

THE STATE OF DEMOCRACY IN  
LATIN AMERICA:  
UNDERSTANDING THE  
MECHANISMS AND POLITICS  
THAT BOTH LIMIT AND  
PROMOTE IT

**ABSTRACT**

The creation and maintenance of democratic institutions depends upon broad support of the citizenry of the various democracies in the Latin America. "Politics exercises its greatest impact on development through its effect on institutions. The logic is clear: if politics matter for institutions, and institutions matter for development, politics must matter for development." This paper will attempt to explain the state of democracy in the Latin American context and include a discussion on what kinds of international mechanisms help to guarantee democracy. Specifically, an in depth analysis of the role of institutions and their ability to promote a long lasting democracy in states in transition from authoritarian rule. The paper will conclude with specific threats to democratic governance and survival of these democracies.

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In the twentieth century Latin America has made substantial progress toward democratization. All countries, for the exception of Cuba, have become democratic, but a widening political diversity in the region makes the generalization of a form of governance increasingly difficult. With many seemingly different historical trajectories with democracy, nature of political institutions and party systems, and socioeconomic structures, contemporary governments of Latin America face issues of quality of democracy;<sup>1</sup> especially when comparative studies demonstrate that democratic performance is uneven in the region. Generally, these governments perform best in the electoral and institutional aspects of democratic politics, and worst in delivering civil, minority, and social rights.<sup>2</sup> This alludes to a notion that Latin America still faces issues with the consolidation and deepening of democracy.<sup>3</sup> This paper will attempt to explain the state of democracy in the region and include a discussion on what kinds of international mechanisms help to guarantee democracy and conclude with specific threats to democratic governance.

Scholars have recognized the limitations and shortcomings of democracy in the region; one way they do so is by shifting their object of study from political democracy or democratic consolidation to elected regimes and their endurance

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<sup>1</sup> Tulchin, Joseph S. and Amelia Brown eds. *Democratic Governance & Social Inequality*. Boulder, CO: Lynne Rienner Publishers, Inc., 2002.

<sup>2</sup> Foweraker, Joe Todd Landman, and Neil Harvey. *Governing Latin America*. Polity Press. 2003. Pg. 6.

<sup>3</sup> Linz and Stepan, define a consolidated democracy as "a political situation in which, in a phrase, democracy has become 'the only game in town.'" Linz, Juan J., and Alfred Stepan. *Problems of Democratic Transition and Consolidation: Southern Europe, South American, and Post-Communist Europe*. Baltimore, MD: John Hopkins University Press. 1996. Pg. 5.

or survival.<sup>4</sup> The sustainability of democracy in the region can be attributed to many factors, but the lack of other alternative models in the region and pressure by neighboring countries and regional international organizations, like the Organization of American States, have undoubtedly played a major role in the persistence of current regimes.<sup>5</sup>

The influence of the United States is crucial to secure democratic governance in the region as well. If the U.S. financially aids in promoting democratic state, structures that guarantee the rule of law and accountability for public authorities, then civil society will be less vulnerable to the kind of state practices that had such devastating consequences for democracy and human rights, like in Fujimori's Peru.<sup>6</sup> Similarly, the importance of international organizations in fostering democracy is vital in this region. In the case of El Salvador, the government became a relatively peaceful and stable democratic regime when international actors, like the U.S. and the United Nations, embraced policies focused on conflict resolution and peace building rather than on achieving victory in a counterinsurgency war.<sup>7</sup>

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<sup>4</sup> Tulchin, Joseph S. and Amelia Brown eds. *Democratic Governance & Social Inequality*. Boulder, CO: Lynne Rienner Publishers, Inc., 2002. Pg. 111.

<sup>5</sup> *Ibid.*, Pg. 122.

<sup>6</sup> Jo-Marie Burt "Quien Habla es Terrorista: The Political Use of Fear in Fujimori's Peru," *Latin American Research Review* 41, No. 3, 2006, 32-61. According to Burt, "The opposition movement did not prevent Fujimori from being sworn in as president for a third term. However, the resurgence of civil society played a very dynamic role in denying the regime the legitimacy it sought to ensure through fraud and violence."

<sup>7</sup> This observation is found in Peceny, Mark and William Stanley. "Counterinsurgency in El Salvador," *Politics and Society* (XX)X. 2009.

Another international mechanism that helps to secure democracy in the inter-American system is the Organization of American States (OAS).<sup>8</sup> Scholars have argued that multilateral organizations, like the OAS, can enhance the quality of national democratic processes, even in well-functioning democracies, by restricting the power of special interest factions, protecting individual rights, and improving the quality of democratic deliberation.<sup>9</sup> The future stability of democracy in the region can come directly from this regional multilateral institution because it provides a highly visible forum to air complaints against member states and condemnation or economic sanctions, providing a conduit for pressure from one government on another.<sup>10</sup> The OAS played a formidable role in resolving a crisis sparked by President Alberto Fujimori's efforts to win an unprecedented third term in office.<sup>11</sup> Another example of the pressure exerted by the OAS is the case of re-democratization after Guatemala experienced a breakdown of democracy after the self-coup of Jorge Serrano.

"In May of 1993, Serrano dissolved Guatemala's legislature and courts, and announced that he would rule by decree. The OAS lodged high-profile protests and moved to levy sanctions against the regime. After five days, Serrano was forced from office by the military, which reinstated a civilian president. Many

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<sup>8</sup> "With the adoption of the Santiago Commitment to Democracy and Renewal of the Inter-American System in June 1991, the OAS took a decisive political step in favor of the protection of democracy over the principle of non-intervention... committed itself to respond to the sudden or irregular interruption of democracy in a member State." Fox, Gregory H. and Brad R. Roth. *Democratic Governance and International Law*. Cambridge University Press. 2000. Pg. 155.

<sup>9</sup> Keohane, Robert O. Stephen Macedo, and Andrew Moravcsik. "Democracy-Enhancing Multilateralism," *International Organization*. 63, Winter 2009. Pg. 1-31.

<sup>10</sup> Pevehouse, Jon C. "Democracy from the Outside-In? International Organizations and Democratization," *International Organization*. 56.3. 2002. Pg. Pg. 524.

<sup>11</sup> Cooper, Andrew F. and Thomas Legler, "The OAS in Peru A Model for the Future?," *Journal of Democracy*. 12.4. 2001. Pg. 123. In disputed first-round elections on 9 April 2000, Fujimori won just under 50 percent of the vote, forcing him into a runoff with second-place finisher Alejandro Toledo. As the May 28 runoff approached, however, concerns over electoral fraud led Toledo to withdraw and the OAS to suspend its own electoral-observation mission.

observers credit the OAS response as an important part of Serrano's calculations to step down."<sup>12</sup>

But there is still much debate over the OAS's overall effectiveness as a mechanism for guaranteeing democracy in the region.

The OAS faces definite organizational limitations specifically in the realm of enforcement. After the OAS intervention in Haiti in 1991, the institution was unable to enforce economic sanctions. More generally, the organization has been criticized for relieving threats to democracy after they occur rather than preventing crises beforehand.<sup>13</sup> In the case of Honduras, the OAS publicly denounced the coup of President Jose Manuel Zelaya in 2009, but failed to denounce him when he attempted to rewrite the constitution to allow him to run for another term.<sup>14</sup> The criticisms of this regional institution, although valid, do not detract from the notion that this has historically been a mechanism for guaranteeing democracy in the inter-American system. In summary, the function of this institution is seemingly paramount to the preservation of democracy in the region, as seen from Secretary of State Hillary Clinton's speech at the OAS General Assembly in June 2010:

"We are committed to strengthening our hemisphere's mechanisms for collectively resolving disputes and for further fostering the conditions of sustained peace. And thanks to the reduction of interstate tensions in the Americas, we can look for ways to reduce excessive weapons expenditures, freeing up resources to enhance our competitiveness and expand opportunity for our people."<sup>15</sup>

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<sup>12</sup> Pevehouse, Jon C. "Democracy from the Outside-In? International Organizations and Democratization," *International Organization*. 56.3. 2002. Pg. 524.

<sup>13</sup> Cooper, Andrew F. and Thomas Legler, "The OAS in Peru A Model for the Future?," *Journal of Democracy*. 12.4. 2001. Pg. 124.

<sup>14</sup> Sabatini, Christopher and Jason Marczak. "Obama's Tango: Restoring U.S. Leadership in Latin America," *Foreign Affairs*. January 13, 2010.

<sup>15</sup> Organization of American States US Secretary of State Hillary Rodham Clinton, Intervention at the OAS General Assembly. June 7, 2010- Lima, Perú.  
[http://www.oas.org/en/media\\_center/speech.asp?sCodigo=10-0045](http://www.oas.org/en/media_center/speech.asp?sCodigo=10-0045).

Since 1980's most democratic governments in the region have generally governed poorly. "Deficiencies in the economy and perceptions of corruption, addressing crime and citizen security has bred citizen disaffection and paved the way to populist politicians with dubious democratic credentials."<sup>16</sup> Honduras is a prime example of such a democracy. Instead of addressing the needs of marginalized populations, Honduran politicians concentrated on maintaining patronage jobs and power.<sup>17</sup> In 2009, Transparency Index rated Honduran public officials among Latin America's most corrupt governing elites.<sup>18</sup> Attempts were made at this same time to address issues of economic disparity. Neoliberal economic programs were adopted by major parties, bringing about higher rates of growth in GDP per capita, but the lower class majority saw little change in their economic situation.<sup>19</sup>

The cases mentioned above indicates that democracy in Latin America is threatened by not only military coups, but also electoral fraud and corruption. For most countries in the region, however, the major contemporary challenge to democracy has been economic.<sup>20</sup> The countries in the region have among the highest levels of inequality in the world. The impact of varying socioeconomic crisis and market-oriented reforms, have encouraged unequal distributions of power and wealth within these societies. Scholars, such as Lipset (1959), believe

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<sup>16</sup> Mainwaring, Scott and Frances Hagopian, eds. *The Third Wave of Democratization in Latin America: Advances and Setbacks*. Cambridge University Press, 2005. Pg. 52-54.

<sup>17</sup> Ruhl, J. Mark. "Honduras Unravels." *Journal of Democracy*. Volume 21. Number 2. 2010. Pg. 96.

<sup>18</sup> *Ibid.*, Pg. 96.

<sup>19</sup> *Ibid.*, Pg. 96.

<sup>20</sup> Tulchin, Joseph S. and Amelia Brown eds. *Democratic Governance & Social Inequality*. Boulder, CO: Lynne Reinner Publishers, Inc., 2002. Pg. 111.

in the generalization that democracy is related to the state of economic development. Research on the correlation between economic performance and democratic governance has found that the richer the country the more likely it is to sustain democracy, except for the case of Argentina.<sup>21</sup> Economic development also provides for less oppressive regimes. Countries that enjoy higher levels of economic wellbeing have somewhat consistently- modestly, better human rights records than those that do not.<sup>22</sup> This leads to more legitimate governance, and arguably stronger democracies.

## Section 2

The role of institutions and the way they are designed is crucial to successful governance and long lasting democracy in states in transition from authoritarian rule to a political democracy. This logic can be applied further to include that strong institutions are also important in post-transitional governments, in maintaining and consolidating democracy.<sup>23</sup> For that reason, an interest in the importance of institutional building and reform has grown and has led to theoretical discussion on the institutional effect on democratic consolidation. This is particularly important in post-conflict or post-authoritarian societies where the democratic system may be fragile in its first years and the society may be deeply divided.<sup>24</sup> The variation in institutions throughout Latin

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<sup>21</sup> Przeworski, Adam and Fernando Limongi. "Modernization." *World Politics*. 9(2). 1997. Pg. 171. See also Lipset, Seymour Martin. "Some Social Requisites of Democracy: Economic Development and Political Legitimacy". *American Political Science Review* 53(1): 69-85. 959.

<sup>22</sup> See findings in Neil J. Mitchell and James M. McCormick 1988, "Economic and Political Explanations of Human Rights Violations," *World Politics* 40(4), 476-498.

<sup>23</sup> Valenzuela, Samuel. "Democratic Consolidation in Post-Transitional Settings: Notion, Process, and Facilitating Conditions." *Issues in Democratic Consolidation: The New South American Democracies in Comparative Perspective*. Notre Dame: University of Notre Dame Press. 1992.

<sup>24</sup> Reilly, Benjamin. "Electoral Systems for Divided Societies". *Journal of*

America has affected patterns of representation, governance and survival of democratic regimes. With reference to the case of Chilean democracy, this paper will exemplify this notion by discussing how the adoption of presidential systems, specific electoral rules, parties and other institutions have affected the longevity and strength of democracy.

Since independence for many countries in the region, most developed presidential systems of governance. The choice for presidentialism is highly important for the dynamics of democracy, but not necessarily as crucial in determining whether democracy will survive.<sup>25</sup> Generally, the choice for an institutional design cross nationally, derived from constitutional thinking, with democratic features such as representative institutions and a division of powers, rule of law, and political freedoms.<sup>26</sup> Mainwaring and Shugart (1997) have found that presidentialism offers greater choice for voters, electoral accountability and Identifiability, and can inhibit winner-takes-all games.<sup>27</sup> This form of governance encourages political participation, which in turn, helps to strengthen democracy.

The specific configuration of executive-assembly relations is also an important variable affecting the prospects for democratic longevity.<sup>28</sup> In a study on Chile, Morgenstern, Scott and Nacif (2002), indicate that strong presidential systems characterized by very strong executives, are more likely to experience

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*Democracy* Vol. 13, no. 2, 2002. pp. 156-170.

<sup>25</sup> Scott Mainwaring and Mathew Shugart eds. *Presidentialism and Democracy in Latin America*. Cambridge University Press. 1997. Pg. 29.

<sup>26</sup> Tulchin, Joseph S. and Amelia Brown eds. *Democratic Governance & Social Inequality*. Boulder, CO: Lynne Rienner Publishers, Inc., 2002. Pg. 121.

<sup>27</sup> The checks and balances are designed precisely to limit the possibility that the winner would take all, see Scott Mainwaring and Mathew Shugart eds. *Presidentialism and Democracy in Latin America*. Cambridge University Press. 1997.

<sup>28</sup> Scott Mainwaring and Mathew Shugart eds. *Presidentialism and Democracy in Latin America*. Cambridge University Press. 1997.

difficulties in terms of democratic governability. But this is puzzling in considering the Chilean case because Chile's first two post authoritarian governments had been able to pursue legislative agendas without resorting to the extraordinary measures that they are provided constitutionally.<sup>29</sup> These presidents had incentives to negotiate rather than impose their will. This relationship has helped to maintain the functioning of democracy in this nation, but has also negatively impacted democracy in other governments in the region.

In terms of electoral institutions, Jones (2004), finds that the more fragmented presidential competition is, the more problems are likely in presidential democracies. While fragmented party systems, presidents with weak legislative support, and presidential elections with low levels of identifiability do not automatically have a pernicious effect in presidential democracies, they are generally considered to be undesirable traits.<sup>30</sup> But generally, methods of electing presidents and legislative representatives play a vital role in affecting democratic governability because they influence power distribution in the legislature, and on parties' willingness to enter into coalitions.<sup>31</sup>

Issues of representation and how it is afforded to groups or individuals have historically plagued democracies in Latin America. Scholars have addressed representation and the connection between institutions and

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<sup>29</sup> Morgenstern, Scott and Benito Nacif. *Legislative Politics in Latin America*. Cambridge University Press. 2002. Pg. 327. Similar conclusions are drawn in chapter 9 of Scott Mainwaring and Mathew Shugart eds. *Presidentialism and Democracy in Latin America*. Cambridge University Press. 1997.

<sup>30</sup> Jones, Mark P. "Electoral Institutions, Social Cleavages, and Candidate Competition in Presidential Elections." *Electoral Studies* 23(1): 73-106. 2004.

<sup>31</sup> Payne, Mark J. Daniel Zovotto, and Mercedes Mateo Diaz. *Democracies in Development: Politics and Reform in Latin America*. Inter-American Development Bank, Washington, D.C. 2007. Pg. 17.

government performance by exploring the connection between the institutions that are normally associated with representative democracy and the way in which governments do or do not act in accordance with the public's demands. An example of questionable representation is seen when actual electoral platforms are completely reversed once elected officials are in office. Stokes (1999) has found in her study of Latin America and policy switching by elected leaders, that the link between mandates and representation are extremely complicated. And that sometimes, sticking to mandates is not the only way politicians can represent citizens' interests, but in order for governments to represent they may have to violate certain mandates.<sup>32</sup> The idea that violation of voters' trust through prevalent Latin American policy switches, are not necessarily inconsistent with representation, but may say something about the relative weakness of the democracy at hand. Constitutional design can also derail representation in democracy, as is illustrated by the case of Chile below.

“In many countries these liberal democratic constitutions were often distorted, perverted, and manipulated, as constitutional hypocrisy and discretionary power often comfortably coexisted.”<sup>33</sup> Chile's 1980 Constitution embodied the political motives of the nation's military regime. The constitution underwent a process of reform that did away with some of its most blatantly authoritarian provisions but preserved a set of institutions that would characterize

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<sup>32</sup> Adam Przeworski, Susan Stokes, and Bernard Manin, eds. *Democracy, Accountability, and Representation*. Cambridge University Press. 1999. Pg. 123-124.

<sup>33</sup> Tulchin, Joseph S. and Amelia Brown eds. *Democratic Governance & Social Inequality*. Boulder, CO: Lynne Rienner Publishers, Inc., 2002. Pg. 121.

and constrain the regained Chilean democracy.<sup>34</sup> The Chilean case is a prime example of how institutional design is imperative to the strengthening or weakening of democracy. For example, the electoral law in post authoritarian Chile was deliberately crafted to furnish the largest possible contingent of members of congress in both houses for the right.<sup>35</sup> As a result, with its nine designated senators and its representation greatly favored by electoral system, the right has, with a minority of the vote, a majority in the senate and a sizeable segment of the house. With its senate majority, the right can block legislation and all efforts to reform the constitution dictated by the military regime, which it generally viewed as one of the latter's most important legacies.<sup>36</sup>

According to Siavelis (2009), the governing coalition in Chile, the Concertación, has relied heavily on the model of party politics. Deal making in Chile was at first necessary to maintain the democratic transition and essential to maintain the Concertación coalition. This has arguably undermined democratic responsiveness, accountability and legitimacy, and has significantly influenced

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<sup>34</sup> Ugglá, Fredrik. "For a Few Senators More"? *Negotiating Constitutional Changes During Chile's Transition To Democracy Latin American Politics and Society*. This article presents an account of that process. The Chilean case largely confirms the importance of the existing constitution for the outcome; the final outcome depended nonetheless on the participants' assessment of the relations of power, and therefore might have been open to different results.

<sup>35</sup> The electoral system devised by the Pinochet government is unique in terms of elections. It can best be labeled as a binominal majority list system because each district (whether senatorial or for the lower house) elects two representatives; in addition, the law requires that each list present not more than two candidates per district. The votes are then added by list to determine a first and a second place winning list. If the second winning list has less than half the vote total of the first, then the first list elects its two candidates to fill the district representation. If the second list has half plus one or more of the votes obtained by the first, then the candidates who obtained the highest vote totals on each of the two lists are elected, regardless of whether the runner-up candidate in the first winning list has more votes than those of the best placed candidate on the second list. See Valenzuela, Samuel. "Democratic Consolidation in Post-Transitional Settings: Notion, Process, and Facilitating Conditions." *Issues in Democratic Consolidation: The New South American Democracies in Comparative Perspective*. Notre Dame: University of Notre Dame Press. 1992.

<sup>36</sup> Ibid.

the way citizens of Chile perceive their government.<sup>37</sup> Only 15% of Chileans think democracy functions well or very well. Further after almost two decades of democracy, only 45% think in all cases democracy is the best regime, and the number who thinks so has actually decreased.<sup>38</sup> Even in relative Latin American terms, academics and analysts laud Chile as a high quality democracy, but on several key indicators of mass public opinion other countries rank higher, and some of Chile's indicators are disturbing.<sup>39</sup> Only 36% of Chileans report being satisfied or very satisfied with democracy. This places Chile in the 8th position among the 18 countries included in the Latinobarómetro survey.<sup>40</sup> Although this data has extreme implications to the state of democracy in the region, Chile remains a successful case of democracy in Latin America.

The case of Chile has shown that the major issues facing governments of Latin America today is not necessarily to create new institutions, but the challenge of "overcoming historical patterns of abuse and manipulation to infuse these formal political institutions with meaning, substance, and predictability."<sup>41</sup> The presidential systems of government, and electoral rules and parties have affected patterns of representation, governance, and survival of Latin American democracies. It is important to note that politics changes the process of creating,

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<sup>37</sup> Siavelis, Peter M. *The Bachelet Administration: The Normalization of Politics?* Center for Latin American Studies University of California, Berkeley. August 2009. Paper No. 28.

<sup>38</sup> Centro de Estudios Públicos (CEP), et al. "Estudio nacional sobre partidos políticos y sistema electoral," March-April 2008. Accessible at [http://www.cepchile.cl/bannerscep/encuestascep/encuestas\\_cep.html](http://www.cepchile.cl/bannerscep/encuestascep/encuestas_cep.html).

<sup>39</sup> Siavelis, Peter M. *Elite-Mass Congruence and the Quality of Democracy in Chile*. Annual Meeting of the American Political Science Association, August 28-31, 2008, Boston, MA.

<sup>40</sup> Corporación Latinobarómetro, "Informe, Latinobarómetro 2007," November, 2007, [www.latinobarometro.org](http://www.latinobarometro.org)

<sup>41</sup> Tulchin, Joseph S. and Amelia Brown eds. *Democratic Governance & Social Inequality*. Boulder, CO: Lynne Rienner Publishers, Inc., 2002. Pg. 121.

implementing and sustaining sound institutions in the region. The creation and maintenance of democratic institutions depends upon broad support of the citizenry of the various democracies in the Latin America. “Politics exercises its greatest impact on development through its effect on institutions. The logic is clear: if politics matter for institutions, and institutions matter for development, politics must matter for development.”<sup>42</sup>

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