

New Mechanisms of Democratic Participation in Latin America

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Direct forms of institutionalized participatory democracy have proliferated in Latin America in recent years. Despite their diversity, emerging participatory innovations—community councils, participatory budgeting, policy conferences, consultative councils, and indigenous autonomies—share many common features. Although they may involve electoral processes, they are not primarily electoral institutions. For example, participatory budgeting may culminate in voting over alternative proposals; but the most novel feature of these mechanisms is that they involve direct (rather than delegated) participation in deliberation leading to collective decisions.

New participatory mechanisms typically operate on a small scale, but in some cases, like the policy conferences in Brazil, they can be scaled up to national-level processes. They may involve participation in the implementation of policies, as is the case of community councils in Venezuela. And they are institutionalized in the sense that they occur within established political arenas rather than in the streets, although in some cases they are fostered as models of constituent power and used to destabilize and transform existing institutions.

New mechanisms of institutionalized, direct participation hold the promise of transforming and deepening democracy. They may, for example, provide democratic goods such as inclusion and accountability, disrupt patron-client relationships, encourage the exercise of active citizenship, and provide participants with tools to make governments more responsive and more representative. To fulfill their promise, however, a number of pitfalls must be avoided. Political parties frequently use participatory mechanisms for partisan ends, thereby reinforcing clientelism and undermining deliberation.

Central authorities may use direct and institutionalized participation to bypass representative institutions like parties and legislatures and establish direct and unmediated connections with voters.

Many of the boldest innovations in participation have occurred in countries where representative institutions—especially parties and legislatures—have lost the trust of the public. As a result, some observers downplay the importance of participation, stressing the dangers inherent in substituting direct participatory mechanisms for representative democracy. For participation to enhance democracy it must happen within democracy institutions; it should not be construed as an alternative to democracy. As Scott Mainwaring (2013, 959) puts it, “To be a participatory democracy, a regime must first be a *democracy*.” Conversely, there are models of democracy that provide few opportunities for direct participation, and this can lead to apathy, frustration, and disengagement of citizens from their political system (Selee and Peruzzotti 2009, 2). Chile has a highly institutionalized representative democracy with low levels of direct participation and consequently a strong sense of exclusion among youth, indigenous minorities, and workers (Altman and Luna 2010, 306). This largely explains the electoral appeal of Michelle Bachelet’s call for constitutional as well as educational and fiscal reform. Happily, the choice for Latin America is broader than nondemocratic participation or nonparticipatory democracy.

Democracies involve whole ecologies of institutions (see Appendix 1 in Cameron and Luna 2010, 513–537). Elections are one dimension: all contemporary democracies involve some form of representation or delegation based on voting. But elections alone are insufficient.

Constitutionalism and the rule of law, including judicial independence and civilian supremacy over the armed forces, are necessary to ensure that elections express the will of the people within the rule of law and that elected officials are able to govern effectively. Finally, citizenship and participation ensure that democracy is more than a system of aggregating individual votes. Deliberation in the public sphere subjects rulers to criticism and holds them accountable for their actions. These various dimensions of democracy can work together to build resilience and adaptability, on the one hand, or they can work at cross-purposes leading to fragility and dysfunction, on the other.

Brazil’s policy conferences offer an example of direct, face-to-face participation within robust representative institutions. They date to 1941 and are enshrined in the nation’s 1988 constitution. Under PT (Partido dos Trabalhadores) governments they have become routine. They are convened by the executive and involve inclusive public deliberation on guidelines for the development of public policy—some of which have resulted in legislative initiatives (Pogrebinschi 2012, 53–74). In policy conferences, governments work with civil society, starting at the state or municipal level and ultimately feeding into national politics. They are, as Thamy Pogrebinschi (2012, 70) notes, “participatory experiments that strengthen formal political representation and potentially reinforce the functions and activities of traditional political institutions.”

Whereas Brazil offers an example of the compatibility of representation and participation, Bolivia’s new constitution is a hybrid in which three distinct conceptions of democracy coexist: representative democracy is supplemented with the use of

referenda and citizen initiatives as well as communitarian democracy (Exeni Rodríguez 2012, 207). In the latter, rural municipalities are authorized to create “indigenous autonomies” in which communities “can elect, designate, or nominate their authorities and representatives in accordance with their own norms and procedures” (Exeni Rodríguez 2012, 215). Such innovations provide models for how to address democratic deficits arising from a purely electoral and representative understanding of democracy.

These democratic deficits include the tyranny of minorities. In liberal democratic theory, fear of the tyranny of the majority is a major preoccupation, one that is often used to justify mechanisms to restrain popular sovereignty and ensure that the rights of individuals and minorities are protected—above all, those who own property. In Latin America, powerful economic groups, especially business and the media, use their great wealth and influence to block structural reforms. Majoritarianism is often a reaction to such *de facto* powers. This brings us to a second deficit: representative democracy is not good at attenuating inequalities. Indeed, inequalities are often reproduced through mechanisms of representation (Manin 1997, 134–149). Elections create and perpetuate political elites that resemble other privileged sectors of society. A third deficit lies in the weakness of active citizenship. Representative democracy does not demand participation in deliberation and collective action, only the passive citizenship of voting. Without a voice in deliberations over the decisions that affect them directly, many citizens become disengaged. This malaise may be especially acute in indigenous communities with strong traditions of collective decision making.

These deep, underlying deficits in representative democracies can undermine the realization of democratic goods every bit as much as problems associated with electoral features of democracy. The primary good supplied by elections is the possibility of alternation in power by political parties—and with it, the ability of voters to exercise their power to dismiss officeholders before they become entrenched in power. Alternation in power can be undermined by the lack of a level playing field for the opposition and the violation of basic civil and political rights (Levitsky and Way 2010, 8–13).

It would be naive to presume that popular participation can guarantee the integrity of electoral democracy, though it may contribute to its vitality. Deficits of representation can be exploited to promote forms of participation that reinforce governmental power and control over civil society. Venezuela’s community councils offer an example of direct, institutionalized participation within the context of the erosion of representative institutions. Community councils bring neighbors together to propose concrete projects that are funded by the government and implemented by the council members themselves. The opportunity for direct participation in deliberation and decision making is clearly a major source of regime legitimacy, and it also reinforces partisan support for the government (McCarthy 2012, 137–140). Critics worry that community councils offer an alternative to representative institutions. It is far from clear, however, that Venezuela’s voters have lost the power to “throw the rascals out” of office. Nor does voting appear to be losing its central place in legitimating the Bolivarian republic, as recent municipal elections show.

Despite the fact that elections have been held with frequency and intensity in Venezuela, they have not served as effective mechanisms for resolving conflicts between the government and opposition. They have served more as plebiscitary expressions of popular sovereignty, and mechanisms for constitutional restructuring. In “refounding” the Bolivarian republic, President Hugo Chávez appealed to the idea of the constituent power of the people. Constituent power means, in essence, that democracy as a system of self-rule implies the sovereign right not only to periodically choose among rival office seekers but also to decide the defining features of the system of rule itself. In practice, it means the use of majoritarian power to rewrite the constitution, often in ways that favor the executive branch over other deliberative bodies.

Ecuador and Bolivia have, like Venezuela, been sites of experimentation with constituent power. Referenda have been called to legitimate elections for constituent assemblies in order to redraft constitutions, which have then in turn been submitted to referenda. There are dangers inherent in this process. All too easily the sovereign right of the people to decide on the constitutional order can become the sovereign power of the president to rewrite the constitution to perpetuate himself (or herself) in power. It is not a given that the outcome will be a more participatory democracy. Carlos de la Torre (2013, 27) puts it well: “Whereas in Ecuador participation is reduced to voting in elections, participatory institutions were created in Venezuela and Bolivia. And whereas mobilization in Bolivia comes most from the bottom up, in Venezuela and Ecuador it comes from the top down.”

To conclude, no single model of democracy fits Latin America today. Enormous

diversity in the types of democratic regimes, and variation in their quality, can be observed across the region. Active experimentation with democracy is responsible for producing some of this diversity, which bespeaks a certain vitality in the region's democratic cultures. Failure to appreciate this vitality can lead to unwarranted pessimism about the resilience of democracy (for example, Weyland 2013; Sanchez-Sibony 2013). If we assume that democracy means *liberal* democracy, of course, many of the countries in the region must be excluded from the set of democratic regimes. There is, however, more than one model of democracy.

The most important form of democratic participation—namely, voting—remains the central and irreplaceable pillar of electoral democracy in the region. Voting coexists, however, with a wide range of practices and institutions that aim to produce diverse democratic goods. The appropriate balance between democratic goods varies according to the institutional ecology of each system. The new forms of direct, institutionalized participation that are sweeping the region today offer insight into the nature of the goods that the people want democracy to deliver—including the right to participate in collective deliberation and decision making over matters that affect citizens directly. Representative institutions may simply be insufficient to generate this democratic good.

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