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Issues, Threats, and Institutions: Explaining OAS Responses to Democratic Dilemmas in Latin America

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ABSTRACT

Over time, the Organization of American States has become institutionally and normatively more capable of defending democracy in the region. Yet the OAS is as selective in its interventions on behalf of democratic promotion today as it was in the early 1990s. To explain this puzzle, this study disaggregates democratic dilemmas according to issue areas, threats, and contingencies. It finds that the OAS responds more forcefully when the problem presents a clear and present danger both to the offending state and to other members. As threats become weaker or more ambiguous, the OAS tends to act more timidly, unless domestic constituencies cry out for its assistance or the United States puts its full weight behind the effort. Case study capsules provide empirical evidence to illustrate these arguments.

Since the early 1990s, the Organization of American States has assembled an impressive arsenal of legal norms and procedures for the defense of democracy. The organization has the capacity to patrol the region with great resolve to oversee electoral processes or aid democracies under siege. The standards it embraces make clear that democracy is now the expectation, not the exception. Two questions remain, however: Have these institutional and normative changes rendered behavioral change in the organization itself? and Insofar as the OAS now addresses democratic deficits, what effect does it have?

That the OAS has actively assumed the mantle of democratic protection in the post–Cold War era is difficult to deny. In this sense, institutional and normative changes have made a difference in its activities. Still, it is easy to overstate the impact of these advances. Despite strengthened institutional machinery and a deepening commitment to democratic values, OAS behavior has remained remarkably consistent since the early 1990s: it defends democracies selectively.

The dangers faced by fragile democracies range from the very clear peril of a military coup or self-coup to electoral mischief or constitutional crises and the more unobtrusive pitfalls of fragile institutions, corruption, impunity, and other facets of what we term “democratic weak-

ening.” Once we unpack these different problems and examine actual OAS responses, it becomes clear that the organization does not treat all democratic threats equally. Countries of the region act with vigor to forestall the disruption of the democratic process by military takeovers or stolen elections because they understand all too clearly what is at stake for their own national interests. But when the democratic threat is not so clear, when it involves constitutional crises that irreversibly bend the rules or invent new ones, or when it exacerbates the more intractable, longer-term problems of building stronger democratic processes and institutions, the OAS all too often balks. In these instances, members either do not want to engage in collective action because they are not convinced that their own vital interests are in play, or do not know how to respond to an ambiguous threat.

OAS members’ reluctance to intervene may sometimes be overcome when significant domestic constituencies cry out for their assistance, or when the United States puts its full weight behind the effort. Conversely, member countries will demur when parties to a dispute unite in their desire to hinder foreign intrusion, or when the United States pulls back. Thus the clarity of the threat to democracy acts as a “gatekeeper”: when the threat is unambiguous the OAS acts decisively; but as clarity diminishes, OAS willingness to intervene varies and depends on other factors. This type of selective behavior has remained the rule, moreover, despite dramatic institutional and normative change in the OAS.

When the OAS vacillates or fails to act in the face of ambiguous threats, it means that democratic problems continue to fester underneath the pomp and revelry of new international efforts to avert the most obvious authoritarian dangers. Indeed, this study asks whether the OAS is actually legitimating the persistence of low-quality democracies. It does this by omission when it places all its energy behind deterring military coups to the neglect of other threats, and it does so by commission when it concentrates on improving electoral procedures as the *sine qua non* of democratic consolidation while allowing underlying, substantive features of democracy to erode. Therefore it is doubtful that Latin American countries now can rely on a safety net of at least minimal democratic protection.

IS THE OAS NEEDED? FRAGILE DEMOCRACIES IN LATIN AMERICA

Latin America is no longer a region of military dictatorships and rampant human rights abuses. Democracy is the political order of the day. An extensive study published by the U.N. Development Program, *Democracy in Latin America* (2004), documents the political turn in 18 countries of the region. Its electoral democracy index places countries on a

scale of 0 to 1, with 1 representing the greatest level of democracy. As a whole, Latin America scored .69 in 1985, .88 in 1995, and .93 in 2002. Whereas 10 of the 32 elections conducted from 1990 to 1995 suffered “significant irregularities” and could not be considered clean, from 1996 to 2002, only 2 of 38 fell below the mark (UNDP 2004, 81). Nevertheless, the same report also expresses substantial concerns over the quality of democracy. It notes that democratically elected leaders often maintain or strengthen their rule through undemocratic means, and that “serious deficiencies remain with regard to the control that citizens are able to exercise over the actions of the State” (UNDP 2004, 27).

Because they incorporate measures of civil liberties and political rights, Freedom House scores illustrate the snares in democratic quality (Freedom House 2005). The Freedom House 1-to-7-point scale rates nations scoring 1 to 2.5 as “free,” 3 to 5 as “partly free,” and 5.5 to 7 as “not free.” Overall, OAS members improved from an average of 2.5 in 1990–94 to 2.4 in 1995–99 and 2.24 in 2000–2004, implying that democracy is indeed the norm. But the tallies are uneven across the region. In South America, Bolivia, Colombia, Ecuador, Paraguay, Peru, Venezuela, and Brazil have each scored 3 or above at some time since 1990. As a group, these countries went from 3.03 in 1990–94 to 3.28 in 1995–99 and 3.08 in 2000–2004. Their composite average was actually worse in 2004 (3.05) than in 1990 (2.8). In Central America, El Salvador, Guatemala, Honduras, and Nicaragua improved from 3.46 in 1990–94 to 3.09 in 1995–99, but failed to move below 3.09 in 2000–2004. The 2004 score of 3.15 was the same tally achieved in 1990.

In sum, although democracy has taken hold in the region, pockets of instability remain. These democratic deficiencies existed in the early 1990s, and they continue today. Therefore it is difficult to argue that the OAS faces less opportunity for action today than it did in the recent past. Any reticence by the OAS to intervene on behalf of democracy cannot be attributed to the absence of democratic dilemmas in the region.

GROWTH OF THE OAS COMMITMENT TO DEMOCRACY: NORMS AND INSTITUTIONS

From its inception, the OAS has expressed support for democracy in principle, even if in practice it seldom acted in its defense. The preamble to the OAS Charter states, “representative democracy is an indispensable condition for the stability, peace and development of the region” (OAS 1997). Articles 2, 3, and 9 of the charter go further to establish representative democracy as a purpose, a principle, and a condition of membership (OAS 1997). Through the 1980s and early 1990s, the OAS fortified its normative commitment to democracy through a series of resolutions and protocols. The 1985 Cartagena Protocol to the

OAS Charter reiterated the commitment to “promote and consolidate democracy” (Article 2b); and a subsequent General Assembly resolution laid the groundwork for electoral missions (AG/RES.991 XIX-O/89).

Still, the commitment to democracy would always depend on the will of those in power (Muñoz 1998). The transition from military to democratic regimes by the late 1980s created a critical mass of OAS member states prepared to converge around the principle of intervention for democratic defense. Institutional change accompanied normative changes by the early 1990s, adding new organizational layers singularly devoted to the cause of democracy. The Unit for the Promotion of Democracy (UPD) was created in 1990, followed by the General Secretariat’s Department for Democratic and Political Affairs, and the Permanent Council’s Working Group on Democracy (within the Committee on Juridical and Political Affairs).

During this time, a consensus was emerging in the OAS that the rights of democracy went hand in hand with rights to intervention; the former could not flourish without resort to the latter. The defining moment occurred on June 5, 1991, when the OAS General Assembly adopted Resolution 1080, which bound the OAS secretary general and Permanent Council to immediate action in the event of a “sudden or irregular interruption of the democratic political institutional process or of the legitimate exercise of power by the democratically elected government” of any of the OAS member states (OAS 1991). The key innovation of Resolution 1080 was that it made longstanding commitments to democratic defense operable. A threat to a democratic regime would trigger the agency’s automatic and immediate response.

The following year, the Protocol of Washington further strengthened the agency’s reactive capacity by allowing for the suspension of a member state should its democratic government be overthrown by force (OAS 1992). In 1995, Executive Order 95-6 restructured the UPD to create more specialized agencies to support democratic institutions, oversee elections, and promote dialogue (OAS 1995).

The process of institutional and normative strengthening culminated with the signing of the Inter-American Democratic Charter, on September 11, 2001, to detail what constituted democratic rule and to stipulate regional responses to and penalties for alterations—not just interruptions—of the constitutional regime (OAS 2001a, Article 19). An alteration could set in motion a Permanent Council meeting, followed by diplomatic initiatives to restore democratic constitutional practices (Article 20). Should diplomacy fail, this charter allows for a special session of the General Assembly that could call for a member’s suspension (Article 21) in the event of an unconstitutional interruption. The charter, which has a greater legal force than a declaration or resolution, codifies the agency’s commitment to democratic deepening by calling upon it to

strengthen electoral and other political institutions and civil society, and to pursue educational initiatives.¹ The charter, in essence, enlarges the permissible field of action for the OAS by allowing it—indeed, imploring it—to respond to threats that fall short of coups or self-coups. In sum, the OAS has evolved a corpus of normative and bureaucratic tools enabling it to protect and strengthen democracy.

THE OAS AND SELECTIVE INTERVENTION

With this record in mind, what has been the OAS response to democratic dilemmas? After signing the Santiago Resolution, the Permanent Council set in motion swift diplomatic responses to coup or self-coup actions in Haiti (1991), Peru (1992), Guatemala (1993), and Paraguay (1996). Permanent Council meetings were triggered and resolutions passed, resulting not only in condemnations but demands for rectification, warnings of punitive action should measures not be taken, and in some cases, actual sanctions.

OAS action, under the guidelines of Resolution 1080, prompted unusual ad hoc meetings of the ministers of foreign affairs. A convening of this group, the highest-level organ in the agency, is an expression of grave concern and determination to respond. In addition, the OAS sent missions to the aforementioned nations to review events there and report back. Except for Haiti, these measures proved effective, compelling Alberto Fujimori in Peru to convene constitutional assembly elections in November 1992, staving off a complete authoritarian takeover; pressuring President Jorge Serrano to call off his self-coup in Guatemala; and getting General Lino Oviedo to back down from an attempted coup in Paraguay. Thus Resolution 1080 succeeded in triggering OAS meetings and swift actions aimed at reversing harmful interruptions in democratic life.

These moves were a welcome change in OAS behavior, but they were also incomplete. Democratic troubles arose and often persisted in Latin American countries, yet they still received less attention than might be expected, even after the implementation of the Inter-American Democratic Charter in 2001.² The OAS has been reluctant to confront energetically those threats, short of coups and self-coups, despite its pronouncements. The machinery of the charter has been utilized only twice since its signing. Despite the forced resignation of President Jean-Bertrand Aristide in Haiti, constitutionally dubious actions to oust a democratically elected president in Ecuador, and tumultuous violence followed by congressional maneuvers that evicted two Bolivian presidents from office, the OAS has only once convened a special session of the General Assembly, in response to the 2002 attempted coup in Venezuela.³ On no occasion during this time did the Permanent Coun-

cil or any other OAS body recommend, take, or threaten punitive action, or even impose any demands or timetables on offending nations.

Theoretical Contenders

The literature offers a wealth of research to explain collective support for democracy, or the lack thereof. But it is much less helpful for explaining why that support would be expressed selectively, or it inaccurately predicts the basis of that selectivity. What follows is an assessment of important theoretical approaches to states, international organizations, and democracy.

Democratic promotion seems as far afield from realism as possible. The practice appears all too altruistic and cooperative. But set within a hegemonic power's sphere of influence, democratic promotion can be a tool of self-interest, entirely consistent with realist precepts. Great powers have long sought to disseminate their national values to signal influence over an area (Owen 2002), and the United States has acted no differently (Hunt 1987). One means of propagating values is to operate within international organizations (IOs), which are, according to realists, tools that hegemony can manipulate to solidify spheres of influence.⁴ The hegemon could rationally conclude that the signing of regional accords on behalf of democracy is self-serving because it induces compliant behavior among neighbors while shifting the burden of enforcing its sphere of influence onto the IO that forged the accord. Hence, for the realists, it is not surprising that we see democratic promotion most prominently in a region directly under the wing of the global superpower. While realists downplay the role of lesser powers in global politics, moreover, some have noted how fledgling democracies promote democratization in neighbors to create an accommodating regional environment, one that helps consolidate their own representative institutions (Fournier 1999).

Other realists see democratic promotion as a divergence from rational self-interest and portray it as reckless behavior promoted by the decay of balance-of-power politics. This argument holds that the lack of peer competitors has led the United States to be seduced by opportunity. As Jervis notes, "Spreading democracy and liberalism throughout the world has always been a U.S. goal, but having so much power makes this aim a more realistic one" (2003, 83). In the eyes of these realists, however, spreading democracy is self-destructive behavior in the long run. Insurmountable barriers, such as the geographic limits on expressions of military power (Mearsheimer 2001) or cultural values in distant regions of the world that clash with liberal principles (Huntington 1998), ensure only mounting costs and ultimate failure for democratic promotion.

Whether hegemons direct international organizations out of rational self-interest or the absence of a superpower rivalry, the OAS's selective interventions on behalf of democracy pose two dilemmas for realists. First, realists would agree that states are selective in their Third World interventions. But they discriminate based on a country's geopolitical location (Desch 1993); its security-related resources, especially oil (Walt 1989); the security threat it may pose (Krasner 2004); or its importance in wider ideological battles (Owen 2002). None of these considerations accounts for why states would use the OAS to intervene in peripheral nations like Paraguay (1996) or Guatemala (1993). Neither country holds strategic or resource value to other states in the region and hemisphere. Second, OAS members have selectively chosen not to use the agency to press for reforms (such as in Ecuador and Bolivia), even when doing so might have resulted in policy or governmental changes in the region beneficial to their own security and democratic interests. Clearly, something beyond security and self-interest is at play here.

Approaches that assign primary importance to democratic institutions and norms stand on more theoretically secure footing when they confront the question of democratic promotion. While realists might consider democratic promotion to be just one underhanded means to further a hegemon's influence, liberals view the democratic pledge as essential to a hegemon's noncoercive persuasive ability, or "soft power" (Nye 2004). Neoliberals also show how institutions can entice egotistical states into cooperating by exposing or sanctioning cheaters and transforming calculations of self-interest (Keohane 1984). They do so by providing stable negotiating forums and allowing for problem solving with supportive staff and specialized committees (Abbott and Snidal 2001), which may further state interests.

The basic governance structure of the OAS would seem to serve those functions, and it has remained more or less unchanged since the organization's founding (OAS website 1997). The voting procedures in place since its inception pose no unreasonable hurdles to collective decisionmaking.⁵ Indeed, Shaw (2003) has shown that over the course of decades, Latin American states have banded together many times to limit U.S. hegemony, and considerably more compromise and consensus forging has taken place than outsiders might imagine. The agency is now well equipped, from an organizational point of view, to respond forcefully to democratic threats (Tulchin and Espach 2001). This is consistent with much of the literature, which finds that organizations generally create norms of accountability and thereby ease intervention by making it seem more multilateral than unilateral, and thus more consensual (Pevehouse 2002; Halperin and Lomasney 1998).

As constructivists would argue, normative changes can complement, buttress, and promote institutional moves to support democracy.

There has been a greater normative convergence around the importance of democracy over time in the Western Hemisphere and beyond (Parish and Peceny 2002; Rich 2001). Hence the consensus among governments, by the 1990s, that rights to democracy went along with rights to intervention (McFaul 2005). When norms achieve widespread recognition, it becomes difficult for states to dissent from them, lest they reap scorn from the regional and international community. The strength of institutions and norms must be acknowledged because they have changed expectations about collective action toward democracy (Santa-Cruz 2005). When democratic troubles ensue, we now anticipate some OAS response; in past decades, that would not have been our expectation.⁶

But if realists underestimate the likelihood of democratic promotion, neoliberal institutionalists and constructivists seem too confident. A glaring mismatch exists between institutional and normative empowerment and inconsistent OAS reactions toward democratic dilemmas. If the signing of the Inter-American Democratic Charter represented some culmination of normative commitment to democratic strengthening, in addition to more explicit organizational instruction, it should have instigated greater regional collaboration in defense of that goal. Yet the OAS's uneven promotion of democracy in 2005 seemed strikingly similar to 1995.

Realist, neoliberal institutionalist, and constructivist assertions about states, institutions, and norms continue to hold relevance for debates about democratic promotion. There is no doubt that hegemony, self-interest, norms, and institutions all play a role. But these are also blunt theoretical tools that do not fine-tune any explanations of why the OAS seems so steadfast in defense of democracy in certain instances and so reticent to act in other instances. To gauge regional responses with greater precision, we must look at issues as focal points that rally states to collective action (or inaction) in different ways. The issue-based analysis that follows is not inconsistent with realist, institutional, or constructivist claims, but it does have the advantage of analytical impartiality. We do not begin with the expectation that interests, institutions, or ideas dominate. Instead, we recognize how crisis-specific arenas set the stage for any of these factors to come into play.

Issues, Threats, and Contingencies

The nature of the issues confronting member states dictate how the OAS will respond to democratic dilemmas. This was the case in the 1990s, and it remains the case in the 2000s. As issues change, so do the interests, calculations, and motivations of the agency and its membership (Arceneaux and Pion-Berlin 2005).

Democratization is an issue area that straddles the international and the domestic spheres (Arceneaux and Pion-Berlin 2005). While the central political actors are in a given nation, foreigners can still be drawn into democratic affairs. To better identify why and how foreign actors get involved, we can unpack the various troubles that might befall a democracy. Certain democratic dilemmas more easily crystallize for OAS members just what is at stake for them and the afflicted country. Thus they can better answer the “why” question: why should they become involved in the sensitive domestic affairs of another state? They are more prone to do so when they sense that the internal problems of another nation are serious and also implicate their own vital economic, security, and political interests, up to and including regime survival. Likewise, some dilemmas make clearer the nature of the problems at hand, the potential solutions to those problems, and the exit strategies that are available. In that manner, they help answer the “how” question: how can member states intervene in a productive way, and in a way that minimizes the costs to them in terms of time commitments and resources?

Each dilemma constitutes a threat of varying proportions both to the afflicted nation and to other member states. When the threat to a democratic order is clear and grave, as in the case of a coup or coup attempt, it is much easier for OAS members to summon the will to act, because they immediately understand what is at stake for them as well as for the afflicted nation (Fournier 1999). A consensus about what has occurred and the danger it poses quickly coalesces; the crisis is one that has both immediate consequences if left untreated, and immediate solutions if undertaken. There is often a triggering event that signals the problem. But there is also finality to the crisis: the military abandons office and retreats to the barracks, civilian politicians resume governance, and the rule of law returns to the nation. Thus, the nature of this threat enables states better to understand how to act and when to exit from the maelstrom.

Where the threat is lower, more ambiguous, or in dispute, a commitment to act is harder, though not impossible to achieve. States may not associate those domestic ills with their own pressing priorities, and therefore they may be less motivated collectively to intervene. Conversely, they may see the threat to themselves but confront parties in the afflicted country that insist that the risk is containable. Threat is, after all, a perceptual as well as an objective phenomenon, and therefore it lodges in the eye of the beholder.

Even when the will to act is there, member states may not understand how to proceed. This is often true of constitutional crises. While some triggering event often occurs to rally states to the cause, there may be no clear signal from either the government in power or the opposition that external help is warranted or welcome. There may also be gen-

uine debate about the lawfulness and legitimacy of remedial political action, making intervention by regional actors difficult. For example, does a constitutional crisis amount to an alteration or interruption of the democratic and constitutional order, or a disruption of lesser magnitude?

Threats are perceived to be lower and more ambiguous still when it comes to dilemmas of democratic deepening. These problems are usually insidious, creeping up on countries without warning. Consequently, it is harder for the OAS to know when to respond. Institution building, moreover, takes time, patience, and resources, and OAS members may be short on all three. Certainly, problems of separation of powers, representation, accountability, efficiency, and fairness could eventually weaken a regime to the verge of demise at the hands of insurgent civilians or coup-prone officers. Why, then, would OAS members not anticipate difficulties down the road? The reason is twofold. First, political leaders are myopic; while weakened democracies may prove troublesome sometime in the future, electoral timetables (Ames 1987) dictate that politicians respond convincingly only to the crises at hand. Second, the political will to confront democratic weakness "can never be imported" (Millet 1994, 20). Only when domestic actors summon the desire and commitment to consolidate their own democracy will consolidation occur.

Electoral failure and fraud pose threats that lie somewhere between coups, at one extreme, and democratic deepening, at the other. While few analysts equate elections with democracy, most would suggest that their cancellation would be tantamount to regime change and that significant, widespread electoral fraud is a serious threat to democratic well-being (Middlebrook 1998). The difficulty is that most electoral problems fall short of outright failure; they are matters of degree, and therefore do not unambiguously signal to the OAS that decisive action is warranted. Member states back off as they worry about violating principles of nonintervention. Sovereignty is a more formidable force in the hands of today's democratic governments. Farer notes,

When you accuse an authoritarian government of human rights violations, you arguably accuse only the people who run it. Accuse a democratic one, and you slander the Nation; for what is a nation but the people who comprise it, and democratic leaders are their chosen voice. (1997, 545–46)

The strength of OAS responses therefore has some association with the clarity of the threat that a given democratic dilemma poses. Stronger action occurs when threats are unambiguously clear to both the afflicted state and to other OAS members. Yet threats alone cannot fully account for variations in OAS reactions. This is especially so as the threats become weaker or more ambiguous, and thus do not as easily rally con-

cern among OAS members. The chances for regional action then become contingent on a host of other factors that either strengthen or attenuate the response.

When member states are unsure of whether they will be adversely affected by a democratic dilemma elsewhere, or ambivalent about the risk that a problem poses for the afflicted country itself, they must assess whether the balance of power and public opinion both inside and outside the country favors a regional push for democratic promotion or not. Greater support from domestic constituencies for more intrusive measures helps OAS members overcome their reluctance to violate principles of nonintervention and sovereignty. Members are bound to grasp those principles more tenaciously the more doubts they have about the urgency to themselves of a democratic dilemma.




OAS hesitation to act in the face of an ambiguous threat can be overcome when key domestic interest groups, parties, or institutions are firmly aligned in favor of democratic strengthening; when those attempting to impede reforms are internally divided; when the hegemon is solidly behind the reforms; or when external events provide added leverage. Conversely, the OAS will retreat when domestic groups are resolutely opposed to intervention on behalf of democracy; when the balance of public opinion maintains that current practices are legitimate, lawful, or both; or when the United States or regional circumstances are dissuasive. In sum, threats serve gatekeeping functions. When they constitute clear and present dangers, they singlehandedly facilitate OAS entrance. When they do not, they give way to other causal factors that may tilt the balance for or against OAS intervention.

What does it mean for the OAS to respond to democratic dilemmas? Naturally, the organization does not act with equal strength or conviction in every case. Generally speaking, it resorts to its most forceful measures in the face of unambiguous threats to its members. As the threat subsides or becomes unclear, less forceful measures are chosen, unless there are extenuating circumstances. As a first cut, OAS actions can be categorized as strong, moderate, or weak. To add greater precision and substance to these categories, specific agency actions can be identified and then ranked on a scale of 1 to 10, with 10 as the strongest and 1 as the weakest, as shown in table 1.

The dark areas of table 1 indicate a range of probable OAS actions from strong to weak based largely on the nature of the democratic dilemma. The gray areas indicate those moderate to strong responses that are likely only in extenuating circumstances. These refer to situations where, in the face of ambiguous threats, the OAS will wait to see whether domestic opinion weighs heavily in favor of intervention, or whether hegemonic interests prompt a strong United States to push for democratic-strengthening measures. The white areas refer either to weak actions that

Table 1. Strength of OAS Responses to Different Democratic Dilemmas

Strength of OAS Responses	Scaling of OAS Responses	Coup	Self-Coup	Electoral Failure, Fraud	Constitutional Crisis	Democratic Weakening
Strong	10. Punishment enacted	Black	Black	Black	Black	Black
	9. Punishment threatened	Black	Black	Black	Black	Black
	8. Timetable for compliance Demands imposed	Black	Black	Black	Black	Black
	7. Recommendations, criticisms made	Black	Black	Black	Black	Black
Moderate	6. OAS mediation of disputes	Black	Black	Black	Black	Black
	5. OAS foreign affairs ministers meeting	Black	Black	Black	Black	Black
	4. Observers/factfinding mission sent	Black	Black	Black	Black	Black
Weak	3. Permanent council meeting Declaration of concerns	Black	Black	Black	Black	Black
	2. Declaration of support	Black	Black	Black	Black	Black
	1. No action	Black	Black	Black	Black	Black

	OAS action probable in most circumstances
	OAS action possible only with extenuating circumstances
	OAS action unlikely

are not contemplated in the face of serious threats, or to strong measures that are not considered even in extenuating circumstances.

CASEWORK

To explore and expose the dynamics behind OAS reactions, the following case study capsules run the gamut of democratic issues: coups, self-coups, electoral fraud, constitutional crises, and democratic weakening. (For a comprehensive catalogue, see the appendix.) As we work through this continuum, we observe that as the perception of threat diminishes, what resolve, if any, OAS members have to intervene on behalf of democracy hinges on the contingencies heretofore mentioned.

The Coup: Haiti 1991, Venezuela 2002

The first test case for Resolution 1080 occurred on September 29, 1991, with the military ouster of elected Haitian president Aristide. Aristide's assumption of power the year before had been a historic occasion: the first time in Haitian history that a leader had come to power by free and competitive elections. The military coup that subsequently forced Aristide from power represented a clear and present danger for Haitians and for democratic states in the region, which were still traversing periods of uncertain transition from authoritarian rule and which worried about military insubordination.

The next day, September 30, the OAS Permanent Council demanded the return of Aristide to power, and, in accordance with Resolution 1080, called for an ad hoc meeting of its foreign affairs ministers on October 3. The ministers voted unanimously to cut all diplomatic, financial, economic, and military ties to Haiti until Aristide was restored to power (*New York Times* 1991; IPS 1991).⁷ This constituted the most punitive, sweeping set of measures taken by the OAS against a member state since the expulsion of Cuba from the organization several decades before.

Despite the strength of these measures and the speed with which they were implemented, however, they could not succeed at reversing the coup. While Haitian businesspeople began to feel the bite of the embargo and requested urgent meetings with OAS officials, soldiers were not giving in. The military was apparently buoyed by earnings from the illicit trade in drugs and contraband, which were not impeded by the embargo (*Washington Post* 1991). Haiti was, in a sense, a challenging test case for Resolution 1080 and the new resolve of a determined agency, because it was a nation with no real democratic past, nonviable democratic institutions, and a weak civil society. Therefore it was impossible for the OAS embargo to generate the kind of democratically rooted pressures that could have forced the junta's hand. As long

as military officers could find illegal ways of circumventing the embargo to sustain themselves and their families, the full burden of the embargo would settle on poor Haitians, not those in power.

In the end, the OAS did not succeed in ousting the generals; this would only happen three years later when the U.N. Security Council put together a peacekeeping force and President Jimmy Carter brokered an agreement for the regime leaders to exit and accept the peacekeeping mission. But the OAS did succeed in standing up for its principles and its members' interests by taking unusually tough measures against the junta.

If Haiti represented a challenging case for the OAS by virtue of its weak democratic traditions, Venezuela in 2002 presented a test that gauged the boundaries of hegemonic influence on OAS behavior. Business leader Pedro Carmona and some military units led the April 2002 coup attempt against Hugo Chávez. The George W. Bush administration had long made public its dissatisfaction with Chávez, and now did little to indicate its disapproval of the unlawful seizure of power. Still, with Chávez jailed, OAS members felt compelled to act. The Permanent Council convened to "condemn the alteration of constitutional order," send a fact-finding mission headed by Secretary General César Gaviria (who would also offer his good offices), and revisit the matter on the report from the secretary general (Resolution 811 [1315/02]). The OAS acted swiftly, but the coup fell apart from internal pressures, as Carmona quickly alienated his early supporters. In decades past, the overthrow of a U.S. adversary would certainly have dissuaded OAS involvement. But hegemony remains nonetheless a reality for new norms of democratic protection to reckon with. In a plain bow to U.S. influence, the Gaviria report failed to clarify whether the organization would have sought to reverse the coup, had it succeeded.⁸

The Self-Coup: Guatemala 1993, Peru 1992

In the wake of growing civilian protests over his neoliberal economic policies, President Jorge Antonio Serrano issued a decree on May 29, 1993 that dissolved the congress, unseated members of the high courts, suspended constitutional articles, and nullified election and political party laws. Though the military at first supported the actions, this was not a coup; it was a self-coup, designed and initiated by the president.

The self-coup poses a very significant but somewhat less contagious threat to democracy than do military-led coups. On the one hand, citizens in the afflicted country experience the loss of democratic rights right away, as the congress is closed and civil liberties are curtailed. On the other hand, neighboring governments do not necessarily feel endangered, because the *autogolpe* is self-inflicted and not militarily

imposed. Thus it does not constitute a green light for military provocation across borders. As a consequence, OAS members will respond under the terms of Resolution 1080, but will also (as our model suggests) assess the balance of opinion and political power inside the afflicted state before contemplating more serious collective action.

On the day Serrano announced his *autogolpe*, the OAS secretary general convened a Permanent Council meeting, as stipulated under Resolution 1080. For the third time since 1991, the Permanent Council requested an ad hoc meeting of the foreign ministers. The ministers used strong language to deplore the Guatemalan president's actions, urging him to restore democratic institutions and functions immediately, while also sending a fact-finding mission to Guatemala (OAS 1993).

Events on the ground in Guatemala reinforced the OAS's determination to face down Serrano and put an end to his usurpation of power. Unlike Haiti, Guatemala's civil society is stronger and more organized, and groups from across the political spectrum representing a diverse set of interests coalesced in opposition to the *autogolpe*. Although Serrano's self-coup was ostensibly a reaction to working-class strikes and student protests, his action provoked an unusual alliance between business, unions, political parties, the Church, and indigenous leaders, including Nobel peace laureate Rigoberta Menchú, to fight for a return to democratic rule. Business leaders, in particular, worried that OAS and especially U.S.-led sanctions could cripple this trade-dependent country's economy. They publicly rebuked the president on May 31, calling for a return to constitutional rule (*New York Times* 1993).

This strong domestic alliance against the *autogolpe* gave the OAS the added leverage it was seeking. The secretary general warned Serrano that he could expect the upcoming meeting of the foreign ministers to enact stiff diplomatic and economic measures against Guatemala unless he backed down (*New York Times* 1993). The combination of the interest group actions and the OAS threat finally took their toll on the military when, on June 1, the defense minister, General José García Samayoa, withdrew his support from the president (IPS 1993a). Serrano quickly resigned and fled the country, leaving it to the congress to name former human rights prosecutor Ramiro de León Carpio as the new president (Agence France Presse 1993). De León Carpio lavished praise on the OAS for its "prompt and resolute" actions against the *autogolpe* and the OAS mission in particular "for its undeniable contribution in reestablishing democracy and the fundamental freedoms" (OAS 1993, annex, p. 4).

A brief comparison with the Peruvian president's self-coup of April 1992 throws light on how the OAS responds differently to the same threat, depending on the internal politics of the offending nation. Alberto Fujimori, in his *autogolpe*, suspended the constitution, shut down the congress and judiciary, and imposed press censorship. His

actions prompted the OAS to invoke Resolution 1080 and follow up with enormous pressure on Peru's leader to fully reinstate democratic institutions. Instead, Fujimori agreed to hold constituent assembly elections in November of that year and offered a vague timetable for complete democratic restoration. The OAS had staved off a complete authoritarian takeover by allowing the legislative branch to survive. But the agency had no staying power, and it would retreat by year's end while failing to thwart Fujimori's bid to submit the "democracy" to his autocratic will. On December 14, it closed the book on Fujimori's *autogolpe* when its ad hoc committee of foreign ministers resolved that the November constituent assembly elections had "represented an important phase in the process of reestablishing democratic institutional order" and that consequently the OAS investigation could come to an end (OAS 1992, 13–14).

OAS members reasoned that they could do no more, considering that Fujimori's *autogolpe* was popular inside Peru. A broad societal consensus had emerged that exceptional measures were needed to confront exceptional threats, namely the guerrilla group Sendero Luminoso and a battered economy (Cameron 1997). The president also continued to enjoy personal approval ratings in excess of 70 percent for several months after initiating the *autogolpe* (Tulchin and Bland 1994). In the face of a serious threat, but one that did not quite rise to the level of a military coup, the OAS needed reassurances from domestic constituencies in Peru that more decisive regional interventions were desired. Unlike the outcome in Guatemala, those reassurances were not forthcoming.

Electoral Fraud: The Dominican Republic 1994

Incumbent President Joaquín Balaguer's anticipation of a seventh term in the May 1994 Dominican elections was placed in doubt just hours after the polls closed, when charges of electoral fraud quickly surfaced. Electoral fraud poses a weaker and more ambiguous threat for democracy than do coups or self-coups. Because, historically, so many elections in Latin America exhibit imperfections, it becomes a matter of degree: how severe is the fraud, and would a clean election have resulted in a different outcome? If the OAS is to intervene decisively, it must be convinced that the integrity of the democratic electoral process hangs in the balance. But the strength of that conviction also hinges on the sway of political power inside the afflicted country.

Some 50,000 voters had made it to the polls, only to find their names missing from official voting lists. It was up to the Junta Central Electoral (JCE) to process claims of abuse. Opposition parties looked on the JCE with great suspicion because of its budgetary dependence on the executive and its staff of political appointees (Hartlyn 1994). The JCE

stoked those anxieties when it announced a “provisional result” placing Balaguer 29,590 votes ahead of rival PRD (Dominican Revolutionary Party) candidate José Francisco Peña Gómez.

The OAS was able to join Peña Gómez and domestic groups to demand a full recount and to investigate allegations of fraud. The JCE agreed, appointing a verification commission with an OAS representative serving on it. Weeks passed before the JCE issued a report that verified the disenfranchisement of 28,672 citizens; but the report was widely criticized as insufficient (some opposition groups claimed that more than 200,000 were disenfranchised). The JCE, moreover, disregarding commission recommendations to investigate fraud allegations further, on August 2 proceeded to certify Balaguer as the winner by 22,281 votes (Atkins and Wilson 1998, 211).

In response to the JCE's decision, OAS Acting Secretary General Christopher R. Thomas issued a critical report to the Permanent Council, stating, “The declaration of the board has increased the atmosphere of tension, uncertainty, and confrontation in the country.” In the report, Thomas “expresse[d] his deep concern” and offered to mediate (UPI 1994). Concern gave way to stronger OAS action only after Peña Gómez threatened to call a general strike for Inauguration Day (August 16) and the Catholic Church agreed to join the OAS in brokering a settlement. The parties reached agreement in a Pact of Democracy on August 10. Balaguer would serve 18 months as president, after which new elections barring his re-election would be held.

The shortened presidential term represented a measured victory for the OAS. Balaguer supporters in Congress, however, found enough votes to revise the pact, adding six more months to his presidency. That was a violation of the agreement (EFE News Service 1994), yet the OAS had no thoughts of invalidating the elections; nor did its Permanent Council convene because, at the time, it did not consider electoral tampering to be an “interruption” of democracy under Resolution 1080 (U.S. House of Representatives 1994). The balance of power inside the Dominican Republic was now changing to the detriment of its democracy, forestalling more decisive OAS responses. After the congress acted, the Supreme Court ruled that the revised pact was constitutional, thus undercutting OAS criticism. The armed forces then issued a stern statement in support of the electoral results, which put a damper on opposition protests. With the domestic clamor settling down, the OAS seemed all the more foreign and intrusive.

Finally, events in the region played into Balaguer's hands and against the OAS. The Haitian crisis was unfolding at this time, and the United States had been seeking help to enforce the embargo against the Haitian generals, an effort that Balaguer had not supported. Though both sides denied any sort of deal to negotiate the election in return for greater

cooperation against the embargo, the United States quickly toned down its accusations of fraud following Balaguer's decision to allow U.N. and U.S. forces to patrol the Dominican-Haitian border for smuggling, something he had vigorously rejected previously (Atkins and Wilson 1998, 209; LAWR 1994). Once the United States diluted its own opposition to Balaguer, the OAS found it difficult to elicit more decisive measures.

Constitutional Crises: Ecuador and Bolivia, 2004–2005

Constitutional crises of the sort found recently in Ecuador and Bolivia pose a dilemma for regional actors. In the battle over democratic principles and practices, some domestic groups will illustrate their mass appeal by mobilizing enormous protests among indigenous and other disenfranchised elements, which are so destabilizing to incumbents they have earned the name "street coups." If protesters can bring governments down in country X, they can give moral encouragement for similar groups to try in country Y. These threats therefore pose a potential challenge to other democracies by way of contagion, not unlike the classic coup.

By contrast, many other domestic parties to the disputes, including lawmakers and judges, will insist that their democratic problems are being resolved within the constitutional framework. As troubling as it may seem to outsiders, the process is, according to them, sensible, perfectly legal, and moving forward according to their own timetables. In so arguing, these actors underscore their own sovereignty while raising the stakes for intervention. OAS members may sense a contagious threat to their own national interests but do not know how to respond decisively in the face of vigorous defenses of sovereignty and constitutionality. With the balance of domestic power in favor of regional noninterference, the OAS opts for gestures of encouragement and support rather than criticism.

In December 2004, Ecuadorian president Lucio Gutiérrez cobbled together a slim majority in Congress to evict 27 of 31 Supreme Court justices on very shaky constitutional grounds.⁹ The public largely conceded that the court had become dangerously partisan, and the purge met with no mass protests (*New York Times* 2004). Things changed, however, when the court voided corruption charges against former president Abdala Bucaram, allowing him to return from exile in March 2005. The new Supreme Court president, Guillermo Castro, was a life-long friend of Bucaram and a founding member of Bucaram's party. His verdict made a mockery of the notion that the newly appointed justices would act independently, as Gutiérrez had claimed. What is notable here is that the OAS took no action. It seemed to be immobilized between two competing claims in Ecuador: that the president and Congress were overstepping their bounds, or that they were strengthening judicial independence.

On the heels of Castro's verdict and Bucaram's return, protesters took to the streets in Quito. In response, Gutiérrez dissolved the Supreme Court and declared a state of emergency. That only swelled the ranks of the demonstrators and fueled the anger of a public now convinced that Gutiérrez had assumed near-dictatorial powers. The military then withdrew its support for Gutiérrez, the police refused to repress the protesters, and 62 members of the Ecuadorian Congress finally voted, on April 20, to overthrow the president on grounds of his having abandoned office (*Washington Post* 2005). Gutiérrez's second action against the court elicited no response from the OAS, however. It was only after his ouster that the Permanent Council passed a weakly worded resolution that "encouraged all sectors . . . to strengthen governance and ensure full respect for democratic order" and sent in a fact-finding mission (OAS 2005b, 5). That mission imposed no sanctions, demands, or timetables.

Ecuadorian lawmakers insisted that they had operated squarely according to the letter of the constitution in ousting Gutiérrez. The new foreign minister told the OAS it had no business telling Ecuador how to conduct its affairs "when there is a constitutional succession" (BBC Monitoring 2005). The OAS might have questioned how Gutiérrez could have been charged with abandoning his post when he was in his office at the time, conducting official business, or how his congressionally mandated ouster could have been legitimate when the two-thirds quorum required for constitutional interpretation had not been met. Yet the OAS could not summon the political will to condemn the December Supreme Court purge, criticize the congressional eviction of the president, demand the president's reinstatement, or call for a special session of the General Assembly, as provided for by Article 20 of the Democratic Charter. In the face of some ambiguity and domestic resistance to foreign interference, the OAS deferred to principles of sovereignty and nonintervention, refusing to invoke sanctions, as also allowed under the Democratic Charter.

The story unfolds similarly in Bolivia. In October 2003, a proposal to export natural gas through Chilean territory instigated massive demonstrations. They left more than one hundred people dead, forcing President Guillermo Sánchez de Lozada to resign and his vice president, Carlos Mesa Gisbert, to replace him. As the crisis unfolded, the Permanent Council met to "reiterate its full and decisive support" for the Sánchez de Lozada government and to identify the protests as "acts of violence" that "endanger [Bolivia's] constitutional order" (Resolution 849 [1384/03]). But just seven days later, the council met again "to express its full support for the constitutional and democratic succession" to the government of Mesa (Resolution 852 [1387/03]). Though this same resolution called for "social harmony and national reconciliation," it skirted

the undertone of the previous resolution, which held that democracy was clearly not at play.

President Mesa met the same fate as his predecessor in June 2005. Protesters had first called for higher taxes on foreign oil and gas companies, then for the companies' nationalization and constitutional changes to increase indigenous representation in Congress, and finally for Mesa's resignation. Evo Morales, leader of the Movimiento al Socialismo (MAS) party and with his own eyes on the presidency, helped to manage the demonstrations. Mesa's resignation on June 6 opened the presidential line of succession, which, under the constitution, goes first to the leader of the senate, then to the leader of the lower house. Morales, however, all but threatened civil war if either assumed office. To enforce the point, protesters took their siege from La Paz to Sucre, where Congress attempted to meet and consider the succession question. Under unbearable pressure, both congressional leaders refused the presidential sash. It moved to the third in succession, Supreme Court president Eduardo Rodríguez, who, under the constitution, had to call elections within six months. With the opportunity now open for Morales, the protesters withdrew.

In the midst of the crisis, the OAS General Assembly opened its 2005 regular session. Bolivian representative Juan Ignacio Siles consistently rejected OAS proposals to mediate on the premise that Bolivians could resolve their own problems through constitutional channels. The OAS largely complied with his wishes. It issued a declaration (General Assembly Declaration 42 [XXXV-O/05]) to note its "regret" over the "political crisis" and to offer mediation if requested. In July, the Permanent Council approved the transition in governance (Resolution 885 [1499/05]).

The problem was not just that the OAS could not muster the political will to intervene when domestic authorities were united in their insistence that foreigners not do so. Afterward, instead of condemning the resignations clearly made under duress, sending a fact-finding mission, or at least imploring Bolivian authorities to hold protest leaders accountable, the OAS was all too much in a hurry to accept the outcome as an exit opportunity. The veneer of constitutional procedure, rather than the depth of democratic politics, seemed enough for the OAS.

Democratic Weakening: Guatemala and Venezuela

Guatemala's civil war of 1990–96 left more than 200,000 people dead, with some 45,000 disappeared. The December 1996 peace accords were rightly hailed as landmark agreements to chart a clear course toward democracy. After a period of demobilization and reintegration of the URNG guerrilla group into Guatemalan society, the more substantial

reforms listed in the accords stagnated under the presidency of Alfonso Portillo (2000–2003). It was notable that his Guatemalan Republican Front Party was chaired by José Efraín Ríos Montt, a retired general who had presided over Guatemala's military dictatorship during its most vicious period of rule (1982–83).

The brutal murder of Bishop Juan Gerardi in April 1998 occurred the day after Gerardi published a report documenting military atrocities during the civil war. The act epitomized the abject impunity emerging in Guatemala. The 1999 report of the Historical Clarification Commission authenticated 626 massacres, but only one has seen prosecution thus far. Lynchings, basically unheard of during the civil war, appeared as a form of vigilante justice, with 421 reported incidents from 1996 to 2001 (the actual number of cases is certainly much higher) (Godoy 2002). A 2002 report by Amnesty International refers to Guatemala as a “corporate mafia state” where crime is institutionalized at the highest levels of government (Amnesty International 2002). A study by Ruhl (2005) further notes that the “substantial institutional autonomy and de facto legal immunity” preserved by the armed forces under the Alvaro Arzú administration (1996–99) actually expanded under Portillo. Reports by the Inter-American Commission on Human Rights in 1996, 1997, 2003, and 2004 trace the steady erosion of democracy.

Against this setting of democratic weakening, the only action taken by the Permanent Council of the OAS was a special meeting in 2001, called at the request of the Guatemalan government itself to pass a resolution (Resolution 784 [1266/01]) to “support . . . the rule of law” and “repudiate any incident” that “might . . . destabilize the democratic government.” Coup rumors began to float around, and this was a democratic threat the OAS would address. But the rumors soon dissipated, and so too did the anxiety within the OAS. Even so, in the ensuing 2003 presidential elections, Guatemala would see its greatest level of pre-election violence since the 1986 transition to civilian rule (*LAWR* 2003). When analysts look back on the 1997–2003 period, the general absence of the OAS as a stalwart of democratic consolidation will be duly noted.

Guatemala's problems have been replayed in many other Latin American countries, most intensely in Colombia and Haiti. Despite a decade of growing organizational fortitude and normative commitments, OAS members remain noncommittal in the face of longer-term, deeply rooted democratic problems that simply lack the urgency of flashpoint crises. Part of the issue is practical: there is no consensus in academia or among policymakers on how to deepen a democracy. In addition, fear of setting a precedent breeds timidity for many political leaders, who often preside over imperfect democracies of their own. It is in their self-interest not to press too strongly for regional intervention, lest the spotlight turn to their own flawed democracies next time around.

Still, there are extenuating circumstances that can elicit a more vigorous OAS response. A higher-level crisis can draw the OAS into a country afflicted by democratic weakening and compel the organization to acknowledge and act on democratic deficiencies. This happened in Peru after the fraudulent 2000 elections, in Haiti after the 2001 constitutional crisis, and in Venezuela after the 2002 coup attempt. The likelihood grows yet stronger if a resourceful domestic constituency emerges to lobby for continued OAS involvement.

For example, Venezuelan groups in opposition to President Hugo Chávez have been able to push the bar slightly higher when it comes to OAS concern over democratic weakening in Venezuela. Much of the opposition is rooted in the more affluent urban middle and upper classes; it holds close ties to, if not ownership of, the media; and it has created liaisons to foreign policy circles in the United States. This partly explains why the OAS followed up on its call for dialogue after the 2002 coup attempt with a Tripartite Working Mission composed of representatives from the OAS, the Carter Center, and technical support from the U.N. Development Program. Allegations of an imperious presidency, debilitated judicial and congressional branches, government corruption, and cronyism—all signs of democratic weakening—propelled the opposition, and in this case the OAS answered.

All too predictably, however, outside negotiators soon honed in on a proposal that would keep them at arm's length from the whirlpool of democratic weakening and in arm's reach of a clear exit opportunity. In May 2003, the mission brokered an agreement calling for a referendum on the presidency, a government campaign to disarm the population, and a truth commission to look into the deaths related to the April 2002 coup. Though implementation would always depend on the consent of the Chávez government, it is telling that to date the international community has pressured only the electoral pledge. The referendum did take place in August 2004, under what international monitors declared a clean election. The opposition protested nonetheless, even after the OAS and the Carter Center conducted an audit to assuage them. No amount of evidence could convince the opposition that Chávez had won; the political atmosphere had grown too bitter (McCoy 2005). But what means nothing to the opposition could not be more important to the OAS and its members. A clear signal of "mission accomplished" had been emitted. Even the United States acquiesced, portraying the vote as a chance for reconciliation. Drawn to a clear case of democratic weakening, the OAS adopted a response consistent with its disinclination to tackle long-term, complex democratic dilemmas and with its propensity to engage issues that offer an exit strategy and more plainly reveal how and why the OAS should act.

THEORY AND CASE STUDY APPRAISALS

OAS reaction to the coup in Haiti is consistent with realist precepts about states using IOs to defend their vital interests—in this case, regime survival. The case of the 2002 Venezuelan coup attempt is also consistent with the realist view of the hegemon pushing for a more compliant regime. Realism could also speak to the U.S. weakening of opposition to the Balaguer presidency on security grounds and the vigorous actions taken against the executive in Guatemala who had launched a self-coup; the self-interest logic is that restoration of separation of powers in that state assured a more nurturing environment for democratic strengthening in other states. Still, the realists have done less well at accounting for why the OAS failed to stem the tide of protest and violence in Ecuador and Bolivia, which brought down three elected presidents and which could have spilled over the borders to afflict the security of other states. In these instances, contingencies help fill the explanatory gap. With key domestic actors united in insisting that constitutionality is being upheld and regional help is unwarranted, OAS members could not summon the will to override long-held principles of sovereignty and nonintervention.

Neoliberals predict that organizational fortitude creates a forum for negotiation and consensus, which, in turn, converts individual state hesitancy into multilateral decisiveness. This undoubtedly occurred across the board wherever significant OAS responses were taken, be it in Haiti (1991), Guatemala (1993), Venezuela (2002), and to a lesser extent Peru (2002). However, neoliberalism fails to account for why the same organizational machinery was not fully utilized to invalidate Balaguer's election in the Dominican Republic, to keep Alberto Fujimori on the straight and narrow path toward Peru's complete democratic restoration beyond 1992, or to help deal with more intractable democratic deficiencies in Guatemala. A more nuanced explanation is that in the face of lesser threats, OAS members would not commit to further collective action once the balance of power inside the country turned in favor of President Balaguer or public opinion sided with President Fujimori. In the case of Guatemala, furthermore, OAS members saw neither a sufficient threat to their vital interests nor an exit strategy that would allow them to complete their mission in a timely fashion.

Constructivists, for their part, persuasively demonstrate how the OAS has, with the evolution of normative commitments to democracy since the early 1990s, responded to democratic dilemmas more frequently than at any time in its history. The OAS clearly did react in some way to every democratic dilemma mentioned here. Constructivism is less helpful for understanding why normative orders translated into regional responses that varied so widely in strength from case to case,

and particularly why the OAS could not fight with greater and more consistent vigor for democratic rights in places like Ecuador, Bolivia, Guatemala, and Venezuela after the signing of the Democratic Charter. Threats and contingencies again help fill this gap.

MAINTAINING LOW-QUALITY DEMOCRACIES?

The case studies reveal an OAS that will act vigorously to protect democracies from the threat of extinction at the hands of “golpistas.” Yet the studies also show that the OAS remains reluctant to condemn democratic deficiencies when faced with either threats that are ambiguous or domestic constituencies united and adamant in their defense of sovereignty. In those instances, the OAS typically responds with declarations of encouragement or support for the parties to a conflict, as with Ecuador, Bolivia, and Guatemala (post-1993). The effect of doing this, however, is to bestow its blessings on a deeply flawed democratic process or, worse still, to provide cover for antidemocratic strategies. In making sure that competitive systems do not die but that those same systems escape serious scrutiny, the OAS is shoring up low-quality democracies that have declining legitimacy to their own populations.

These low-quality democracies are characterized by unresponsive governments, weak institutions, and poor problem-solving capabilities. Governments in the region are less efficacious than they once were. Deadbeat congresses that fail to legislate, autocratic presidents that disregard the letter of the law and rule by decree, legislative-executive feuds that result in deadlock, remote judicial systems that are beyond the reach of average citizens, ossified political parties that have lost touch with their bases, and in general, governing institutions that seem unresponsive to the needs of ordinary people—all of these contribute to a decline in democratic efficacy, efficiency, and legitimacy.

According to public opinion polls, citizens have less confidence across the board in political parties, leaders, legislatures, and executives than they did at the beginning of the democratic transition. Those same polls indicate a declining resistance to authoritarian solutions to the region’s ongoing problems (Latinobarómetro 2002). While no one is predicting a reversion to *de facto* rule, the decline in governmental performance has opened a door to more limited forms of military influence. Civilian leaders have increasingly called on the military to suppress protests (Venezuela), engage in crime sweeps (Brazil), join police in patrolling city streets (Guatemala), lead counterinsurgency efforts (Colombia), lend a hand in counternarcotics missions (Colombia, Bolivia, Brazil), aid in poverty relief programs (Argentina, Venezuela), assist in disaster relief (Central America, numerous other countries), and provide general developmental assistance (Ecuador). At the behest of

democratic governments (and not on their own accord), militaries have left the barracks to help address these kinds of problems. Thus, though the regional costs of military coups are greater than ever, domestic democratic weakness makes the costs of military nonintervention also greater than ever.

The OAS has curtailed military governmental takeovers, but its legitimization of flawed democracies has, ironically, invited greater military involvement in internal, often role-expansive operations in response to various dilemmas that weak democracies cannot solve. This does not bode well for democratic consolidation because too much reliance on the military for problem solving leaves civilian institutions underdeveloped and undernourished.

These observations are not meant as a wholesale indictment of OAS initiatives or of the new regional machinery created to deter democratic adversaries. These endeavors can aid and have aided democratic progress. What matters is the context in which these efforts take place; how they are packaged and given meaning. If, for example, electoral assessments take place without attention to fundamental issues of democratic quality, policymakers must portray such assessments simply as support for some of the procedures of democracy and not as a legitimization of the entire system. Latin American democracies would be better served if OAS observation missions were less passive and included comprehensive assessments of underlying quality issues in their final report. In the effort to dampen constitutional crises, furthermore, simple declarations or resolutions that merely support the political order do not go far enough. It is just as important to investigate the conditions that ignited the crisis and to lay blame if necessary. Democratic protection is a task whose time has come, and OAS efforts to place democracy toward the top of its agenda should be applauded. But unless protection is augmented and promotion given equal weight, the OAS may find itself sheltering the very polities it had initially sought to rehabilitate.

APPENDIX: DEMOCRATIC DILEMMAS, 1990–2005

Table 2 arranges democratic dilemmas in the Americas, reading left to right, from those that pose clear and present dangers to OAS members to those that are more ambiguous or longer-term in nature. The declining threat provides a first cut at explaining the strength of OAS responses, as shown in the left column. Contingent factors, such as the unity or division of domestic constituencies, hegemonic influences, and other circumstances, would add even greater accuracy to our placement of cases in the OAS response categories.

Table 2. OAS Actions and Democratic Dilemmas, 1990–2005

Crisis/OAS Response	Coup	Self-coup	Election Failure	Constitutional Crisis	Democratic Weakening
Stronger (7–10)	Suriname '90–'91 Haiti '91–'94 Venezuela '92 Paraguay '96 Paraguay '00 Ecuador '00	Guatemala '93			
Moderate (4–6)	Venezuela '02	Peru '92	Dominican Rep. '94 Peru '00 Haiti '01	Paraguay '99 Haiti '01–'04 Nicaragua '05	Venezuela '99–'04 Peru '00 (postelection) Haiti '01–'04
Weaker (1–3)				Ecuador '97 Argentina '01–'02 Nicaragua '00 Trinidad and Tobago '01 Bolivia '03–'05 Ecuador '04–'05	Nicaragua '93–'94 Antigua, Barbados '91–'03 Brazil '92–'01 Colombia '90–'05 Guatemala '90–'04 Honduras '93–'96, '99–'04 Paraguay '90–'04 Peru '92–'00 Ecuador (post-'00 coup)

Coding

Because democratic weakening lacks an obvious event to signal its occurrence, to corroborate these cases, we included all those countries scoring “partly free” or worse on their Freedom House indicators, minus those countries in which democratic development was clearly improving (Mexico and Panama). The coding of electoral failure corresponds to the classification found in Hartlyn et al. 2003. The designation of coups and self-coups is straightforward. An analysis of secondary scholarly resources and media helped to identify constitutional crises. OAS responses were also gauged based on the authors’ own scholarly analysis.

NOTES

1. Declarations are elaborations or explanations of existing law, while resolutions are specific decisions. While both have about the same normative value, a charter is certainly much stronger pragmatically, symbolically, and legally.

2. When member states called for a democratic charter at the 2001 Summit of the Americas, they held that “Threats to democracy today take many forms. *To enhance our ability to respond to these threats*, we instruct our Foreign Ministers to prepare . . . an Inter-American Democratic Charter to reinforce OAS instruments” (OAS 2001b, emphasis added).

3. In April 2002, Article 20 of the charter was invoked in response to the attempted coup against President Hugo Chávez in Venezuela, but only after great reluctance by the United States. The second occasion, in June 2005, came at the request of Nicaraguan president Ernesto Bolaños, who had hoped that a visiting OAS mission would strengthen his position in regard to the Nicaraguan Congress. Still, this resolution did not invoke any specific charter articles. When the mission report laid equal blame on the president, Bolaños rejected it as an infringement of Nicaraguan sovereignty. Two 2005 resolutions directed at the Ecuador crisis referred to Article 18, which offers (but does not require) an OAS delegation. Through 2005, the 13 other democracy resolutions mention the charter only in a ceremonial fashion, with no references to the legal tools it affords.

4. Hence, Molineu notes that the OAS can be “an instrument for the United States to give an image of multilateralism to its policies” (1990, 27).

5. General Assembly decisions require simple majorities in nearly all cases (Article 59, OAS Charter), while Permanent Council decisions require two-thirds of its members, excluding the party to a dispute (Article 89, OAS Charter). In no case is consensus required, even if it is desired.

6. Whereas earlier research on democratic promotion expressed skepticism or pessimism (e.g., Hakim 1993; Bloomfield 1994), more recent scholarship identifies hurdles, rather than barriers, to effective democratic promotion (e.g., Cooper and Legler 2001; Rich 2001).

7. The OAS cannot order members to take these measures, but can and did exhort them to do so.

8. The report noted that the Rio Group, which happened to be meeting at the time and took the initiative to coordinate regional pressure, did not intend to demand a reversal of the coup: “the Rio Group considered President Chávez’s resignation a *fait accompli*, along with the removal of the vice president and the cabinet. Consequently, no request was made for his return to power as part of the necessary actions to defend constitutional order” (OAS 2002).

9. The legal (not political) consensus in Ecuador was that there was no constitutional basis for a congressionally mandated firing of justices. The 1998 Constitution does not grant Congress the powers to hire and fire judges; judges have no fixed term of office; and where vacancies arise on the high court, they are filled by a two-thirds vote of the justices themselves (Constitución Política del Ecuador 1998: Title VI, Chapter 1 Article 130; Title VIII, Chapter 1, Article 202).

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