#).

It is key to note, however, that journalists in general, and especially those who report on drug cartels and their links to politicians, have regularly been killed in Latin America for reasons related to their work. Twelve Latin American journalists have been killed per year, on average, during the 2011–2020 period, with Brazil, Colombia, the Dominican Republic, and Mexico accounting for a disproportionate share ([CPJ 2020](#)). In some Latin American countries, it is dangerous to be a reporter.

***Freedom of Expression, Association, and Assembly.*** With regard to freedom of expression, association, and assembly – and the use of these freedoms for explicitly political purposes in particular – the situation is again mixed. These rights are generally recognized, but are not always respected.

Many democracies have limited the use of liberty rights for political purposes. A particularly telling sign relates to declarations of regimes of exception – variously called state of siege, state of emergency, or state of exception – by democratic governments in Colombia, Ecuador, Guatemala, Honduras, and Peru ([Wright 2015](#): 41). Such declarations are a special constitutional prerogative of governments, which are allowed to suspend some civil rights – from the right to associate, assemble, and move freely, to the protection against unreasonable searches and seizures and warrantless arrests – to better respond to extreme challenges. Nevertheless, democratic governments commonly use these temporary suspensions of civil rights to

respond to and control social protests. Indeed, a rationale frequently invoked to justify these regimes of exception is what governments label “internal disturbances.” Thus, the use of regimes of exception by democratic governments is a clear sign of a lack of respect for liberty rights.

Another sign of problems is that, in some countries, civilian protestors have been repressed by government security forces. An example is provided by Chile’s *Carabineros* (the national police) in the context of protests that erupted in late 2019. The government’s actions resulted in the death of thirty-six people and the torture and injury of thousands of others.

Finally, another sign of problems is the assassination of leaders of social organizations by private actors, acting alone or with the complicity of the government. In 2019, 148 land and environmental activists were killed in Latin America, including sixty-four in Colombia, twenty-four in Brazil, eighteen in Mexico, and fourteen in Guatemala ([Global Witness 2020](#): 9). In Colombia alone, the number of human rights leaders or advocates for vulnerable ethnic communities assassinated between 2016 and 2019 is estimated to be somewhere between 300 and 700 ([Consejería Presidencial para los Derechos Humanos y Asuntos Internacionales 2019](#); [INDEPAZ 2019](#)). In several Latin American countries, it is dangerous to be a social activist. See [Photo 8.2](#) on one such social activist, Berta Cáceres.



**Photo 8.2 The targeting of social activists** Berta Cáceres, a Lenca indigenous woman, was a defender of the land rights of indigenous communities in Honduras. She was assassinated in early 2016, when she was actively campaigning to stop a hydroelectric dam from being built. In the photo, demonstrators show their support for Berta Cáceres in a gathering in Tegucigalpa, Honduras, in March 2016.

*Source:* © Orlando Sierra/Staff/Getty Images.

Still, compared to the 1960s and 1970s, when political dissent was not legal in many countries ruled by dictators, the state of affairs is much better. Moreover, the contrast between the region's democracies and dictatorships is stark. Restrictions on dissent – and punishment for dissent – are largely limited to the region's authoritarian outliers: Cuba, Venezuela, and Nicaragua.

Dissent has been tightly controlled and severely punished in Cuba for decades. Political opponents to the regime are regularly imprisoned.

Dissent against the dictatorship led by President Maduro in Venezuela is treated particularly harshly. In Venezuela, groups that work closely with

the Maduro government – called *colectivos* (collectives) – have resorted to violence against protestors and have killed dozens of protestors. Additionally, the Venezuelan government engages in frequent arbitrary detentions of dissidents; at least 15,045 persons were detained for political motives between January 2014 and May 2019 ([UN Human Rights Council 2019](#)). That is, Venezuela, as Cuba, has political prisoners ([Human Rights Watch 2019](#): 166, 647).

Developments in Nicaragua starting in 2018 resembled, on a smaller scale, events in Venezuela. In the contexts of anti-government protests in 2018–2020, civilian protestors were repressed by groups allied with the government. These groups, called *turbas sandinistas* (pro-sandinista mobs), worked closely with the government of Nicaraguan President Daniel Ortega, of the Sandinista FSLN, and killed hundreds of anti-government protestors. Basic rights of opposition leaders were also curtailed around the 2021 elections.

Democracies in contemporary Latin America do not, as a matter of course, repress citizens when they make use of their freedom of expression, association, and assembly. Liberty rights are generally incorporated in Latin American constitutions ([Gargarella 2018](#); [Law and Ginsburg 2018](#): 234–6). Moreover, although many constitutional provisions have little correspondence to actual practice, there is a greater correspondence between the law and the practice with regard to liberty rights ([Law and Versteeg 2013](#): 907–12). Nonetheless, at times, the effective enjoyment of some liberty rights is hindered, and sometimes these rights are seriously violated.

***The Rights of Women.*** Turning to a different kind of right, freedom from discrimination, we start with a discussion about the situation of women.

Many Latin American countries have made tangible advances regarding women's rights. A key area of relevance is family law, the legal norms that govern the formation of, and relations within, families, and that regulate issues such as marriage and divorce, marriage property and inheritance, spousal rights and duties, and child custody.

Some Latin American countries have been slow to recognize equal rights for women within family law. For example, in Chile, the legal injunction requiring the husband to protect his wife and the wife to obey her husband was not repealed until 1989. In Brazil, the law that stated that the man was the "head of the family" was not changed until 2001. However, through a series of reforms to family law during the mid- to late twentieth century, most governments in Latin America replaced laws that were discriminatory and patriarchal with ones based on the idea of gender equality ([Htun and Weldon 2018](#): 297–8).

The enduring problems regarding women's rights are considerable, nonetheless, as illustrated by the status of women's reproductive rights (see [Table 8.5](#)). Only three countries (Argentina, Cuba, and Uruguay) fully recognize the right to an abortion. Other countries allow abortion only when the woman's life is at risk (Brazil, Chile, Guatemala, Mexico, Panama, Paraguay, and Venezuela). (In an important step in Mexico, the country's Supreme Court decriminalized abortion in September 2021. A similar measure was taken in Colombia in February 2022.) In even more extreme cases, abortion is prohibited in all circumstances (the Dominican Republic, El Salvador, Honduras, and Nicaragua).

**Table 8.5** Reproductive rights in Latin America, 2021

Region/country	Abortion rights (1 = less permissive, 5 = more permissive)
<b>South America</b>	
Argentina	5
Bolivia	3
Brazil	2
Chile	2
Colombia	3
Ecuador	3
Paraguay	2
Peru	3
Uruguay	5
Venezuela	2
<b>Mexico, Central America, and the Caribbean</b>	
Mexico	2
Costa Rica	3
El Salvador	1
Guatemala	2
Honduras	1
Nicaragua	1
Panama	2
Cuba	5
Dominican Republic	1
<b>Mexico, Central America, and the Caribbean</b>	
Mexico	2
Costa Rica	3
El Salvador	1
Guatemala	2
Honduras	1
Nicaragua	1
Panama	2
Cuba	5
Dominican Republic	1

*Notes:*

The scores can be interpreted as follows:

- (1) The laws do not permit abortion under any circumstances, including when the woman's life or health is at risk.
- (2) The laws permit abortion when the woman's life is at risk.
- (3) The laws permit abortion on the basis of health or therapeutic grounds.
- (4) The laws permit abortion under a broad range of circumstances. These countries often take into account a woman's actual or reasonably foreseeable environment and her social or economic circumstances in considering the potential impact of pregnancy and childbearing.
- (5) The laws permit abortion on request, usually with a gestational limit of twelve weeks.

Source: Authors' elaboration, based on [Center for Reproductive Rights 2021](#).

The consequences of the criminalization of abortion are harsh. An estimated 11 percent of abortions in El Salvador have resulted in the death of the pregnant mother. Moreover, between 1998 and 2020, more than 140 women have been charged, and incarcerated for up to thirty-five years, under El Salvador's total ban on abortion. In some cases, women have been imprisoned for miscarriages ([Center for Reproductive Rights 2014](#): 10, 13). The failure to protect women's reproductive rights has prevented women from making key choices regarding their future. And when women have challenged patriarchal restrictions, they have faced the same consequences as political dissidents: loss of freedom and death.

***The Rights of Indigenous Peoples and Afro-descendants.*** Advances have occurred concerning the rights of indigenous peoples, in part through the ratification of international agreements. Three international agreements have been key in this regard: (1) the Indigenous and Tribal Peoples Convention – that is, International Labor Organization's (ILO) Convention No. 169 – ratified by most countries in the region; (2) the UN Declaration on the Rights of Indigenous Peoples, adopted by the UN General Assembly in 2007; and (3) the American Declaration on the Rights of Indigenous Peoples, adopted by the Organization of American States (OAS) General Assembly in 2016 (see [Table 8.6](#)).

**Table 8.6** Rights of indigenous peoples in Latin America, 2020

Region/country	Year of ratification of ILO 169, Indigenous and Tribal Peoples Convention (1989)	Year of adoption of UN Declaration on the Rights of Indigenous Peoples (2007)	Year of adoption of OAS, American Declaration on the Rights of Indigenous Peoples (2016)
<b>South America</b>			
Argentina	2000	2007	2016
Bolivia	1991	2007	2016
Brazil	2002	2007	2016
Chile	2008	2007	2016
Colombia	1991	2007 *	2016
Ecuador	1998	2007	2016
Paraguay	1993	2007	2016
Peru	1994	2007	2016
Uruguay		2007	2016
Venezuela	2002	2007	2016
<b>Mexico, Central America, and the Caribbean</b>			
Mexico	1990	2007	2016
Costa Rica	1993	2007	2016
El Salvador		2007	2016
Guatemala	1996	2007	2016
Honduras	1995	2007	2016
Nicaragua	2010	2007	2016
Panama		2007	2016
Cuba		2007	2016
Dominican Republic		2007	2016

*Notes:* Rows left empty indicate that the instrument has not been adopted or ratified.

\* Colombia abstained in the vote in the UN General Assembly, but subsequently endorsed the document.

*Source:* Authors' elaboration, based on [ILO 2019a](#); and [UN General Assembly 2007](#).

These treaties cover a range of rights. The ILO's Convention No. 169 asserts the rights of indigenous and tribal peoples to choose to integrate or to maintain their cultural independence. The UN and OAS Declarations assert that indigenous peoples have the right to the full enjoyment of all human rights and fundamental freedoms, as recognized in the UN Charter, the OAS Charter, and international human rights law. These documents notably stress that indigenous peoples have the right to participate fully in the political, economic, social, and cultural life of the state; and the right to maintain and strengthen their distinct political, legal, economic, social, and cultural institutions. Thus, these treaties take steps to recognize both the individual



and the group rights of indigenous peoples, a significant departure from past practice.

Latin America has been slower in recognizing the rights of Afro-descendants ([Hooker 2005](#), [2009a](#)). We note some recent advances. In particular, all countries condemn racial discrimination, either in their constitutions or in their laws. Some countries do so in specific, strong terms (Brazil, Cuba, Ecuador, El Salvador, Mexico, Nicaragua, Panama, and Peru) ([CEPAL 2017](#): 22–5, ch. 5, [2020c](#): 40–1; [Rangel 2019](#): 283–6). However, legal changes have had limited efficacy in reversing deep-rooted structural racism ([Fischer et al. 2018](#); [Hernández 2019](#)). In parallel with the greater institutional and noninstitutional barriers to political representation experienced by Afro-descendants (see [Chapter 6, section 6.3](#)), the civil rights of Afro-descendants lag behind those of other disadvantaged individuals and groups.

***LGBTQ+ Rights.*** Finally, clear advances have been made regarding LGBTQ+ rights – LGBTQ is shorthand for lesbian, gay, bisexual, transgender, and queer (sometimes “questioning”), and the plus refers to related communities (see [Table 8.7](#)).

**Table 8.7** LGBTQ+ rights in Latin America, c. 2020

Region/country	Legalization of same-sex sexual acts	Anti-discrimination laws concerning sexual orientation	Legalization of same-sex marriage	Overall recognition of LGBTQ+ rights*
<b>South America</b>				
Argentina	1887	2012	2010	High
Bolivia	1832	2009/2010		Medium
Brazil	1831	1998/2015/ 2019	2013	High
Chile	1999	2012/2017	2021	Medium
Colombia	1981	2000/2011	2016	High
Ecuador	1997	1998/2005/ 2009/2015	2019	High
Paraguay	1880			Low
Peru	1924	2004/2017		Medium
Uruguay	1934	2003/2004/ 2013/2015	2013	High
Venezuela	1836	2012		Low
<b>Mexico, Central America, and the Caribbean</b>				
Mexico	1872	2003/2011/ 2014	2010	High
Costa Rica	1971	2016	2020	Medium
El Salvador	1822	2015		Medium
Guatemala	1871	2016		Low
Honduras	1899	2013		Low
Nicaragua	2008	2008		Low
Panama	2008			Low
Cuba	1979	2014/2019		Medium
Dominican Republic	1822			Low

*Notes:* Rows left empty indicate that laws were not passed. Multiple dates are given when more than one law was passed.

\* The overall assessment is that of [Corrales \(2020\)](#) and includes the three rights covered in the other columns, as well as rights related to adoptions, military service, gender identity, and name changes in documents.

*Source:* Authors' elaboration, based on [ILGA 2019](#); [Corrales 2020](#): 188; and [Equaldex 2020](#).

Homosexuality was never criminalized in many Latin American countries (unlike in the United States) and had been decriminalized in the entire region by the twenty-first century. Anti-discrimination laws concerning sexual orientation were passed in most countries in the twenty-first century. Same-sex marriage, although controversial, began to be legalized in several countries starting in 2010, and roughly 80 percent of Latin Americans had the right to marry regardless of the couple's sex by 2022. Additionally, members of the LGBTQ+ community have been able to express their identity freely – for example, through the holding of pride parades.

Jointly, these developments add up to a remarkable change for a region with a reputation for being culturally conservative. Even when viewed in global perspective, the steps taken by Latin American countries are significant ([ILGA 2019](#)).

We should mention several problems, nonetheless. As [Table 8.7](#) shows (see the final column), legal progress has been uneven. Important advances have been made in Argentina, Brazil, Colombia, Ecuador, Mexico, and Uruguay. However, many countries have still not approved laws that recognize a full set of LGBTQ+ rights, including protection against discrimination, the right to marriage, and several other rights, such as the right to adopt and to serve in the military. There is still a stigma attached to being an LGBTQ+ person openly. For example, trans people are frequently the target of violent attacks. And, in the late 2010s, a backlash against the LGBTQ+ community took shape; one of the clearest signs of this trend was the election of Jair Bolsonaro, an openly homophobic politician, as President of Brazil in 2018 ([Corrales 2020](#): 188–92).

### 8.2.3 A Balance Sheet

We now draw conclusions about the overall state of civil rights in Latin America's democracies. We also stress the dual significance of civil rights: (1) as rights that have value in themselves and (2) as potential problems *for* democracy.

***Achievements and Problems of Civil Rights.*** The state of civil rights is an indicator of how well citizens do in some aspects of their lives. And civil rights are important, first of all, because they are valuable in themselves (i.e., intrinsically valuable). For example, justice for past human rights violations is a positive result, and the loss of life a negative one, regardless of other circumstances or contextual factors. Thus, we start by summing up the record of Latin American democracies since the 1990s with regard to the four kinds of right we identified in [section 8.1.3](#).

Starting with *equality rights*, important strides have been made regarding equality before the law – the idea that even the powerful and the wealthy are not above the law – and equality of rights – the idea that even the weak must be free from discrimination. Abuses of power by high-level politicians who use the state as an instrument to target political dissenters are largely a thing of the past. Additionally, changes in legislation have increased the recognition of the rights of various categories of citizens, especially women and LGBTQ+ people.

Nonetheless, the failure to fully recognize and effectively enforce equality rights is readily apparent. An egregious shortcoming is the widespread, rampant practice of corruption at various levels of government. Some problems concern legislation (e.g., the failure to recognize some basic

women's rights, LGBTQ+ rights, and the rights of indigenous peoples and Afro-descendants); but the broader issue is the common failure to prevent discrimination by uniformly enforcing rights already in the law. Many Latin American democracies fall short of guaranteeing equality rights and are *corrupt democracies* and/or *discriminatory democracies*.

The situation regarding *liberty rights* is mixed, but, in relative terms, better than the other three kinds of civil rights. The exercise of liberty rights has become routine, but negative aspects persist. Slavery and servitude are illegal, but their new forms have not been fully eradicated. Freedom of religion is more fully recognized. Freedom of the press is well established in some countries, but it is restricted in several others. Access to information has improved, but it is far from being effectively guaranteed. Regimes of exception are used in unexceptional circumstances to temporarily curtail liberty rights. Some of the worst violations of liberty rights happen in dictatorships. Still, in democracies, the rights of journalists and social activists are not only curtailed; in some cases, those exercising their rights are intimidated and killed. We can aptly characterize many Latin American democracies as *semi-free democracies*.

Turning to *security rights*, one of the gravest problems in contemporary Latin America is the widespread failure to guarantee the most basic of civil rights: the right to life. It does not affect all countries equally, but it is a regional problem. The epidemic of violence also shows no sign of abating. The right to physical integrity is also far from being universally respected. It is hard to put a positive twist on the region's record. The lack of security rights is a key deficiency. Several countries (e.g., El Salvador, Honduras, Colombia, Guatemala, and Brazil) are *violent democracies*.

Finally, some signs indicate that the *right to due process* is being respected in Latin America and, specifically, that the powerful are not out of the reach of the law. Most remarkably, many powerful actors who violated human rights prior to transitions to democracy and some corrupt politicians have been sentenced for their crimes. Nonetheless, it is hard to escape the impression that, in Latin America, justice is biased in favor of the powerful and wealthy and that impunity is widespread. Furthermore, the justice system has not punished those responsible for violent crimes. The poor reputation of the justice system among citizens is a reflection of the judiciary's poor performance. In sum, many Latin American democracies are *unjust democracies*. See [Figure 8.3](#) for an overall summary of the civil rights record of Latin American democracies.

Concept	Kinds of rights	Specific rights*	Synopsis**
Civil rights	Equality rights	Equality before the law	Mixed, tilting negative; many <i>corrupt democracies</i> and <i>discriminatory democracies</i>
		Equality of rights (freedom from discrimination)	
	Liberty rights	<i>Freedom from slavery and servitude</i>	Mixed, tilting positive; many <i>semi-free democracies</i>
		<i>Freedom of thought, conscience, and religion</i>	
		Right to privacy	
		Right to a free press	
		Right to access to information (or, the right to know)	
		Freedom of speech and expression	
		Freedom of association (or, the right to organize)	
	Security rights	Freedom of assembly	Negative; many <i>violent democracies</i>
		Freedom of movement	
	Due process rights	<i>Right to life</i>	Negative, with some positive signs; many <i>unjust democracies</i>
		<i>Right to physical integrity</i>	
		<i>Right against arbitrary arrest and detention</i>	
		Right of the accused to a fair trial	
		Right of the victims to the certain and prompt administration of justice	

**Figure 8.3** Civil rights in Latin American democracies, 1990s–2010s: An overview.

*Notes:*

\* Specific rights in *italics* are those that are usually seen as a higher priority, a moral minimum.

\*\* The characterization of the state of civil rights is based on evidence, presented in the text and in multiple tables, on all Latin American democracies since the 1990s.

*Source:* Authors' elaboration.

***Civil Rights as a Problem for Democracy.*** Civil rights are also significant for democracies.

Citizens expect their democracies to protect civil rights. They generally want honest and clean rather than corrupt democracies, nondiscriminatory rather than discriminatory democracies, free rather than semi-free democracies, peaceful rather than violent democracies, and just as opposed to unjust democracies. That is, citizens want to vote and to participate in politics, but they also want a democracy that addresses and solves civil rights problems.

Hence, problems of civil rights are also problems *for* democracy. Although civil rights are, as noted, valuable in themselves, they are not separate from democracy – that is, problems regarding civil rights are not self-contained. And how democracies respond to these problems matters for democracy itself.

When democracies succeed in resolving deficiencies regarding civil rights, they gain legitimacy and are strengthened. For example, advances regarding transitional justice and access to information have a payoff for democracy. In contrast, when democracies fail to safeguard civil rights, their legitimacy is questioned and democracy is weakened. This is seen most obviously when civil rights (e.g., the freedom of expression), used for explicitly political purposes, are curtailed. It is also the case, for instance, when high-level corruption is not controlled and when violence becomes normalized. Problems regarding other civil rights also have, to varying degrees, an impact on democracy. That is, failures concerning civil rights spill over, in various ways, and turn into problems *of* democracy.

In other words, the expansion of citizenship rights through the development and strengthening of civil rights is a key test for democracy. See [Box 8.4](#) on how the record of democracies in the protection of civil rights compares to that of dictatorships.



### **Box 8.4** Thinking Comparatively: Civil Rights under Democracy and under Dictatorship

It is instructive to compare how democracies and dictatorships perform in the field of civil rights.

With regard to equality rights, democracies largely perform better than dictatorships. Abuses of power targeted at political dissidents are more common in Cuba and Venezuela under the dictatorship of Maduro than in the region's democracies. Moreover, with some exceptions (e.g., Cuba's record on reproductive rights), democracies have been at the forefront of gains in the rights of women, LGBTQ+ people, and indigenous peoples.

Democracies have a better record on liberty rights, especially those that are key to a pluralistic and open society, such as freedom of the press and access to information. Indeed, liberty rights are so closely tied to the working of democracies that it is not surprising that they are an advantage of democracies.

It is hard to draw any stark difference between democracies and dictatorships in terms of their record on security rights. Some democracies perform well; others do not. And dictatorships also vary considerably: Cuba is one of the safest countries in the region; Venezuela, under Maduro, is one of the most violent.

Finally, democracies have fared better than dictatorships on due process rights (e.g., the right against arbitrary arrest and detention).

Moreover, as the landmark report by the UN Human Rights Council on Venezuela amply documents, the situation in Venezuela under Maduro, a clear case of dictatorship, is the gravest case from the perspective of civil rights in all of Latin America ([UN Human Rights Council 2019](#)).

The report details a series of violations of rights:

- extra-judicial killings by security forces; in 2018 alone, 5,287
- killings, purportedly for “resistance to authority,” were registered;
- torture of people critical of the government and their relatives;
- sexual and gender-based violence in detention.

A subsequent report of the UN Human Rights Council, released in September 2020, added that the violation of human rights in Venezuela in the 2014–2020 period were committed as part of a state policy, with the knowledge of President Maduro and other senior government officials, and that there are “reasonable grounds to believe that crimes against humanity were committed in Venezuela” ([UN Human Rights Council 2020](#): 403).

Thus, although we have stressed that democracies have regularly failed to resolve problems of civil rights, this critical assessment of the performance of democracies should not suggest that dictatorships perform better. Democracies do indeed outperform dictatorships in their respect of civil rights.

## 8.3 Explaining Achievements and Problems of Civil Rights

No single factor explains why countries succeed or fail in developing and strengthening civil rights. Indeed, the literature on the determinants of civil rights in Latin America usually addresses many factors ([Keck and Sikkink 1998](#); [Brysk 2000](#); [Johnston 2005](#); [Gloppen \*et al.\* 2010](#); [O'Donnell 2010](#); [Sikkink 2011](#); [Htun and Weldon 2018](#); [Yashar 2018](#); [Auyero and Sobering 2019](#); [Sieder, Ansolabehere, and Alfonso 2019](#); [Mazzuca and Munck 2020](#)). Thus, taking our cues from this literature, we suggest that, to explain the state of civil rights in contemporary Latin America, it is important to consider the impact of four explanatory factors: (1) democracy; (2) social mobilization and international networks; (3) the judiciary; and (4) the state's public administration and security forces.

Here, we briefly sketch some arguments about the way in which these factors matter. In [Chapters 9](#), [10](#), and [11](#), we will elaborate these claims in the specific contexts of transitional justice, high-level corruption, and violence. Other factors surely play a role and deserve to be considered; we do not pretend to offer a complete explanation. However, the factors we discuss next go a long way toward explaining the state of civil rights in contemporary Latin America.

### **8.3.1 The Promise and Limits of Democracy**

Many scholars view democracy and civil rights as two closely related aspects of citizenship. On the one hand, democracy is needed to safeguard the civil rights that are distinctive of a liberal state. On the other hand, civil rights are needed for democracy to function properly. Thus, democracy is an obvious potential source of the development of civil rights. The relationship between democracy and civil rights could resemble a virtuous cycle: democracy strengthening civil rights and civil rights, in turn, bolstering democracy. Yet, democracy is a driver of civil rights only under some conditions, specifically when democracy is healthy and some civil liberties are already available. And these conditions have frequently been absent in contemporary Latin America ([Mazzuca and Munck 2020](#)).

Democracy has been the source of some gains in civil rights. In general, politicians seeking re-election have an incentive to be responsive to citizens and to increase their well-being. Thus, as democracy has taken root in Latin America, politicians have enacted reforms that benefit them electorally or at least do not create an electoral backlash (e.g., rejecting amnesties that blocked human rights trials, passing laws to protect women's rights and LGBTQ+ rights). When certain groups, such as women, have increased their representation in public office, they have used their power to introduce and to gain support for laws that resonate with a broad audience (e.g., those related to family law). Politicians have pushed through reforms even when they do not have any obvious electoral payoff, but also have no clear downside, as when they have incorporated human rights treaties or treaties on indigenous peoples into domestic law ([Gargarella 2018](#): 201–2).

At times, the democratic process has created an incentive for politicians to take measures to protect civil rights.

However, democratically elected governments by themselves are no guarantee that civil rights will be promoted. In Latin America, most democracies are low- or medium-quality democracies (see [Chapter 5](#)) and operate with electoral vehicles rather than representative parties (see [Chapter 7](#)). And, in those cases, politicians need not be responsive to electoral majorities or be concerned about the rights of weak minorities.

Politicians can be driven primarily by partisan interests. That is, the interests of politicians can trump those of common citizens. Politicians can also be beholden to interest groups. More specifically, they can be more responsive to groups commonly referred to in Latin America as *poderes fácticos* (power groups or de facto powers) – which include the military, the Church, economic elites, media conglomerates, and foreign actors – than to the preferences of ordinary citizens and minorities.

When democracy is weak, even reforms that have strong support in society can be blocked. For example, politicians have opposed and watered down reforms that would expose the corruption of politicians and their allies within the public administration. Powerful economic actors who benefit from corrupt dealings with the government have resisted the passage of laws that would make it easier to detect and to punish corruption. Likewise, the Catholic Church is an actor that has historically used its considerable power to prevent legislation that recognizes some rights of women (e.g., reproductive rights) and LGBTQ+ rights ([Lemaitre 2017](#); [Corrales 2020](#): 190–5; [Díez 2020](#): 263–4). See [Photo 8.3](#) on the Catholic Church.



**Photo 8.3 The Catholic Church as a culturally conservative political actor** The Catholic Church in Latin America has, in many cases, been a strong defender of human rights and anti-poverty policies. In contrast, on cultural issues it has usually been a conservative force, resisting the liberalization of abortion laws and the recognition of LGBTQ+ rights. However, the first Latin American pope, Pope Francis (pictured on the right in 2014), has shown positive signs toward the LGBTQ+ community. The picture on the left is of the Catholic Cathedral in downtown Mexico City.

*Source:* (left) © Sir Francis Canker Photography/Moment/Getty Images; (right) Korea.net/Korean Culture and Information Service (Jeon Han).

Democratic governments are more responsive to the preferences of common citizens than authoritarian governments. Having to submit to free and fair elections on a regular basis makes a difference. Still, democracies frequently cater to powerful groups that seek the continuation of old privileges and press the government with their demands.

### **8.3.2 Social Mobilization and International Networks**

Given the limitations of Latin American democracies as a source of civil rights, another key condition for the promotion of civil rights is an active civil society that uses whatever civil rights do exist (e.g., to conduct and publish the results of investigative journalism, to stage public demonstrations) to call for a resolution of civil rights problems (e.g., ending impunity or decriminalizing abortion). Civil society groups may act alone or in association with other domestic groups. At times, they might form part of broader, international networks that share a similar goal, making for strong coalitions that have an ability to shape public opinion, mobilize supporters, and impact the political process. Politicians act when they have a clear electoral incentive, but also when they see citizens mobilize for a cause and face the pressure of public opinion.

The contribution of social mobilization and international networks in Latin America has been well documented. Indeed, this factor alone has compensated for the weakness of many democracies and been a key stimulus to the improvement of civil rights. For example, the mobilization of feminists played a critical role in raising awareness, placing issues on the public agenda, and putting pressure on elected officials to pass laws aimed at eliminating gender discrimination. Furthermore, although international factors have played a secondary role, these domestic actors have benefited from support by what has been called transnational advocacy networks ([Keck and Sikkink 1998](#)) and by international organizations that have worked toward the same end ([Ruibal 2014](#), [2015](#), [2018](#); [Htun and Weldon](#)

[2018](#): ch. 2; [Fernández Anderson 2020](#)). See [Photo 8.4](#) for an example of the mobilization of women.



**Photo 8.4 Protests by women in favor of reproductive rights** In Buenos Aires, Argentina, in 2019, women march in favor of the decriminalization of abortion. After sustained pressure, their efforts paid off and abortion was legalized in late 2020, making Argentina the third Latin American country to legalize abortion. Cuba and Uruguay had done so earlier.

*Source:* © NurPhoto/Getty Images.

Similarly, gains in civil rights by indigenous peoples and Afro-descendants were made in part through a bottom-up process. The mobilizations of indigenous peoples, which gathered momentum in the wake of the protests against the quincentennial celebration of Columbus's arrival to the Americas in 1492, had an impact on rights pertaining to indigenous peoples. In some cases, these groups were assisted by transnational advocacy networks and the work of international



organizations ([Brysk 2000](#); [Van Cott 2005a](#); [CEPAL 2014](#); [Becker and Stahler-Sholk 2019](#)). Activism by Afro-descendants was also a factor in the official response to racial discrimination ([Paschel 2016, 2018](#); [Dixon 2020](#)).

Finally, the expansion of LGBTQ+ rights is also due to the activism of people in those groups ([Díez 2015](#); [Encarnación 2016](#)). Pressure for reform was brought to bear through social mobilization. And the institutionalization of the LGBTQ+ movement through the formation of NGOs (nongovernmental organizations) dedicated to the advocacy of LGBTQ+ rights was key to sustaining this pressure. Indeed, for pressure to be effective, it has to grow and be sustained.

In sum, an active civil society, with the support of international networks, has played a key role in the attainment of civil rights in the region.

### 8.3.3 The Judiciary

To understand the sources of civil rights, it is also necessary to look beyond processes that feed into actions of the legislature and the executive – that is, those governmental institutions responsible for enacting laws – and to consider institutions of the state. In this regard, an obvious institution to consider is the judiciary.

The judiciary is vested with the power to sanction deviations from the law and mandate redress in cases where civil rights have not been respected. Thus, the protection of civil rights requires a strong and independent judiciary, one that enforces the law equally and treats the powerful and the weak alike. But courts in Latin America do not consistently fulfill this function. Indeed, the variable respect for civil rights can frequently be traced to the actions of courts.

In the twenty-first century, courts have become more forceful actors and have taken some steps to hold the powerful accountable and to protect civil rights more broadly ([Gloppen \*et al.\* 2010](#); [Wilson and Gianella 2019](#)). Higher courts have used their power of judicial review to declare as unconstitutional laws that are not consistent with civil rights. Courts in many countries have taken unprecedented steps to hold top-level government officials accountable for human rights atrocities committed in the 1970s and 1980s. Finally, courts have played a role in enforcing a range of civil rights recognized in the law, punishing violators of these rights and offering justice to victims.

Nonetheless, the judiciary does not always effectively enforce the civil rights of all citizens and is partly responsible for deficiencies in Latin

America's record on civil rights. One problem is the politicization and corruption of the judiciary. On the one hand, politicians intervene in the judiciary, pressuring the judiciary not to investigate crimes that might reveal the wrongdoings of politicians and their allies, and at times asking judges and prosecutors to look into the affairs of their opponents. On the other hand, judges and prosecutors have occasionally been more concerned with gaining political favor than with applying the law, even making judicial decisions based on bribes or threats. For this reason, the role of the judiciary in preventing abuses of power by governments or agents of the state has been limited.

Another problem is the differential access to justice by citizens. For citizens to have equal rights, they must be treated as equals under the law. Yet, abundant evidence shows that the justice system treats the politically connected and the wealthy more favorably than the politically marginal and the poor. The powerful and the wealthy cannot always escape the reach of the justice system. In general, however, the courts neither sanction the powerful in ways that would cement the idea that no one is above the law nor ensure due process rights for all (see [Box 8.5](#)).

### **Box 8.5** Connections: Civil Rights and Socioeconomic Capacities

Political scientist and expert on human rights Alison [Brysk \(2013: 459\)](#) underscores that “language, illiteracy, and lack of economic resources” systematically exclude indigenous peoples, most of the poor, and many rural Latin Americans from “access to the legal system and protection from its excesses” ([Brysk 2008: 61](#)). Brysk also underscores that this situation gives rise to a “*citizenship gap* ... a systematic contradiction between the formal entitlements of citizenship and the actual life-conditions of entire social sectors” (emphasis in the original; see also [Brinks 2019](#)).

In other words, even when certain rights are formally recognized in constitutions and in laws, when actors lack the capacity to demand that their rights are respected, the gap between legal and actual rights can be considerable. For this reason, human rights activists insist on the interdependence and indivisibility of civil (as well as political) and social rights.

### **8.3.4 The State's Public Administration and Security Forces**

Finally, it is also important to consider how key parts of the state – the public administration and the security forces – have affected the record of civil rights in Latin America. The reason why the public administration and the security forces are important for civil rights is that the laws that recognize civil rights have to be enforced uniformly by the state throughout the full territory of a country. Yet two failings of Latin American states create an important obstacle to the plain exercise of civil rights ([O'Donnell 2010](#); [Auyero and Sobering 2019](#)).

We might name the first shortcoming the problem of the absent state. For example, the reduction of corruption by the wealthy requires, at the very least, the monitoring of increasingly complex maneuvers that are used to avoid the detection of illegal acts. The prevention of discrimination against vulnerable groups calls for, among other things, a state that is attentive to how various groups are treated. The protection of the right to life requires the presence of security forces where citizens might be threatened. In many instances, however, the state is simply not present where it is needed to detect violations of civil rights and to enforce civil rights.

We might label the second drawback the problem of the present state. For example, public officials commonly deny a legitimate request to access public information, violate the right to privacy of a citizen, or steer public resources to a TV station or newspaper that is friendly to the government. In some instances, public officials demand a bribe to take some action when they have a public duty to respond to a citizen's request. Likewise, some

security forces repress peaceful protestors, treat the poor as criminals simply because they are poor, and even work in concert with criminals who target citizens. Thus, in many instances, the state is present, but agents of the state make arbitrary decisions – which are not consistent with a state that operates in line with the rule of law – and are themselves responsible for violations of civil rights.

The role of the state is essential for civil rights. It is the state's responsibility to guarantee civil rights, and the state enforces rights in large part through the public administration and the security forces. Nevertheless, at times, the state fails to take the required actions to protect civil rights and, at other times, it acts in ways that violate citizens' civil rights.

## 8.4 Summary

This chapter has provided an introduction to civil rights in contemporary Latin America.

We started by clarifying some key concepts. We defined civil rights as a category of legal and moral rights that defend individuals (and groups) from possible abuses of state power and protect individuals (and groups) from undue interference by the state. We argued that civil rights differ from the political rights at the heart of democracy; political rights enable citizens to participate in the process of decision-making and have a say in government. We also claimed that the list of civil rights is a long one, but that they could be grouped into four kinds of rights: equality rights, liberty rights, security rights, and due process rights. We also made a case that some civil rights should be prioritized.

We provided an assessment of the state of civil rights in Latin American democracies since the 1990s and showed that it was mixed. Many positive signs of respect for civil liberties exist. Achievements regarding liberty rights and equality rights deserve highlighting. However, none of the four kinds of civil rights is well established in Latin American democracies. And many democracies are corrupt, discriminatory, semi-free, violent, or unjust. Latin America faces many problems of civil rights.

We also argued that civil rights are significant for two reasons. Deficits regarding civil rights are important in themselves. They are also significant for democracy. Citizens expect democracies to resolve problems of civil rights. Thus, problems of civil rights are a problem *for* democracy, and how

democracies respond to these problems matters for democracy. When democracies have had some successes in addressing problems of civil rights, as in their response to the legacy of human rights violations, this success legitimates and strengthens democracy. In contrast, when democracies have failed to resolve problems of civil rights, as evident in their failure to prevent and punish high-level corruption and violence, the legitimacy of democracy is questioned, and democracy is weakened. In other words, problems *for* democracy can turn into problems *of* democracy.

Finally, we explained the mixed record of respect for civil liberties in Latin America in terms of a combination of four factors: democracy, social mobilization and international networks, the judiciary, and the state's public administration and security forces. Latin America's democracies have provided only a partial impetus for the improvement of civil rights. The low- or medium-quality of most Latin American democracies puts a break on democracy's promise to deliver. Thus, democracy by itself has not guaranteed progress regarding civil rights. Critically, civil rights are improved when actors other than politicians – social actors and various nonelected public officials (in the judiciary, the public administration, and the security forces) – play a proactive role. In Latin America, however, the positive role of civil society has not been accompanied by a similar role by nonelected public officials, who have lacked either the power or the will to ensure that civil rights are uniformly enforced throughout the full territory of a country.

The expansion of citizenship rights through the development and strengthening of civil rights remains a pending task for the region's democracies. And this task is inextricably linked with the deepening of democracy. As argued, the failure to protect civil rights weakens



democracy, but weak democracies are limited in their ability to protect civil rights. That is, the persistent problems *for* democracy makes it hard to fix problems *of* democracy, and problems *of* democracy prevent a strong response to problems *for* democracy. Latin America needs to find a way out of this quandary.

## **Discussion Questions**

- 1.** What are civil rights and how are they different from other kinds of rights, such as political rights? What are the main civil rights? Why are some civil rights considered more important than other civil rights?
- 2.** The state of civil rights in Latin America is mixed, with many accomplishments and many problems. What civil rights are recognized and respected in Latin America? What civil rights has Latin America failed to recognize legally or to enforce?
- 3.** Many factors explain why countries make or do not make progress regarding civil rights. What are some of the key factors that account for differences in the state of civil rights? In what way might democracy help the advancement of civil rights?

## *Resources*

## Additional Readings

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## Websites

*Center for Reproductive Rights.* A global legal advocacy organization dedicated to advancing women's reproductive health, self-determination, and dignity as basic human rights. It includes information on reproductive rights in Latin America. Website: <https://beta.reproductiverights.org>

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*Comparative Constitutions Project.* An academic project that provides an online compendium of the world's constitutions in English. The site allows for the cross-comparison of constitutional passages. Website: [www.constituteproject.org](http://www.constituteproject.org)

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*Due Process of Law Foundation.* A regional organization that promotes the rule of law in Latin America. It publishes reports on judicial independence, human rights, and indigenous peoples. Website: [www.dplf.org/en](http://www.dplf.org/en)

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*Equaldex.* A collaborative knowledge base for the LGBTQ+ movement, visualizing LGBTQ+ rights through maps and timelines. Website: [www.equaldex.com](http://www.equaldex.com)

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*Global Witness.* An international NGO that works to break the links between natural resource exploitation, conflict, poverty, corruption, and human rights abuses worldwide. Website: [www.globalwitness.org/en/](http://www.globalwitness.org/en/)

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*Guttmacher Institute.* A leading institute conducting evidence-based research and advocacy to advance sexual and reproductive health and rights around the world. The Institute publishes frequent reports on women's and

adolescents' contraceptive needs and unintended pregnancy, while tracking women's access to safe abortion in Latin America and the Caribbean.

Website: [www.guttmacher.org/geography/latin-america-caribbean](http://www.guttmacher.org/geography/latin-america-caribbean)

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*Human Rights Watch*. An international NGO that conducts research and advocacy on human rights. It publishes an annual report on the state of human rights around the world called *World Report*. Website: [www.hrw.org](http://www.hrw.org)

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*International Work Group for Indigenous Affairs*. A global human rights organization, based in Denmark, dedicated to promoting, protecting, and defending indigenous peoples' rights. It publishes a comprehensive annual overview of indigenous peoples' rights called *The Indigenous World*.

Website: [www.iwgia.org/en/](http://www.iwgia.org/en/)

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*Minority Rights Group International*. An international NGO that works to secure rights for ethnic, national, religious and linguistic minorities, and indigenous peoples around the world. Website: <https://minorityrights.org>

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*OAS's IACHR (Organization of American States, Inter-American Commission on Human Rights)*. The IACHR is a body of the OAS tasked with promoting the observance and defense of human rights in the Americas. The IACHR publishes an annual report that provides an overview of the state of human rights in Latin America. Part of its work is done through rapporteurships, which prepare specialized reports on various issues. Currently, there are ten rapporteurships:

- Rapporteurship on Human Rights Defenders
- Rapporteurship on the Rights of Afro-Descendants and against Racial Discrimination

- Rapporteurship on the Rights of the Child
- Rapporteurship on the Rights of Indigenous Peoples
- Rapporteurship on the Rights of Lesbian, Gay, Trans, Bisexual, and Intersex Persons
- Rapporteurship on the Rights of Migrants
- Rapporteurship on the Rights of Persons Deprived of Liberty
- Rapporteurship on the Rights of Women
- Special Rapporteurship for Freedom of Expression
- Special Rapporteurship on Economic, Social, Cultural, and Environmental Rights

Website: [www.oas.org/en/iachr/](http://www.oas.org/en/iachr/)

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*OAS (Organization of American States), Inter-American Court of Human Rights.* The OAS's Inter-American Court of Human Rights is an autonomous judicial institution charged with enforcing and interpreting the provisions of the American Convention on Human Rights. Website: [www.corteidh.or.cr/index.php/en](http://www.corteidh.or.cr/index.php/en)

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*OGP (Open Government Partnership).* A multilateral initiative to promote open government, empower citizens, fight corruption, and harness new technologies to strengthen governance. Most Latin American countries are OGP members and submit plans to introduce reforms. Website: [www.opengovpartnership.org](http://www.opengovpartnership.org)

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*The Religion and State Project.* A university-based project, located at Bar Ilan University, Ramat Gan, Israel, which provides data, on an annual basis

between 1990 and 2014, on several aspects of separation of religion and state in 183 countries. Website: [www.thearda.com/ras/](http://www.thearda.com/ras/)

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*UN Women (UN Entity for Gender Equality and the Empowerment of Women)*. A UN entity that promotes the empowerment of women. It has published two annual reports on the state of women's rights: *Progress of the World's Women* and *World Survey on the Role of Women in Development*. Website: [www.unwomen.org/en](http://www.unwomen.org/en)

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*US Department of State*. The US Department of State publishes annual human rights reports, called *Country Reports on Human Rights Practices*, on all Latin American countries. Website: [www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/](http://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/)

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*WJP (World Justice Project)*. An international civil society organization dedicated to the promotion of the rule of law around the world. It publishes the World Justice Project Rule of Law Index, a quantitative measure of adherence to the rule of law around the globe, typically on an annual basis. Website: [www.worldjusticeproject.org](http://www.worldjusticeproject.org)

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*WOLA (Washington Office on Latin America)*. A US-based NGO, the stated goal of which is to promote human rights, democracy, and social and economic justice in Latin America and the Caribbean. Website: [www.wola.org](http://www.wola.org)

# Documentaries

*Ayotzinapa, El paso de la Tortuga* (2018). 80 minutes. In Spanish. A documentary about forty-three Mexican students forcibly disappeared after being violently detained by police, and the unsatisfactory slow investigation that followed at both state and federal levels.

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*Berta Didn't Die, She Multiplied!* (2017). 30 minutes. In Spanish, with English subtitles. On the Indigenous Lenca and Afro-Indigenous Garifuna people of Honduras in their struggle against capitalism, patriarchy, racism, and homophobia.

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*Emergency Exit: In & Out* (2012). 62 minutes. In Spanish, with English subtitles. On gay, lesbian, and transsexual rights in Argentina.

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*Falsos Positivos* (2009). 55 minutes. On the innocent victims of the false positives campaign in Colombia, whereby members of the Colombian army killed innocent people and dressed the dead bodies in military fatigues to claim rewards provided for killing FARC guerrillas.

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*Honduras: Blood and the Water* (2016). 30 minutes. Focuses on the assassination of environmental activist Berta Cáceres in Honduras in early 2016. Cáceres, a defender of the rights of indigenous communities and land rights, was involved in an attempt to stop a hydroelectric dam from being built.

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*Jailed for Abortion in El Salvador* (2020). 23 minutes. A CBS documentary on El Salvador's harsh abortion laws and the jailing of women who had abortions.

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*Let It Be Law* (2019). 86 minutes. In Spanish, with English subtitles. A documentary on the women fighting for abortion rights in Argentina.

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*Mariela Castro's March: Cuba's LGBT Revolution* (2016). 40 minutes. Follows Mariela Castro, daughter of Raúl Castro, and her LGBT supporters as they spread their message of equality across Cuba.

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*Presumed Guilty* (2011). 87 minutes. Two lawyers struggle to free a man, Antonio Zúñiga, who has been wrongly convicted by the Mexican judicial system.

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*Reportero* (2013). 57 minutes. Follows a veteran Mexican reporter and his colleagues at *Zeta*, a Tijuana-based independent newsweekly, as they stubbornly ply their trade in one of the deadliest places in the world for members of the media.

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*The 43* (2019). Two episodes, 56 and 76 minutes. A two-part docuseries that disputes the Mexican government's account of how and why forty-three students from Ayotzinapa Rural Teachers' College vanished in Iguala in 2014. Part 1 offers reconstructions, cellphone videos, and interviews with survivors and experts who recount the events that led to dozens of missing students. Part 2 focuses on how, after government officials offered evidence incriminating the mayor of Iguala, protests led Mexico's president to approve an independent investigation.

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*They Killed Sister Dorothy* (2008). 94 minutes. Tells the story of the killing of 73-year-old Catholic nun and activist Sister Dorothy Stang in 2005, in the state of Pará in the Brazilian rainforest. For thirty years, Sister Dorothy had fought alongside environmentalists and the underprivileged local communities against the exploitation of powerful loggers and landowners.

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*When Two Worlds Collide* (2016). 102 minutes. In Spanish, with English subtitles. An indigenous environmental activist takes on the large businesses that are destroying the Peruvian Amazon during the presidency of Alan García (2006–2011).

9

# Transitional Justice

*Responses to Past Human Rights Violations*







**Photo 9.1 The trial of military juntas in Argentina** In an unprecedented event in Latin America, the nine leaders of the three military juntas that governed Argentina during 1976–1982 stand trial in 1985, to face charges of human rights violations. This trial remains one of the boldest moves in Latin America to make former dictators accountable for past actions that involved extra-judicial executions, torture, and enforced disappearances. It is also one of the clearest demonstrations of the power of transitional justice.

*Source:* Radio Universidad.

One of the distinct challenges faced by many countries in Latin America, as they moved from dictatorship to democracy and from civil war to peace, has been the task of coming to terms with a violent past, involving human rights violations in which state agents killed, tortured, and disappeared people. In the period after the Cuban Revolution of 1959, many countries had repressive dictatorships, others endured prolonged civil wars, and yet others experienced both dictatorship and civil war. A common feature of all three situations was that tens of thousands of people died at

the hands of state agents. And, as countries left this dark period behind them, they faced pressure to confront some of the past's most egregious features and to make amends.

The violence had been done, and the state's failure to uphold such critical civil rights as the right to life and physical integrity could not be undone. However, having moved beyond dictatorship and/or civil war, these societies faced an inescapable question: What could and should be done with regard to past human rights violations?

In this chapter, we explore how Latin American countries grappled with this question. We start by clarifying what we mean by transitional justice, a common concept in discussions of societies that confront past human rights violations in the wake of a transition, whether from dictatorship or from civil war. We then address the question: What is the record of Latin American democracies with regard to transitional justice? Here, we use a variety of sources of information to provide a comprehensive picture of all Latin American countries in which transitional justice was a relevant issue. Next we ask: What explains the successes and failures of Latin American democracies in facing up to the challenge of transitional justice? In this section, we first provide case studies of pairs of countries (Brazil and Mexico, El Salvador and Guatemala, Chile and Argentina) and then offer some general reflections. Finally, we summarize our key points.

## **9.1 What Is Transitional Justice?**

Countries that have undergone a transition from dictatorship to democracy and/or from civil war to peace and inherit a history of human rights violations face a distinct challenge. If they are to move forward, they must face up to their traumatic past. They must come to terms with their past. They must find a way to heal their deep wounds. They must do this both at the individual level and at the societal level. They must engage in a process called transitional justice.

### 9.1.1 The Aims of Transitional Justice

Transitional justice focuses on harm done during an earlier time. Thus, it is limited in terms of what it can do. It addresses damages caused by state agents that cannot be reversed by any action of the state. Citizens were killed and they cannot be brought back to life. Citizens were tortured and that experience cannot be undone. Citizens were disappeared – that is, captured by state agents and presumed dead – and the pain of relatives who lived for years without knowing what happened to their loved-ones cannot be erased. Transitional justice cannot do anything to undo the harm caused by past events.

However, within these limits, transitional justice seeks to remedy past wrongs by pursuing two aims. It seeks to help societies understand past conflicts that led to violence, with the hope that learning about the past will aid the process of healing and prevent the recurrence of violence. In a word, it aims to reveal the *truth* about the past. It also seeks to offer at least a partial remedy for the state's past deeds by fulfilling the rights of victims who remain alive – that is, victims of torture who survived and relatives of those who were killed or disappeared – to see those who allegedly carried out crimes face a court of justice. That is, it strives to provide a measure of *justice*.

Given these aims, two civil rights are involved in transitional justice: the right to know; and the right to due process.

The *right to know* is an important part of transitional justice because the state usually had tight control over information when its agents committed human rights violations. Thus, as societies move beyond periods

of great turmoil and pain, the victims' right to know affects their ability to learn the truth about past events. Additionally, the broader society has a right to know about its collective past. Victims, and society, cannot move on if they do not have information about what happened and who was responsible for human rights violations.

Transitional justice also concerns *due process rights*. Victims have the right to see those who allegedly violated human rights (e.g., a state agent who gave orders or carried out orders to kill, torture, or disappear a person) stand trial. And this aspect is rightly seen as central to transitional justice. Although the experience of victims might differ, for many, healing is likely to necessitate more than just knowing and understanding what happened: it also might require the knowledge that their victimizers have been held accountable.

Additionally, from the perspective of the law, another matter is also crucial. The accused have the right to a fair trial. And ensuring that these due process rights are respected is a central concern of transitional justice. Indeed, a distinctive feature of transitional justice is its rejection of the practice of “revolutionary justice” (see [Box 9.1](#)).

### **Box 9.1** A Closer Look: Transitional Justice vs. Revolutionary Justice

To understand what transitional justice is, it is useful for us to contrast it with the idea of revolutionary justice. Revolutionary justice also occurs in a context of change in a society, when there has been a sudden change in the power of different actors and when a new dominant group addresses past injustices. However, in cases where revolutionary justice was applied, as in Cuba immediately after Fidel Castro came to power in 1959, and in Nicaragua after the ousting of Somoza in 1979, the rights of the accused were not respected.

Many of the security forces that worked with Fulgencio Batista, the dictator overthrown by Castro and his guerrillas, were summarily executed after what could be characterized as “show trials.” Similarly, agents of the Somoza government displaced by the Sandinista revolution in Nicaragua were tried by Special Tribunals that did not respect the right to a fair trial of those accused of crimes.

Thus, one way for us to think about transitional justice is that it is both a challenge and an opportunity for a society. It is an important challenge, in that societies need to look back to understand the conflicts that led to violations of human rights. It is also a unique opportunity, inasmuch as societies that deal with the traumas in their past in a way that respects the civil rights of all are

more likely to value a broad range of civil rights and respect the rule of law in the future.

### **9.1.2 A Debate about Truth and Justice**

The emphasis on truth and justice as the two aims of transitional justice, and on the rights to know and to due process as the civil rights at stake, is not controversial. Nonetheless, scholars and activists working on transitional justice disagree on some matters, the most important one being the relationship between the aims of truth and justice. In particular, there has been disagreement about a possible trade-off between the attainment of truth and justice, and what role amnesties should play in dealing with past human rights violations.

One perspective, which gained popularity in light of the experience with transitional justice in post-apartheid South Africa, holds that the attainment of both truth and justice is unlikely, and that truth should be given priority. The argument goes as follows. The perpetrators of human rights violations hold much of the information regarding human rights abuses, and in a trial they would have the right not to incriminate themselves. Thus, if justice is prioritized, the right to truth would have to be sacrificed. And without truth the possibility of reconciliation between victims and perpetrators and within society at large that follows from a frank discussion of the facts would be reduced.

Proponents of this perspective then use this assumed trade-off to justify the granting of amnesty to perpetrators of human rights violations – as occurred in South Africa – conditional on the full disclosure of information and on the acceptance of a request for amnesty by some commission. Gains in truth would come at the expense of justice. But, in this view, the loss of justice is compensated by gains in reconciliation



([Rotberg and Thompson 2000](#)). (This line of argument is sometimes linked with the view that the pursuit of justice might jeopardize democracy and hence that an emphasis on truth over justice is also compensated by gains in democratic stability. We address this related argument below.)

Another perspective that reflects thinking about the Latin American experience proposes a different course of action. It does not concede that there is some necessary trade-off between truth and justice. It also questions that, in the case of a trade-off, justice should be sacrificed in the name of truth. Advocates of this perspective emphasize the centrality of the right to know ([Méndez and Bariffi 2012](#); [OAS IACHR 2014](#)). But they also stress, based on the jurisprudence on amnesty laws of the Inter-American system and a series of rulings by the Inter-American Court of Human Rights starting in 2001, that amnesty laws that create impunity for serious violations of human rights involve an unacceptable cost and run counter to the American Convention on Human Rights and other treaties ([Binder 2011](#); [Martin 2018](#)).

Thus, from this second perspective, truth is important, but information held by perpetrators of human rights abuses should not be traded for an amnesty. If the powerful actors who violated human rights do not face their day in court, victims will have a harder time moving on and society will receive a terrible signal. In brief, victims and society at large are better served by always fighting against impunity ([Méndez 1997](#); [Roht-Arriaza and Mariezcurrena 2006](#); [Sikkink and Walling 2006](#): 321; see, however, [Engle et al. 2016](#)).

### 9.1.3 Our Approach to Transitional Justice

We do not fully take a position on this debate at the outset of this discussion. However, we do note some differences with the first perspective. First, whether or not there is a necessary trade-off between truth and justice, as advocates of the first perspective assume, is an empirical question that we will address next. Thus, we do not assume that there is some inherent, necessary trade-off between truth and justice. Perhaps societies *can* avoid this trade-off and thus do not need to choose between truth and justice.

Second, on the normative question of whether truth or justice is more valuable, we find it difficult to make a case in the abstract for giving more weight to truth or to justice. We consider both truth and justice as valuable. Thus, the ideal of transitional justice is the joint attainment of truth and justice. Moreover, if societies cannot avoid a trade-off between truth and justice and a choice has to be made, we do not consider that there is a justification for positing that truth is more valuable than justice.

Both truth without justice and justice without truth are problematic. And it is not obvious that one problem is preferable to the other. Still, as an ethnographic study by political scientist Leigh [Payne \(2008\)](#) shows, confessions by perpetrators unsettle rather than resolve accounts with the past. Thus, it does not seem justified to assume that truth should be prioritized because it supposedly allows victims to move on. Indeed, the only clear normative standard is that both truth and justice *should* be sought, and this is the standard we will use in our analysis.

In sum, we take transitional justice to be about truth and justice regarding past violations of human rights. We do not assume that there is a necessary trade-off between truth and justice. And we see the joint attainment of both truth and justice as the ideal outcome of processes of transitional justice.

## **9.2 Describing the State of Transitional Justice**

Turning to the record of Latin American democracies with regard to transitional justice, we organize our discussion as follows. First, we consider where transitional justice is relevant and distinguish two scenarios in Latin America where transitional justice is widely seen as relevant. Next, we address steps taken to expose the truth of past human rights violations. Subsequently, we do the same with regard to the attainment of justice for past human rights violations. Finally, we draw conclusions from this analysis regarding a possible trade-off between truth and justice.

### **9.2.1 Two Scenarios Where Transitional Justice Is Relevant**

Transitional justice is relevant where there is a history of human rights abuses, and a transition has occurred. Thus, as Latin American countries transitioned from dictatorship and/or from civil war starting in the 1980s, and left behind violent conflicts in which the state was seen as responsible for violating human rights in nearly every country in the region (see [Chapter 3, section 3.3.3](#)), transitional justice became a relevant issue in most Latin American countries. The only exceptions in the region were: Costa Rica, as the region's oldest democracy and a country that had not seen violent conflict in many decades; Venezuela, a country that in the 1980s and 1990s was a long-standing democracy whose conflictual history lay in the distant past; Ecuador, a country that did not inherit a legacy of human rights violations when it democratized in 1979; and Cuba, because it did not make a transition.

Transitional justice may be relevant in the future in countries that are currently authoritarian. In particular, given the grave violations of human rights in Venezuela under President Maduro (see [Chapter 8, Box 8.4](#)), it is likely that a future democratic government in Venezuela will face pressure to support a process of transitional justice. Transitional justice, currently framed in Latin America in somewhat narrow terms, could also be treated as a relevant mechanism to address other problems in the region's past. However, here we focus on those instances where transitional justice has been broadly considered as relevant in contemporary Latin America. See [Box 9.2](#) on the possible expansion of the scope of transitional justice.

### **Box 9.2** A Closer Look: Where Is Transitional Justice Relevant?

It is not always obvious if transitional justice is relevant in some society.

The conventional understanding of transitional justice sees it as relevant following a transition from a period in which human rights abuses were common. Thus, ongoing human rights abuses are usually not considered as falling within the scope of transitional justice. Still, there is some leeway in terms of what falls under the heading of past human rights abuses.

The past abuses can be near in time, as was the case with some Latin American countries that confronted the violence of the 1960s and 1970s rather promptly, starting in the 1980s and 1990s. But it can be more distant – that is, even beyond the lifetime of those directly affected by the abuses.

Human rights abuses can also be understood in narrower or broader terms. A narrow view places the focus on extra-judicial executions, torture, and disappearances committed by state agents. Yet, broader views might be consistent with the idea of transitional justice. For example, such abuses of state power could include state-sanctioned slavery or the state-sanctioned decimation of indigenous peoples, two issues of broad relevance throughout the Americas.

Turning to the countries where transitional justice is currently seen as relevant, some introductory observations are in order. In broad strokes, it is useful to distinguish between two scenarios: one involving countries that

made a transition from dictatorship; another, of countries that made a transition from civil war. We can then identify within each scenario countries in which the level of past violations of human rights is particularly high (see [Table 9.1](#)).

**Table 9.1 Transitional justice in Latin America: Two scenarios**

**Table 9.1(a) After dictatorship**

Region/country	Transition from*	Period of violent conflict	Number of victims (deaths)**
<b>South America</b>			
Argentina	Military dictatorship (1983)	1974–1977	9,000–30,000
Bolivia	Military dictatorship (1982)	1965–1982	350
Brazil	Military dictatorship (1985)	1965–1982	421
Chile	Military dictatorship (1990)	1973–1990	3,065
Paraguay	Military dictatorship (1989)	1954–1989	424
Peru	Military dictatorship (1980)	1966–1980	500
Uruguay	Military dictatorship (1985)	1973–1985	300
<b>Mexico, Central America, and the Caribbean</b>			
Mexico	Civilian dictatorship (2000)	1964–1982	3,000
		1994–1995	300
Honduras	Military dictatorship (1982)	1970–1990	1,000
Panama	Military dictatorship (1989)	1968–1989	148
Dominican Republic	Civilian dictatorship (1978)	1930–1961, 1966–1978	20,000–30,000

**Table 9.1(b) After civil war\*\*\***

Region/country	Transition from*	Period of violent conflict	Number of victims (deaths)**
<b>South America</b>			
Colombia	Civil war (2017)	1964–2017	220,000
Peru	Civil war (2000)	1980–1999	70,000
<b>Mexico, Central America, and the Caribbean</b>			
El Salvador	Civil war (1992)	1979–1992	80,000
Guatemala	Civil war (1996)	1960–1996	200,000
Nicaragua	Civil war (1990)	1978–1979	50,000
		1979–1989	30,000

*Notes:* The information is for all countries where transitional justice is relevant.

\* The year is the year when the transition from dictatorship or civil war was accomplished.

\*\* The number of victims refers to the number of dead people (i.e., it excludes victims of torture).

\*\*\* In some of these cases, the end of civil war coincided with the end of dictatorship (e.g., El Salvador, Guatemala, and Nicaragua).

*Source:* Authors' elaboration, based on [Lean 2003](#): 174; [Sikkink and Walling 2007](#): 441; [Lacina and Uriarte 2009](#); [Collins 2010](#): 773; [Bothmann 2015](#): 153–5; [Center for Systemic Peace 2017](#); [USIP 2019](#); and other sources.

Most cases of transitional justice in Latin America fit the post-dictatorship scenario, the typical case involving the legacy of repression of military dictatorships. Of these, the most notorious and repressive were the dictatorships led by General Augusto Pinochet in Chile and by General Jorge Videla in Argentina. Additionally, in this category it is important to highlight cases such as Mexico's civilian-led authoritarian regime, which was involved in two student massacres (in 1968 and 1971), a "dirty war" in the 1970s and 1980s, and the repression of the Zapatista uprising in Chiapas in 1994–1995; and the Dominican Republic's authoritarian regimes led by General Rafael Trujillo (1930–1961) and Joaquín Balaguer (1966–1978), two leaders widely considered as responsible for some of the worst violence in the region.

Fewer countries in Latin America fit the post-conflict situation, in which a country emerges from a civil war and then confronts its violent past. However, two distinctive features of these cases stand out. First, post-conflict cases involved the greatest number of deaths. The death toll in all post-conflict cases was larger than in post-dictatorship cases. Among these, Guatemala and Colombia stand out as having the most violent history in the entire region.

Second, in this scenario, violence had been perpetrated by multiple sides in the conflict, not only by the state's military forces. Thus, the legacy of violence concerned human rights violations – which, as is commonly



understood, pertains to actions by state agents – as well as atrocities carried out by nonstate actors, such as paramilitary forces allied with the government (e.g., in Colombia and El Salvador) and guerrilla organizations (e.g., in Colombia, Peru, El Salvador, and Guatemala).

In sum, the challenge of coming to terms with past human rights violations has been relevant to most Latin American countries in the contemporary period – to fifteen of the region's nineteen countries, with Peru involving two distinct episodes. It has taken a different form in two distinct scenarios: one marked by a transition from dictatorship, the other by a transition from civil war. And it has been given added urgency due to the scale of past violations of human rights in some countries.

Thus, the question we address next is: What is the record of Latin American democracies with regard to transitional justice? More precisely, what have Latin American democracies done to expose the truth about, and obtain justice for victims of, past human rights violations?

### 9.2.2 Truth and Truth Commissions

One way in which Latin American countries have confronted their past is through the work of truth commissions, distinct investigative bodies specifically oriented to exposing the truth about past human rights violations.

Truth commissions have some common features. These have been identified, by Priscilla Hayner, a co-founder of the International Center for Transitional Justice (ICTJ), and Mark Freeman, a legal analyst and expert on international human rights, as follows:

- Truth commissions are ad hoc commissions authorized by governments, but operating relatively independently of the government.
- They are fact-finding bodies that have as their purpose the investigation and reporting of abuses, rather than the presentation of and adjudication of charges (a function for prosecutors and judges).
- They focus on past rather than ongoing events, and they address broad and severe violence (rather than specific or relatively minor acts of violence) carried out by agents of the state.
- They can make recommendations for the redress and future prevention of such acts of violence ([Freeman 2006](#): 12–18; [Hayner 2011](#): 11–12).

This standard mechanism of transitional justice has been regularly used in Latin America. The first country to have a successful truth commission was Argentina, in 1983–1984. (Bolivia set up a truth commission in 1982,

but it was disbanded in 1984 and did not deliver a report, a key product of such commissions.) A few years later, in 1990, Chile set up its own truth commission. Thereafter, many Latin American countries followed in the steps of these early cases (see [Tables 9.2](#) and [9.3](#)).

The experience of these truth commissions has been rich and varied. Thus, it is hard to summarize. Still, we can draw some basic conclusions.

First, truth commissions were set up and did their work on most episodes of past violence that called for investigation. Thirteen out of the sixteen episodes identified in [Table 9.1](#) were investigated. However, the number of victims was considerable in two of the three cases where truth commissions were not set up (the Dominican Republic and Nicaragua), making the failure to have a truth commission a glaring omission.

Second, truth commissions set up in post-dictatorship and post-conflict scenarios differed in terms of their membership and the scope of abuses they were charged with investigating. All post-dictatorship truth commissions were constituted by members from the country being investigated and the scope of the investigation was essentially limited to the acts of agents of the state. In contrast, post-conflict truth commissions were usually constituted with at least some members who were not citizens of the country being investigated, and in all cases the scope of the investigation encompassed acts of both state agents and nonstate actors, which included in particular the guerrillas who fought against the government's security forces. That is, truth commissions reflected the distinctive challenge of having to come to terms with a past in which violence had been largely one-sided (in dictatorships) or two-sided (in civil wars).

Third, truth commissions significantly contributed to an accounting of the past. The reports issued by truth commissions provided a detailed and

impartial discussion of the events they were charged with investigating. These reports regularly drew on information gathered in interviews with victims and, thus, in some sense gave voice to victims. Additionally, some truth commissions took an extra step, making recommendations regarding reparations for the victims of past human rights abuses (see [Box 9.3](#)).

**Table 9.2** Truth commissions in Latin America, 1980s–2010s: After dictatorship

Region/ country	Name	Years of operation	Membership	Scope of investigation	Output of truth commission	
					Report	Findings
South America						
Argentina	National Commission on the Disappearance of Persons	1983–1984	National	Disappearances of persons during the military regime (1976–1983)	Yes (1985)	Documented 9,000 disappearances, estimated the real numbers to range between 10,000 and 30,000
Bolivia	National Commission for Investigation of Forced Disappearances Truth Commission	1982–1984	National	Disappearances during the prior authoritarian regimes (1967–1982)	Not completed	155 cases of disappearances were documented
		2017–2019	National	Serious human rights violations during the prior authoritarian regimes (1964–1982)	Yes (2020)	6,800 people were persecuted, detained, and tortured.
Brazil	National Truth Commission	2011–2014	National	Human rights violations during the prior democratic regimes (1946–1964, 1985–1988) and authoritarian regime (1964–1985)	Yes (2014)	434 people were killed or disappeared by actions of the military regime
Chile	National Commission for Truth and Reconciliation Report	1990–1991	National	Human rights abuses resulting in deaths or disappearances during the prior authoritarian regimes (1973–1990)	Yes (1991)	3,428 cases of disappearance, killing, torture, and kidnapping
	National Commission on Political Imprisonment and Torture	2003–2005	National	Abuses of civil rights or politically motivated torture, by agents of the state and by people in their service, during the prior authoritarian regimes (1973–1990)	Yes (2004/2005)	Nearly 40,000 imprisoned for political reasons and most had been tortured
Paraguay	Truth and Justice Commission	2004–2008	National	Acts of government during the prior authoritarian regime (1954–1989) and democratic regime (1989–2003)	Yes (2008)	During 1954–1989, there were 19,862 arbitrary detentions, 18,772 cases of torture, at least 59 victims of summary executions, 336 forced disappearances, and a total of more than 128,000 victims
Uruguay	Investigative Commission on the Situation of Disappeared People and its Causes	1985	National	The fate of the disappeared during the prior authoritarian regime (1973–1985)	Yes (1985)	Security forces were responsible for 164 disappearances
	Peace Commission	2000–2002	National	The fate of the disappeared during the prior authoritarian regime (1973–1985)	Yes (2003)	Of the 38 disappeared investigated, the vast majority of abuses involved state agents
Mexico, Central America, and the Caribbean						
Mexico	Commission for Access to Truth, Historical Clarification and the Promotion of Justice	2021–ongoing (planned for 3 years)	National	Grave violations of human rights during the prior authoritarian regime (1965–1990)		
Honduras*	National Commission for the Protection Human Rights	1993–1994	National	Disappearances during the 1980–1993 period	Yes (1994)	179 disappearances carried out by Honduran military and security forces between 1979 and 1990
Panama	Panama Truth Commission	2001–2002	National	Human rights violations during the prior authoritarian regime (1968–1989)	Yes (2002)	110 documented cases of human rights abuses

*Notes:* Post-dictatorship cases where transitional justice was relevant yet did not have truth commissions are: Peru, with regard to the 1966–1980 period of conflict; and the Dominican Republic, with regard to the 1930–1961 and

1966–1978 periods of conflict. In some cases, commissions called truth commissions were set up, but these commissions do not fit the definition used here; that is, being official commissions charged with reviewing a period rather than a single event from a previous era, and producing a report. Examples of such commissions are Ecuador’s Truth and Justice Commission (1996–1997) and Truth Commission to Impede Impunity (2007–2009), Honduras’s Truth and Reconciliation Commission (2010–2011), and Mexico’s Presidential Commission for Truth and Access to Justice for the Ayotzinapa (2018).

\* The Honduras commission is sometimes classified as a commission of inquiry as opposed to a truth commission because it was led by a government-appointed ombudsman who worked on his own initiative.

*Source:* Authors’ elaboration, based on [Dancy \*et al.\* 2010](#): 63–4; [Hayner 2011](#): 256–84; [OAS IACHR 2014](#): 84–101; and [USIP 2019](#).

**Table 9.3** Truth commissions in Latin America, 1980s–2010s: After civil war

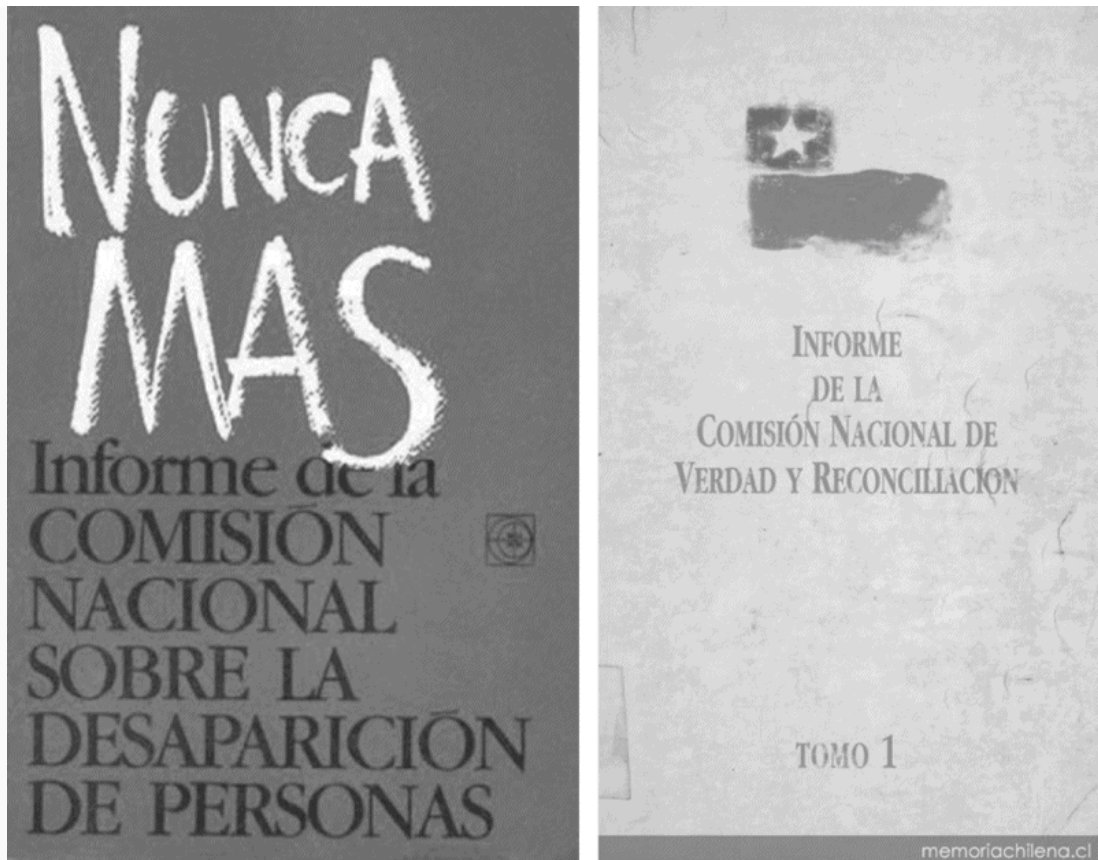
Region/ country	Name	Years of operation	Membership	Scope of investigation	Output of truth commission	
					Report	Findings
South America						
Colombia	Commission for the Clarification of the Truth, Coexistence and Nonrepetition	2018–ongoing (planned for 3 years)	Mixed (mainly national)	Clarify grave violations of human rights during 1958–2016, and delineate the collective responsibilities of the Colombian state, insurgent groups like the FARC, right-wing paramilitary groups, narco-traffickers, foreign governments, and third parties such as multinational corporations		
Peru (2000)	Truth and Reconciliation Commission	2001–2003	National	Assassinations, torture, disappearances, displacement, employment of terrorist methods, and other violations attributable to the state, the Shining Path, and the Túpac Amaru Revolutionary Movement between 1980 and 2000	Yes (2003)	The total number of people killed was between 61,007 and 77,552. The Shining Path was the principal perpetrator of crimes and human rights violations, responsible for 54% of the deaths. The Túpac Amaru Revolutionary Movement was responsible for 1.5% of the deaths. The state, the military, the police, other security forces, political parties, and each of the governments in power during the conflict, most notably the administration of President Alberto Fujimori, were responsible for the remaining deaths.
Mexico, Central America, and the Caribbean						
El Salvador	Commission on the Truth for El Salvador	1992–1993	International	Acts of violence by the government and guerrillas during the 1980–1991 civil war	Yes (1993)	From the 22,000 testimonies documented, at least 60% involved murders, 25% disappearances, and 20% torture. 85% of the acts of violence were carried out by state agents. Approximately 5% of the acts of violence were carried out by the FMLN.
Guatemala	Commission for Historical Clarification	1997–1999	Mixed	Past human rights violations and acts of violence during the 1962–1996 civil war	Yes (1999)	The total number of people killed was over 200,000. State forces and related paramilitary groups were responsible for 93% of the documented violations.

*Note:* A post-conflict case where transitional justice was relevant yet did not have truth commissions is Nicaragua, with regard to the 1978–1990 period of conflict. In some cases, commissions called truth commissions were set up, but these commissions do not fit the definition used here; that is, being official commissions charged with reviewing a period rather than a single event and producing a report (e.g., the Colombian National Committee of Reparation and Reconciliation, 1985).

*Source:* Authors' elaboration, based on [Dancy et al. 2010](#); 63–4; [Hayner 2011](#); 256–84; [OAS IACHR 2014](#): 84–101; and [USIP 2019](#).

### **Box 9.3** A Closer Look: Reports and Reparations

One of the most distinctive and critical products of truth commissions is the reports that they elaborate. These reports provide a detailed accounting of the past, including the names of people who violated human rights and the responsibility of key leaders. See [Photo 9.2](#) on two reports of truth commissions.



**Photo 9.2 Truth commission reports**

Covers of the reports presented by Argentina's and Chile's truth commissions, in 1984 and 1991 respectively. The report on Argentina (left) is entitled "Never More." The report on Chile (left) is a three-volume work.

*Source:* (right) image by the Biblioteca Nacional de Chile, distributed under a CC-BY 3.0 license.

Truth commissions can also propose various forms of reparations. Some involve material compensation by the state to victims (e.g., payment to survivors of torture or relatives of the disappeared). In addition, a symbolic kind of reparation has been



provided through memorialization projects (e.g., official memorials, state museums). See [Photo 9.3](#) for an example of memorialization.



**Photo 9.3 Memorialization** Memorial of the massacre at El Mozote, Morazan, El Salvador.

Material and/or symbolic reparations were recommended by truth commissions, and subsequently implemented by governments, in Argentina, Chile, El Salvador, Guatemala, Honduras, Paraguay, Peru, and Uruguay. In Bolivia and Brazil, reparations were provided before a truth commission did its work ([Bothmann 2015](#): 25).

These reparations have a broad positive effect. For example, a study shows that visits to museums focused on past crimes make people more inclined to condemn the authoritarian institutions that

were associated with repression, and more supportive of restorative transitional justice policies ([Balcells \*et al.\* 2018](#): 1).

In sum, with some exceptions, Latin American countries have set up truth commissions which have made important strides to uncover the truth about the past.

### 9.2.3 Justice, Trials, and Amnesties

A second way in which Latin American countries have come to terms with the past is through human rights trials, judicial proceedings tailored to the justice-oriented component of transitional justice.

These trials involve standard legal proceedings in courts in which suspects are charged, put on trial, and handed a sentence of guilty or not guilty. Most of these trials were carried out by national as opposed to international courts, and Latin American countries do not use the death penalty. Still, the stakes of trials were higher than those of truth commissions.

Relatedly, the record regarding human rights trials has often been convoluted and has dragged on for decades. Indeed, given the high stakes of trials, powerful actors, for different reasons, proposed amnesties that would essentially shield alleged violators of human rights from prosecution. Thus, we start our discussion by addressing the role of amnesties.

***Amnesties Passed.*** The first obstacle to the holding of trials of people suspected of committing human rights abuses was usually an amnesty law.

Amnesty laws have been common in Latin America. They were approved in most cases (twelve out of sixteen) where they were relevant (see [Table 9.4](#), column 2). Some amnesty laws were self-amnesties – that is, an amnesty unilaterally given by those who are the intended beneficiaries of the amnesty. Others were passed by democratically elected legislatures. In some countries, more than one amnesty law was passed. In others, only one such law was approved.

These differences aside, amnesty laws had a shared characteristic that made them particularly strong. Although some laws carved out some exceptions, in general, these amnesties were blanket amnesties. They covered a range of crimes and were not conditional on any action by those they benefited (e.g., such as having to confess to the actual crimes) ([Roht-Arriaza 2015](#): 350–1).

As Latin America began to face up to its past in the 1980s and 1990s (only the case of Colombia starts at a later date), in most countries victims faced a formidable legal obstacle in their search for justice.

**Table 9.4 Amnesty laws for human rights abuses in Latin America, 1970s–2010s**

**Table 9.4(a) After dictatorship**

Region/country	Laws		Courts		
	Amnesty passed*	Amnesty repealed	Amnesty exceptions	Amnesty reinterpreted**	Amnesty declared unconstitutional
<b>South America</b>					
Argentina	1983 1986, 1987	1983 2003	1998	1999	2001/2005
Bolivia	No	–	–	–	–
Brazil	1979				
Chile	1978		2004	2004	
Paraguay	No	–	–	–	–
Peru (1980)	No	–	–	–	–
Uruguay	1986	2011 <sup>†</sup>		2010	2010
<b>Mexico, Central America, and the Caribbean</b>					
Mexico	1978 1994	2015			
Honduras	1987, 1990, 1991				2000
Panama	1994				
Dominican Republic	No	–	–	–	–

**Table 9.4(b) After civil war**

Region/country	Laws		Courts		
	Amnesty passed*	Amnesty repealed	Amnesty exceptions	Amnesty reinterpreted**	Amnesty declared unconstitutional
<b>South America</b>					
Colombia	2005, 2016				
Peru (2000)	1992, 1995				2001
<b>Mexico, Central America, and the Caribbean</b>					
El Salvador	1987, 1992, 1993		2000		2016
Guatemala	1982, 1985, 1986, 1988, 1996		2008	2009	
Nicaragua	1985, 1987, 1988, 1990				

*Notes:* – Not applicable. The countries listed are those for which transitional justice is relevant and the amnesties included are those that focus on crimes committed before the transition was completed.

\* Dates in *italics* indicate that the amnesty was passed during a dictatorship and hence constitute self-amnesties, that is, an amnesty unilaterally given by those who are the intended beneficiaries of the amnesty.

\*\* The key reinterpretation of amnesty laws was the treatment of forced disappearances as a permanent crime.

† In 2013, the Supreme Court declared parts of the 2011 law that repealed the amnesty law unconstitutional.

*Source:* Authors' elaboration, based on [Laplanche 2009](#); [Mallinder 2010, 2016](#); [Bothmann 2015](#): 161; [Payne et al. 2015](#): 752–3; [Roht-Arriaza 2015](#); [TJRC 2019](#); and other sources.

***Amnesties Weakened and Repealed.*** From this broadly shared point of departure, however, the experience across countries in the region has varied considerably (see [Table 9.4](#), columns 3–6).

Some amnesty laws have remained in force over the years, even when they have been questioned, and the possibility of trials has been effectively blocked. That is, in some cases, amnesty laws have safeguarded perpetrators and denied victims their day in court. This is the case in Brazil, Mexico, Nicaragua, and Panama. In contrast, in other cases, amnesty laws have been weakened and even repealed by judicial and legislative decisions ([Roht-Arriaza 2015](#); [Mallinder 2016](#)).

One way in which amnesty laws have been weakened is through the enforcement of exceptions in the laws by the courts. This strategy was employed in Argentina, Chile, El Salvador, and Guatemala.

A second way in which amnesty laws have been weakened is through their reinterpretation, so as to effectively find a way around these laws. In this regard, a key judicial move has been the decision by courts to claim that the enforced disappearance of a person is a crime that continues after the period covered by the amnesty (typically, the end of a period of dictatorship or of a civil war). This legal maneuver was used in Argentina, Chile, Guatemala, and Uruguay.

Finally, a third and even more radical way in which amnesty laws have been weakened is through their outright rejection. This change has been introduced by the legislature, through the repeal of amnesty laws, a step taken in Argentina and Uruguay. It has also been initiated by the courts, through the declaration that an amnesty law is unconstitutional, a step taken in Argentina, El Salvador, Honduras, Peru, and Uruguay.

The weakening and even the repealing of amnesty laws did not guarantee that the next step would be the beginning of trials of alleged perpetrators of human rights abuses, let alone that the results of any trials would be convictions. Some countries had never had an amnesty law (e.g., Paraguay and the Dominican Republic), yet they did not show any strong signs of seeking criminal prosecutions of human rights abusers. However, the changes led by countries such as Argentina, Chile, and Peru, as well as by Guatemala and El Salvador, were an indication that the search for justice was advancing.

***Trials Completed and Avoided.*** Turning to human rights trials proper, the experience of Latin America is mixed (see [Table 9.5](#)).

Former heads of government were charged with human rights violations, and these trials ended with convictions and heavy prison

sentences in several countries (e.g., Argentina, Bolivia, Peru, and Uruguay) ([Lutz and Reiger 2009](#): chs. 4 and 5; [Roht-Arriaza 2009](#)). But in other cases presidents who were notorious for their human rights record were indicted but never went to trial (the cases of Pinochet in Chile and of Echeverría in Mexico), or were indicted and convicted but their convictions were overturned (the case of Ríos Montt in Guatemala). Furthermore, in yet other cases, high-level trials were altogether avoided.

Moreover, this mixed pattern holds more broadly. Some countries stand out because of the number of trials and guilty verdicts they have produced (e.g., Argentina, Bolivia, Chile, Guatemala, and Peru) ([Payne et al. 2015](#): 739; [Burt 2018](#): 17–20). In contrast, exemption from punishment is prevalent in countries such as Brazil, the Dominican Republic, Honduras, Mexico, and Nicaragua.

**Table 9.5 Human rights trials in Latin America, 1980s–2010s**

**Table 9.5(a) After dictatorship**

Region/country	High-level trials*	Total number of trials	Total number of convictions
<b>South America</b>			
Argentina	Videla, Viola, Bignone	3,225	915
Bolivia	García Meza	55	48
Brazil	None	0	0
Chile	None	1,048	365
Paraguay	None	9	8
Peru (1980)	None	—	—
Uruguay	Bordaberry, Alvarez	6	18
<b>Mexico, Central America, and the Caribbean</b>			
Mexico	None	—	<10
Honduras	None	—	<10
Panama	None	—	<10
Dominican Republic	None	—	0

**Table 9.5(b) After civil war**

Region/country	High-level trials*	Total number of trials	Total number of convictions
<b>South America</b>			
Colombia**	None	–	–
Peru (2000)	Fujimori	298	91
<b>Mexico, Central America, and the Caribbean</b>			
El Salvador	None***	–	<10
Guatemala	Ríos Montt	–	36
Nicaragua	None	–	0

*Notes:* The countries listed are those for which transitional justice is relevant. The data are current as of the late 2010s.

– Data are not available.

< Less than.

\* The names are those of former presidents.

\*\* The case of Colombia is ongoing.

\*\*\* Although no former president of El Salvador was put on trial for human rights violations, two high-level officials who were convicted are the former head of the national guard, General Vides Casanova, and General Guillermo García, the former minister of defense.

*Source:* Authors' elaboration, based on [Blank 2007](#): 18; [Sikkink and Walling 2007](#): 441; [Lutz and Reiger 2009](#): 295–9; [Bothmann 2015](#): 65–6; [Payne et al. 2015](#): 752; [Burt 2018](#); [Centro de Derechos Humanos 2019](#); [Human Rights Watch 2019](#); [CELS 2020](#); and [González-Ocantos 2020](#): 14–16.

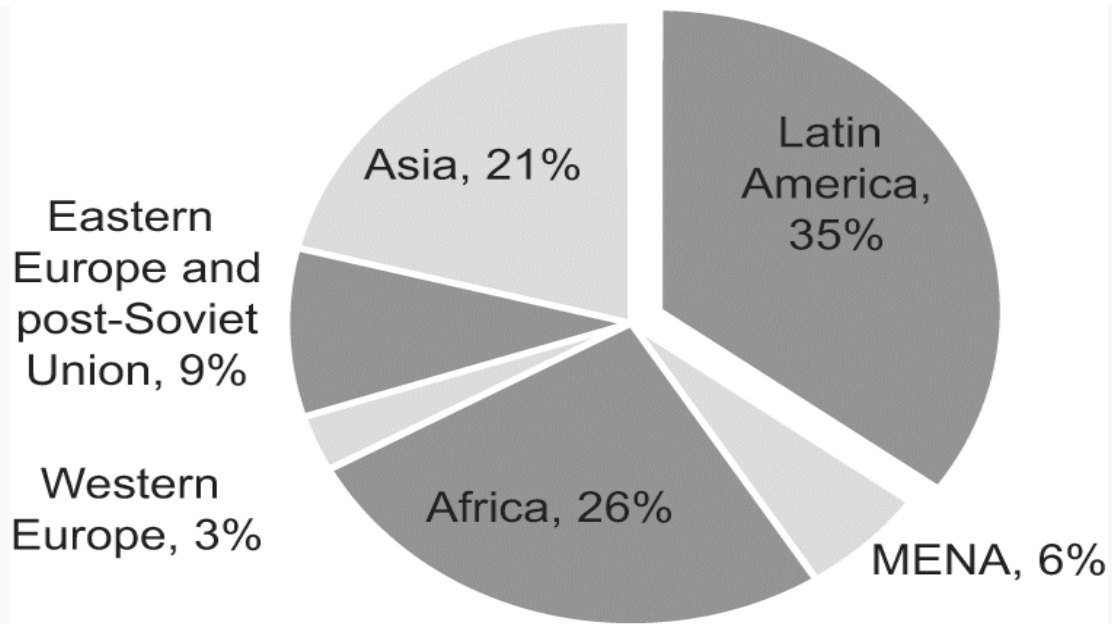
This mixed pattern notwithstanding, the change from the 1980s and 1990s to the 2000s and 2010s is remarkable. The advances in some South American countries (notably Argentina and Chile) and the beginning of trials in Central America (Guatemala and El Salvador) broke through the wall of impunity of earlier years. In some countries, victims had to wait decades. For example, the soldiers who carried out the 1982 massacre in the village of Dos Erres, Guatemala – a massacre in which more than 250 men, women, and children were murdered and thrown into a well and left in nearby fields



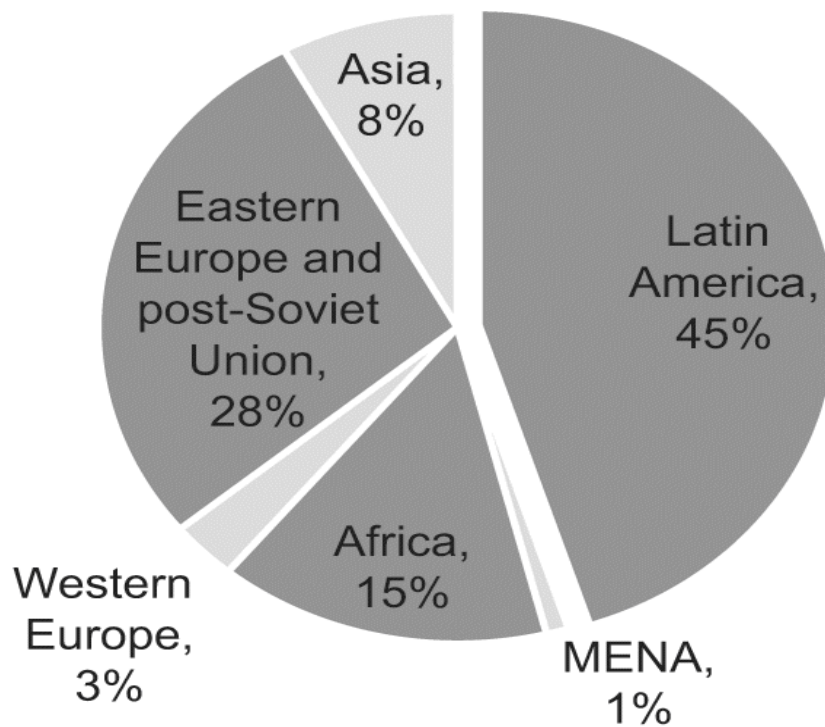
– were not convicted until 2011. Nonetheless, these sentences were a sign that a dose of justice was possible. Moreover, when we view Latin America from a global perspective, its record of accomplishments stands out (see [Box 9.4](#)).

#### **Box 9.4** Thinking Comparatively: Transitional Justice in Global Perspective

Data that place Latin America's actions on transitional justice in a global perspective show that the region has led the world in the use of both truth commissions and human rights trials (see [Figure 9.1](#)).



(a) Truth commissions



(b) Human rights trials

**Figure 9.1** Transitional justice around the world, 1970–2012.

*Note:* The data on human rights trials include only domestic trials.

*Source:* Authors' elaboration, based on [TJRC 2019](#).

Furthermore, research shows that Latin America is the “global leader in convictions for human rights violations” and that “[n]early 50 percent of the global guilty verdicts were located in the Americas” ([Payne et al. 2015](#): 737).

Thus, as political scientist and expert on human rights Kathryn [Sikkink](#) ([2014](#), [2017](#): ch. 3) claims, Latin American countries have been “norm protagonists” in the field of international human rights, helping to turn respect for human rights into a global standard.

#### **9.2.4 The False Choice between Truth and Justice**

Latin America's record on transitional justice includes achievements and lingering problems. Most countries that transitioned from a past of violence and human rights violations set up truth commissions. These were clearly an easier step than the holding of trials to judge alleged violators of human rights. In the best of cases, obstacles to criminal prosecutions imposed a delay of one or more decades until convictions were handed down. In the worst of cases, impunity prevailed and victims who wanted to have their day in court – to see powerful actors forced to answer to charges in front of a judge – were never given that opportunity. Transitional justice delivered more truth than justice.

However, Latin America's experience shows that there is no trade-off between the attainment of truth and that of justice (see [Figure 9.2](#)). A summary of the Latin American cases shows that only one country (Brazil) attained truth without justice and no country attained justice without truth. Rather, all Latin American countries that engaged in criminal prosecutions had earlier had truth commissions. Thus, the choice between truth and justice that figures prominently in some thinking about transitional justice is a false choice. Advocates of transitional justice do not have to make a moral choice between truth and justice.

		Truth Commissions	
		No	Yes
Trials	Yes, medium to high number of convictions		Argentina, Bolivia, Chile, <i>Guatemala</i>
	Yes, low number of convictions		<i>El Salvador</i> , Honduras*, Mexico, Panama, Paraguay, <i>Peru (2000)</i> , Uruguay
	No	Dominican Republic, <i>Nicaragua</i> , Peru (1980)	Brazil

**Figure 9.2** Transitional justice in Latin America, 1980s–2010s: A summary.

*Notes:* The case of Colombia is ongoing and hence is not included. Cases in *italics* are post-conflict cases; the others are post-dictatorship cases.

\* The Honduras commission is sometimes classified as a commission of inquiry as opposed to a truth commission. Thus, a case can be made that it should be placed in the “no truth commission, low number of convictions” cell.

*Source:* Authors’ elaboration.

The relationship between truth and justice is actually best understood as a strategic matter, revolving around the choice of how to reach the goal of truth and justice. The same forces that oppose human rights trials oppose truth commissions. But it is easier to set up a truth commission than to start a trial. And the operation of a truth commission can create momentum for a drive for justice.

That is, truth commissions by themselves do not settle the past, close the books on a history of violence, and allow victims to move on. Rather, by publicizing human rights atrocities, truth commissions strengthen the

case for human rights trials. Indeed, the Latin American experience suggests that truth and justice can jointly be reached by starting with the sensitive work of truth commissions and then moving on to the even more politically charged issue of human rights trials.

## 9.3 Explaining Transitional Justice: Case Studies

What explains the successes and failures of Latin American democracies in facing up to the challenge of transitional justice? (For an illustration of the variable outcomes that call for an explanation, see [Photo 9.4](#) for three dictators who met different fates.)



**Photo 9.4 Three dictators, three different fates** Chile's Augusto Pinochet (left), Guatemala's Efraín Ríos Montt (center), and Argentina's Jorge Videla (right) are three dictators who in the 1970s and 1980s ruled their countries in a ruthless manner and were responsible for massive human rights violations. However, Pinochet died without ever facing trial, Ríos Montt died while facing genocide charges, and Videla died in prison while serving a life sentence.

*Sources:* (left) © Matias Recart/Stringer/Getty Images; (center) © Johan Ordonez/AFP/Getty Images; (right) © Juan Mabromata/AFP/Getty Images.

At its core, an explanation of whether or not transitional justice flourishes – and, in particular, whether or not repressors pay for their crimes



– comes down to a simple equation: whether forces tilt in favor of the victims or in favor of the perpetrators. In all cases, powerful actors have resisted, by various means, the full airing of abuses and the criminal prosecution of violators of human rights. Thus, progress in transitional justice has depended on the empowerment of the pro-transitional justice forces. Nonetheless, we can make a more detailed analysis of advances in transitional justice in terms of three explanatory factors that have been proposed in studies on transitional justice: (1) the strength and resolve of democratically elected leaders; (2) the strength of civil society and international networks; and (3) judicial leadership and international law ([Sikkink 2011](#); [Bothmann 2015](#): 55–61, [chs. 6–7](#); [Payne et al. 2015](#): 743–4; [Skaar et al. 2016](#)).

Drawing on these three factors, we elaborate an explanation of transitional justice in two steps. First, we present case studies of pairs of countries (Brazil and Mexico, El Salvador and Guatemala, Chile and Argentina) that transitioned from dictatorship in some cases, and from civil war in others, and that had different outcomes. In some, exemption from punishment prevailed; in others, important steps toward justice were taken. Second, we provide some general reflections that include lessons from these case studies.

### 9.3.1 Brazil and Mexico: Justice Denied

Brazil and Mexico are two post-dictatorship cases that have done little to confront their violent past. When Brazil transitioned to democracy in 1985, it inherited a legacy of human rights violations from the previous military dictatorship (1964–1985). When Mexico transitioned to democracy in 2000, it left behind a civilian-led authoritarian regime that bore responsibility for many human rights violations since the late 1960s. The number of victims was not as high as in other post-dictatorship cases, and was far fewer than in all post-conflict cases. Nonetheless, transitional justice was a relevant matter in these cases. Little was done, however, to confront the past. Brazil belatedly set up a truth commission, and Mexico had no truth commission. In both cases, there has been full impunity for past human rights abuses.

***Brazil.*** In Brazil, the possibility of trials hinged on the status of the self-amnesty law of 1979. And the option of repealing or even identifying some exceptions to this amnesty law faced two obstacles. Any hint that politicians might alter the amnesty law was roundly rejected by the military, which retained sufficient power to condition what elected leaders did. Additionally, the possibility that the amnesty law would be declared unconstitutional was prevented by the legal interpretation used by the Supreme Court.

The Supreme Court upheld the amnesty law in a 2010 decision. It based its decision on the argument that the amnesty was legal, that repealing it would violate the principle of nonretroactivity (the legal principle that a law cannot be applied to acts before a law is approved), and that the amnesty law could be reviewed only by the legislature. Moreover,

even though the Inter-American Court of Human Rights (IA Court) determined, in late 2010, that the Brazilian amnesty law was invalid – because it contravened the Inter-American Convention on Human Rights that Brazil had ratified – the Supreme Court simply rejected the IA Court’s sentence.

In short, the power of the military and a conservative court countered calls from domestic and transnational organizations, as well as an international court, to open the way for human rights trials. The self-amnesty law passed by Brazil’s military rulers in 1979 effectively blocked the advance of transitional justice ([Schneider 2011](#); [Mezarobba 2016](#); [Schneider 2018](#)).

***Mexico.*** In Mexico, the prospects of transitional justice were effectively quashed by the combined actions of President Vicente Fox (2000–2006), the first democratically elected president, and the judiciary. Fox was conditioned in part by the power of the PRI (Institutional Revolutionary Party), the party that had led the authoritarian regime during the time when violations of human rights occurred. Although Fox had defeated the candidate of the PRI to win the presidency in 2000, the PRI still held considerable power in congress, and Fox was mindful of the political repercussions of a push for trials that would necessarily investigate crimes committed during the time the PRI had ruled Mexico. Fox was also constrained by the military. Thus, the government did not fully endorse the cause of transitional justice. For example, the government ratified several conventions on crimes against humanity in 2002. But it added a restriction to their commitments by saying that one of their key implications – the

waiving of any statute of limitation on those crimes – applied only to crimes committed after 2002.

The actions of the judiciary were also a hindrance. In 2001, President Fox appointed a special prosecutor to address past human rights violations. And this prosecutor did look into possible crimes committed by former President Luis Echeverría (1970–1976). However, the prosecutor indicted Echeverría on genocide charges, despite the lack of real evidence to support such a specific charge. Echeverría had had a role in the killing of students in 1968, whereas genocide is usually understood as the destruction of an ethnic, national, racial, or religious group. Furthermore, the Supreme Court argued that the law that waived the statute of limitation for charges for genocide had been approved after the alleged crimes and hence could not be applied retroactively, and the Court dismissed all charges against Echeverría ([Acosta and Esselin 2006](#); [Aguayo Quezada and Treviño Rangel 2006](#)).

Ultimately, the special prosecutor's office, having achieved no convictions, was disbanded by Fox at the end of his term, in late 2006. And, after Fox left office, the new administration of President Felipe Calderón (2006–2012) embarked on a war on drugs that became the focus of attention and created a whole new human rights problem that was even bigger than the one inherited by Fox in 2000. As in Brazil, no progress was made: human rights violations of the PRI-led governments in the 1960s to 1990s went unpunished.

### **9.3.2 El Salvador and Guatemala: Partial Justice**

Transitional justice advanced to a greater extent in El Salvador and Guatemala, two post-conflict cases, than in Brazil and Mexico. El Salvador and Guatemala had, in many ways, parallel histories. They made transitions from a civil war (in 1992 in El Salvador and in 1996 in Guatemala). In both cases, the number of victims was very high, although it was considerably higher and had all the markings of genocide in Guatemala – violence in Guatemala had targeted the Mayan indigenous population. Furthermore, in both countries, the trajectory of transitional justice has been somewhat similar.

In the 1990s, El Salvador and Guatemala had truth commissions that demonstrated that an overwhelming percentage of human rights abuses were due to actions of state agents. Then, in the early twenty-first century, they took some important steps leading to trials and some convictions. These two countries, and El Salvador in particular, are not examples of strong accountability for past human rights crimes. Still, the small victories made by victims in these cases, even if after a long wait, were an important sign of progress and had true symbolic value.

***El Salvador.*** In El Salvador, trials were blocked by an amnesty law passed a few days after the truth committee published its report in 1993. Some trials had started as the civil war wound down. Most significantly, in 1992, Colonel Guillermo Benavides was sentenced to thirty years in prison for his role in the 1989 killing of six Jesuit priests. But Benavides was released after only a few months in jail because of the passage of the 1993 amnesty law. And, thereafter, every government in power until 2009 was

led by a right-wing party – the Nationalist Republican Alliance (ARENA) – which had had ties with the repressors during the country's civil war and hence had no interest in reconsidering the amnesty law. ARENA governments stood firm even in the face of repeated criticism of the amnesty law by the Inter-American Commission on Human Rights (IACHR) and their eventual finding, in 1999, that El Salvador's amnesty law was incompatible with the Inter-American Convention on Human Rights.

However, the sustained initiative of other actors – human rights organizations, which presented various challenges to the constitutionality of the amnesty law, and the judiciary, which handed down some key rulings – broke this impasse. The actions of these actors bore their first partial fruit in 2000. In that year, the Supreme Court held that the amnesty law was constitutional, but also that it allowed for exceptions in cases involving war crimes and crimes against humanity. This decision did not lead to any trials or convictions. Nonetheless, a second important step, in 2016, did have some effect. A group of human rights organizations filed a new request to examine the constitutionality of the amnesty law in 2013. The Supreme Court ruled in 2016 that the amnesty law was unconstitutional. And, with this key decision, the courts finally started to deliver justice ([Martinez Barahona and Gutierrez Salazar 2016](#); [Burt 2018](#); [Bowen 2019](#)).

In 2016, Colonel Guillermo Benavides, who had been released from prison in 1993, was ordered back to prison to serve his sentence. In 2017, the case of the 1981 massacre of El Mozote – one of the most brutal episodes of the Salvadoran Civil War – was reopened and eighteen retired military officers were put on trial. Also in 2017, the case of the 1980 assassination of Archbishop Óscar Romero was reopened. (Additionally, in

2020, a former Salvadoran colonel, Inocente Orlando Montano, was sentenced to 133 years in jail by a Spanish court for his role in the 1989 killing of six Jesuit priests.) The story is still unfolding, and attempts have been made to derail the trails. Nevertheless, the signs of progress since 2016 are clear.

***Guatemala.*** In Guatemala, as in El Salvador, trials were initially blocked by an amnesty law, which was passed in 1996. In Guatemala, even more than in El Salvador, conservative governments ruled the country nearly continuously, even having as president the retired General Otto Pérez Molina (2012–2015), who had played a key role in the military during the height of repression. Moreover, Guatemala is one of the countries in which the influence of the military continued to be very strong after its transition to democracy. However, as in El Salvador, resistance to judicial action on past human rights violations was overcome, in part, because of the tenacious actions of groups of victims and their families, the work of human rights organizations, and decisions by some brave judges and prosecutors.

These actors had their first important victories with decisions by the Supreme Court in 2008 and 2009. One feature of Guatemala's amnesty law, unlike other amnesty laws in most other Latin American countries, was that it was not a blanket amnesty law. Rather, it left open the possibility of prosecution for some crimes. And a breakthrough in the legal interpretation of the amnesty law was a 2008 decision by the highest court that explicitly emphasized that certain kinds of crimes were exempted from the amnesty. Another key development, in 2009, was the decision by the highest court to treat forced disappearances as a permanent crime, a reinterpretation of the amnesty law that opened the way for the prosecution of some crimes. These

changes led quickly to the first convictions for the crime of enforced disappearance. And one of the prominent cases that went to trial and ended with convictions was that of the 1982 massacre in the village of Dos Erres, Guatemala.

Another key breakthrough was due to the decisions of Claudia Paz y Paz, a person with a strong background in human rights, who became Attorney General in 2010. Former President Efraín Ríos Montt – the dictator who oversaw the country during the worst period of violence in 1982 and 1983 – lost his parliamentary immunity in 2012. And Paz y Paz moved quickly to prosecute Ríos Montt, basing her decision on the exception that the amnesty law provided for crimes against humanity and genocide.

The power of Ríos Montt complicated the trial. He was convicted for genocide and crimes against humanity and sentenced to eighty years in prison in 2013. But shortly thereafter, the highest court of the country overturned the conviction and ordered a new trial. Finally, after complicated legal maneuvers and delays, Ríos Montt died before a new trial could be completed. Nonetheless, his conviction on the grounds of genocide was the first time a former head of state had been tried on those charges in his own country, and it stood as a landmark decision ([Aldana 2013](#); [García-Godos and Salvadó 2016](#); [Roht-Arriaza 2017](#); [Burt 2018](#); [Bowen 2019](#)).

Victims of human rights violations in Guatemala, as in El Salvador, had to wait roughly three decades to see some signs of progress. In addition, movement toward justice for past human rights violations was partial and insecure. Nonetheless, the steps taken since the late 2000s showed how actors who persevere in their effort to bring wrongdoers to justice, even in a



context where powerful individuals seek to avoid trials, have had some successes.

### 9.3.3 Chile and Argentina: Justice Prevails

Finally, Chile and Argentina, two post-dictatorship cases, are the Latin American cases in which justice has advanced the most. These two countries, as El Salvador and Guatemala, have somewhat parallel histories. Both Chile and Argentina transitioned to democracy from repressive military regimes. The military regime in Chile led by General Pinochet (1973–1990) was one of the most emblematic cases of repressive military regimes in the region. The military regime in Argentina (1976–1983) was shorter, but it was even more brutal. In these two cases, the number of victims was very high. Moreover, these two countries stand out for their response to past human rights violations. They led the way in setting up truth commissions. And then they found a way around amnesty laws and took big steps toward justice. Thus, these two cases are key to an understanding of why justice sometimes prevails.

**Chile.** When Chile democratized in 1990, it immediately faced a clear limit to what it could do regarding transitional justice because of the self-amnesty law passed by the military in 1978. The new democratic government and human rights organizations were supportive of transitional justice. The government also quickly formed a truth commission, which operated between 1990 and 1991. But Pinochet retained important powers; standing down as president in 1990, he remained commander-in-chief of the army until 1998. Pinochet had also designed institutions so as to favor conservative forces in congress and, prior to leaving the presidency, he had stacked the courts with conservative judges. Thus, the possibility that the amnesty law might be circumvented by judicial actions, or simply declared

unconstitutional, was obstructed by conservative judges. In the first years of democracy in the 1990s, Chile made some gains in truth but not in justice. Pinochet had effectively blocked the search for the latter.

These obstructions began to weaken in 1998, however. The change started with a key international development. In 1998, having stood down as commander-in-chief of the army, Pinochet traveled to London. There he was arrested, in response to an international warrant issued by a Spanish judge, Baltasar Garzón, who requested that Pinochet be extradited to Spain to face charges for human rights violations. This was a then unprecedented use of the principle of universal jurisdiction, the idea that a national court may prosecute individuals of other countries for serious crimes against international law. Judge Garzón was claiming competence to judge crimes committed against Spanish and Chilean citizens by a former head of state of a different country, and, furthermore, in a context in which an amnesty law protected Pinochet at home in Chile.

After a long political and judicial process in the United Kingdom, Garzón's request was turned down and Pinochet returned to Chile in March 2000. Thus, the option that Pinochet would stand on trial in Spain was foreclosed. Nonetheless, this event had an important effect on transitional justice in Chile. (It also became an important precedent in global debates about the principle of universal jurisdiction and the immunity of heads of state for human rights violations.) After Pinochet's arrest in London, as the menacing shadow of Pinochet over Chilean politics diminished substantially and as changes in the composition of the Supreme Court weakened the power of conservative judges, the judiciary made some key decisions regarding the 1978 amnesty law.

Most critically, Chile's Supreme Court provided a legal opening for the initiation of trials through two decisions. In 2004, the Supreme Court decided that the crime of enforced disappearance could be reclassified as a continuous crime, still being committed until the victims' whereabouts were known. From then on, cases of enforced disappearance would not be covered by the amnesty. Furthermore, at the same time, the highest court decided that it accepted the supremacy of international law, and the 1949 Geneva Conventions in particular, over domestic legislation. Thus, going forward, crimes against humanity under international law, such as summary executions and torture, would also not be covered by the amnesty law.

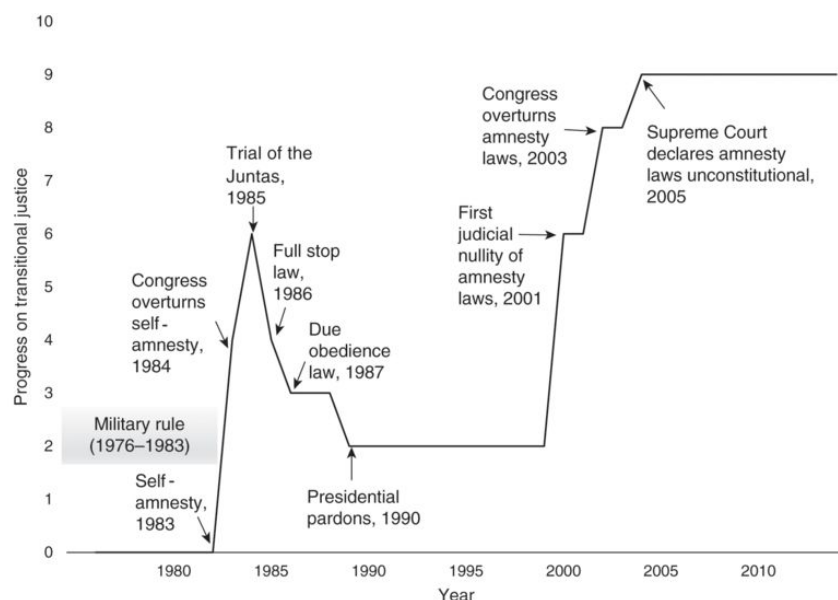
The amnesty law was still deemed constitutional. But criminal prosecution for many crimes would henceforth be allowed despite the amnesty law. And this legal opening was quickly used in a flood of trials and convictions. Since then, more than a thousand trials have been held and more than 300 convictions have been secured, several of the convicted being generals and colonels.

The case of Pinochet is especially relevant. The first criminal investigation against Pinochet in Chile was opened in 1998. Thereafter, he was investigated for various crimes and was close several times to being put on trial. In some cases, he was even held under house arrest. In the end, Pinochet never stood trial and did not spend a day in jail. But he died in late 2006 under house arrest. And by then it had become clear to all that the injustices of the early 1990s, during which impunity reigned, had been left behind ([Lafontaine 2005](#); [Roht-Arriaza 2005](#); [Collins 2010](#); [Collins and Hau 2016](#)).

*Argentina.* In Argentina, the trajectory of transitional justice was nonlinear, and we can consider it as going through three phases:

- (1) A first phase, in 1984–1985, marked by some unprecedented advances.
- (2) A second phase, from 1986 through roughly 2000, distinguished by significant setbacks and a freezing on action.
- (3) A third phase, starting in 2001, characterized by a new surge of activity and advances.

Furthermore, not one but three amnesty laws (a self-amnesty issued by the military and two amnesties passed by a democratic congress) figure centrally in the story of transitional justice in Argentina. Indeed, the ebbs and flows of transitional justice in Argentina are closely linked to the tightening and loosening of the restrictions imposed by amnesty laws (see [Figure 9.3](#)).



**Figure 9.3** Transitional justice in Argentina, 1980s–2010s.

*Source:* Authors' elaboration, based on [Balardini 2016](#).

In the first phase, when the military transferred power to President Raúl [Alfonsín](#) (1983–1989), a combination of factors made progress possible. Alfonsín supported the agenda of transitional justice. The human rights movement was strong. The military, having just lost a war against the United Kingdom, had a weak influence over the government. And these factors underpinned some key decisions. Upon taking power, Alfonsín formed a truth commission. Soon thereafter, Congress declared null and void the self-amnesty approved by the military shortly before exiting from power. Then, in 1985, Alfonsín's government advanced his goal of making military leaders, who had governed the country from 1976 to 1982, account for their human rights record by supporting what became known as the Trial of the Juntas (see [Photo 9.1](#)).

This trial ended with heavy sentences for five of the nine indicted military men, including former Presidents General Jorge Videla and

Roberto Viola. It was an event of huge significance, unprecedented in Latin America and with few precedents worldwide. And it sent a signal that democracies can make big strides toward transitional justice.

The second phase was one of retrenchment. Following the Trial of the Juntas, charges against roughly 600 officers were introduced in court. These trials affected the active military, not just retired military officers, as had been the case in the Trial of the Juntas. And they triggered a backlash by the military, which staged several uprisings in 1987 and 1988.

In turn, this backlash essentially led to an abrupt change of course. Caving in to the demands of the military, the Alfonsín government and its allies in Congress backed down and put an end to the criminal prosecution of the military. Alfonsín signed a first amnesty law in 1986 – the Full Stop Law – and a second amnesty law in 1987 – the Law of Due Obedience. Subsequently, President Carlos Menem (1989–1999) pardoned the military leaders who had been convicted in the Trial of the Juntas and sought to keep the issue of transitional justice in a dormant state. Even though the military was not as powerful as it had been in the past, its threats strongly conditioned democratic governments. It looked as though the days of transitional justice were over.

The issue of transitional justice was kept alive, however, by human rights organizations and judicial decisions. Human rights organizations continued to press for justice, sought ways to find holes in the amnesty laws, used the right to private prosecution that allows victims and their lawyers to initiate criminal proceedings (a distinctive feature of Argentina's legal system), and had a few small victories.

In 1998, human rights organizations were able to present charges against military officers for crimes not covered by the amnesty laws,

specifically the kidnapping of some 500 babies born to women the military had held in captivity. In 1999, they found a new way to circumvent the amnesty laws, when the courts decided that the crime of enforced disappearance is a crime that continues after the time period covered by the amnesty. Through these actions, some military officers were tried and convicted.

Subsequently, changes rapidly began to occur. In 2001, in response to a lawsuit brought by a human rights organization, a court declared the 1986 and 1987 amnesty laws unconstitutional, a decision that led to the arrest of many high-ranking military officers. In 2003, the new government of Néstor Kirchner (2003–2007) signed a law, passed by the legislature, overturning these two amnesty laws. In 2005, the Supreme Court declared the amnesty laws unconstitutional, and, in 2007, the Supreme Court also annulled Menem's pardons. Freed from the straightjacket of amnesty laws, criminal prosecutions resumed.

In this third phase, the scale of indictments and convictions was unprecedented. More than 3,000 trials were held and more than 900 convictions were handed down. Among those given life sentences were three former presidents: Generals Videla, Viola, and Bignone. Moreover, in a unique feature of Argentina's experience with transitional justice, trials and convictions were not limited to the military, but extended to their civilian allies (doctors, business executives, and members of the clergy) who played a role in the repression of the 1970s.

Argentina's path was circuitous. It shows that gains are not secure, and that the forces opposed to transitional justice can regroup after some defeats. It demonstrates that efforts to remove the issue of transitional justice from the agenda can succeed for a while. Yet it also reveals that the



memory of past atrocities lingers on for a long time. And it confirms that when the government, human rights organizations, and the courts act in concert, justice advances ([Sikkink 2011](#): ch. 3; [Balardini 2016](#); [Zysman Quirós 2017, 2018](#)).

## **9.4 Explaining Transitional Justice: General Reflections**

Based on the case studies of the three pairs of countries described above, and on additional information, we now offer some general reflections about the factors that explain success and failure in protecting civil rights. We will elaborate, in more explicit terms, the role of the three explanatory factors introduced above: (1) democracy; (2) civil society and international networks; and (3) the judiciary and international law.

### **9.4.1 Democracy and Transitional Justice**

Transitional justice is a problem for democracy. Victims of past abuse by the state have a well-grounded expectation that their needs should be treated as a priority matter. Moreover, this is a demand that democracies should be able to meet. Democratic authorities, through their lawmaking powers and through various administrative decisions, can make a big difference in the promotion of transitional justice. Most importantly, they can repeal self-amnesty laws and not pass amnesty laws. They can also take steps to strengthen the judiciary, a branch of the government that has a key role in transitional justice.

However, as the above case studies have shown, some democracies have delivered and others have not. As democracies became more established, many of them have shown a willingness and a capacity to confront the serious challenges involved in transitional justice. Democracies have channeled the widespread demands for accounting for past human rights crimes and have taken steps to advance transitional justice. And they have achieved successes unimaginable as recently as the 1980s and 1990s. Without a doubt, the track record of democracies in advancing transitional justice is one of the clearest indications that democracy works for common citizens.

Nevertheless, democratic authorities have frequently not embraced the agenda of transitional justice. And it is also significant that democratic authorities which have embraced the agenda of transitional justice have regularly not been powerful enough to resist the pressure of the military in particular, which has compelled democratic authorities to respect self-

amnesties or to concede amnesties. In effect, forces opposed to transitional justice have blackmailed democratic authorities, threatening to undermine democracy if their demands are not met. And democratic authorities have at times given in to these demands. Thus, democracy by itself does not provide the means for addressing the key problem of transitional justice.

At the same time, we need to delve more deeply into the relationship between democracy and transitional justice. First, the cases show that the poor record of democracies regarding transitional justice is not due to some inherent failure of democracy, but rather to a distinctive weakness of many Latin American democracies: their failure to effectively endow high-level officeholders with the power to make decisions allowed by the constitution. Specifically, the power of democracies to advance transitional justice has been constrained because democracies are susceptible to pressure from an unelected actor such as the military. Some democracies simply cannot advance the aims of transitional justice.

Second, the cases of Argentina and Chile in particular show that there is a possible negative boomerang effect of bold measures aimed at advancing transitional justice on democracy itself. In blunt terms, democratic authorities must weigh the risks to democracy associated with measures such as trials that are strongly opposed by the military. Tackling the challenge of transitional justice, revisiting the past and seeking justice for victims, may end up triggering a military coup and the loss of democracy. Indeed, some analysts argue that there is a trade-off between democracy and transitional justice and that, even if democracies *can* promote advances in transitional justice, democracies *should* forgo transitional justice to ensure the stability of democracy.

We should not dismiss this possibility out of hand. The military has threatened democracy at times, when pressed to account for its past actions. And, in the short term, delaying action on transitional justice might be the best choice. For example, during the presidency of Alfonsín in Argentina, military officers considered the human rights trials underway in 1986 and 1987 as threatening, and some sectors of the military staged uprisings to signal their opposition. Further, Alfonsín explicitly stated, when he supported amnesties in 1986 and 1987, that despite his commitment to human rights he was weighing whether “paying attention to human rights in the past” by supporting human rights trials might place at “risk human rights in the future” – if he were removed from power and the breakdown of democracy led to a new period of repressive military rule (Alfonsín, quoted in [Pion-Berlin 1997](#): 96).

In a somewhat similar example, in Chile, President Patricio Aylwin (1990–1994) noted that “the greatest tensions with Pinochet were regarding the issue of human rights.” Thus, when Aylwin set up the Truth and Reconciliation Commission, he was mindful of the destabilizing potential of transitional justice initiatives. In Aylwin’s words, “the phrase I used about seeking ‘justice to the extent possible’ – for which I have been much criticized – reflected a degree of prudence, because if justice was going to be total, if it meant trying Pinochet and all his people, there was going to be civil war” (Aylwin, in [Bitar and Lowenthal 2015](#): 66–7). Given certain circumstances, as faced by Alfonsín and Aylwin, the responsible course of action is a cautious one.

Still, it is a different matter for leaders in democratic countries to treat the granting of amnesty for human rights violations as an adequate policy in general. There are risks in taking on powerful actors who seek to place

themselves above the law. But there are also risks in giving in to these powerful actors. Allowing the powerful to carve out exceptions to the general principle of accountability, and to place themselves above the law on such crucial matters, sets a bad precedent. Put starkly, impunity breeds impunity. Moreover, the costs to democracy of caving in to military pressures are great. If its past actions go unpunished, and they succeed in blackmailing elected authorities, the military will be strengthened and emboldened and will continue to exercise its powers over democracy.

The challenge of transitional justice is often one of the first big tests in the field of civil rights faced by recently democratized countries. It is also a significant opportunity to build, under democracy, the rule of law. To seize this opportunity, countries may have to be willing to wait for the right time, as Argentina did most clearly. Yet, the record of countries that have had human rights trials shows that the holding of such trials does not put democracy at risk ([Sikkink and Walling 2007](#): 434; [Sikkink 2011](#): 148–50). Indeed, democracies that have succeeded in tackling this problem for democracy have been strengthened.

### **9.4.2 Civil Society and International Networks**

The case studies also show that civil society organizations, and human rights organizations in particular, play a key role in transitional justice. They are the actors which are closest to the victims. They are their most consistent and reliable advocates. And they play a role in the political and legal arena.

In the political arena, these organizations were the ones that formed a key part of the human rights movements that sprung up in Latin America in the 1970s and placed the demand for respect for human rights on the political agenda. The issue of human rights was a novel one in the 1970s and was not as recognized as the demand for social justice, the more traditional way in which claims had been framed in Latin America. And it was the human rights movements that drew attention to what had been until then a relatively ignored issue.

Moreover, after the issue of transitional justice had been placed on the agenda, and when this agenda faced obstacles and sometimes languished for years and decades, these organizations kept the issue alive, making the victims visible and insisting that impunity was a problem. When many politicians and other actors sought prematurely to close the books on the past, human rights organizations did not give up. See [Photo 9.5](#) for two examples of the activism of human rights organizations.



**Photo 9.5 Human rights organizations** Relatives of the disappeared in El Salvador protest in San Salvador in 2017 (top). Activists of a human rights organization in Chile demonstrate in Santiago in 2013 (bottom). These organizations have kept the issue of human rights violations in the public eye and have put pressure on politicians not to abandon the fight for justice.

*Sources:* (top) © AFP/Getty Images; (bottom) © Stringer/AFP/Getty Images.

Civil society organizations have also played a role in the legal arena. Many such organizations gathered information on human rights abuses as they were happening in the 1970s and 1980s, in part through interviews with victims. Thus, these organizations were responsible for collecting key



documentation needed to support legal claims. These organizations also provided legal advice to victims and, in some cases (e.g., Argentina, and Guatemala), actually had a role in initiating prosecutions.

An aspect of the work of these organizations worth noting is their association with international partners. Organizations based in a given country frequently worked in tandem with, and were supported by, sister organizations from other countries. That is, in many instances they formed part of transnational advocacy networks ([Keck and Sikkink 1998](#)). Hence, it is important to recognize the role of a series of international nongovernmental organizations based in the North, such as Human Rights Watch, Amnesty International, and the International Center for Transitional Justice. It is also important to acknowledge how international nongovernmental organizations based in the North have helped both to develop international norms that have been drawn upon within Latin American countries and to transmit innovations originating in the Global South ([Sikkink 2011](#): Pt. II, [2014](#)).

Strong civil society organizations committed to fight for transitional justice do not guarantee, by themselves, progress in transitional justice. However, they play a significant positive role.

### **9.4.3 The Judiciary and International Law**

Finally, the case studies shed light on the role of the judiciary and international law. A key aspect of transitional justice concerns criminal prosecutions; thus, the judicial branch of government has played a central role. Differences in the legal system matter (e.g., the ability to initiate criminal proceedings is not exclusive to public prosecutors in Argentina and Guatemala). Still, as a general rule, judges and public prosecutors have similar responsibilities. Judges weigh in on the constitutionality of amnesty laws and the limits of amnesty laws, a critical matter. Public prosecutors decide whether to file charges. Finally, judges decide on specific cases.

In this regard, the evolution of transitional justice in Latin America shows that matters of judicial interpretation play an important role and that advances in transitional justice hinge on how the debate about the legality of amnesty laws was resolved. This debate is complex. However, it essentially comes down to the choice between a narrow, legalistic view and a broader view of the law. And two lessons from the case studies regarding this debate merit underscoring.

One lesson is that not all judges and public prosecutors are the same; in the face of the same law and the same facts, they make different judicial decisions. Some block, while others advance, the cause of transitional democracy. Some make decisions based on a strict and narrow reading of the law; others, on a broader reading of the law. And progress on transitional democracy was frequently contingent on such choices. Some of the most critical advances in transitional democracy can be attributed to the rise of a new generation of judicial officials who had had training in human

rights law and who introduced legal innovations that challenged the constitutionality of amnesty laws – either fully or partially – and thus allowed criminal prosecutions to proceed ([Payne et al. 2015](#): 743; [González-Ocantos 2016](#)).

Another lesson is that international factors play a supporting yet important role. Most critically, the Inter-American Court of Human Rights has put pressure on several countries to weaken or to repeal their amnesty laws and has set a clear rationale for treating all blanket amnesties as contrary to international law. Among other rulings, the 2001 decision by the Inter-American Court of Human Rights – that Peru’s amnesty law lacked legal effect because it was incompatible with the Inter-American Convention on Human Rights – was an important landmark ([Payne et al. 2015](#): 738–9; [Roht-Arriaza 2015](#)).

Matters of judicial interpretation make a big difference. The law is not univocal, having only one possible interpretation. And at times, when democratically elected authorities passed amnesty laws and were unwilling to repeal even self-amnesty laws, the process of transitional justice was unblocked by members of the judicial system who found space, within the law, for criminal prosecutions. See [Box 9.5](#) for more on the debate about the legality of amnesty law.

### **Box 9.5** Debates: Are Amnesties Legal?

One part of the debate about amnesties concerns their general legality. Some analysts and judges hold that once amnesty laws have become law, they should be accepted. Others argue that the origins of amnesty laws matter, and suggest that questions can be raised about the legality of amnesty laws passed under military regimes and, more broadly, of self-amnesties.

However, the crux of the debate about the legality of amnesties concerns their content and the lawfulness of certain charges involving human rights abuses.

Some supporters of amnesty laws hold that, in light of the right to due process of those accused of crimes, a strict adherence to the law is required; thus, people can be charged for certain crimes only if these crimes were on the books at the time the acts were committed, and not if they were for acts that became crimes under a later law. They argue that a new law should not be applied *ex post facto* – that is, retroactively – and hence that people should not be charged for acts that were not specifically defined as crimes in the domestic penal code at the time of their commission.

In contrast, others raise questions about the view that amnesties – and blanket amnesty laws in particular – are impregnable, and they argue that amnesties should be assessed in light of international law at the time they were passed. In this view, it is legally permissible to reclassify some crimes as crimes against humanity – a term usually used to cover crimes such as murder,

enforced disappearance, and torture, committed as part of a widespread or systematic attack directed against any civilian population. This move would justify excluding these crimes from any amnesty law and voiding statutory limitations on the presentation of charges for these crimes.

(On this debate, see [Méndez 1997, 2012](#); [Roht-Arriaza and Gibson 1998](#); [Freeman 2009](#); and [Laplanche 2009](#): 940-3.)

## 9.5 Summary

In this chapter, we focused on transitional justice in contemporary Latin America. We introduced transitional justice as a process through which societies undergoing a transition, whether from dictatorship or from civil war, confront past human rights violations. We argued that the standard for assessing success or failure in meeting the challenge of transitional justice is whether both truth *and* justice are attained. We also specified the two civil rights at stake in transitional justice: the right to know and the right to due process.

We then considered the record of contemporary Latin America with regard to transitional justice. There is considerable variation within Latin America. However, in the aggregate, the record of contemporary Latin America is largely a success story. No one in the 1980s would have predicted or imagined that what was achieved in subsequent decades was possible. Moreover, when viewed from a global perspective, the record of Latin America is very positive. Latin America is at the center of the global transitional justice movement.

We also explored the factors responsible for the different records of countries in contemporary Latin America in the area of transitional justice. We discussed three pairs of countries (Brazil and Mexico, El Salvador and Guatemala, Chile and Argentina), some more successful than others in using truth commissions and putting those accused of past human rights violations on trial. And we offered some general reflections and drew lessons from these case studies. We stressed three points.

First, democracy has been partly successful in confronting the challenge of transitional democracy. Nonetheless, problems of democracy also hinder democracy's ability to tackle this problem for democracy. Second, civil society organizations, and their international allies, have played a consistently key role; in particular, human rights organizations have been the most reliable promoters of transitional democracy. Third, the judiciary and international law have made an important difference; more specifically, generational change and new legal thinking about human rights law has made a positive difference.

At certain times, societies have to deal with self-inflicted traumas in their past, and how they deal with them affects the societies that are built in the future. The failure to take important steps to ensure that the most politically powerful operate under the law is likely an indication that the (un)rule of law will be reproduced in the future, whether in the arena of human rights or in some other arena. The best option is to confront the past head on and to take a strong position on the matter of accountability for past crimes.

## Discussion Questions

1. Although we might view the concept of transitional justice as precise, there is a tendency to stretch it and apply it to cases that do not quite fit its definition. What is transitional justice? When and where is transitional justice relevant? Can you think of cases beyond those discussed in this chapter where transitional justice is relevant?
2. In the 1990s, there was a tendency to argue that advocates of transitional justice had to make a choice between emphasizing truth or pursuing justice, and that offering amnesty to perpetrators of human rights abuses was an adequate price to pay to reach the truth of what had happened in the past. Subsequently, the view that there is not a necessary trade-off between truth and justice gained ground. What is the case for the truth *vs.* justice view? What is the case for the truth *and* justice view? Which view do you think is better supported by the record of Latin American countries?
3. The core idea of transitional justice is that societies that have undergone a trauma, a conflictive period of violence in society, must confront their past if they are to move on. What is owed to the victims of past human rights violations – that is, acts by agents of the state that involve the killing, torture, and/or disappearance of people? What role do attempts to uncover the truth of what happened in the past play in assisting victims, and society at large, to move on? What role do attempts to get justice through the courts play in assisting victims, and society at large, to move on?



## *Resources*

## Additional Readings

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## Websites

*Human Rights NGOs.* A website that provides links to NGOs working on human rights in Latin America. Website:

[www.derechos.org/nizkor/la/ong.html](http://www.derechos.org/nizkor/la/ong.html)

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*Human Rights Watch.* A New York-based research and advocacy organization on human rights. It publishes an annual report – *World Report* – on the state of human rights around the world. Website: [www.hrw.org](http://www.hrw.org)

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*ICTJ (International Center for Transitional Justice).* A New York-based organization dedicated to pursuing accountability for mass atrocity and human rights abuse through transitional justice mechanisms. The ICTJ website is a good place to keep track of the ongoing Colombian experience with transitional justice. Website: [www.ictj.org](http://www.ictj.org)

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*National Security Archive.* An online archive of declassified documents of the US government that includes documents on Argentina, Brazil, Chile, Colombia, Cuba, El Salvador, Guatemala, Honduras, Mexico, Peru, and Nicaragua. Website: <https://nsarchive.gwu.edu>

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*TJRC (Transitional Justice Research Collaborative).* A collaborative project that presents and analyzes data about three main transitional justice mechanisms: human rights prosecutions, truth commissions, and amnesty laws. Website: <https://transitionaljusticedata.com>

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*USIP (US Institute of Peace)*. A US federal institute tasked with promoting conflict resolution and prevention worldwide. It provides information on truth commissions in Latin America and other regions of the world, including digital copies of the actual reports of the truth commissions.

Website: [www.usip.org](http://www.usip.org)

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*WOLA (Washington Office on Latin America)*. A research and advocacy organization advancing human rights in the Americas. WOLA promotes policies that protect human dignity and justice. Website: [www.wola.org](http://www.wola.org)



## Documentaries

*The Art of Political Murder* (2020). 89 minutes. An investigation into the truth behind the murder of Guatemalan Bishop Juan Gerardi, who was killed in 1998 just days after trying to hold the country's military accountable for the atrocities committed during its civil war.

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*Botín de guerra* (2000). (English: *Spoils of War*). 115 minutes. In Spanish. On Argentina's "Dirty War" (1976–1983), the "appropriation" of children by members and friends of the right-wing military junta, and efforts of the mothers and grandmothers of the Plaza de Mayo to reunite children with their relatives.

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*Finding Oscar* (2016). 100 minutes. On events in a Guatemalan town in December 1982, in which Guatemalan soldiers committed terrible human rights violations. It also tells the story of the search for justice in this case.

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*Granito: How to Nail a Dictator* (2011). 104 minutes. Tells the story of human rights atrocities in Guatemala in the early 1980s and the thirty-year struggle to bring the dictator Efraín Ríos Montt to justice.

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*Impunity* (2010). 85 minutes. In Spanish, with English subtitles. Covers Colombia's 2005 Commission for Peace and Justice, charged with gathering evidence about the violence carried out by illegal paramilitary groups. It focuses on the controversial justice and peace process designed to allow paramilitary leaders to hand in their weapons and give themselves up voluntarily in exchange for reduced sentences.

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*The Judge and the General* (2008). 84 minutes. Follows Chilean Judge Juan Guzmán, who was assigned the first criminal cases against Chile's dictator, General Augusto Pinochet.

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*The Memory of the Bones* (2017). 80 minutes. In Spanish, with English subtitles. Tells the story of the work of the Argentine Forensic Anthropology Team to locate and give identity to thousands of missing victims of human rights violations. It focuses on El Salvador and Argentina; it also covers South Africa.

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*The Pinochet Case* (2001). 109 minutes. The story of the attempt to bring former Chilean dictator General Augusto Pinochet to justice. It focuses on Pinochet's arrest in London between 1998 and 2000.

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*State of Fear: The Truth about Terrorism* (2005). 94 minutes. Tells the story of the escalating violence in Peru in the 1980s and 1990s, and the truth commission that looked into human rights abuses.

# High-Level Corruption

*Public Officials against the Public Interest*



**Photo 10.1 Corruption in Latin America** Corruption is a long-standing problem in Latin America and it has a corrosive effect on democracy, contributing to the perception that public officials work against the public interest. Citizens have reacted to corruption scandals. For example, in December 2016, anti-corruption protestors in São Paulo, Brazil, carried a huge banner that read “Corrupt congress.” However, corruption persists and continues to undermine confidence in democracy.

*Source:* © Miguel Schincariol/Stringer/Getty Images.

Corruption, and the impunity enjoyed by those who are known to engage or are widely suspected of engaging in acts of corruption, is one of the reasons why many citizens lose faith in democracy. Citizens can feel empowered when they vote and determine who governs them. But they cannot monitor and sanction the misconduct of elected officials between elections. Even less so can they monitor and sanction the misconduct of the much larger number of employees in the public administration who are supposed to serve citizens. And, if the judicial system is unwilling or unable to investigate and punish those who are suspected of corruption, many citizens will question the value of democracy. Indeed, they are justified in wondering whether democracy leads to the provision of public goods or whether it is impotent in the face of actors in the government and the public administration who are self-serving and use their public role for personal or partisan gain.

In this chapter, we discuss the problem of corruption in contemporary Latin America. First, we focus on the concept of corruption, and high-level corruption in particular, and clarify the sense in which high-level corruption is a matter of civil rights. Second, we turn to the empirical evidence and address the question: What is the record of contemporary Latin America and, in particular, in the region's democracies with regard to high-level corruption? This is a difficult question to answer, because of the hidden nature of most acts of corruption, and thus we draw on various sources of information to paint a picture of the situation in the region. Next, we address the question: What factors explain the record of countries in contemporary Latin America in fighting high-level corruption? To this end, we first present three case studies – of Brazil, Mexico, and Guatemala – that

exemplify different forms of and responses to corruption, and then offer some general reflections. We end with a summary of our key points.

## 10.1 High-Level Corruption as a Civil Rights Issue

The term *corruption*, when used in the analysis of politics, has a general and broadly accepted definition: corruption is the misuse of public office for purposes other than the public good.

Corruption encompasses a wide range of actors who occupy some public office (e.g., elected and nonelected public officials, high- or low-level public administrators, high- or low-level agents of the judiciary) and a great variety of activities (e.g., transactions with private sector actors, transactions purely within the public administration). The beneficiary can be a public official who exchanges a favor for a bribe (e.g., a politician who steers a government contract toward an engineering company, a judge who dismisses charges against a wealthy person who committed a crime, or a policeman who decides not to give a ticket to a driver who exceeded the speed limit). The beneficiary can be a member of the family of a politician, who is placed in a well-paid job in the public administration for which he or she is not qualified. The beneficiary can also be a political party, which extracts bribes for decisions favoring certain businesses and uses those bribes to fund its electoral campaign. Corruption covers many actors and activities.

To give focus to the discussion on corruption in this chapter, we make two choices: to concentrate on high-level corruption and to address high-level corruption from the perspective of civil rights.

### 10.1.1 High-Level Corruption

First, we concentrate on *high-level corruption*, because it is most likely the kind of corruption that is most relevant in the study of politics. High-level corruption (sometimes called grand corruption in contrast to petty corruption) refers to corruption by people who hold high-level public offices and who have the power to make key decisions.

High-level corruption involves acts by three distinct categories of public officials:

(1) Powerful *politicians*: that is, national level politicians in key positions in the executive and the legislature (or subnational politicians who play a pivotal role in national coalitions), who make laws and provide policy directives to the public administration. This kind of high-level corruption is called *political corruption*.

(2) Top-level *public administrators*: that is, holders of key positions in the national public administration who are charged with the implementation of laws and policies and who manage big budgets and large staffs. This kind of high-level corruption is called *administrative corruption*.

(3) High-level members of the judiciary, and more specifically *prosecutors and judges*: that is, officials who are charged with investigating and judging possible crimes, including acts of corruption by politicians and public administrators. This kind of high-level corruption is called *judicial corruption*.

In our focus on high-level corruption, we will address all three types of high-level corruption: political, administrative, and judicial.



### 10.1.2 The Civil Rights at Stake

Second, we address the topic of high-level corruption from the perspective of civil rights. Corruption has multiple ramifications. It affects democracy. It affects economic development and hence the socioeconomic welfare of citizens. And we will mention these ramifications briefly. However, we focus on two key civil rights that are at stake in high-level corruption: (1) *equality before the law*; and (2) *due process rights*.

A basic civil rights principle is equality before the law, the idea that the powerful and the economically wealthy are bound by the law, as much as are common people. Thus, the occurrence of acts of corruption by elites are a prime example of an obvious violation of this principle. Indeed, every incident of high-level corruption is proof that power has been abused and is an indication of the failure of a key function of civil rights – to constrain the actions of the powerful.

If acts of high-level corruption involving powerful politicians and top-level public administrators (whether alone or in concert with economic elites) have occurred, the due process rights of victims and the accused become relevant. The victims are citizens as a collective, since high-level corruption always involves the use of public office and resources for purposes other than the public good. And they have a right to the certain and prompt administration of justice. Thus, it is critical to consider if the justice system – whether because of incompetence or corruption – adds impunity for acts of corruption to the initial acts of corruption.

At the same time, those suspected of engaging in corruption have a right to a fair trial and the due process rights of the accused must be

carefully and fully considered. If acts of political and administrative corruption have occurred, we rightly focus on whether people about whom there is considerable evidence are found guilty. That is, the problem of impunity for acts of corruption is correctly treated as central. Additionally, we must be attentive to the possibility that the justice system could be used as a political weapon against adversaries. Although such uses of the judiciary are extreme deviations from the law, we must contemplate the chance that the justice system is so politicized that innocent powerful individuals are imprisoned on charges of corruption. That is, we must determine whether acts of judicial corruption compound the problem of corruption, either by failing to punish the guilty or by punishing the innocent.

Thus, we will focus on the implications of high-level corruption for two basic civil rights: equality before the law and due process rights.

## **10.2 Describing the State of High-Level Corruption**

What is the record of contemporary Latin America with regard to high-level corruption? More precisely: What is the record of Latin American democracies with regard to ensuring equality before the law by preventing high-level corruption and guaranteeing due process rights by punishing those who engage in acts of high-level corruption?

To answer these questions, we will first discuss the occurrence of high-level corruption involving powerful politicians and top-level public administrators. We will then address the judicial response to corruption and consider whether victims receive justice and corrupt actors get their due punishment.

Because of its very nature, our knowledge about high-level corruption is tentative. Thus, the conclusions we reach will be partial and open to revision. However, we present evidence from a variety of sources: mass surveys, media investigations (e.g., books by investigative journalists; exposés based on leaks such as the Panama papers and Paradise papers), judicial cases (such as the Odebrecht case), and accounts by scholars and insiders (e.g., judges and prosecutors). Taken together, these sources convey a clear and troubling picture of the state of corruption in contemporary Latin America.

### 10.2.1 Political and Administrative Corruption

We begin our discussion by providing a sense of the scope and scale of high-level political and administrative corruption, and by describing the *modus operandi* of actors who engage in corruption.

***The Scope of Corruption.*** High-level corruption is a generalized phenomenon in contemporary Latin America. Even countries with a reputation for clean politics are not immune to corruption scandals. For example, in recent years, Chile, an exemplary country within the Latin American context, was hit by a number of scandals involving politicians from across the political spectrum. In turn, in Costa Rica, several former presidents have been involved in corruption scandals. Nonetheless, there is a clear difference between Chile, Costa Rica, and Uruguay – the three countries that enjoy a reputation for avoiding corruption – and the rest of the region. Indeed, with the exception of these three countries, corruption is persistent and is systemic, pervading many of the state's central functions.

This claim is supported by data in the Corruption Perception Index (CPI) of Transparency International, an international nongovernmental organization (see [Table 10.1](#)). These data rely on citizens' perception of corruption – that is, the beliefs that citizens have about how corrupt their country is. And these perceptions might not necessarily coincide with actual acts of corruption. These data also combine information about grand and petty corruption. Nonetheless, the data provide a useful point of entry to a description of the state of corruption and confirm that only a handful of countries (Chile, Costa Rica, and Uruguay) can be considered as being relatively free of corruption.

**Table 10.1** Citizens' perception of corruption in Latin America, 2020

Region/country	Corruption Perception Index (CPI)	
	Score (0–100)	Rank within the region
<b>South America</b>		
Argentina	42	5
Bolivia	31	12
Brazil	38	8
Chile	67	2
Colombia	39	6
Ecuador	39	6
Paraguay	28	14
Peru	38	8
Uruguay	71	1
Venezuela	15	19
<b>Mexico, Central America, and the Caribbean</b>		
Mexico	31	12
Costa Rica	57	3
El Salvador	36	10
Guatemala	25	16
Honduras	24	17
Nicaragua	22	18
Panama	35	11
Cuba	47	4
Dominican Republic	28	15

*Note:* The CPI is measured on a 0–100 point scale, higher numbers indicating less corruption. The global average score is 43.

*Source:* Authors' elaboration, based on [Transparency International 2021](#).

Similar data shed further light on corruption by providing insight into citizens' perception of corruption of specific institutions. A substantial 53 percent of Latin America's citizens see most or all people in the president's office (including the president) as being involved in corruption. And the corresponding figure for politicians in congress is 52 percent, for government officials 49 percent, and for the police 45 percent (the data are all for 2019) ([Transparency International 2019](#): 14). In short, data on citizens' perception convey a sense of how widespread corruption is across and within countries in Latin America.

The data on citizens' perception of corruption is validated by information on verified incidents of corruption. Corruption scandals are only the tip of the iceberg, when cases of wrongdoing by powerful people are exposed. Yet, even if we consider only such corruption scandals, practically no country and no institution emerges untarnished. In South America, evidence of high-level corruption is regularly in the headlines in Argentina, Bolivia, Brazil, Colombia, Ecuador, Paraguay, Peru, and Venezuela. Corruption is also a recurring theme in the media in Mexico, Central America (El Salvador, Guatemala, Honduras, Nicaragua, and Panama), and the Caribbean (the Dominican Republic). Public officials named in such exposés include presidents and governors, ministers, heads of state-owned companies, legislators, and the police ([Casas-Zamora and Carter 2017](#): 18–22; [Miller and Uriegas 2019](#)).

***The Scale of Corruption.*** Quantifying the scale of corruption by putting a dollar figure to the money involved in acts of corruption is notoriously difficult. However, some data offer a sense of the scale of corruption. The Operation Car Wash scandal (*Operação Lava Jato*, in Portuguese) that erupted in Brazil in 2014 involved, among other things, the distribution of funds to politicians in many Latin American countries by one single Brazilian firm, Odebrecht, to the tune of roughly US \$725 million ([US District Court, Eastern District of New York 2016](#)). See [Map 10.1](#) for the distribution of Odebrecht's bribes by country.



**Map 10.1** Odebrecht bribes across Latin America, 2001–2016

*Note:* The figures are in millions of US dollars.

*Source:* Authors' elaboration, based on information in [US District Court, Eastern District of New York 2016](#).

Other cases for which some estimates of the amount of money involved are available add to this portrait. In a bribery scheme in Argentina, the notebooks kept by a chauffeur, who drove government officials to pick up bribes from various companies that had received public works contracts, document bribes of \$160 million over the 2008–2015 period. In addition, one single person, widely considered to be a frontman (*testaferro*, in Spanish) for the presidents at the time, is alleged to have laundered at least \$60 million ([Miller and Uriegas 2019](#)). In a case of corruption in Guatemala – known as *La Línea*, “the (telephone) line” – a scheme led by the president and vice-president of the country, and involving kickbacks by importers in exchange for lower tax rates, is reported to have cost Guatemala around \$1.15 billion in 2015 alone or 1.8 of its GDP (Gross Domestic Product) ([Coyoy Echeverría and Rayo Muñoz 2017](#): 14). Analysts have estimated that the total annual cost of corruption for Peru is around \$3.6 billion per year; for Colombia \$17.5 billion per year; and for Mexico between \$26 and \$130 billion per year ([Arnson 2018](#): 8).

We should note that such figures are truly guesstimates. But they are indications that the scale of high-level corruption is large, even very large, and that in some cases it makes sense to measure the cost of corruption as a percentage of a country’s GDP, a rather staggering point.

***Modus Operandi I: Politicians, Administrators, Businesses, and Organized Crime.*** Beyond gaining a sense of the scope and scale of high-level corruption in contemporary Latin America, it is fundamental that we understand how corruption operates and recognize that corruption can work in different ways. In this regard, three modes of operation of high-level corruption, involving different actors and operations, are apparent.



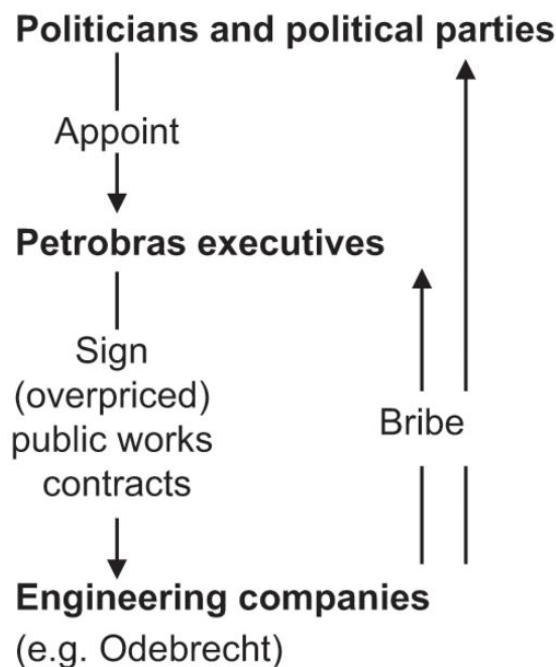
A first mode of operation of high-level corruption, which might be called the *self-dealing mode*, entails the siphoning off of resources from the government's budget. In some cases, resources are transferred from a public budget, in a secretive way, to a personal account. In other cases, some relatively simple front is created to cover up an illegal activity. For example, relatives or friends are hired as consultants, and resources are transferred to these people in the absence of any work in return. In yet other cases, a more elaborate front is created, such as the contracting of a business tied to a politician, and the contracts are overpriced or paid even though services are not delivered. What is distinctive about these operations is that they are completed without the active collaboration of private actors outside the immediate circle of some politician.

This mode of operation is exemplified by several cases of corruption. In El Salvador, President Francisco Flores (1999–2004) embezzled \$15 million donated by Taiwan to assist victims of the 2001 earthquake, and President Antonio Saca (2004–2009) diverted more than \$300 million from government coffers to his businesses, among other places. In Argentina, the Kirchners – Presidents Néstor Kirchner (2003–2007) and Cristina Kirchner (2007–2015) – used a front person (a *testaferro*) to be the nominal head of a newly created construction company, and they then steered public works contracts worth some \$3.3 billion to this company ([Stolbizer and Martínez 2019](#)).

A second mode of operation of high-level corruption – which might be called the *state-corporate mode* – entails an exchange between public officials and a private business, in which the public officials receive a bribe in return for some decision that favors the business. A prime example of this mode of operation is the Petrobras scandal uncovered by the criminal

investigation dubbed Operation Cash Wash (*Operação Lava Jato*, in Portuguese) in Brazil in 2014. This is a scandal that revealed the inner workings of corruption schemes. Thus, we discuss it in some detail.

At the center of this complex scheme was a basic exchange (see [Figure 10.1](#)). On the one hand, political nominees put in charge of the state-owned oil company Petrobras colluded with a group of big private engineering companies (including Odebrecht) in the distribution of public contracts and overcharged the state for the work they did; private companies skimmed as much as 3 percent off each massive contract with Petrobras. On the other hand, the big engineering and energy companies bribed both executives of Petrobras and politicians, and the bribes given to politicians contributed to personal enrichment and the financing of party activities ([Netto 2019](#)).



**Figure 10.1** The operation of the Petrobras corruption case.

*Source:* Authors' elaboration.

The operations uncovered by the Petrobras scandal in Brazil stand out for their size and complexity. In a unique feature, one of the companies at the center of this scandal, Odebrecht, had an international strategy to offer bribes in exchange for big public works contracts. Indeed, Odebrecht had a dedicated bribery division – the Division of Structured Operations – to make corrupt payments in exchange for government contracts in at least nine Latin American countries beyond Brazil (see [Map 10.1](#)). See [Box 10.1](#) on Odebrecht's operations in Peru.

### **Box 10.1** A Closer Look: Odebrecht in Peru

Starting in earnest in the 1970s, Peru became an important market for the Brazilian conglomerate Odebrecht, the private company that played a key role in the Petrobras scandal in Brazil. The company successfully increased its infrastructure projects – primarily in the Amazonia region – by finding local partners and by establishing relationships with governmental officials, all the way up to the country's president.

The web of corrupt relationships built by Odebrecht in Peru was extensive. It included four Peruvian presidents: Alejandro Toledo (2001–2006), Alan García (2006–2011), Ollanta Humala (2011–2016), and Pedro Pablo Kuczynski (2016–2018). Other public officials in Peru who were involved in bribery schemes with Odebrecht included several government ministers, governors, mayors, and congressional leaders of political parties. Thus, bribes were offered to public officials at the three levels of government. Moreover, the pattern of bribes shows that Odebrecht offered bribes to all political parties, varying the size of bribes according to the importance of the party and of the persons in the executive and legislature offices.

These corrupt relationships made economic sense. An estimation of the economic returns on Odebrecht's bribes shows that Odebrecht spent about \$29 million bribing government officials in Peru in exchange for the assignment of multi-million dollar public work projects that yielded \$143 million in profits ([Durand 2019](#): 90). For Odebrecht, bribing public officials was part of a business model.

However, the operations revealed by the Petrobras scandal are not exceptional. For example, in another case of corruption in Argentina during the presidency of Cristina Kirchner, a group of construction companies colluded with the government, receiving overpriced public works contracts in exchange for bribes ([Alconada Mon 2018](#); [Stolbizer and Martínez 2019](#)). And similar cases of corruption have occurred in other Latin American countries. Indeed, this second mode of operation of high-level corruption is a classic mode in societies, such as those in Latin America, in which private business exists but is heavily dependent on favors from politicians and state agents.

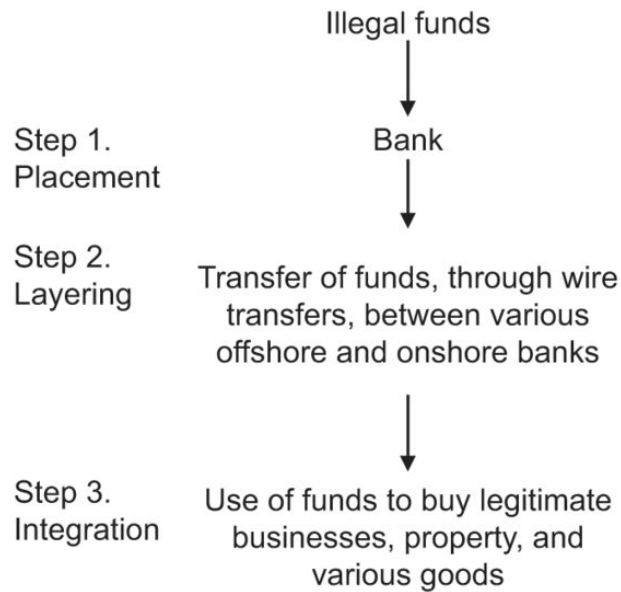
A third mode of operation of high-level corruption – which might be called the *state-organized crime mode* – entails an exchange between a public official and a distinct nonstate actor: organized crime. In this mode, since the state's partner is illegal, the exchange between the state and organized crime does not involve a payment for some legal service (e.g., a public contract to build a dam for the government). Rather, bribes are offered in exchange for aid in the conduct of an illegal business, essentially actions of public officials oriented to keep some illegal activity beyond the reach of the law and to help this illegal activity prosper.

In some cases, organized crime works with politicians, when they are officeholders or candidates for office, and exchanges bribes as well as funds to run electoral campaigns in return for protection from the law. In other cases, drug cartels offer bribes to the security forces (the military and the police) in exchange for information on the operations of the forces themselves (e.g., letting them know about a planned operation, so they can avoid detection) or of rival criminal organizations (e.g., letting them know

where some rival leaders are, so they can kill them). Such cases of corruption are known to occur in many Latin American countries, from Mexico, Honduras, and Guatemala to Colombia, Ecuador, Peru, and Venezuela ([Rosen et al. 2019](#); [Rotberg 2019](#)). In countries prone to corruption, when organized crime gains the power that drug cartels have amassed in Latin America, this third mode of operation is virtually inevitable.

***Modus Operandi II: The International Banking System.*** The differences in these modes of operation of high-level corruption notwithstanding, one of the common challenges faced by beneficiaries of bribes is to make the source of the bribes undetectable and to allow them to make use of the money legally. They can address such a challenge domestically – that is, without any international transactions. Yet, episodes of corruption, especially if they involve large amounts of money, frequently rely on international money laundering.

International money laundering entails three steps (see [Figure 10.2](#)). It starts with placement, the placing of the illicit money into the financial system. It continues with layering, the mixing of illicit money with legitimate income through complex financial transactions with the aim of camouflaging the illicit origin of the money. These operations typically involve transfers to foreign, offshore banks, often called safe havens, which do not disclose information of accounts to authorities. Finally, in the last step of international money laundering, integration, the illicit funds are moved back into the banking system, now as clean money that cannot be traced to its origins and hence can be freely used by corrupt actors.



**Figure 10.2** The three steps of money laundering.

*Source:* Authors' elaboration.

The second step in this process is especially crucial, and it is important to note the countries that are involved. Certain countries in Central America (Panama and Belize) and the Caribbean (the Cayman Islands and Nevis) have a reputation for being safe havens. However, the United States has actually been one of the world's biggest safe havens. Indeed, several US states (e.g., Delaware, Nevada, and Wyoming) have allowed shell corporations, and Delaware has been the world's biggest single provider of anonymous shell corporations ([Chaikin and Sharman 2009](#); [Sharman 2011](#)). Only with the passage of the Corporate Transparency Act requiring disclosure of beneficial ownership in 2021 has the situation in the United States started to change.

Therefore, the role of the international banking system – and the laws of countries that allow banks to operate as safe havens – is important. High-level corruption starts with the actions of highly placed public officials in

some country and is fundamentally a domestic matter, which necessarily involves a holder of a public office who uses the power associated with an office for corrupt ends. But much corruption is possible only because of the complicity of the international banking system and the lax laws in many countries, including the United States. Especially in today's globalized world, much of the illicit money from corruption moves through the international banking system, which plays a key role in laundering the gains from corruption and allowing corrupt politicians to enjoy the fruits of their dishonest acts. The international banking system is an inextricable part of the *modus operandi* of actors who engage in corruption.



### 10.2.2 The Judicial Response to Corruption

Turning to the response of the judicial system to high-level corruption, we next discuss the rights of victims and the rights of the accused.

*The Rights of Victims.* Acts of high-level corruption always entail an abuse of power by officeholders and usually involve the diversion of public funds from public purposes. Hence, in addition to any specific victim (e.g., a businessperson who is extorted and forced to pay a bribe), citizens as a collective are the victims of corruption. And it is important to consider whether or not acts of corruption are detected and punished.

In this regard, there are some positive signs of change in contemporary Latin America (see [Table 10.2](#)). Many former presidents who headed democratic governments have been or are being investigated on corruption charges. Former democratic presidents have received prison sentences on corruption charges in six South American countries (Argentina, Brazil, Ecuador, Paraguay, Peru, and Venezuela) and six Central American and Caribbean countries (Costa Rica, El Salvador, Guatemala, Nicaragua, Panama, and the Dominican Republic). In some countries, business leaders who bribed public officials were also convicted and sent to prison.

Thus, elites who until recently were deemed untouchable, out of the reach of the justice system, have had to appear in court and, in many instances, have been sentenced for their crimes. Gone are the days when the politically powerful and economically wealthy enjoyed blanket impunity.

**Table 10.2 Former Latin American presidents charged for acts of corruption\***

**Table 10.2(a)**

Region/ country	President	Judicial decision
<b>South America</b>		
Argentina	Carlos Menem (1989–1999)	Two sentences (of 7 and 4.5 years) in prison; his position as senator gave him immunity from incarceration; died without going to jail
	Cristina Fernández de Kirchner (2007–2015)	Trial ongoing
Bolivia	None	–
Brazil	Luiz Inácio Lula da Silva (2003–2010)	17 years in prison; released after 580 days, pending confirmation of sentence; sentence revoked
	Michel Temer (2016–2018)	Trial pending; briefly jailed pending trial
Chile	None	–
Colombia	None	–
Ecuador	Abdala Bucaram (1996–1997)	Went into exile; corruption charges were subsequently overturned
	Gustavo Noboa (2000–2003)	Went into exile; corruption charges were subsequently overturned
Paraguay	Lucio Gutiérrez (2003–2005)	In prison for roughly 5 months until charges dropped
	Rafael Correa (2007–2017)	8 years in prison; but Correa lives outside the country
	Juan Carlos Wasmosy (1993–1998)	4 years in prison; subsequently reduced to bail and house arrest; absolved in 2004
	Luis Ángel González Macchi (1999–2003)	8 years in prison; sentence revoked on appeal
Peru	Horacio Cartes (2013–2018)	Extradition from Brazil requested
	Alberto Fujimori (1990–2000)	25 years in prison (charges also include human rights violations)
	Alejandro Toledo (2001–2006)	Awaiting extradition from the United States to Peru to face charges
	Alan García (1985–1990, 2006–2011)	Arrested in 2019, but committed suicide as police were closing in
Uruguay	Ollanta Humala (2011–2016)	Trial pending; jailed prior to trial for 9 months
	Pedro Pablo Kuczynski (2016–2018)	Trial pending; under house arrest prior to trial
Venezuela	None	–
Venezuela	Jaime Lusinchi (1984–1989)	Fled the country; charges were subsequently dropped
	Carlos Andrés Pérez (1974–1979, 1989–1993)	28 months in prison, subsequently allowed to serve time under house arrest

**Table 10.2(b)**

<b>Mexico, Central America, and the Caribbean</b>		
Mexico	Enrique Peña Nieto (2012–2018)	Prosecutors opened corruption investigation
Costa Rica	Rafael Ángel Calderón (1990–1994)	5 years in prison; later reduced to 3 years
El Salvador	Miguel Ángel Rodríguez (1998–2002)	5 years in prison; sentence revoked on appeal
	Francisco Flores (1999–2004)	House arrest during late 2014–early 2016; died while awaiting trial
Guatemala	Antonio Saca (2004–2009)	10 years in prison
	Mauricio Funes (2009–2014)	\$450,000 in restitution
	Jorge Serrano Elías (1991–1993)	Extradition requested and attempts at extradition have failed
	Alfonso Portillo (2000–2004)	Nearly 6 years in prison (convicted in the United States)
	Otto Pérez Molina (2012–2015)	Trial pending; jailed pending trial
<b>Mexico, Central America, and the Caribbean</b>		
Honduras	Rafael Callejas (1990–1994)	Extradited to the United States; died in prison while awaiting sentencing
	Juan Orlando Hernández (2014–)	US federal prosecutors name Hernández as a co-conspirator in a case filed in New York
Nicaragua	Arnoldo Alemán (1997–2002)	20 years in prison; overturned in 2009
Panama	Manuel Noriega (1983–1989)	30 years in prison (convicted in the United States on corruption and other charges)
	Ernesto Pérez Balladares (1994–1999)	Under house arrest during trial; charges dismissed subsequently
	Ricardo Martinelli (2009–2014)	Under house arrest for 2 years during trial; acquitted. Then new indictment in 2020
	Juan Carlos Varela (2014–2019)	Indictment in 2020
Cuba	None	–
Dominican Republic	Salvador Jorge Blanco (1982–1986)	Sentenced in absentia to 23 years in prison; sentence subsequently overturned

*Notes:* – Not applicable.

\* Data include developments through April 2021.

*Source:* Authors' elaboration.

Nonetheless, the powerful are frequently not convicted for their acts of corruption because of judicial corruption. For the corrupt, the justice system is the last bastion of protection, and political and economic elites commonly use their connections and resources to pressure and to buy off prosecutors and judges who hold their fate in their hands. Cognizant of their own power, prosecutors and judges at times are the ones who ask for a bribe in exchange for a favorable decision. And such instances of judicial corruption, in which prosecutors and judges abuse their power for personal gain (and occasionally because of political loyalty), have been well documented.

In Colombia, the attorney general's office found a corruption network pervading the national justice system, with high court justices receiving bribes from influential defendants. Prosecutors, judges, and investigative journalists have shed light on similar networks in other Latin American countries, including Argentina, Bolivia, Guatemala, Panama, Peru, and Mexico ([Alconada Mon 2018](#): ch. 12; [Carman 2019](#); [Escobar 2019](#): 236–7, 249–54; [Rotberg 2019](#): ch. 7; [Delgado 2020](#)).

Moreover, popular culture reflects the pervasiveness of judicial complicity. In Argentina, a common expression is that prosecutors avoid moving forward on a case that merits an indictment by deciding to “place the case in a drawer” (*cajonear un expediente*, in Spanish). In Brazil, a popular expression is that “it ended up with pizza” (*acabou em pizza*, in Portuguese) – that is, the pursuit of possible corruption charges has been set aside, and nothing has happened. In Mexico, certain judges who work with drug cartels are known as “narco-judges.”

Indeed, the risk run by high-level politicians who engage in corruption is relatively low. According to an internal audit of federal cases of corruption opened between 1996 and 2016 in Argentina, only 2 percent of the cases involving national level politicians ended with a conviction ([Alconada Mon 2018](#): Introduction; [Consejo de la Magistratura, Poder Judicial de la Nación 2018](#)). There is a reason why impunity is called corruption's "evil twin" ([Morris 2009](#): 9). And it is not surprising that a majority of Latin American citizens have little or no confidence that the judiciary will punish the guilty; the precise figure is 65 percent ([Cohen et al. 2017](#): 91). The public's lack of confidence in the judiciary is well justified.

***The Rights of the Accused.*** The due process rights of the accused are generally respected. In broad terms, the judicial system guarantees due process for political and economic elites accused of corruption. These elites are able to hire teams of lawyers to defend them. Judges and prosecutors also often bend over backward to respect their rights. However, in some instances, the judiciary is politicized, and it uses the law as a weapon to target political opponents or extort the wealthy.

Lawfare – the misuse of the legal system against an enemy – is an adequate description of some judicial practices in Latin America. Political and economic elites have occasionally claimed, falsely, that charges of corruption against them are nothing but a politically motivated vendetta. Yet, in some instances, governments have collected information on their political opponents and the wealthy, even using the government's intelligence services for that purpose, and they have pressured prosecutors and judges to use the law to weaken their political opponents and to extract resources from the wealthy. In other instances, politically motivated prosecutors and judges

have made biased decisions. The law is sometimes used as a weapon in fights among political and economic elites ([Alconada Mon 2018](#): ch. 10; Winter 2019; [Greenwald \*et al.\* 2019–2020](#)).

### **10.2.3 Corruption as a Systemic Problem for Democracy**

In sum, the picture in many Latin American democracies is somber. Powerful public officials act against the public interest. They abuse their power, and collude with economic elites, and even with organized crime, for personal or partisan gain. Thus, many Latin American democracies do not ensure that the powerful are bound by the law and do not guarantee equality before the law.

Given the hidden nature of corrupt acts, it is difficult to state whether the problem is getting worse or better over time. Perhaps we can assume that as more money has flowed more freely through the global financial system in the neoliberal age, the scope and scale of high-level corruption have increased. In any case, it is safe to claim that corruption is a persistent problem and that no sustained gains to counter it have occurred.

It is also well established that corruption is a systemic problem in Latin America. Corruption is carried out and covered up by public officials who occupy positions throughout the government and the state (politicians, public administrators, prosecutors, and judges) and by private actors (mainly businesses, but also organized crime). Moreover, corruption is assisted by international banks. Indeed, corruption is not carried out by a few isolated “bad apples.” Rather, it involves actors who occupy important positions in multiple spheres and who work in concert or at least look the other way and do not ask questions.

The judicial response to corruption offers some positive aspects. In a few countries, there are signs of progress in sanctioning corrupt actors. However, impunity for acts of corruption is common. Based on solid

evidence, citizens know that public officials abuse their power and appropriate public resources for partisan and personal ends. They also know that public officials frequently get away with these infractions and do not pay for their crimes. At times, innocent people also are framed.

Moreover, the judicial response to corruption exposes another side of corruption. An inescapable conclusion is that the judiciary, rightly considered a key actor in the quest for the rule of law, is frequently part of the problem, undermining rather than upholding due process rights. Judges and prosecutors charged with responding to acts of corruption sometimes compound the problem by abusing their power. In other words, high-level corruption is not only political and administrative. The state's final barrier in the fight against corruption has itself been corrupted. Judicial corruption also exists.

Corruption is a key problem for democracy. Citizens generally prefer a democracy that protects civil rights such as equality before the law and due process rights. Yet democracies have not tackled this problem with any significant, lasting success. Latin America has many democracies that we can characterize as *corrupt democracies* and *unjust democracies* rather than democracies that uphold the rule of law.

## 10.3 Explaining High-Level Corruption: Case Studies

What accounts for the successes and failures in reducing corruption? What explains the poor overall record of Latin American democracies regarding high-level corruption?

Studies of corruption in Latin America and beyond highlight several factors ([Johnston 2005](#); [Morris and Blake 2010](#); [Rose-Ackerman and Palifka 2016](#); [Casas-Zamora and Carter 2017](#): 22–33; [Uslaner 2017](#); [Rotberg 2019](#)). Scholars put high hopes on democracy, but they are well aware that democracies can be corrupted and hence that their role in containing corruption might be muted. Studies also emphasize the importance of a civil service in which jobs are filled and promotions are made on the basis of merit rather than of political loyalty. They also place great weight on the judiciary and underscore the role of civil society – including the media – and the international community. Discussions address other explanatory factors, such as cultural values, mass education, economic inequality, and historical events. However, to keep the analysis manageable, here we will focus on the initial four factors: (1) democracy; (2) the state's public administration; (3) the judiciary; and (4) civil society and the international community.

We elaborate an explanation of corruption in two steps. First, we present case studies of Brazil, Mexico, and Guatemala that exemplify different ways in which corruption operates (in two cases it involves public officials and private businesses; in the other public officials and drug



cartels) and different responses to the problem of corruption (in one case judicial action was strong, in another it was weak, and in yet another it received critical international assistance). We then provide some general reflections, including lessons from these case studies, about factors that account for success and failure in the fight against corruption.

### **10.3.1 Brazil: Judicial Action against Politicians and Business Elites**

High-level corruption has been a fact of life in Brazil under different political regimes and most of its democratic governments. It has usually gone unchecked and unpunished. Nonetheless, the sense that nothing could be done about corruption in Brazil started to change suddenly when the corruption scandal that became known by the name of Operation Car Wash (*Operação Lava Jato*, in Portuguese) erupted in 2014. We focus here on this key test case for Brazil. In the discussion, we refer to Operation Car Wash as the Lava Jato Operation, or simply the Lava Jato.

***The Start of the Operation.*** The initial breakthrough in the Lava Jato Operation came from a criminal investigation in which a key role was played by Judge Sérgio Moro and prosecutor Deltan Dallagnol. (In Brazil's civil law system, unlike in the United States' common law system, judges play a role in pre-trial investigations before prosecution.) Following an initial lead concerning money laundering and a bribe to an executive of Petrobras, Brazil's state-owned oil company, the investigation began by focusing on business leaders. See [Photo 10.2](#) on the involvement of business in corruption in Brazil.



**Photo 10.2 Corruption at the highest level of Brazil's business elite** In the context of Operation Car Wash, the acts of corruption by leaders of Brazil's private sector was revealed. One of the main players in the corruption scheme was Marcelo Odebrecht (left), the CEO of Odebrecht, the biggest engineering and contracting company in Latin America. Another actor was Eike Batista (right), the wealthiest man in Brazil in 2012 and CEO of EBX Group, a set of companies focusing on infrastructure and natural resources. The Operation Car Wash investigation showed that Brazil's business class had engaged in corruption as a matter of course.

*Sources:* (left) © Heuler Andrey/Stringer/Getty Images; (right) © Frederic J. Brown/AFP/Getty Images.

Brazil's investigators took advantage of a 2013 law that permitted the use of plea bargain agreements (*delação premiada*, in Portuguese), whereby defendants were offered reduced sentences in return for cooperating with investigations. They pressured business leaders into striking a deal by ordering preventive prison (the jailing of someone before a trial has concluded) for key business leaders. Eventually, in return for leniency, business leaders revealed how they had paid kickbacks to senior Petrobras officials for inflated contracts, how they had funneled illicit proceeds to

political parties, and which politicians had participated in the scheme. They gave the names of hundreds of politicians.

International factors played a role in the early phase of the investigation. Swiss authorities collaborated with the investigation and discovered that a Petrobras director had hidden millions of dollars in offshore accounts. Also, starting in late 2014, US authorities at the Department of Justice started to investigate Petrobras. Since Petrobras issued securities in the United States, the company was potentially liable under the US Foreign Corrupt Practices Act of 1977, which makes it unlawful for companies to pay bribes to foreign governments to obtain business. Brazil's investigators received some useful tips and information from abroad.

***Judicial Backing and Results.*** A second big breakthrough came when the work by Judge Moro and prosecutor Dallagnol within the federal district of Curitiba, in the state of Parana, received backing at the highest level of the judicial system. One important signal was the decision by the country's Attorney General Rodrigo Janot to support the Lava Jato investigation. Another was the Supreme Court's approval of investigations of high-level politicians. In Brazil, the Supreme Court has special jurisdiction over criminal charges involving high-ranking official authorities. The Supreme Court must give their approval before investigations of this category of defendants can proceed. Thus, a key decision in the Lava Jato was the Supreme Court's ruling in March 2015 that prosecutors could investigate around fifty high-level politicians suspected of involvement in the scandal.

In the end, the judicial results produced by the Lava Jato were impressive – indeed, unprecedented. The investigations and subsequent trials led to sentences that put key members of Brazil's political class and several

economic oligarchs behind bars (see [Table 10.3](#)). Before Brazil's Lava Jato, almost every attempt to prosecute high-level corruption in Brazil had failed. The perception that crimes of corruption went unpunished was seriously dented.

**Table 10.3 Brazilian politicians and businesspeople sentenced for acts of corruption in the context of the Lava Jato investigation: A partial list\***

**Table 10.3(a) Politicians**

Name	Position	Political party	Judicial decision
Luiz Inácio "Lula" da Silva	President	PT	17 years in prison; released after 580 days, pending confirmation of sentence; sentence subsequently revoked
Michel Temer	President	PMDB	Trial pending
Eduardo Cunha	President of Chamber of Deputies	PMDB	15 years in prison
Sérgio Cabral	Governor Rio de Janeiro	PMDB	14 years in prison
Bruno Gonçalves da Luz	Operator	PMDB	Nearly 7 years in prison
José Dirceu	Chief of Staff of the Presidency	PT	23 years in prison
João Vaccari Neto	Treasurer	PT	15 years in prison; later overturned
Delúbio Soares	Treasurer	PT	5 years in prison
André Vargas	Congressperson	PT	4.5 years in prison
Gim Argello	Senator	PTB	19 years in prison
Luiz Argôlo	Congressperson	SDD	Nearly 13 years in prison; released after 4 years
Pedro Corrêa	Congressperson	PP	20 years in prison
Beto Richa	Governor Parana	PSDB	Preventive prison before trial

*Notes:* PT = Workers' Party; PMDB = Brazilian Democratic Movement Party; PTB = Brazilian Labor Party; SDD = Solidarity Party; PP = Progressive Party; PSDB = Brazilian Social Democracy Party.

**Table 10.3(b) Businesspeople**

Name	Position	Business	Judicial decision
Marcelo Odebrecht	CEO	Odebrecht, Latin America's largest construction group	19 years in prison; reduced to 2.5 years in jail and 5 years of house arrest
Ricardo Pessoa	President	UTC Engenharia, industrial engineering services	8 years in prison
José Adelmário Pinheiro Filho	Owner	OAS, construction group	26 years in prison; reduced to 5.5 years of house arrest
Otávio Azevedo	CEO	Grupo Andrade Gutierrez, construction group	18 years in prison
Flávio David Barra	President	AG Energia, energy and construction company	15 years of house arrest
Othon Luiz Pinheiro da Silva	CEO	Eletro nuclear Othon, nuclear power company	43 years in prison
Eike Batista	CEO	EBX Group, mining and infrastructure	30 years in prison
Dario de Queiroz Galvão	President	Galvão Engenharia, engineering and construction company	13 years in prison
Erton Medeiros Fonseca	Executive	Galvão Engenharia, engineering and construction company	12.5 years in prison
Aldemir Bendine	President	Petrobras, semi-public petroleum corporation	Nearly 7 years in prison
Paulo Roberto Costa	Director	Petrobras, semi-public petroleum corporation	Nearly 8 years in prison
Nestor Cervero	Director	Petrobras, semi-public petroleum corporation	12 years in prison
Renato Duque	Director	Petrobras, semi-public petroleum corporation	30 years in prison
Alberto Youssef	Banker	Black-market currency changer	4 years in prison

*Note:* \* The data includes developments through April 2021.

*Source:* Authors' elaboration.

***The Questioning of Judge Moro.*** At the same time, some of the work of the Lava Jato Operation has been tarnished. During the course of the investigations and trials, some observers suggested that Judge Moro had a political agenda. He appeared to be using a different standard in judging misdoings of leaders of the leftist Workers' Party (PT), including former President Luiz Inácio "Lula" da Silva himself, and showed a stronger sense of determination in pursuing investigations and trials of these politicians. Later on, documents leaked in 2019 to a journalist suggested that Judge Moro may have been partial in his decisions ([Greenwald et al. 2019–2020](#)). These documents offered evidence that Judge Moro was passing on advice, investigative leads, and inside information to the prosecutors, and even acting in such a way so as to thwart an electoral victory of the PT in the 2018 presidential elections. Finally, in 2021, the Supreme Court voted that Judge Moro had not been impartial in his decisions regarding Lula.

***Assessment.*** In brief, the Lava Jato Operation was a key test case for Brazil that surprised observers who had assumed that nothing could be done to tackle corruption in Brazil. Notable gains in the fight against corruption were made through the Lava Jato Operation. A corruption scheme involving the country's most powerful politicians and business leaders was exposed. The mantle of impunity was lifted. However, questions about the due process rights of the accused cast a shadow on the legitimacy of the judicial process. Thus, the Lava Jato Operation exemplifies both the great potential

and the possible pitfalls of strong judicial action against corruption. See [Box 10.2](#) on the debate provoked by the actions of Judge Moro.

**Box 10.2** Debates: Is Justice in Brazil Blind? Should Justice Be Concerned about Political Consequences?

The Lava Jato has led to some disputes about the link between judicial action and democracy.

One issue concerns whether judges are impartial and do not play politics from the bench. Judge Sérgio Moro has denied that his actions in the Lava Jato were politically driven. He has written that “[s]ome critics have complained that the Lava Jato operation is not impartial and has been used to ‘play politics.’ But this is not so” ([Moro 2018](#): 164).

Be that as it may, Judge Moro’s actions are considered by many – and not only those who were targeted by his actions – as motivated by an animosity against the PT and former President Lula in particular. Additionally, suspicions that Judge Moro had a political agenda, and might not have acted purely on the basis of legal principles, were confirmed when he became Minister of Justice in President Bolsonaro’s administration in 2019. Thus, a major issue is whether in Brazil judicial power was used for political aims, that is, whether the judiciary was politicized. See [Photo 10.3](#) on Judge Moro’s post-Lava Jato career.





**Photo 10.3 Judge Moro's brief career in politics** Judge Sérgio Moro's prominent role in the Lava Jato made him a household figure in Brazil. And, seeking to capitalize on Moro's image, President Bolsonaro offered him the position of Minister of Justice, an offer Moro accepted. Moro held this cabinet position for slightly over a year, resigning in April 2020 when Bolsonaro meddled in an investigation of the federal police. However, Moro's entry into politics reinforced concerns about his political motives during the Lava Jato Operation. The photo depicts President Bolsonaro (left) and Sérgio Moro (right) in February 2020.

*Source:* © Buda Mendes/Getty Images Sport/Getty Images.

Another, more complex issue concerns the political consequences of judicial actions. In this regard, Judge Moro has denied any responsibility for the political consequences of his actions. He has stated that “[o]f course, crimes involving bribes paid

to politicians will inevitably have political consequences. But they arise outside the court and beyond the judges' control" ([Moro 2018](#): 164). Nonetheless, such a position is open to question.

Judge Moro's actions – which led to Lula's disqualification as presidential candidate in the 2018 election, at a time when Lula was a strong frontrunner in the race – paved the way for the election of former military officer Jair Bolsonaro in 2018. President Bolsonaro campaigned on a platform of xenophobia, misogyny, and racism. He also called for a revindication of Brazil's military regime of 1964–1985 and justified the use of torture. Thus, even if the question of the politicization of the judiciary is set aside, the actions of Judge Moro in the context of the Lava Jato can be considered a contributing factor to the election of a president who was known to be a threat to democracy and several civil rights.

Corruption in many Latin American countries is systemic. Thus, the fight against corruption needs committed fighters. Yet the actions of Judge Moro draw attention to the need to place the discussion of anti-corruption initiatives in a broader context and to the dangers of the single-minded pursuit of some goal, even if that goal is a noble one.

### **10.3.2 Mexico: Passivity in the Face of State-Organized Crime Collusion**

Mexico was known as a country with rampant corruption during the many decades in the twentieth century when it was ruled by the Institutional Revolutionary Party (PRI). This reputation did not change with the transition to democracy in 2000. In fact, the rise of drug cartels in the 1970s and 1980s added a new, distinct dimension to Mexico's traditional problem with corruption. Mexico became a prime example of a country in which politicians and public administrators collude with organized crime. Thus, without denying the relevance of other modalities of corruption in Mexico, here we focus on corruption involving public officials and drug cartels.

***Corruption.*** Several well-publicized cases provide evidence of corrupt transactions between public officials and drug cartels in which drug lords gave bribes to various public officials, from important politicians to high-level authorities in the public administration, the judiciary, and the security forces. In a stunning case, Genaro García Luna, Mexico's public security minister and the architect of the drug war under former President Felipe Calderón (2006–2012), is widely thought to have received millions of dollars in bribes in exchange for offering protection to the Sinaloa cartel, led by Joaquín “El Chapo” Guzmán ([US District Court, Eastern District of New York 2019](#)). In another emblematic case, the Iguala massacre of 2014, the kidnappings and presumed killing of forty-three students from the Ayotzinapa Rural Teachers' College are attributed to the joint action of the mayor and the police of Iguala, in the state of Guerrero, and members of the Guerreros Unidos (United Warriors) drug cartel. The public officials

received a kickback from the drug trafficking they allowed the drug cartel to carry out.

We also have firm knowledge about many instances of transactions between state governors and drug lords. For example, Tomás Yarrington, governor of Tamaulipas (1999–2005), received large bribes from major drug traffickers (including the Gulf Cartel) operating in the Mexican state of Tamaulipas, in return for allowing them to freely operate their large-scale, multi-ton enterprises ([US Department of Justice 2018](#)). In turn, Roberto Sandoval Castañeda, governor of Nayarit (2011–2017), is widely suspected of accepting bribes from the Jalisco New Generation and Beltrán-Leyva drug cartels ([Dalby 2019](#)). See [Photo 10.4](#) on the collusion between law enforcement and organized crime in Mexico.



**Photo 10.4 When law enforcement protects organized crime** A stark demonstration of the influence of drug cartels within the state in Mexico is the case of Genaro García Luna (left, in photo on the left), a top official in charge of security during the presidency of Felipe Calderón (2006–2012) (right, in photo on the left), who stands accused of offering protection to the Sinaloa cartel. Another case is that of General Salvador Cienfuegos (left, in photo on the right), Secretary of Defense during the entire presidency of Enrique Peña Nieto (2012–2018) (right, in photo on the right). Both García Luna and Cienfuegos were arrested and indicted in New York on charges of working with Mexico’s drug cartels.

*Sources:* (left) © Alfredo Estrella/Stringer/Getty Images; (right) © Alfredo Estrella/Stringer/Getty Images.

***The Role of the United States.*** Pressure to address the drug cartel problem has come in part from the US government. Given the impact of Mexico’s drug cartels on the United States, the US Drug Enforcement Administration (DEA), an agency of the US Department of Justice, has conducted investigations on collusion between public officials and drug cartels that are linked with illegal activities in the United States (e.g., due to

drug sales in the United States or the flow of money through US banks). The United States has also indicted public officials and cartel leaders on corruption charges; these charges are usually accompanied by charges for drug-related crimes. And the United States has also put several suspects of corruption on trial and sentenced them to prison. It has done so when Mexico has been willing to extradite some suspect (e.g., as happened with Joaquín “El Chapo” Guzmán) or when the suspect resides in or visits the United States (e.g., as happened with Genaro García Luna).

The US government has frequently exceeded its legal prerogatives. In essence, it has imposed its law beyond its border. Nonetheless, once suspects enter the US justice system, the force of the law is inescapable.

***Justice in Mexico.*** In contrast, things are very different in Mexico. Some steps have been taken by public authorities to punish those involved in these acts of corruption. For example, several governors have been sentenced on corruption charges. However, the response of Mexico’s justice system reveals far more problems than achievements.

There are, for example, signs of prosecutorial and police incompetence. Charges against two high-level officials – a former drug czar, Noé Ramírez Mandujano, and a former “Number 2” in the Defense Department, General Tomás Ángeles Dauahare – were dropped in early 2013. In one case, the judge determined that witness testimonies were false. In the other case, prosecutors could not find evidence to support the charges.

The actions of the judiciary also appear to be politically influenced. For example, during the term of President Calderón, a leader of the National Action Party (PAN), a case targeted members of the PRI party.

Yet, it was dropped when the PRI won the presidency in 2012. In the case of General Cienfuegos, the former Secretary of Defense arrested in the United States in late 2019, the role of politics was even clearer. The Mexican government was pressured by the Mexican military to demand the return of Cienfuegos from the United States, and the Mexican government then pressured the US government for Cienfuegos's return. The US Department of Justice acceded to this demand, in part because it was accompanied by the promise that Cienfuegos's alleged crimes would be investigated in Mexico. However, upon Cienfuegos's return to Mexico, he was freed and the possibility that he would be charged was summarily dismissed. Indeed, the outcome of cases handled within the Mexican judicial system is indicative of some deep problems. See [Box 10.3](#) on the failings of Mexico's justice system.

### **Box 10.3** A Closer Look: The Cases of El Chapo and the Iguala Massacre

Even high-profile cases such as those of Joaquín “El Chapo” Guzmán and the Iguala massacre of forty-three students have been handled in a way that casts suspicion on the intent of those who operate within the judicial system in Mexico.

In the 1980s in Mexico, El Chapo, as head of the Sinaloa Cartel, rose to a leadership position within the world of organized crime. He was captured in 1993 and sentenced to twenty years in prison. However, he escaped from a federal maximum-security prison in 2001. He was arrested again in 2014. He escaped yet a second time, through a tunnel under his jail cell. Finally, he was recaptured yet again in 2016 and shortly thereafter extradited to the United States, where he received a life sentence. This case raises doubts that Mexico’s judicial system can bring to justice powerful drug lords who have connections in the world of politics and are known to bribe public officials.

The case of the forty-three students presumably killed in Iguala in 2014 is an even more concerning one, as it illustrates the lack of will at the highest level of the judicial system to shed light on who was responsible for a horrific massacre of Mexican citizens. An initial government investigation during the presidency of Peña Nieto concluded that the students were seized by the police, who handed them over to a drug cartel, which proceeded to burn their bodies and to dump their ashes into a stream.



Nonetheless, this report was questioned by independent investigators of the Inter-American Commission of Human Rights and by a team of forensic experts from Argentina. Among other things, these nonofficial reports noted that satellite images showed no fires in the area the night the students disappeared. They also criticized the government's investigation for not considering the possible role of the military and the federal government.

Subsequently, the arbitrary detention and torture of suspects were revealed, further tarnishing the official investigations. Indeed, after several years of failed investigation by the government, the case of the forty-three students remained unresolved and the crimes have gone largely unpunished. (In 2019, President Andrés Manuel López Obrador launched a new investigation into the Iguala massacre and created a Truth and Justice Commission for the case. The impact of this commission remains to be determined.)

More broadly, the impact of a recent major anti-corruption reform underscores the limitations of Mexico's approach to corruption. The various corruption scandals forced President Enrique Peña Nieto (2012–2018) to take an important step, the introduction of the National Anti-Corruption System (*Sistema Nacional Anticorrupción* [SNA]). The SNA was conceived as a body that would coordinate the anti-corruption actions of existing government bodies and allow for the participation of civil society. However, the potential of this body was restricted. The SNA was “built through institutions which maintained and masked corrupt behavior” ([Ballinas Valdés 2020](#): 210, 220). It relied on a familiar trick used by those

in power, the creation of a body that is underfunded, is given rules that make it unworkable, and eventually is blocked or ignored. Furthermore, it was not accompanied by a key reform, which had proved effective in Brazil's Lava Jato: the introduction of plea bargain agreements.

A real effort to reduce high-level corruption in Mexico would affect the interests of powerful actors within the government and the state who benefit from corruption. And these actors have ensured that any response to corruption consists largely of empty gestures. That is, Mexico shows that, in the absence of political resolve by government authorities and an independent judiciary, few steps to wipe out high-level corruption are taken.

### 10.3.3 Guatemala: International Assistance against Elites

Guatemala is one of the countries in Latin America where corruption is most deeply ingrained in political practice and where the fight against corruption faces the greatest obstacles. Claudia Escobar, a former magistrate of the Court of Appeals of Guatemala, describes the problem of corruption in the following terms. The country “suffers from a long and troubled history of corruption.” It is a “fertile ground for corruption.” It has a judicial system that is “weak” and has been “hijacked [by] organized crime.” And it has a judicial system that “has no credibility” in the eyes of the population; indeed, impunity is nearly guaranteed – the rate of impunity for criminals is “as high as 98%” ([Escobar 2019](#): 235, 237–8, 248).

We can add to this description other factors that allow corruption to go unchecked. A law gives immunity to the president and members of parliament, and lifting this immunity is cumbersome. Before a public official can be detained or subjected to judicial proceedings, a court must allow a special commission to consider if immunity from prosecution should be lifted ([Lohmuller 2016a](#)). Then, if investigations and a trial are allowed to proceed, prosecutors and judges who are known to take a firm stance on corruption are threatened and must worry for their lives and the lives of their families. As [Escobar \(2019: 235\)](#) asserts, in Guatemala, “controlling the justice system has always been a priority for power groups that seek privileges and want to evade the rule of law.”

**Corruption.** Given these problems, it is not surprising that corruption has been endemic in Guatemala. A case known as *La Línea* – “the (telephone) line” – which involved then President Otto Pérez Molina (2012–2015) and

his Vice-President Roxana Baldetti, is one of the most emblematic cases. This case involved a network of dozens of people within the tax and customs administration led by Pérez Molina and Baldetti, and it revolved around a reduction of customs duties for importers in exchange for bribes. The case was called *La Línea* because there was a phone number any import company could call to ask for a reduced customs duty. Other recent prominent cases include the Phoenix case, in which a political powerbroker allegedly embezzled about US \$50 million from the country's social security funds prior to 2002, and the Alejandro Sinibaldi case, in which Sinibaldi allegedly received US \$10 million in bribes from a private construction company while he was Minister of Communication in 2012–2014.

***UN Assistance.*** It is surprising, however, that, starting in the mid-2000s, some unprecedented steps were taken to detect and punish acts of corruption. The breakthrough was the creation, in late 2006, of an international body called the International Commission Against Impunity in Guatemala (CICIG). CICIG was designed to support the work of the country's public prosecutor's office and other state institutions charged with investigating cases of corruption.

CICIG did not have prosecutorial powers. Rather, working with prosecutors and the police, it provided much needed expertise and resources. And, as it began to function, it produced some startling results ([Arellano-Gault 2020](#): ch. 6). See [Photo 10.5](#) on the CICIG.



**Photo 10.5 An international anti-corruption body in Guatemala**

Between 2006 and 2019, an international body called the International Commission Against Impunity in Guatemala (CICIG) operated in Guatemala. In 2013, UN Secretary-General António Guterres (right) appointed Iván Velásquez Gómez (left), a Colombian diplomat and jurist, as the CICIG commissioner.

The public prosecutor's office, with CICIG's support, conducted over 100 investigations, prosecuted 660 individuals, and obtained over 400 convictions. The highest profile investigations involved a former president and a sitting president. In 2013, a CICIG-backed investigation brought to light evidence that led to the extradition to the United States of former President Alfonso Portillo (2000–2004); in the United States, Portillo received a lengthy prison sentence. Two years later, another investigation led to the resignation from office of then President Pérez Molina and Vice-President Baldetti. Subsequently, Baldetti was sentenced to 15.5 years in prison, and Pérez Molina was sent to jail, where he awaits his trial ([WOLA 2019](#)).

We should also recognize the role of civil society. CICIG was initially created in part because of the persistent lobbying work by civil society organizations in the country. When the CICIG's role was questioned by

those it was investigating, or when it publicized the results of investigations into the wrongdoings of powerful political leaders, protests led by civil society organizations showed that the actions of CICIG had popular backing. In brief, Guatemala exemplified the potential of international assistance, carefully calibrated so as not to substitute for domestic actors, combined with broad-based support by a mobilized citizenry. See [Photo 10.6](#) on popular demonstrations against corruption.



**Photo 10.6 Anti-corruption protest in Guatemala** Protestors in Guatemala City, June 2015, demand the resignation of President Otto Pérez Molina, after information of his involvement in a corruption scheme had been revealed. Pérez Molina did eventually resign and was jailed for his role in the corruption scheme called *La Línea*.

*Source:* © Anadolu Agency/Getty Images.

**Pushback.** At the same time, the limits of the positive change introduced by the CICIG soon became apparent. The CICIG's work was contingent on the renewal of its mandate every two years. And, as it showed its

effectiveness, and its investigations implicated both political and business elites, it received a backlash from the country's elites. Even though CICIG was popular with the population as a whole (roughly 70 percent of the population supported it), President Jimmy Morales, under suspicion of engaging in corruption to gain access to the presidency, unilaterally announced that he would not renew the CICIG's mandate.

After thirteen years of work, the CICIG closed its office and was disbanded in late 2019. And this move blunted the momentum of the anti-corruption movement. Corrupt forces rapidly moved to erase any legacy of the historic campaign against corruption in Guatemala ([Hite and Montenegro 2020](#)).

Thus, the experience of Guatemala highlights the two sides of international collaboration in anti-corruption efforts. On the one hand, the CICIG was a well-designed international initiative that worked with domestic partners in a way that was respectful of the country's sovereignty and that proved its effectiveness. On the other hand, once the CICIG was perceived to be effective, and even though it was supported by most citizens, it simply could not withstand the pressure of elites that had little regard for the rule of law and were powerful enough to disband an initiative it saw as a threat.

## **10.4 Explaining High-Level Corruption: General Reflections**

Based on these three case studies and further information, we now offer some general reflections about the factors that explain success or failure in the fight against corruption. We organize our arguments around the four explanatory factors we introduced in the [previous section](#): (1) democracy; (2) the public administration; (3) the judiciary; and (4) civil society and the international community.



### **10.4.1 Democracy and Corruption**

Democracies can and have contributed to the fight against high-level corruption by implementing a set of reforms that are known to work ([Pereira 2003](#); [Casas-Zamora and Carter 2017](#): 22–30; [LaSusa and Asmann 2018](#); [Rotberg 2019](#): ch. 12). Such reforms promote, among other things:

- asset disclosure requirements for public officials;
- transparency in the budget process and public contracting;
- transparency in international flows of money and disclosure of ownership of shell companies;
- a reduction of the role of money in politics and a ban on campaign donations by companies that receive public contracts;
- a ban on the hire of regulators, immediately after they stop working in the public sector, by the companies they regulated;
- a reduction of patronage in the civil service;
- the protection of whistleblowers and investigative journalism;
- the independence and empowerment of the judiciary.

These reforms make it less likely that corruption will occur and more likely that when corruption does occur it will be detected and punished. And results do not require the enactment of all these reforms, let alone that they take place at the same time. Progress in the fight against high-level corruption has been made even when only some of these reforms have been enacted (e.g., the passage of the law permitting the use of plea bargain

agreements in Brazil, the introduction of a merit-based selection for the judiciary in Brazil's 1988 constitution, and the empowerment of the judiciary through the creation of the CICIG in Guatemala).

However, it is also clear that most Latin American countries, although democracies for several decades, have not yet managed to eradicate high-level corruption. And the cases of Brazil, Mexico, and Guatemala show why democracies do not always fight corruption. Politicians who benefit from corruption are the same politicians who have to propose reforms, to pass legislation, and to monitor the implementation of reforms. And businesses and even criminal syndicates that benefit from corruption fund politicians.

The Odebrecht case is the best-known instance in which a business provided illegal funds to electoral campaigns in many countries, including Argentina, Brazil, Mexico, and Peru ([Alconada Mon 2018](#): ch. 1; [Martínez Encarnación 2019](#)). However, corruption directly infringed on and subverted democracy in other cases, too. Money from corruption, some linked with organized crime, influenced Mexican elections ([Casar and Ugalde 2019](#): chs. 4 and 5). In Guatemala, Pérez Molina used illicit funds from a group of state contractors to help finance his successful 2011 presidential election campaign ([Lohmuller 2016b](#)). There is also evidence that drug cartels provided funds for successful presidential bids in Colombia (in the case of Ernesto Samper in 1994), in Honduras (in the case of Juan Orlando Hernández in 2013), and in Guatemala (in the case of Jimmy Morales in 2015).

Thus, a key reason why Latin America has not succeeded in breaking with a tradition of corruption is that Latin American democracies are caught in a quandary. Corruption is a problem *for* democracy, a challenge

democracies need to urgently tackle and resolve. But corruption also corrodes democracy and has become a problem *of* democracy ([Colazingari and Rose-Ackerman 1998](#); [Morris 2009](#): 5–6). And weakened democracies, the low- and medium-quality democracies that are typical in contemporary Latin America (see [Chapter 5, section 5.2](#)), do not implement vigorous anti-corruption reforms for a simple reason: many politicians in democratic regimes benefit from corruption and have an interest in maintaining a system that allows for corruption. Only high-quality democracies that have representative parties, such as Uruguay, are effective at reducing corruption and keeping it low ([Buquet and Piñeiro Rodríguez 2019](#)).

#### **10.4.2 The State's Public Administration**

The public administration is also an important factor that accounts for success or failure in the fight against corruption. Civil servants hired and promoted on the basis of merit and trained to abide strictly by the law are a barrier to corruption. Inasmuch as civil servants are also trained to be whistleblowers, alerting specific authorities when they observe corruption, and do not fear retaliation if they expose acts of corruption, they also serve a key role in detecting corruption. Yet these features, characteristic of rule-based public bureaucracies, are uncommon in Latin America. Rather, public administrations in Latin America are best characterized as patrimonial or semi-patrimonial, and are driven more by political loyalty than adherence to the law, characteristics that encourage the flourishing of corruption.

Much corruption, even high-level corruption, simply cannot occur without the active collaboration of many public administrators, who make or oversee decisions about public budgets. Corruption schemes orchestrated in the government – for example, by a president and a cabinet minister – need to be communicated to others within the public administration, and need to be implemented by others within the public administration. Much corruption simply cannot occur unless observers go along with what they see, opting not to report the acts of corruption they observe and hence being complicit. By its very nature, corruption is kept hidden from the broad public. However, corruption frequently involves more than a very small circle of people or surely leaves traces in documents, from emails and notes of meetings to records of financial transactions.

More specifically, it is highly unlikely that the acts of corruption in Brazil involving politicians, Petrobras executives and the executives of engineering companies, and the region-wide bribing scheme orchestrated by Odebrecht, did not involve active participants and passive observers within the public administration in Brazil and various of the nine Latin American countries where Odebrecht operated. Yet these operations continued undetected for at least ten years, until one aspect of this complex scheme was detected, somewhat fortuitously, by the police. Dozens of employees in the public administration were participants in the corruption case in Guatemala known as *La Línea* from 2012 until 2015. Nonetheless, the case was broken in early 2015 by the investigations of CICIG, the UN-backed international anti-corruption body.

The patrimonial nature of the public administration in most Latin American countries is obviously a key reason for the persistence of high-level corruption. Corruption is enabled and kept hidden from view because the public administration is populated by public servants who are sometimes active participants in, and at other times passive observers of, acts of corruption.

### **10.4.3 The Judiciary**

The judiciary can be only one part of the solution to the problem of corruption. After all, the judiciary responds only to acts of corruption that have already occurred. Yet, it is crucial that the judicial system works effectively, uncovering wrongdoings and punishing perpetrators of crime even if they are politically or economically powerful.

The importance of judicial independence in the fight against corruption is obvious from the cases of Brazil, Mexico, and Guatemala. The greater success of Brazil relative to Mexico can be linked directly to the independence of the judiciary. Episodes of success in fighting corruption in Guatemala stem from periods when the judiciary has been independent, and those of failures, to times when politicians or organized crime effectively pressure judges and/or prosecutors. Moreover, this conclusion is supported by analyses and data that show a strong correlation between judicial independence and strong judicial actions to punish acts of corruption ([González-Ocantos and Baraybar-Hidalgo 2019](#)) (see [Figure 10.3](#)).



**Figure 10.3** Judicial independence and corruption: Latin America, c. 2015.

*Note:* The data in the figure are based on a survey of country experts.

“Anti-corruption decisions” consist of the prosecution or penalization of public officeholders who abuse their power as officeholders.

*Source:* Authors’ elaboration, based on information in [OECD/CAF/ECLAC 2018](#): 147.

The cases of Brazil, Mexico, and Guatemala also reveal the importance of another, less discussed property of the judiciary: competence. The crimes that were exposed in the Operation Car Wash scandal in Brazil were uncovered through competent investigative work. A key contribution of the CICIG in Guatemala was the additional capacity it brought to investigations. In contrast, some charges of corruption were dropped in Mexico because of the incompetence of prosecutors, who failed to properly investigate and prepare their cases.

#### **10.4.4 Civil Society and the International Community**

Finally, factors that operate from outside the political system play a role. On the domestic front, the role of civil society has played a positive role. The media, and investigative journalists in particular, have played a key role in galvanizing public opinion. Big exposés, based on anonymous leaks – such as the Panama Papers in 2016, the Paradise Papers in 2017, the FinCEN Files in 2020, and the Pandora Papers in 2021 – have brought to the public's attention indisputable evidence about how political and economic elites game the system to their personal advantage. (In these exposés, domestic media outlets have frequently worked in collaboration with international media consortiums, such as the International Consortium of Investigative Journalists.) The media have been essential in keeping the issue in the public's eye. Additionally, protests by outraged citizens, and NGOs such as Transparency International, have put pressure on politicians and the judiciary to address the problem of corruption.

These efforts by civil society do not always lead to progress. For example, protestors in Guatemala gained some victories, but they were also sometimes defeated. Similar anti-corruption protests have occurred in many countries, including Argentina, Brazil, Colombia, Paraguay, Peru, and Mexico, and they have rarely yielded clear successes. However, the actions of civil society raise the costs for politicians and the judiciary to ignore evidence of corruption. Without these actions, the level of impunity would surely be greater than it has been.

In contrast to civil society, the role of the international community is more ambiguous. Various international initiatives contribute to the fight



against corruption. The role of CICIG in Guatemala is the most obvious example of positive assistance by the international community. In Operation Car Wash in Brazil, the collaboration of Swiss authorities and the involvement of the US Department of Justice played a part in some early breaks. The US Department of Justice has been a key player in exposing some corruption cases in Mexico and/or bringing to trial some important figures accused of corruption in Mexico and some Central American countries.

Beyond these examples, the international community has collectively taken steps to develop a framework to assist in the fight against corruption (see [Table 10.4](#)). Some important instruments that are the result of considerable international coordination are the Inter-American Convention Against Corruption of the Organization of American States (OAS) and the UN Convention against Corruption. Both of these conventions have been ratified by all Latin American countries but one.

**Table 10.4** International instruments to fight corruption: Latin America, 2021

Region/country	International agreement		
	OAS Inter-American Convention Against Corruption (IACC) (year of ratification)	UN Convention Against Corruption (UNCAC) (year of ratification)	Extractive Industries Transparency Initiative (EITI) (year joined)
<b>South America</b>			
Argentina	1997	2006	2019
Bolivia	1997	2005	
Brazil	2002	2005	
Chile	1998	2006	
Colombia	1998	2006	2014
Ecuador	1997	2005	2020
Paraguay	1996	2005	
Peru	1997	2004	2007
Uruguay	1998	2007	
Venezuela	1997	2009	
<b>Mexico, Central America, and the Caribbean</b>			
Mexico	1997	2004	2017
Costa Rica	1997	2007	
El Salvador	1998	2004	
Guatemala	2001	2006	(2011)*
Honduras	1998	2005	(2013)*
Nicaragua	1999	2006	
Panama	1998	2005	
Cuba	No	2007	
Dominican Republic	1999	2006	2016

*Notes:* The information reflects the situation in August 2021.

\* Although the country joined the EITI, it was subsequently suspended for missing a deadline for a validation test.

*Source:* Authors' elaboration, based on [OAS DIL 2020](#); [UNODC 2020a](#); and [EITI 2021](#).

Another important initiative is the Extractive Industries Transparency Initiative (EITI), an agreement launched in 2003 to set global standards in the governance of oil, gas, and mineral resources. This initiative has not had much uptake in Latin America, but, since corruption occurs frequently in the extractive industries, its effort to reduce corruption in a corruption-prone sector of the economy is noteworthy. In various ways, the international community has been part of the solution to the problem of corruption.

However, the international community has also been part of the problem. Since the 1970s, financial globalization has facilitated the flow of money around the globe, and this is one of the reasons why corruption is hard to detect and control. Indeed, if the scale of corruption has changed, it is probably greater now than it was in the twentieth century because of the increased opportunities to move illegal money by using the complex and obscure international financial system, to hide it in international safe havens, and to successfully launder huge amounts of money ([Chaikin and Sharman 2009](#); [Sharman 2011](#)).

Steps have been taken by the international community, and especially by some wealthy countries, to regulate the flow of illegal money by tracing, seizing, and returning illicit funds to their country of origin ([Sharman 2017](#); [Davis 2019](#)). Nonetheless, as shown by the seemingly endless corruption scandals in Latin America, and by big international exposés, the global

financial system is rife with opportunities for those who engage in corruption to enjoy the fruits of their crimes. The international financial system is still a major enabler of high-level corruption.

## 10.5 Summary

In this chapter, we focused on the problem of high-level corruption in contemporary Latin America. We defined high-level corruption as the misuse of public office for purposes other than the public good by high-level public officials, such as powerful politicians, holders of top positions in the national public administration, or prosecutors and judges. We also argued that high-level corruption has implications for two basic civil rights: equality before the law and due process rights.

We showed that high-level corruption exists in most countries in Latin America and involves large sums of money. Thus, we made a case that powerful actors have not been bound by the law and that public officials abuse their power, and collude with economic elites and even with organized crime, for personal or partisan gain. We also documented that the judicial response is, at best, mixed. Although steps to punish those who engage in corruption have been taken, there is a widespread perception that countries fall short of punishing those who engage in acts of high-level corruption. Part of the problem is that judges and prosecutors are themselves corrupt. In short, high-level corruption is a systemic problem that spans the political, administrative, and judicial spheres.

Finally, we considered three cases – Brazil, Mexico, and Guatemala – and offered some general reflections about the factors that account for the failures and successes in reducing corruption and impunity for acts of corruption. Democracies have not succeeded in controlling corruption, as some scholars expected; however, the reason for this failure is that

democracies in Latin America are of low or medium quality. The public administration has largely been a hindrance in the fight against corruption because those who are employed in the public administration are driven more by political loyalty than by adherence to the law. Hence, they are frequently active participants in and passive observers of acts of corruption.

The judiciary has been part of the solution to the problem of corruption when it has been independent and competent; yet, the judiciary is frequently corrupt or politicized and part of the problem. Civil society organizations have played a consistently positive role, putting pressure on politicians and the judiciary to fight against corruption. In contrast, the role of the international community has been more ambiguous; many international actors play a positive role, but the international financial system helps corrupt actors conceal their loot.

Corruption is a problem for democracy and has wide-ranging implications for citizenship. It is also a problem that has been harder for countries to address than the problem of transitional justice discussed in [Chapter 9](#). The fight for transitional justice must confront powerful interests. But the human rights violations that are at the center of transitional justice are acts from the past, which lie sometimes a decade or two or three in the past. And those accused of human rights violations are frequently no longer in a position of authority. In contrast, the fight against corruption must confront political and economic elites whose power has not waned. Given this continuing power, it is much harder to ensure that the political and economically powerful are bound by the law and to punish elites who engage in acts of corruption than it is to bring to justice those who violated human rights in the past.

## Discussion Questions

1. Corruption can work in different ways, but one of the main kinds of corruption involves collusion between public officials and private businesspeople. How does this kind of corruption work in Latin America? What actors participate in such cases of corruption? What happens with the illegal proceeds from such acts of corruption? What might be done to prevent this kind of corruption?
2. Democracy is sometimes considered a cause of the reduction of corruption, because electoral competition and freedom of the press are supposed to check and sanction politicians who engage in acts of corruption. Thus, it may appear puzzling that, even though Latin American countries have been democratic for a few decades, in many cases they have not been able to reduce corruption. Why do Latin American democracies continue to experience high levels of corruption?
3. A dilemma for Latin American citizens is that the politicians they elect are sometimes corrupt or are not interested in fighting corruption, and the judges and prosecutors who are formally empowered to punish acts of corruption are themselves susceptible to corruption. Given this dilemma, what can citizens do to control and eradicate corruption? What lessons can we draw from countries that have been successful in reducing corruption?

## *Resources*

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*ICIJ (International Consortium of Investigative Journalists)*. An independent Washington-based international network of investigative journalists. They published the Panama Papers, Paradise Papers, FinCEN Files, and Pandora Papers, some 35 million leaked documents in total that exposed the way in which wealthy individuals and public officials transferred money to offshore accounts. Website: [www.icij.org](http://www.icij.org)

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*InSight Crime*. A nonprofit journalism and investigative organization that specializes in organized crime in Latin America and the Caribbean; it also covers corruption. Its website is a valuable source of information and analysis. Website: [www.insightcrime.org](http://www.insightcrime.org)

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*Mexicanos Contra la Corrupción y la Impunidad*. A Mexican NGO dedicated to the investigation of corruption and impunity in Mexico. Website: <https://contralacorrupcion.mx>

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*OGP (Open Government Partnership)*. A multilateral initiative to promote open government, empower citizens, fight corruption, and harness new technologies to strengthen governance. Most Latin American countries are OGP members and submit plans to introduce reforms. Website: [www.opengovpartnership.org](http://www.opengovpartnership.org)

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*TI (Transparency International)*. An international nongovernmental organization based in Berlin, Germany, that has chapters in most Latin American countries. It is dedicated to the fight against corruption around

the world. It publishes the Global Corruption Barometer and the Corruption Perception Index, two sources of data on corruption. Website:

[www.transparency.org](http://www.transparency.org)

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*World Justice Project.* An international nongovernmental organization that promotes the rule of law around the world. It produces and regularly updates a dataset on the rule of law covering Latin America and the rest of world. Website: <https://worldjusticeproject.org>

## Documentaries

*Exporting Corruption: Beyond Brazil's Car Wash Scandal* (2018). 25 minutes. On the money-laundering investigation known as Lava Jato in Brazil and its consequences in Brazil and Peru.

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*What Happened to Brazil?* (2019). Episode 2, *The Carwash and the Coup*. 23 minutes. Examines how an extraordinary corruption investigation shook Brazil's business and political elite. It also addresses how President Dilma Rousseff was impeached in an act her supporters describe as a coup.

# 11

## The New Violence

*Homicides, Drugs, and the State*



**Photo 11.1 Violence in Mexico** Mexican soldiers and forensic personnel work at a crime scene in Nuevo Laredo, Tamaulipas State, Mexico, 2015. Such scenes have become common in Mexico in the twenty-first century. However, Mexico is not the only Latin American country in which violence has become a part of everyday life. Indeed, Mexico is far from being the most violent country in Latin America.

*Source:* © Raul Llamas/Stringer/Getty Images.

In the early twenty-first century, Latin America has experienced much violence, a new kind of violence. It is different from the old violence of the Cold War years, when dictatorships and civil wars led to significant loss of life and suffering in the region. The new violence is primarily occurring in democratic countries. It is profit-driven rather than being politically and ideologically driven. It challenges the state, inasmuch as it involves illegal activities and the use of force, but it does not aim to defeat the state's security services and take over power, as guerrillas tried to do in the twentieth century. However, the new violence is taking a toll, a heavier toll than the old violence. The scale of this new kind of violence is such that Latin America has the sad distinction of being the most violent region in the world.

This chapter discusses the new violence in contemporary Latin America. In the first section, we justify our focus on violence from the perspective of the right to life. In the second section, we describe the new violence in the region. We provide a general depiction of the incidence of violence and then delve more deeply to ask who the victims and the perpetrators of the violence are. In the subsequent sections, we develop an explanation of the new violence in Latin America. We first discuss some cases – Mexico and the Northern Triangle countries (El Salvador, Guatemala, and Honduras) – and then offer some general reflections. We conclude with a summary of our key points.



## **11.1 Violence and the Right to Life**

Violence and its extreme manifestation, the killing of people, are a central problem for societies. And the state has several important duties in the face of violence or the prospect of violence.

Some of these duties concern security forces (the police and, when relevant, the military). The state has a duty to protect citizens from one another; it should ensure that criminals do not harm citizens. Moreover, in the process of protecting some citizens, security forces should not harm other citizens, even if they have acted or have allegedly acted violently (e.g., killed someone). Agents of the state should not carry out extra-judicial executions or engage in torture.

Other duties of the state in the face of violence concern the courts. The courts should uphold the rights of victims to justice, as well as the rights of those accused of crimes to a fair trial. The courts should fairly punish those who commit violence. The state also has obligations regarding those who are found guilty of violent crimes and are imprisoned.

In this chapter, we will focus on the first-order issue of the responsibility of security forces to prevent the loss of life. We will discuss other related matters, such as whether the justice system works to punish those who violate the right to life, only in passing.

The right to life is the most basic right, in the sense that it is a prerequisite for all other rights. And the statistics on homicides indicate that the scale of the problem is staggering. Many Latin American states are obviously failing to provide security to their citizens. And in some instances

security forces exacerbate violence rather than bring peace. This is a problem we address throughout the chapter.

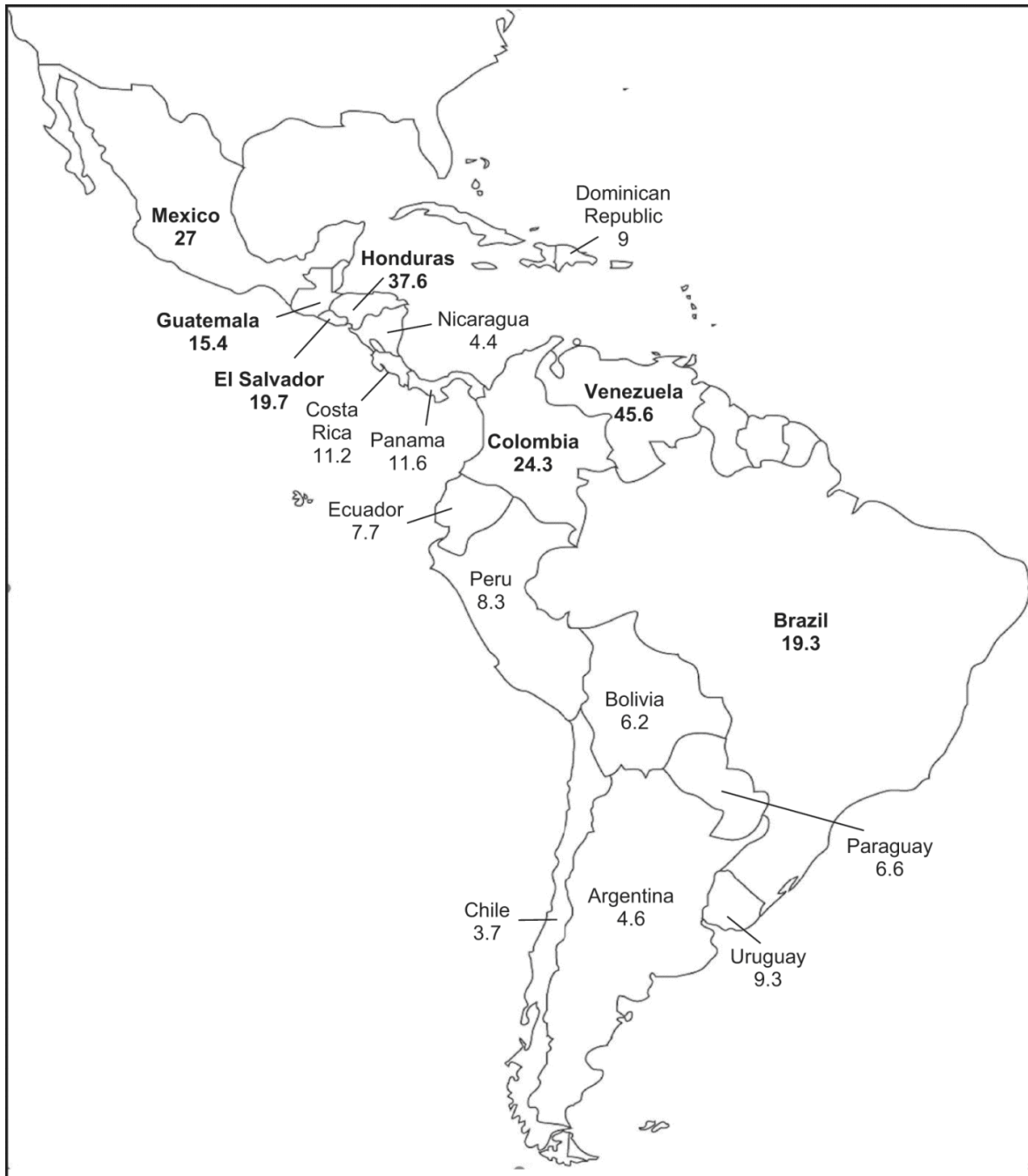
## **11.2 Describing the State of the New Violence**

We start by discussing the actual occurrence of violence in contemporary Latin America.

The data we present will give a sense of the scope and scale of the violence. Then, adding detail and texture to this depiction, we address two key questions: Who gets killed? and Who are the killers?

### **11.2.1 The Scope and Scale of Homicides**

The level of violence varies from country to country in Latin America, as a common statistic – the homicide rate per 100,000 population – shows (see [Map 11.1](#)). Some countries have a very high level of homicides: Mexico; Honduras, El Salvador, and Guatemala in Central America; and Venezuela, Colombia, and Brazil in South America; other countries are relatively safe: Nicaragua in Central America; and Chile, Argentina, Bolivia, and Paraguay in South America.



**Map 11.1** Homicide rates in Latin America, 2020

*Note:* The figures are the homicide rate per 100,000 population. The data for Bolivia is for 2016. The most violent countries are highlighted in bold. As a point of reference, the homicide rate in the United States was approximately 5 per 100,000 in 2018.

*Source:* Authors' elaboration, based on data from [Insight Crime 2021](#).

In spite of this variation, the overall picture is disheartening. Latin America has an average homicide rate of approximately 25 homicides per 100,000 population, a rate that makes it the most violent region in the world ([UNODC 2019](#): 11). And absolute numbers convey the scale of the problem even more powerfully.

From 2000 to 2018, roughly 2.37 million people were murdered in Latin America (authors' calculation on the basis of data by [UNODC 2020b](#)). As a point of comparison, during the period of harsh authoritarian dictatorships and civil wars in the 1960s, 1970s, and 1980s, slightly over 600,000 people were killed (see [Table 3.4](#)). Thus, the violence in Latin America in the twenty-first century is of a greater magnitude than during the Cold War period. Moreover, projections envision an increase rather than a decrease in homicides in Latin America in the coming years ([Vilalta 2015](#): 12).

### 11.2.2 Who Gets Killed?

The victims of violence are a well-defined category of people. In Latin America, the homicide rate is more or less even in urban and rural settings ([UNODC 2019](#): 51–4). However, Latin America is more urbanized than other regions of the world; approximately 80 percent of the population lives in cities. Thus, homicides occur more frequently in urban than in rural settings ([UNODC 2020b](#)). For this reason, Latin America stands out in global perspective in terms of urban violence: forty-one of the fifty most violent cities in the world in 2019 are in the region, and sixteen of these cities are in Brazil and thirteen are in Mexico ([Insight Crime 2020](#)).

The victims of homicide are disproportionately male. Throughout the region, on average, males are eight times more likely to be killed than women (see [Table 11.1](#)). Furthermore, among males, the homicide rate is highest for males between 15 to 29 years of age; this rate decreases as males grow older ([UNODC 2019](#): 62–3).

**Table 11.1** Homicides in Latin America, by sex, c. 2018

Region/country	Homicides per 100,000 inhabitants	
	Male	Female
<b>South America</b>		
Argentina	9.1	1.7
Bolivia	8.2	4.3
Brazil	58.2	4.3
Chile	7.9	1.0
Colombia	47.3	4.2
Ecuador	9.2	2.4
Paraguay	12.3	1.8
Peru	14.3	1.6
Uruguay	13.7	3.1
Venezuela	61.9	10.7
<b>Mexico, Central America, and the Caribbean</b>		
Mexico	53.3	5.8
Costa Rica	22.0	2.3
El Salvador	115.9	13.9
Guatemala	94.6	7.6
Honduras	70.1	7.8
Nicaragua	14.9	2.1
Panama	17.0	1.8
Cuba	8.0	2.1
Dominican Republic	17.2	2.9

*Source:* Authors' elaboration, based on [UNODC 2020b](#).

In sum, the direct cost of violence in contemporary Latin America is shouldered largely by young males living in cities (see [Photo 11.2](#)). And the cost is shocking – it even affects the level of life expectancy for males. Indeed, demographers Vladimir Canudas-Romo and José Manuel Aburto show that the impact of homicides on the life expectancy for males during the 2010–2014 period was significant. Life expectancy was reduced by over one year in Brazil, Mexico, and Panama. It was reduced by over two years in Colombia, the Dominican Republic, Guatemala, and Venezuela. And it was reduced by about four years in El Salvador and 6.3 years in Honduras ([Canudas-Romo and Aburto 2019](#): 5–6).





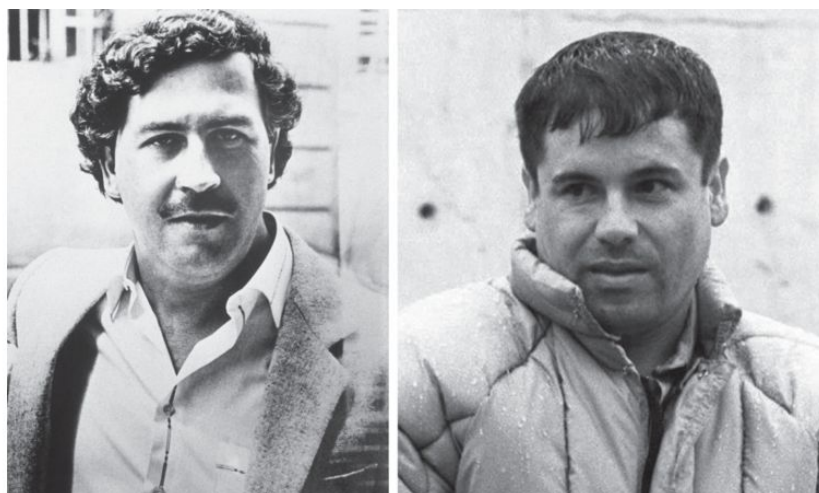
**Photo 11.2 The typical victim of violence** The victims of violence in Latin America are disproportionately young males living in urban settings. The photo shows young Salvadorans playing soccer in San Salvador, El Salvador, in 2018. El Salvador has one of the highest homicide rates of all Latin American countries, and in 2018 it had a staggering homicide rate for males of over 100 homicides per 100,000 males.

*Source:* © Marvin Recinos/AFP/Getty Images.

### 11.2.3 Who Are the Killers?

The perpetrators of violence are more diverse than the victims of violence. Moreover, who they are raises questions about a simple “good vs. bad actors” narrative, in which violence flourishes when the bad actors gain the upper hand over those who seek to protect citizens. Violence is perpetrated by three actors who make no pretense to value life: drug cartels, gangs, and common criminals. Militias, which claim to protect citizens, add to the problem of violence. And so, too, do the police and the military, the security forces of the state that are legally responsible for enforcing the law and protecting the life of its citizens.

***Drug Cartels.*** One of the main culprits of the violence in contemporary Latin America is drug cartels, organized criminal organizations dedicated to the production, transportation, and sale of drugs. These organizations rose to prominence initially in Colombia, in the mid-1970s, when the notorious Medellín and Cali cartels were formed. Subsequently, in the 1980s, drug cartels began to develop in Mexico – the Guadalajara cartel was formed in 1978 and the Sinaloa cartel was established in 1989 – and by the 1990s, the Mexican drug cartels were the most powerful such cartels in Latin America. See [Photo 11.3](#) on two major leaders of drug cartels.



**Photo 11.3 Drug cartel leaders in Colombia and Mexico** Two of the better-known leaders of drug cartels are Pablo Escobar, who led the Medellín cartel in Colombia from 1976 until his death in 1993 (left), and Joaquín “El Chapo” Guzmán, who led the Sinaloa cartel in Mexico from 1995 to 2017, when he was extradited to the United States (right).

*Sources:* (left) © Eric Vandeville/Gamma-Rapho/Getty Images; (right) © STR/Stringer/Getty Images.

Precise information about the number of killings carried out by drug cartels is hard to come by. A UN study covering many Latin American countries puts the figure at 30 percent of total homicides ([UNODC 2014](#): 43). However, in some countries, the figure is no doubt higher. For example, a study on Colombia estimates that cocaine production was linked with 36 percent of the country’s homicides ([Mejia and Restrepo 2013](#)). A study on Mexico estimates that *narco-violencia* – violence related to drug trafficking – is pervasive and that even a majority of homicides might be due to drug cartels ([Calderón et al. 2020](#): 11–12). Thus, it is safe to say that at least one-third of homicides in Latin America are due to intercartel or state–cartel violence.

**Gangs.** Gangs are another of the culprits of violence. Some of the best-known gangs are the street or youth gangs, made up overwhelmingly of poor young men – commonly called *maras* – who operate in the Northern Triangle countries of Central America: El Salvador, Guatemala, and Honduras. See [Photo 11.4](#) of a gang member in El Salvador.



**Photo 11.4 Gangs in Central America** Member of the 18th Street gang (M-18), in prison, in El Salvador, 2013. The 18th Street gang and Mara Salvatrucha (MS-13) are the two main gangs operating in Central America.

*Source:* © Giles Clarke/Getty Images News.

Gangs operate in other Latin American countries as well. For example, in Brazil, two criminal gangs – the Rio de Janeiro-based Red Command (*Comando Vermelho*) and the São Paulo-based First Capital Command (*Primeiro Comando da Capital* [PCC]) – are large networks with a presence in many Brazilian cities. Some of these – such as the PCC – have evolved over time to become true drug-trafficking organizations with an international reach. However, a defining feature of these gangs is that,

unlike drug cartels, they do not have a hierarchical structure with a centralized leadership. Instead, they operate through more horizontal relationships among locally based gangs.

Precise data on the number of killings carried out by gangs are elusive. Still, estimates suggest that roughly 15 percent to one-third of all homicides in Central America are gang-related. In El Salvador, some estimates attribute 40 percent of homicides to gangs ([World Bank 2010](#): 15–16; [Demombynes 2011](#): 2; [Cruz 2015](#): 46; [UNODC 2019](#): Pt. 3: 58).

***Common Criminals.*** A considerable number of homicides are also carried out by common criminals who kill people in the midst of acts of robbery or theft. Homicides linked to robbery or theft account for about 11 percent of all homicides in Latin America ([Muggah and Tobón 2018](#): 8). And common criminals are responsible for a higher percentage of all homicides in Central America, between 20 and 25 percent ([World Bank 2010](#): 16).

***Militias.*** Beyond these three recognizable kinds of actors, we should note the role of militias, a distinct nonstate actor. Militias are civilian groups that act as local guardians, ostensibly to provide safety to a local community by carrying out duties of the state that the state is not fulfilling. Nonetheless, their actual role is a quite different one. Sometimes they work with governments, doing things governments are restrained from doing. When they work in this way, militias function as paramilitary groups. At other times, they act in a less coordinated manner and are essentially vigilante groups.

Militias are present in some Latin American countries where criminal violence severely threatens the population – for example, in Colombia. The

most notorious militia during the late 1990s and early 2000s was the United Self-Defense Forces of Colombia (*Autodefensas Unidas de Colombia* [AUC]). Since a peace process in 2006 aimed at demobilizing militias – that is, having them turn in their weapons and abandon the use of violence – the AUC was partly demobilized. Yet, about half of the AUC militias that were part of this demobilization process remilitarized, and dozens of other militias still exist ([Mazzei 2009](#): 2; [Daly 2016](#)).

Militias play a role in Mexico, too. Such groups were active in Chiapas in the 1990s, after the Zapatista uprising. And they gained prominence in the 2010s, as groups calling themselves self-defense groups (*autodefensas*) emerged when the violence triggered by drug cartels spread to the states of Michoacán and Guerrero ([Felbab-Brown 2016](#)). Militias are also active in Brazil and in some Central American countries (e.g., Guatemala).

These militias are deadly forces. In Colombia, a majority of the deaths in the country's long conflict are due to these organizations ([Grupo de Memoria Histórica 2013](#): 36–7). In Chiapas in the 1990s, paramilitary groups are believed to have killed 15,000 people ([Mazzei 2009](#): 25). Unlike drug cartels, gangs, and common criminals, these groups are formed with the supposed purpose of providing security that the state is not providing. However, they add to the problem of violence. See [Box 11.1](#) on lynching, another form of violence perpetrated by private citizens in the name of providing security.

### **Box 11.1** A Closer Look: Lynching as Popular Justice

Lawless violence sometimes takes the form of lynching – which in Latin America is known more commonly as “popular justice” (*justicia popular*, in Spanish). Lynching is an act whereby a mob seeks to punish someone, who allegedly committed some crime or trespassed some norm, in public and without any judicial proceeding.

Lynchings occur in contemporary Latin America. The acts that trigger lynchings are crimes such as theft, rape, attempted kidnapping, and police abuse. Unlike the history of lynching in the United States, victims of lynching in Latin America are selected because they are suspected of carrying out a criminal activity and not because of their race ([Godoy 2006](#): 2).

Lynchings in Latin America are carried out by a group that is not organized but that spontaneously comes together, acts in public, usually quickly, and takes justice into its own hands. Some lynchings end up in death; others do not. Victims are killed through burning or beatings.

The countries where lynching occurs most frequently are Mexico, Guatemala, Bolivia, Peru, Ecuador, Venezuela, and Brazil. Dozens of lynchings are reported annually in each of these countries.

***The State’s Security Forces.*** A discussion of violence in Latin America would not be complete unless we address the role of state agents as

perpetrators of violence.

Security forces are legally allowed to kill people in the line of duty. And, in a context of high violence and confrontations with well-armed drug cartels, security forces can legally use deadly force under certain circumstances. Nonetheless, some killings fall outside these parameters. Security forces regularly kill alleged criminals, in some instances through what can be categorized as extra-judicial killings.

Estimates suggest that the military and the police killed, in one year in the 2010s, over 1,600 people in Mexico (1.4 deaths per 100,000 people), about 4,670 people in Brazil (2.3 deaths per 100,000 people), about 400 in El Salvador (6.18 deaths per 100,000 people), and approximately 5,000 in Venezuela (15.9 deaths per 100,000 people) ([Garzón-Vergara 2016](#): 15; [Observatorio de Derechos Humanos Rufina Amaya 2018](#): 23; [Bergmann \*et al.\* 2020](#): 24; [UN Human Rights Council 2020](#): 200). In Brazil, the police carried out roughly one in five killings in São Paulo, and one in four killings in Rio de Janeiro ([UNODC 2019](#): Pt. 3, 61–2). Thus, state agents are directly responsible for up to a quarter of the homicides in some countries.



#### **11.2.4 Violence as a Systemic Problem for Democracy**

In summary, Latin America has left behind the old Cold War violence, characterized by the confrontation between authoritarian, usually military, rulers, on the one hand, and popular movements and guerrilla organizations, on the other. Even if guerrilla organizations are still somewhat active in Colombia, the kinds of conflicts that led to violence in the wake of the Cuban Revolution are a thing of the past. However, following the wave of democratization in the 1980s and 1990s, many Latin American societies have been engulfed by a new kind of violence in the early twenty-first century. Indeed, many Latin American democracies are *violent democracies*.

The nature of this new violence is particularly problematic. Violence in contemporary Latin America is not an aberration, limited to some small cordoned-off sector of society. It is not a problem that runs counter to the essentially peaceful nature of Latin American societies, and that no doubt will gradually disappear over time. It is not driven only by the “bad guys” and thus by a somewhat easily detectable and isolatable group of people. Those who are supposed to protect citizens from the “bad guys,” or who claim to act to protect citizens, also commit many illegal murders. This new violence is systemic, involving multiple actors deeply embedded in society and the state.

Thus, violence in contemporary Latin America is a huge problem for the region’s democracies. Citizens rightly expect their governments to provide security and, especially, to protect the right to life. Nonetheless, even though the costs of violence are astonishingly large, many of the region’s democracies have failed to bring peace to the region. See [Box 11.2](#) on the various costs of violence beyond the loss of life.

### **Box 11.2** Connections: Violence, Internal Displacement, Migration, and Socioeconomic Welfare

The cost of violence is measured, first and foremost, in terms of lives lost. Additionally, violence has several other costs that are felt by the broad population.

One cost is the forced displacement of people. The violence in Colombia dating back to the 1960s has led to over 5.5 million internally displaced people (IDPs). The violence in El Salvador has produced 450,000 IDPs, in Mexico 350,000, and in Guatemala 240,000 ([IDMC 2020](#)).

Large parts of the population are also forced to leave the country. One enormous wave of migration has been triggered by the humanitarian crisis that affected Venezuela especially since 2015. As a result, more than 4.5 million Venezuelans have migrated, mainly to South American countries.

Another migration wave originated in the Northern Triangle countries (El Salvador, Guatemala, and Honduras), starting in the early 2000s. Over 250,000 people have left these countries each year, usually heading to the United States. An earlier wave of migration from Central America was triggered by the civil wars in the 1980s and 1990s; in this earlier wave, roughly 1.5 million Central Americans migrated to the United States. (On the US response to migration from Central America, see [Meyer 2019](#).)

Violence is also costly because of its impact on socioeconomic welfare. A study by economists [Laura Jaitman and Iván Torre \(2017\)](#) shows that the drag on the economy due to violence and other crime varies substantially from country to country ([Table 11.2](#)). However, the

reduction of the GDP of about 3 percent on average in the region shows that violence also has a significant negative impact on economic development ([Jaitman and Torre 2017](#): 20).

**Table 11.2** The cost of crime and violence as a percentage of GDP:  
Latin America, 2014

Region/country	Reduction of GDP due to crime and violence (%)
<b>South America</b>	
Argentina	3.0
Bolivia	—
Brazil	3.8
Chile	2.8
Colombia	3.1
Ecuador	3.4
Paraguay	3.2
Peru	2.8
Uruguay	2.2
Venezuela	—
<b>Mexico, Central America, and the Caribbean</b>	
Mexico	1.9
Costa Rica	3.5
El Salvador	6.2
Guatemala	3.0
Honduras	6.5
Nicaragua	—
Panama	—
Cuba	—
Dominican Republic	—

*Notes:* The estimates are the upper bound estimates.

– Data are not available.

*Source:* Authors' elaboration, based on [Jaitman and Torre 2017](#):

27.

## 11.3 Explaining the New Violence: Case Studies

For a full explanation of the pattern of violence in contemporary Latin America, we should surely draw on a variety of political, economic, cultural, demographic, historical, and international factors ([Zinecker 2017](#); [Yashar 2018](#): ch. 2; [Vilalta 2020](#)). Moreover, a nuanced explanation would also acknowledge that different kinds of violence (e.g., by drug cartels, gangs, and militias) require specific explanations. See [Box 11.3](#) on femicides, a specific kind of violence with distinctive causes.

### **Box 11.3** A Closer Look: When Men Kill Women Because They Are Women

A distinct form of violence is *femicide*, the killing of a woman or girl by a man on account of her gender – that is, because she is female.

To a certain extent, violence against women is more prevalent in societies that are violent in general. For example, some of the most violent countries in the region have the highest levels of femicide (e.g., El Salvador, Honduras, the Dominican Republic, and Guatemala) (see [Table 11.3](#)).

**Table 11.3** Femicide in Latin America, c. 2019

Region/country	Femicide rate, per 100,000 women (average 2010–2018)
<b>South America</b>	
Argentina	1.08
Bolivia	2.00
Brazil	1.10
Chile	–
Colombia	–
Ecuador	0.78
Paraguay	1.10
Peru	0.74
Uruguay	1.54
Venezuela	0.70
<b>Mexico, Central America, and the Caribbean</b>	
Mexico	1.30
Costa Rica	1.16
El Salvador	8.68
Guatemala	2.53
Honduras	7.61
Nicaragua	1.90
Panama	1.12
Cuba	–
Dominican Republic	3.04

*Note:* – Data are not available.

*Source:* Authors' elaboration, based on [CEPAL 2019a](#).

Nevertheless, the sources of violence against women are distinct. The usual causes of femicides are conflicts in intimate relationships. More distant causes are cultural views about women

and unequal power relations between men and women. (For discussions of femicides, and policy responses to femicides, see [Roth and Valencia Villa 2014](#); [Joseph 2017](#); and [Carrigan and Dawson 2020](#).)

We do not dismiss the importance of the full range of factors having an impact on violence. We also do not discount the value of developing explanations for multiple kinds of violence. Having a full understanding of violence, and of different kinds of violence, is essential to any discussion about how the grim situation in Latin America might be improved. Yet, to make our task manageable, in what follows we address only part of this large challenge. We focus on three explanatory factors: (1) the global drug trade, a key driver of the violence perpetrated by drug cartels and a contributor to gang violence; (2) the role of the state, which should be the ultimate guarantor of citizen security; and (3) democracy, particularly as a possible source of state building.

To develop our explanation of the new violence in Latin America, we start by discussing some cases of countries with high levels of homicides – Mexico and the Northern Triangle countries (El Salvador, Guatemala, and Honduras). Subsequently, we provide some general reflections that include lessons from these case studies.



### 11.3.1 Mexico: Drug Cartels, Politicians, and Security Forces

Mexico has a reputation for violence, in large part due to the spectacular actions of some Mexican drug cartels (such as the Sonora cartel) and the media coverage of some cartel leaders (such as Joaquín “El Chapo” Guzmán). However, in the latter part of the twentieth century, Mexico was a relatively peaceful country. The level of violence had declined in a sustained manner since the violent Mexican Revolution of 1910–1920. But then something changed in Mexico that led to a striking uptick in violence in the early twenty-first century (see [Figure 11.1](#)).

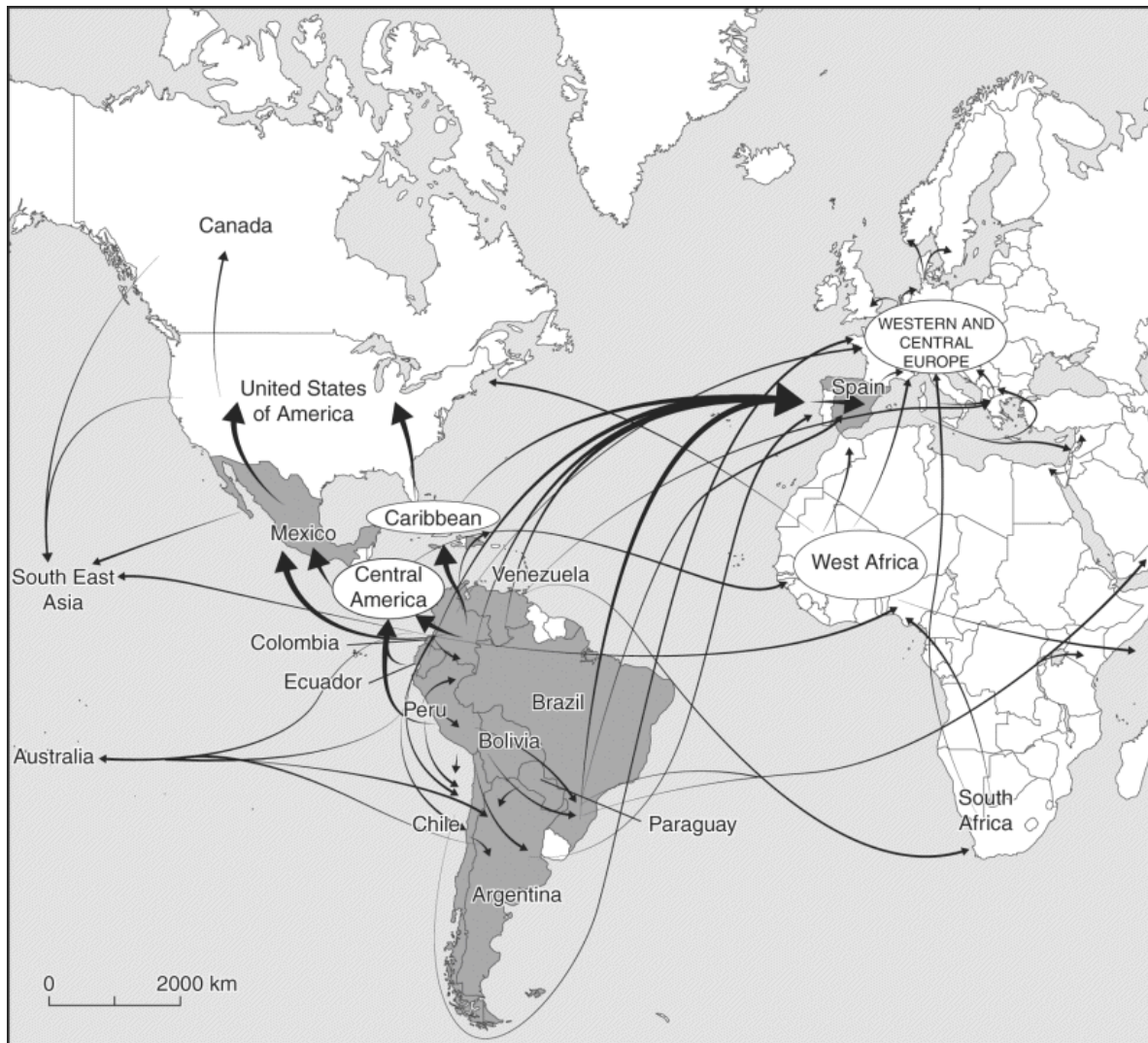


**Figure 11.1** Homicide rates in Mexico, 1931–2020.

*Source:* Authors’ elaboration, based on data from [Aguirre Botello 2020](#); and [Calderón \*et al.\* 2020](#).

***The Drug Trade and Mexican Cartels.*** A central part of the story concerns the Mexican drug cartels, which sought to meet the demand for drugs in wealthy countries and, taking advantage of the misfortunes of the drug cartels in Colombia, became the most powerful cartels in Latin America.

The economics of the global drug trade provide a strong incentive to groups involved in drug trafficking. There is a global trading system in drugs. And Latin America fits within this system as the producer of drugs that are in demand in wealthy countries in the West (see [Map 11.2](#)).



**Map 11.2** The global drug trade, c. 2020

*Source:* [UNODC 2016](#): xiv.

Moreover, the global drug trade is highly lucrative. In large part because the drugs produced in Latin America are illegal, they have huge

profit margins. Taking cocaine as an example, from the farmer who plants coca leaves in South America (all of the world's cocaine is produced in Bolivia, Peru, and Colombia) to the consumer who buys cocaine on the streets of the United States, the price of the goods increases 500-fold (see [Table 11.4](#)). In the mid-2010s, Mexican trafficking organizations were earning between \$19 and \$29 billion every year by selling illegal drugs only in the United States. (For more on the evolution of the production of drugs and the global drug trade, see [UNODC 2020c](#).)

**Table 11.4** Cocaine profits, from farmer to consumer market

Step in the producer-to-market chain	Cost of 1 kilo of cocaine hydrochloride paste, in US\$*	Profit margin (%)	Cumulative profit margin (%)
Farmer, in the Colombian jungle	650		
Buyer, in the Colombian jungle	2,700	315	
Transporter, in a Colombian port	6,250	131	862
Transporter, in Central America	10,000	60	1,438
Chemist, in Mexico (chemical adulteration to double the volume)	20,000	100	2,977
Transporter, at Mexico's northern border	30,000	50	4,515
Transporter, in the United States	54,000	80	8,208
Consumer, in the US market	330,000	511	50,669

*Note:* \* One kilo is equal to 2.2 pounds. The prices are 2010 prices.

*Source:* Author's elaboration, based on [OAS 2013](#): 6.

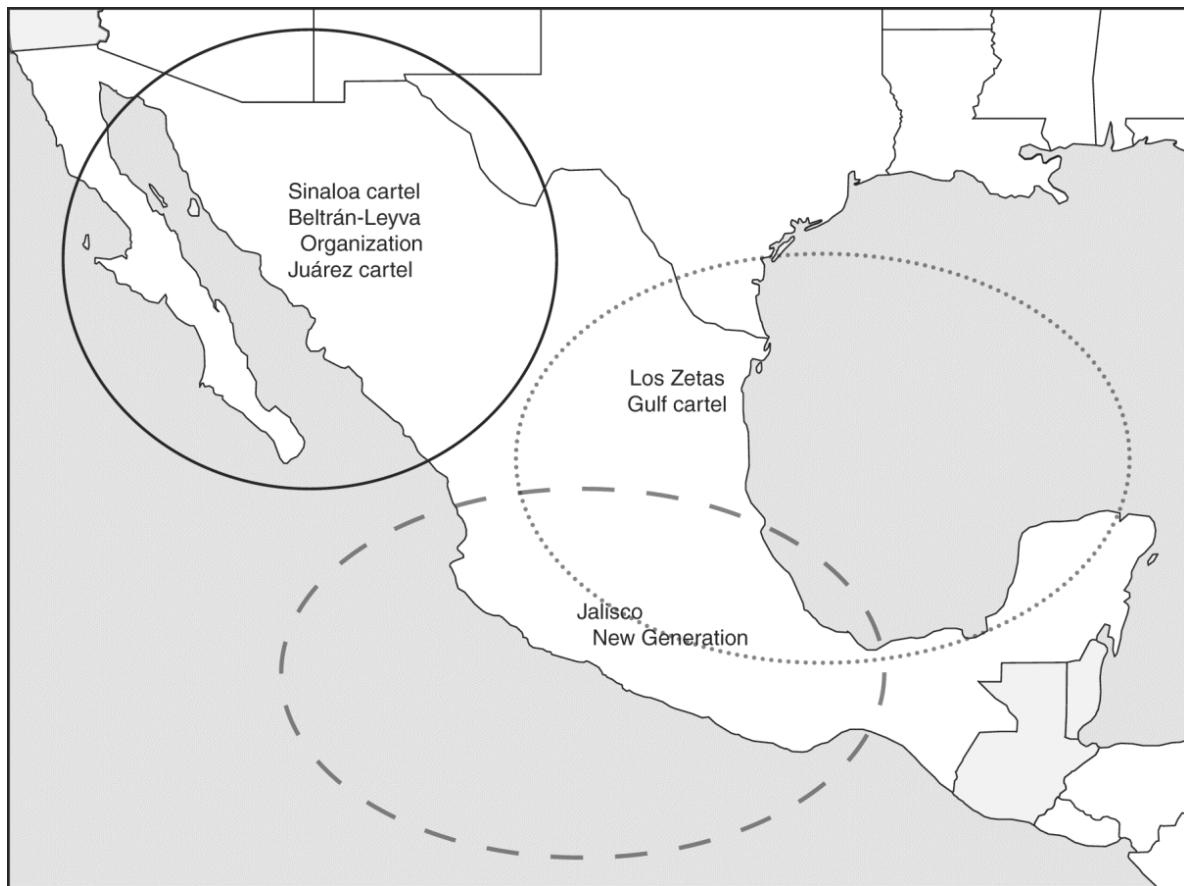
The Mexican cartels entered this business in the mid-1980s in a secondary role, assisting the then dominant Colombian cartels in the transportation of cocaine. Drug interdiction efforts by the United States had hampered the transportation of cocaine from Colombia to the United States through the Caribbean, and the Colombian cartels decided to move drugs through Mexico with the help of incipient Mexican cartels.

Then, in the 1990s, the power of Colombian cartels diminished. The killing of Pablo Escobar in 1993 signaled the decline of the Medellín cartel. The Cali cartel lost power in the late 1990s. And the Mexican cartels began to take on new roles and gradually become dominant. They continued to

oversee the transportation through Mexico of cocaine produced in Bolivia, Colombia, and Peru. However, they also became producers of heroin and synthetic drugs (such as methamphetamine and fentanyl). By the 2010s, Mexican drug cartels were the largest suppliers of cocaine, heroin, and synthetic drugs to the United States.

The world of Mexican cartels is difficult to summarize. Since the birth of the first Mexican cartel in the late 1970s, the configuration of cartels has changed repeatedly. And changes are likely to continue, as some cartels weaken – sometimes because of a loss of leadership – and others grow stronger. Still, we can sum up these complex changes as follows.

Around 2020, the world of cartels in Mexico was made up of some twenty major organizations and as many of 200 groups overall. But the key players in this world were the six most powerful cartels, each one controlling and at times battling for control of some part of the territory of Mexico: the Sinaloa cartel, the Beltrán-Leyva Organization, and the Juárez cartel in the northwestern states of Mexico; Los Zetas and the Gulf cartel in the eastern states; and Jalisco New Generation in the southwestern states (see [Map 11.3](#)). (For details on the evolution of Mexican drug cartels, see [Beittel 2020: 16–29](#).)



**Map 11.3** Areas of territorial presence of drug cartels: Mexico, c. 2020

*Source:* Authors' elaboration, based on data from [DEA 2015](#): 1; and [Stratfor 2020](#).

The rise and growth of Mexican drug cartels are a central part of the story of Mexico's violence. As large and wealthy organizations engaged in illicit activities, they altered the security scenario in Mexico. But this is only part of the account. To understand the sources of violence in Mexico, it is also necessary to address the official response to the rise of these drug cartels by both the United States and Mexico.

***The Ambiguous Role of the United States.*** The role of the United States is multifaceted and complex. The US government has played a role in bringing

drug lords to justice and exposing corruption linked with the drug trade. Thus, it has served as a force for accountability. However, the United States has also been part of the problem in several ways.

US citizens are a source of demand for illicit drugs and thus fuel the drug trade. Yet the US government adopted a rigid, prohibitionist approach – the War on Drugs launched in the 1970s by President Nixon – that has ignored the public health dimension of the problem and has failed to produce positive results. Moreover, the US government has sought to export this approach to Latin America – through programs such as the Plan Colombia, the Mérida Initiative, and others – even as this approach has been increasingly questioned in Latin America ([Global Commission on Drug Policy 2011](#); [OAS 2013](#)). In short, the US government has taken a short-sighted approach to drugs, focusing only on supply reduction, and persisted with this approach even when it has not yielded positive results.

Additionally, the United States has unwittingly assisted the drug cartels and contributed to the violence by allowing powerful firearms to flow freely from the United States to Mexico, a country with highly restrictive gun ownership laws. The US Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) found that 70 percent of the firearms seized by the Mexican authorities during 2009–2014 originated in the United States ([GAO 2016](#): 8–9). Moreover, research has shown that the 2004 relaxation of laws on gun production in the United States, and the ease with which guns can be purchased in the United States and transported to Mexico, are associated with greater firearm availability and a higher homicide rate in Mexico ([Pérez Esparza \*et al.\* 2020](#)). Although the US government certainly does not aim to make the Mexican drug cartels more powerful, nonetheless, these actions by the government and state-level laws have allowed drug cartels to use their



considerable economic wealth to become powerful military organizations. See [Photo 11.5](#) on the kind of weaponry used by the drug cartels.



**Photo 11.5 Arms of Mexican drug cartels** The arms used by Mexican drug cartels have turned cartels into potent armed organizations, capable of inflicting considerable violence. The photo shows arms seized by Mexican authorities from the Zetas drug cartel in June 2011.

*Source:* © Yuri Cortez/AFP/Getty Images.

***The Initial Permissive Response of Mexico's Governments.*** The more crucial part of the drug cartel story, however, concerns the way in which the Mexican government responded to the birth and growing power of the cartels.

The initial development of drug cartels in the 1980s, and their subsequent growth, was a serious challenge to the state's monopoly of the legitimate use of force through its control of the police and the military. By the 2010s, the drug cartels controlled about 10 percent of Mexico's territory, where one-third of its population lives ([Trejo and Ley 2020](#): 282). Thus, the violence that came to pervade Mexican society in the early twenty-first century is largely a story about the failings of the Mexican state to uphold its

monopoly on the use of force throughout the country's entire territory. Nonetheless, Mexico's governments did little to stop the growth of cartels, and wittingly or unwittingly contributed to the country's security problem.

The first failures were due to actions of the authoritarian governments led by the Institutional Revolutionary Party (PRI) in the 1980s and 1990s. During this period, power was centralized in the federal government, which was firmly in the hands of PRI leaders, and the PRI took a lackadaisical approach toward the transfer of cocaine across Mexico's territory. In fact, the PRI-led authoritarian regime reached an accommodation with the drug cartels, letting them form and become more organized, in exchange for bribes.

The drug cartels were becoming a direct challenge to the state in the 1980s and 1990s. Even though they were not directly attacking the state, they were engaged in illegal activities and started gradually to arm themselves and challenge the state's monopoly on the use of force. Yet the notoriously corrupt PRI allowed cartels to be formed and grow, at a time when a pre-emptive response might have prevented the development of strong, well-armed cartels ([Astorga 2000, 2003](#); [Snyder and Durán-Martínez 2009](#): 262–7; [Flores Pérez 2014](#)).

***The Post-2000 War on Drugs of Mexico's Governments.*** The failings in the period after Mexico became a democracy in 2000 are more complex than those that preceded it. The key policy initiative has been President Felipe Calderón's decision to launch his version of the War on Drugs in 2006, by targeting various cartels (the Familia Michoacana, the Tijuana cartel, the Gulf cartel, Los Zetas, the Sinaloa cartel, the Beltrán-Leyva cartel, and the Juárez cartel). The operations were initially launched, in late 2006 through



2008, in an attention-grabbing display of force. But the initiative was a failure, in the sense that the power of the drug cartels did not diminish and the level of violence was not contained. Indeed, the triggering of an overt state-cartel conflict in 2006 led to a spike of violence – the level of which continued unabated thereafter (see [Figure 11.1](#)).

Various reasons help to account for this failure. One was the general approach to the problem adopted by Calderón during his 2006–2012 tenure as president. Conservative President Calderón politicized what should have been a matter of national consensus. Among other things, he deliberately withheld assistance from municipalities where leaders of leftist parties held office, a decision that exposed these localities to incursion by drug cartels ([Trejo and Ley 2020](#): ch. 4). And, in a more crucial step in the long run, Calderón militarized the drug war by involving the armed forces in an attack on cartels. This move set a dangerous precedent, given that such an intervention in domestic affairs is not constitutional. And it had other negative consequences.

The military are not generally prepared to deal with internal security problems and thus are not usually effective in controlling groups such as drug cartels. Moreover, giving the military a central role reduces the ability of elected governments to ensure that the military acts within the law. In fact, over time, the military has demanded and received greater autonomy and freedom from prosecution. And, as was expected by many, the involvement of the Mexican military in internal security problems has been associated with human rights violations by the military, thus adding to the problem of violence ([CMDPDH 2018](#)).

Also problematic was a strategy employed by Calderón as well as his successor, Enrique Peña Nieto (president during 2012–2018) – the so-called

kingpin strategy. Both presidents sought to weaken drug cartels by capturing or killing their leaders. And they were successful in terms of their immediate goal (see [Table 11.5](#)). However, the removal of the top leadership of cartels has led to turf battles among cartels seeking to take advantage of the temporary weakness of some cartels and the fragmentation of others, two changes that have produced more violence ([Ríos 2013](#); [Calderón \*et al.\* 2015](#)). In effect, the War on Drugs, carried out since 2000 by Mexico's democratic governments to weaken cartels, has not brought peace to Mexico.

**Table 11.5 Capture or killing of cartel leaders, Mexico 2006–2018**

**Table 11.5(a) Administration of President Calderón (2006–2012)**

Leader	Drug cartel*	Action	Date
Alfredo Beltrán Leyva	Beltrán-Leyva	Killed	2008
Jesús Zambada García	Sinaloa	Arrested	2008
Eduardo Arellano Félix	Tijuana	Arrested	2008
Jaime González Durán	Los Zetas	Arrested	2008
Alberto Espinoza Barrón	La Familia Michoacana	Arrested	2008
Jesús Vicente Zambada Niebla	Sinaloa	Arrested	2009
Germán Torres Jiménez	Los Zetas	Arrested	2009
Vicente Carrillo Leyva	Juárez	Arrested	2009
Rafael Cedeño Hernández	La Familia Michoacana	Arrested	2009
Braulio Arellano Domínguez	Los Zetas	Killed	2009
Arturo Beltrán Leyva	Beltrán-Leyva	Killed	2009
Carlos Beltrán Leyva	Beltrán-Leyva	Killed	2009
Raúl Héctor Luna	Los Zetas	Arrested	2010
Ignacio Coronel Villarreal	Sinaloa	Killed	2010
Antonio Ezequiel Cárdenas Guillén	Gulf	Killed	2010
Nazario Moreno González	La Familia Michoacana	Killed	2010
José de Jesús Méndez Vargas	La Familia Michoacana	Arrested	2011
Jesús Enrique Rejón Aguilar	Los Zetas	Arrested	2011
Armando Villarreal Heredia	Tijuana	Arrested	2011
José Antonio Acosta Hernández	Juárez	Arrested	2011
Martín Rosales Magaña	La Familia Michoacana	Arrested	2011
Carlos Oliva Castillo	Los Zetas	Arrested	2011
Jorge Eduardo Costilla Sánchez	Gulf	Arrested	2012
Salvador Alfonso Martínez Escobedo	Los Zetas	Arrested	2012
Heriberto Lazcano Lazcano	Los Zetas	Killed	2012

**Table 11.5(b) Administration of President Peña Nieto (2012–2018)**

Leader	Drug cartel*	Action	Date
José Ángel Coronel Carrasco	Sinaloa	Arrested	2013
Humberto Rodríguez Coronel	Sinaloa	Arrested	2013
Miguel Ángel Treviño Morales	Los Zetas	Arrested	2013
Mario Ramírez Treviño	Gulf	Arrested	2013
Alberto Carrillo Fuentes	Juárez	Arrested	2013
Francisco Rafael Arellano Félix	Tijuana	Killed	2013
Serafin Zambada Ortiz	Sinaloa	Arrested	2013
Gonzalo Inzunza Inzunza	Sinaloa	Killed	2013
Dionisio Loya Plancarte	La Familia Michoacana	Arrested	2014
Joaquín "El Chapo" Guzmán	Sinaloa	Arrested	2014
Nazario Moreno González	La Familia Michoacana	Killed	2014
Enrique Plancarte Solís	La Familia Michoacana	Killed	2014
Galindo Mellado Cruz	Los Zetas	Killed	2014
Luis Fernando Sánchez Arellano	Tijuana	Arrested	2014
Hector Beltrán Leyva	Beltrán-Leyva	Arrested	2014
Vicente Carrillo Fuentes	Juárez	Arrested	2014
Servando Gómez Martínez	Knights Templar	Arrested	2015
Omar Treviño Morales	Los Zetas	Arrested	2015
Joaquín "El Chapo" Guzmán	Sinaloa	Re-arrested**	2016

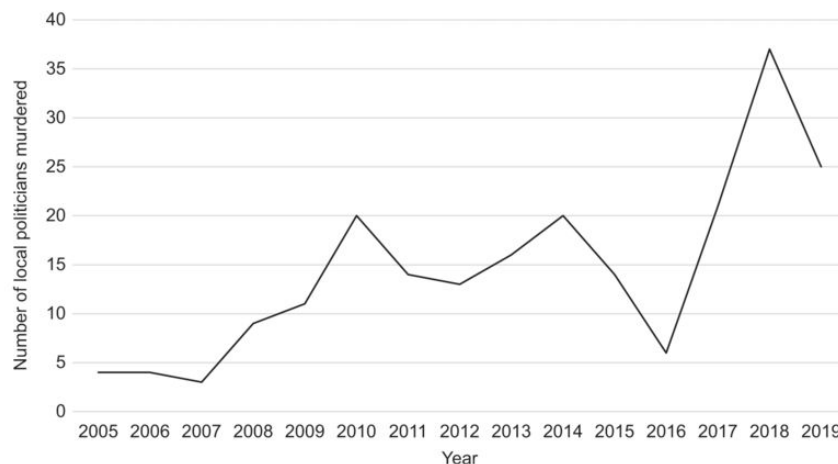
*Notes:* \* The Tijuana cartel, sometimes called the Arellano-Félix Organization, one of Mexico's first cartels, has lost power to the Sinaloa cartel. La Familia Michoacana has ceased to exist as a cohesive organization, and the area where it operated is now under control of the Jalisco New Generation cartel.

\*\* Joaquín "El Chapo" Guzmán was re-arrested in 2016 because he had escaped prison in 2015, after less than a year and a half behind bars. Indeed, this was the third time El Chapo was arrested. He was first arrested in 1993 and had escaped prison in 2001.

*Source:* Authors' elaboration.

***The Corruption of Politicians and State Agents.*** Beyond the problematic approach and decisions of a strategic nature made by Mexico's presidents since 2000, the security problem in Mexico has deeper roots. Mexican governments have not failed to control drug cartels simply because they have not built a big enough security apparatus or not acquired some advanced intelligence technology. Also crucial is the resolve of politicians and state agents to address the country's security problem or, alternatively, their decision to work with cartels.

Politicians seeking to confront drug cartels, especially local level politicians, face an extreme choice. This choice can be framed in terms of the *plata o plomo* (silver or lead) phrase that entered into the lexicon of Latin American politics through Colombia, during the days of the Medellín cartel. In other words, politicians are given the option of being corrupted with bribes – in return for doing what the cartels want from them – or of losing their lives. This is a credible threat – cartels have assassinated many local politicians who were not willing to work with them (see [Figure 11.2](#)) – and thus some politicians, with good reason, do not take on drug cartels.



**Figure 11.2** The assassination of local politicians in Mexico, 2005–2019.  
*Note:* The data are the number of city mayors, mayoral candidates, and former mayors who have been murdered.

*Source:* Authors' elaboration, based on data from [Calderón 2018](#): 3; and [Calderón et al. 2020](#): 32–5.

However, many politicians have eagerly collaborated with drug lords (see [Chapter 10, section 10.3.2](#)). At the national level, drug cartels have bribed politicians in return for favors. For example, in a US court, Genaro García Luna, a top official in charge of security during the presidency of

Calderón, has been accused of taking bribes from the Sinaloa cartel in return for offering protection. Similar accusations have been made about General Salvador Cienfuegos, Secretary of Defense during the entire presidency of Peña Nieto. At the local level, drug cartels have bribed local politicians and even funded their electoral campaigns, in return for protection when these politicians are in office.

The Mexican state is also ineffective because security forces are corruptible and because much-needed reforms – to ensure that the security forces follow the law and that those who break the law are punished – have not been carried out. Many members of the security forces have fought bravely against the cartels, and many of them have died in the line of duty at the hands of cartels. Yet, evidence of collaboration between drug cartels and state agents – from high-ranking officials in the public administration to entire local police departments – is strong.

At times, all of these actors – national- and local-level politicians, and state agents – work together, in a more or less loose fashion. For example, in the case of the kidnapping and presumed killing of forty-three students from the Ayotzinapa Rural Teachers' College in 2014, politicians at the local level worked hand-in-hand with a small narco group. Moreover, following the disappearance of the students, the federal government acted to obstruct an investigation rather than to help the victims, and doubts persist about the possible role of federal security forces in the incident. See [Box 11.4](#) for a fuller discussion of the Ayotzinapa case.

### **Box 11.4** A Closer Look: Ayotzinapa, “los 43,” and the Role of Public Officials

In September 2014, during the presidency of Peña Nieto, forty-three male students of the Ayotzinapa Rural Teachers’ College were abducted and disappeared in the town of Iguala, in the state of Guerrero in Mexico.

Doubts persist about what exactly happened in this incident. The evidence suggests that the police of Iguala initially took the students into custody and that subsequently the students were handed over to members of *Guerreros Unidos* (United Warriors), a drug-trafficking organization. However, although the forty-three students – who were referred to as “los 43” – remain unaccounted for, disappeared, the federal attorney general claimed that all forty-three were dead and that they had been killed by the members of *Guerreros Unidos*.

Subsequent investigations, by a group of independent experts assembled by the Inter-American Commission of the Organization of American States (OAS), disputed the federal government’s version of the events. The report pointed to a greater role of federal security forces than acknowledged by federal authorities. It presented evidence that the suspects of the crime had been tortured. And it questioned the official version of how the students were killed. (For the reports on Ayotzinapa compiled by the OAS’s Interdisciplinary Group of Independent Experts, see [GIEI 2020](#).)

The case of the forty-three students is a clear example of human rights violations in Mexico that shows the complicity of an array of

public officials – politicians, security forces, and the judiciary – in acts of violence against citizens.

Mexico's security problem is not simply a matter of military strategy or military equipment. It is, fundamentally, a matter of the integrity of public officials.

***Mexico's Security Trap.*** The security situation in Mexico is dramatic. About 310,000 people lost their lives in the 2007–2019 period. Roughly 73,000 people disappeared or went missing from 2007 to mid-2020. Yet there are no signs of a decline in the power of the drug cartels and the level of violence in the country. Moreover, as we have detailed, the causes behind the violence are complex and hard to change.

On the one hand, the international context fuels demand for illicit drugs and is a source of supply of weapons. Politicians have not offered an adequate response and, furthermore, they are frequently tempted by the bribes offered by the wealthy cartels. And state agents all too often collude with drug lords. On the other hand, brave politicians and courageous members of the security forces who get in the way of drug cartels are threatened and, in some cases, assassinated.

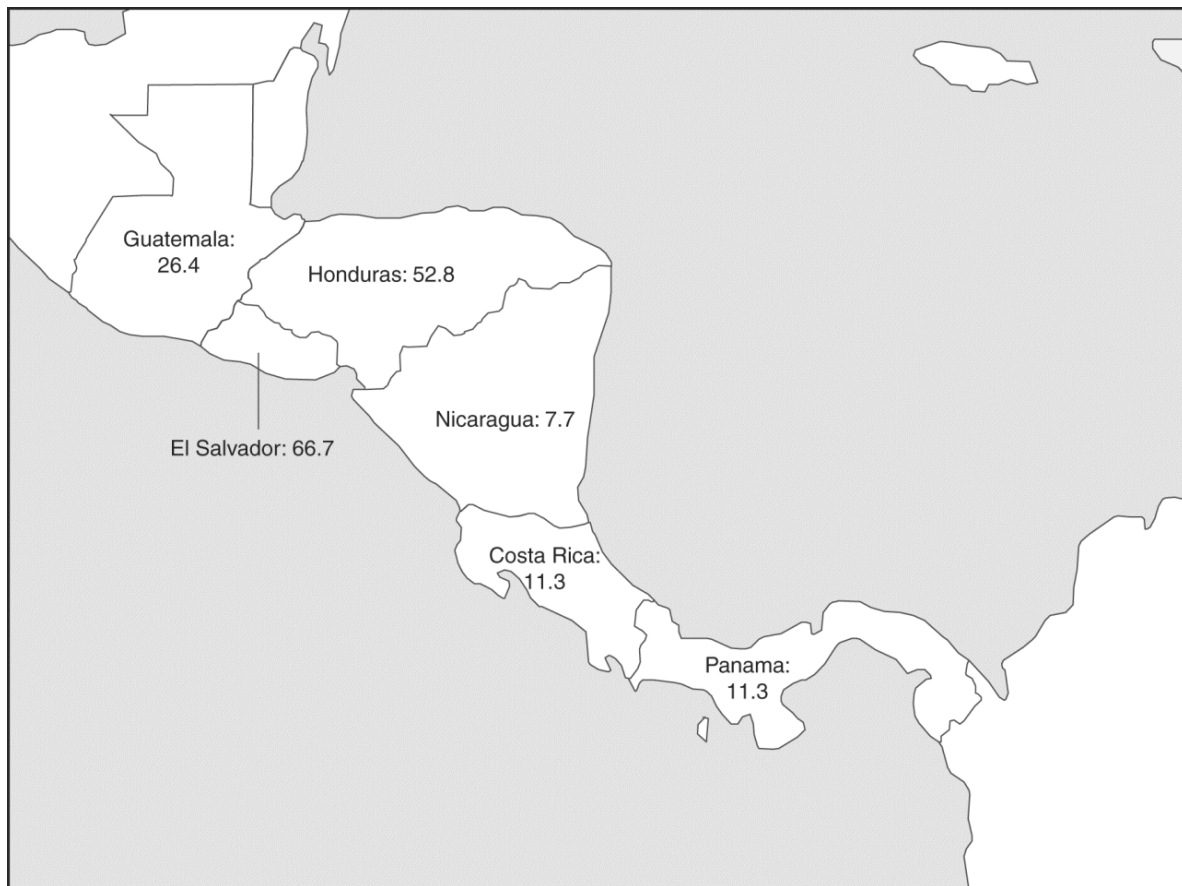
Mexico is caught in a “security trap” ([Bailey 2014](#)). And there is no reason to expect any major change. Andrés Manuel López Obrador, President of Mexico since December 2018, has signaled a change in government strategy; among other things, in January 2019, he declared an end to Mexico's War on Drugs. However, other features of past administrations (e.g., the power they have given the military) have remained

unaltered. And the number of homicides has not yet been significantly reduced.



### **11.3.2 The Northern Triangle: Gangs, Cartels, and Public Officials**

Turning to Central America, we next focus on the three countries in the north of this region that have been called the Northern Triangle: El Salvador, Guatemala, and Honduras. We discuss these countries together because, as shown in [Map 11.4](#), they share a high level of violence. It is also notable that the other three Central American countries – Costa Rica, Nicaragua, and Panama – are relatively peaceful countries. Thus, in analyzing the Northern Triangle, we consider what features they have in common and also look for contrasts with their southern neighbors.



**Map 11.4** Homicide rates in Central America, 2014–2019

*Note:* The figures are the average annual rate of homicides per 100,000 population during 2014–2019.

*Source:* Authors' elaboration, based on data from [UNODC 2020c](#); and [Insight Crime 2021](#).

***Gangs and Their Origins in the United States.*** One reason for the violence in the Northern Triangle countries is the presence of gangs, called *maras* and *pandillas* in Spanish. These gangs engage in many forms of violence, from rape and torture to extortion and human trafficking. Additionally, as noted earlier, roughly 15 percent to one-third of all homicides in Latin America are gang-related.

Gangs in the Northern Triangle did not emerge out of nothing. Rather, their origin is linked with the civil wars in Central America in the 1980s and with the United States.

A first step in the development of Central American gangs was the emigration of Central Americans, mainly from El Salvador, Guatemala, and Honduras. Fleeing the violent civil wars in the 1980s, hundreds of thousands sought refuge in the United States and, specifically, in Los Angeles. There, some of the young male refugees joined two Los Angeles gangs: Mara Salvatrucha (MS-13) and the 18th Street (M-18) gang.

A second step was the deportation of Central American members of US gangs back to Central America, starting in the late 1990s. The US government passed the Illegal Immigrant Reform and Immigrant Responsibility Act in 1996, and this law provided the impetus for the deportation of tens of thousands of gang members, the vast majority of whom were sent to Northern Triangle countries. In fact, a full 90 percent of those deported were sent to El Salvador, Guatemala, and Honduras. See [Table 11.6](#) for an estimation of the number of gang members in Central America.

**Table 11.6** Gangs in Central America, c. 2012

Region/country	Total membership of gangs	Gang membership per 100,000 population
<b>Northern Triangle</b>		
El Salvador	20,000	323
Guatemala	22,000	153
Honduras	12,000	149
<b>Southern Neighbors</b>		
Costa Rica	2,660	62
Nicaragua	4,500	81
Panama	1,385	43

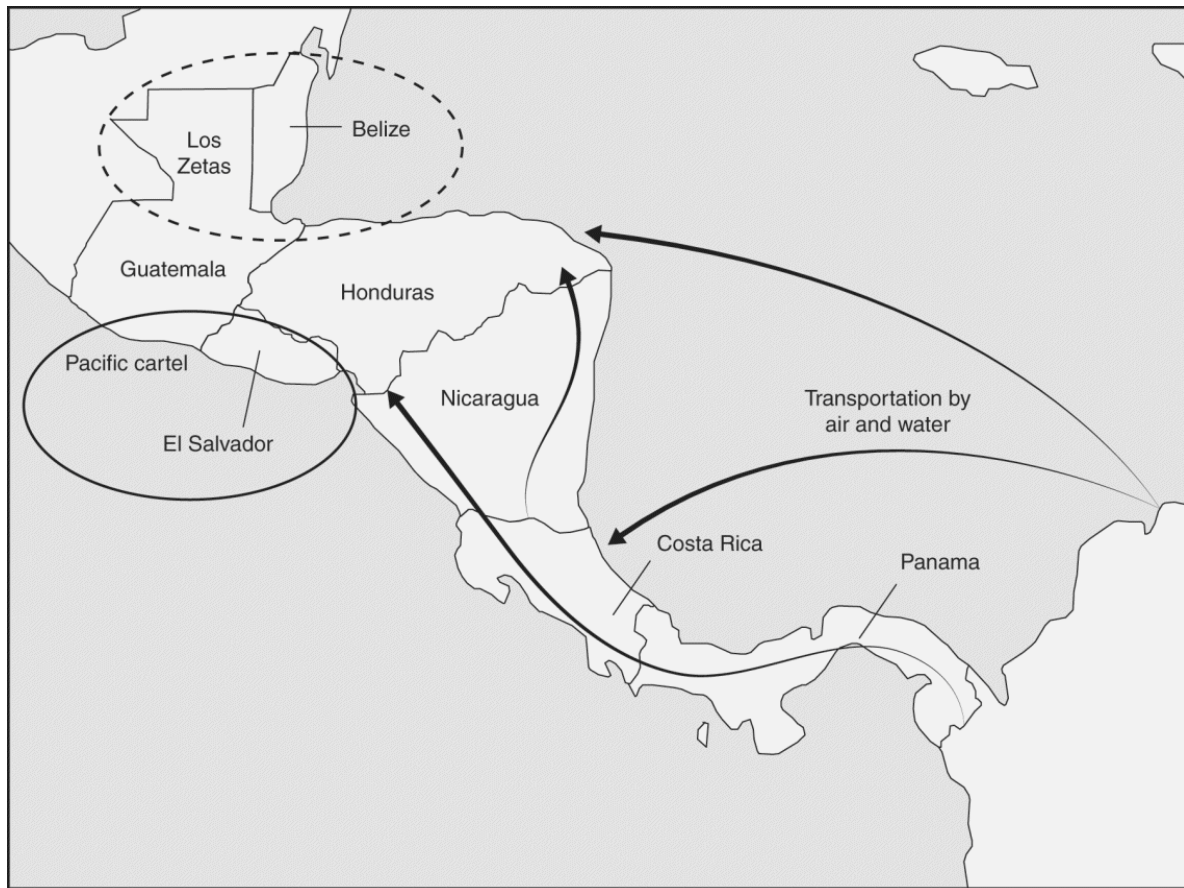
*Note:* Some estimates suggest larger memberships (e.g., one source puts the gang membership in El Salvador at 65,000).

*Source:* Authors' elaboration, based on [World Bank 2010](#): 15; and [UNODC 2012](#): 27–9.

Gangs had existed in Central America before the influx of gang members from the United States. However, the “exportation” of Southern California gang culture to Central America led to a significant change in the potency of these gangs. Indeed, the US gang experience was a key catalyst in the transformation of Mara Salvatrucha and the 18th Street gangs into dominant gangs in El Salvador, Guatemala, and Honduras ([Rodgers and Baird 2015](#): 482–3). (In El Salvador in 2005, the 18th Street gang split into two rival factions – the Revolutionaries and the Southerners.) Without doubt, the greater number of gang members in Northern Triangle countries is a partial explanation of why Northern Triangle countries are more violent than their southern neighbors.

***The Drug Trade and Mexican Cartels.*** Violence in Central America is also linked with the drug trade and cartels.

The launching of a War on Drugs in Mexico in 2006 made it harder for drug traffickers to ship drugs directly from South America to Mexico. Thus, Central America became an important transit area in the northbound flow of cocaine, with roughly 80 percent of the cocaine moving through Central America. In fact, starting in the 2000s, drugs were moved from South America either by air or water or by land, to various landing points in El Salvador, Honduras, and Guatemala (and Belize). And, with the flow of drugs came the presence of Mexican cartels, eager to control the movement of this commodity into Mexico (see [Map 11.5](#)).



**Map 11.5** Drugs and cartels in Central America, c. 2018

*Source:* Authors' elaboration, based on information in [Pérez 2014](#).

The Zetas became dominant in the north of Guatemala (as well as Belize) and some parts of the north of Honduras. The Pacific cartel, an alliance between the Sinaloa Federation and the Gulf cartel, did the same in El Salvador and some parts of southern Guatemala and southern Honduras. Some areas in Guatemala and Honduras are disputed by rival cartels. Moreover, adding to this mix, the two main gangs in Central America established associations with these drug cartels: in the case of Mara Salvatrucha, with Los Zetas; in the case of the 18th Street gang, with the Pacific cartel ([Pérez 2014](#)).

In brief, not only do the Northern Triangle countries, in contrast to their southern neighbors (Costa Rica, Nicaragua, and Panama), have more gangs. In addition, in these countries, the cartels and gangs fight over the control of territories where the drugs from South America arrive and then move on to Mexico.

***The Government's Mano Dura Policy.*** At the same time, an account of violence in the Northern Triangle countries must address the role of governments and security forces in responding to gangs and cartels. Governments in Northern Triangle countries adopted a standard repertoire of measures known as *la mano dura* (the firm hand or the iron fist): the imposition of harsh punishments on gang members, the expansion of police powers, and the deployment of the military to carry out police functions. And these policies have had negative consequences.

The mass incarceration of gang members, in overcrowded jails, resulted in more cohesive, better organized, and larger gangs. Indeed, the spike in violence in El Salvador came right after the government introduced its *mano dura* policy in 2003 ([Hume 2007](#); [Wolf 2017](#)). In turn, the police and the military used violence against civilians, sometimes engaging in extrajudicial executions of gang members. Thus, the choice of a *mano dura* policy, when alternatives were available, added to rather than ameliorated the problem of violence. See [Box 11.5](#) on one possible alternative policy, community-oriented policing.

### **Box 11.5** Thinking Comparatively: Community-Oriented Policing in Brazil

The city of Rio de Janeiro, in Brazil, exemplifies a community-oriented alternative to the *mano dura* policy. Starting in 2008, specialized units, known as Pacifying Police Units (*Unidades de Polícia Pacificadora* [UPP]), entered *favelas* (slums) controlled by gangs involved in drug dealing – with the goal of controlling these territories and improving citizen security. As a way to avoid past corrupt practices, the units were made up of new recruits who had just graduated from the police academy. These units were also designed with a focus on social assistance in the areas of health, education, and job training. The idea was not to eliminate all drugs from favelas, but, rather, to reduce the violence associated with drug trafficking.

Hundreds of these UPPs were set up in favelas. And they had both successes and shortcomings. On the positive side, a study shows that, when compared to the militarized policing strategy used in the past, the UPPs reduced the number of fatal police shootings by 45 percent ([Magaloni et al. 2020](#): 554). On the negative side, the social aspects of the programs were never implemented. These programs have also not produced a real cultural change within the police force, which would lead to a respectful relationship between the police and the communities they are supposed to protect.

An expert of community policing in Latin America, Hugo [Frühling](#) (2012: 84, 86), insists on the need for a realistic assessment of the potential of such programs. He notes that the effective



collaboration between the police and the community experienced in some successful cases of community policing in the United States, Canada, and the United Kingdom has not been attained in Latin America. However, he also notes that this limitation does not nullify the importance of community policing programs in Latin America and that “the effort to establish a relationship with the communities served opens opportunities for more lasting changes.”

Given the clearly negative impact of the *mano dura* policy, this alternative is worth considering.

***The Lack of Reform of the Security Forces.*** Additionally, other more structural factors – factors that help to account for the origins and persistence of gangs and cartels – are at play.

One important difference between Northern Triangle countries and other Central American countries concerns the reform or lack of reform of the security forces ([Yashar 2018](#): chs. 5, 6, and 7). Central America as a whole began a democratic period in the 1990s, leaving behind civil wars that had mainly affected El Salvador, Guatemala, and Nicaragua. Nonetheless, these countries did not emerge from the process of democratization and conflict resolution with similar kinds of security forces.

In the Northern Triangle countries, state agents that had engaged in the repression of the population and in human rights violations in the 1970s and 1980s were not purged. Rather, they were allowed to adapt to the new circumstances of the twenty-first century. They were also allowed to rebuild alliances with private actors who were undergoing a process of adaptation to the new circumstances. In fact, private agents of violence, who had acted



against the popular sectors in the 1970s and 1980s, sought to take advantage of the new opportunities for profitable crime. In some cases, these private actors were directly joined by former members of the security forces, whereas, in others, they worked in alliance with the official security forces.

Thus, the Northern Triangle countries did not reform the security apparatus so as to ensure that agents of the state would act according to legal orders imparted by elected leaders. Instead, old practices persisted. Security forces continued to act in response to the personal or partisan interests of political leaders and to their own personal interests. They also acted at times outside the law and in active collaboration with private groups which engaged in violence. And these practices made Northern Triangle countries fertile ground for the initial growth of youth gangs and, subsequently, for the persistence of violence ([Cruz 2011](#): 7).

In contrast, the countries in the south of Central America did take measures to reform their security services. Costa Rica carried out reforms of its security forces early on, after its 1948 civil war, and this step, which included the abolishment of the military, prevented a symbiotic relationship between corrupt state agents and criminal nonstate actors. Panama joined Costa Rica in abolishing its military force, and also reformed its security apparatus, in 1990. Even more interestingly, Nicaragua, which was similar to El Salvador and Guatemala in many ways in the 1970s and thus might have been expected to follow a similar path as its northern neighbors, reformed its security services.

Nicaragua's security services under President Somoza in the 1970s operated in a way that was similar to its northern neighbors. However, Nicaragua transformed its security services after its 1979 revolution and disbanded the old security apparatus. Further, after its transition to

democracy in 1990, it depoliticized the new security forces created by the Sandinistas between 1979 and 1990. Thus, these new security forces were insulated from private actors who sought to engage in violence. Indeed, in contrast to what occurred in the transitions to democracy in the Northern Triangle countries, in Nicaragua the security forces used coercion to stave off efforts to sow disorder by former combatants in the civil war in the 1980s – combatants who had been on both sides of the divide in the 1980s – and thus were able to prevent the consolidation of groups prone to violence ([Ortega 1996](#); [Rueda Estrada 2015](#)).

The lack of security forces reform is a key factor in the violence in Northern Triangle countries. Gangs and cartels are formed and develop, or make an incursion into some territory where the security situation is propitious. And, when state actors engage in violence themselves, they do not act as a deterrent force.

Northern Triangle countries, like Mexico, are caught in a security trap. And developments in the region do not provide grounds for us to think that any major change is likely in the near future.

## **11.4 Explaining the New Violence: General Reflections**

Based on these case studies of Mexico and Northern Triangle countries (El Salvador, Guatemala, and Honduras), and supplementary information, we now offer some general reflections about the causes of the new violence in Latin America, focusing on the three factors introduced above: (1) the global drug trade; (2) the role of the state; and (3) democracy and state building.

### **11.4.1 The Global Drug Trade**

Part of the reason why violence has spread to many countries in Latin America is the global drug trade. Drug production, trafficking, and sales do not by themselves lead to violence. For example, inasmuch as the government does not intervene, if one cartel holds a dominant position or if there is a clear delimitation of the territories where different cartels operate, drugs do not breed violence. However, if the relative power of drug cartels changes because of market conditions or because the government decides to clamp down on the illegal business, inter-cartel violence over transit routes and markets and/or state-cartel violence is likely to ensue. Thus, the strong external demand for profitable goods produced by Latin America – in some cases, such as cocaine, for which Latin America is the sole producer – is an initial condition that fuels violence.

Adding force to this external factor is the long-standing policy of the United States. The US government launched its War on Drugs in the 1970s. Over the years, it has also exported its War on Drugs to Latin America, through programs such as the Plan Colombia and the Mérida Initiative. And this policy has been a failure, with many negative side effects.

The War on Drugs has failed in one of its main objectives: to reduce the supply of drugs produced in Latin America. Yet it has harmed US consumers of drugs and, in particular, people of color in the United States; mass incarceration for drug-related crimes in the United States has had a disproportionate effect on people of color ([Alexander 2011](#)). And it has injured producers of drugs in Latin America, who have suffered health and environmental problems as a consequence of US-sponsored aerial

eradication programs that rely heavily on the herbicide glyphosate ([Camacho and Mejía 2017](#)).

Some signs of a move away from a prohibitionist approach have been evident in the 2010s and early 2020s. In the United States, the use of recreational (nonmedical) marijuana has been decriminalized or legalized in many states. In Latin America, the prohibitionist approach favored by the United States has been questioned by political leaders, on both the left and the right of the political spectrum, and even by reports of the Organization of American States ([OAS 2013](#)).

Going further, several Latin American countries have also taken measures to lift sanctions on the possession and consumption of some drugs. In 2013, Uruguay became the first country in the world to legalize recreational marijuana and regulate every aspect of the marijuana market. Laws regarding marijuana have been liberalized in other Latin American countries (e.g., Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Peru, and Mexico) ([Corda \*et al.\* 2019](#): 61–76). Thus, some changes in the dominant approach to drugs have taken place and a debate about what policy Latin American countries should pursue has ensued. See [Box 11.6](#) on the debate on the War on Drugs that has started in Latin America.

### **Box 11.6** Debates: Should Latin America Move beyond the War on Drugs?

The War on Drugs has powerful defenders in the United States ([Whitford and Yates 2009](#)). It is based on a “law and order” ideology, and a racialized view of crime and justice. It has been exported to Latin America ([Carpenter 2003](#)) and its basic approach has been adopted by political leaders who espouse a zero-tolerance or *mano dura* policy. By and large, this prohibitionist approach has not been an evidence-based one that considers whether a certain policy has the sought effect. Indeed, it has persisted for five decades, even though it has failed to reduce supply or demand.

This prohibitionist approach has been questioned by the Global Commission on Drug Policy, a group of world leaders and intellectuals, including former presidents of Brazil (Cardoso), Chile (Lagos), Colombia (Gaviria, Santos), and Mexico (Zedillo). The Global Commission on Drug Policy has sought to recast the debate about drugs. Specifically, it has claimed that the global War on Drugs has failed, and that new policies are needed.

*War on Drugs*, the initial report of the [Global Commission on Drug Policy](#) (2011: 2–3), made several recommendations:

- End the criminalization, marginalization and stigmatization of people who use drugs but who do no harm to others.
- Encourage experimentation by governments with models of legal regulation of drugs to undermine the power of organized crime and safeguard the health and security of their citizens.

- Offer health and treatment services to those in need.
- Invest in activities that can both prevent young people from taking drugs in the first place and also prevent those who do use drugs from developing more serious problems.
- Focus repressive actions on violent criminal organizations, but do so in ways that undermine their power and reach while prioritizing the reduction of violence and intimidation.

Subsequent reports have further specified what steps could be taken to move beyond a prohibitionist approach ([Global Commission on Drug Policy 2018, 2020](#)).

This debate on whether Latin America should continue with the War on Drugs, and how it might move beyond it, is a welcome one. It is drawing attention to evidence about the failings of common policies. It is also helping to show that the alternative to a prohibitionist approach can avoid the extremes of a chaotic free-for-all or an unregulated market place. However, the advance of this debate and the translation of ideas into actual policy face resistance from powerful actors who benefit from the War on Drugs.

The basic impact of the global drug trade is persistent, nonetheless. Violence by drug cartels is grounded in some hard facts about international economics. And the United States continues to hold, for the most part, rigid policy positions, even when these do not have a positive effect. Thus, the new violence has an international dimension that escapes the control of national governments in Latin America.

#### **11.4.2 The Absent State and the Present State**

Another major lesson from the experiences of Mexico and the Northern Triangle is that state actors in the security sector – the police and the military – are a key part of the problem.

The state, understood as the agencies through which the central government implements government policies and enforces the law, is the ultimate guarantor of citizen security. Thus, the new violence is inescapably a consequence of the failings of the state to live up to its assigned role ([Waldmann 2003](#); [Cruz 2016](#): 378–9; [Davis 2017](#); [Yashar 2018](#): 55–8, ch. 4). Yet, as the prior discussion shows, the responsibility of state actors in the new violence is complex.

Ideally, the state should be present to protect citizens and uphold the rule of law throughout a country's entire territory. In reality, what happens in Latin America is that sometimes the state is absent and does not do its job, and at other times it is present but operates in ways that do not increase security and sometimes actually diminish it. The new violence is due, in part, to acts of omission and commission by state agents.

***When the State Abandons Citizens.*** In some instances, violence is due to the inability of the state to be present when security forces are needed to prevent violence by nonstate actors.

Some territories have truly been controlled by drug cartels. Some drug cartels have acquired high-capacity weapons that are more powerful than those at the disposal of official security forces. At times, the state has been unable to safely enter slums that are occupied by gangs.



Thus, in some areas of countries, citizens are simply left to fend for themselves. The state has been absent where it should be present, to prevent violence. And, as a result, criminals not only kill each other, but also kill innocent people.

***When the State Oppresses Citizens.*** In other instances, however, the state is present and contributes actively to violence.

The cases of Mexico and the Northern Triangle provide some examples. The mano dura policy discussed in the context of the Northern Triangle has been shown to backfire, in that gang members sent to prison are hardened there and make the gang an even stronger force. Similar policies in other countries have been shown to have the same effect ([Davis 2010](#); [Calderón et al. 2015](#); [Durán-Martínez 2018](#); [Lessing 2018](#); [Trejo and Ley 2018](#)). Thus, at times, policies that are legal exacerbate rather than ameliorate the level of violence.

Additionally, the role of the state goes well beyond the legal – although exceedingly tough but not smart – use of state power. As argued, sometimes state agents work with violent private groups, other times they carry out extra-judicial executions. The state in Latin America has not consistently been a pacifying force.

Along similar lines, political scientist José Miguel [Cruz \(2016: 379–90\)](#) offers a useful categorization that distinguishes the three kinds of violence carried out by state agents:

(1) “Legal” violence: violence associated with the legal policies state agents are allowed to pursue, such as the mano dura.

(2) Extralegal violence: violence committed by members of the police and armed forces, such as the torture and extra-judicial execution of

members of gangs and cartels, and common criminals. This category also includes violent acts by militias that operate with the acquiescence and even the aid of state agents, such as the killing of criminals, activists, and political opponents.

**(3) Criminal violence:** violence, such as extortion and common crime, carried out by state agents or nonstate actors, with the acquiescence and even the aid of state agents.

Furthermore, drawing on extensive research, Cruz records how these three kinds of state-sponsored violence – involving acts by the police and the military – are common in Latin America. Indeed, as documented in study after study, state agents are perpetrators of violence and partner up with criminal organizations ([Arias 2006](#); [Durán-Martínez 2018](#); [Auyero and Sobering 2019](#); [González 2020](#)) (see [Table 11.7](#)).

**Table 11.7 The state as a source of violence in Latin America, c. 2015**

**Table 11.7(a) South America**

Country	Type of violence		
	"Legal" violence	Extralegal violence	Criminal violence
Argentina	• Zero tolerance programs in Buenos Aires	• Executions by the police • Use of torture • State-sponsored mobs	• Extortion rings in the police • Police collusion with street gangs
Bolivia		• Executions by the police • Use of torture	
Brazil	• Zero tolerance programs in several cities	• Executions by the police • Militia groups • Use of torture	• Extortion rings in the police • Police involvement in crimes • Collusion with street gangs and drug-trafficking organizations
Chile			
Colombia	• War on Drugs	• Executions by the military • Militia groups • Use of torture • Support for paramilitaries	• Politicians and police collusion with drug-trafficking organizations
Ecuador	• Zero tolerance program in Guayaquil	• Prison police abuse • Unlawful killings • Use of torture	
Paraguay		• Executions by the police • Use of torture	• Extortion rings in the police and prosecutor's office • Police involvement in crime • Police collusion with drug-trafficking organizations
Peru		• Unlawful killings • Use of torture	
Uruguay			
Venezuela		• Executions by the police and the military • State-sponsored mobs • Use of torture	• Police involvement in crime • Politicians and police collusion with organized crime and street gangs

**Table 11.7(b) Mexico, Central America, and the Caribbean**

Country	Type of violence		
	"Legal" violence	Extralegal violence	Criminal violence
Mexico	• Zero tolerance programs in several cities • War on Drugs	• Executions by the police and the military • Use of torture	• Extortion rings in the police • Disappearances • Police involvement in crimes • Collusion of politicians and the police with organized crime and drug-trafficking organizations
Costa Rica	• Reforms of "in-flagrante" laws	• Prison police abuse	
El Salvador	• Zero tolerance national program	• Executions by the police and military • Social cleansing groups • Use of torture	• Extortion rings in the police • Police involvement in crime • Police collusion with drug-trafficking organizations
Guatemala	• Zero tolerance national program	• Executions by the police and the military • Militia groups • Use of torture	• Extortion rings in the police and military • Police involvement in crimes • Collusion of politicians, the military, and the police with drug-trafficking organizations and street gangs
Honduras	• Zero tolerance national program	• Executions by the police and the military • Militia groups • Social cleansing groups • Use of torture	• Extortion rings in the police and military • Disappearances • Police involvement in crimes • Collusion of politicians and the police with drug-trafficking organizations and street gangs
Nicaragua		• State-sponsored mobs • Unlawful killings • Use of torture	• Police collusion with organized crime
Panama			
Cuba	—	—	—
Dominican Republic	• Zero tolerance program	• Executions by the police • Militia groups	• Extortion rings in the police • Police involvement in crime

*Notes:* Empty cells (for Chile, Uruguay, and Panama) indicate that there are no reports of significant state-sponsored violence. Zero tolerance programs

are also commonly called mano dura policies. Social cleansing groups engage in a class-based killing of people considered undesirable, such as the homeless, criminals, street children, sex workers, and sexual minorities.

– Data are not available.

Source: [Cruz 2016](#): 389–90. Copyright © 2016, Springer Science Business Media Dordrecht.

***The State as Part of the Problem.*** In brief, in Latin America, the incidence of violence is inextricably linked to the state and, specifically, to the security forces (the police and the military).

Violent nonstate groups do not take root everywhere. Rather, as political scientist Deborah [Yashar \(2018](#): 19, ch. 4) shows, they flourish where they find “weak and/or complicit state institutions (particularly law-and-order institutions such as the police and courts).” And, once the state has ceded territorial control, it is hard to reclaim it.

The same applies to violence by state agents. These actors infiltrate states that are weak and corrupt. Then, after actors who are not dedicated to upholding the rule of law become significant actors within the state, it is difficult to remove them.

It is not surprising that many Latin Americans feel both abandoned and oppressed by the state.

### **11.4.3 Democracy and State Building**

Finally, we draw attention to the role of democracy in the new violence. Democratic leaders certainly do not engage directly in violence. Still, they can do much to prevent it by engaging in state building through reforms of the security services. Yet frequently they have not done so. And we can attribute this failure in part to the weakness of democracy.

*The Failure to Reform the Security Forces.* In Mexico, the gradual process of democratization overseen by the PRI, following a very long period during which the PRI had controlled the state, made any reform of the security forces extremely difficult. The PRI had considerable control over the transition process and had no interest in reforming the state that they had shaped and colonized. Moreover, important obstacles prevented change after 2000, once Mexico became a democracy. If anything, as violence grew, so too did the power of the security forces, making less likely any effort by politicians to rein them in and to make them accountable to democratic leaders.

An opportunity to reform the state was most apparent in the Central American countries that, in the 1980s and 1990s, moved to democracy at the same time that they were resolving their civil wars. Since the resolution of civil wars called for a demobilization of former guerrillas and a reduction in the size of the military, this was a unique opportunity to remove from the security forces state agents who had violated human rights and to reconstitute the security forces on a new basis. However, actors linked with prior nondemocratic regimes limited the scope and then thwarted the implementation of these reforms. Sometimes doing no more than shifting

known perpetrators of violence from the military to the police, they ensured that these state agents would continue to function and that paramilitary groups would not be fully dismantled ([Cruz 2011](#): 7–18). Later on, the arrival of gangs in Central America strengthened these actors. In effect, the presence of the maras, poor young gang members, offered a perfect justification for an increased role of state security forces and deflected the public's attention away from the abuses carried out by state actors.

To a considerable extent, democratic leaders inherited weak states, with an uneven reach throughout the country's territory, and state agents who were not consistently law abiding. But they also were unsuccessful in building a state capable of ending violence.

***The Democracy–Violence Interaction.*** The failure of democratic leaders to reform the security forces is critical. Latin American democracies cannot do much to affect the demand for drugs, which comes largely from other countries. They sometimes cannot even do much to restrict the supply of weapons, when these come across porous borders. But they can, or at least should be able to, launch reforms to tackle urgent needs, such as the provision of the security demanded by citizens. Thus, democracy's poor performance in the field of citizen security is somewhat of a puzzle. Yet, an answer to this puzzle can be found in the intricate way in which democracy and violence interact.

When violence becomes pervasive, it negatively affects the quality of democracy. Politicians who seek reform are sometimes assassinated and eventually many reformers opt not to run for office. Politicians who succeed are often beholden to state agents and nonstate actors who are part of the

problem. In various ways, candidates and elected officials are threatened, bought out, and conditioned by violent state and nonstate actors.

In turn, when democracies are of low quality, state building is impeded. Citizen demands for a reform of the state are not treated as a priority issue. And even politicians who are sincere about their commitment to the rule of law face great obstacles, in the form of resistance by powerful actors who are well entrenched in the state and in society. In fact, there is a limit to what low-quality and medium-quality democracies can do to build a capable, law-abiding state ([Mazzuca and Munck 2020](#)).

The partial successes in the fields of transitional justice (and, to a much smaller extent, of anti-corruption; see [Chapters 9](#) and [10](#)) do set a positive precedent. They show that democracies can take steps to make the state more of a law-abiding organization. Moreover, since the new violence is associated with security forces that had violated human rights in the past and corrupt actions by state agents, these successes have a spillover effect on citizen security. Inasmuch as violators of human rights in the past have been punished, and corruption has been rooted out, the conditions for security are advanced. See [Box 11.7](#) on connections between advances regarding transitional justice and anti-corruption and the reduction of violence.

**Box 11.7** Connections: Transitional Justice, Anti-Corruption Measures, and the New Violence

The way in which countries confront the challenge of transitional justice has an impact on their success in controlling violence. Political scientists Guillermo Trejo, Juan Albarracín, and Lucía Tiscornia (2018) find that countries that had strong truth commissions, and implemented trials as opposed to giving amnesty to violators of human rights, have a lower homicide rate. The key reason for this association is that, by uncovering the truth of the old violence and by imprisoning agents of the state who could become potential allies of criminal organizations, governments and the judiciary reduce and deter criminal violence (see also [Dancy and Thoms 2021](#)).

[Trejo and Nieto-Matiz \(2019\)](#) also make a connection between anti-corruption and the new violence. In their research on the International Commission Against Impunity in Guatemala (CICIG), they show that prosecutions related to corruption have a positive impact on violence. They actually estimate that CICIG's work in Guatemala over eight years (2008–2016) prevented 18,000 murders. That is, the investigation and prosecution of state agents and the criminal organization they partner with serves to deter criminal violence.

However, precisely at the time when the actors responsible for the new violence were adjusting to the new circumstances that were taking shape in



the 1980s and 1990s, many countries missed the opportunity to take strong actions on transitional justice, and even more countries failed to eradicate corruption. By the early twenty-first century, the actors who benefited from violence had become a powerful force blocking the reforms of the security forces needed to bring peace. Thus, the politics of violent democracies had become self-reproducing.

## 11.5 Summary

In this chapter, we focused on the new violence in contemporary Latin America. We concentrated primarily on homicides and hence on a basic security right, the right to life.

We first described the occurrence of violence. We used the basic statistic of homicides per 100,000 population to make the case that Latin America is the most violent region in the world. The absolute number of deaths show that more people have died as a result of the new violence than of the old violence in the 1960s, 1970s, and 1980s. Delving more deeply, we showed that violence in contemporary Latin America largely affects young males living in cities. In turn, we identified a variety of perpetrators of violence: drug cartels, gangs, common criminals, militias, and state agents. Violence in Latin America is not an aberration; rather, it is a systemic problem that has roots in society and the state.

We also provided an explanation for the pattern of violence in contemporary Latin America. We discussed some cases with a high level of homicides, Mexico and the Northern Triangle countries (El Salvador, Guatemala, and Honduras), and we contrasted the Northern Triangle with other more peaceful Central American countries. We also offered some general reflections and drew some conclusions about the factors that account for the new violence.

We highlighted features of the international context – the global drug trade and US policy – that play a role in an account of violence. The global drug trade generates huge profits for illicit goods produced in Latin

America. In turn, the United States has insisted on pursuing a War on Drugs that has failed to reduce the supply of drugs or contain violence.

We underscored the role of the state. In Latin America, the state or, more specifically, state actors in the security sector (the police and the military) have failed to guarantee citizen security. The state has been part of the problem, both by being absent and by being present. With good reason, citizens have felt unprotected by the state.

Finally, we shone a spotlight on the role of democracy. Latin American democracies in the twenty-first century have failed to carry out state reform that would make the state part of the solution to the problem of violence. And the reason why democracies have failed to build state capacity is that democracies themselves have been compromised. Indeed, the challenge of guaranteeing citizen security reinforces a point we made in the two previous chapters, on transitional justice and corruption.

Guaranteeing citizen security is a central problem *for* democracy. But, because Latin America's democracies are low- or medium-quality democracies, the possibility of a thorough reform of the state is blocked. In contemporary Latin America, problems *of* democracy – the poor quality of democracy – and problems *for* democracy – the failure to guarantee civil rights – are tightly interconnected.

## Discussion Questions

1. Latin America is experiencing a new kind of violence in the twenty-first century. What is the difference between the old violence of the Cold War years and this new violence? Who are the main actors in the new violence?
2. Various factors drive the new violence in Latin America. What are some of the factors that account for this high level of violence? Can you think of some factors that were not discussed in this chapter? What things do Latin American countries need to change so as to become less violent and more peaceful?
3. Since the 1970s, the United States has pursued a policy labeled the War on Drugs and has sought to have Latin American countries adopt a similar approach. Should the United States continue this policy? What are the pros and cons of the prohibitionist model that underlies the War on Drugs? What alternatives to this model are there? How might Latin America move beyond the War on Drugs?

## *Resources*

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interviews with survivors, and experts recount the events that led to dozens of missing students on September 26, 2014. Part 2 focuses on how, after government officials offered evidence incriminating the mayor of Iguala, protests led Mexico's president to approve an independent investigation.

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## Part IV



# **Social Rights as a Problem *for* Democracy**

12

# Social Rights in Law and Reality

*The Dilemmas of Democracy in Unequal Societies*





**Photo 12.1 Students marching for education as a social right in Chile, 2010s** The idea of social rights is widely accepted in Latin America. These rights are even recognized in constitutions. Yet they are rarely enforced. Thus, Latin American citizens often mobilize to demand the social benefits to which they are constitutionally entitled and to make the case that some matters, such as access to education, should be treated as a right and not a commodity to be bought on the market. The banner in this photo, of a protest in Chile in the 2010s, reads “Education is not a business.”

*Source:* andina.pe.

The conventional view of how societies should be assessed – according to Western liberal thought – is to focus on political and civil rights. In Latin America, citizens take a broader view of what is to be valued. Although citizens of Latin American countries want democracy and civil rights, they also demand other things from their governments. As we highlighted in the Introduction to this book, what many Latin American citizens want – and what they hope their democracies will deliver – was

well expressed by Argentina's democratically elected President Raúl Alfonsín, who said: "With democracy you not only vote, but you also eat, educate and heal" ([Alfonsín 1983](#)). Alfonsín, who helped Argentina transition from its darkest period of authoritarian rule in the 1980s, made clear that Latin Americans aim not only for political and civil rights, but also for the realization of what are commonly labeled social rights.

This chapter is the first of the four that compose [Part IV](#), in which we focus on this broad category of rights. Because social rights are discussed less frequently than civil and political rights, in the first section of this chapter we address some conceptual questions and clarify the nature of social rights and what rights are commonly treated as social rights. We turn next to the empirical record to consider the state of social rights in contemporary Latin America and, in particular, in the region's democracies. We use multiple sources of mainly quantitative data and provide a comprehensive picture of social rights in all Latin American countries. We also discuss why social rights are significant for democracies. In the third section of this chapter, we explore possible explanations for why Latin American countries have failed to guarantee social rights to their entire population. One particular argument that we consider, as we did in [Part III](#) of the book, is whether the achievement of democracy in Latin America has sufficed, in itself, to expand citizenship by encouraging gains in social rights. In a final section, we summarize the key points of the chapter.

This chapter, like [Chapter 8](#) on civil rights, offers a sweeping overview of developments in Latin America, here with an accent on social rights. Then, in the next three chapters, we present a more focused discussion of these rights. We will consider whether democracies have promoted sustainable development and been mindful of the environmental

consequences of neoextractivism, taken steps to foster social inclusion through social policies, and managed to lower the level of economic inequality. There, our analysis will primarily rely on case studies. Thus, in this chapter, we provide a broad overview of topics we will discuss in greater detail in the remainder of [Part IV](#).

## **12.1 The Concept of Social Rights**

What are social rights? What are some specific social rights? The answer to these questions is not obvious. Thus, we address these questions, and provide a definition of social rights we will use in the rest of this chapter, before moving on to our empirical analysis.

### 12.1.1 Debates about the Notion of Social Rights

The term “social rights” refers to the idea that individuals are entitled to certain resources to address their basic needs. Of the classic trio of rights (political, civil, and social), social rights are the most controversial. Social rights are sometimes lumped together with other rights under the label of social, economic, and cultural rights – and we treat these different designations as largely interchangeable.

Political thinkers are divided on whether it makes sense even to talk about social rights. For example, political philosopher Maurice [Cranston \(1962: 33–40, 54\)](#) argues that the rights claimed as social rights are not rights at all, because, unlike civil and political rights, they are not universal. He claims that a right such as the right to work refers to a particular class of people and not to all human beings. Cranston also argues that social rights such as the right to periodic paid holidays are impractical, because they can rarely be secured by legislation alone.

Here, the distinction between negative and positive rights is a crucial one. Many analysts follow the reasoning of political philosopher [Isaiah Berlin \(2002 \[1958\]\)](#), who argued that a core difference between social rights, on the one hand, and political and civil rights, on the other, is that the former involve “positive freedoms” that require costly action by the government. The latter, in contrast, involve “negative freedoms” that simply require the government to limit its actions and hence are not costly. According to authors such as Cranston, social rights are impractical to guarantee because of their cost and only negative freedoms should be properly treated as rights.



Several authors take issue with this view, however ([Nickel 2007](#): ch. 9; [Donnelly 2013](#): ch. 3). Jack Donnelly, for instance, claims that Cranston's dismissal of social rights as lacking universality is misplaced ([Donnelly 2013](#): 40–1). Donnelly also takes issue with Cranston's argument about the impracticality of social rights compared to civil and political rights, and points out that all rights require government action. For instance, to enforce civil rights, a country needs a well-working and well-staffed justice system, which is also costly to maintain ([Sunstein and Holmes 2000](#)).

We acknowledge the contested nature of social rights. Nonetheless, we think that there are a number of reasons to include social rights in our coverage of rights.

First, social rights have been recognized by most members of the international community. Moreover, the international community has also carried out recent initiatives to address the most pressing challenges related to the provision of a modicum of social rights not only in Latin America, but also elsewhere. For example, the Millennium Development Goals (MDGs), agreed on by the United Nations in 2000, set 2015 as a deadline for countries to achieve eight goals closely tied to social, economic, and cultural rights – as these are usually understood. In addition, in 2015, the United Nations issued a new set of Sustainable Development Goals (SDGs), in which they extended the original list of social goals in order to encompass issues related to sustainability, justice, and global peace. See [Box 12.1](#) on the broad recognition of social rights by the international community.

### **Box 12.1** A Closer Look: Social Rights in International Treaties

One hundred and seventy-one countries in the world have signed and ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) ([UN General Assembly 1966b](#)).

The treaty was adopted by the UN General Assembly in 1966 and came into force in 1976. Every country in the Americas has signed the treaty, including the United States and Canada. (However, the United States has not ratified this Covenant.)

In accordance with the principle of progressive realization that is included in Article 2 of the Covenant, the treaty commits signatory countries to take steps to grant citizens a series of social, economic, and cultural rights: “to the maximum of its available resources, with a view to achieving progressively the full realization of the rights ... by all appropriate means, including particularly the adoption of legislative measures.” Article 2 of the Covenant also incorporates the principle of nondiscrimination in the progressive realization of social, economic, and cultural rights, which should be promoted “without discrimination of any kind as to race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

Latin American countries have signed and ratified a series of additional treaties that explicitly recognize and promote social rights. The American Convention on Human Rights (also known as the Pact of San José), adopted in 1969, recognizes “social justice,” as well as economic, social, and cultural rights, as essential human

rights explicitly associated with democratic institutions. In 1988, the “Additional Protocol to the American Convention on Human Rights in the area of Economic, Social, and Cultural Rights” (also known as the “Protocol of San Salvador”) was added to the Convention to strengthen the protection of social rights.

As of 2021, all Latin American countries had ratified the American Convention on Human Rights. Most Latin American countries have also ratified the Additional Protocol, with the only Latin American exceptions being Chile, the Dominican Republic, and Venezuela – these three countries have signed but not ratified the Additional Protocol.

Second, we note the broad resonance of a central thesis of the human rights movement, namely, the claim that political, civil, and social rights are universal and indivisible, and the relevance of social rights to Latin America. Given the extreme levels of social inequality in Latin America and the extent to which social rights are enshrined in many Latin American constitutions, ignoring social rights in a discussion of Latin American politics and society would surely be out of touch with the legitimate concerns and demands of many Latin American citizens. Such concerns and demands are commonly reflected in public opinion surveys, where, throughout Latin America, poverty and social needs usually feature among citizens’ top priorities and are also frequently revealed in the discourse of politicians and social elites regarding democracy, and its fundamental challenges, in the region. Indeed, in Latin America, there is even a label for the combination of all political, civil, and social rights: *estado democrático*

*y social de derecho* (a democratic constitutional social state). See [Box 12.2](#) on social rights in the United States.

### **Box 12.2** Thinking Comparatively: Social Rights in the United States?

Although political discourse in countries with a strong tradition of classical liberalism, such as the United States, tends to sideline any discussion of social rights, the idea of social rights is relevant even in these countries.

The United States is unique even when compared to countries with a strong liberal tradition. Unlike liberal Western European countries with a similar orientation, the United States lacks a strong socialist or labor-oriented tradition.

This peculiarity is attributed to a range of factors. For example, [Seymour Martin Lipset and Gary Marks \(2001: 26\)](#) argue that four factors explain the weakness of socialism in the United States: traditional cultural values such as individualism and its support for anti-statism, the heterogeneity of the US (largely migrant) working class, incompetent actions by socialist leaders at specific historical turning points, and electoral rules (a majoritarian system) that favor a two-party system (see also the literature on American exceptionalism by [Hartz 1964](#); and [Sombart 1976 \[1906\]](#)).

Furthermore, this distinctiveness is manifested in various ways. For example, the United States stands practically alone within the Americas and the entire world in not ratifying the International Covenant on Economic, Social and Cultural Rights (ICESCR) (see [Map 12.1](#)).



**Map 12.1** Ratification of the International Covenant on Economic, Social and Cultural Rights

*Source:* [UN OHCHR 2019](#).

Still, social rights have been a part of US history. According to Richard [Primus \(1999: 181\)](#), socioeconomic rights were central in Franklin Delano Roosevelt's conceptualization of the New Deal. He also notes that President Roosevelt considered establishing "a second bill of rights to secure economic needs of Americans" and thought that such a second bill should include "the right to employment, the right to sufficient earnings for food, clothing, and recreation, ... the right to a decent home, the right to medical care, the right to protection against the economic problems of old age, accident, or illness, and the right to a good education."

Later on, in the context of the civil rights movement, in 1966, Dr. Martin Luther King Jr. argued extensively before Congress in

favor of social rights. Dr. King stated: “The Constitution guarantees the right to vote, but it does not necessarily state that a man has the right to live in a decent house, that a man has the right to have an adequate income. We are dealing with issues now that are not spelled out as clearly in the Constitution as the denial of the right to vote or as the denial of access to public accommodations” ([King 1967](#)). For Dr. King, the fight for social rights was a central part of the civil rights movement.

### 12.1.2 A Working Definition of Social Rights

With the caveat that the idea of social rights is not accepted by all, we propose the following working definition of *social rights*.

First, social rights concern basic needs that all individuals manifest, at one stage or another in their lives, and entail a guaranteed access to the goods and services that fulfill those needs.

Second, the recognition of social rights means that governments should treat these goods and services differently from commodities that must be bought on the market. However, the government can ensure access to certain goods directly or indirectly (e.g., via the regulation of economic activities). That is, a government's commitment to social rights is consistent with government actions aimed at regulating rather than running key sectors of the economy.

Third, the set of specific rights that are considered as social rights can be grouped into five broad classes that encompass an individual's life cycle:

- (1) the right to an adequate standard of living;
- (2) the right to a family life;
- (3) the right to health;
- (4) the right to education and to participation in cultural life;
- (5) the right to decent work and to social security.

See [Figure 12.1](#) on the specific rights that fit under each group.



Concept	Kinds of rights	Specific rights	State obligations
Social rights	Standard of living	Access to food, water, sewage, housing, and clothing	States should seek to improve living conditions
	Family life	Protection against the economic or social exploitation of children, social protection for survivors and orphans	States should protect children
	Health	Protection against epidemic diseases and elimination of child mortality. Access to medical treatment if needed, as well as access to a healthy living environment.	States should implement a comprehensive health-care program
	Education and cultural life	Access to free and universal primary education, as well as available and equally accessible secondary and higher education. Access to science, technology, and participation in cultural life.	States should guarantee access to equal educational and cultural consumption opportunities for all citizens
	Decent work and social security	Guarantees for just and favorable conditions for workers. Protection against risks related to sickness, disability, maternity, employment injury, unemployment, and old age.	States should enact and enforce legislation that guarantees decent conditions for workers and the availability of social insurance against risks and old age

**Figure 12.1** The concept of social rights: A working definition.

*Note:* These rights are recognized by the United Nations' International Covenant on Economic, Social and Cultural Rights (ICESCR). This Covenant also incorporates the protection of women's reproductive rights, and the right to form and join trade unions. We consider those as predominantly civil rights and thus do not include them here.

*Source:* Authors' elaboration.

Importantly, as noted in the final column of [Figure 12.1](#), the idea of social rights implies that states should assist citizens in various ways throughout the course of an individual's life:

- (1) States should seek to improve living conditions by implementing policies against hunger, while expanding access to water, sanitation, housing, and clothing.
- (2) States should protect children from exploitation and from working in dangerous and harmful occupations, while taking care of those

lacking a family.

(3) States should implement a comprehensive health-care program that promotes citizens' access to the best available standards of physical and mental health.

(4) States should guarantee all citizens access to equal educational opportunities, while allowing and promoting access to technological, scientific, and cultural consumption and production.

(5) States should protect social rights via the implementation of labor legislation, social security (pensions), and social insurance schemes that reduce the frequency of poverty and indigence.

We add that, in assessing how well a country does in meeting its commitment to social rights, it is important to consider access to social rights in the aggregate (e.g., how well access to education is guaranteed on average), but also to probe how evenly distributed such access is. Moreover, within the limits imposed by the available information, we should pay particular attention to the situation of historically disadvantaged populations.

## **12.2 The State and Significance of Social Rights**

How well have democracies performed at guaranteeing social rights in contemporary Latin America? Are social rights significant for democracy?

To answer this question, we will proceed as follows. First, we will describe the legal status of social rights in contemporary Latin America, distinguishing between aspirational and justiciable rights. Second, we present a series of indicators that allow us to gauge the average degree to which social rights are protected across countries. Third, we consider whether access to social rights is evenly distributed. After this overview, we draw conclusions about the overall state of social rights in Latin America and spell out why these rights matter for democracy.

### 12.2.1 Aspirational and Justiciable Rights

One of Latin America's most positive achievements in the realm of social rights is that these rights are at least nominally recognized under the law. Latin America has been a pioneer in this respect. Mexico's 1917 constitution was the first constitution in the world to enshrine social rights and it had an enormous influence on the region's constitutions through the middle of the twentieth century. Today, social rights are legally recognized – in varying degrees – in the constitutions of almost all Latin American countries.

One sign of the broad commitment toward social rights in Latin America is that a number of countries have declared in their constitutions that they are an *estado democrático y social de derecho* (a democratic constitutional social state). The list of such countries includes Honduras (1982), Brazil (1988), Colombia (1991), Paraguay (1992), Peru (1993), Venezuela (1999), Ecuador (2008), Bolivia (2009), and the Dominican Republic (2010). In addition, most countries make reference to social rights in their constitutions, thus extending the above list to include El Salvador (1983), Guatemala (1985), Nicaragua (1987), Mexico (1999), and Panama (1994 and 2004).

These Latin American countries stand out globally for the number of social rights that they recognize in law – as well as for the extent to which their laws enshrine not only *aspirational rights* (i.e., those that are strongly desired), but also *justiciable rights* (i.e., those that judicial bodies can be asked to enforce). Indeed, Latin American constitutions include “more

economic and social rights, and more justiciable economic and social rights, than any other region of the world” ([Jung et al. 2014](#): 1051).

In addition, the most recent wave of constitution making in the region has produced constitutions that recognize the right of *amparo* (in Spanish and Portuguese, a refuge or shelter), a legal remedy to redress a violation of rights that occurs through an unlawful act or omission by a public official or employee, or by a private individual or organization. Many Latin American citizens can pursue judicial cases against the state to seek legal relief when their social rights have been violated ([Jung et al. 2014](#): 1052).

In Latin America, many times the law says something, but the reality is quite different. However, we should not dismiss the legal recognition of social rights as merely a statement of values. In countries as diverse as Argentina, Brazil, Colombia, and Costa Rica, courts have played a pivotal role in arbitrating in favor of the constitutional social rights of citizens. In all of these countries, access to health care and other social rights is now regularly contested in court, with courts decisively shaping the provision of fundamental social services. In such cases, judicial litigation of social rights has produced tangible benefits for socially excluded groups by leveraging coalitions of citizens, social activists, and state bureaucrats. For instance, political scientist Courtney [Jung et al. \(2014\)](#) claim that the Colombian state had to confront 424,400 legal claims in a single year, more than a quarter of which sought legal *amparo* for the violation of the right to health ([Jung et al. 2014](#): 1052).

Nonetheless, one of the key limitations of these legal protections in the region is the general problem of “rights without resources,” that is, the gap between the law and the social reality arising from the state’s inability to consistently and equitably enforce rights across its territory. Thus, in the

[next section](#), we will examine the reality of these protections in the region by looking at a concrete set of socioeconomic indicators that reflect people's lived conditions. We will start with data that depict the average situation of citizens in each country and will then focus on disparities within countries.

### 12.2.2 A First Approximation

Socioeconomic indicators have improved steadily in Latin America since 1990, and countries across the region are better equipped today to guarantee access to social rights than they were a few decades ago. Although sizable differences exist among countries, improvements are noticeable across various areas, from children's access to family life and state provision of health and education, to (noncontributory) pensions. These improvements are attributable to the increased capacity of social policies to reach previously excluded segments of the population, including poor women and children, informal sector workers, and indigenous and rural communities. Economic growth has also been a factor.

To add more detail to this general picture, we analyze data on various indicators that broadly correspond to the different social rights identified in [Figure 12.1](#). We consider the situation in 2015 and use 1990 as a baseline to assess whether progress was made.

***The Right to an Adequate Standard of Living.*** Many Latin American children are born in a social and physical context that hinders their life chances by limiting access to food, water, sanitation, and a decent environment. Many adults live in similarly unfavorable conditions. See [Photo 12.2](#).



**Photo 12.2 Children playing in their “backyard” in northern Brazil, 2010s** A significant number of Latin American children do not enjoy access to a safe environment. The children in the photo are playing near an open sewage pipe that runs outside their homes.

*Source:* © Brazil Photos/Getty Images.

The evolution of the region from 1990 to 2015 in this regard is generally positive (see [Table 12.1](#)). In 1990, close to 12 percent of Latin Americans lived on a daily budget of less than US \$1.25, in a condition of extreme poverty. In addition, almost 20 percent of citizens could not satisfy minimum daily caloric intake requirements. In terms of access to sanitation, water, and a healthy environment, close to 40 percent of Latin Americans in 1990 lived in slums; 81 percent of the population had access to potable water sources; and fewer than 65 percent had access to improved sewage facilities. Although significant differences exist among countries in the region, the situation had improved markedly by 2015.

**Table 12.1** Right to an adequate standard of living, c. 2015



Region/country	Percentage of population living below \$1.25 (PPP) per day	Percentage of population below minimum level of dietary energy	Percentage of population using an improved drinking water source	Percentage of population using an improved sanitation facility	Percentage of urban population living in slums
<b>South America</b>					
Argentina	1.4↓	<5 =	99.1↑	96.4↑	16.7↓
Bolivia	7.9↓	15.9↑	90.0↑	50.3↑	43.5↓
Brazil	3.7↑	<5↑	98.1↑	82.8↑	22.3↓
Chile	0.8↑	<5↑	99.0↑	99.1↑	9**
Colombia	5.6↑	8.8↑	91.4↑	81.1↑	13.1↓
Ecuador	3.9↑	10.9↑	86.9↑	84.7↑	36.0↑
Paraguay	3.0↓	10.4↑	98.0↑	88.6↑	17.6↓
Peru	2.9↑	7.5↑	86.7↑	76.2↑	34.2↓
Uruguay	0.3↑	<5↑	99.7↑	96.4↓	–
Venezuela	6.6↓	<5↑	93.1↑	94.4↓	32**
<b>Mexico, Central America, and the Caribbean</b>					
Mexico	1.0↑	<5↑	96.1↑	85.2↑	11.1↓
Costa Rica	1.3↑	<5↑	97.8↑	94.5↑	5.5↓
El Salvador	2.5↑	12.4↑	93.8↑	75.0↑	28.9**
Guatemala	13.7↑	15.6↑	92.8↑	63.9↑	34.5↓
Honduras	16.5↑	12.2↑	91.2↑	82.6↑	27.5↓
Nicaragua	8.5	16.6↑	87.0↑	67.9↑	45.5↓
Panama	3.9↑	9.5↑	94.7↑	75.0↑	25.8↑
Cuba	–	<5↑	94.9↑	93.2↑	–
Dominican Republic	2.2↑	12.3↑	84.7↑	84.0↑	12.1↓
<i>Regional average</i>	4.8 (12.1, in 1990)	7.5* (18.9, in 1990)	93.4 (81.2, in 1990)	82.7 (64.7, in 1990)	24.4 (39.7, in 1990)

*Notes:* – Data are not available.

< Less than.

↑ Improvement, relative to 1990.

↓ Deterioration, relative to 1990.

= Similar situation, relative to 1990.

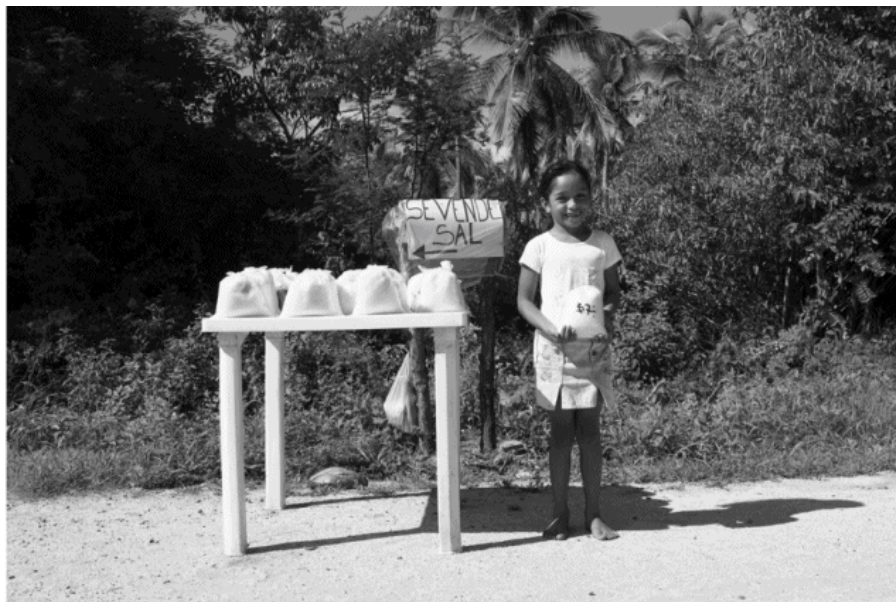
\* Assumes <5 at value 2.5.

\*\* Data not available for 1990.

*Source:* Authors' construction on the basis of MDGs 2015 assessment, United Nations.

***The Right to a Family Life.*** Children living in developing areas of the world usually lack access to basic rights that those in developed societies take for granted, such as the right to go to school, play, and be taken care of by adults. Child labor (either voluntary or forced) hinders children's access to such basic rights during their childhood and also strongly diminishes their life chances in adulthood.

Although reliable figures are difficult to compile, Latin American countries seem to have improved in terms of protecting children from abuses related to their premature participation in (usually informal and illegal) job markets. The region witnessed a reduction in child labor and in hazardous child labor between 2012 and 2016, from 8.8 to 7.3 percent. Half of these Latin American children worked in the agricultural sector ([ILO 2017](#)). See [Photo 12.3](#) for an example of child labor.



**Photo 12.3 Girl selling salt in Mexico, 2010s** Child labor and noncompensated labor by women shape the life of poor families across Latin America. This reality restricts access to social rights during infancy and limits the opportunities and prospects of those affected throughout their lives.

*Source:* © Boris Breuer/Photodisc/Getty Images.

***The Right to Health.*** Infant and maternal mortality are canonical indicators to assess basic access to health care. The rate of HIV infections per year is also relevant to the right to health. And Latin America has

exhibited significant improvements in these indicators (see [Table 12.2](#)). Infant mortality dropped from 52.3 deaths per 1,000 births in 1990 to 21.2 deaths per 1,000 births in 2015, and maternal deaths also dropped from 150.7 per 100,000 live births to 91.8 deaths per 100,000 live births in 2015. Significant improvements have also occurred for HIV infections per year.

**Table 12.2** Right to health, c. 2015

Region/country	Under-5-years-old mortality rate (deaths of children per 1,000 births)	Maternal mortality ratio (maternal deaths per 100,000 live births)	HIV incidence rate (number of new HIV infections per year per 100 people aged 15–49)
<b>South America</b>			
Argentina	13.3↑	69↑	0.02 =
Bolivia	39.1↑	299↑	0.02↑
Brazil	69.0↑	80↓	0.04*
Chile	8.2↑	22↑	0.02 =
Colombia	16.9↑	83↑	0.03
Ecuador	22.5↑	87↑	0.03*
Paraguay	21.9↑	110↑	0.06*
Peru	16.7↑	89↑	0.02*
Uruguay	11.1↑	14↑	0.04*
Venezuela	14.9↑	110↓	0.04*
<b>Mexico, Central America, and the Caribbean</b>			
Mexico	14.5↑	49↑	0.01↑
Costa Rica	9.6↑	38 =	0.01*
El Salvador	15.7↑	69↑	0.03↑
Guatemala	31.0↑	140↑	0.04↑
Honduras	22.2↑	120↑	0.02↑
Nicaragua	23.5↑	100↑	–
Panama	17.9↑	85↑	0.05 =
Cuba	6.2↑	80↓	0.02*
Dominican Republic	28.1↑	100↑	0.02↑
<i>Regional average</i>	21.2 (52.3, in 1990)	91.8 (150.7, in 1990)	0.03 (0.05, in 1990)

*Notes:* – Data are not available.

↑ Improvement, relative to 1990.

↓ Deterioration, relative to 1990.

= Similar situation, relative to 1990.

\* Data are not available for 1990.

*Source:* Authors' construction on the basis of MDGs 2015 assessment, United Nations.

***The Right to Education and Participation in Cultural Life.*** Primary education enrollment is mandatory in most countries in the world (as are pre-schooling and secondary education in many cases). However, the gap

between the letter of the law and social reality is often an indicator of a society's capacity to provide educational opportunities to citizens.

Enrollment in education is a necessary condition for the realization of this crucial social right. And the data on the net enrollment ratio in [Table 12.3](#) (see the first column) is largely positive. The net enrollment ratio represents the number of children of official primary school age enrolled in primary education as a percentage of the total children in the official school age population. And it has improved in most countries and is at a high level.

**Table 12.3** Rights to education and participation in cultural life, c. 2015

Region/country	Primary education, net enrollment ratio	Internet users, per 100 inhabitants
<b>South America</b>		
Argentina	99.1↑	64.7
Bolivia	81.6↓	39.0
Brazil	–	57.6
Chile	92.0↓	72.4
Colombia	91.1↑	52.6
Ecuador	98.8↑	43.0
Paraguay	81.2↓	43.0
Peru	94.4 =	40.2
Uruguay	99.8↑	61.5
Venezuela	93.5↑	57.0
<b>Mexico, Central America, and the Caribbean</b>		
Mexico	97.9↑	44.4
Costa Rica	91.0↑	49.4
El Salvador	92.1↑	29.7
Guatemala	88.0↑	23.4
Honduras	90.1↑	19.1
Nicaragua	93.2↑	17.6
Panama	91.3↑	44.9
Cuba	96.4↑	30.0
Dominican Republic	89.1↑	49.6
<i>Regional average</i>	92.3 (87, in 1990)	44.2*

*Notes:* – Data are not available.

↑ Improvement, relative to 1990.

↓ Deterioration, relative to 1990.

= Similar situation, relative to 1990.

\* Data are not available for 1990.

*Source:* Authors' construction on the basis of MDGs 2015 assessment,  
United Nations.

Education must also be assessed in terms of its quality. In the absence of more precise indicators, we rely on internet use as a proxy measure of citizens' access to a minimum of cultural resources. In this case, the regional average number of internet users per 100 inhabitants is 44.2. According to World Bank estimates for 2015, the number of internet users per 100 inhabitants in wealthy OECD member countries was 73.4 ([World Bank 2020a](#)). Thus, internet access remains comparatively low in Latin America, particularly in some Central American countries, where it is scarce. See [Photo 12.4](#) on education in rural settings.



**Photo 12.4 Children at school in rural Peru, 2010s** Latin America has a dense network of public schools, and it has improved schooling rates in recent years. However, deep quality gaps still shape the realities and life prospects of millions of children across the region.

*Source:* © Avalon/Getty Images.

***The Right to Decent Jobs and Social Security.*** A long-term characteristic of Latin American economies is the scope of the informal sector. Across the region, many individuals – especially those from historically poor or

marginalized groups – work in low-skilled and low-paying off-the-books jobs in areas of the economy that are not documented, taxed, or monitored by the government. No matter how lucrative and convenient they may be in the short run, these informal jobs are detrimental in several respects. First, informal workers lack contracts and thus can be fired arbitrarily without any access to legal protection or compensation. Second, by occurring “off the books,” informal jobs do not grant workers access to state-administered social benefits, such as health coverage, pension benefits, and holidays. Third, informality is detrimental to states, which cannot effectively tax economic enterprises engaging in these practices.

Despite the costs, Latin American states have been conspicuously unable or unwilling to enforce labor codes. Providing citizens with the opportunity to access high-quality jobs continues to be a central challenge for Latin American states (see [Table 12.4](#)). As of the mid-2010s, more than half of the region’s workers (51.5 percent) had a job in the informal sector. If we compare this measure to the regional average (59.2 percent) based on estimates obtained between 2001 to 2012 in various countries, we can see a decrease in informality, but progress has been, at best, modest. Moreover, the informal market has expanded recently in a number of countries, including Bolivia, Costa Rica, Honduras, Panama, and the Dominican Republic. There is considerable variation across Latin America in the level of informality.

**Table 12.4** Rights to decent jobs and pensions, c. 2015

Region/country	Percentage of employment outside the formal sector (total economy)	Noncontributory pensions enactment, year
<b>South America</b>		
Argentina	43.8↑	1948
Bolivia	74.7↓	1997
Brazil	36.0↑	1971
Chile	22.2*	1975
Colombia	58.3↑	2003
Ecuador	51.4↑	1998
Paraguay	50.6↑	2009
Peru	59.8↑	2011
Uruguay	26.6↑	1919
Venezuela	–	2011
<b>Mexico, Central America, and the Caribbean</b>		
Mexico	56.1↑	2006
Costa Rica	35.5↓	1974
El Salvador	68.1↑	2009
Guatemala	71.1↑	2005
Honduras	77.7↓	2010
Nicaragua	–	–
Panama	41.1↓	2009
Cuba	–	1979
Dominican Republic	50.9↓	2013
<i>Regional average</i>	51.5 (59.2, in previous measures)**	

*Notes:* – Data are not available.

↑ Improvement, relative to 1990.

↓ Deterioration, relative to 1990.

= Similar situation, relative to 1990.

\* Data are not available for 1990.

\*\* Previous available measures range from 2001 in Colombia to 2012 in Panama.

*Source:* Authors' construction on the basis of [CEPAL 2018](#): 73–4; and [ILO 2019b](#).

Informal employment is particularly prevalent among women. Poor and nonwhite women often provide care (for a low wage) to households in which women and men alike have access to well-remunerated jobs in the formal economy. Additionally, women are disproportionately responsible for nonremunerated work, such as taking care of children, the elderly, and the ill. Indeed, women provide 77 percent of nonremunerated work (care work and domestic work) in Latin America ([CEPAL 2018](#)). See [Box 12.3](#) on

domestic work, a special case of informal employment that shapes the lives of millions of Latin American women.

**Box 12.3** A Closer Look: Domestic Informal Workers in Latin America

Political scientist Merike [Blofield \(2012\)](#) estimates that, in 2009, close to 17 percent of women in the urban areas of Latin America were employed as domestic workers. In absolute terms, 6 million women in Brazil, 1.8 million women in Mexico, and about 1 million in Argentina worked as domestic servants.

Most women enter into this type of job at an early age, often as children. Close to 2 million children, most of them girls, were employed as domestic servants in the region. This situation is especially prevalent in Central America, and in particular in Guatemala, Honduras, and Nicaragua, where 14, 10, and 10 percent of girls aged 10–14, respectively, were domestic workers in 2005.

Poverty drives this form of child labor, as families that cannot afford to raise and educate their daughters send them to work for wealthy families ([Blofield 2012](#): 25). And this premature employment curtails girls' capacity to complete their basic schooling.

Given how widespread informality has been in Latin American economies historically, contributory pension benefits (i.e., those based on workers' and employers' contributions to a pension fund) accrue to only a minority of privileged retirees who enjoy the "luxury" of having had a

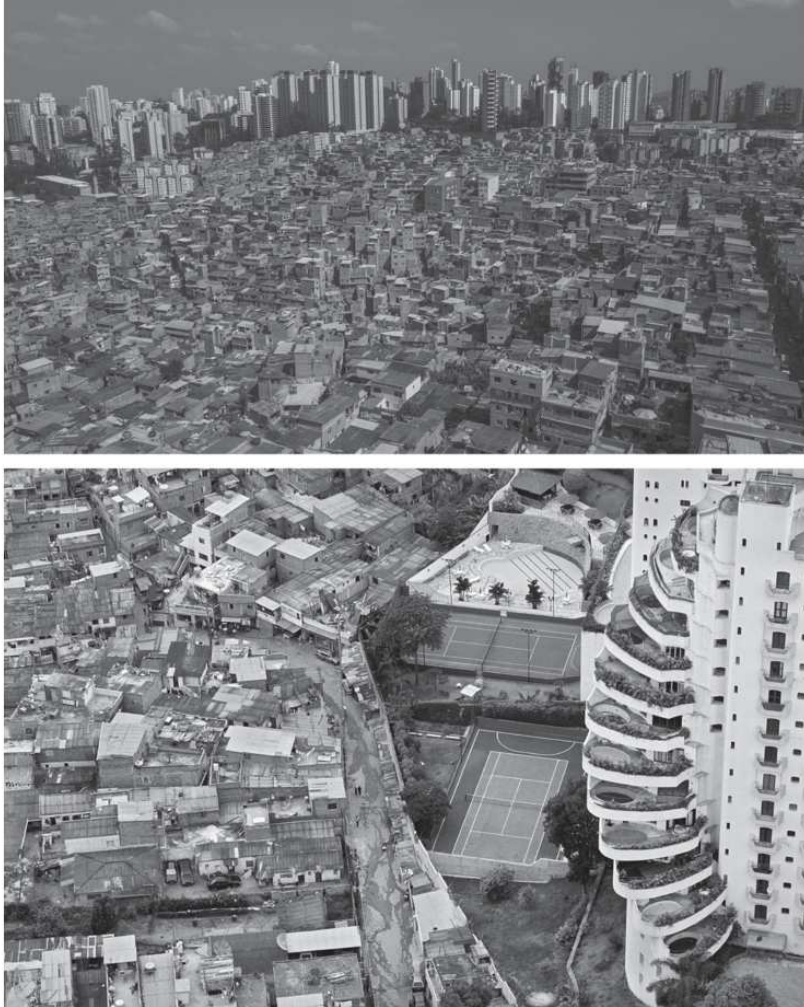


formal job in the past. In the 1980s, around 20 percent of Latin American citizens were able to enjoy a pension after retiring. Counterintuitively, in such a context, contributory pension benefits tend to increase inequality. However, to compensate for the scarcity of formal pensions, countries in the region have gradually begun to implement noncontributory pension schemes in order to provide social assistance to elderly citizens who formerly lacked a pension (see the final column in [Table 12.4](#)). In general, the benefits provided by such schemes are very modest. Yet it is a step in the right direction.

### 12.2.3 Bringing Disparities into the Equation

To fully understand the state of social rights, we must address inequalities in access to social rights more fully. The lack of access to rights might be felt more by some groups than others. Here, we offer a first glance at the issue – we will continue the discussion and provide considerable data in the following three chapters. Thus, our main point is that we need to look beyond data that tell us how a country is doing on average and consider how social rights are distributed within a given country.

***Economic Inequality.*** Sometimes images convey more than a lot of numerical data. So we start with two images of contemporary Brazil (see [Photo 12.5](#)).



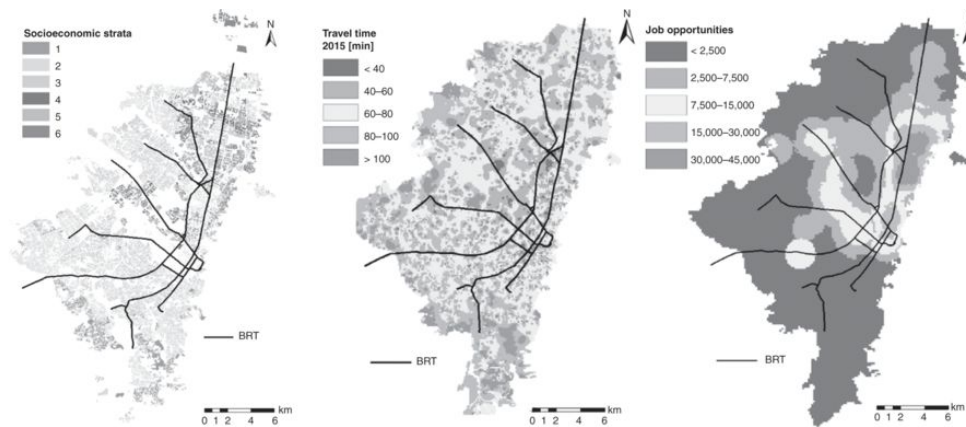
**Photo 12.5 Economic inequality in Brazil** Depiction of two worlds, side by side. The Favela of *Paraisópolis* (“heaven town”) in São Paulo (Brazil), surrounded by luxurious skyscrapers and upper-class condos.

*Sources:* (top) © Bloomberg Creative/Getty Images; (bottom) © Tuca Vieira.

The two photos underscore a crucial point about social rights in Latin America. Some people in Latin America have prospered. Others, who might live very close by, live in a totally different world. And hence their access to basic services will be very different. To give an example, even though the average standard of living of all the families that live in the housing

depicted in these photos might be moderately good and might have improved over the past two decades, many households are surely not doing well and might have seen their situation decline.

***The Territorial Dimension of Inequality.*** Economic inequality also commonly relates to territorial segregation, as three maps of contemporary Bogotá (Colombia) illustrate (see [Figure 12.2](#)). The map on the left classifies households in Bogotá according to six socioeconomic strata, from poorer (1) to richer (6), and shows how different social strata are concentrated in specific areas of the city. The map in the center presents the time a person needs to reach downtown areas from peripheral areas using public transportation. The map on the right displays the distribution of job opportunities in the city, and reveals that the best opportunities (in terms of number of jobs and salary) are concentrated in the areas where the upper socioeconomic strata live. That is, residents of the poorer areas need to spend significantly more time in public transportation to reach downtown areas, where most people go to work and where most educational opportunities are located.



**Figure 12.2** Socioeconomic segregation, travel times, and job opportunities in Bogotá (2015).

*Note:* BRT = Bus Rapid Transit.

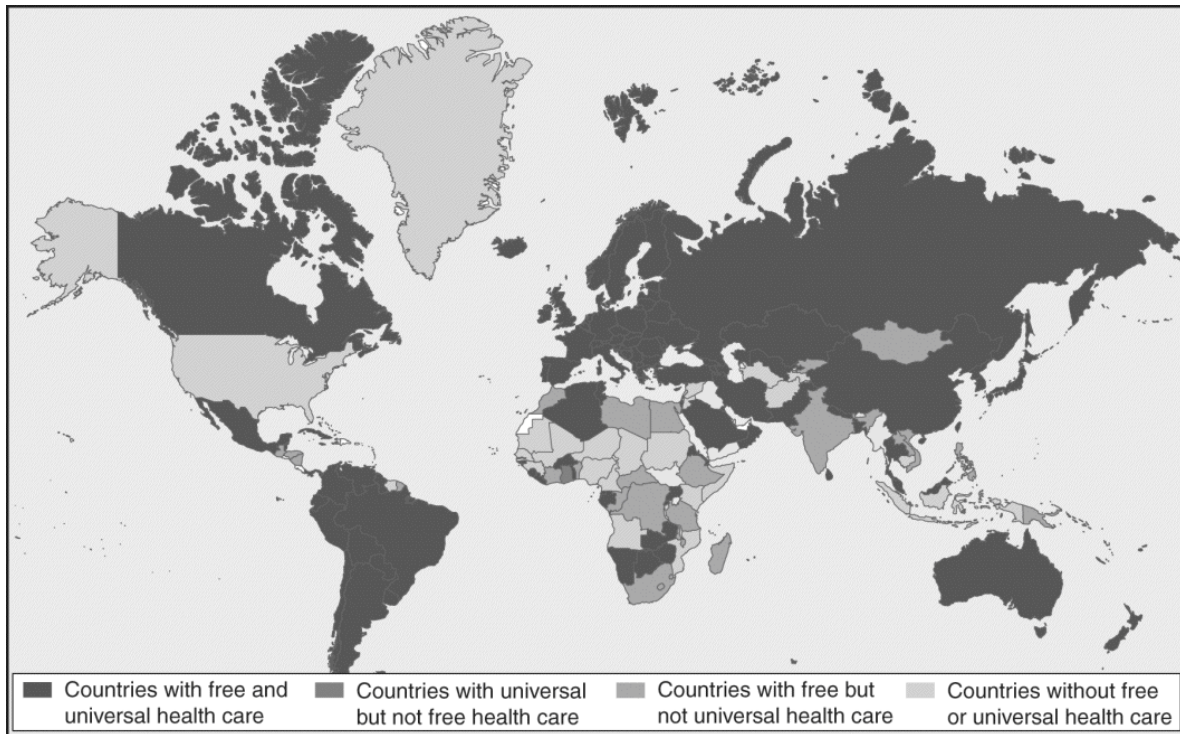
*Source:* Reproduced from [Guzmán et al. 2018](#).

In some cases, as in the pictures of São Paulo, Brazil, the rich and the poor live side by side. However, territorial segregation by income is a common pattern in Latin American cities. Such segregation reinforces a pattern through which wealthier strata have better access to opportunities and goods and services (i.e., job and educational opportunities, shorter travel times, and more recreation and family time).

Even in a context of wide constitutional recognition of social rights and after two decades of a considerable expansion in the provision of social rights, significant segments of the population have access to only second-class social benefits.

***Inequality and Free Public Services.*** Economic inequality also has an impact when certain goods are made available free of cost, such as free public health and education.

Regarding health, Latin America has had a long tradition of providing public health care to its citizens (see [Map 12.2](#)). Thus, everyone is entitled to receive health care – an obvious benefit. The expansion of the primary health clinic network, as well as the construction of new public hospitals in peripheral areas, has been pivotal in improving health outcomes in recent years. Still, a private system of health care exists alongside the public one, and in the public health sector, a patient must usually endure longer waiting times to gain access to older, less sophisticated technology and overall less adequate treatment. In other words, those who can “pay their way out” of the public system access better care, a result that reinforces inequality.



**Map 12.2** The status of health care around the world, c. 2019

*Note:* This map shows that, with a few exceptions, all Latin American countries have free and universal health care. The exceptions are some Central American countries (Nicaragua, Honduras, and Guatemala) that have free but not universal health care. Information is lacking on El Salvador and Costa Rica.

*Source:* [WHO 2020](#).

The region also has a long tradition of providing free public education. More than 100 years ago, in 1918, the university systems of Latin American countries were shaken by the so-called *Movimiento de Córdoba* (the Cordoba Movement), which originated in Argentina. The movement crystallized opposition to the traditional view of universities as bastions that reproduced privilege and (Catholic) conservatism, and helped to make public universities the dominant institutions in most countries in the region.

The situation with education resembles that of health care to a certain extent. Students can also attend the private universities that were reintroduced in most countries in recent decades. Thus, as in the field of health care, people can opt out of the public system and get a better-quality education, with smaller classes, more resources, etc. However, unlike health care, here the main problem is the way in which those with more income use a public service. Public universities are some of the best in the region. And they educate a majority of the students, which include many well-off individuals who do not need the state – and hence all taxpayers – to cover their educational expenses. That is, free public education ends up being, in part, a mechanism for those who are already doing well to do better.

Having access to free public health and education is an important ideal. Yet in highly unequal societies, like those in Latin America, there exist large differences in the quality of health and educational services provided by public and private systems. And when the quality of services is not the issue, given that those who actually use the services are frequently not the poor, the net effect of this public good is regressive.



#### 12.2.4 A Balance Sheet

To wrap up this discussion, we will draw some conclusions from all the information we have presented about the overall state of social rights in Latin America's democracies. We also argue why social rights are significant in various ways.

***Achievements and Problems of Social Rights.*** Social rights matter, most obviously, because they shape the quality of life for citizens. They have value in themselves. For example, an improvement in the standard of life or a decrease in diseases is a good thing, regardless of other circumstances. Thus, we first summarize the record of Latin American democracies since the 1990s with regard to the five kinds of right we identified in [section 12.1.2](#).

The *standard of living* for citizens in Latin America has increased markedly in recent years. Such gains correlate with the sustained economic growth in the region over the period covered by the data. Yet, an important caveat regarding improvements in the average or aggregate standard of living is the consolidation of “ghettos” and “golden ghettos,” where the poor and the rich live segregated lives and have access to very different standards of living. The “golden ghettos” of upscale neighborhoods, where elites self-segregate, are usually fenced and guarded by private security.

The right of children to enjoy a *family life* has also improved in recent years, particularly because of the enactment and enforcement of tighter child labor regulations. Improvement is still needed, however, in the poorest countries of the region (especially Central American countries), and mainly in rural areas and urban peripheries where enforcement is weak.

Advances in primary *health care* are apparent across the region, but, once again, they seem correlated with a country's level of economic development. In spite of gains, health coverage is stratified, particularly in terms of access to quality health care and coverage beyond primary health care.

Access to *education* exhibits a trajectory similar to that observed for health, family life, and standard of living. Still, the overall quality of education remains low across the region.

Finally, the persistence of a massive informal economic sector shapes the recent evolution of *decent work* and *social security* rights. Latin American countries seem relatively unable to address such widespread informality, a failing that induces high levels of inequality between formal and informal workers. That gap is relatively lower in countries where social security systems tied to a more formalized labor market have been in place since the early 1900s (e.g., Argentina, Chile, Costa Rica, and Uruguay).

In brief, Latin American democracies recognize a broad set of social rights. Moreover, provision of these rights has improved markedly in recent years. Thus, Latin American democracies have become *partly inclusive*. Nevertheless, significant inequalities in the access to these goods exist. Therefore, we conclude that Latin American democracies are also *unequal democracies*. See [Figure 12.3](#) for an overall summary of the social rights record of Latin American democracies.

Concept	Kinds of rights	Specific rights	Synopsis
Social rights	Standard of living	Positive, yet socially stratified (golden and poverty ghettos) because of territorial segregation by socioeconomic status	<p>Overall improvement in coverage and results in social rights; many democracies in Latin America are <i>partly inclusive</i>.</p> <p>Access to social citizenship is strongly segmented by socioeconomic status. Inequalities tend to be self-reinforcing. Most democracies in the region are <i>unequal democracies</i>.</p>
	Family life	Positive, except in specific countries and especially in rural areas and urban peripheries	
	Health	Positive, especially in primary health. Yet strong divide regarding quality and scope of health coverage.	
	Education and cultural life	Positive in coverage, strong divide in quality, results, and incorporation into tertiary education of poor students	
	Decent work and social security	Tilting positive (non-contributory pensions and transfers), strong divide between formal and informal workers	

**Figure 12.3** Social rights in Latin American democracies, 1990s–2010s: An overview.

*Note:* The characterization of the state of social rights is based on evidence, presented in the text and in multiple tables, on all Latin American democracies since the 1990s.

*Source:* Authors' elaboration.

***Social Rights as a Problem for Democracy.*** Social rights are also significant for democracy.

Much as with civil rights, citizens expect their democracies to tackle serious deficiencies regarding various social rights. They generally prefer inclusive rather than partly inclusive democracies, and equal rather than unequal democracies. Whether or not they frame their expectations in terms of rights, citizens want democracy to deliver – to at least help them solve their everyday problems related to basic welfare. Therefore, problems of social rights are also problems *for* democracy.

Relatedly, these problems affect democracy in various ways. When democracies succeed in protecting social rights, they gain legitimacy and are strengthened. For example, a reduction in poverty enhances democratic legitimacy and increases the agency of the poor, who are better able to participate in democratic processes.

When democracies fail to protect social rights, their legitimacy is questioned and democracy itself is weakened. If the wealthy get wealthier under democracy, the legitimacy of democracy as a means for common people to influence the government and public policy is, with reason, questioned. If the wealthy also use their economic power to influence the political process, the transformation of economic power into political power erodes the very founding principle of democracy, namely, that all citizens are politically equal.

Thus, whether or not these problems are solved has great importance for democracies. Indeed, the expansion of citizenship through the development and strengthening of social rights – by making democracies more inclusive and less unequal – is a key test for democracy. See [Box 12.4](#) on how the record of democracies regarding social rights compares to that of dictatorships.

### **Box 12.4** Thinking Comparatively: Social Rights under Democracy and under Dictatorship

Given that the information presented above covers the period since the 1990s, when most Latin American countries have been democratic, it is difficult to draw strong conclusions about social rights in democracies as compared to social rights in dictatorships. Nonetheless, the data support a few important points.

Authoritarian Cuba performs well on several indicators. Social achievements in the areas of health care and education, made soon after the 1959 revolution, have been maintained over the decades. The argument that dictatorships that subscribe to communism take social rights seriously, and even outperform democracies in this regard, has some basis. In other words, if civil rights and democracy are strongly related to each other, social rights and political rights might be somewhat independent.

However, the rapid deterioration of the situation in Venezuela during the Maduro dictatorship shows that autocracies can also lead to economic disasters and humanitarian crises. According to data from the World Bank, poverty climbed from 26.4 percent in 2009 to 33.1 percent in 2019, and total school enrollment declined by 6 percent in the same period. Moreover, according to UN sources, close to 4.6 million Venezuelans fled their country between 2016 and 2019.

At any rate, the challenge facing most Latin American countries is finding a way to secure social rights under democracy.

## 12.3 Explaining Achievements and Problems of Social Rights

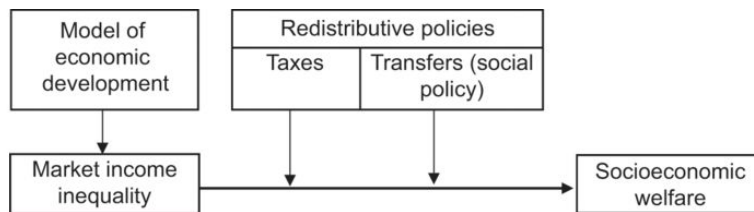
With this background, we now turn to possible sources of social rights. A large academic literature on the topic offers many clues as to how Latin America's record can be explained ([Filgueira \*et al.\* 2008](#); [Haggard and Kaufmann 2008](#); [Sugiyama and Hunter 2009](#); [Huber and Stephens 2012](#); [Pribble 2013](#); [Campello 2015](#); [Fairfield 2015](#); [Soifer 2015](#); [Díaz-Cayeros \*et al.\* 2016](#); [Garay 2016](#); [Martínez-Franzoni and Sánchez-Ancochea 2016](#); [Niedzwiecki 2018](#); [Flores-Macías 2019](#); [Rich \*et al.\* 2019](#); [Svampa 2019](#)).

Of the multiple explanatory factors that have been discussed, we explore the role of three: (1) democracy and ideology; (2) social mobilization and participatory institutions; and (3) state capacity. Here, we introduce these factors and discuss some of them briefly. In [Chapters 13](#), [14](#), and [15](#), we will elaborate on these claims in the specific contexts of our analysis of neoextractivism, a common economic policy that promotes growth through the intensive exploitation of natural resources; social policies called conditional cash transfers (CCTs) that aim at social inclusion; and the record of democracies in tackling economic inequality.

### 12.3.1 Democracy and Ideology

Politicians in democracies can improve the provision of social rights, and reduce inequalities regarding access to and the quality of such rights, through policy decisions regarding the model of economic development, taxation, and social spending. They can also impact social rights in other ways, as we'll see. However, these three policy choices are commonly seen as core ways in which politicians can affect socioeconomic welfare. And, since politicians in democracy must be elected by citizens, it is certainly plausible to think that politicians would use these policy instruments to improve the lives of citizens. Thus, we start by explaining how these policy choices work, and then emphasize the promise and limits of democracy.

***Policy Choices.*** One basic choice politicians make concerns the model of economic development. This is, in some sense, a primary choice that affects everything that follows. The model of economic development distributes rents and risks in society, favoring sectors, activities, and specific personal skills. Although the choice of development model is not the only determinant of the income each person in society has – especially in the case of a capitalist economy – it has a strong impact on the baseline level of economic inequality in society. For example, if the development model favors the export of agricultural goods, more income will go to those who own land. However, the government can step in to correct this initial distribution of income through its redistributive policies (for a sketch of how this works, see [Figure 12.4](#)).



**Figure 12.4** Government policy choices and socioeconomic welfare.

*Source:* Authors' elaboration.

Governments make choices about taxation, specifying the rates at which they tax different social groups and economic activities. Governments also decide what social policy to support, spending public moneys on different social activities (e.g., health, education). How much the government raises in taxes and from whom affects the initial distribution of income. How much the government spends, on what, and how further alters the income distribution. A country that is highly unequal before taxes and transfers can end up being less unequal afterwards.

***Easy and Hard Problems.*** Any policy innovation that aims to introduce real change faces a range of obstacles. All of these choices affect the interests of actors, some of whom are very powerful. They also involve budgetary considerations and hence any proposed innovation must confront the various priorities of legislators and government officials. Nonetheless, the experience of Latin America supports two generalizations.

First, some changes that impact citizens' welfare are harder to introduce than others. In broad strokes, altering the model of development or increasing taxes is politically more costly (and can also trigger economic costs in the short to medium run) than creating new social programs or redesigning existing ones. Social transfers do face budgetary constraints. If spending leads to fiscal deficits, these can trigger inflationary dynamics.



For that reason, social spending tends to be pro-cyclical; that is, a country generally expands transfers during boom times. However, overall, transfers and social spending are more easily manipulated by politicians.

Second, democratic governments in contemporary Latin America in general have pursued, with significant success, the easy path of relying on transfers and promoting more and better-designed social spending – especially in good economic times. But democracies have largely failed at tackling the harder problems, which must be resolved if the region is to achieve a sustainable and equitable provision of social rights.

Political ideology, understood largely as the ideology of the president or the party in power, does make a difference. Where leftist parties govern for a considerable time and, especially, if workers are organized in strong unions, social policies are more generous – in the sense of favoring common people more ([Huber and Stephens 2012](#); [Borges 2022](#)). (We will discuss the impact of ideology in depth in [Chapter 14](#).)

Another area where ideology has played a role concerns the response to the situation of women domestic workers. By 2012, only four Latin American countries had enacted “full reforms” in favor of domestic workers (Bolivia, Colombia, Costa Rica, and Uruguay). Brazil, Chile, Peru, and Argentina, in turn, enacted only modest reforms. However, the advances primarily occurred when left-wing heads of state and their legislative allies were in power ([Blofield 2012](#): 41).

Nonetheless, it is striking that governments of the left and the right have supported a neoextractivist model of economic development, even though it is associated with environmental damage and has harmed indigenous populations. Moreover, it is notable that governments of different political signs have not succeeded in making significant gains in

reverting one of the region's historical legacies, its high level of economic inequality. (These two issues will be addressed in full in [Chapters 13](#) and [15](#).)

Thus, as we argued with regard to the struggle to achieve civil rights (see [Chapter 8, section 8.3.1](#)), democracy shows much promise. It has tackled some problems and made progress in a few areas related to social rights. Yet, the potential of democracy is limited – and its power to tackle hard problems is curtailed – because Latin America lacks high-quality democracies and strong political organizations able to programmatically mobilize the poor voters who have most to benefit from real social change.

Politicians in Latin America have been innovative. They have many times introduced laws that propel change. Yet even politicians with the best of intentions operate within a system that conditions what they can do. See [Box 12.5](#) on one interesting initiative, initially introduced by elected leaders and subsequently supported by the judicial system, which created opportunities for minorities to access educational and employment opportunities.

**Box 12.5** Connections: Racially Oriented Affirmative Action in Public Universities and the Civil Service in Brazil

Racial quotas linked to education were first instituted in Brazil in the State University of Rio de Janeiro in 2001 and in the National University of Brasilia in 2003. These quotas permitted university candidates who self-identified as Black to gain easier access to universities. The introduction of quotas was controversial, and the measure was challenged in court. However, in 2012, Brazil's Supreme Court declared that race-based quotas were constitutional, stating that the country had a duty of solidarity and a debt toward descendants of former slaves.

Thereafter, the federal government passed a law

... reserving 50% of university places in federally funded public universities for students from state schools. This 50% reservation was further divided: one half was for low-income students (defined as earning up to 1.5 times the minimum wage) and the other half was for nonlow-income students. Within each income parcel under this scheme, black, mixed race, and indigenous students had to be represented according to their proportion of the state population.

([Lum 2019](#))

Thus, the initial racial quotas were combined with an income-based criterion.

The quota law has been effective. The proportion of Black and mixed-race students entering federal universities increased from 11 percent in 2011 to 30 percent in 2016. Studies show that the academic performance of quota students is equal or superior to that of nonquota students. Quota students also drop out of university at a lower rate than nonquota students ([Lum 2019](#)).

Brazil's Supreme Court has held that, after ten years, the 2012 quota should be evaluated. In addition, President Jair Bolsonaro, elected in 2018, has been critical of the quota law and has sought to undermine it. Thus, the continuation of Brazil's quota for access to public universities is not guaranteed.

Brazil also passed a law in 2014 reserving 20 percent of jobs in the federal civil service for Blacks (*negros*) and mixed-race individuals (*pardos*). As with the university quota, this law was challenged in court, and Brazil's Supreme Court declared it constitutional in 2017. Still, the law will expire in ten years unless it is renewed.

### **12.3.2 Social Mobilization and Participatory Institutions**

Social movements and organized protest have historically been pivotal in expanding social rights. Rights now taken for granted, such as the eight-hour workday, came into being only after sustained collective action during almost a century following the Industrial Revolution. Whereas the first mobilizations for shorter workdays erupted in England around 1810 and were also pivotal in movements that sought political inclusion of the working class (such as British Chartism or the Socialist International), the Treaty of Versailles (1919) was the first international treaty to incorporate such a right (while also creating the International Labor Organization [ILO]). Before then, the right had only been enacted in three countries: Australia and New Zealand, where it was partially enacted by the mid-nineteenth century, and Uruguay, where it was enacted in 1915 under the reformist and labor-mobilizing leadership of President José Batlle y Ordoñez. That is, citizenship has emerged and been strengthened, in general, as the by-product of contestation and mobilization – usually as a consequence of violent contestation from below ([Tilly 1999](#): 415).

In the context of contemporary Latin America, bottom-up pressures have contributed to the promotion of social rights through various means. Popular sectors have pressured politicians for more and better social rights in part through participatory institutions. (We discuss the emergence of these institutions in [Chapter 6](#).) As political scientists Jessica Rich, Alfred Montero, and Lindsay [Mayka](#) (2019: 7) have shown, participatory institutions usually promote processes of social consultation around policy areas related to social rights, while becoming vehicles through which

“citizens and civil society organizations can craft much needed policy proposals, provide expertise, and effective policy interventions.” And using these channels has sometimes yielded important results. For example, in Brazil, popular groups achieved an expansion of health policy by using participatory councils ([Niedzwiecki and Anria 2019](#)).

The possible judicialization of social rights (i.e., the use of litigation invoking these rights) has opened up another avenue for bottom-up pressures. Given the scope of rights currently incorporated into Latin American constitutional bills of rights, social mobilization has played some role in expanding social rights. Indeed, in some instances, NGO activists have allied with grassroots organizations to push for citizens’ constitutionally recognized social rights ([Gargarella 2011](#)). There is an ongoing debate about the potential of this judicial path to social rights, however. Thus, the potential of this path of action is best treated as an open question. See [Box 12.6](#) on the debates about the judicialization of social rights.

### **Box 12.6** Debates: The Judicialization of Aspirational Social Rights in Latin America and Beyond

Political theorists such as Cécile [Fabre \(2000\)](#) and Jeff [King \(2012\)](#) favor incorporating social rights (for both individuals and groups) into national constitutions to create legal avenues for enhancing social justice. However, other theorists who share a commitment to social rights have raised questions about the effectiveness and perils of this mechanism.

For instance, political scientist Ran Hirschl argues that progressive change and distributive justice are not to be expected from a constitutionalization of rights because the judicial system is predisposed to protect property rights (a traditional liberal right and a keystone of Western constitutions), which frequently come into conflict with extending access to social rights ([Hirschl 2004](#): 14).

Similarly, political scientists [Daniel Brinks and Varun Gauri \(2014](#): 388) speculate on possible unknown consequences of constitutionalizing social rights:

Surely drafters expect these constitutions to lead to societies that take better care of the least well off ... But it is entirely possible that the presence of far-reaching promises in a constitutional text, in the presence of enduring inequalities and deprivation, might have negative consequences for this and other outcomes. The presence of formal, unfulfilled social and economic rights might detract from the legitimacy of the

constitution, or shift the politics from the legislative arena to a possibly less effective judicial arena.

Couching these entitlements in the language of rights might have an atomizing, individualizing effect, to the detriment of possibly more effective collective, class-based mobilization.

The authors conclude that the precise effects of constitutionalizing social rights are still unknown, even if that trend has been established across the world.

As we will see in the [next chapter](#), social mobilization is not always effective, even when combined with the use of participatory institutions. However, bottom-up and contentious actions have sometimes been an important ingredient in cases where social rights have advanced.



### **12.3.3 State Capacity**

Finally, we draw attention to the impact of the state on social rights. To design and implement policies that promote social rights, like education and health, states need to levy economic resources from society. They also need to develop logistical capacities and acquire information. Further, the harder problems, such as taxing elites, require greater state capacity than the easier problems, such as the implementation of social policies. Yet these are things that Latin America's chronically weak states have been incapable of doing.

To give but one example, Paraguay only established a personal income tax in 2012. Also, given the lack of state capacity to administer different tax brackets contingent on each individual's income level, the tax was fixed at 10 percent for all incomes. As a result, the tax brings in few resources. Moreover, the impact of the tax is regressive, benefiting the wealthy, who have to pay the same rate as less affluent citizens.

Paraguay is an extreme case. But it helps to make a broader point. Latin American states have a limited capacity to tax elites, due to limited informational, logistical, and enforcement capacities on the part of the public administration. Thus, a key policy option in a government's attempt to redistribute income is essentially off the table or is significantly weakened. In brief, part of the reason why progress on social rights is restricted is that states in Latin America are weak.

## 12.4 Summary

In this chapter, we introduced the concept of social rights, provided an overview of the state of social rights in contemporary Latin America, and explored some ways of explaining the region's record.

We claimed that social rights address citizens' basic needs, which cannot be considered as commodities to be assigned on account of their market value and of the capacity of individuals to procure them. On the basis of a broad international consensus, we provided a working definition of social rights by identifying five key dimensions: (1) the right to an adequate standard of living; (2) the right to a family life; (3) the right to health and health care; (4) the right to education; and (5) the right to decent jobs and social security.

We assessed the state of social rights in Latin American democracies in the post-1990 years. We showed that some gains were made and that the region's democracies became partly inclusive. However, this progress in the provision and protection of social rights has not been uniformly distributed. Latin American democracies are also unequal democracies, in which there exist stark differences between the access to basic social rights enjoyed by the rich and the poor.

We noted that this situation, with its serious deficiencies regarding social rights, is significant, first of all, for what it tells us about the quality of life of people in the region. Large parts of the population lack the resources to participate fully in the life of their societies. Even if they are not formally excluded, they are on the outside. This situation is also

significant, we stressed, because it affects how democracy is assessed. Problems regarding social rights are seen as problems *for* democracy, as issues democracy should address. Moreover, inasmuch as these problems are not tackled, they could turn into problems *of* democracy. Improving the social rights of citizens is a key test for democracy.

We finally discussed possible explanations of the observed patterns of social rights provision. In this regard, we outlined the policy options faced by democratic leaders and underscored both the promise and limits of democracy, and the role of political ideology. Democracies have proved that they can enhance the welfare of citizens. Leftist parties have shown more commitment to reform than conservative parties. Yet the region's poor-quality democracies have not been up to the task of resolving the harder problems that have to be addressed if social rights are to be expanded. We also discussed a relative positive factor – social mobilization and participatory institutions – and a relatively negative factor – state capacity. Social mobilization has played a role in pushing for better social rights and obtained some results. In contrast, weak state capacity has hindered progress on social rights.

## Discussion Questions

1. The concept of social rights as fundamental rights is subject to controversy. Which are the arguments for and against considering social rights equally as important as civil and political rights? What rights are usually treated as social rights?
2. In the past two decades, the provision of social rights in Latin American countries has improved significantly. However, progress has not been even, either across different social rights or across countries and subregions. What social rights need further improvement? Which countries have lagged behind in providing social rights?
3. We explored three general sources of social rights: democracy and ideology, mobilization and participatory institutions, and state capacity. Which of these three sources seems to have the most leverage in explaining the state of social rights in Latin America? Might any other factors affect the provision of social rights in the region? Why do you think those additional factors matter? Can you think of particular cases that might illustrate the causal role of those additional factors?

## *Resources*

## Additional Readings

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Sunstein, Cass R. 2004. *The Second Bill of Rights: Franklin Delano Roosevelt's Unfinished Revolution and Why We Need It More than Ever*. New York, NY: Basic Books. On a neglected part of US history, FDR's idea of a second bill of rights enshrining social rights and aimed at supplementing the first Bill of Rights, focused on civil rights.



## Websites

*MDGs (Millennium Development Goals)*. The United Nations describes the MDGs, provides goal-specific reports, and tracks and updates countries' advancement toward the achievement of the eight MDGs. Website:

[www.un.org/millenniumgoals/](http://www.un.org/millenniumgoals/)

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*OAS (Organization of American States)*. The OAS's Social Charter of the Americas is a document that highlights various social rights that Latin American countries have committed to uphold. Website:

[www.oas.org/en/sedi/default.asp](http://www.oas.org/en/sedi/default.asp)

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*PISA (Program for International Student Assessment of the OECD)*. A website that allows users to access PISA results in depth. Website:

[www.oecd.org/pisa/](http://www.oecd.org/pisa/)

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*SDGs (Sustainable Development Goals)*. A UN website on the Sustainable Development Goals, which expands the original list of social goals in order to encompass issues related to sustainability, justice, and global peace. The website provides data on these goals. Website:

[www.un.org/sustainabledevelopment/sustainable-development-goals/](http://www.un.org/sustainabledevelopment/sustainable-development-goals/)

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*Toronto Initiative for Economic and Social Rights*. The Initiative provides quantitative information on the constitutional status of economic and social rights in 195 countries. It also includes other resources for the analysis of social and economic rights. Website: [www.tiesr.org](http://www.tiesr.org)

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*UN OHCHR (UN Office of the High Commissioner for Human Rights). A UN division in charge of protecting and promoting human rights. On its website you can read the International Covenant on Economic, Social and Cultural Rights. Website: [www.ohchr.org/EN/pages/home.aspx](http://www.ohchr.org/EN/pages/home.aspx)*

## Documentaries

*Bolivia Is Not for Sale* (2004). 62 minutes. In Spanish, with English subtitles. Focuses on developments in Bolivia in 2000–2003 and on popular resistance to the government's decision to privatize water and other natural resources and open the economy to foreign corporations.

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*Brazil in Black and White* (2007). 60 minutes. Follows the lives of five young college hopefuls from diverse backgrounds as they compete to win a coveted spot at the elite University of Brasilia, where a new affirmative action program reserves 20 percent of places for Afro-Brazilians.

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*Histories of Hunger in Brazil* (2018). 52 minutes. In Portuguese. Offers a timeline of hunger in Brazil from colonial times to the early twenty-first century. Addresses policies adopted to reduce hunger.

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*Landless* (2019). 110 minutes. In Portuguese, with English subtitles. An insight into the daily routine of the Brazilian Landless Workers Movement, which covers the tilling of the land, political activism, and talks of what a better future might be.

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*Los capitanes de la arena* (2001). 56 minutes. In Portuguese, with English subtitles. Documentary inspired by a novel by Jorge Amado which describes the conditions in which poor children live in the city of Salvador de Bahía, Brazil. It also addresses the efforts at improving children's social conditions through public policy and gives a detailed description of everyday realities related to crime, prostitution, and drug abuse.

13

# **Sustainable Development and Neoextractivism**

*Growth, the Environment, and Social Action*





**Photo 13.1 Protest against mining in Cajamarca, Peru** In the early twenty-first century, the exploitation of primary products became a driving force in Latin American economies. Mining projects sometimes encroach on the lands of indigenous and peasant communities, often with devastating environmental consequences. Such projects have triggered social protests by the affected communities. This photo shows a protest by the local community against the Conga project, a gold- and copper-mining enterprise in Cajamarca, Peru. The project ultimately was abandoned in 2016 following massive protests by the local community, which was concerned about the damage the project would cause to the local environment.

*Source:* © NurPhoto/Getty Images.

This chapter focuses on one of the key policy choices discussed in the [previous chapter](#): a country's model of economic development. More specifically, we address one aspect of the development model used by countries in the contemporary period: the heavy reliance on the exploitation and export of primary products or, as it has been called, neoextractivism. Latin America is a region rich in many primary resources. Neoextractivism

has become a common policy in many countries in the region. And this policy has important implications for economic growth, but also for the welfare of the populations and for the environment in the areas where extractive activities are located. Neoextractivism has benefits, especially through its contribution to economic growth. It also has some serious negative consequences, especially for the indigenous peoples who live in the areas where extractive activities are carried out.

This chapter discusses neoextractivism, its consequences, and its contestation by the most affected populations. First, we present the concept of neoextractivism and make a case for assessing it in terms of its impact on socioeconomic welfare and sustainable development. Second, we analyze the role of neoextractivism in Latin American economies and address its economic, social, and environmental consequences. We will note that neoextractivism has some decidedly negative consequences. Third, we focus on challenges to neoextractivism and address the question: Why have some affected communities been more successful than others in contesting neoextractivism and seeking to reverse or ameliorate its negative consequences? Here, we explore the conditions under which social protests affect extractive activities and their negative consequences. We present case studies of three countries in the Andean region where indigenous and local communities mobilized against mining and oil-drilling projects – Bolivia, Ecuador, and Peru. We then offer some general reflections that draw on these case studies. We conclude with a summary of our key points.

## **13.1 Neoextractivism, Socioeconomic Welfare, and Sustainable Development**

We begin by clarifying what neoextractivism is and how we will assess it.

### 13.1.1 Models of Development and Neoextractivism

In the 1980s and 1990s, Latin America embraced a new model of economic development, which is commonly known as the neoliberal model (see [Chapter 4, section 4.4](#)). Subsequently, in the early twenty-first century, as part of this development model, many countries relied – in some cases quite substantially – on the intensive exploitation and export of natural resources. In line with the neoliberal model, the emphasis on natural resources was associated with foreign investment and free trade.

To a certain extent, this focus on primary products resembled the agro-export model of economic development common in Latin America during the period 1880–1930 (see [Chapter 4, section 4.2](#)). However, substantial differences exist between the two models, which is why some authors, such as sociologist Maristella [Svampa \(2019\)](#), prefer to label this contemporary trend as *neoextractivism*.

First, neoextractivism is based on the overexploitation of natural resources. In this regard, Svampa notes that the scope of raw material extraction and exploitation has been expanded beyond anything that occurred previously in the region. Population and consumption expansion in the Global South contributed significantly to greater raw material demand, thus further stimulating such overexploitation. As a result, neoextractivism pushes extractive economic activity to previously untapped areas in each country.

Second, production is structured around large business conglomerates and mega-enterprises. Large conglomerates are now more diversified than



in the past, incorporating both local and international capital. Relatedly, production has relied on new technologies.

In economies that specialize in agricultural production, powerful business conglomerates – known as agribusinesses – have usually acquired and accumulated a high proportion of productive land, thus displacing traditional producers. And these agribusinesses use new productive technologies that are highly reliant on monocropping – intensively cultivating a single plant species, which depletes the soil – and the intensive application of fertilizers and genetically modified seeds.

In mining economies, old mines were replaced by new mega-enterprises, which significantly expanded production by deploying technologies such as fracking. In part because of these factors, and in part because of the high prices for minerals, the exploitation of low-grade ores has become technically feasible and economically attractive, leading to an expansion of production to new and previously untapped sites.

In brief, just as the prefix neo- in the term neoliberal development model signals continuity and novelty with regard to the liberal model of the 1880–1930 period, so too does this prefix in the term neoextractivism signal a similarity and a difference with regard to the extractivist policies of the earlier agro-export model.

### **13.1.2 Assessing Neoextractivism**

Neoextractivism can be assessed, much as we evaluated Latin America's various models of economic development, in terms of its contribution to socioeconomic welfare (see [Chapter 4](#)). That is, we can judge neoextractivism in terms of its impact on economic growth, as well as on social indicators such as the poverty rate and economic inequality. In this way, we can connect neoextractivism to social rights, and ask whether it positively or negatively affects the standard of living of the population, the health of the population, and so on.

To these considerations, we add the supplementary perspective of sustainable development. An economic policy could lead to a high rate of economic growth in the short run. That is, it could enhance the prosperity of a country. However, that growth might not be sustainable over the long run. For example, a mining enterprise might generate jobs and be a source of income for the local community and for the country as a whole. Yet it could be only a short-term benefit that endures until the valuable nonrenewable resources are exhausted.

Moreover, growth might be achieved by causing damage to the environment. For example, a mining company could rely on chemicals that poison rivers and the drinking water, ruin the land and make it unusable for purposes of agriculture, and hence cause long-term damage to the economic potential of some area. That is, short-term gains might undermine the prospects of future growth, which has obvious implications for socioeconomic welfare.

Thus, to assess neoextractivism, we will use a holistic approach that considers short-term economic growth but also addresses its long-term impact on socioeconomic welfare.

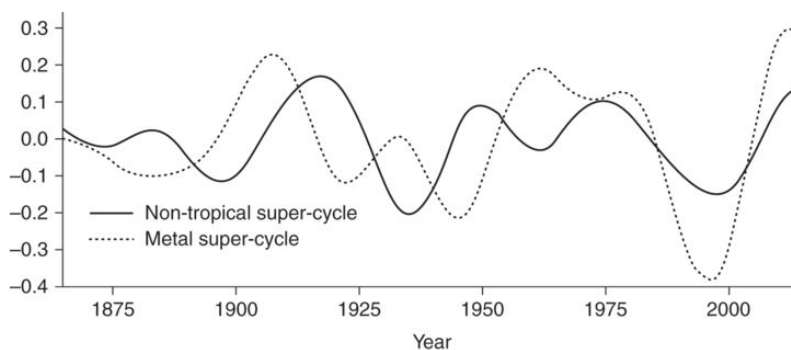
## **13.2 Neoextractivism and Its Impact**

Turning to the actual record of neoextractivism in Latin America, we organize our discussion as follows. First, we examine how widespread and central neoextractivism has been in contemporary Latin America. Next, we summarize its impact, with its pros and cons. Finally, we make a case for seeing neoextractivism as a problem of social rights.

### 13.2.1 The Scope and Scale of Extractive Activities

In Latin America, neoextractivism mainly involves the exploitation of two types of products: crops (soybeans and grains) and minerals and fossil fuels (metals, oil, and gas).

Both types of commodities witnessed a super-cycle – a period of robust increases in prices – reaching historically high prices in the 2005–2015 years, prompted by high demand in the global market, particularly from China ([Figure 13.1](#)). The recent super-cycle, conventionally known as a commodity boom, appears to be similar to previous booms. Nevertheless, its transformative impact on Latin American societies has been greater than that in previous cycles.



**Figure 13.1** The 2002–2015 commodity boom in historical context.

*Note:* The vertical axis registers rises and declines in the prices of commodities. The scale is the natural logarithm of real prices, such that 0.40 indicates a 40 percent change from long-term trends.

*Source:* [Ocampo 2017](#): 60.

Many countries in Latin America – and especially in South America – seized the unique opportunity for an economic boom. Some of these

countries focused largely on crop production (e.g., Argentina and Brazil), others on mineral production (e.g., Bolivia, Chile, and Peru), and yet others on fossil fuels (e.g., Bolivia, Colombia, Ecuador, and Venezuela). In these countries, the boost in international prices for primary goods led to a significant increase in the revenues derived from the export of natural resources (see [Table 13.1](#)). South American countries in particular relied more than ever on the export of natural resources, thus becoming key examples of neoextractivism.

**Table 13.1** The exportation of natural resources: Latin America, 2003–2013

Region/country	Agriculture (percentage of exports)		Minerals (percentage of exports)		Fuels (percentage of exports)		All natural resources (percentage of exports)	
	2003	2013	2003	2013	2003	2013	2003	2013
<b>South America</b>								
Argentina	50.5	54.8	3.4	5.6	17.1	4.6	71	65
Bolivia	33.1	18.3	16.7	23.8	33.3	53.8	83	96
Brazil	33.1	37.4	9.1	18.1	5.2	7.4	47	63
Chile	36.7	27.1	42.3	59.0	2.7	0.9	82	87
Colombia	22.9	11.4	6.2	5.1	37.2	66.8	66	83
Ecuador	46.3	34.5	0.4	2.7	43.2	56.5	90	94
Paraguay	82.2	74.4	0.4	1.4	6.8	15.4	89	91
Peru	22.3	17.1	53.7	58.1	7.4	13.0	83	88
Uruguay	63.7	74.9	1.5	1.6	1.6	0.5	67	77
Venezuela	1.7	0.3	5.5	1.0	78.9	91.4	86	93
<b>Mexico, Central America, and the Caribbean</b>								
Mexico	6.0	6.6	1.3	4.6	11.2	12.8	19	24
Costa Rica	30.4	22.3	0.7	1.0	0.3	0.1	31	23
El Salvador	19.3	22.8	1.6	2.0	1.7	1.9	23	27
Guatemala	43.0	50.1	0.4	5.8	6.1	4.0	50	60
Honduras	32.4	42.3	3.5	7.8	0.1	3.9	36	54
Nicaragua	56.5	42.7	4.4	10.4	0.7	0.5	62	54
Panama	32.3	15.8	2.0	4.7	8.1	21.9	42	42
Cuba	46.0	30.6	35.0	19.7	1.1	9.4	82	60
Dominican Republic	14.8	22.6	1.8	16.1	0.1	3.3	17	42

*Source:* Authors' elaboration, based on [Ocampo 2017](#): 57–8.

The embrace of neoextractivism required profound transformations in production techniques for the extraction of raw materials across the region. These innovations were mentioned in passing above, as a way to distinguish the old extractivism introduced in the late nineteenth century and the new extractivism of the early twenty-first century. Here, we add to that discussion.

The technological innovations used in extractive activities led to an important jump in productivity in the cultivation of soybeans and grains and in the extraction of minerals and fossil fuels. Regarding crops, agrochemical herbicides, as well as seed technology, yielded a huge increase in productivity. Technological innovations in machinery also reduced labor demand. New machinery and new drilling and extraction technologies for minerals and fossil fuels likewise increased productivity, while significantly reducing demand for traditional, low-skilled labor.

Extractive activities also had clear winners and losers – the latter being concentrated at the local level. The increased focus on soybean production stimulated the consolidation of large estates by local landowners and national conglomerates, through the acquisition and incorporation of surrounding plots. Land grabbing – the large-scale purchase of land – was extensive across Latin America, with companies from Argentina, Brazil, and Uruguay buying large tracts of land in Paraguay and Bolivia. Chinese international companies and the Chinese government acquired large areas of land. The extensive use of agrochemicals yielded substantial profit for multinational corporations that had patented pesticides – such as Monsanto, recently acquired by the German pharmaceutical company Bayer – and for multinationals that supplied genetically modified seeds, grain storage, and shipping. Jointly, these developments induced monocropping and reduced diversity in local agricultural production.

New technologies in mining and drilling, such as open-pit and heap-leaching mining, as well as oil and gas fracking techniques, were highly productive. Yet they also had some negative side effects. Given the requirement of significant capital investments, ownership and hence the biggest benefits went to international companies based in Canada, the United

States, China, Russia, and Australia. In turn, costs were localized. Heap-leaching technologies – widely used in Latin America but banned in the United States and other countries – rely on a water-based cyanide solution to extract gold. New mining and drilling facilities put a high demand on water and energy supplies. The scale of these enterprises has massively transformed the landscape in ways that limit future prospects.

In sum, neoextractivism transformed the economies and many rural communities of Latin America, and South America in particular. [Box 13.1](#) explores the difference between South America and the rest of Latin America.



**Box 13.1** Thinking Comparatively: Maquilas, Computer Chips, and Tourism in Mexico, Central America, and the Caribbean

Economic patterns in Mexico and Central America are somewhat different from those in South America, in that the former are less dependent on the export of raw materials as a strategy to promote economic growth.

The comparative advantage of most countries in Mexico and Central America is in their provision of low-cost labor for US-based maquila enterprises (*maquiladoras*) and global commodity chains, a trend that has gained strength since the 1990s.

Maquilas are local assembly plants to which international enterprises import raw materials or component parts without being taxed. All the production of a maquila plant is then exported back to the business's home country (i.e., the United States), once again with tax exemptions.

Under this scheme, countries can create jobs for their population, while enterprises can access cheap labor (usually with weaker labor regulations and oversight) to increase their earnings. Maquiladoras are often part of global commodity chains, through which different parts and components of a product are created and assembled in different locations to maximize profits.

Costa Rica, a Central American country with a high level of social development, was able to develop an alternative to maquilas. Costa Rica has evolved into a research and technology center, which has produced multiple positive externalities for the country and its labor force. For instance, in the late 1990s, Intel, the producer of

Pentium chips, decided to build a plant in the country to attract local engineers. Long-term investment in education has thus paid off.

Other countries have focused their economies on services. Panama, for instance, developed as a banking and trade center. Tourism is also a crucial source of investment and employment in the Caribbean.

### **13.2.2 The Pros and Cons of Neoextractivism**

The consequences of neoextractivism have been, as the prior discussion suggests, mixed.

Neoextractivism had some positive effects on economic growth. It led to significant economic growth at the aggregate, national level. Even though extractive activities are themselves more capital- than labor-intensive, the growth they spurred created jobs by expanding the service economy and generating a demand in the construction and transportation sectors. Moreover, economic growth triggered by neoextractivism led to an increase in resources in the public coffers. (As we will discuss in [Chapter 14](#), these resources helped finance the expansion of social policy programs that contributed to a significant reduction in poverty.)

Yet neoextractivism also had some definite negative effects. One of the downsides is associated with the way in which the benefits and costs of extractive activities have been distributed. Large business conglomerates – some domestic, others international – have been the big beneficiaries of neoextractivism. In contrast, local rural communities where extractive enterprises operated, communities that in many cases were inhabited by indigenous peoples and poor people, have been hurt the most by extractive activities.

Neoextractivism frequently displaced traditional agriculture, thus compromising local communities' food security. Moreover, damages have persisted and worsened over time in some cases. For instance, because of its impact on cognitive development, pollution hinders children's capacity to

avail themselves of educational opportunities, a failure that makes their escape from poverty much less likely.

Some steps have been taken by businesses to compensate local communities for the costs imposed on them by neoextractivism. However, local communities are weak relative to the businesses that engage in extractive enterprises, and they usually pay a severe price.

In addition, neoextractivism has been costly from the perspective of the environment and sustainable development. Extractive activities have produced many environmental hazards: water and air pollution, soil depletion, and general environmental degradation. Thus, economic growth based on neoextractivism, and particularly when it involves mining, has been associated with a decreased access to a clean and healthy environment, and environmental degradation that mortgages away the prospects of future economic growth. Indeed, neoextractivism's consequences for the environment raise serious doubts about its potential as a sustainable model – that is, as a strategy for long-term development. See [Box 13.2](#) on the measures governments have taken related to agricultural production.

### **Box 13.2** A Closer Look: Government Policy toward Agricultural Producers

Neoextractivism for crops, such as soybeans, has some distinctive features. Since production is more territorially widespread, locally affected populations (either by land dispossession or by contamination through fertilizers) are also dispersed. Producers are many, and they are more diverse than in mining economies, which might also place them in a weaker position to defend their prerogatives against governments seeking to tax or regulate their activities.

Some governments (e.g., President Cristina Kirchner in Argentina) have levied high taxes on the exports of commodities such as soybeans.

Besides taxation, governments often regulate other elements in the crop production chain. The crop business is dominated by large multinational companies that produce seeds and agrochemicals. Some seeds yield seedless plants, while others, like those of soy, produce their own seeds. The Argentinean government, for instance, allowed producers to replant those seeds, thus transferring resources from multinationals to landowners.

Governments can also seek to impose crop rotation policies to avoid soil degradation (the Uruguayan government implemented such a policy), thus limiting producers' short-term profits and also avoiding soil overexploitation and depletion.

### **13.2.3 Neoextractivism as a Problem of Social Rights**

The responsibility for the costs of neoextractivism lies in part with businesses. Driven by the profit motive, they make decisions that increase their profits and factor in costs to affected communities, at most, in terms of how they impinge on their reputation. However, the main obligation lies with governments.

Governments set economic policies. They can decide to incentivize or restrict certain activities. They can regulate businesses, so as to reduce any harm they may produce. Ultimately, governments are the only actors that are powerful enough to side with and protect citizens. And governments, unlike businesses, should be concerned about the welfare of citizens.

With regard to neoextractivism, it is widely known that the costs of environmental damage are concentrated at the local level, and have been especially detrimental to indigenous peoples and the rural poor. Thus, even though governments must balance the interests of multiple groups, the link between government policy and the costs to some of the most disadvantaged populations reflects poorly on democratic governments. Indeed, the costs associated with neoextractivism can be framed as a problem of social rights.

## 13.3 Explaining the Contestation of Neoextractivism: Case Studies

The record of neoextractivism raises many questions. A first question is: Given its costs, why do democratic governments support neoextractivism? This is an important question. In the abstract, democratic governments should be responsive to such problems. But its answer is unfortunately not hard to find.

The overall gains in terms of economic growth, and the resources that go to the government as a result, are seen by elected politicians as trumping localized losses. These resources can be – and have been – used to fund social programs that are widely popular and help politicians get re-elected. Why democratic leaders have an incentive to support neoextractivism – in spite of its negative effect on indigenous peoples, rural communities, and the environment – is not really a puzzle.

Another question, which is more puzzling and interesting, is: Why have some affected communities been more successful than others in challenging neoextractivism? As noted in [Chapter 12](#) (see [section 12.3.2](#)), bottom-up pressure by social movements has, at times, been effective in promoting social rights. And the pursuit of neoextractivism led to an explosion of local protests spearheaded by groups that contested projects (see [Map 13.1](#)). Thus, in what follows, we focus on this question, seeking to uncover the conditions under which they are effective, in reversing or at least ameliorating the negative consequences of neoextractivism.



**Map 13.1** Protest against neoextractivism: Mining and oil-related conflicts in Latin America, 2010–2013

*Note:* Circles represent conflicts related to mining. Squares represent conflicts related to oil drilling.

*Source:* [Altomonte and Sánchez 2016](#).

In addressing this question, we proceed as follows. To ground our analysis and develop an understanding of the dynamics of protests and the



subsequent response by government, we begin by discussing a number of cases in three countries: Bolivia, Ecuador, and Peru. We will consider some cases that are failed cases of contestation (i.e., that were not effective in changing outcomes). We will consider one case that was more successful. Subsequently, we will offer some general reflections on the factors that account for the variable success of affected communities in challenging neoextractivism.

### 13.3.1 Failed Contestation: Peru and Ecuador

We begin our analysis with the cases in which challenges to neoextractivism did not succeed in reducing its costs.

***Mining in Peru under Conservative Governments.*** An early example of neoextractivism in Peru is provided by the *Yanacocha* gold mine in Cajamarca, in the north of the country. The consortium of US and Peruvian companies that run this mine was favored by tax and royalty exemption agreements, granted by the conservative President Fujimori, who was eager to attract foreign investment.

In the 1990s, the company invested in an area where a peasant community of some 30,000 people lived. The mining company bought around 10,000 hectares of land from local peasants, at a price equivalent to US \$50 per hectare. For many in the peasant community, this money was the ticket to a better life in the city; for others, who were more hesitant to sell, the fear of a government-led expropriation of their land induced them to sell. In addition, former landowners were granted priority in hiring for low-skilled employment opportunities eventually provided by the mine. Many people had high hopes that this project would benefit the Peruvian economy and the local community.

However, according to anthropologist Fabiana [Li \(2015\)](#), “messianic expectations” about the mine’s contribution to local development were “impossible to fulfill” ([Li 2015](#): 82). Due to a heavy reliance on productivity-enhancing technology, the employment opportunities for the local population of 30,000 declined steadily. In 2006, the mine employed only some 3,000 people, temporarily subcontracting around 9,500 workers.

At the same time, Yanacocha's detrimental impact on the environment became visible. Although local communities, NGOs, and its own workers filed lawsuits against Yanacocha for water depletion and contamination, few of the legal challenges succeeded against the backdrop of ambiguous environmental standards and a lack of enforcement by local and national authorities. The reliance on costly and highly technical evidence used in environmental impact assessments also put NGOs and the local population at a disadvantage vis-à-vis companies like Yanacocha. In the proceedings, regulatory institutions usually dismissed the evidence provided by local communities as "uninformed" and "unscientific," and the analysis offered by environmental NGOs as "biased" and "inaccurate" ([Li 2015](#): 207). The mine had also displaced agriculture, which, along with employment in small-scale mining, had been a key source of income for locals. Eventually, social protests against the mine erupted.

During the 2000s and 2010s, socioenvironmental conflicts similar to the one in Yanacocha spread across Peru. Interestingly, a comparative analysis of outcomes of protest activities by political scientist Moisés [Arce \(2014\)](#) stresses the capacity of mining companies "to diffuse the demands from protestors." Those efforts combined the provision of material benefits (e.g., benefits ranging from bribes to employment) to the leaders of protest organizations, the pursuit of local beautification projects in collusion with local and regional authorities, and the financing of local media that provided a positive coverage of companies ([Arce 2014](#): 22).

Nonetheless, protests in different cases yielded diverse results ([Arce 2014](#)). In the region of *Pasco*, a traditional mining location in the Peruvian highlands, only sporadic mobilizations took place and extractivist activities proceeded with the acquiescence of local communities and authorities. In

the case of Yanacocha, mobilizations continued intermittently and mining proceeded in a stop-and-go fashion. In *Bagua*, in the Amazon region neighboring Ecuador and Bolivia, previous indigenous resistance to oil drilling had created a dense associational network of local communities, which also coordinated with their Bolivian and Ecuadorean counterparts. There, mobilization and resistance by indigenous communities was sustained. Further, conflict turned openly violent in an incident known as the *Baguazo* in 2009, in which thirty people were killed and hundreds wounded in clashes between protestors and the government led by conservative President Alan García. Yet these actions did not produce any real change in extractivist activities.

***Oil Drilling in Ecuador During Left-Wing Governments.*** Extractivism in Ecuador was embraced as a government policy by President Rafael Correa (2006–2017), a leftist politician. Correa had a particular governing style. He concentrated power. He espoused the indigenous concepts of *Sumac Kawsay* (“good and harmonious living”), environmental sustainability, and indigenous rights. He also sought to drill the untapped oil reserves in the Amazonian region of the country. And these elements of Correa’s presidency generated tension.

Early in his presidency, Correa had a good working relationship with indigenous organizations. But, in 2010, CONAIE, the national indigenous confederation, broke with Correa. CONAIE denounced the links between Correa’s extractive model, ethnocide, and the criminalization of indigenous and environmentalist protests against extractive projects.

The so-called Yasuní-ITT initiative, a banner project of the Correa administration that sought to suspend oil extraction in a part of the Yasuní

National Park, illustrates the contradictions incurred by the government. Correa laid out his vision for this project as follows:

Ecuador seeks to transform old notions of economics and the concept of value. In the market system, the only possible value is exchange value, the price. The Yasuní-ITT Project is based on the recognition of use and service of non-chrematistic [non-money-making] values of environmental security and maintenance of world biodiversity. The project ushers in a new economic logic for the twenty-first century, one in which what is compensated for is not just the production of commodities, but the generation of value.

(Correa, cited in [Rival 2010](#): 358).

Based on this reasoning, the Yasuní-ITT initiative sought to forego oil exploitation in an oil-rich but highly biodiverse area in the Ishpingo, Tambococha, and Tiputini regions in the Ecuadorean jungle. In exchange for abstaining from drilling in that region, which could have produced 900 million barrels (worth \$7.2 billion), Correa's administration requested that the international community donate \$3.6 billion. Annually, donations would be allocated to a trust fund devoted to the pursuit of sustainable projects in the area. The fund would be overseen by the UN Development Program (UNDP).

This initiative, launched in 2007, never quite flourished. The fund only received \$13.3 million, and was abandoned by the government in 2013. But it revealed much about the approach to the environment by the leftist President Correa.

While indigenous groups and NGOs ended up embracing the language and vision of the Yasuní-ITT initiative, the government that promoted and

enacted it ended up opposing the initiative. The Correa government increasingly emphasized economic development and production in a way that abandoned its initial ideas about nature and sustainability.

Furthermore, although the Yasuní-ITT initiative fostered a vision of Ecuador as a promoter of a new paradigm for sustainable development for a time, independent evaluations of the initiative highlighted the enormous gaps that existed between Correa's discourse and reality. Indeed, available reports document widespread oil extraction and environmental degradation in the protected areas, as well as mounting grievances between indigenous communities and environmentalists on the one hand, and Ecuadorian state and oil companies on the other. See [Photo 13.2](#) on challenges to the oil industry.



**Photo 13.2** Protests against oil drilling in Ecuador Waorani's leader Nemonte Nenquimo leading a protest by indigenous women against oil drilling in ancestral lands in December 2019.

*Source:* © NurPhoto/Getty Images.

In sum, in Ecuador, the initial hopes of a harmonious relationship between the government and the communities in the Amazonian region where oil reservoirs are located were dashed. The government reneged on its apparent commitment to environmental sustainability and indigenous rights, and bet heavily on extracting oil even in environmentally sensitive areas. Thereafter, the indigenous groups challenged the government. Yet even though they were well organized, they were unable to alter the government's neoextractivist policies ([Goeury 2021](#)). See [Box 13.3](#) on mining in Colombia, a country in which the search for gold has harmed the traditions of indigenous and Afro-Colombian communities.

### **Box 13.3** A Closer Look: Gold Mining and the Displacement of Ancestral Barequeo Practices in Colombia

Gold mining has a long tradition in the Pacific region of Colombia. Indeed, African slaves brought to the Colombian forest were originally forced to work in gold extraction. Today, the area is also characterized by high poverty levels, which especially affect its extensive indigenous and Afro-Colombian population.

Gold mining is also fundamental to symbolic components of the ancestral cultures of indigenous groups of the Colombian Pacific region, which combined mining with subsistence agriculture, fishing, and fruit picking as a way of life. Indigenous and local communities, many of which are Afro-Colombian, mined using a technique known as *barequeo*, the manual collection of small amounts of gold without machines or sophisticated technology and chemicals. Barequeo was important not only for cultural reasons. According to human rights lawyer Leonardo [González Perafán](#) (2013: 10), barequeo also provided key resources for the Afro-Colombian population and, in particular, to *barequero* women, who were frequently the heads of households. See [Photo 13.3](#) on the practice of barequeo.





**Photo 13.3 Ancestral gold mining in Colombia** Barequeo is an ancestral method of gold mining employed by local women in the Colombian Pacific region and in Antioquia. The top photo shows a

local woman engaged in barequeo in its traditional form. The bottom photo shows local women hand sieving gold.

*Source:* © Anadolu/Getty Images.

In the early 2000s, the increasing value of precious metals on international markets triggered a gold fever. Business entrepreneurs from Colombia's interior expanded mining operations based on the use of heavy machinery. At the same time, the extraction of gold, which is sold in the form of gold bars in Colombia's major cities and can be exchanged for cash in the region's pawnshops, attracted the interest of even larger enterprises. These companies used their influence to press the Colombian government to facilitate their activity. And, in 2011, the Colombian government passed a law creating strategic mining areas, which could be approved at the government's discretion (i.e., without requesting input and approval from local communities) for mineral prospecting and exploitation ([González Perafán 2013](#): 55). The number of mining sites expanded exponentially and more sophisticated technology for intensive gold mining was introduced.

Mining in Colombia is also carried out by illegal actors, who exert control over sizable tracts of land. Guerrilla organizations are involved. So too are paramilitary groups. Armed actors have engaged in mining both directly, or by demanding a tax, which varies between 12 and 25 percent of a day's yield, from miners interested in exploiting mineral resources in areas under their control ([González Perafán 2013](#): 32, 75). Clashes between different

illegal groups, which have also become more frequent, have increased the levels of criminal violence in the area.

The Colombian state, having very limited control in the area, has continued to grant mining titles to private companies. Moreover, the government has fused the notion of illegal mining with that of traditional mining. The end result is the displacement, and also the criminalization, of local ethnic minorities' ancestral barequeo practices.

### **13.3.2 Successful Contestation: Bolivia**

We now discuss a relatively successful case, Bolivia. In this instance, local communities played a significant role in curbing the social costs of neoextractivism. The outcome was facilitated by the institutionalization of a prior consultation mechanism, through which the government provided locals with effective ways to negotiate the conditions under which mining and gas exploitation could occur. The Bolivian case is not without its problems. However, it is more positive than the cases discussed above.

***Left-Wing Governments.*** From 2007 until 2019, during the height of the neoextractivist period, Bolivia was governed by the leftist MAS and its leader Evo Morales. This party had its origins in peasant organizations (especially coca growers), and became stronger during the country's Water and Gas Wars, which epitomized social mobilization against neoliberal governments, in the early 2000s. The MAS was able to expand its social base, displace other alternative parties, and consolidate itself as a popular party with a broad base of support ([Anria 2018](#)).

The MAS was not an exclusively indigenous party. Yet, it was better able to monopolize the representation of indigenous organizations, along with other popular sectors, at least until 2014, when an important split occurred. The party's successful ascent to power also meant the arrival of indigenous leaders into state office. In Ecuador, by 2013, only 5 percent of congressional representatives were indigenous. In Bolivia, by 2011, 25 percent of the national deputies and 16 percent of the senators were indigenous leaders.

***Prior Consultation on Mining and Natural Gas Projects.*** In that context, the Hydrocarbon Law of 2005, along with Decree 29033 issued in 2007 after the MAS gained the presidency, established a system of prior consultation that was significantly aligned with the demands of indigenous organizations. According to these laws, consultations should occur in a particular sequence (convocation, planning, execution, and validation) until a binding agreement for an Environmental Impact Assessment is signed ([Schilling-Vacaflor 2013](#): 208). And, under this framework, the Ministry of Hydrocarbons and Energy conducted fifty-eight consultations related to gas extraction in the territory of indigenous and peasant communities between 2007 and 2017 (Falletti and Riofrancos 2017).

There was significant variation in terms of the input and voice local communities had in consultations. Nonetheless, the process of prior consultation was instrumental in fostering the social rights of local communities. This was particularly the case when well-organized local communities, which benefited from the technical and legal assistance of NGOs, participated in prior consultations. In sum, the MAS's commitment to institutionalizing prior consultation allowed indigenous communities to fight to defend their territorial and social rights.

***Local Conditions.*** This national-level portrait, however, should not obscure the impact of local factors. When some conditions, such as the organization and coordination of local communities, were lacking, prior consultation yielded questionable results. In that regard, political anthropologist Almut [Schilling-Vacaflor \(2013](#): 214) concludes an in-depth analysis of multiple prior consultation instances in contemporary Bolivia by claiming that: “these examples show that a great variety of consultation

practices exist, and that the quality of the concluded consultations is not always desirable.” Among other issues, [Schilling-Vacaflor \(2013: 209\)](#) points to seven specific shortcomings of the prior consultations she observed:

- (1) Corporations had already arrived in the community and established contacts before consultation.
- (2) The Bolivian executive and/or business corporations sought to expedite the social licensing (which is granted through prior consultation), instead of engaging in real deliberations.
- (3) Dialogue greatly emphasized socioeconomic compensations while de-emphasizing expected damage.
- (4) There was confusion about which institutions and organizations were involved in a dialogue, as well as about who were their legitimate representatives; this confusion led to mistrust and the mushrooming of parallel organizations whose origins were dubious.
- (5) Parallel negotiations with individuals and/or local authorities took place and corruption ensued.
- (6) The quality and integrity of environmental impact assessments were compromised by the lack of complete and unbiased information.
- (7) Several processes led to polarization and conflict in local communities.

***The Distance from the Government.*** An additional condition for successful bottom-up challenges to the neoextractivism became apparent in

Bolivia over time, as the government interest in the resources associated with extractivist projects changed.

During the presidency of Morales, when gas prices declined, the government sought to expedite new projects in order to make up for decreasing state revenue and circumvent the process of consultation. President Morales stated: “We shouldn’t be wasting so much time in the so-called consultations; this is a great weakness of our state and our people, and we have now modified some norms with the sole objective of accelerating investments and obtaining more resources to benefit the Bolivian people” (newspaper article published in 2015, quoted in [Schilling-Vacaflor 2017](#): 670). Additionally, the MAS government nationalized enterprises that had previously been privately owned and started to tout the role of those state companies in Bolivia’s development strategy, even when these companies were engaged in extractivist activities.

In this new context, the capacity of local communities to effectively block projects was constrained, though with an important twist. Indigenous and peasant communities that were more closely aligned with the government increasingly faced greater difficulties in opposing projects endorsed by the national executive. In contrast, Guaraní communities, which were more distant from the MAS, were better able to resist neoextractivism and obtain concessions from companies through the enactment of prior consultation ([Schilling-Vacaflor 2017](#)).

Ironically, over time, prior consultation ended up being more useful for protecting the social rights of those not directly tied to the Bolivian government than for protecting the MAS’s indigenous grassroots supporters. See [Box 13.4](#) for another case that has some positive elements.



### **Box 13.4** A Closer Look: A Mining Project Blocked in Piura, Peru

Beyond Bolivia, a somewhat positive case is that of the region of Piura, in northwestern Peru. In 2002, 95.2 percent of the local population voted against the Tambo Grande mining project in an electoral referendum held after sustained social mobilization. The site had been granted to Manhattan Minerals, a Canadian mining company, by the national government in 1999. But, against all odds, locals successfully organized to block the project.

The region of Piura has a strong commercial agriculture sector specializing in the production of limes – a national staple that plays a central role in world-renowned Peruvian cuisine. That economic activity created a dense organizational network that extended beyond the local and regional levels, and which was available to local opponents of the mine ([Arce 2014](#)).

Conflict between locals and Manhattan Minerals over Tambo Grande was heated and, indeed, violent. In 2001, a group of fifty-nine local activists were prosecuted for destroying a mining camp belonging to Tambo Grande. Later that year, Godofredo García, a local landowner leading the anti-mining coalition, was killed with no apparent motive as he traveled in his car with his son.

The case of Piura illustrates the difficult set of circumstances under which protecting and enhancing local social rights succeed, through social mobilization against neoextractivism. The fact that a local landowner led the protests further makes this point. In most other cases, those opposing neoextractivism are much weaker in



terms of their political and economic resources. The assassination of the movement's leader also shows the extreme measures those interested in pursuing neoextractivism will go to.

## 13.4 Explaining the Contestation of Neoextractivism: General Reflections

In seeking to account for the success and failure of challenges to neoextractivism, the literature has highlighted the role of four factors: (1) democracy and participatory institutions; (2) ideology and presidential leadership; (3) local mobilizational capacity; and (4) state capacity ([Arce 2014](#); [Li 2015](#); [Schilling-Vacaflor 2017](#); [Falleti and Riofrancos 2018](#); [Svampa 2019](#); [Torres Wong 2019](#)). Thus, drawing on this discussion of cases, and a broader literature, we now offer some general reflections about the role of these four factors.

### **13.4.1 Democracy and Participatory Institutions**

Neoextractivism took place largely in the context of democratic regimes, which provided a modicum of civil and political rights that made broad protest activities more likely. Moreover, during the 1990s and early 2000s, most Latin American democracies enacted political decentralization reforms. Those reforms devolved political power to localities, most of which elected local authorities (mayors, council members, etc.) in competitive elections. In some countries, such as Colombia (1991), Peru (1993), Venezuela (1999), Panama (2004), Ecuador (2008), and Bolivia (2009), new constitutions included the possibility of revoking the power of elected local and national authorities. In Peru, between 1997 and 2013, for instance, 4,670 local authorities (mayors and council members) were subjected to recalls, with 1,526 being forced out of office by popular vote ([Remy 2013](#)).

The enactment of new participatory practices and institutions created broader opportunities for citizens to mobilize and put pressure on elected officials in their localities. Neoextractivist conflict is unthinkable without a modicum of political rights, which have allowed communities to mobilize against powerful interests that came to challenge their ways of life. Thus, democratic institutions and decentralization created incentives for greater accountability at the local level, either via electoral participation or via direct action through protests. Moreover, under neoextractivism, political decentralization and new participatory practices, such as prior consultation, enabled local communities to challenge projects within an institutional context. Indeed, research on Peru, Mexico, and Bolivia by political

scientists [Gissela Zaremborg and Marcela Torres Wong](#) (2018: 33) concludes that participatory institutions, such as prior consultation, reduced violence by providing new institutional ways to address grievances that could have turned violent in the past.

Nonetheless, our case studies suggest that the effective use of these instruments varied significantly across and within countries, all of which (except for Peru in the 1990s under Fujimori) had democratized and decentralized their political systems, and had constitutionally recognized the rights to prior consultation. In other words, institutions do not operate in a vacuum. In societies characterized by deep and multiple overlapping inequalities, local contexts might either make the institutions effective at enhancing the social rights of those in greater need, or, instead, turn them into window-dressing devices that perpetuate the neglect of citizens' rights.

### 13.4.2 Ideology and Presidential Leadership

The political ideology of governments does not matter as much as one might think. Neoextractivism was deployed by governments across the ideological spectrum, which converged on seeing raw material exports as a main instrument to pursue economic growth. However, our cases do show that the leaders of different governments did respond differently, and we can trace this difference to the parties they led.

Peru was led by center-right governments throughout the period under analysis. In this case, the dynamics we observed at the local level are consistent with a national context in which presidents embraced neoextractivism as crucial to economic growth. Governments consistently encouraged neoextractivism. New participatory institutions were often transformed into window-dressing mechanisms that helped advance the interests of powerful business conglomerates. Governments also intervened when conflicts grew out of hand and escalated – and responded to protests with repression.

As to the record of left-of-center governments, the comparison between Ecuador and Bolivia is revealing. Rafael Correa's personalistic leadership embraced indigenous identities and the notion of *buen vivir* (good living), but it substantively lacked – and gradually lost – ties to indigenous organizations. Part of the reason why Correa was able to make the shift he made, and renege on his promises, was because Correa's party, Alianza País, acted as a personalistic electoral vehicle more than as an agent of representation of the parties' supporters.

In contrast, even though the MAS party in Bolivia originated in the *cocalero* (coca growers) peasant group, it had a significant electoral base and dense organizational networks in Bolivian indigenous organizations. The MAS also better approximated a programmatic political party. Although the enactment of prior consultation across localities and across time in Bolivia was uneven, it offers the best example among our cases of a government improving social rights for indigenous and marginalized groups. And the systematic enactment of prior consultation in Bolivia compared to its neglect by the Ecuadorian government can be linked with the difference between the Alianza País and the MAS parties. See [Box 13.5](#) on an additional issue, the tension between the pursuit of economic development through neoextractivism and the project of building a multicultural nation.

**Box 13.5** Connections: Tensions in the Enactment of Multiculturalism under Progressive Personalistic Leaderships in Bolivia and Ecuador

The joint pursuit of multiculturalism and neoextractivism in Bolivia and Ecuador brought to the fore significant contradictions. One of them concerns the precise notion of multicultural citizenship that is shaped.

Analyzing the case of the Waorani – native Amerindians who live in the Amazonian region of Ecuador – ecologist Flora [Lu et al. \(2017\)](#) argue that indigenous groups in contemporary Latin America can follow two possible paths toward citizenship (i.e., which have been recognized by the state).

On the one hand, different groups can gain access to citizenship through the growing politicization of indigenous identities, alliance building with NGOs and other indigenous organizations, and agreements with the state. This route would lead to their recognition as (indigenous) political citizens and integration into the existing social order.

On the other hand, indigenous groups can seek to be recognized as sovereign controllers of a given territory, in part by opposing the state's interference in the area and portraying themselves as living in harmony with the environment. This environmental stewardship route to citizenship protects ancestral territories, but it also risks fixing indigenous groups as “living relics of primordial times” ([Lu et al. 2017](#): 69).

Of course, any such bottom-up construction of citizenship could face top-down projects. Political scientist Carla [Alberti \(2019\)](#) discusses how populist leaders who embrace multiculturalism might selectively apply it across ethnic groups that support or oppose the leader – fragmenting indigenous movements and reducing their autonomy. The result is a populist form of multiculturalism, which creates a new type of *indio permitido* (allowed indigenous individual), whose demands do not challenge populist leaders' projects ([Alberti 2019](#): 58).



### **13.4.3 Local Mobilizational Capacity**

The cases we discussed also make clear that the organizational strength and autonomy of local communities is a factor that affects whether the costs of neoextractivism are contained.

This was clearly seen in Bolivia, where ethnic groups more distant from the MAS, like Guaraníes, were better able to protect their rights, especially when the government started to push for projects in a context in which major neoextractivist companies were nationalized and state budgets tightened. Bolivia's Guaraníes were politically less powerful than members of the MAS. However, they enjoyed greater autonomy from the sitting government. In a national context in which the government was committed to implement prior consultation, their greater political autonomy from the state and business interests allowed them to extract better concessions and social rights.

A comparative analysis of outcomes of protest activities in Peru adds to this analysis. According to [Arce \(2014: 20–6\)](#), two variables shaped the nature and outcomes of social protest: (1) the competition between neoextractivist enterprises and agriculture; and (2) the capacity of different local organizations opposed to neoextractivism to coordinate their activities and to put pressure on local politicians.

Thus, in the case of the Yanacocha mine, for instance, the competition with agricultural production was low, given the pre-eminence of subsistence rather than commercial agriculture among local peasants and indigenous communities. Moreover, local organizations were highly fragmented and could not associate with broader regional- and national-level anti-

extractivist coalitions. A similar result ensued in Pasco, where local organizations were even weaker and enabled cooptation by business interests. In Bagua, local organizations were stronger, but they lacked sufficient coordination and viable alternatives in commercial agriculture. Whereas in Pasco neoextractivism advanced largely unhindered, in Yanacocha and Bagua contention, protest, and violent repression ensued. In both areas, neoextractivism continued under a stop-and-go logic.

In sum, the comparative analysis of outcomes of local protests illustrates how difficult it is to find the appropriate combination of alternative economic activities and organizational strength and coordination that allows local communities to curb neoextractivism and eventually to benefit from its positive externalities for social rights.

#### **13.4.4 State Capacity**

Finally, we draw attention to the role of state capacity. Neoextractivism has very often been pursued in peripheral locations in which state institutions in charge of regulating and overseeing projects were either weak or simply absent. And state weakness – as manifested in the failure to apply the law consistently – has several implications.

In the cases we discussed, outcomes were shaped by the actions – and inactions – of countries' weak and patrimonial states. For instance, in Peru, the corruption of state officials in the granting of concessions, the institutionalization of fair environmental assessments and consultation procedures, and the administration of land and mining titles, was pivotal in the displacement of poor and indigenous local communities. These practices also render local populations unable to legally challenge powerful interests and their local allies.

Additional evidence of the state's role is provided by a study of mining conflicts in the region of Apurímac in Peru. At the height of neoextractivism, in 2013, Apurímac registered seventeen active socioenvironmental conflicts per month that involved disputes among mining companies, illegal and informal miners, and peasant and indigenous communities ([Torche and Zeballos 2013](#)). At the time, close to 20,000 informal and illegal miners were operating in Apurímac, with at least 1,000 of them working in lands conceded to the mining company Xstrata, in the area of Las Bambas. That is, part of the problem with neoextractivism in Peru was that the state was unable to regulate mining activities in the countryside.

An important factor to grasp as we consider weak state capacity concerns its political underpinnings. A report on the timber sector in Peru, for instance, documents how powerful landlords whose lands neighbored a nationally protected park (the Bosque de Protección San Matías San Carlos, in the department of Pasco) systematically engaged in land invasions and appropriations to harvest timber. The report not only documents the weak regulatory capacity of the Peruvian state, but also links such weakness to political influence of powerful local and national elites ([García-Calderón and Centeno 2013](#): 282).

## 13.5 Summary

This chapter focused on neoextractivism in Latin America. We explained that neoextractivism is a new form of extractive activity based on the overexploitation of natural resources. We also argued that neoextractivism can be evaluated in terms of its impact on socioeconomic welfare and sustainable development.

We then showed that neoextractivism is widespread in Latin America, but mainly concentrated in South America. We claimed that it has positive effects on economic growth, at least in the short term, but has costs. It has harmed communities inhabited by indigenous peoples and poor people. It has also been costly from the perspective of the environment and sustainable development.

Seeking to understand the conditions under which affected communities might be able to challenge neoextractivism and reduce its negative consequences, we discussed local cases in three Andean countries – Bolivia, Ecuador, and Peru. We then identified four factors that shaped failure or success in protecting locals' social rights: democratic and participatory institutions, government ideology and presidential leadership, local mobilizational capacity, and state capacity. We made a case that democratic institutions and participatory institutions generate incentives for greater accountability at the local level. We held that leaders on the right and the left of the political spectrum have been committed to neoextractivism, but that a leftist president that led a relatively programmatic party in Bolivia was more supportive of prior consultation.

We highlighted the importance of the organizational strength and autonomy of local communities. And we noted that the state commonly operates in favor of business interests and against the interests of the affected communities.

Our cases illustrate some local variations. Nonetheless, the results have been largely negative for indigenous and poor rural communities. Especially when neoextractivist projects took place in remote localities populated by ethnic minorities and socially vulnerable citizens, the negative consequences of neoextractivism were difficult to fend off. To a considerable extent, elected politicians have prioritized the benefits of short-term economic growth over the protection of the communities negatively affected by neoextractivism and the defense of the environment.

## Discussion Questions

1. How would you define neoextractivism in your own terms? Are you familiar with instances similar to neoextractivism in your country? If so, are there noticeable differences as to how the different trade-offs created by neoextractivism in Latin America play out in your country?
2. Neoextractivism has differing implications for social rights. For instance, we can assess its effects either at the aggregate national level or at the local level. How would you assess the net consequences of neoextractivism for society? How would your assessment change if you primed intersectional inequalities as the most relevant criterion?
3. Participatory institutions are considered as relevant devices to cope with the negative impacts of neoextractivism in the context of Latin American democracies. Do you agree with this view? Why? Why not?

## *Resources*



## Additional Readings

Durand, Francisco. 2016. *Cuando el poder extractivo captura el Estado: Lobbies, puertas giratorias y paquetazo ambiental en Perú*. Lima, Peru: OXFAM. On the relationship between neoextractivism and corruption in contemporary Peru.

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Falleti, Tulia G. and Thea N. Riofrancos. 2018. "Endogenous Participation: Strengthening Prior Consultation in Extractive Economies." *World Politics* 70(1): 86–121. On the implementation of prior consultation in Bolivia and Ecuador.

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Ødegaard, Cecilie Vindal and Juan Javier Rivera Andía (eds.). 2019. *Indigenous Life Projects and Extractivism: Ethnographies from South America*. London, UK: Palgrave Macmillan. Offers an ethnographic perspective on indigenous life projects in the face of extractive activities in Bolivia, Brazil, Ecuador, Peru, and Venezuela.

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Riofrancos, Thea. 2017. "Scaling Democracy: Participation and Resource Extraction in Latin America." *Perspectives on Politics* 15(3): 678–96. On participatory mechanisms and its uses to cope with the consequences of neoextractivism in Latin America.

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Schilling-Vacaflor, Almut, Riccarda Flemmer, and Anna Hujber. 2018. "Contesting the Hydrocarbon Frontiers: State Depoliticizing Practices and Local Responses in Peru." *World Development* 108: 74–85. A study of 150

participatory events related to planned hydrocarbon projects in Peru (2007–2012).

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Svampa, Maristella. 2019. *Neo-extractivism in Latin America: Socio-Environmental Conflicts, the Territorial Turn, and New Political Narratives*. New York, NY: Cambridge University Press. An overview of neoextractivism and its social, political, and economic consequences.

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Torres Wong, Marcela. 2019. *Natural Resources, Extraction and Indigenous Rights in Latin America: Exploring the Boundaries of State Corporate Crime in Bolivia, Peru and Mexico*. New York, NY: Routledge. A study of extractive conflicts among indigenous populations, the government, and oil and mining companies in Mexico, Peru, and Bolivia.

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Zaremborg, Gisela and Marcela Torres Wong. 2018. "Participation on the Edge: Prior Consultation and Extractivism in Latin America." *Journal of Politics in Latin America* **10**(3): 29–58. A study of the use of prior consultation in the context of mining and hydrocarbon projects in Bolivia, Peru, and Mexico.

## Websites

*Comité para los Derechos Humanos en América Latina* (The Human Rights Committee on Human Rights in Latin America). The committee monitors and reports on issues related to human rights violations across Latin America. Since environmental conflicts have gained pre-eminence across the region, and human rights violations are often linked to those conflicts, the site is a good source to obtain information about them. The website includes reports in Spanish and French on current cases across Latin America. Website: [www.cdhal.org/es/](http://www.cdhal.org/es/)

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*IADB (Inter-American Development Bank)*. The IADB promotes policies targeted at improving the environmental and social sustainability of the region, funding applied projects and research in different locations across Latin America. The website includes a page on the environment that includes research and ongoing initiatives, as well as links to available data sources. Website: [www.iadb.org/en/environment/environment](http://www.iadb.org/en/environment/environment)

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*Observatorio de Conflictos Mineros de América Latina* (Latin America's Mining Conflicts Observatory). The observatory tracks mining conflicts and was put together by an activist and NGO network that engages in advocacy to protect and promote the rights of local and indigenous communities affected by mining activities in the region. The website contains frequent reports, as well as data on active mining conflicts occurring in each country in the region. Website: [www.ocmal.org](http://www.ocmal.org)

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*UNEP (UN Environment Program)*. The Latin America and the Caribbean Office of this UN Program promotes and oversees policies related to the preservation of natural and healthy ecosystems in Latin America. The website includes online data and reports on different countries and environmental issues across the region. Website:

[www.unep.org/regions/latin-america-and-caribbean](http://www.unep.org/regions/latin-america-and-caribbean)

# Documentaries

*Catastrophic Failure* (2016). 44 minutes. Tells the story of an environmental disaster in Brazil caused by Australian mining giant BHP that destroyed the homes and lives of workers.

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*En el nombre del Litio* (2021). 75 minutes. In Spanish. *In the Name of Lithium* is a documentary about the struggles of indigenous communities over the areas where important lithium reserves are located in Argentina.

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*Honduras: Blood and the Water* (2016). 30 minutes. Focuses on the assassination of environmental activist Berta Cáceres in Honduras in early 2016. Cáceres was a defender of the rights of indigenous communities and land rights, and she was involved in an attempt to stop a hydroelectric dam from being built.

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*A Journey to the Fumigated Towns* (2018). 97 minutes. In Spanish. Tells the story of seven provinces in Argentina, focusing on the social and environmental consequences of the transgenic agricultural model with agricultural toxins.

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*Law of the Jungle* (2012). 85 minutes. In Spanish, with English subtitles. Focuses on the clash between indigenous peoples in Peru and multinational companies that were granted rights to exploit the land by the Peruvian government.

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*The Real Avatar* (2011). 45 minutes. Set in the Peruvian rainforest, this documentary investigates the effect of an unprecedented resource rush in the Amazon. It addresses the role of Peruvian and Canadian mining companies that aim to set up a gold mine on land the natives claim as their ancestral territory.

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*Sumak Kawsay: The Sarayaku Case* (2012). 30 minutes. In Spanish, with English subtitles. César Rodríguez Garavito documents the case of the Kichwa community of Sarayaku in Ecuador, where the rights of indigenous people were violated in favor of an oil company. Sarayaku brought the case in front of the Inter-American Court of Human Rights, which ruled in favor of the Kichwa and against the Ecuadorian state.

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*They Killed Sister Dorothy* (2008). 94 minutes. Tells the 2005 story of the killing of 73-year-old Catholic nun and activist Sister Dorothy Stang in the state of Pará (in the Brazilian rainforest). Sister Dorothy had fought alongside environmentalists and the underprivileged local communities against the exploitation of powerful loggers and landowners for thirty years.

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*When Two Worlds Collide* (2016). 102 minutes. In Spanish, with English subtitles. An indigenous environmental activist takes on the large businesses that are destroying the Amazon. Eventually, a tense war of words erupts into deadly violence.

# Basic Social Inclusion and Social Policy

*CCTs as a Poverty Reduction Policy*



**Photo 14.1 New social policies in Mexico and Brazil** A mother and her child receiving health care in Mexico under the auspices of the *Progres-Oportunidades* program (left) and the 2020 payroll calendar of the *Bolsa Família* program in Brazil (right). Versions of both of these innovative social policy schemes transformed basic social inclusion in Latin America and elsewhere in the developing world during the 2000s and 2010s.

*Sources:* (left) Sedesol; (right) Bolsa Familia Program.

One long-standing challenge for Latin America has been to produce a modicum of social inclusion. Urban popular sectors gained access to some social benefits during the 1930s to 1970s. In particular, the social groups that made social progress in those decades were mainly workers in the formal sector, who were predominantly urban, male, white, or mestizo. However, this pattern was disrupted by economic instability and crisis, and it was further restricted by the foreign debt crisis and the social effects prompted by neoliberal reforms in the 1980s and 1990s. Further, as countries in the region democratized in the 1980s and 1990s, workers in the informal sector (i.e., workers lacking legal job contracts and their associated benefits) were hard hit by economic adjustment policies and had no social safety net to fall back on. The issue of social inclusion had great political urgency for the region's democracies.

Latin America's democratic governments have responded to this social challenge by adopting new social programs often dubbed conditional cash transfer (CCT) programs. Overall, these programs have been successful. Although democracy has often failed to meet expectations, in this area, increased political competition and the search for votes have created an incentive for governments to experiment with new social policies to expand social inclusion.

In this chapter, we will analyze these successful new programs for social inclusion. First, we address a basic conceptual question: What is social inclusion? Second, we discuss some obstacles that have traditionally prevented social policies pursued by Latin America from achieving greater levels of social inclusion. Next, we examine why innovative CCTs have been adopted in much of Latin America. We present case studies of Mexico



and Brazil and briefer discussions of other countries, and we then offer some general reflections. Finally, we summarize the chapter's key points.

## 14.1 What Is Basic Social Inclusion?

At a minimum, the protection of social rights requires that citizens attain basic subsistence needs and have access to primary health care and education. Access to these goods is usually referred to as *basic social inclusion*, and it is measured by the prevalence of poverty in a society. Poverty alleviation policies are pivotal for realizing basic social inclusion. They also seek to provide opportunities for new generations to break out of poverty traps (i.e., to remove structural obstacles that hinder individuals from escaping poverty).

Poverty has been endemic in Latin America. In the year 2002, 44 percent of Latin Americans (i.e., 225 million people) lived below the poverty line, and about 100 million people lived in extreme poverty. These alarming figures were a direct consequence of the region's lost decade in the 1980s, and the social costs of neoliberal policies pursued since then. Although the region slashed poverty during the 2000s as the result of wealth produced by neoextractivism and the so-called commodity boom, by the mid-2010s, 30 percent of Latin Americans (170 million people) were still living below the poverty line and 12 percent (71 million people) lived in extreme poverty. Poverty rose again due to a gradual economic slowdown since 2015, a pattern later exacerbated by the devastating socioeconomic effects of the COVID-19 pandemic.

These trends notwithstanding, Latin America's achievements in promoting basic social inclusion through innovative social policies are noteworthy. Given their success, these policies diffused rapidly, not only

throughout the region, but also to developing societies elsewhere in the world. In addition to reducing poverty, these programs sought to improve human capital by expanding children's access to educational opportunities and health care.

These policies can also be viewed from the perspective of the capabilities approach, a broader notion of social development inspired by the work of philosopher Amartya [Sen \(1999\)](#). Sen conceptualized development in a novel fashion, viewing it as the expansion of an individual's capability to live a good life. In accordance with this view, poverty hinders people's capacity to realize their potential and constrains their democratic agency, hindering their ability to effectively access their civil and political rights. Thus, policies that reduce poverty can be seen as aiding the capability of people.

Latin America's recent success in increasing basic social inclusion was, to a significant degree, the result of a set of innovations bundled together under the label of noncontributory social policies. One specific innovation, which has been pivotal to improving social inclusion, is the *conditional cash transfer* program (hereafter, CCT). CCTs have been successful for several reasons. First, CCTs were extremely cost efficient – that is, they achieved a significant impact without imposing a heavy tax burden on economic productivity. Second, CCTs successfully dealt with obstacles that had hampered those who previously had attempted to improve social inclusion in Latin America.

## 14.2 Describing the State of Social Inclusion

Governments tax incomes and then redistribute resources to specific social groups via transfers. Improving social inclusion in the 2000s and 2010s did not merely rely on deploying large amounts of money through government transfers. Latin American countries did indeed have access to more financial resources to promote social inclusion, given the unprecedented economic growth created by the commodity boom in 2002–2015. However, enhancing social inclusion also entailed tackling three fundamental obstacles that characterized traditional social policies in the region: informality, intersectionality, and clientelism. In the [next section](#), we will analyze these obstacles. In a subsequent section, we will explain how CCTs were able to surmount them and, thus, succeed at promoting social inclusion.

### 14.2.1 Three Obstacles Related to Old Social Policies

Social policies implemented in earlier eras were limited in their capacity to increase social inclusion, even in a context of increasing social expenditures. These impediments related to three factors we analyze in this section, drawing on examples from Brazil, Colombia, Mexico, and Peru.

***Informality: Pensions and Other Government Transfers in Brazil.*** When Brazil's Workers' Party (PT) won the presidency and took office in 2003, it addressed the need to reform the pension system. One of the changes pursued was the reduction of pension benefits allocated to public servants and formal workers in the country. The move was welcomed by global financial markets, which had worried about Brazil's growing fiscal deficit. But the pension reform passed by the administration of President Lula da Silva provoked discontent among the party's social base and among labor unions historically allied to the party. Moreover, the passage of the reform by Congress led to the party's first split, with historically allied leaders abandoning Lula and the government. Why, then, did a left-of-center party promote a reform that reduced pension benefits, especially given that such a reduction would harm the interests of its traditional electoral base?

The answer to this question lies in Brazil's class structure, which is similar to that of most Latin American countries: one of its main traits is the pervasiveness of economic informality. Informal employment and informal economies complicate the task of effectively channeling government transfers to those in greater need, because informals are not eligible for benefits tied to the legal economy and, in addition, they are difficult for state institutions to reach. [Table 14.1](#) describes Brazil's social structure and

presents a striking fact: although 25 percent of the workforce are manual (i.e., low-skilled) workers, 43.5 percent of the Brazilian work force was informal. These informal workers lack the contracts and social security benefits that often come with formal jobs. Informal jobs are less stable and do not comply with standards, including minimum wages, workday extensions, holiday benefits, etc. As [Table 14.1](#) (see the final column) also reveals, a sizable informal sector is a typical feature of many Latin American countries.

**Table 14.1** Class structure in Brazil and other Latin American countries, c. 2000

Class	Household survey occupation	Percentage in Brazil	Percentage in eight Latin American countries*
Capitalists	Proprietors and managing partners of large/medium firms	2.0	1.8
Executives	Managers and administrators of large/medium firms and public institutions	1.8	1.6
Professionals	University-trained salaried professionals in public service and large/medium firms	1.4	2.8
Petty bourgeoisie	Own-account professionals and technicians, and micro-entrepreneurs with personally supervised staff	7.4	8.5
Nonmanual employees	Vocationally trained salaried technicians and white-collar employees	12.7	12.4
Manual formal working class	Skilled and unskilled wage workers with labor contracts	25.3	23.4
Informal working class	Noncontractual wage workers, casual vendors, and unpaid family workers	43.5	45.9
Unclassified		5.9	3.6
Total		100	100

*Note:* \* The eight-country average refers to: Brazil, Chile, Colombia, Costa Rica, El Salvador, Mexico, Panama, and Venezuela.

*Source:* Adapted from [Huber and Stephens 2012](#): 61, original data from [Portes and Hoffman 2003](#): 46–9, 52.

The reason why the size of the informal sector matters, in the context of a discussion about social inclusion, is that historically, in societies with a high prevalence of informality, regular transfers are allocated not to those in greater need, but to better-off citizens. This can be seen in the data in [Table](#)

[14.2](#), which shows who benefits from different types of government transfers. These data show that, prior to any government transfers, income gained in the job market is unevenly distributed in Brazil. They also show that government transfers actually compound inequality, in that the wealthier income brackets receive proportionally more revenues from the government than the poorer income brackets.

**Table 14.2** Sources of household income, by income quintile, Brazil 1997

Quintile	(Market) income	Government transfers			
		Social security	Social assistance	Health	Education
Top quintile	66	51	8	19	27
Fourth quintile	17	19	16	23	19
Third quintile	10	15	22	22	18
Second quintile	5	8	25	20	18
Bottom quintile	2	7	29	16	17
Total	100	100	100	100	99
Quasi-Gini (inequality index )	56	40	-20	4	9

*Note:* The quasi-Gini index is a measure of the inequality in the allocation of government transfers to each income quintile. The index varies from -100 to 100. A negative number indicates that social spending is progressive; a positive number indicates that social spending is regressive.

*Source:* [Huber and Stephens 2012](#): 56.

The failure to use transfers to redistribute wealth is most noticeable with regard to social security, which is largely composed of pensions. This is so because pensions usually depend on an individual's participation in the formal job market, something that disproportionately affects poorer citizens. In societies with a high prevalence of informality, regular transfers are allocated not to those in greater need, but to better-off citizens more generally. Indeed, the only government transfers that are progressive, and hence transfer public resources in greater proportion to the poor (e.g., the poorest 20 percent of the population receive more than 20 percent of the

moneys spent), are those related to social assistance. Thus, informality is a key obstacle to social inclusion. And pension reforms such as the one pursued by President Lula can be considered a progressive reform.

***Intersectionality: Illiteracy in Colombia and Peru.*** When we refer to poverty, social exclusion, or inequality in Latin America, we generally do so by discussing aggregate indicators at the national level. Although useful, aggregate-level analyses often hide important variations across social categories (i.e., gender, race and ethnicity, place of residence). Thus, in a discussion of poverty and inequality, it is always critical to bear in mind their intersectional configuration.

In contemporary Latin America, the extent of social inclusion of citizens is strongly associated with the intersections created by their joint membership in different social categories. Political scientist Silvia [Otero-Bahamón \(2021\)](#) demonstrates that citizens who simultaneously belong to minority groups across gender, ethnic, and territorial categories face high risks of being socially excluded. For instance, these groups have a relatively high level of analphabetism – the inability to read, which is a conventional indicator of schooling deficits (see [Table 14.3](#)).

**Table 14.3 Analphabetism and intersectionality in contemporary Colombia and Peru\***

**Table 14.3(a) Colombia**



Region	Gender	Language/ethnic identity	Urban/rural	Percentage of analphabetism (2005)
Pacific	Male	Colombian	Urban	3.3
Central Andean	Male	Colombian	Urban	3.3
Central Andean	Female	Colombian	Urban	3.5
Oriental	Male	Indigenous	Urban	4.0
Pacific	Female	Colombian	Urban	4.1
Oriental	Male	Colombian	Urban	5.2
Central Andean	Male	Afro-Colombian	Urban	5.7
Oriental	Female	Colombian	Urban	5.9
Central Andean	Male	Indigenous	Urban	5.9
Oriental	Male	Afro-Colombian	Urban	6.2
Pacific	Male	Afro-Colombian	Urban	6.6
Central Andean	Female	Afro-Colombian	Urban	6.7
Oriental	Female	Indigenous	Urban	7.0
Amazon-Orinoquia	Male	Colombian	Urban	7.2
Pacific	Male	Indigenous	Urban	7.4
Amazon-Orinoquia	Male	Afro-Colombian	Urban	7.4
Oriental	Female	Afro-Colombian	Urban	7.6
Caribbean	Female	Colombian	Urban	7.7
Amazon-Orinoquia	Female	Colombian	Urban	8.0
Pacific	Female	Afro-Colombian	Urban	8.0
Caribbean	Male	Colombian	Urban	8.3
Caribbean	Female	Afro-Colombian	Urban	8.8
Central Andean	Female	Indigenous	Urban	8.9
Amazon-Orinoquia	Female	Afro-Colombian	Urban	9.3
Caribbean	Male	Afro-Colombian	Urban	9.6
Amazon-Orinoquia	Male	Indigenous	Urban	9.6
Pacific	Male	Colombian	Rural	12.0
Pacific	Female	Indigenous	Urban	12.4
Amazon-Orinoquia	Female	Colombian	Rural	12.5
Central Andean	Female	Colombian	Rural	12.9
Amazon-Orinoquia	Male	Colombian	Rural	13.1
Amazon-Orinoquia	Female	Indigenous	Urban	14.3
Pacific	Female	Colombian	Rural	14.3
Central Andean	Male	Colombian	Rural	14.5
Oriental	Female	Afro-Colombian	Rural	14.7
Amazon-Orinoquia	Female	Afro-Colombian	Rural	15.1
Amazon-Orinoquia	Male	Afro-Colombian	Rural	15.5
Caribbean	Male	Indigenous	Urban	16.0
Central Andean	Female	Afro-Colombian	Rural	16.0
Central Andean	Male	Afro-Colombian	Rural	16.6
Oriental	Male	Afro-Colombian	Rural	17.0
Oriental	Female	Colombian	Rural	17.2
Oriental	Male	Colombian	Rural	18.1
Amazon-Orinoquia	Male	Indigenous	Rural	18.1
Caribbean	Female	Indigenous	Urban	18.2
Pacific	Male	Indigenous	Rural	18.9
Pacific	Male	Afro-Colombian	Rural	20.2
Pacific	Female	Afro-Colombian	Rural	21.4
Caribbean	Female	Colombian	Rural	22.7
Caribbean	Female	Afro-Colombian	Rural	23.1
Central Andean	Male	Indigenous	Rural	24.7
Caribbean	Male	Afro-Colombian	Rural	26.3
Caribbean	Male	Colombian	Rural	26.6
Amazon-Orinoquia	Female	Indigenous	Rural	27.0
Pacific	Female	Indigenous	Rural	29.1
Central Andean	Female	Indigenous	Rural	30.1
Oriental	Male	Indigenous	Rural	33.9
Oriental	Female	Indigenous	Rural	48.6
Caribbean	Male	Indigenous	Rural	50.0
Caribbean	Female	Indigenous	Rural	56.3

*Notes:* In Colombia, ethnic minorities are identified as either “indigenous” or “Afro-Colombian.” “Colombian” is used for white and mestizo groups that do not belong to ethnic minorities.

\* The information is presented in ascending levels of analphabetism.

*Source:* Adapted from [Otero-Bahamón 2021](#): 16.

**Table 14.3(b) Peru**

Region	Gender	Language/ethnic identity	Urban/rural	Percentage of analphabetism (2007)
Coast	Male	Spanish	Urban	1.1
Highland	Male	Spanish	Urban	1.2
Amazon Rainforest	Male	Spanish	Urban	1.7
Coast	Female	Spanish	Urban	3.1
Coast	Male	Indigenous	Urban	3.3
Highland	Female	Spanish	Urban	4.3
Amazon Rainforest	Male	Indigenous	Urban	4.8
Amazon Rainforest	Female	Spanish	Urban	4.8
Highland	Male	Indigenous	Urban	5.9
Amazon Rainforest	Male	Spanish	Rural	6.1
Highland	Male	Spanish	Rural	7.1
Coast	Male	Spanish	Rural	9.2
Coast	Male	Indigenous	Rural	10.6
Highland	Male	Indigenous	Rural	14.7
Amazon Rainforest	Male	Indigenous	Rural	15.3
Amazon Rainforest	Female	Spanish	Rural	16.3
Coast	Female	Indigenous	Urban	17.4
Amazon Rainforest	Female	Indigenous	Urban	20.6
Highland	Female	Spanish	Rural	22.4
Coast	Female	Spanish	Rural	23.5
Highland	Female	Indigenous	Urban	25.5
Amazon Rainforest	Female	Indigenous	Rural	39.0
Highland	Female	Indigenous	Rural	40.8
Coast	Female	Indigenous	Rural	42.9

*Notes:* In Peru, ethnic minorities are identified by their “indigenous” language. Those who speak Spanish are identified as white and mestizo groups.

\* The information is presented in ascending levels of analphabetism.

*Source:* Adapted from [Otero-Bahamón 2021](#): 16.

In Colombia, illiteracy is close to 50 percent among the most disadvantaged groups, and two factors are strongly associated with illiteracy. Afro-Colombians and indigenous groups are among the country’s populations most lacking in education. So too is place of residence a key factor. High levels of illiteracy are found especially in rural areas, such as the Caribbean and Pacific regions.

In Peru, illiteracy is close to 40 percent among underprivileged groups, and all three factors considered are strongly associated with illiteracy. White male urban residents have a high level of literacy. In contrast, indigenous women who dwell in rural areas exhibit the highest levels of illiteracy.

This form of social exclusion is also a barrier to providing a solution to the problem. When seeking to implement social policies, modern states must identify the population that needs to be socially included. For instance, to distribute social assistance, some state agency needs to have precise information about personal and household characteristics and about the educational or health coverage of children throughout their country. However, many Latin American states do not have the capacity to gather that information and gaps in information are especially likely to concern those most in need – because they are the hardest to reach by central authorities. [Box 14.1](#) discusses one key piece of information states gather on citizens, their birth certificates and personal identification documents.

### **Box 14.1** A Closer Look: Intersectionality and Undocumented Children

Can you have access to citizenship rights without having proper state-issued identification? Typically, no. Nonetheless, millions of people worldwide remain undocumented.

Research by political scientist Wendy Hunter reveals large disparities in citizen documentation that correlate strongly with ethnicity and territorial inequalities. Countries with large indigenous populations (e.g., Bolivia, Guatemala, Ecuador, and Paraguay) and countries with large Afro-descendant populations (e.g., Ecuador) figure among those with high rates of undocumented populations. In Guatemala, for instance, a country in which approximately 10 percent of the total population lacks documents, 40 percent of indigenous citizens remain undocumented ([Hunter 2019a](#): 368–9). Across the region, millions of irregular migrants also lack documentation.

According to [Hunter \(2019a, 2019b\)](#), several factors account for this lack of documentation in Latin America:

- (1) The probability that indigenous children are also poor and are living in rural areas.
- (2) The fact that the parents of these children lack information on the value of birth certificates, and have limited capacity to sort out logistical obstacles to seek a certificate in locations where the state is distant. Historically, one of the many obstacles that perpetuated registration deficits was the

requirement that to register their children, parents also had to have proper documentation.

(3) The fact that parents of these children continue to work in the informal sector, and thus are not eligible for social programs that provide incentives for early registration and are available only to formal workers.

(4) The incidence of errors by civil registrars lacking familiarity with indigenous languages, which frequently (and inconsistently) leads to misspelled indigenous names and to a mismatch between individuals and their various documents.

(5) Outright insensitivity and discrimination by registrars toward nonwhites.

***Clientelism and the Targeting of Social Assistance: Peru and Mexico.*** Distributing social assistance as an incentive to enhance electoral turnout and to “buy” citizens’ votes has always been part of electoral campaigns in Latin America. During the 1990s, two Latin American presidents implemented, while in office, extensive social assistance packages that they devised specifically to improve their electoral chances in subsequent elections.

In 1990, Alberto Fujimori won the Peruvian national election by defeating the internationally acclaimed writer Mario Vargas Llosa. At the time, Peru was living through a deep crisis prompted by economic mismanagement and the growing challenge by a violent Maoist guerrilla group (the Shining Path, or *Sendero Luminoso*). After assuming office,

Fujimori implemented a neoliberal reform that included “shock therapy” stabilization measures, which were instrumental in bringing inflation under control, but which also incurred tremendous social costs. The government also increased repressive measures, some of which amounted to grave human rights violations (e.g., summary executions, torture, and disappearances) to contain the Shining Path.

Mounting social conflicts arising from the people’s rejection of Fujimori’s socioeconomic and security agenda caused electoral risks for a president who was determined to be re-elected. In that context, the government designed and implemented the *Fondo de Cooperación para el Desarrollo Social* (Cooperation Fund for Social Development [FONCODES]). This fund included the delivery of food to the poor, as well as widespread investments in public goods to provide access to water, electricity, roads, primary health clinics, and schools throughout the country.

Subsequent analyses of FONCODES showed that the fund was deployed more with the aim of securing Fujimori’s re-election than assisting the poor. Economist Norbert [Schady \(2000\)](#) shows that, before 1993, FONCODES targeted constituencies that supported Fujimori. After 1993, when the results of a national plebiscite signaled decreasing support for Fujimori, FONCODES investments were redirected toward constituencies that, having supported Fujimori in 1990, were switching their vote. Electoral considerations, rather than poverty reduction, were clearly behind these decisions.

In 1988, Mexican President Carlos Salinas de Gortari designed the *Programa Nacional de Solidaridad* (National Solidarity Program [PRONASOL]) to strengthen the electoral position of his party, the PRI (Party of the Institutionalized Revolution). PRONASOL was designed and

implemented directly, and in a highly centralized way, from President Salinas's office. And, much as with the FONCODES program in Peru, poverty relief packages were disbursed in a discretionary manner to PRI supporters ([Díaz-Cayeros et al. 2016](#): 112). Indeed, these private benefits were consciously deployed in an effort to secure voters' electoral allegiance to the party. See [Photo 14.2](#) for a depiction of voting in Mexico.



**Photo 14.2 Social assistance as a form of clientelism** Mexican voters at a polling station in the 1999 primary of the PRI in Ciudad Juárez.

*Source:* © Joe Raedle/Getty Images.

In short, the clientelistic use of public funds, a traditional and widespread practice, is yet another obstacle to inclusionary social policy.

### 14.2.2 New Social Policies and Social Inclusion

These obstacles have not been fully removed. They are embedded deeply in societies. However, social inclusion expanded considerably in the early twenty-first century through the development of a new set of social policies conventionally known as noncontributory social protection schemes. This was an important departure relative to old practices.

*Noncontributory Policies and Conditional Cash Transfers.* Noncontributory social protection schemes are directed at vulnerable groups (poor families, single-parent households, unemployed persons, and elderly citizens who lack pension benefits). These schemes usually seek to provide universal coverage, that is, to cover all citizens who fall within the category of vulnerable groups and, at a minimum, entail the monthly transfer of funds to their beneficiaries. Two types of noncontributory schemes have expanded throughout Latin America in recent decades:

- (1) pension benefits to cover elderly populations who lack pensions;  
and
- (2) conditional cash transfers (CCTs), which are targeted at poor families and children.

Here, we will devote special attention to CCTs, as they illustrate a policy innovation that originated in Latin America.

CCTs directly transfer money to families in need, seeking to quickly move them out of poverty. They are conditioned on a family's compliance with requirements that seek to enhance poor children's human capital, by keeping them in school and by monitoring their health and nutrition over

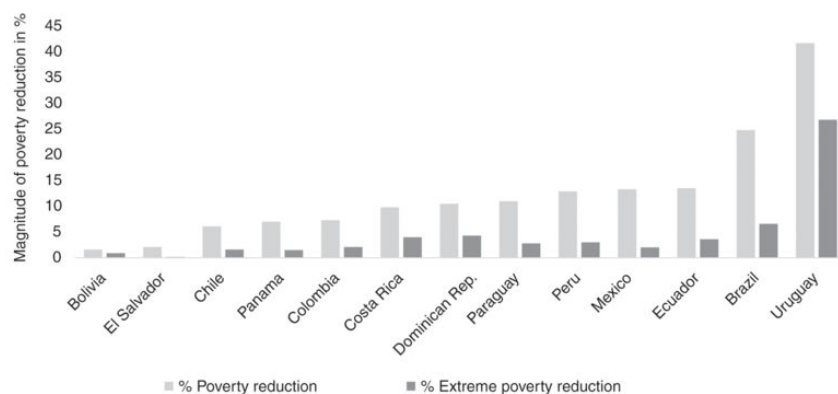


time. Therefore, the expectation is that CCTs will help break the intergenerational reproduction of poverty, by encouraging poor families to raise better-educated and healthier children and thus enhancing their future prospects and agency.

Another specific characteristic of CCTs that differentiates them from the clientelistic schemes of the past (e.g., those implemented by FONCODES and PRONASOL) is fair targeting – the inclusion of beneficiaries through publicly advertised criteria that are actually applied in practice. Fair targeting, which is closely monitored by technical oversight agencies, endows CCTs with a greater capacity to reach those in need, instead of being captured by better-off citizens. Fair targeting also limits political manipulation, making it more difficult for politicians to use CCTs for direct electoral mobilization. If politicians claim credit for implementing CCTs, they should do so by relying on the collective goods created by CCTs, not on the conditional distribution of benefits to loyal or pivotal voters in a given election.

***Successful Poverty Reduction.*** By 2006, CCTs were touted by the World Bank as being “at the forefront of a new thinking on social protection” ([De la Brière and Rawlings 2006](#): 22). Another report, in the same year, claimed that CCTs were among “the most significant developments in global social policy since the expansion of social security in industrialized countries” ([Faith and Vinay 2010](#): 1).

CCTs were very effective in reducing poverty and extreme poverty in Latin America. [Figure 14.1](#) presents data on overall poverty and extreme poverty reduction in the region due to CCTs. The effects across countries also indicate significant cross-country variations in poverty reduction.



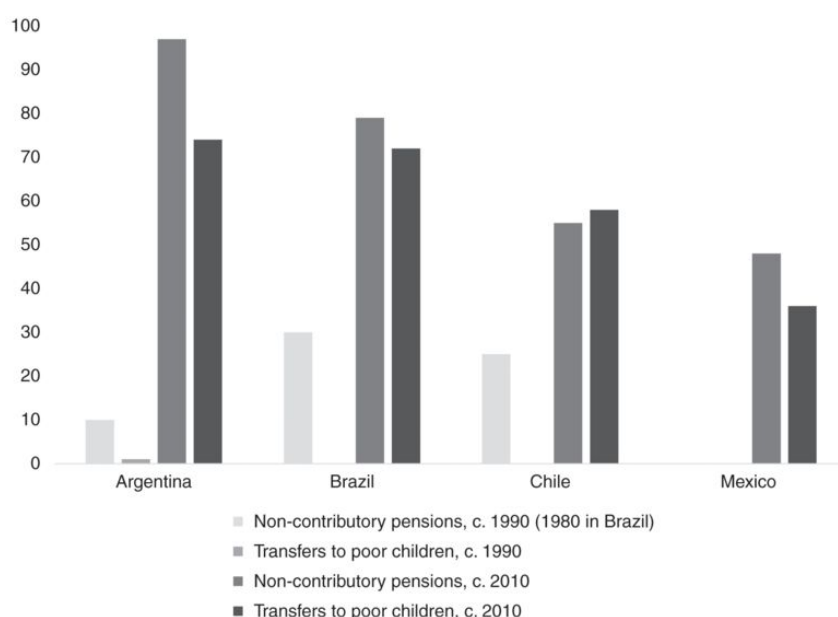
**Figure 14.1** Impact of CCT programs on poverty and extreme poverty reduction, c. 2016–2017.

*Source:* Authors' construction on the basis of [Cecchini et al. 2019](#): graph 6.

Aggregate poverty reduction figures might obscure the effects of intersectionality, which – as we have emphasized – is characteristic of Latin American societies. How did CCTs fare in tackling intersectionality – that is, in reaching those with multiple and overlapping needs? Relying on [Otero-Bahamón's \(2021\)](#) data, we computed the relative reduction of illiteracy observed in Colombia and Peru (both of which show average overall results in reducing poverty via CCTs). To do so, we considered illiteracy levels observed in 2005 (Colombia) and 2007 (Peru) as a baseline and then compared those levels to those observed in 2017 in both countries. Comparing the relative gains in the early 2000s among the ten social groups with the worst initial conditions to the ten groups with the lowest illiteracy rates, we find that improvements in both countries tended to concentrate disproportionately among the worst-off groups. In the ten worst-off groups, illiteracy was reduced by 39 percentage points in Colombia and by 14 percentage points in Peru; meanwhile, in the ten most well-off groups,

observed reductions were considerably smaller (a 23-point reduction in Colombia, and a 3-point reduction in Peru).

Another way to illustrate the effects of noncontributory social schemes is to compare the coverage for citizens who could be considered outsiders – someone lacking formal entitlements based on their labor market trajectory – in Brazil, Argentina, and Mexico before and after 2010. As political scientist Candelaria Garay has shown, this comparison reveals that outsiders were socially incorporated, and substantially so, through noncontributory policy schemes in several Latin American countries (compare the first two columns for each country with the second two columns for each country in [Figure 14.2](#)).



**Figure 14.2** Share of outsider seniors and children with benefits before and after social policy expansion: Argentina, Brazil, Chile, and Mexico. *Note:* Missing bars indicate zero benefits available in the first period (c. 1980 or c. 1990).

*Source:* Authors' construction on the basis of [Garay 2016](#): 3.

CCTs are not without their critics. However, the changes made as a result of CCTs are a clear sign of social progress. Indeed, they proved to be pivotal in circumventing the three obstacles that had previously hindered progressive social policies. [Box 14.2](#) discusses some of the concerns that have been raised.

### **Box 14.2** Debates: CCTs and the Ideal of Social Policy Universalism

CCTs have been defended as an example of a minimalist approach to universalism – one that defines social policies as universal in terms of coverage – regardless of how generous or equitable the government transfers are. However, supporters of a broader, maximalist definition of universalism – which is conventional in discussions of the welfare state in advanced capitalist countries – challenge CCTs and their design ([Martínez-Franzoni and Sánchez-Ancochea 2016](#): 28).

For example, CCTs have been criticized for reproducing traditional structures of domination, that is, by burdening women with more care tasks; providing resources that can be used to co-opt the poor; and failing to address underlying inequalities in society. CCTs have also been criticized as being policies that distinguish between “deserving” and “undeserving” people, segmenting the poor on the basis of how poor they are, whether or not they have children, or whether they are citizens of a country or recent immigrants.

These critiques of CCTs are important and point to some of their shortcomings. Yet, as we have emphasized, it is also crucial to consider how CCTs compare to traditional practices that have limited social inclusion.

## **14.3 Explaining Social Inclusion: Case Studies and Comparative Analyses**

How did Latin America succeed in incorporating those in greater need and significantly reducing poverty? Why did this region adopt and implement CCTs?

To explain the use of CCTs in Latin America, we will highlight the role of four explanatory factors: (1) democracy, (2) political ideology, (3) international diffusion, and (4) state capacity. We elaborate our explanation in two steps. First, we present case studies of the emergence of CCTs in Mexico and Brazil, discuss how these social policy innovations diffused through the region since the 2000s, and analyze arguments about possible effects other than poverty reduction. Second, we provide some general reflections on the lessons offered by the case studies.

### 14.3.1 Mexico and Brazil as Leading Cases

Conditional cash transfers emerged at roughly the same time in Mexico and Brazil. They did so under a center-right administration in Mexico and a left-of-center government in Brazil.

***Mexico: The Launching of CCTs by the Political Right.*** The first CCT program was adopted in Mexico, at the national level, during 1997. The design of that program, popularly known as *Progresa* (subsequently renamed as *Oportunidades* and later as *Prospera*), was carried out under the PRI's last authoritarian president, just before the transition to democracy in 2000.

The origins of Progresa involved several steps. In the mid-1990s, Mexico's federal government was running fifteen food-subsidy programs, which were administered by ten different ministries. With poverty concentrated in rural areas and existing programs targeted to urban areas, 60 percent of the poor received no subsidy ([Levy 2006](#): 5–6). Responding to this limitation, President Ernesto Zedillo (1994–2000) sought to improve poor children's schooling by directly transferring money to their mothers. And he asked Santiago Levy, the finance vice-minister, to design a cash transfer program to target poor families. A basic idea was to replace in-kind food subsidies, while making the transfers contingent on recipients regularly visiting health centers ([De la O 2015](#): 74). This idea was tested with a pilot program in the Mexican state of Campeche. Also crucial, this pilot program was evaluated and the results showed that the program was effective – a conclusion that helped spur budget negotiations to fund the implementation of the new program across the country ([De la O 2015](#): 75).

Negotiation over Progresa occurred following the government party PRI's poor performance in the mid-term elections of 1997 and was complex. Before the election, PRI congress members opposed the centralization of Progresa, hoping that greater decentralization would favor the party and its local strongholds. After the midterm, given the drop in support for the PRI – for the first time in the twentieth century, the PRI did not control the Lower House – a new scenario opened up. The two main opposition parties (the leftist PRD and the conservative PAN) feared that Progresa would be designed so as to boost electoral support for the PRI by enabling massive clientelistic mobilization. Thus, they put pressure on the PRI and eventually convinced President Zedillo to propose a program with impartial criteria of eligibility that could not be manipulated for electoral ends ([Dion 2010](#); [Borges 2018](#): 152). And this change unblocked negotiations. These assurances were not sufficient to win the support of the PRD, but it led to an agreement between the PRI and the PAN that moved the initiative forward.

According to political scientist Ana [de la O \(2015\)](#), several features distinguished Progresa from previous policies and enabled its final approval in a divided and polarized legislature.

- Progresa's rules of operation were nonpartisan, which was made explicit in all documents delivered to beneficiaries at every step of the program's implementation.
- Progresa was forbidden, by law, to disproportionately expand its coverage and budget during election season.
- Progresa's achievements and shortcomings would be evaluated by an independent third party (the International Food Policy Research



Institute).

- Finally, Progresa would be administered through a new and autonomous agency, and that agency would be in charge of all aspects of implementation, from policy design to the local delivery of benefits to the targeted population, in ways that isolated the agency from political interference by local bosses ([de la O 2015](#): 78–9).

Over time, Progresa was implemented throughout the country. The program was expanded and maintained by the two PAN presidents elected after Zedillo (Vicente Fox, 2000–2006; and Felipe Calderón, 2006–2012), as well as by their PRI successor, Enrique Peña Nieto (2012–2018). It finally was closed down by President Andrés Manuel López Obrador (2018–).

Importantly, throughout its existence, Mexico's CCT program was designed to enhance human capital. Progresa focused more on enabling new generations of Mexican children to be incorporated into the labor market by improving their schooling and health, rather than on relieving poverty in their families in the short run. Thus, the focus was to equip children for effective participation in the market during their adult years – socially incorporating their families (and, especially, their mothers) was a secondary aim. For instance, as shown in [De la O's \(2015](#): 77) account of congressional debates on Progresa, the government stressed that the program “was targeted to women because they have the most influence on the nutrition of the family.”

***Brazil: The Reconfiguration of CCTs by the Political Left.*** The case of CCT adoption in Brazil reflects the initial dislike of CCTs by left-of-center parties. As early as 1991, Eduardo Suplicy, a senator from Brazil's Worker's Party (PT), proposed a nonconditional transfer program that would cover all Brazilians. Although this proposal was universalistic and did not include conditionalities (i.e., schooling and/or regular health-care screenings for those receiving income), Suplicy's project was opposed by members of his own party ([Borges 2018](#): 152).

In 1993, economist José Márcio Camargo, who criticized the notion of universalistic and unconditional transfers, proposed targeting transfers only to families with school-age children and conditioning those transfers on school attendance. On that basis, subnational CCT programs quickly expanded throughout Brazil, pre-dating the national-level launching of Progresá in Mexico. By 1995, subnational programs were federalized by President Fernando Henrique Cardoso (1995–2002), from the center-right PSDB party ([Borges 2018](#): 152).

As described by political scientist Fabián [Borges \(2018\)](#), CCT programs divided local- and national-level leaders of the PT. At the local level, *petistas* (politicians of the PT) pressed to deliver to their constituents, implemented CCTs more frequently than did leaders from other parties. In contrast, PT national leaders opposed CCTs. Indeed, during his 2002 electoral campaign, Lula da Silva openly criticized Cardoso's social policies as a new type of *assistencialismo* (i.e., paternalistic and short-term disbursement of social assistance to the poor, based on discretionary handouts rather than on citizenship rights) ([Borges 2018](#): 152).

During his first months in office in early 2003, President Lula (2003–2010) maintained his traditional stance. However, by the end of 2003, his

government embraced CCTs. Again, as reported by [Borges \(2018: 153\)](#), this support led to strong opposition by members of Lula's own political party for being "paternalistic and demeaning," and for the praise they received from international financial institutions. The left historically had considered the latter (i.e., the World Bank, the International Monetary Fund, and the Inter-American Development Bank) to be agents of neoliberalism in the region. PT members thus dismissed CCTs as tools used "to placate the poor and thereby facilitate the 'politics of adjustment.'" In the words of a PT congress member: "We [the PT] didn't struggle for two decades in the opposition for this" ([Borges 2018: 153](#)).

Despite those critiques, President Lula and his PT successor President Dilma Rousseff (2011–2016) adopted and expanded CCTs in Brazil. The process was eventful, nonetheless. During his campaign, Lula made hunger the primary issue, one that symbolized the fact that millions of Brazilians lacked basic social rights. In his speeches, Lula often referred to the need to redistribute resources in order to help those who "every night went to bed with hunger."

Once elected, during his first day in office, Lula issued the creation of an Extraordinary Ministry for Food Security and the Fight Against Hunger. However, the president's plans were soon derailed. On the one hand, the budget for his Hunger Zero plan (*Fome Zero*) had to compete with budgets for many other targeted programs created earlier by President Cardoso. On the other hand, the food industry, as well as landowners, feared that government intervention (to guarantee food security) in the food and land markets might hinder their interests. That fear led to polarization and congressional gridlock, and to the abandonment of the Hunger Zero plan.

Facing that failure, in January 2004, Lula promulgated two other laws. First, he endorsed the project proposed by Senator Suplicy, his fellow PT member, which established a basic universal income program. Second, Lula passed a law, with a name very similar to that of Senator Suplicy's program: the *Bolsa Família* Program. This move was at first extremely confusing, as it provided Brazil with multiple and competing CCT programs inherited from Cardoso, an unfunded Hunger Zero program, and two new cash transfer programs – Suplicy's project, which was unconditional and universal, and Bolsa Família, which was conditional and targeted to the poor.

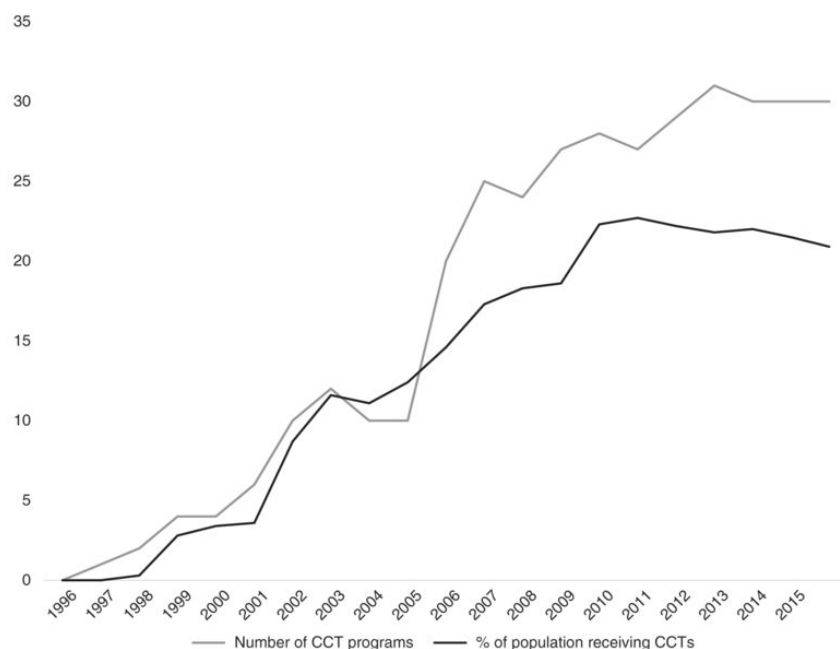
Addressing criticism regarding program overlap, Lula insisted that the magnitude of social needs in Brazil required transforming Hunger Zero into a much broader and more ambitious program. Moreover, he invited Senator Suplicy to lend his support, and he stated that Bolsa Família would be the first stage in the development of a universal citizenship income for Brazil. Lula went on to announce Bolsa Família as a program that would absorb and expand existing CCTs into a unified framework at the federal level.

Lula's initiative was influenced by the World Bank and the Inter-American Development Bank, as well as by the Mexican example. In that context, the presidents of both international financial institutions reportedly organized a meeting between Lula and Levy (the creator of Mexico's Progreso program), in which they extolled the virtues of CCTs and their suitability for Brazil ([Borges 2018](#): 155). However, Lula, Dilma, and the PT transformed the CCT scheme in ways that made it more palatable to a center-left ideology. Indeed, the innovations made to CCTs in Brazil were so significant that it is safe to say that they introduced a new type of CCT ([Borges 2022](#)).

The new type of CCT supported by Lula expanded coverage significantly over the years, from 3.6 million households in 2004 to 14.1 million by 2014 ([Borges 2018](#): 155). More tellingly, the program did more than target the poor while conditioning transfers on schooling and health check-ups. It also incorporated an unconditional transfer to those in extreme poverty. The latter reflects a stronger emphasis on immediate poverty relief than was characteristic of Progresa, which focused more strongly on human capital formation. In brief, the PT made CCTs more consistent with the notion of universal basic income schemes.

### **14.3.2 The Diffusion of CCTs**

After the launching of CCTs in Mexico and Brazil, other countries in the region followed suit and created their own CCT programs. By the mid-2000s, virtually all Latin American countries, irrespective of the ideological leaning of their governments, had CCT programs. [Figure 14.3](#) shows the timing of the spread of CCTs, as well as the progression in the percentage of the Latin American population covered by CCTs between 1996 and 2015. While in 2000, 3.6 percent of Latin Americans were covered by six CCT programs, by 2015, the number had risen to thirty programs that reached 20 percent of the region's population. Cuba, Nicaragua, and Venezuela remain exceptions because their governments, which consider CCTs to be instruments for social domination and neoliberal policies promoted by international financial institutions, either quickly dismantled or never implemented CCT initiatives.



**Figure 14.3** Number of CCT programs and percentage of total population receiving CCTs in Latin America, 1996–2015.

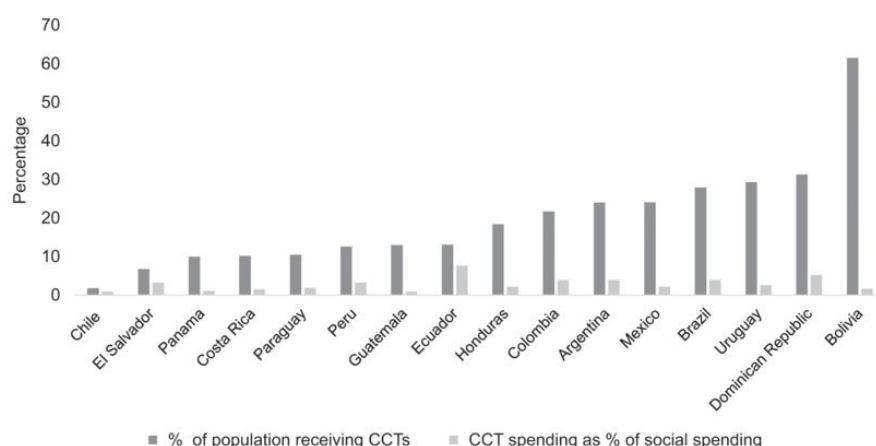
*Note:* This figure presents data on all countries of Latin America and the Caribbean. However, only four programs correspond to nonLatin American countries.

*Source:* Authors' construction on the basis of [Cecchini and Atuesta 2017](#): 16, 17, 22.

CCTs differ across countries along various dimensions. One is the terms of the conditionalities they impose and the stringency with which conditionalities are monitored by program officials. For example, CCTs in Bolivia, Ecuador, and Honduras were initiated with very limited technical oversight. By contrast, the Colombian CCT was implemented with a high degree of targeting and technical oversight ([De la O 2015](#): 58).

Another way in which CCTs differ is in terms of the scope of coverage and the amount of social spending devoted to them (see [Figure 14.4](#)). The percentage of the population included in CCT programs varies from 1.8

percent, in Chile, to 61.5 percent, in Bolivia. Spending on CCTs, as a proportion of total social spending (i.e., all the government transfers used by the state to distribute resources to promote social inclusion), ranges from 0.9 percent in Chile to 7.7 percent in Ecuador. That is, the great majority of social spending in the region is not targeted through CCTs. See [Box 14.3](#) on remittances, which provide an additional source of income to people.



**Figure 14.4** Percentage of population covered by CCTs and CCT expenditures as a percentage of total social spending, 2015.

*Source:* Authors' construction on the basis of [Cecchini and Atuesta 2017](#): 24–34.



### **Box 14.3** A Closer Look: Migrant Remittances and Low Social Spending in Central America

Countries with a large percentage of citizens living abroad tend to provide less generous social assistance packages to their citizens. Political scientist David Doyle has analyzed this puzzle and has provided evidence regarding the intriguing effects of migrant remittances to their families still residing in their home country.

Migration to the United States in particular by poor citizens of Mexico, Central America, and other Latin American countries usually yields an inflow of economic remittances to family members still living in the country of origin. The overall amount of remittances to Latin America and the Caribbean add up to \$77 billion or more, close to 29 billion of which goes to Mexico, 6 billion to the Dominican Republic, 5.6 billion to Colombia, and 5 billion to El Salvador ([Martin et al. 2019](#): 3).

These remittances are pivotal for improving the lives of a significant proportion of Latin American citizens. However, by alleviating poverty, they also reduce the pressure on governments to pursue their own redistributive policies ([Doyle 2015](#)).

### 14.3.3 The Evolving Assessment of CCTs

CCT innovations have attracted increasing attention from the scholarly community, given their impact and diffusion, and also due to the large volume of new data they have created for social science analyses. In addition to poverty reduction and cost effectiveness, these analyses point to other positive effects and some limitations of CCTs that merit attention.

***Positive Effects.*** According to a meta-analysis of CCTs (i.e., a comprehensive assessment of research findings obtained by independent teams looking at the effects of CCTs in many different local and national contexts), CCTs significantly reduced child labor and empowered mothers ([Cecchini and Atuesta 2017](#)). The positive effects of CCTs on women are especially noteworthy, and they relate to their original focus on poor children and the effective targeting of resources for mothers. That targeting was pivotal in reaching single-parent households and in circumventing the prevalence of *machismo* (a form of sexism that discriminates against women and undermines female rights and women's independent role in society) in Latin America.

Evidence from Mexico and Brazil further supports these claims. Political scientists [Alberto Díaz-Cayeros, Federico Estévez, and Beatriz Magaloni \(2016\)](#) hold that their interviews with Progres-Oportunidades grassroots implementers reveal that the program had become much more than only a CCT, that it forcefully transformed local social structures in Mexico's poorest communities. To illustrate their point, they cite an interview with Enrique, the Coordinator of Regional Support of

Oportunidades in Los Altos (Chiapas). When interviewed in 2012, Enrique stated:

A program that puts women at center stage necessarily causes a lot of trouble ... Take, for example, San Juan Chamula, where men have for centuries excluded and oppressed women and where powerful *caciques* (local bosses) have always ruled unchecked. Only if you are a man, a PRIísta, and a Catholic have you a voice in Chamula.

([Díaz-Cayeros et al. 2016](#): 15).

Parallel research conducted in Brazil also highlights the positive impacts of Bolsa Família on empowering its beneficiaries, especially women. Political scientists [Wendy Hunter and Natasha Borges Sugiyama \(2014\)](#) conducted a series of focus groups with Bolsa Família beneficiaries. They were particularly interested in determining whether the program had contributed to keeping targeted beneficiaries subject to traditional domination structures. Alternatively, the program might contribute to enhanced agency and citizen entitlements. Their evidence strongly indicates that Bolsa Família had broken clientelistic ties between local politicians and the poor, and that beneficiaries now saw its associated benefits as “rights,” rather than “favors” conditional on their electoral behavior. Moreover, beneficiaries were vocal about their willingness to fight, politically, to protect their access to the program. Within families, Bolsa Família had also increased women’s economic autonomy and entitlement.

During the COVID-19 pandemic, several Latin American countries quickly resorted to existing CCT programs to channel additional monetary help to those in need. Attending rapidly to the emergency was necessary not

only to promote social inclusion, but also to fend off the efforts of organized crime gangs in several countries to expand their territorial control by distributing handouts to jobless and needy citizens. Although countries in the region responded differently to COVID-19, the administrative infrastructure of CCTs was instrumental in rapidly assisting the poor (and, in some cases, in tracking the virus's progression) during the pandemic ([Blofield et al. 2020](#)).

***Salient Limitations.*** Despite the considerable evidence on the positive impact of CCTs, they also have some important shortcomings.

A series of research projects have analyzed the role of CCTs in breaking the intergenerational transmission of poverty. According to Borges's meta-analysis ([2019](#)), the available evidence is "not encouraging." In Mexico, for instance, long-term recipients of CCTs had much better educational attainment than their parents. However, they did not succeed at finding better jobs than those who had never received the funds or those who had received them inconsistently over time ([Yaschine 2015a](#), [2015b](#)). Additional analyses of Ecuador's *Bono de Desarrollo Humano* (Human Development Grant) failed to find significant effects of CCT enrollment on educational test performance or high school completion.

Another set of limitations or outright negative consequences of CCTs relate to the unforeseen effects of conditionalities. [Díaz-Cayeros, Estévez, and Magaloni \(2016: 15–16\)](#) hint at one such possible effect and its negative implications for women:

*Oportunidades* has transferred a great deal of power to health providers and teachers in thousands of villages and towns. They are

charged with certifying whether beneficiaries comply with the program's conditions. Thus, these individuals have a lot of leverage that can be used to extort women. The most typical abuses involve bribes, although other more serious crimes, including sexual violence, are not uncommon. These abuses ... are difficult to detect because women are often reluctant to report them for fear of retaliation.

Finally, CCTs have been criticized for their procyclical nature; that is, for contributing to a reduction in poverty in a context of economic growth in which the net effect of the CCTs was also catalyzed by widespread economic growth and consumption ([Lustig 2020](#)). For example, political scientists [Alisha Holland and Ben Ross Schneider \(2017\)](#) claim that, during the 2000s, social inclusion in Latin America was relatively easy and thus the success of CCTs should not be taken as an indication that they are sufficient to ensure full social inclusion.

Another way to articulate this limitation is to note that, although CCTs have proved effective at alleviating poverty, they are not redistributive. Given that CCT spending is only a small fraction of total social expenditures, they do not alter traditional social policies, which frequently favor better-off citizens. And they do not significantly reduce the multiple inequalities that characterize Latin American societies. Hence, CCTs are a step in the right direction, but they do not solve the enduring problem of economic inequality in Latin America.

## **14.4 Explaining Social Inclusion: General Reflections**

Based on this analysis of CCT development and diffusion in Latin America, and some additional information, we now offer some general reflections about the factors driving policy innovation for social inclusion in the region. We focus on the four explanatory factors we identified above.

### 14.4.1 Democracy

Long-standing arguments in political science associate democracy, and its endurance, with high levels of social inclusion (e.g., [Huber and Stephens 2012](#)). Along similar lines, recent comparative analyses, reported by [Borges \(2019\)](#), provide solid cross-national evidence of the linkage between democratic competition and the expansion of CCTs as a particular tool for seeking social inclusion (see also [Brooks 2015](#)). Moreover, our discussion of cases supports this view.

Mexico was still an autocracy when it launched Progresa. But it was undergoing a process of democratization and increasing electoral competition forced the PRI to improve the design of its project because it had to bargain with other parties. In Brazil, increasing political competition from the leftist PT created incentives for the emergence of state-level (and subsequently, of federal-level) CCTs under President Cardoso. And, even if national leaders of the PT opposed CCTs at the federal level, PT-controlled local governments willingly resorted to CCTs as a viable way to deliver to their constituents.

Moreover, there is a good reason why democratic leaders would support CCTs. The programs are relatively cheap. They can be implemented without major alterations to other parts of the country's budget, especially during good economic times. And the success of the programs enhances democratic leaders' popularity. Indeed, once established, CCTs might induce significant lock-in effects. Thus, democratic leaders have a reason both to adopt and maintain CCTs.

We did not discuss countries which do not adopt CCTs. Nonetheless, it is noticeable that CCTs were never created in Latin America's two existing autocracies (Cuba and Venezuela). Also, in Nicaragua, a country that by 2016 had receded into authoritarianism, previously existing CCTs were rolled back.



### 14.4.2 Political Ideology

A second explanatory factor that played a role in our discussion of the cases is political ideology. Researchers are divided on this issue. Some analysts claim that leftist parties (and unions) are fundamental for the expansion of social inclusion in a democracy ([Huber and Stephens 2012](#); [Pribble 2013](#); [Martínez Franzoni and Sánchez-Ancochea 2016](#)). On the other hand, cross-national evidence fails to show a positive relationship between the power of the left and the expansion of CCTs ([Sugiyama 2011](#); [Brooks 2015](#)).

However, our discussion of Mexico and Brazil suggests that this discrepancy might be explained by the fact that CCTs evolved and diffused in a way that created “something for everyone” ([Borges 2022](#)). As [Borges \(2022\)](#) argues, whereas the right saw CCTs as a relatively inexpensive way to attend “the deserving poor” in a way that generated long-term benefits for human capital, the left was attracted to CCTs by their poverty-reduction potential and by their capacity to improve health and education.

This line of thought has been elaborated by [Borges \(2018, 2022\)](#), and sociologist Luciana [de Souza Leão \(2019\)](#), who tease out the differences between the design of the two original programs: Progresa and Bolsa Família. Those differences, which we summarize in [Table 14.4](#), are consistent with the development of each program under a conservative “human capital” design (Progresa) and a progressive “basic income” variant (Bolsa Família). The basic idea is that ideological considerations play a role in the adoption of CCTs, but not as conventionally understood – with the left being more in favor of social policies than the right.

**Table 14.4** Two types of CCT programs

Characteristic	Type of CCT	
	Human capital CCTs (e.g., Mexico's Progresa)	Basic income CCTs (e.g., Brazil's Bolsa Familia)
Central goal	Conditionality to promote human capital accumulation and, over the long run, prevent intergenerational poverty	Transfers as a tool to relieve short-term poverty and, over the long run, to create a basic income floor
Targeting	Narrower (focuses on groups with human capital deficiencies)	Broader (aims to build a universal safety net)
Stipend structure	Variable (compensates for the opportunity cost of not working)	Uniform across beneficiaries
Conditionality	Strictly enforced and punitive	Less rigorously enforced, noncompliance is seen as evidence of vulnerability
Type of agency	Autonomous and isolated	Embedded in pre-existing state institutions

*Source:* Authors' construction on the basis of [Borges 2019](#): 156, [2022](#).

A related argument considers not only the ideology of the governing party, but also its links with social allies. CCTs were particularly effective in providing social inclusion to outsiders and poor citizens working in the informal sector. And [Garay\\_\(2016\)](#) claims that the scope of outsider incorporation in the region was not simply a function of the left being in power, but of the type and strength of coalitions between leftist parties and traditional unions and social movements representing outsiders in each country. Indeed, [Garay\\_\(2016\)](#) makes a case that coverage for outsiders expanded significantly in Argentina under the presidencies of Néstor and Cristina Kirchner (2003–2015), and in Brazil under the PT administrations. In contrast, she shows that outsider incorporation was significantly less pronounced in Mexico under right and center-right governments.

Finally, adding further nuance to the analysis of the connection between ideology and social policies, research by political scientist Jennifer [Pribble \(2013\)](#) finds significant variations, within leftist governments, in the degree of universalism of social policies. Seeking to explain differences in the more universal social policy adopted by the Frente Amplio governments in Uruguay (2005–2020) compared to the Concertación in Chile (2000–2010), Pribble points to the role of party organizations, and the type of relation they

have with poor constituents, as a crucial difference. Essentially, broader and more inclusive political mobilization leads to greater social policy universalism.

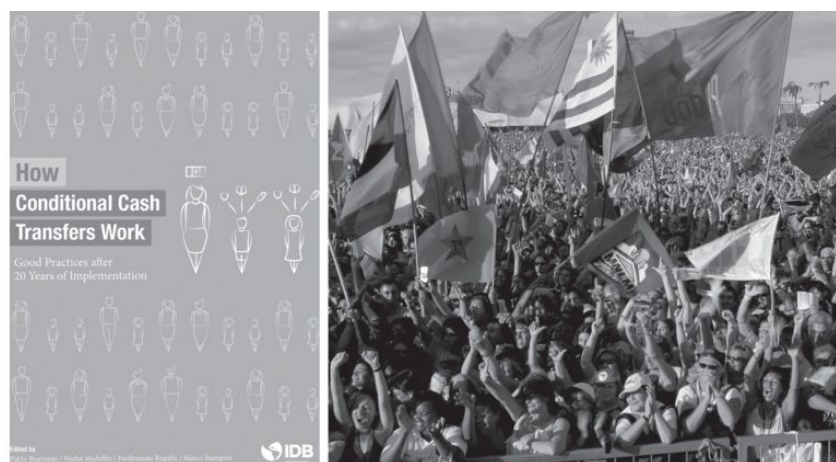
### **14.4.3 International Diffusion**

A third factor that plays a strong role in the adoption of CCTs is international diffusion, the spread of a policy innovation adopted in one country to other countries. This pattern has been observed for social policies adopted before CCTs were created. For instance, studies of pension reforms in Latin America by political scientists Raúl [Madrid \(2003\)](#) and Kurt [Weyland \(2006\)](#) describe how Chile's pension privatization model diffused among neighboring countries in subsequent years. And a similar process helps to account for the adoption of CCTs.

In the case of CCTs, the role of international financial institutions was crucial in providing technical and financial support for the implementation of CCTs across the region. Cross-national expert networks, sponsored by the World Bank and the Inter-American Development Bank, were also important for diffusing CCTs across Latin America. That is, international actors based in Washington, DC, played a role in convincing the leaders of several countries to adopt CCTs and aided in the set-up of these new social policies.

Additionally, diffusion happened within Latin America through ideological networks. As noted, two types of CCT programs were developed, and each appealed to leaders with different ideologies: "human capital" CCTs fit better with a conservative worldview, and "basic income" CCTs with a leftist mindset. Thus, democratically elected leaders drew inspiration from countries led by governments with which they shared ideological affinity and copied policies that had shown their usefulness. In effect, there is "substantial evidence that late adopters were emulating the

pioneering experiences of Mexico and Brazil” ([Borges 2019](#): 10). See [Photo 14.3](#) on two paths of diffusion of CCTs.



**Photo 14.3 The diffusion of CCTs** CCT models diffused throughout Latin America via two avenues: technocratic networks and technical assistance tied to financial packages by international financial institutions; and the emulation of successful policies introduced by leaders who shared an affinity due to their leftist ideology. The photos feature the cover of one of the many reports on CCTs by the Inter-American Development Bank (left), and President Lula’s address to an annual meeting of progressive political forces in the developing world, the World Social Forum of 2003 (Porto Alegre, Brazil) (right).

*Source:* (right) © Andre Vieira/Stringer/Getty Images.

#### **14.4.4 State Capacity**

Finally, we note the influence of the state, an issue that plays a role in so many areas of politics and society in Latin America. In previous chapters, we argued that Latin American states are weak and have an uneven territorial capacity. These characteristics render states unable to “read” and effectively assess social needs throughout their territories, and thus critically hamper any efforts at pursuing effective social inclusion programs. This is especially the case in rural and remote areas, where the need for social inclusion is great.

However, the implementers of CCTs were able to overcome this hurdle, while at the same time shielding the new social policies from traditional forms of patrimonialism and clientelism at the local level. In Mexico, the government needed to produce strong signaling regarding Progresas’s fair and clean targeting. And, to do so, it created a new administrative structure that was highly centralized and that, at the local level, acted with complete autonomy from pre-existing state structures. This was the only way Progresas could become credibly isolated from the risks created by low state capacity ([de Souza Leão 2019](#)).

In Brazil, previous attempts at professionalizing the public administration, even if incomplete, had contributed to greater state capacity in the agencies in charge of social policies. These agencies were considered legitimate and credible by the population and by politicians. They allowed for a policy design that integrated Bolsa Família and its operation into pre-existing structures. They also provided credibility to the program’s targeting of the people who would be eligible to receive government transfers. Thus,

in Brazil, the strength of pre-existing agencies was key to protecting Bolsa Família from interference by local political bosses ([Hunter and Sugiyama 2014](#)).

In sum, although the nature of Latin American states has been a barrier to inclusive social policy, one of the keys to the success of CCTs is that they were implemented in the leading cases of Mexico and Brazil in such a way as to prevent their capture by politicians and/or public administrators. Further, subsequent emulators of Mexico and Brazil incorporated the lessons of these early cases regarding how to implement a social policy while keeping possible corruption and clientelism commonly associated with such policies under a certain degree of control.

## 14.5 Summary

In this chapter, we focused on basic social inclusion in contemporary Latin America, beginning with a discussion of the concept and its implications.

Turning to the description of social policies in Latin America, we identified three significant hurdles that have traditionally obstructed inclusive social policies: the pervasive informality within the economy, the difficulty of reaching the most disadvantaged groups in society, and the clientelistic use of public funds. We then discussed a novel social policy that broke with old practices, and that quickly proved to be an effective way to reduce poverty: conditional cash transfers (CCTs), a kind of noncontributory policy that targets poor families and children, and transfers resources to them with some conditions.

We also explored why CCTs were adopted and implemented in most of Latin America. We began with a discussion of some cases, starting with Mexico and Brazil, and showed how CCTs spread throughout the region and how they were evaluated. Subsequently, we focused on the role of four explanatory factors. We argued that the working of democracy provides an incentive for politicians to support CCTs. We made a case that the impact of political ideology is not straightforward, but that ideology has affected whether a certain kind of CCT is adopted and how universal the adopted social policy is. We maintained that CCTs spread through a process of international diffusion, partly due to actions of international financial institutions that financed the adoption of CCTs across Latin America, partly through ideological networks. We then analyzed how the implementation of



CCTs has managed to get around the obstacle presented by states that are prone to corruption and clientelism.

The record of CCTs is one of the bright spots in contemporary Latin America. An innovation within the region has proved to be successful in reducing poverty. It has been widely adopted. It has circumvented some traditional obstacles to social inclusion. At the same time, CCTs have clearly not been a cure-all. Economic inequality has been and remains a key problem in Latin America. And CCTs have not solved that problem.

## Discussion Questions

1. How would you define minimum social inclusion? What obstacles to pursue social inclusion does your country have? Are these obstacles similar to or different from those faced by Latin American societies?
2. In your view, which factors are most important as drivers of greater social inclusion in contemporary Latin America? In what ways can those drivers be leveraged by politicians and social actors? Can you think of some additional factors that were not discussed in this chapter that are relevant? What particular cases might illustrate the causal role of those additional factors?
3. CCTs are an innovative social policy scheme emerging from Latin America in the late 1990s and 2000s. Do you think implementing a CCT in your country would be useful for achieving greater social inclusion of those in need? Why? Why not?

## *Resources*

## Additional Readings

Borges, Fabián A. 2018. "Neoliberalism with a Human Face? Ideology and the Diffusion of Latin America's Conditional Cash Transfers." *Comparative Politics* **50**(2): 147–69. On the international diffusion of CCTs across countries.

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Borges, Fabián A. 2022. *Human Capital versus Basic Income: Ideology and Models of Anti-Poverty in Latin America*. Ann Arbor, MI: University of Michigan Press. On the role of ideology in shaping specific characteristics of CCTs.

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Cruz-Martínez, Gibrán (ed.). 2019. *Welfare and Social Protection in Contemporary Latin America*. London, UK: Routledge. An overview of the current status and recent developments in social protection in contemporary Latin America.

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De La O, Ana Lorena. 2015. *Crafting Policies to End Poverty in Latin America: The Quiet Transformation*. New York, NY: Cambridge University Press. On the origins of CCTs in Mexico, and their diffusion and variations across the region.

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Garay, Candelaria. 2016. *Social Policy Expansion in Latin America*. New York, NY: Cambridge University Press. A comparison of recent developments in the expansion of benefits to informal workers in Latin America.

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Holland, Alisha and Ben Ross Schneider. 2017. "Easy and Hard Redistribution: The Political Economy of Welfare States in Latin America." *Perspectives on Politics* **15**(4): 988–1006. On the contrast between easy and hard redistribution in Latin America.

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Huber, Evelyne and John D. Stephens. 2012. *Democracy and the Left: Social Policy and Inequality in Latin America*. University of Chicago Press. On the role of ideology and leftist partisan strength in shaping social policy across Latin America.

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Niedzwiecki, Sara. 2018. *Uneven Social Policies: The Politics of Subnational Variation in Latin America*. New York, NY: Cambridge University Press. On the significant differences that characterize the rollover and implementation of social policies at the state level in federal Latin American democracies.

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Pribble, Jennifer. 2013. *Welfare and Party Politics in Latin America*. New York, NY: Cambridge University Press. On the role of party mobilization strategies in shaping social policy characteristics in two moderate-left cases: Chile and Uruguay.

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Sugiyama, Natasha Borges and Wendy Hunter. 2020. "Do Conditional Cash Transfers Empower Women? Insights from Brazil's Bolsa Família." *Latin American Politics and Society* **62**(2): 53–74. On the impact of CCTs in improving women's rights.

## Websites

*ECLAC (Economic Commission for Latin America and the Caribbean).*

ECLAC conducts regular research on social policy innovations across the region, and has been a leading force monitoring the effects of CCTs and noncontributory transfers in Latin America. Besides annual and region-wide reports on social progress in the region, the ECLAC also provides in-depth reports on specific countries. Website: [www.cepal.org/en](http://www.cepal.org/en)

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*Chr. Michelson Institute.* An independent development research institute in Norway. It addresses issues that shape global developments and generates knowledge that can be used to fight poverty, advance human rights, and promote sustainable social development. Website: [www.cmi.no](http://www.cmi.no)

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*IADB (Inter-American Development Bank).* The IADB is an international financial institution exclusively devoted to providing aid to countries in Latin America and the Caribbean. On this website you can find a repository of the IADB's current research on the topic. Website: [www.iadb.org/en/research-and-data/home](http://www.iadb.org/en/research-and-data/home)

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*World Bank.* The World Bank's research department regularly publishes impact-assessments for different policy innovations. On this website you can find a repository of the Bank's research output. Website: <https://documents.worldbank.org/en/publication/documents-reports>

## Documentaries

*Histories of Hunger in Brazil* (2018). 52 minutes. In Portuguese. Offers a timeline of hunger in Brazil from colonial times to the early twenty-first century. Addresses policies adopted to reduce hunger.

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*Los capitanes de la arena* (2001). 56 minutes. In Portuguese, with English subtitles. Documentary inspired by a novel by Jorge Amado, which describes the conditions in which poor children live in the city of Salvador de Bahía, Brazil. It also addresses the efforts at improving children's social conditions through public policy and gives a detailed description of everyday realities related to crime, prostitution, and drug abuse.

# 15

## Unequal Democracies

*The Paradox of Political Equality and Social Inequality*



**Photo 15.1 Protests in Chile, October 2019** Demonstrators expressing their rejection of the country's neoliberal economic model, which many viewed as having prioritized the market over citizen rights. Banners expressed the opinion that "*Chile despertó*" (Chile woke up) after thirty years of democracy.

*Source:* © Javier Torres/AFP/Getty Images.



In this chapter, we return to a key issue introduced in [Chapter 12](#): economic inequality. Although differences in citizens' incomes lessened significantly during the commodity boom in 2002–2015, Latin American societies continued to be highly unequal, divided between haves and have-nots. How does this extreme inequality persist in a democratic context (i.e., one that formally guarantees the principle of “one person, one vote”) when the majority of voters are have-nots? What effects does inequality have on democracy?

First, we offer two snapshots of inequality – for Brazil and for Chile – that bring into focus important issues that we will then discuss throughout the chapter as we consider the multiple effects of social inequality on citizens' interactions with one another, with public goods, and with politics.

Second, we offer a description of inequality in contemporary Latin America that supplements and adds nuance to the description we presented in [section 12.2](#). The description in [Chapter 12](#) focused mainly on the average situation in countries of the region; here, we emphasize disparities within countries and discuss how economic inequalities frequently reflect social characteristics such as gender, ethnicity, and place of residence.

Third, we explain the high and persistent levels of income inequality in Latin America and consider whether policies adopted by democratic regimes may reduce income disparities. We claim that substantially reducing inequality in Latin America requires more than the type of easy redistribution achieved during favorable economic times through the combination of economic growth and CCTs, as discussed in the [previous chapter](#). Rather, we suggest that in highly unequal societies, reducing inequality also requires opposing powerful societal interests (i.e., pursuing hard redistribution).

Fourth, we discuss the vulnerability of unequal democracies in Latin America and illustrate this weakness by discussing the case of contemporary Chile. We then close with a summary of our key points.

## **15.1 Inequality as a Problem of Social Rights**

One way to explore the many manifestations of inequality in a society is to analyze how it shapes interactions among citizens from different social groups. In this section, we examine these interactions in the context of two Latin American democracies: Brazil and Chile.

### **15.1.1 Brazil's *Rolezinhos***

In 2013, a teenage-led social movement nicknamed the *rolezinhos* made national headlines in Brazil. The name *rolezinhos* comes from the Portuguese word *rolar*, which means “to take little strolls.” The *rolezinhos* were groups of teenagers from humble backgrounds who gathered together to walk around upper-class shopping malls in the main Brazilian cities. Initially, these gatherings were not meant as protests and had two specific characteristics: they were announced and coordinated via social network platforms and thus attracted a large number of participants, and they were organized by young people living in urban slums and poor neighborhoods.

As a result of these gatherings, shopping malls that were usually frequented only by social elites suddenly became inundated with teenagers from a different social class. In the previous decade, these poor teenagers had benefited from Brazil's economic growth and targeted social policies. These developments increased their expectations for social mobility and consumption. The teenagers soon discovered, however, that they were unwelcome in the malls. In fact, the *rolezinhos* soon were criminalized.

The reaction by shopping mall managers and by their elite customers was swift: private guards and the Brazilian police cooperated to repress *rolezinhos*, escorting hundreds of teenagers off the premises and imprisoning several of them. Unexpectedly, but understandably, this hostile reaction by Brazilian elites changed the nature of *rolezinhos*. In the months that followed, what had started as a social activity became a political movement. Several shopping malls had to shut down their facilities; in fact, on Christmas Eve, typically the most lucrative time of the year for retailers,

several elite shopping malls had to close. Eventually, the movement faded out and up-scale normality resumed. See [Photo 15.2](#) on the rolezinhos in Brazil.



**Photo 15.2 Rolezinhos in São Paulo, Brazil, 2013** Youths from poor backgrounds being detained for strolling in up-scale shopping malls.

*Source:* Robson Ventura/Folhapress.

These events offer several lessons about the interaction of social rights, inequality, and civil and political citizenship that are relevant to our analysis. First, the expansion of social rights (and a relative decline of inequality) in the previous decade provided material and symbolic resources for poor young people to reach areas of their cities that were previously inaccessible to them and that were informally reserved for the rich. However, as these territorial boundaries started to weaken in a context of continued inequality, social disparities became more visible and more politically consequential. In other words, a reduction of inequality might

increase the visibility of social disparities and make them, therefore, more politically combustible.

Second, these events highlight the fact that many Latin American societies lack public spaces where individuals from different social classes can interact. Although shopping malls have become crucial socialization spaces in contemporary Latin America, they are socially segregated in ways that hinder the interaction between citizens of different social backgrounds. Indeed, the privatization of public goods (such as education, health care, and security) has greatly exacerbated this problem and helped to reinforce acute segregation.

Third, the increasing separation of citizens from different social classes has accentuated social mistrust and contributed to the frequent criminalization of the poor. In the case of *rolezinhos*, private guards and the police joined together to “protect” the wealthy, significantly curtailing the basic civil rights of poor citizens. Essentially, the state mobilized against the citizenship rights of its more vulnerable members.

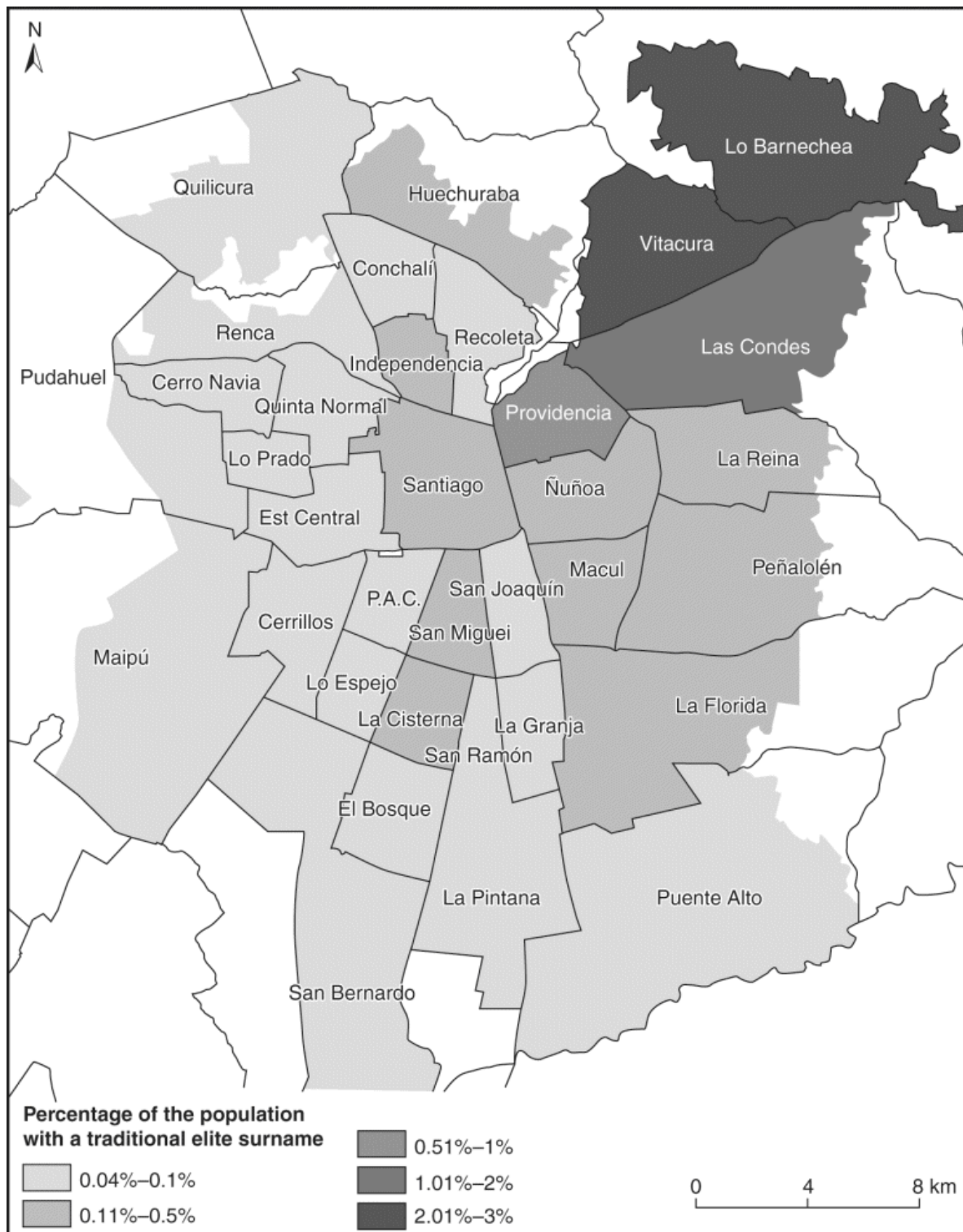
Brazilian shopping malls are also one example of a more general phenomenon: the territorialization of inequality in contemporary societies – that is, inequalities manifest themselves in the segregated physical spaces where citizens live. This reality has a host of implications, since it affects the ability of citizens to access rights in their everyday life.

### **15.1.2 Chile's Territorialization of Inequality**

The territorialization of inequality is also evident in Chile. In recent research, sociologist Naim [Bro \(2020\)](#) analyzes a dataset of all congress members over the course of Chile's history by using members' last names to map the social diversity of congress. According to Bro's data, one-third of the members of the Chilean Congress for the 2018–2022 period have a genealogical connection to the Larraín family, which was one of the most powerful families in nineteenth-century Chile. From 1810 to the present, Larraín has remained the most common surname among the approximately 10,000 Chileans who have held seats in Congress. Bro also finds that the political elite diversified in the years 1925–1973. However, after the Pinochet dictatorship (1973–1990), the Congress returned to the levels of elitism that characterized the pre-1925 era.

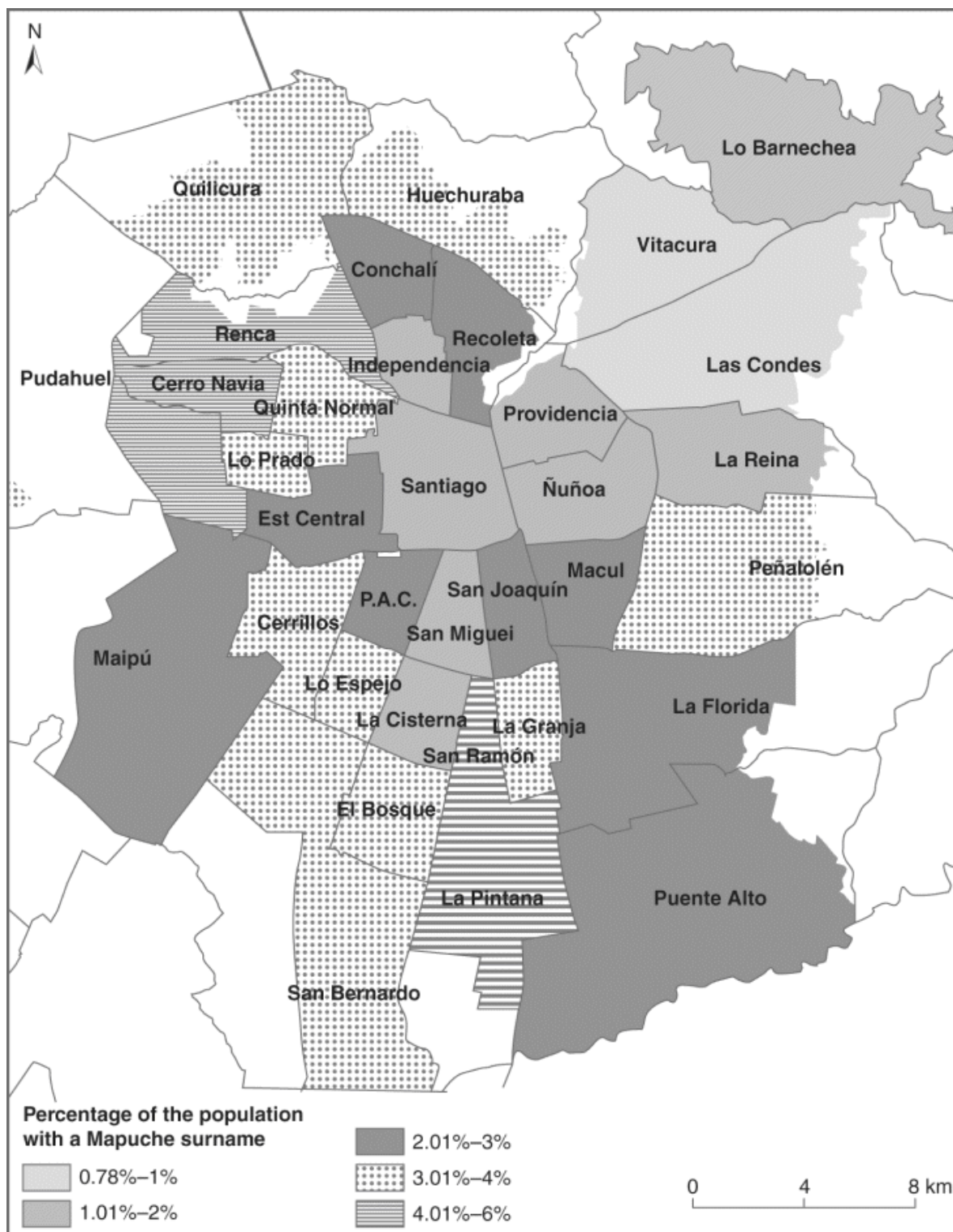
Now, let us consider four maps of Santiago's Metropolitan Region ([Map 15.1](#)), which present geographically coded data for some indicators that roughly relate to the distribution of civil, political, and social rights.

**Map 15.1** Santiago, Chile, c. 2017: Geocoded data

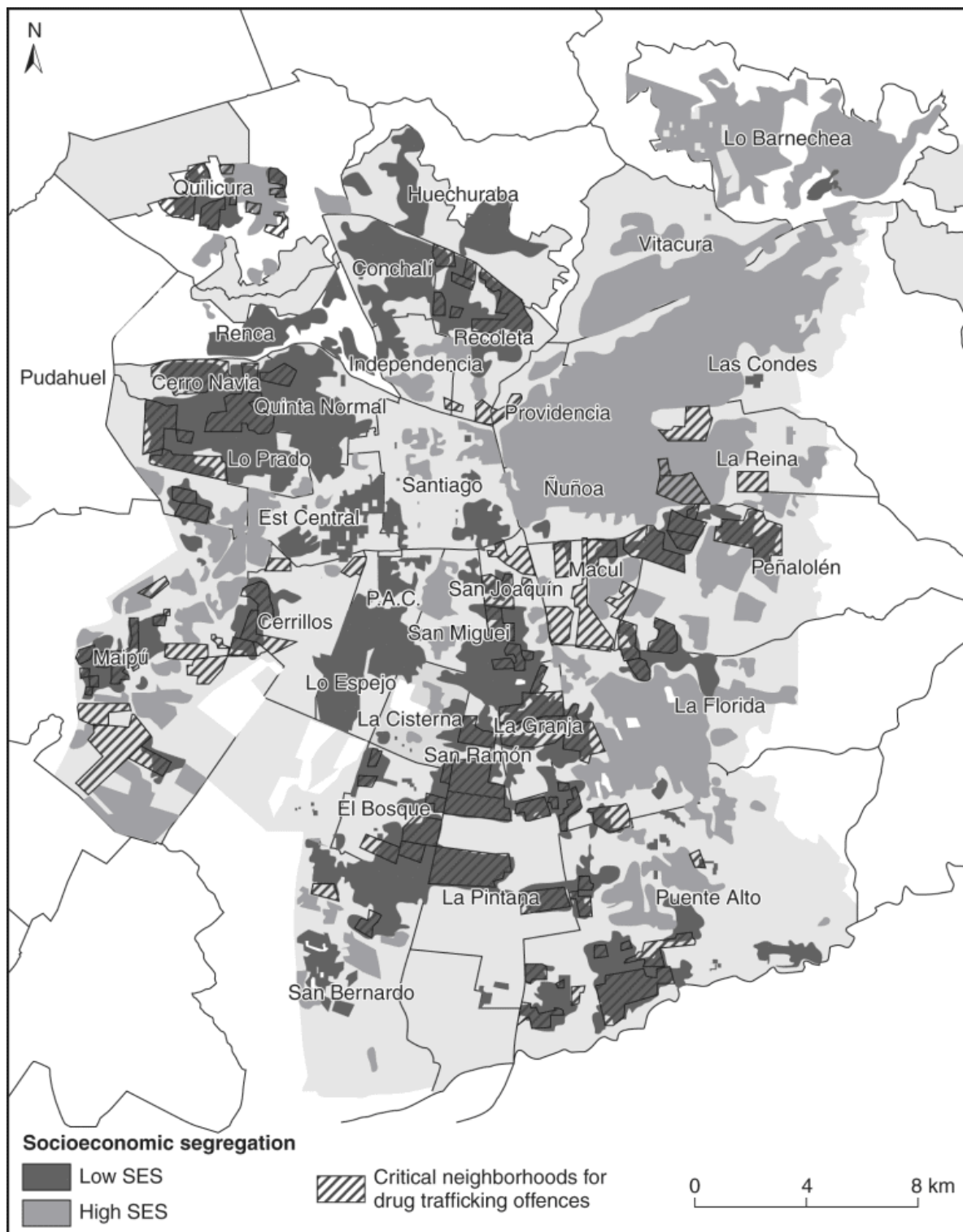


**(a)** Elite last names

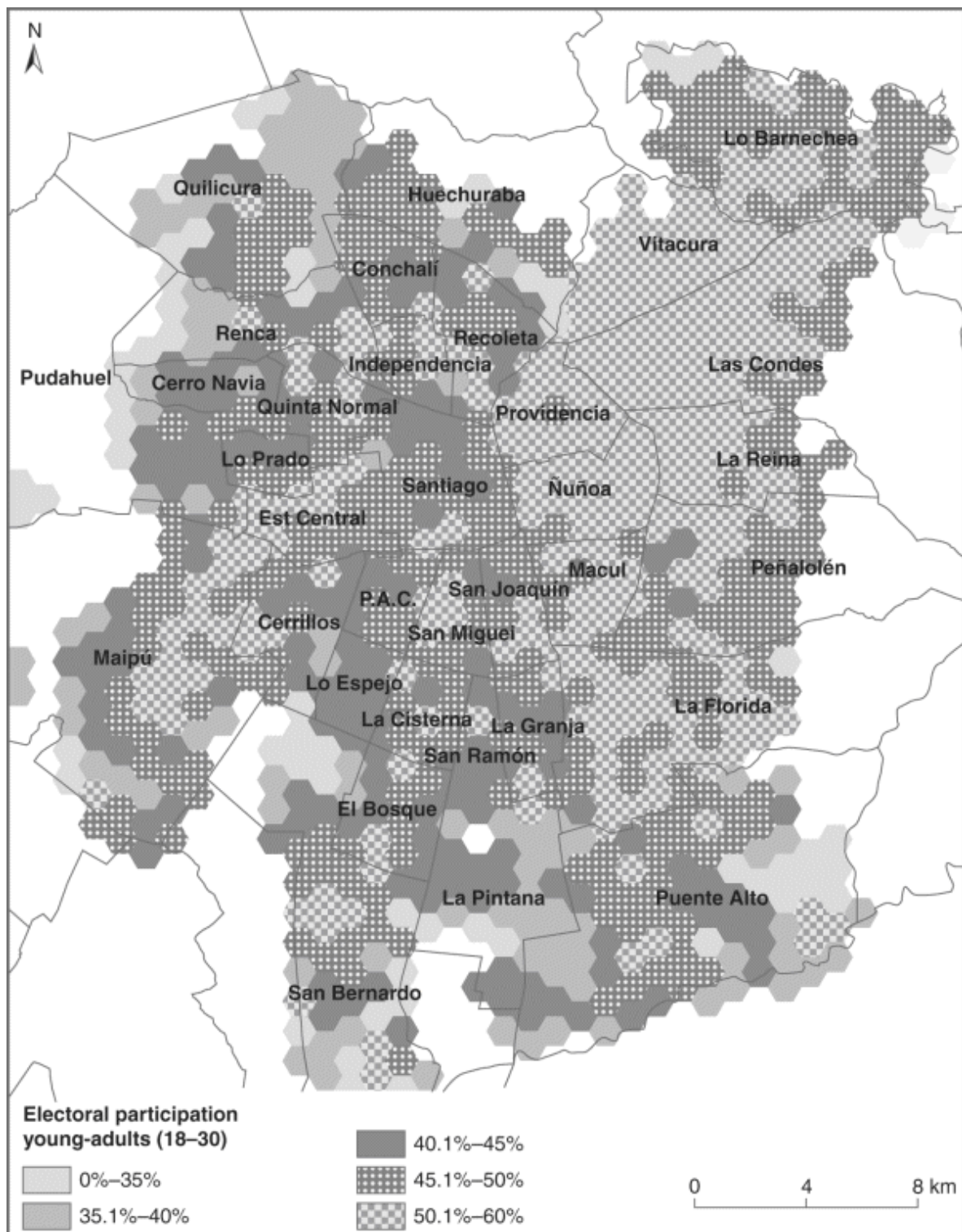




(b) Mapuche last names



(c) Socioeconomic status and narco-trafficking procedures



(d) Electoral turnout by Chilean youngsters (18–29-year-old citizens)

*Source:* Authors' construction, on the basis of maps drawn by Juan Correa Palma (a, b, c, and d) and using data from [Bro \(2020\)](#), [Bro and Mendoza \(2021\)](#), and other sources.

Panels (a) and (b) of the map compare, by place of residency, the density of the top-ten elite last names and of 117 Mapuche last names ([Bro and Mendoza 2021](#)). The Mapuche ethnic group is the largest indigenous minority in Chile; with 1.4 million people, it represents 84 percent of the country's entire indigenous population. Although this ethnic group originally settled in southern regions of the country (the Araucanía and Alto Bio Bio), Mapuche internal migration to cities and to the capital has been a long-term trend. The Mapuche are also overrepresented among the country's poorest citizens.

Panel (c) of [Map 15.1](#), in turn, juxtaposes two types of data: the socioeconomic status of residents in each area – classified as high or low – and the locations of the city where police and judicial procedures related to narco-trafficking activities take place (on the basis of judicial procedures related to violations of the narcotics law). It is important to note that these criminal justice procedures do not necessarily overlap with the prevalence of illegal activities. Trafficking also occurs in wealthy neighborhoods, where business margins and demand are high. However, enforcement usually takes place in lower-class neighborhoods. In the latter context, enforcement is also contingent on the eventual collusion of police forces with different gangs.

The last panel of [Map 15.1](#), panel (d), shows turnout in Chile's presidential and congressional elections in 2017, for youths aged 18–29, an

age cohort that in Chile has shown a consistent drop in electoral participation rates since the late 1990s.

We can infer the following patterns from this set of maps. First, poor citizens and ethnic minorities live in less secure areas of the city. Second, they tend to vote much less frequently than do their richer fellow citizens. Third, members of Congress are overrepresented among the rich. Poor citizens, therefore, lack political representatives who look and live as they do and have needs similar to theirs.

It is a well-known fact that socioeconomic inequalities are a persistent feature of Latin American societies. However, the details of [Map 15.1](#) also indicate something else about the relationship, in unequal democracies, between the various effects of inequality and citizen access to social rights, namely, the multiple mechanisms through which, even in a democratic context, social inequalities might persist over time.

## **15.2 The State of Income Inequality**

To better understand income inequality in the entire region of Latin America, we next discuss in detail cross-national data on inequality. We explore the evolution and shape of inequality – that is, the social distance between different social strata, and the levels of income concentration at the top of the distribution. We also address how inequality intersects with the social structure – specifically, why individuals from some social groups are far more likely to be at the bottom of the distribution than others and how disadvantages accumulate and reinforce one another. This type of analytical unpacking enables us to use data on income inequality to estimate, in an admittedly indirect way, the extent to which social rights are evenly enjoyed by all citizens in a country.



### 15.2.1 Inequality over Time

To gauge the deep-seated nature of inequality in Latin America, we start by considering what the data tell us about the evolution of the problem since 1970. The metric we will use for this purpose is the Gini coefficient. While it has some important limitations, the Gini coefficient – also called the Gini index – is a conventional measure of inequality. The Gini index is normally used to assess the variance or dispersion of income within a country and has become an accepted measure of inequality.

The value of the Gini index ranges from 0 to 100, with “0” signifying perfect equality (i.e., all individuals earn the same income) and “100” signifying maximum inequality (i.e., one individual earns all the income and everyone else earns nothing). (Sometimes, the Gini index is presented on a 0 to 1 scale.) Clearly, neither of these extremes exists in reality. Thus, to gain a sense of actual measures of inequality, we note that in 2015 the Gini index ranged on a global scale from 25.9 in Sweden (the most equal) to 60.0 in South Africa (the least equal).

[Table 15.1](#) displays how inequality has evolved in Latin American countries since 1970. The final two columns summarize the trends over time, although older inequality measures are not available for several countries.

**Table 15.1** The evolution of inequality in Latin America, 1970–2017

Region/country	1970	1980	1990	2000	2010	2017 (or latest)	Evolution, 1970–2017	Evolution, 2000–2017
<b>South America</b>								
Argentina	35.5	37.9	42.2	46.1	39.9	37.3	1.8	–8.8
Bolivia	–	–	46.8	53.1	45.3	42.1	–	–11.0
Brazil	50.2	51.6	53.8	52.1	46.3	46.5	–3.7	–5.6
Chile	44.7	46.7	48.0	48.5	45.3	44.9	0.2	–3.6
Colombia	50.3	50.9	51.0	52.0	49.8	47.9	–2.4	–4.1
Ecuador	–	–	48.4	49.9	44.3	41.8	–	–8.1
Paraguay	–	–	42.5	50.1	46.5	45.1	–	–5.0
Peru	–	53.6	53.0	51.2	47.0	44.3	–	–6.9
Uruguay	–	–	39.7	40.0	39.3	35.9	–	–4.1
Venezuela	–	41.9	40.2	40.3	42.6	36.9	–	–3.4
<b>Mexico, Central America, and the Caribbean</b>								
Mexico	52.1	48.1	46.4	47.6	46.2	44.8	–7.3	–2.8
Costa Rica	41.9	40.7	40.8	44.2	45.6	46.1	4.2	1.9
El Salvador	–	–	46.7	46.7	40.7	38.3	–	–8.4
Guatemala	–	–	50.9	50.1	46.8	42.7	–	–7.4
Honduras	–	–	49.0	50.1	49.9	47.3	–	–2.8
Nicaragua	–	–	–	48.2	42.7	42.6	–	–5.6
Panama	49.6	49.2	50.8	51.0	47.3	46.5	–2.7	–4.5
Cuba	–	–	–	–	–	–	–	–
Dominican Republic	–	–	45.8	47.7	45.4	43.0	–	–4.7

*Notes:* Figures represent Gini coefficients on a 0–100 scale. Larger Ginis indicate greater income inequality in a society.

– Data are not available.

*Source:* Authors' construction, on the basis of the SWIID database.

These data make clear that inequality peaked in most countries around the year 2001 and since then has declined significantly in all countries except Costa Rica. This decline coincides with the commodity boom period during which Latin American economies grew steadily on the basis of raw material exports. Inequality decreased the most in Bolivia, Argentina, El Salvador, and Ecuador; it declined less in Mexico, Honduras, and Venezuela.

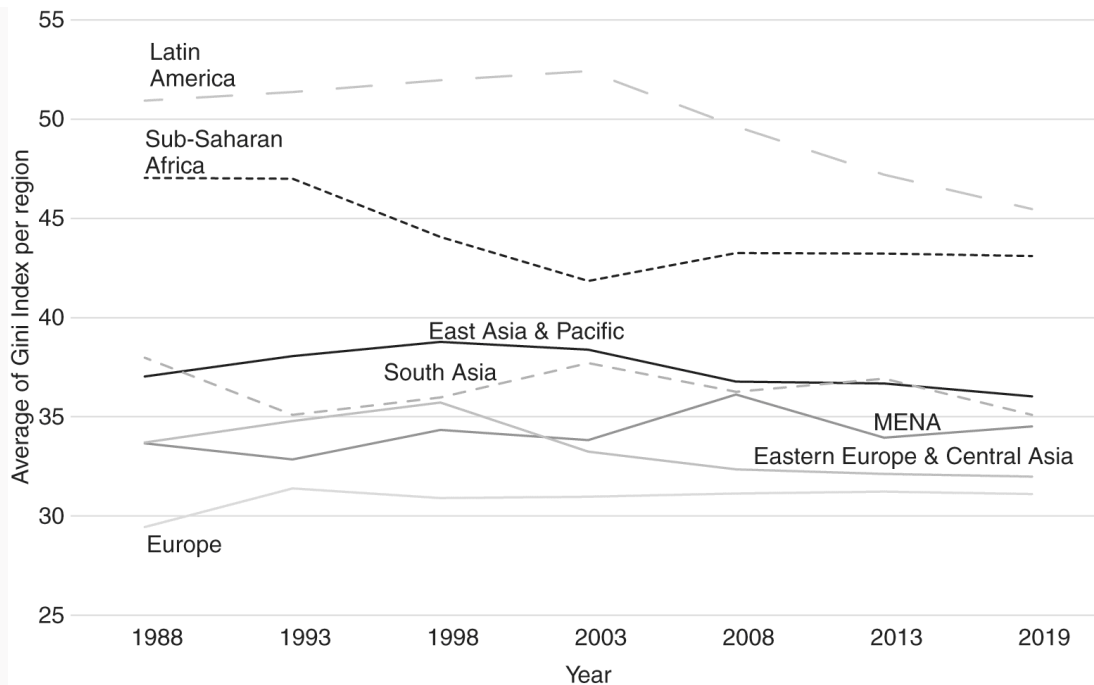
In spite of this progress, two points must be added to this evaluation. First, there are signs that the decline of inequality is a trend that has been halted. In Brazil and Costa Rica, inequality appears to have begun increasing again in 2017. A similar pattern could affect other countries, as the economic slowdown that began in 2015 persists and the social costs of the COVID-19 pandemic ensue. Second, although the data show that in the early twenty-first century inequality in Latin America as a whole declined, Latin America remains the most unequal region of the world ([Box 15.1](#)).



### **Box 15.1** Thinking Comparatively: Inequality in Global Perspective

Inequality in Latin America is an order of magnitude greater (i.e., significantly and persistently greater) than the levels of inequality that currently exist in other regions of the world.

[Figure 15.1](#) depicts the longitudinal trends (i.e., trends over time) in average inequality per region. The average Gini coefficient for Latin American countries has hovered around 50, declining to the mid-40s in the 2010s. In stark contrast, countries in Europe, and Eastern Europe and Central Asia, exhibit average Gini coefficients of roughly 31. Only Sub-Saharan Africa, with an average Gini coefficient close to 43, approximates Latin American levels of inequality.



**Figure 15.1** Gini indexes around the world: Regional averages, 1988–2019.

*Note:* Figures represent Gini coefficients on a 0–100 scale. Larger Ginis indicate greater income inequality in a society.

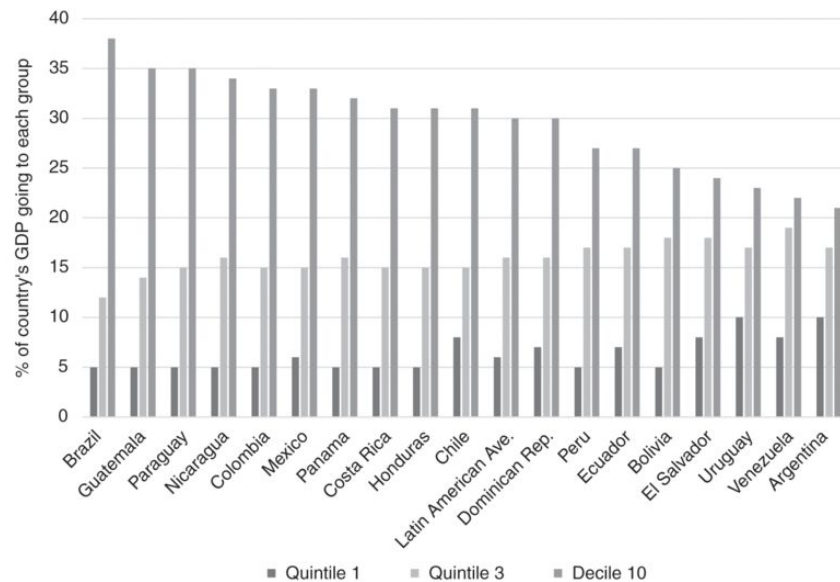
*Source:* Our World in Data (retrieved from <https://ourworldindata.org/income-inequality#within-country-inequality-around-the-world> on August 27, 2021).

### 15.2.2 Inequality Unpacked

Although useful and handy for comparative assessments, the Gini coefficient has its drawbacks. Different income distribution patterns might produce similar Gini indexes, thus hiding important features of a country's inequality. Thus, to better grasp how wealth is distributed in Latin America, we next consider information that provides a more detailed and nuanced picture.

*The Distance between Rich and Poor.* We start by presenting data on the concentration of income among the richest members of society and the income distance between the wealthy and the poor.

[Figure 15.2](#) shows how much of each Latin American country's economic product is distributed among those in quintile 1 (the poorest 20 percent), quintile 3 (those whose income lies in the middle of the distribution), and the top income decile (the richest 10 percent). As shown, the proportion of the income going to the wealthiest in society varies considerably across countries. Also, the distance between the top, the middle, and the bottom of the social structure differs markedly throughout the region. To consider the extreme cases, Brazil is obviously a less socially inclusive and integrated country compared to Argentina.



**Figure 15.2** Proportion of income going to different groups: Latin America, c. 2015.

*Note:* The countries are ordered according to the income going to the wealthiest decile, starting with countries with the greater concentration of wealth on the left.

*Source:* Authors' construction on the basis of [CEPAL 2018](#): 36.

*The Face of the Poor.* We can add more texture to this depiction by considering who is poor in Latin America. Poverty is an economic feature. But it does not affect all people equally. That is, the chance of being poor or extremely poor in Latin America correlates closely with citizens' specific social characteristics.

[Table 15.2](#) shows data on the rate of poverty and extreme poverty of different categories of citizens. And it reveals some patterns.

**Table 15.2** Correlates of poverty and extreme poverty in Latin America, 2017

Population category	Poverty (%)	Extreme poverty (%)
Total population	30.2	10.2
Geography		
Urban	26.3	7.8
Rural	46.4	20.4
Indigenous peoples		
Indigenous	51.0	19.1
Neither indigenous nor Afro-descendant	27.8	9.9
Sex		
Women	30.7	10.3
Men	29.7	10.1
Age		
0–14 years old	46.0	17.3
15–24 years old	32.5	10.1
65 years old and more	15.0	4.7
Education		
0–5 years of education	32.9	11.8
6–9 years of education	32.1	9.8
10–12 years of education	17.1	4.4
13 or more years of education	6.1	1.8
Employment		
Employed in low-productivity sectors	30.4	9.5
Employed in high-productivity sectors	11.3	1.8

*Note:* The data are based on information on eighteen Latin American countries: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela.

*Source:* Authors' construction on the basis of [CEPAL 2019b: ch. 2](#).

As discussed above in the context of the city of Santiago, Chile, place matters. People living in rural settings are poorer than city-dwellers. Race and ethnicity matters. Indigenous people are poorer than the rest of the population. Indeed, the poverty rate for the nonindigenous, nonAfro-descendant population is roughly half that of indigenous people. In addition, other factors that make a difference are age, education, and employment status. Young people tend to be poorer than older people, less educated people are poorer than better educated people, and those employed in low-productivity jobs – informal sector jobs (e.g., street vending and domestic service) or seasonal jobs (e.g., fruit picking) – are poorer than those employed in high-productivity jobs. If considered in isolation, gender does

not seem to make a difference. The rate of poverty is the same for men and women. However, women head a significant proportion of poor households in Latin America.

The data do not allow us to consider to what extent certain categories of citizens (e.g., indigenous women in rural areas) fare compared to other categories. That is, we are not able to assess the impact of multiple identities. Nonetheless, we have good reasons to believe that inequalities do overlap ([CEPAL 2020b](#), [2020c](#): 107). And for people who suffer from multiple, overlapping exclusions, the impact can be daunting and create a sense of social entrapment ([Caldeira 2000](#)).

### **15.2.3 A Balance Sheet**

Latin America is the world's most unequal region and, despite some reduction in inequality, it remains so. To this basic fact, we add some refinements.

- First, Latin American societies vary considerably in their levels of inequality.
- Second, in comparative terms, Latin American societies produce significant wealth, but the wealth is very unequally appropriated by different segments of the population.
- Third, in spite of the recent reduction in economic inequality, inequality seems to be “sticky,” in the sense that it persists over time.
- Fourth, Latin American inequalities are multiple and overlapping.

Latin America has made big strides and become a largely democratic region. Yet it has not appeared to be able to tackle the inherited problem of economic inequality. Latin America has the distinction of being home to many unequal democracies.

## 15.3 Explaining Income Inequality

Numerous scholars have sought to account for the high level of income inequality in Latin America. In their research, they have drawn attention to several factors. Many have emphasized historical causes, with some suggesting that the roots of inequality in contemporary Latin America lie in its colonial past, while others blame the commodity boom of 1870–1913 ([Williamson 2015](#)). The distribution of key productive assets (e.g., land and mineral riches) and its historically high concentration in a few hands (either local elites or foreign interests with ties to national elites) have also been considered crucial mechanisms for creating and reproducing inequality in Latin America ([Cardoso and Faletto 1979](#)).

Given the productive assets that are valuable in today's economies, others argue that reducing inequality is difficult for technological rather than political or economic reasons ([Przeworski 2010](#): 85–90). In this regard, the abundance of low-skilled labor (caused by long-term educational deficits) also limits Latin America's prospects for profiting from high value-added global commodity chains ([Fernandez-Stark \*et al.\* 2014](#)). Other scholars claim that the types of foreign direct investment attracted by the region generally increase inequality, even if they contribute to economic growth at the same time ([Suñes and Roca-Sagalés 2015](#)). Many also focus on the differential impact of political regimes (e.g., democracy compared to authoritarianism) ([Acemoglu and Robinson 2006](#)).

All of these arguments have merit, and we think they usefully tell part of the story. However, in what follows, we will consider a specific series of



political and social factors related to the functioning of unequal democracies that prevent the kind of reforms needed to reverse the region's long-standing problem of economic inequality. We first make a case that democracies can reduce inequality. Then we show why, in the context of Latin America, that possibility is largely blocked.

### 15.3.1 The Promise of Democracy

Policymakers and elected leaders have two main tools at their disposal for reducing the socioeconomic inequalities produced through the market and/or wealth accumulation across generations: taxation and redistribution via government transfers (see [Chapter 12, section 12.3.1](#)). Taxation involves decisions about the rates at which different classes are taxed (e.g., a flat tax or a progressive tax) and about tax levels (and tax exemptions) for different types of business and economic enterprises. Government transfers include decisions about how to invest tax revenue to improve the provision of social rights and specifically about who will benefit the most from public resources.

We can assess how much policymakers in different countries engage in redistributive policies through taxes and government transfers by means of a simple exercise. The data in [Table 15.3](#) offer an estimate of the impact of government intervention on the level of inequality. The table shows that countries have a certain level of inequality before governments intervene (measured here in terms of the Gini index) and a different level of inequality after governments have imposed taxes and redistributed resources.

**Table 15.3** Pre- and post-government intervention inequality in Latin America, c. 2017

Region/country	Pre-tax and transfers Gini index*	Post-tax and transfers Gini index*	Government's redistributive effect (change of Gini index)
<b>South America</b>			
Argentina	38.6	37.3	-1.3
Bolivia	42.1	42.1	0.0
Brazil	53.7	46.5	-7.2
Chile	51.3	44.9	-6.4
Colombia	50.8	47.9	-2.9
Ecuador	43.3	41.8	-1.5
Paraguay	46.4	45.1	-1.3
Peru	47.3	44.3	-3.0
Uruguay	46.3	35.9	-10.4
Venezuela	41.7	36.9	-4.8
<b>Mexico, Central America, and the Caribbean</b>			
Mexico	46.6	44.8	-1.8
Costa Rica	49.7	46.1	-3.6
El Salvador	46.2	38.3	-7.9
Guatemala	44.5	42.7	-1.8
Honduras	47.9	47.3	-0.6
Nicaragua	49.0	42.6	-6.4
Panama	50.6	46.5	-4.1
Cuba	–	–	–
Dominican Republic	51.3	43.0	-8.3

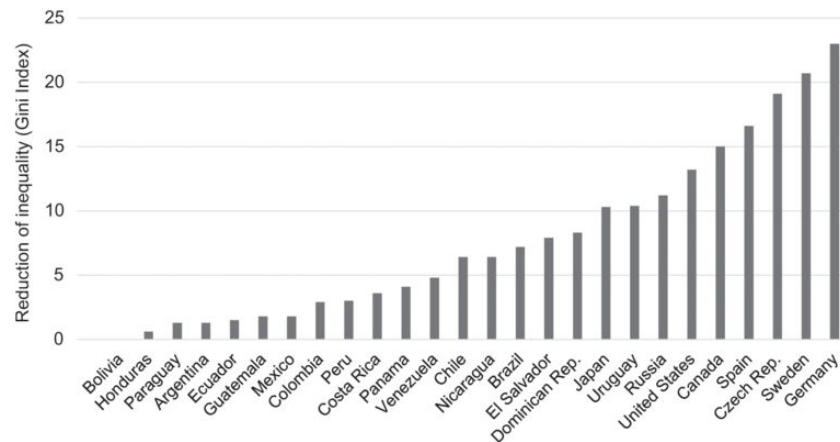
*Notes:* \* The data represent Gini coefficients on a 0–100 scale. Larger Ginis indicate greater income inequality in a society.

– Data are not available.

*Source:* Authors' construction on the basis of the SWIID database.

The data show that most Latin American governments have a positive impact on inequality. That is, the Gini index is lower after the government's intervention (see the final column in [Table 15.3](#)). In some countries (e.g., Uruguay, the Dominican Republic, El Salvador, and Brazil) the size of the change is significant. However, the average magnitude of the change (a 4.1-point reduction in the Gini index) is actually low and far from what democracies in other regions achieve.

Government in Europe and North America, without exception, reduce economic inequalities to a greater extent (see [Figure 15.3](#)). For instance, the reduction in the Gini index due to the policies of the German government amounts to 23 points, and this figure is roughly 21 for Sweden, 17 for Spain, 15 for Canada, and 13 for the United States.



**Figure 15.3** The government's redistributive effects via taxes and transfers: Latin American and other countries, c. 2017.

*Note:* The vertical axis represents the positive effect of the government's taxation and spending policy on the reduction of inequality, measured in terms of the Gini index on a 0–100 scale.

*Source:* Author's construction of the basis of SWIID estimates.

Inequality in Latin America has been stubbornly persistent. And part of the reason is that Latin American democracies have not emulated what older democracies have done.

### 15.3.2 The Limits of Democracy

Why hasn't greater redistribution occurred in Latin America after nearly thirty years of democracy, given that most citizens would benefit from such redistributive policy?

A major reason for the lack of greater redistribution in Latin America is the way in which democracy works in the region. At first glance, it is paradoxical that political equality – a founding principle of democracy – and social inequality can coexist. In a context in which the right to vote is universal and the majority of the population would benefit from redistribution, we might expect democratic leaders to win voters by seeking to improve their economic and social situations. Yet, in Latin American democracies, economic elites are able to translate their economic power into political power, and use their influence to defend their interests. Other factors also limit what democracies actually do to address social issues.

*Economic Elites and Structural Power.* One mechanism through which elites can shape outcomes is structural power. According to declassified US documents from the Cold War era, on September 15, 1970, President Richard Nixon met with National Security Advisor Henry Kissinger and CIA officials to discuss the rise of leftist leader Salvador Allende in Chile. Nixon ordered the CIA to take steps to “make the [Chilean] economy scream” to prevent Salvador Allende from governing effectively.

“Making the economy scream” refers to an important mechanism through which economic elites, international and domestic, can put pressure on democratically elected governments that threaten their interests. Such leverage is commonly described as the structural power of elites ([Fairfield](#)

[2015](#)). Given the business sector's centrality to economic growth in a capitalist society, business elites have a unique capacity to apply pressure on politicians. An economic crisis can quickly destabilize a government, and business elites are in a privileged position to induce recessions and create shortages in the national economy.

Events in Bolivia during the presidency of Evo Morales, a leftist leader, illustrate how elites can use structural power to protect their interests. After a serious conflict between the government and landed elites in Bolivia's wealthiest province (Santa Cruz), Morales's government struck a deal. The compromise between the government and the landed elites of Santa Cruz entailed, among other issues, the government's removal of land reform from its political agenda. This compromise rapidly reduced the threat of civil war in 2008. In addition, the compromise led powerful landowners to resume production and to supply local markets, which had seen severe shortages during the protracted conflict ([Eaton 2017](#): 139, 141). By confronting the government, social elites put an obstacle in the way of the leftist government's agenda for social reform.

In an open economy, structural power belongs not only to domestic elites and foreign governments, but also to international holders of private capital who can destabilize a national economy by rapidly withdrawing investments from a developing country. For example, in the lead-up to the 2002 Brazilian election won by leftist candidate Lula da Silva, George Soros sought to make this point clear: in his words, "In modern global capitalism, only Americans vote. Not the Brazilians." Soros added that Brazil would be immersed in chaos if Lula was elected. Despite capital flight during the electoral campaign that signaled the global market's fears, once in office, Lula and his government rapidly adhered to market

capitalism (renouncing historical policy stances in the platform of his *Partido dos Trabalhadores*) in order to calm the markets and to promote investment and economic growth. Such growth was instrumental in helping the PT government implement social programs to address poverty and extreme poverty. However, these programs did not redistribute large amounts of resources from the elites to poor citizens.

The case of Lula and the PT is not an isolated one. During recent decades, Latin American leftist presidents often engaged in “policy switches,” whereby, after being elected to office on a progressive platform, they switched their position and adopted market-friendly policy stances. Policy switches occur more frequently during “dollar scarcity times,” when governments confront the need to attract foreign investment to the local economy. In such scenarios, leftist leaders elected on a redistributive agenda switch in favor of foreign capital’s interests ([Campello 2015](#)).

*Economic Elites and Instrumental Power.* Elites can also use their resources to directly influence actions by politicians and policymakers. Such a mechanism is usually referred to as instrumental power ([Fairfield 2015](#)). Funding electoral campaigns and lobbying policymakers are two classic channels through which elites exert their instrumental power.

Modern campaigns are much more expensive than they were in the past. Moreover, in Latin America, the absence of strong regulations and significant public funding for political campaigns are the norm. Both factors increase the leverage and influence of business and social elites.

Latin American elites also tend to have direct access to policymakers, in part because they provide much-needed resources to politicians, in part due to social connections (e.g., they belong to the same social clubs or send

their children to the same private schools). Such access grants business elites the ability to shape regulations and legislation in their favor.

For instance, a recent investigation in Chile disclosed that several articles in a law regulating access to the country's main fisheries granted crucial advantages to the major players in the sector relative to small, artisanal fishermen or fisherwomen, and that these benefits were literally written into the law by the executive of one of the main companies, who then formally proposed the new law to the relevant minister. The law was passed in Congress with support of the mainstream political parties, all of which had received campaign funds from the country's fishing industry.

*Economic Elites and the Media.* Besides pure self-interest and its channeling through structural and instrumental power, elite beliefs (and rationalizations) about poverty and inequality in their societies also shape redistributive outcomes.

Social elites frequently identify poverty and inequality as critical issues to be addressed in Latin America. Yet they also do not "feel responsible" for addressing those issues. Indeed, systematic research on the attitudes of those who control the most valuable assets in society finds that social elites usually blame politicians and "the state" for poverty, inequality, and associated problems such as crime ([Reis 2011](#)). These entrenched attitudes, which occur most frequently in highly unequal and socially segregated societies, are detrimental to progressive reform. In sum, those who could promote reforms do not feel responsible for them.

Media content also helps reinforce and disseminate elite views on poverty and social justice. Latin American media often reproduce and amplify the status quo, which in the region is associated with deep



inequalities. A study of media content in Chile, Costa Rica, Mexico, and Uruguay during the early 2000s produced striking evidence in this regard ([Hughes and Prado 2011](#): 131). Most program content featured in prime-time network news – 42.8 percent on average – related to crime, public security, and disasters. In contrast, a smaller amount of time – 2.8 percent – was dedicated to discussing social policy (e.g., news about education, health care, social assistance programs, public transportation) – and a meager amount of time – 0.3 percent – was devoted to the coverage of news related to poverty ([Hughes and Prado 2011](#): 131). Additionally, white people were more often featured in association with elite roles (i.e., government officials, experts, business managers, etc.), whereas nonwhites were more frequently featured as petty criminals, gang members, protestors, and consumers of education, health care, and other social services ([Hughes and Prado 2011](#): 129).

Latin American societies have highly concentrated media ownership structures. Media content often reflects the points of view and interests of those who own media enterprises. Hence, this is another avenue through which elites influence politics, affecting what are seen as the problems of a society and how such problems should be addressed.

***Political Clientelism.*** Beyond the role of economic elites, some strictly political practices that weaken democracy and that involve choices politicians could choose to alter should be underscored.

Political clientelism, the practice by which campaigns give favors or goods to poor voters in exchange for political support, has a long history in the region and is endemic in the context of poverty, where the goods provided by politicians might make a difference (even if short lived) to

those receiving them. A recent study estimates that, on average, 15 percent of citizens reported having received gifts from a political candidate in an electoral campaign ([González-Ocantos et al. 2014](#)). And clientelism has an important effect. Clientelistic politics reduces the capacity of poor voters to seek more permanent improvements to their life circumstances by hindering the development of programmatic links between political parties and voters and thus thwarting the representation of the poor in the policy-making process.

To give an example, in the early 2000s, leaders of a conservative party controlling several mayoralities in Santiago's metropolitan area sought a solution to the problem posed by the presence of stray dogs in the streets of wealthy neighborhoods. And their solution involved a trade. Dogs in upper-class neighborhoods were caught and shipped to lower-class municipalities also controlled by fellow party members. In return, the mayors willing to accept street dog shipments received a compensation fee, which they subsequently used to engage in the clientelistic mobilization of poor voters in their constituency ([Luna 2014](#): 1). Thus, a right-wing party representing the interests of the wealthy in Congress engineered a scheme to improve the quality of life in the better-off neighborhoods while funding handouts to poor voters whose interests they clearly were not protecting. [Box 15.2](#) provides further insight into the working of clientelism in Latin American societies.

### **Box 15.2** A Closer Look: The Mechanisms of Clientelism and the Distortion of Representation

In Latin America, the heterogeneity and relative weakness of organized labor complicate policy-making by progressive parties seeking redistribution. In addition, electoral mobilization in a context of weak programmatic party organizations also dilutes redistributive pressures “from below.”

Political clientelism comes in multiple flavors. Political scientist Susan [Stokes \(2005\)](#), for instance, restricts the use of the term to a very specific situation in which political parties (political machines), through their local brokers, can effectively monitor the vote of their clients (thus breaking the secrecy of the vote) in order to condition the supply of a given handout. Machine politics clientelism is often described as pervasive in contemporary Argentina, although estimates of its specific weight in shifting electoral results are open to debate ([Calvo and Murillo 2019](#); Greene 2021). Moreover, there is much variation in the ways in which clientelism works across different poor localities in Argentina and elsewhere. Research by Virginia [Oliveros \(2021\)](#) illustrates the connection between clientelism and patrimonialism in the public administration by analyzing the exchange of political support for jobs in the state administration.

Traditionally, political parties have resorted to different techniques in order to enforce clientelistic deals. Temporarily buying the voting IDs of those suspected of supporting rival

candidates is a traditional practice of vote suppression in Paraguay – and, according to election observers, it remains pervasive. Historically, a prevalent practice in rural areas controlled by powerful landlords was to give voters one shoe before they headed to the polls and the second shoe to complete the pair only after the voters cast their ballots and presented evidence that they had voted in favor of the landlord's candidate.

Sometimes clientelism is softer, and the monitoring of the clientelistic deals is relaxed. In such contexts, handouts are essentially considered campaign gifts. However, the distributive effects of handouts might still be large.

Although much of the literature on clientelism focuses on the importance of political machines and political parties, research by Paula Muñoz on Peru describes the powerful effect of clientelism in a system that lacks strong political parties. Muñoz (2018) argues that campaign gifts are used by candidates to convey to voters their plausibility as serious challengers in the election, in a context in which candidates abound and parties are extremely weak and disregarded by citizens. This lighter variety of clientelism nevertheless has distributive implications, as those candidates who can effectively disburse more gifts at campaign rallies usually have more resources than their competitors. Resources, according to Muñoz, can be personal (in the case of rich candidates) or donated by interested business allies.

***Weak State Capacity.*** Finally, we return to a factor we have discussed at various points throughout this book: state capacity.

Government policy to remedy economic inequality requires that the state collect resources from society. Nevertheless, shortcomings in state capacity have curbed what governments are able to do. For example, given the difficulties in implementing more sophisticated mechanisms of direct taxation, such as property and income taxes, Latin American countries have disproportionately resorted to value-added taxes, a relatively easy-to-collect form of indirect taxation. This way of raising resources allows governments to fund social policies. Yet it has a downside. Value-added taxes tax consumers of basic goods at the same rate and hence the wealthy pay proportionately less than the poor in taxes. That is, since the state is incapable of relying heavily on direct taxes and personal income taxes, it uses a regressive form of taxation ([Flores-Macías 2019](#)).

Second, the enforcement of tax laws is notoriously lax in many countries. The wealthy have developed various schemes to hide their money and avoid paying their income and property taxes in full. Even retail stores that are supposed to collect taxes on behalf of the state skirt their duty, by not issuing receipts to customers and hence not passing on the required tax to the state. Yet few states in Latin America have managed to curtail such evasive actions. [Box 15.3](#) examines a special category of actions, those involving forbearance.

### **Box 15.3** A Closer Look: The Ambivalence of Acts of Forbearance

Even if states were technically capable, government leaders and administrative officials in Latin America at times choose not to enforce the law in what are called acts of forbearance.

Political scientist Alisha [Holland \(2017\)](#) argues that politicians might decide not to enforce a law (e.g., forcing street vendors off the streets; failing to push back illegal home or land takeovers) in order to avoid electoral backlashes. In doing so, they also redistribute resources to poor citizens, although informally and without assurance that it will occur (i.e., the decision to forbear could be revised at any time). Thus, “forbearance can serve to make transfers to the poor and court poor voters” ([Holland 2017](#): 237).

However, acts of forbearance essentially are deviations from the rule of law. In some instances, they might involve the collusion among politicians, state agents, and organized crime. In others, they might affect dealings between business owners and politicians and state agents, and lead to corruption.

Thus, even if potentially beneficial in the short run, forbearance is ultimately a patch that does not address the need to enact formal and universal redistributive policies.

**Recapitulation.** In sum, democratic government can redress economic inequality. The policies that need to be implemented are well known and are used by democracies around the world. Yet, for various reasons, democracies do not implement tried-and-true policies.

Economic elites are key players in Latin American democracies. They have great power, which is buttressed by multiple factors and mechanisms that usually mutually reinforce one another. And they have used this power to prevent the implementation of policies that would redistribute income. At the same time, economic elites are not the only actors that are part of the problem; so too are many politicians and public administrators. In brief, sustained progress in reducing Latin America's enduring economic inequality will likely have to involve changes regarding three important actors: politicians, state agents, and societal elites.

## 15.4 The Vulnerability of Unequal Democracies

The failure of democracies to address social inequalities is a key problem *for* democracy. It is evidence that democracies have not succeeded in changing a major structural feature of Latin American societies that restricts citizen access to relatively equal social rights. Additionally, this failure can also trigger a political dynamic that accentuates problems *of* democracy.

We discussed a similar dynamic in [Chapter 11](#), in our analysis of the new violence (see [Chapter 11, section 11.4.3](#)). There, we focused on the interaction between democracy and violence and argued that when democracies do not contain violence, the quality of democracy is itself affected. Here, we suggest that when democracies do not reduce persistent income inequality, democracy is questioned and weakened.



### **15.4.1 Legitimacy Crises and Social Protests**

Unequal democracies confront specific challenges to reduce inequality. On the one hand, in unequal democracies, political representation tends to be biased in favor of social and economic elites. The lack of programmatic political parties is an important factor contributing to this state of affairs. So too is elite behavior and the state.

On the other hand, popular discontent with democracy eventually mounts, unleashing legitimacy crises that affect incumbent governments and, at times, the entire political system and pivotal state institutions that increasingly come to be perceived as protecting elite interests. Such legitimacy crises lead to the politicization of long-standing inequalities in ways that endanger democracy. Legitimacy crises undermine established parties and open the door to the emergence and rapid disappearance of a plethora of electoral vehicles – which fail to fulfill their promise to enact representation and to improve state institutions and development outcomes (i.e., such as economic growth and redistribution). They also create opportunities for outsider candidates who weaken democratic institutions.

Much depends on economic cycles. During times of prosperity, Latin American democracies have produced a modicum of social incorporation. But economic booms have been tied to global trends, which Latin America does not control. And booms eventually end, and the population's frustrations are frequently expressed outside of institutional channels. This was seen with the end of the commodity boom of the early twenty-first century, a time when massive and sometimes violent protests erupted in

Brazil (2016), Ecuador (2019), Chile (2019), Colombia (2019 and 2021), and Bolivia (2019).

These crises have largely been resolved within democracy. Indeed, Latin America has experienced political ups and downs, while avoiding a wave of democratic breakdowns. However, repeated failures and crises do take a toll, unless these moments are used as opportunities to bring real change that addresses the region's enduring problems.

### 15.4.2 Chile as a Warning Sign against Complacency

One case where the entire political system was questioned was Chile. This is a particularly instructive case, given that since the return to democracy in Chile, the country was heralded as the region's success case. Chile had been praised for its democratic stability after a difficult transition from the dictatorship headed by General Augusto Pinochet (1973–1990). Many observers of Latin America and international financial institutions also held up Chile as the poster child of economic development and social progress. In fact, Chile had been called Latin America's brightest star ([Edwards 2010](#): ch. 5). Thus, we focus on Chile as a case that shows that complacency with democracies that are highly unequal is misplaced.

*A Free Market Success Case.* One of the main reasons why Chile was treated as a success was due to its strong adherence to strict market principles. Orthodox Chilean economists usually referred to trickle-down effects to indicate their hope that economic growth would improve people's lives by trickling down from the wealthy (e.g., through their consumption) without the need for redistributive policies (which they believed would introduce economically inefficient distortions in the functioning of markets). And, to a considerable extent, the socioeconomic record of the country appeared to bear out the confidence many placed in Chile's economic policies.

The country grew economically, and poverty was reduced. It became one of the wealthiest countries in Latin America, as measured in GDP per capita. It was one of the countries in the region with the lowest poverty rates. The obvious shortcoming was that inequality, which had increased to

a very high level during the Pinochet dictatorship, was not significantly reduced even after thirty years of democracy. Still, few considered that reducing inequality was an urgent matter or that it might have negative political consequences. The political establishment, and the economic elites, basically ignored the issue.

***Protests and Riots.*** This all changed when, to the surprise of most observers, widespread violent riots erupted in October 2019 after the government implemented a fee hike on public transportation, which disproportionately affected students and poor workers who had to travel long distances from the urban periphery where they lived to the city's center. As protestors rapidly raised other issues, it became clear that citizens were protesting against more than just the fee hike; they were protesting against the consequences of Chile's broader neoliberal development model, inherited from the Pinochet dictatorship and codified in the 1980 political constitution – one of the few in Latin America where social rights were not specifically recognized.

The riots were not an isolated event. Earlier massive mobilizations had shaken the country in 2006, 2011, and 2018. Yet the scale of the riots in 2019 made clear in a more palpable way that Chile's development model was socially unsustainable. Increasingly, the country's deep inequalities were attributed to the corruption of the political elite. Political elites, regardless of their partisan affiliation, were perceived as having colluded with business interests in order to reproduce the neoliberal model, which generated large economic rents for the wealthy by reducing labor costs via the curtailment of the social rights of the working class. Even in the context of sustained economic progress and intergenerational social mobility (i.e.,

new generations were significantly better off than their parents), inequality in the access to social rights had become unbearable to Chileans. Poignantly, protestors adopted the expression that they would protest “until life was worthy of being lived.”

The protests endured for several weeks, in spite of heavy police repression that resulted in the deaths of more than twenty protestors, as well as close to a thousand filed claims of human rights violations by the police. Eye mutilations caused by rubber bullets shot by anti-riot police figured prominently among those human rights violations, along with sexual abuse by police officers against detained protestors.

Then, after more than three weeks of continuous rioting, the political establishment (i.e., the leaders of all the main parties) opened the way for constitutional reform. That option advanced after it became clear that the entire political establishment was perceived as being part of the problem and had lost its capacity to lead public opinion and to channel political demands. The party system had been stable, but it had also become elitist, rigid, and disconnected from civil society.

Business interests found themselves in a similar position to that of the Chilean politicians. In the aftermath of the protest wave, the Chilean peso became weaker as capital fled the country and business assets significantly lost value due to perceived political risk. In the wake of the protests, the leader of Chile’s most influential business association declared: “We are now ready for them to get their hands deep into our pockets, until it hurts” (Alfonso Swett, October 29, 2019). The implication was that Chile’s political reform should be matched by a new social pact that would be able to produce more equitable economic growth, by way of balancing the interests of owners and the social rights of workers.

***A Political Agreement.*** In this context, with an inflamed protest movement and a fragmented party system, the *Acuerdo por la Paz y la Nueva Constitución* (Agreement for Peace and the New Constitution) was reached in November 2019. It set out a plan to hold a referendum in 2020 on whether to initiate a constitutional reform process that would give Chileans an opportunity to vote to move the country beyond the Pinochet-era constitution and its associated neoliberal model. The agreement was drafted by the major parties in desperation after days of uncontrollable rioting and heavy repression by security forces. According to sources in the presidential palace, the President decided to negotiate the pact with Congress after the army had withdrawn to its barracks and the police threatened to strike.

In the lead-up to the referendum, which finally took place in October 2020, political camps polarized the debate and the campaign. Contrary to the expectations of many observers, the protest movement proved capable of gaining electoral traction, even though it lacked leaders and a clearly articulated programmatic base. In the October 2020 referendum, the movement demonstrated its disruptive electoral potential: 78 percent of the electorate supported the drafting of a new constitution and 79 percent of voters opposed the participation of incumbent members of Congress in a constitutional assembly. Considering municipal level results, majorities voted to reject the creation of a new constitution in only five of the country's 346 municipalities – unsurprisingly, opposition to change was strongest in the richest municipalities.

***Toward a New Constitution.*** The results of the constituent assembly election, held in May 2021, confirmed that a large majority of the

population embraced the need for fundamental change. The assembly, elected through the use of institutional innovations that secured gender parity and reserved seventeen seats for the country's ethnic minorities, was by far the least elitist elected body in the country's entire history – a fact that generated anxiety within traditional parties and business circles. It began to draft a new constitution for Chile in July 2021.

Perhaps Chile will offer a model for Latin America, as it has done in the past. Its experience shows that when political elites ignore the costs of inequality, they force pressure to build up and indirectly engender violence. It also shows that democratic processes, such as the election of an assembly that is charged with writing a new constitution, might provide an answer to the prior failings of democracy.

## 15.5 Summary

The combination of political equality and socioeconomic inequalities is a fundamental trait of Latin America's democracies. Yet the relationship between democracy and economic inequality is puzzling from an analytical point of view: Why has democracy failed to address conspicuous inequalities that constrain the life chances of millions of Latin American citizens who can vote to choose who governs them and which policies are implemented? Why do Latin American elites consistently fail to realize that systematically blocking redistribution, even if doing so advances their short-term interests, might eventually become self-defeating?

We approached these questions by exploring the many manifestations of economic inequality in Latin America and providing detailed information about the state of inequality in countries throughout the region. We showed that Latin America is the world's most unequal region, that certain groups (people in rural settings, indigenous people, young people, the less educated, and workers in low-productivity jobs) are among the worst off in Latin American societies.

We then sought to explain why economic inequality persists. We first showed that democracies have some standard policy options that have proved effective in reducing inequality around the world. However, we stressed that, in actuality, it is difficult to reduce inequality in Latin America. We focused on the role of economic elites and discussed how they use their structural power, their instrumental power, and their control of the media to block reforms conducive to greater economic equality. We also



argued that politicians and state agents play a role in preventing the deep changes that are needed to alter a historical legacy in the region: its profound economic inequality.

We finally turned to the impact of the failure of democracies to address social inequalities. We showed that democracies that do not reduce income inequality are questioned and weakened. Ignoring the task of reducing inequality, even if it is a politically difficult challenge, is risky for democracies. This is something vividly demonstrated by the violent protests in Chile.

In other words, democracies that take on the challenge of expanding social rights seriously are not assured of success. Yet, being complacent about inequality, treating it as inevitable, might endanger democracy in the long run.

## Discussion Questions

1. In the past thirty years, democracies in Latin America have proven durable, but they are also unequal. Such a combination of durable and unequal democracies seems paradoxical, and it can eventually lead to political instability and social conflict. Under what conditions is it possible to avoid conflict? When is conflict more likely to occur in unequal democracies?
2. Inequality can shape public policy outcomes in a democracy through multiple mechanisms. The elites' structural and instrumental power are typical mechanisms through which money influences politics. Clientelism also shapes the electoral behavior of those most in need, in ways that can disable progressive change. What other mechanisms might be pivotal for distorting political equality in the context of an unequal society?
3. Given that the failure to reduce economic inequality can damage democracy, what policy choice can democracies make to address this problem? What reforms to democracy itself would better equip democracy to tackle this challenge?

## *Resources*

## Additional Readings

Bértola, Luis and Jeffrey G. Williamson (eds.). 2017. *Has Latin American Inequality Changed Direction? Looking over the Long Run*. Cham, Switzerland: Springer Open. An assessment of long-term trends regarding inequality in Latin America.

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Busso, Matías and Julián Messina (eds.). 2020. *The Inequality Crisis: Latin America and the Caribbean at the Crossroads*. Washington, DC: Inter-American Development Bank. An in-depth discussion of inequality in Latin America, and its causes and consequences.

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Cornia, Giovanni Andrea (ed.). 2014. *Falling Inequality in Latin America: Policy Changes and Lessons*. Oxford University Press. An assessment of the impact of recent policy changes on inequality reduction in Latin America.

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Haggard, Stephan and Robert R. Kaufman. 2008. *Development, Democracy, and Welfare States: Latin America, East Asia, and Eastern Europe*. Princeton University Press. A comparative historical work on the development of welfare states in different world regions, including Latin America.

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Huber, Evelynne and John D. Stephens. 2012. *Democracy and the Left: Social Policy and Inequality in Latin America*. University of Chicago Press. A study on social policy and inequality reduction in contemporary Latin America.

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López-Calva, Luis F. and Nora Lustig (eds.). 2010. *Declining Inequality in Latin America: A Decade of Progress?* Washington, DC: Brookings Institution and UNDP. An assessment of recent trends regarding inequality in Latin America.

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Milanovic', Branko. 2016. *Global Inequality: A New Approach for the Age of Globalization*. Cambridge, MA: Harvard University Press. An innovative analysis of inequality at the global as opposed to country level; it places Latin American cases in a global perspective.

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Piketty, Thomas. 2017. *Capital in the Twenty-First Century*. Cambridge, MA: Belknap Press. An innovative analysis of inequality and the role of top incomes in shaping distributive and political dynamics in contemporary societies.

## Websites

*Commitment to Equity*. A site on inequality managed by economist Nora Lustig, of Tulane University, that provides data and insights on the nature, shape, sources, and evolution of Latin American inequalities. Website:

<http://commitmentoequity.org>

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*Standardized World Income Indicator Database*. The Standardized World Income Indicator Database presents comparable inequality estimates for all countries in the world. Website: <https://fsolt.org/swiid/>

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*World Bank*. The World Bank data center compiles and makes available multiple sources on economic and socioeconomic well-being, including inequality trends. Website: <https://data.worldbank.org/indicator>

## Documentaries

*The End of Poverty?* (2008). 104 minutes. Focuses on global poverty and its distant and proximate sources. It depicts the barrios of Latin America, as well as the slums of Africa, and addresses whether poverty can be ended within our current economic system.

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*Southern District (Zona Sur)* (2009). 109 minutes. In Spanish, with English subtitles. A movie that depicts the day-to-day life of an elite family headed by a single mother in a wealthy La Paz district. The household includes two Aymara workers, a nanny and a driver. The plot explores issues related to the interplay between ethnicity and class, in a national context in which a change to the traditional social structures is taking place.

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*The Take* (2004). 87 minutes. In Spanish, with English subtitles. Tells the story of a collective movement that gained strength in Argentina when plants closed as a result of the economic policies of President Carlos Menem (1989–1999). It focuses also on the broader ideological fights, beyond cooperative ownership.

## Conclusion



# Latin America in Perspective

*Lessons and Prospects*



Latin America is a unique region of the modern world. After bringing Spanish and Portuguese colonial rule to an end in the 1810s and 1820s, it became the first developing region of the world to be constituted nearly entirely by modern states in the mid-nineteenth century. Thus, it is instructive to consider how Latin America has tackled challenges also confronted by other countries in the Global South.

In this book, we considered Latin America from two perspectives. First, in [Part I](#), we provided a sweeping historical overview, from the region's beginnings to the 2010s. Thereafter, in [Parts II](#), [III](#), and [IV](#), we studied the contemporary period, from the 1990s to the 2010s. Thus, to end this book, we present some conclusions that emerge from the historical overview of Latin America and from the closer-up, more detailed discussion of contemporary Latin America.

## 16.1 The Historical Overview

In [Part I](#), we studied the process of state formation and then addressed four core issues: state capacity, nation building, political regimes and democracy, and models of economic development. And one of the most striking conclusions that can be drawn from a comparison of these four issues is the distinctiveness of the evolution of state capacity. In Latin America, modern states were born weak and remained weak – that is, with some slight variation, Latin American states have been weak since the 1870s. In contrast, nation building, political regimes, and development models varied considerably over time and could even be analyzed in terms of their changes across three periods: 1880 to 1930, 1930 to 1980, and 1980 to the 2010s (for a summary of these changes, see the timeline in the Appendix).

We are not the first to make this observation. Political scientist Sebastián [Mazzuca](#) (2010: 352–4; 2021: 1) noted the contrast between the persistence of patrimonial rule – the feature that makes states weak – and the changes in political regime throughout Latin America’s history. However, here, we underscore that the contrast applies also to the changing nature of nation-building projects and models of economic development.

We clarify that Latin American states have changed in many aspects. The size of the state apparatus has fluctuated over time. The functions carried out by the state have also varied over time. However, what we called the semi-patrimonial nature of the state has remained essentially unaltered. In Latin America, state agents are not merely the staff of the ruler, a feature of pure patrimonial administrations. States are distinct from the

government. They have some autonomy from governments. They also endure more than governments. Nonetheless, these states are not run fully and consistently based on rational-legal principles. A reform of the state that makes it run along the lines of the rule of law is a pending task in Latin America.

Concerning other issues addressed in [Part I](#), we also highlight another contrast. The evolution of nation-building projects is largely one of progress. Over time, the sense of nationhood has become more inclusive of different races and ethnicities. The same can be said regarding political regimes and democracy. After an extremely turbulent period during the Cold War years, Latin America was able to secure inclusive and durable democracies. Yet, we saw that Latin America experimented with three models of economic development and the proper model remains a highly contested issue – the persistent levels of economic inequality are an obvious indicator that economic reform is needed.

A century and a half into the political life of Latin America's modern states, the question of how to develop state capacity and how to manage the economy for the benefit of citizens has not been resolved. And these failings cast a long shadow on the region's prospects of building strong democracies and expanding citizenship rights. As political scientist Guillermo [O'Donnell \(2010\)](#) argued, without a capable state, democracies are weak and citizenship rights are never fully guaranteed. Furthermore, as economist Amartya [Sen \(1999\)](#) has held, the failure to secure positive socioeconomic outcomes hinders agency and the principle of citizenship.

## 16.2 The Contemporary Period

When we consider Latin America in recent times, surely the most relevant fact is that now, unlike any time in the region's past, it has enduring democratic regimes. Some countries are exceptions. However, the norm is clearly democratic. And the most pressing political questions in the region are: What can be done to protect and strengthen democracy? What sought changes might be attained through democracy? Thus, in [Parts II, III, and IV](#) of this book, we concentrated on two overarching issues, which we called problems *of* democracy – problems linked to the attainment, maintenance, and improvement of democracy – and problems *for* democracy – problems regarding the development and strengthening of civil and social rights that citizens expect or hope democracies will deliver.

### **16.2.1 Progress on Easy Problems, Failure on Hard Problems**

Our assessment of the state of democracy and citizen rights revealed a mixed picture. The region has had many achievements and has been the site of considerable institutional and policy innovation.

Latin America led the world by experimenting early and broadly with gender quotas, a legal mandate that ensures that a certain percentage of candidates for congressional office are women. Participatory budgeting, an institutional mechanism that involves ordinary people in decisions about how to allocate part of a municipal budget, was invented in Latin America. Additionally, prior consultation (*consulta previa*, in Spanish), a procedure to involve indigenous peoples in decision-making about projects that have an impact on their territories, occurs in Latin America more than in any other region of the world.

Latin America is also a global leader in the field of transitional justice, having done more than any other region in the world to redress past human rights violations. Moreover, Latin America is a trendsetter in the field of social policy – for example, through the adoption of conditional cash transfer (CCT) programs that give money to poor people conditional on their commitment to go to a health clinic and to send their children to school.

However, an inescapable conclusion of our assessment is that Latin America faces some dire problems. The typical Latin American democracy is weakened by many complications, including electoral clientelism, the refusal to respect the constitutional mandate of elected officeholders, and the corrosive influence of money and violence. Indigenous peoples and

Afro-descendants are not adequately included in decision-making. And parties have not resolved the crisis of political representation that affects many countries. While largely avoiding dictatorship, the problems of democracy in the region are serious.

With regard to civil rights, high-level corruption is a systemic problem and the sense of impunity for acts of corruption is widespread and well founded. Violence is also a systemic problem, and more people are losing their lives because of violence in the twenty-first century than during the darkest times in the Cold War years. Social rights have been negatively affected by the social and environmental costs of a model of economic development that is highly reliant on extractivism, and by persistent socioeconomic inequality.

Deficits of citizenship also affect certain groups more than others; indeed, some citizens (women, indigenous peoples, Afro-descendants, and ordinary people) suffer from multiple intersecting deficiencies. Groups that have been historically disadvantaged continue to bear a heavy burden.

Latin American democracies have addressed with some success the relatively easy problems. The political inclusion of women was accomplished in part because it did not face the same resistance as the inclusion of indigenous peoples and especially Afro-descendants. Much of the success regarding transitional justice came when the erstwhile powerful leaders who led repressive regimes had moved into retirement and had lost much of their power. Social policies, such as CCT programs, are a relatively easy phase in welfare expansion, in that they require relatively small amounts of money and do not involve structural change.

Yet Latin American democracies have been far less successful in tackling the harder problems, problems that involve changes affecting the

interests of those who are currently politically powerful and economically wealthy.

### **16.2.2 The Interaction between Problems *of* and *for* Democracy**

Seeking to explain the record of Latin American countries, one of the themes we considered across chapters was the interaction between problems of and for democracy. Here, we underscore the argument we presented.

We showed that Latin American democracies have fulfilled some of their promise. At times, they have served as a stepping stone to increase the inclusiveness of democracy and to advance civil and social rights. That is, democracy has created incentives for politicians to use their power as elected leaders to give more power to citizens and to improve people's lives. And these gains have helped to legitimize and strengthen democracy. Yet, very often, a different dynamic has unfolded.

Most critically, we argued that the poor quality of Latin America's democracies limits their ability to strengthen democracy and advance the state of civil and social rights. Part of the problem is that only democracies that channel citizens' interests and values into the policy-making process and thus truly represent these citizens – only democracies that are not captured by self-serving politicians or do not respond to unelected *de facto* powers – have the power to bring about the kind of change that is needed to deepen democracy and protect civil and social rights. A related part of the problem is that democracies must work through weak states – which they have been unable to reform – and with economic structures that perpetuate inequality – which they have also not managed to transform.

In turn, we stressed that democracy's failure to develop civil and social rights has consequences for democracy itself. The lackluster record in addressing and resolving problems for democracy raises questions about the



legitimacy of democracy. Citizens value participating in a democratic process. But they also want a government that assures them of safe communities and that prevents discrimination, courts that adjudicate the law fairly, good schools, accessible health care, and a healthy environment. And, whether or not access to these goods is treated as a right, citizens ask: What is the point of democracy if democratically elected leaders do not work to facilitate citizens' access to such goods?

Moreover, the failure to resolve problems for democracy keeps democracy weak. When corruption and violence seep into the political process, basic democratic rights are sorely undermined. The powerful actors who benefit from corruption and violence seek to protect their interests and necessarily distort a process in which the preferences of each citizen should have the same weight. In addition, socioeconomic poverty and inequality hinder the collective action of common citizens and introduce further deviations from the principle that citizens are effectively political equals.

In summary, a common political dynamic in contemporary Latin America is that problems *of* democracy prevent the elimination of problems *for* democracy, and unresolved problems *for* democracy block the possibility of reducing problems *of* democracy.

## 16.3 A New Horizon

Contemporary Latin American politics is primarily democratic politics. But to understand democratic politics in the region, it is critical to underscore that many Latin American democracies are poor-quality democracies.

The democracies achieved by Latin Americans in the late twentieth century are a key and valuable asset. But these democracies, for a time considered the apex of democratic struggles, are now better understood as a starting point. The struggle for democracy is not over, and the quest for full citizenship rights is only beginning. Latin America has a new horizon to reach in the twenty-first century.

Progress in the further development of democracy and citizenship rights is never guaranteed. Powerful actors benefit from the status quo, and they will surely fight to maintain their position and privileges. Moreover, the battle over the expansion of democratic rights in Latin America throughout the twentieth century shows that progress is not linear, and gains are never easy. Taking significant and sustained steps toward the new horizon of Latin American politics is likely to be a long-term struggle.

# Appendix

## *A Timeline of Latin America*

[Chapters 1, 2, 3, and 4](#) offer historical overviews of politics and society in Latin America. This information is treated as background information in the rest of the book, which is focused on contemporary politics from the 1990s to the 2010s. As a way to consolidate some of the key points made in [Part I](#) and to offer an aid for easy reference, we present summary tables that identify the key periods and patterns in the region from pre-Columbian times to the present. [Table A1](#) covers the period from pre-Columbian times to the formation of modern states. [Table A2](#) covers modern states from 1880 to 1930. [Table A3](#) covers modern states from 1930 to 1980. Finally, [Table A4](#) covers modern states from 1980 to the 2010s.

**Table A1** Latin American politics and society: Pre-Columbian times to modern states

Period	The state and state capacity	Nation building, race, and ethnicity	Political regimes and democracy	Development models and socioeconomic welfare
3000 BCE–1500	<i>Pre-Columbian times</i> • Early civilizations • First states • Development of a variety of political organizations: empires, city-states, chiefdoms, and tribes			
1500–1810	<i>Spanish and Portuguese colonial rule</i> • “Latin America” was part of the Spanish and Portuguese empires • Growth of patrimonial administrations	• Influx of Europeans ( <i>peninsulares</i> ) • Decimation of indigenous population • Slaves brought from Africa • Racial and ethnic mixing ( <i>mestizaje</i> )		• Production: mining enclaves, plantation agriculture (e.g., sugar), and livestock and grain production • Trade: restricted to movements between colonies and the imperial power
1810–1870s	<i>Independence and state formation</i> • Independence: end of Spanish and Portuguese colonial rule (1810–1825) • Anarchy: civil wars and caudillos (1825–1845) • State formation: new countries with central political authorities are formed (1845–1875)	• Abolition of slavery (1810s–1850s)		• Continuation of colonial production pattern, move to free trade

*Note:* We focused on the political regimes of modern states from 1880 onward.

**Table A2** Latin American politics and society: Modern states 1880–1930

Period	The state and state capacity	Nation building, race, and ethnicity	Political regimes and democracy	Development models and socioeconomic welfare
1880–1930	<i>Modern states with weak capacity</i> • Persistence of patrimonial or semi-patrimonial administrations • States have low capacity, i.e., they do not provide public goods	<i>Elite vision of the nation</i> • Idea of the nation based on a model of white, European, civilized nations • Mass migration, mainly from Europe, and racial whitening ( <i>blanqueamiento</i> ) (1870s–1910s) • Use of censuses to create an image of the nation as white • Creation of national systems of education and military conscription	<i>Oligarchic dominance and authoritarian regimes</i> • Dominance of the oligarchy • Constitutional oligarchies as the typical authoritarian regime • A variety of authoritarian regimes • A few partial democracies	<i>Agro-export model</i> • Free-market economics, and focus on raw materials as competitive advantages • No social policy; the Southern Cone countries as partial exceptions

*Note:* Items in *italics* are the overarching patterns.

**Table A3** Latin American politics and society: Modern states, 1930–1980

Period	The state and state capacity	Nation building, race, and ethnicity	Political regimes and democracy	Development models and socioeconomic welfare
1930–1980	<i>Modern states with weak capacity</i> • Persistence of patrimonial or semi-patrimonial administrations • States have low capacity, i.e., they do not provide public goods • Increase in the size and number of functions of the state	<i>National-popular vision of the nation</i> • The people ( <i>el pueblo</i> ) are the essence of the nation • Embrace of <i>mestizaje</i> • Rise of <i>indigenismo</i> : indigenous civilizations as a basis for national pride • Portrayal of Brazil as a racial democracy	<i>Transition to mass politics and regime instability</i> • End of the oligarchy’s dominance with the entry of the masses into politics • Demand to extend the suffrage to women • Initial democratic failures and successes • Populist leaders and entry of the military into politics • The Cuban Revolution (1959) and Cold War tensions • Harsh authoritarian regimes (1960s–1970s) • Military dictatorships as the typical regime	<i>Import-substitution industrialization model</i> • State intervention in economy, trade protectionism, and industrialization for the internal market • Social policy based on segmented, stratified coverage: pensions, health care, and education for urban middle classes and workers in the formal sector

*Note:* Items in *italics* are the overarching patterns.

**Table A4** Latin American politics and society: Modern states, 1980–2010s

Period	The state and state capacity	Nation building, race, and ethnicity	Political regimes and democracy	Development models and socioeconomic welfare
1980–2010s	<i>Modern states with weak capacity</i> <ul style="list-style-type: none"> <li>• Persistence of semi-patrimonial administrations</li> <li>• States have low capacity, i.e., they do not provide public goods</li> <li>• Cut back, at the central government level, of size of state</li> </ul>	<i>Plural view of the nation</i> <ul style="list-style-type: none"> <li>• Idea of the nation as a multicultural construct</li> <li>• Introduction of the concept of plurinational states</li> </ul>	<i>A democratic age</i> <ul style="list-style-type: none"> <li>• Wave of democratization (1980s–1990s)</li> <li>• Democracies are the norm and are durable</li> <li>• Democracies are not partial democracies</li> </ul>	<i>Neoliberal model</i> <ul style="list-style-type: none"> <li>• Privatization, deregulation (capital account liberalization, trade liberalization, labor market flexibilization), and stabilization (fiscal discipline and conservative monetary policies)</li> <li>• Social policy based on means-tested transfers: targeting those in greater need, privatization and decentralization of coverage for others</li> </ul>

*Note:* Items in *italics* are the overarching patterns.

# *Glossary*

**administration, patrimonial.**

See [patrimonial administration](#).

---

**administration, public.**

See [public administration](#).

---

**administration, rational-legal.**

See [rational-legal administration](#).

---

**administrative corruption.**

Corruption carried out by public administrators.

---

**administrator, public.**

See [public administrator](#).

---

**Afro-descendants.**

Name given to Blacks in Latin America. More specific terms such as Afro-Brazilian are also used.

---

**Afro-Indian.**

Name given to a person with mixed Indian and Black ancestry.

---

**agency.**

The capacity of people to act in an environment and make choices that shape their lives.

---

**agro-export model.**

Refers to the agro-export model of economic development used in Latin America in 1880–1930. Key policies of this model are support for free trade and the promotion of primary sector exports, such as agricultural products (e.g., grains, cattle, sugar, coffee, tropical fruits) and mineral products.

---

**amnesty law.**

An amnesty law, as the term is used in discussions of transitional justice, means that perpetrators of human rights violations cannot be put on trial for their actions. Amnesty laws differ from pardons, which are issued for specific individuals.

---

**Andean region.**

A part of Latin America that encompasses Bolivia, Colombia, Ecuador, Peru, and Venezuela.

---

**aspirational rights.**

Rights that are not effectively protected, but are an ambition a country seeks to realize. Usually contrasted to justiciable rights.

---

**authoritarian regime.**

A nondemocratic type of political regime. Also called a dictatorship or an autocracy.

---

**autocracy.**

A synonym for an authoritarian regime.

---

**binding reserved seats.**

Seats in the legislature that are subject to an election, yet can be filled only by representatives who belong to a certain category of candidates (e.g., Afro-descendants).

---

**blanqueamiento.**

Spanish term for whitening. See [whitening](#).

---

**bourgeoisie.**

As applied to contemporary times, the dominant social class in a society. Historically, the bourgeoisie was the well-to-do middle class between the peasants and the aristocrats.

---

**cafuzo.**

Portuguese term for a person with evenly mixed Indian and Black ancestry. Similar to *zambo* in Spanish.

---

**caudillo.**

Spanish term for a local and regional strongman capable of mobilizing a sizable group of armed followers, in the nineteenth century. Caudillos were key actors in the civil wars immediately after independence. Subsequently, in the twentieth century, the term caudillo was used more generically to refer to national-level strongmen who concentrated great political power.

---



**center, political.**

See [political center](#).

---

**Central America.**

A part of Latin America that encompasses Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama.

---

**centrally planned economy.**

An economic system that is fully controlled by the state and largely denies a role to private enterprise. Also called a command economy. It is usually contrasted to a market economy and a mixed economy.

---

**citizen.**

An individual that, by virtue of his or her formal belonging to a political community, is endowed with rights or claims vis-à-vis the state. These rights typically include political, civil, and social rights.

---

**citizenship.**

In a narrow sense, the idea of being a citizen of a country. Also sometimes a national of a certain country. A broader sense of the concept adds that citizenship is associated with certain rights, such as political, civil, and social rights.

---

**citizenship rights.**

The rights that are held by citizens.

---

**civil law.**

A legal tradition heavily influenced by France's Napoleonic Code, and the basis of legal practices in Latin America. One of its distinctive features is its heavy emphasis on the codification of the law. It is usually contrasted to the common law tradition.

---

**civil rights.**

A category of (legal and moral) rights that defend individuals (and groups) from possible abuses of state power and protect individuals (and groups) from undue interference by the state. Civil rights include four kinds of rights: (1) equality rights, (2) liberty rights, (3) security rights, and (4) due process rights.

---

**civil society.**

The space for collective action that is distinct from the government and economically oriented actors. Actors in civil society are commonly called nongovernmental organizations (NGOs).

---

**civil war.**

A war between organized groups either within a country or within a territory lacking an established state.

---

**class.**

A category of people based on their economic position in a society.

---

**class structure.**

The classes and the relationship between classes within a society.

---

**clientelism.**

The exchange of goods for political support in which the patron delivers some good to a client (e.g., a bribe, food, housing materials) in return for some act (e.g., voting for a certain candidate).

---

**closed-list PR.**

A variant of a proportional representation (PR) electoral system in which voters can vote only for a political party as a whole.

---

**cocalero.**

Peasants who specialize in the production and harvest of the coca leaf. The term is used in the Andean region, but especially in Bolivia, Colombia, and Peru.

---

**Cold War.**

The geopolitical conflict between the United States and the Soviet Union between 1947 and 1989.

---

**colonialism.**

The acquisition and political control of another country or people. Prior to becoming Latin America, the people in the Americas were ruled primarily by two colonial powers, Spain and Portugal.

---

**command economy.**

An economic system that is fully controlled by the state and largely denies a role to private enterprise. Also called a centrally planned economy. It is usually contrasted to market and mixed economies.

---

**commodity boom.**

A period of economic growth fueled by the extraction and sale of commodities, such as crops (soy beans and grains) and minerals and fossil fuels (metals, oil, and gas). Latin America experienced a commodity boom in the 2002–2015 years.

---

**common law.**

A legal tradition, heavily influenced by medieval England, and the basis of legal practices in the United States. It places a major emphasis on prior court decisions. It is usually contrasted to the civil law tradition.

---

**concept.**

An abstract idea that specifies the properties of objects.

---

**concept, normative.**

See [normative concept](#).

---

**conditional cash transfer (CCT) programs.**

A social policy that directly transfers money to families in need, conditional on certain actions (e.g., keeping children in school).

---

**conservative.**

A person holding an ideology that emphasizes free-market principles and traditional values. A conservative is considered as someone on the right of the political spectrum.

---

**constitutionalism.**

The principle that government decisions must be made according to pre-established, fundamental law, as laid out in a constitution. It is closely

related to the idea of the rule of law.

---

**consulta previa.**

Spanish term for prior consultation. See [prior consultation](#).

---

**corruption.**

The misuse of public office for purposes other than the public good.

---

**corruption, administrative.**

See [administrative corruption](#).

---

**corruption, high-level.**

See [high-level corruption](#).

---

**corruption, judicial.**

See [judicial corruption](#).

---

**corruption, political.**

See [political corruption](#).

---

**coup d'état.**

French term for a sudden removal of an existing government. A classic form of a coup d'état involves actions by the military. However, the phrase is commonly used for actions that do not involve the military.

---

**coup, self-.**

See [self-coup](#).

---

**criollos.**

Spanish term for the white offspring of Spanish settlers born in Spain's colonies in the Americas. Similar to the *mazombos* in Portuguese America.

---

**crisis of representation.**

The sense that political parties and elected representatives actually do not represent citizens, but, rather, are self-serving. A crisis of representation often leads to an erosion in the legitimacy of political parties.

---

**customary law.**

A pattern of behavior that is regularly observed, especially within certain local communities (e.g., communities of indigenous people), and that is considered to have the force of law.

---

**decentralization.**

A political process through which authority is devolved from the central government to the regional and/or local level of government.

---

**de-democratization.**

The turn of a political regime away from democracy. De-democratization can take the form of a democratic breakdown, a transition from democracy to authoritarianism. It can also take the form of democratic erosion, a deterioration in the quality of democracy.

---

**de facto powers.**

Power actors, called *poderes fácticos* in Spanish, that operate in the shadows, yet have great influence over politics even though they do not have a formal institutional role (e.g., are not elected officeholders). In

Latin America, the term de facto power is commonly used to refer to, among others, the military, the Church, economic elites, media conglomerates, and foreign actors.

---

**democracy.**

A type of political regime that meets five criteria: (1) regular elections are the means of access to top political offices; (2) all adults have the right to vote in elections; (3) citizens and parties have the right to organize parties and present candidates in elections; (4) elections are devoid of fraud and threats; and (5) citizens have the freedom of expression, association, and assembly, and the right to access information.

---

**democracy, high-quality.**

See [high-quality democracy](#).

---

**democracy, low-quality.**

See [low-quality democracy](#).

---

**democracy, partial.**

See [partial democracy](#).

---

**democracy, problems *for*.**

See [problems \*for\* democracy](#).

---

**democracy, problems *of*.**

See [problems \*of\* democracy](#).

---

**democracy, quality of.**

See [quality of democracy](#).

---

**democracy, racial.**

See [racial democracy](#).

---

**democratic breakdown.**

A transition from democracy to authoritarianism. The end of a democratic regime. It is frequently signaled by some abrupt change (e.g., the removal of an elected president by the military).

---

**democratic erosion.**

The deterioration in the quality of democracy. The gradual weakening of a democratic regime.

---

**democratization.**

The change of a political regime in the direction of democracy. Democratization can take the form of a transition from democracy to authoritarianism. It can also be an improvement in the quality of democracy.

---

**democratization, waves of.**

See [waves of democratization](#).

---

**derogable rights.**

Those rights and freedoms that, according to international law, may be suspended during a state of emergency. Usually contrasted to nonderogable rights.

---

**description.**



Descriptions answer what-is questions (e.g., What is the state of democracy in Latin America?). They are more basic than explanations, in the sense that explanations build on descriptions.

---

**developing regions.**

A phrase that refers broadly to the regions of Latin America, Asia, Africa, and Oceania. It is similar to the phrase the Global South. In the twentieth century, those regions were often seen as part of the Third World.

---

**development, sustainable.**

See [sustainable development](#).

---

**dictator.**

The political leader of a dictatorship.

---

**dictatorship.**

A nondemocratic type of political regime. Also called an authoritarian regime.

---

**dictatorship, personalistic.**

See [personalistic dictatorship](#).

---

**diffusion, international.**

See [international diffusion](#).

---

**disadvantaged groups.**

Groups that have historically suffered from exclusions or discrimination. In Latin America, the phrase usually refers to women, indigenous

peoples, Afro-descendants, and ordinary people.

---

**drug cartel.**

A criminal organization that engages in the production, trafficking, and/or sale of drugs.

---

**due process rights.**

A kind of civil right that protects people, most critically, against arbitrary arrest and detention. Other important due process rights are the right of the accused to a fair trial, and the right of victims to the certain and prompt administration of justice.

---

**easy redistribution.**

Redistribution that is feasible because the economy grows and does not face the resistance of strong actors. Usually contrasted to hard redistribution.

---

**economic development.**

The economic process that affects the growth of the economy and the well-being of citizens.

---

**economic development, model of.**

See [model of economic development](#).

---

**economic policy.**

A set of government policies (e.g., fiscal, monetary, and trade policies) that aim to generate economic growth and that indirectly affect the well-being of citizens.

---

**economy, centrally planned.**

See [centrally planned economy](#).

---

**economy, market.**

See [market economy](#).

---

**electoral system.**

The set of rules that determine how elections are conducted and how their results are determined. Basic options include the majoritarian and the proportional representation (PR) electoral systems.

---

**electoral system, majoritarian.**

See [majoritarian electoral system](#).

---

**electoral system, proportional representation (PR).**

See [proportional representation \(PR\) electoral system](#).

---

**electoral vehicle.**

Used by politicians running for election, an instrument that lacks elaborate internal structure or organic ties to citizens. Usually contrasted to a programmatic party organization.

---

**el pueblo.**

Spanish term for the people. See also the people.

---

**equality rights.**

A kind of civil right aimed at ensuring that citizens enjoy a relatively equal set of rights. Equality before the law and freedom from

discrimination are two key equality rights.

---

**ethnicity.**

A concept used to differentiate among social categories based on cultural properties (e.g., language).

---

**executive.**

The branch of government charged with executing the laws of a country and directing government agencies. Typically considered one of the three branches of government, along with the legislature and the judiciary.

---

**explanation.**

Explanations answer why questions (e.g., Why are some Latin American countries democracies and others not?). Explanations invoke some cause or explanatory factor and argue how this cause is connected to some outcome.

---

**extractivism.**

A strategy for the promotion of economic growth that emphasizes the intensive exploitation and exporting of natural resources as a development strategy. See also [neextractivism](#).

---

**femicide.**

The killing of women or girls by a man on account of gender, that is, because they are female.

---

**fiscal policy.**

Decisions about taxes, which determine how much the state appropriates from society, and state expenditures, which shape how much the state allocates to different policies and groups.

---

**forbearance.**

A contingent and thus revocable decision by a political or administrative authority to abstain from enforcing the law. Usually, forbearance favors particular individuals or groups, and might be deployed by authorities to seek personal or political advantages.

---

**gang.**

A group that has a defined leadership and internal organization and claims control over the territory of a community.

---

**gender.**

A category used to distinguish people based on their sex. The standard categories are male and female. But the concept of gender also includes nonbinary categories.

---

**gender quota.**

A law that aims to increase women's power by mandating that a certain percentage of candidates for congressional office are women.

---

**generations of rights.**

It is common to distinguish between three generations of rights. According to this scheme, first-generation rights include political and civil rights. Second-generation rights include social, economic, and

cultural rights. Third-generation rights encompass a wide array of rights, some of which concern group rights and the environment.

---

**genocide.**

The destruction of all or a significant part of an ethnic, national, racial, or religious group.

---

**Gini index.**

A common measure of income inequality that ranges from 0 (indicating an equal distribution of income among all members of society) to 1 (indicating the most unequal distribution of income in society, with one person appropriating all available income). The Gini index is also presented in a range of 0 to 100.

---

**Global South.**

A phrase that refers broadly to the regions of Latin America, Asia, Africa, and Oceania. It is similar to the idea of developing regions. In the twentieth century, those regions were often seen as part of the Third World.

---

**globalization.**

The process of building greater interaction among people around the world. Globalization has political, economic, and cultural dimensions: it can proceed more on some dimension relative to others.

---

**government.**

The public offices that make legally binding decisions for a political community, usually a country.

---

**guerrillas.**

A group of armed combatants who rely on irregular tactics to fight against the state's security forces and who seek to take over power.

---

**hacendado.**

Spanish term for the owner of a *hacienda*, a large landed estate. A major rural landlord. Called a *fazendeiro* in Portuguese.

---

**hacienda.**

Spanish term for a large landed estate that specializes in agriculture. Called a *fazenda* in Portuguese.

---

**hard redistribution.**

Redistribution that entails powerful opposing interests in society, such as those of business and social elites. Usually contrasted to easy redistribution.

---

**high-level corruption.**

A type of corruption that involves the misuse of public office for purposes other than the public good by high-level public officials, such as powerful politicians, holders of top positions in the national public administration, or prosecutors and judges.

---

**high-quality democracy.**

A democracy that, in addition to meeting the basic criteria needed to be a democracy, has other properties that ensure that the preferences of all citizens are weighed equally.

---

**homicide.**

The deliberate and unlawful killing of another person.

---

**human rights.**

Rights that are held by individuals by virtue of their status as a person, regardless of their membership of a country. Human rights include not only rights that have been recognized in the law, but also moral rights.

---

**ideology, political.**

See [political ideology](#).

---

**imperialism.**

The extension of a country's political and economic power and control beyond its border.

---

**import-substitution industrialization (ISI) model.**

The import-substitution industrialization model of economic development, used in Latin America in 1930–1980. The model assigned a key role to the state, relied on trade protection, and promoted industrialization.

---

**impunity.**

The exemption from punishment for some harmful act.

---

**independence of the judiciary.**

The ability of members of the judiciary to make decisions without being pressured by other branches of government (especially the executive) or by powerful actors in society.

---



**indigenismo.**

Spanish term for the discourse about indigenous peoples that gives Indianness a central role in the construction of the nation.

---

**indigenous peoples.**

In the Americas, the term referring to the peoples who inhabited the Western hemisphere before it was colonized by Europeans.

---

**informal sector.**

The part of the labor market that is not regulated by the government. Workers in the informal sector usually lack access to benefits, such as health and pension benefits and unemployment and disability insurance.

---

**institution, political.**

See [political institution](#).

---

**instrumental power.**

The direct influence of elites on politicians and policymakers. Usually contrasted to structural power.

---

**international community.**

Groups of people and governments that take a position on some issue and exercise an external influence on developments in some country.

---

**international diffusion.**

The spread of something (e.g., a policy, an institution) across national borders.

---

**international law.**

A set of rules and norms that is generally accepted across countries.

---

**intersectionality.**

A concept used to describe the interconnected nature of social categories and to draw attention to the way in which multiple sources of oppression (e.g., class, race, gender) are interconnected.

---

**judge.**

A member of the judiciary who decides cases in a court of law.

---

**judicial corruption.**

Corruption carried out by prosecutors or judges.

---

**judicialization of aspirational rights.**

A process through which rights included in a country's constitution, but not yet put into practice, are judicially demanded through the court system.

---

**judiciary.**

The name given to the entire system of courts that interprets the law and settles legal disputes. Typically considered one of the three branches of government, along with the executive and the legislature.

---

**judiciary, independence of the.**

See [independence of the judiciary.](#)

---

**junta, military.**

See [military junta](#).

---

**jurisprudence.**

A body of law.

---

**justice, transitional.**

See [transitional justice](#).

---

**justiciable rights.**

Rights that are recognized in the law and hence can be decided by a court. Usually contrasted to aspirational rights.

---

**land reform.**

A set of social, economic, and institutional policies that seek to alter the structure of land ownership in a given territory or country. Land reform is usually demanded where land ownership is concentrated in a few hands.

---

**latifundio.**

Spanish term for a large landed estate specializing in agriculture.

---

**latifundista.**

Spanish term for the owner of a *latifundio*, a large homestead or ranch. A major rural landlord.

---

**Latin America.**

A region of the world distinguished by culture (Latin) and geography (the Americas). It includes nineteen independent countries in the Western Hemisphere that are former colonies of Spain and Portugal. Haiti, a former French colony, is sometimes included in Latin America.

---

**law.**

A system of rules created and enforced by public officials to regulate the behavior of actors.

---

**law, civil.**

See [civil law](#).

---

**law, common.**

See [common law](#).

---

**law, customary.**

See [customary law](#).

---

**law, international.**

See [international law](#).

---

**law, rule of.**

See [rule of law](#).

---

**lawfare.**

The misuse of the legal system against an enemy.

---

**left, political.**

See [political left](#).

---

**legal framework, plural.**

See [plural legal framework](#).

---

**legal framework, unitary.**

See [unitary legal framework](#).

---

**legal rights.**

Rights that are recognized in the law. Usually contrasted to moral rights.

---

**legislature.**

An assembly charged with making the laws of a country. Also called a parliament or a congress. Typically considered one of the three branches of government, along with the executive and the judiciary.

---

**legitimacy.**

The recognition and acceptance that something or someone is right and proper.

---

**LGBTQ+.**

LGBTQ is a shorthand for lesbian, gay, bisexual, transgender, and queer (sometimes “questioning”), and the plus refers to related communities.

---

**liberals.**

People who support liberal ideas and values. In Latin America, it is common to use the term “liberal” to refer to supporters of economic liberalism – that is, free-market economics – who place more weight on economic liberalism than on political liberalism and democracy. Thus, in contrast to the United States, where liberal generally means politically left, in Latin America the term generally means politically conservative.

---

**liberty rights.**

A kind of civil right that is most clearly individual in nature, although they are usually enjoyed in groups. The most important liberty rights are the freedom from slavery and servitude and freedom of thought, conscience, and religion.

---

**low-quality democracy.**

A democracy that meets the basic criteria needed to be a democracy, but that does not ensure that the preferences of citizens are weighed equally.

---

**majoritarian electoral system.**

An electoral system in which candidates have to receive a majority of the votes to be elected. Usually contrasted to a proportional representation (PR) electoral system.

---

**mano dura.**

Spanish term for a tough-on-crime policy that literally translates as a firm hand or iron fist policy.

---

**manumission.**

A slave owner's act of freeing his or her slaves.

---

**maquila.**

A company that imports raw materials under a tax-exemption regime, and then exports finished products – again under a tax-exemption regime – to the same country that originally shipped the raw materials. Maquilas are common in Mexico and Central America.

---

**market economy.**

An economic system in which the production and exchange of goods and services are based on the buying and selling of commodities by private actors. Also called a free-market system or a capitalist system. It is usually contrasted to a mixed economy and a centrally planned economy.

---

**mazombos.**

Portuguese term for the white offspring of Portuguese settlers born in Portugal's colony in the Americas. Similar to the *criollos* in Spanish America.

---

**Mesoamerica.**

An area spanning from roughly central Mexico to the north of Costa Rica.

---

**mestiço.**

Portuguese term for a person with evenly mixed Indian and Hispanic ancestry. Also called *mameluco*. Similar to *mestizo* in Spanish.

---

**mestizaje.**

Spanish term for the mixing among different racial and ethnic groups. Also called miscegenation.

---

**mestizo.**

Spanish term for a person with evenly mixed Indian and Hispanic ancestry. Similar to *mestiço* in Portuguese.

---

**military junta.**

A collective form of government in which the heads of the traditional branches of the armed forces jointly participate in the making of key government decisions.

---

**military rule.**

A nondemocratic type of political regime in which the military are in charge of the top positions in the government.

---

**militia.**

Civilian groups that act as local guardians, ostensibly to provide safety to a local community by filling a security gap left by the state. They frequently maintain links with the official security forces.

---

**Millennium Development Goals (MDGs).**

A set of eight goals aimed at promoting human development by 2015. The MDGs were signed by 189 UN member states in 2000. After 2015, the MDGs were superseded by a new set of seventeen Sustainable Development Goals (SDGs).

---

**miscegenation.**

The mixing among different racial and ethnic groups. The Latin American term is *mestizaje*.

---

**mixed economy.**

An economic system that gives a role to both the market and the state. It is usually contrasted to a market economy and a centrally planned economy.

---



**model of economic development.**

A set of policies that aim to foster economic growth and that indirectly affect the material well-being of citizens. The model also includes policies that seek to directly ensure the social welfare of citizens. Models of economic development combine various kinds of policies (e.g., fiscal, monetary, trade, and investment seeking, and industrial/infrastructural). As to the extent of state intervention, some models are more market oriented, others are more statist, and yet others are mixed-economy models. Also called a model of development.

---

**modern state.**

A state that rules over several cities and rural populations, and over a national population that has a political allegiance to the state.

---

**monetary policy.**

Decisions about the monetary supply that determine how much money is available and at which interest rate.

---

**money laundering.**

A process that starts with the placement of illicit money into the financial system and ends with clean money, which cannot be traced to its origins. The international banking system plays a role in money laundering.

---

**monocropping.**

An agricultural practice that entails the growing of a single crop in the same plot of land over a long period of time.

---

**moral rights.**

Rights that are justified on ethical or moral grounds. Usually contrasted to legal rights.

---

**mulatto.**

Spanish and Portuguese term for a person with mixed Black and white European ancestry. The term is commonly given a negative connotation. A more neutral term is mixed-race or multiracial person.

---

**multiculturalism.**

The presence of more than one culture within a society. It is usually used in a way that signals approval of cultural diversity.

---

**nation.**

A stable community that extends beyond personal or familial ties and links together members of large communities based on a shared culture. Such cultural ties can be formed on the basis of linguistic, racial, ethnic, and/or religious identities, as well as on a shared history or shared constitution.

---

**nation building.**

The process of constructing the sense of nationhood.

---

**nation-state.**

A country in which the nation and the state closely overlap.

---

**neoextractivism.**

A strategy of extractivism adopted in the twenty-first century. The prefix “neo” serves to distinguish these policies from the extractivist policies

implemented in Latin America in 1880–1930.

---

**neoliberal model.**

Refers to the neoliberal model of economic development, used in Latin America since 1980. Key policies of this model are support for market economics, privatization, and deregulation. The prefix “neo” serves to distinguish this model from the liberal policies implemented in Latin America in 1880–1930.

---

**neoliberalism.**

A political ideology that holds that the allocation of resources is always best carried out through markets, with a minimal level of intervention by the state. The prefix “neo” serves to distinguish this ideology from the liberal ideology that was influential in Latin America in 1880–1930.

---

**nonderogable rights.**

Nonderogable rights are those rights and freedoms that, according to international law, cannot be suspended or compromised under any circumstances by a government. Usually contrasted to derogable rights.

---

**normative concept.**

A concept that is infused with positive value (e.g., democracy) or negative value (e.g., dictatorship).

---

**Northern Triangle.**

A term that refers to three countries in the northern part of Central America: El Salvador, Guatemala, and Honduras.

---

**oligarchy.**

A term generically referring to a social actor who concentrates a great amount of power, usually economic power. In Latin American history, the term also has a more specific meaning, as it is used to refer to the social group that had a dominant position in society, the economy, and politics in the period from about 1870 to the 1930s.

---

**open-list PR.**

A variant of a proportional representation (PR) electoral system in which voters vote for a political party and can also influence which candidates are elected.

---

**outsider, political.**

See [political outsider](#).

---

**paramilitary groups.**

Militias that work with governments, frequently doing negative things governments are restrained from doing.

---

**partial democracy.**

A political regime that meets some criteria of democracy but has some deficiencies in others. Typical examples of partial democracy in Latin America during the twentieth century were countries that were democratic in most regards, yet denied women or poor citizens the right to vote.

---

**participatory budgeting.**

A mechanism that directly involves ordinary people in decisions about how to allocate parts of a municipal budget.

---

**party, political.**

See [political party](#).

---

**party, programmatic political.**

See [programmatic political party](#).

---

**patriarchy.**

A system in which men hold power over women.

---

**patrimonial administration.**

A public administration that is considered an extension of the ruler's private property, and in which jobs in the public sector and the enforcement of rules and regulations are contingent on personal favors. It is usually contrasted to a rational-legal administration.

---

**patrimonialism.**

A form of political organization in which authority is based on personal power.

---

**patronage.**

The appointment of political affiliates and supporters to public sector jobs.

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**peninsulares.**

Spanish term given to white Spanish settlers in Spain's colonies in the Americas. Similar to the *reinóis* in Portuguese America.

---

**people, the.**

A term used to refer to ordinary or common people that portrays them as having common interests and values that are counterposed to the interests and values of the elites. In Latin America, the people are usually contrasted to the oligarchy.

---

**personalistic dictatorship.**

A nondemocratic political regime in which one person concentrates great political power. The dictatorship of Porfirio Díaz, ruler of Mexico during 1876–1911, is an example of a personalistic dictatorship.

---

**plural legal framework.**

A legal system that allows for the coexistence of multiple legal traditions, which are applied to different categories of people or to different cases. Usually contrasted to a unitary legal framework.

---

**plurinational state.**

A state that recognizes the existence of more than one national group within the political community.

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**policies, social.**

See [social policies](#).

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**policy, economic.**

See [economic policy](#).

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**policy, fiscal.**

See [fiscal policy](#).

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**policy, monetary.**

See [monetary\\_policy](#).

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**policy, trade.**

See [trade\\_policy](#).

---

**political center.**

A group that holds an ideology that is in between the political right and the political left. The political center is usually associated with a moderate position on the issues faced by a society.

---

**political corruption.**

Corruption carried out by politicians and elected officials.

---

**political ideology.**

A system of ideas and values about politics. The terms left, center, and right are typical ways of categorizing the ideology of leaders, parties, and citizens.

---

**political institution.**

A set of formal rules that regulate the actions of political actors.

---

**political left.**

A group that holds an ideology that emphasizes egalitarianism and is critical of social hierarchy.

---

**political outsider.**

A person who has not been a long-time member of a political party. The term is regularly used to indicate that someone who has not had a long-track and visible record in politics suddenly ascends to a high political office. An example of a political outsider is Hugo Chávez, a person who had a career in the military, at the time he initially became President of Venezuela in 1999.

---

**political party.**

An organized group that fields candidates in elections and works together in government.

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**political party system.**

The collection of all political parties in a country. Party systems can have some properties (e.g., competitiveness, stability) that are distinct from the properties of individual parties.

---

**political regime.**

The rules concerning access to the government offices that are endowed with the authority to exercise state power.

---

**political representation.**

The act of working on behalf of citizens by seeking to implement policies supported by citizens.

---

**political right.**

A group that holds an ideology that emphasizes free-market principles and traditional values. People who hold such an ideology are usually called conservatives.

---



**political rights.**

A set of rights relevant to the political process, such as the right to vote or the right to run for office. Democracy is, in essence, a package of political rights.

---

**politician.**

A person that is dedicated to politics and who frequently seeks to be elected to a public office.

---

**politics.**

The activities associated with publicly binding decisions in a society. These decisions are made by governments and implemented by public officials who are agents of the state.

---

**popular sectors.**

A term used in Latin America to encompass actors that are not part of a society's elites. It encompasses not only workers and peasants, but also those who are marginal to the economy.

---

**populism.**

An approach to politics that defends the people and stands opposed to the elites. The term refers, more specifically, to a distinct kind of political movement, political ideology, and public policies.

---

**populist ideology.**

A political ideology that portrays society as comprising two conflicting groups: the ordinary or common people, who stand for the whole of society, and the elites, who are portrayed as a foreign element.

---

**populist movement.**

Political movement centering around a strong and charismatic leader that concentrates political power and places more emphasis on the direct and strong connection of the leader to the mass of followers than on intermediary organizations such as parties and parliaments.

---

**populist policies.**

Economic and social policies of governments that are created to respond to the needs of populist rulers. They seek to produce short-term results that favor their base of support, with little regard for their long-term sustainability.

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**power, instrumental.**

See [instrumental power](#).

---

**power, structural.**

See [structural power](#).

---

**principle of universal jurisdiction.**

The idea that a national court may prosecute individuals of other countries for serious crimes against international law (e.g., crimes against humanity, war crimes, genocide, and torture). The principle is based on the idea that such crimes harm the international community or international order itself, and that individual states may act to protect this community.

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**prior consultation.**

A procedure to involve indigenous peoples in decision-making on projects that have an impact on their territories. The more formal name is “free, prior and informed consent” (FPIC).

---

**problems *for* democracy.**

Problems regarding the development and strengthening of civil and social rights that citizens expect or hope democracies will deliver.

---

**problems *of* democracy.**

Problems linked to the attainment, maintenance, and improvement of democracy. They include the full lack of democracy in the case of dictatorships and problems of the quality of democracy in established democracies.

---

**programmatic party organization.**

A political party that fulfills two functions: horizontal coordination (the coordination among candidates and officeholders of the same party) and vertical aggregation (the formulation of appeals to citizens in general terms – usually specified in party programs – that transcend the specific interests of citizens or various societal groups). Usually contrasted to an electoral vehicle.

---

**programmatic political party.**

A synonym for programmatic party organization.

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**progressive taxation.**

A tax system in which the tax increases as the taxable amount increases. Under progressive taxation, the wealthy pay proportionally more taxes

than those worse off in society. Usually contrasted to regressive taxation.

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**proportional representation (PR) electoral system.**

An electoral system that aims to create a representative body that reflects the overall distribution of public support to different parties. Usually contrasted to a majoritarian electoral system.

---

**prosecutor.**

A member of the judiciary who is responsible for presenting the case in a criminal trial against an individual accused of breaking the law.

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**public administration.**

The public officials who are part of the permanent staff of the state and who have the responsibility of implementing the laws and decisions made by the legislature and the head of the executive branch of government.

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**public administrator.**

The name for a public official who is a member of the public administration.

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**public official.**

A person who works in the public sector. The term encompasses elected officials, public administrators, and members of the judiciary and security forces.

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**puppet regime.**

A type of political regime in which external forces heavily condition the government. The case of Cuba between 1903 and 1934, during which the United States strongly influenced Cuban politics, is a case of a puppet regime.

---

**quality of democracy.**

A concept that builds on the notion of democracy and makes the standard to be fully democratic higher. Typically, the concept of quality of democracy adds properties to the concept of democracy so as to address possible deviations from the democratic principle that the preferences of citizens should be weighed equally.

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**quota, gender.**

See [gender quota](#).

---

**race.**

A concept used to differentiate among social categories based on biological properties (e.g., skin color). However, racial categories are also based on cultural properties.

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**racial democracy.**

The idea, popular in the twentieth century in Brazil, that racial relations are free from discrimination.

---

**racism.**

The belief that people of certain races are inherently superior to people of other races.

---

**rational-legal administration.**

A public administration that is relatively independent from the government, functions according to impersonal rules, and is accessed based on merit. It is usually contrasted to a patrimonial administration.

---

**redistribution.**

The transfer of material resources from the wealthier individuals in society to the poorer individuals in society.

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**redistribution, easy.**

See [easy redistribution](#).

---

**redistribution, hard.**

See [hard redistribution](#).

---

**regime, political.**

See [political regime](#).

---

**regime of exception.**

Specific emergency constitutional provisions that allow a government to temporarily suspend certain rights. Also called state of siege, state of emergency, and state of exception.

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**regressive taxation.**

A tax system that takes a larger proportion of income from low-income earners than from high-income earners. Usually contrasted to progressive taxation.

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**reinóis.**

Portuguese term for white Portuguese settlers in Portugal's colony in the Americas. Similar to the *peninsulares* in Spanish America.

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**reparations.**

A component of transitional justice that provides compensation for the harm to a citizen done by state agents.

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**representation, crisis of.**

See [crisis of representation](#).

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**representation, political.**

See [political representation](#).

---

**revolution.**

A sudden and fundamental change. It is usually associated with change in the way in which political power is distributed in a country.

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**right, political.**

See [political right](#).

---

**rights.**

Rights are normative rules about what people are allowed to do or people are owed. Rights are claims that citizens make vis-à-vis the state based on their standing as citizens.

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**rights, aspirational.**

See [aspirational rights](#).

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**rights, civil.**

See [civil rights](#).

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**rights, derogable.**

See [derogable rights](#).

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**rights, due process.**

See [due process rights](#).

---

**rights, equality.**

See [equality rights](#).

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**rights, generations of.**

See [generations of rights](#).

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**rights, human.**

See [human rights](#).

---

**rights, justiciable.**

See [justiciable rights](#).

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**rights, legal.**

See [legal rights](#).

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**rights, liberty.**

See [liberty rights](#).

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**rights, moral.**

See [moral rights](#).

---



**rights, nonderogable.**

See [nonderogable rights](#).

---

**rights, political.**

See [political rights](#).

---

**rights, security.**

See [security rights](#).

---

**rights, social.**

See [social rights](#).

---

**rule of law.**

The principle that every person is subject to the law. It is closely related to the idea of constitutionalism and to the Spanish-language concept of *estado de derecho*.

---

**security forces.**

Key parts of the state, encompassing the police and the military, that are charged with maintaining security.

---

**security rights.**

A kind of civil right that relates to an individual's most basic physical needs: life and physical integrity.

---

**self-coup.**

A coup d'état in which an incumbent in an executive position (e.g., a president or prime minister) removes some elected officials, frequently

by usurping the power of the legislative branch.

---

**social movement.**

A loosely organized group that seeks to advance some political or social goal.

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**social policies.**

The policies used by the government to ensure access to basic needs by all citizens. Social policies encompass the areas of education, health, pension, and unemployment policies. Countries that have an active social policy are said to have a welfare state.

---

**social rights.**

The idea that individuals are entitled to certain economic resources to address their basic needs. A claim to have a social right is usually contrasted to the claim that individuals should supply any needs they have through the market. Five key social rights are: (1) the right to an adequate standard of living; (2) the right to a family life; (3) the right to health; (4) the right to education; and (5) the right to decent jobs and to social security. Also called socioeconomic rights.

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**socioeconomic welfare.**

A broad concept of the welfare of citizens that is usually assessed with data on economic and social indicators.

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**South, Global.**

See [Global South](#).

---

**Southern Cone.**

A part of Latin America that encompasses Argentina, Chile, Paraguay, and Uruguay.

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**state, the.**

An organization, differentiated from society, that is distinguished from other organizations in that it relies on the use, and the threat of the use, of coercion. The state has the monopoly of the legitimate use of force over the population within a given territory.

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**state capacity.**

The ability of a state to impose its rule throughout the territory and over the population it claims to control. State capacity is made possible through the development of a rational-legal, as opposed to a patrimonial, administration.

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**state formation.**

The process of creating a state. Sometimes used interchangeably with the term state building.

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**state, modern.**

See [modern state](#).

---

**state, plurinational.**

See [plurinational state](#).

---

**state, welfare.**

See [welfare state](#).

---

**state-owned enterprise.**

A business enterprise that is directly owned by a state.

---

**structural power.**

The power of elites due to their central role in a capitalist society. It has an indirect impact on politicians and policymakers. Usually contrasted to instrumental power.

---

**subnational authority.**

A government leader that rules over a unit within a country, such as a province or a municipality.

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**suffrage.**

The right to vote in elections.

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**suffrage, universal.**

See [universal suffrage](#).

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**sustainable development.**

Economic development that can be maintained over a considerable amount of time. One key consideration that makes development sustainable or not is whether it destroys the environment.

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**Sustainable Development Goals (SDGs).**

A set of seventeen goals aimed at promoting human development by 2030. They superseded the Millennium Development Goals (MDGs).

---

**systemic.**

Having many, interconnected parts, as opposed to being an isolated feature.

---

**taxation, progressive.**

See [progressive taxation](#).

---

**taxation, regressive.**

See [regressive taxation](#).

---

**technocratic.**

A form of policy-making that puts a premium on technical or scientific expertise and plays down the political aspects of policy-making.

---

**technocrats.**

Government officials who have specialized expertise in some policy area.

---

**trade policy.**

Decisions about the relationship between a country and the global economy. Trade policy varies from free trade to a highly protectionist policy, which imposes many tariff and nontariff barriers on imports and exports.

---

**transgender.**

A person whose gender identity differs from their sex at birth.

---

**transitional justice.**

A process that addresses past violations of human rights. Two standard components of transitional justice are truth commissions and trials or criminal prosecutions. Another component is reparations.

---

**transnational advocacy network.**

A network of actors who promote a certain goal (e.g., the protection of human rights) that connects actors in different countries.

---

**truth commission.**

Truth commissions are a mechanism used by countries to come to terms with the past and, specifically, to expose the truth about past human rights violations.

---

**unitary legal framework.**

A legal system that relies on one legal tradition and does not allow for the coexistence of multiple legal traditions. Usually contrasted to a plural legal framework.

---

**universal jurisdiction, principle of.**

See [principle of universal jurisdiction](#).

---

**universal suffrage.**

The right to vote in elections that is extended to all adults without exclusions.

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**vote buying.**

The exchange of some good in return for a vote for a certain party or candidate.

---

**war, civil.**

See [civil war](#).

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### **Washington Consensus.**

A set of policies, developed in Washington, DC, by international financial institutions and key agencies of the US government, which emphasized free-market principles and became the basis of the neoliberal model of development.

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### **waves of de-democratization.**

Transitions from democracy to authoritarianism that affect a sizable number of countries in the region at roughly the same time.

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### **waves of democratization.**

Transitions from authoritarianism to democracy that affect a sizable number of countries in the region at roughly the same time.

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### **welfare, socioeconomic.**

See [socioeconomic welfare](#).

---

### **welfare state.**

A state that protects the social and economic well-being of its citizens through an active social policy.

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### **whitening.**

A public policy pursued by Latin American countries, through their regulation of immigration, that aimed to attract white European immigrants so as to reduce the influence of the indigenous and Black population in the racial mix of the country and to make the country racially more white.

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**zambo.**

Spanish term for a person with mixed Indian and Black ancestry. The term is commonly given a negative connotation. A more neutral term is Afro-Indian. Similar to *cafuzo* in Portuguese.

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