

Question Set #1

Chapter 1

Discuss the importance of civil liberties to a democracy. Why are elections alone insufficient to maintain a vibrant democracy?

A vibrant democracy is synonymous with a liberal democracy where “contending interests and values may be expressed and compete through ongoing processes of articulation and representation beyond periodic elections” (Arceneaux 22). The most important aspect of that definition is “beyond periodic elections.” Elections have always been fundamental to our collective understanding of democracy, but their significance lies in the possibility of such elections, when fair and free, to enact a government of the people for the people. Elections serve only to bolster the voice of the citizens, and when such a voice is silenced by a lack of civil liberties and elections that are subject to neglect, corruption, and manipulation there is no chance for true democracy.

Real democratic elections are the “institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote” (Arceneaux, 20). The definition of democracy emphasizes the authoritative position of the people to bestow and take away power from those who must win them over in the first place. Civil liberties, when supported and defended by the law, enable citizens to demand accountability from those in positions of power and more importantly, provide them government channels and uncensored outlets to check such power. Civil liberties enable choice in elections and facilitate political environments where candidates can and will reflect the diverse sets of values and interests of their constituents.

The presence of numerous, safeguarded civil liberties helps to distinguish a nation as either an electoral or liberal democracy. An electoral democracy simply describes a government that allows its citizens to participate in voting through use of ballots. Electoral democracies require free and fair elections to operate properly, however instances of coercion, voter fraud, and corruption are rampant in Latin American nations. A liberal democracy ensures individual freedoms are enumerated and protected by the constitution in conjunction with an active enforcement of civil liberties through the law. An electoral democracy, that is predicated on elections alone, becomes an illiberal democracy when it “provides partial or minimal guarantees” of civil liberties (Kline 95). Guatemala acts as an example of a nation that claims democratic practices because of its elections. However, their fraudulent elections were made available only to the wealthier classes and were orchestrated by dominant political parties. Guatemala’s government is “plagued by economic disparity, the exclusion of indigenous communities, political instability, putiny, and rampant crime” despite having elections (Arceneaux, 25). Guatemala is an electoral illiberal democracy whose political and social climate shows us that elections become meaningless when the government does not also prioritize the civil liberties needed for a “vibrant democracy.”

Chapter 2

How did fundamental features of geography and demography affect colonialism in the Americas?

Spanish colonialism in the Americas, with its voracious nature and mercantilist-driven social organization, is defined by the challenging landscape and indigenous populations of Latin America. The structure of colonial institutions and Spanish methods of subjugation can be attributed to the immense economic opportunity presented by a continent steeped in mineral wealth and a “free labor force.”

Spanish colonial settlement revolved around extracting and trading the gold and silver that is concentrated in the mountain ranges of Peru, Bolivia, and central Mexico. Other colonial settlements simply grew and developed within the context of their purpose as stops along trade routes. Most importantly, “the growth of the modern economy and its reliance on global trade magnified the importance of and wealth of coastal areas,” which caused the simultaneous neglect of inland regions that “came to be viewed as backwaters” (Arceneaux 46). Colonial trading efforts within coastal cities led to accumulation of wealth, prioritization of development, and significant Spanish cultural influence in these areas. The expansiveness of the continent and the geographical obstacles that prevented the connection of regions threatened the Spanish monarchy in its effort to control their new, vast empire. The structure of Spanish colonial institutions and the amount of Spanish that would come to occupy the early settlements is a direct response to such fear.

The presence of established, massive indigenous populations in Latin America influenced Spanish models of control, administration, and approaches to labor. The sheer size of civilizations in Latin America demanded that Spanish colonization be structured more as military conquest and required continued stay of conquistadors in the region. The Spanish could not forcibly exclude or exterminate indigenous populations like the British could with the dispersed, more nomadic tribes in Northern America (Kline 20). Rather, the Spanish needed to employ methods and institutions that would subjugate and utilize native populations for economic efforts. The Spanish ruled the indigenous “by dominating their own political structure” through methods like the repartimiento system that “was based on traditional indigenous customs” (Kline 20 and Arceneaux 52). Each Spanish colonial institution was designed to ensure a steady workforce of indigenous labor while simultaneously pursuing Christian conversion efforts as a means to integrate the indigenous. The indigenous were crucial for supporting the economic endeavors of the monarchy because “if they were not directed toward the mines, or their labor contracted for agricultural work, they were targeted for tribute payments” (Arceneaux 53).

Colonization within Latin America would have been dramatically different if the landscape was not defined by profitable natural resources, geographical obstacles, and indigenous civilizations.

Chapter 3

Compare and contrast the constitutions of Latin America and the U.S Constitution. In your view what are the advantages and disadvantages of each?

A constitution acts as the codified soul of a nation, the law of the land, and the reference point for citizen rights in a country. Due to the nature of these roles, constitutions are incredibly unique and reflect the respective political histories, needs, and values of nations. Latin American constitutions and the U.S constitution must be assessed as advantageous or disadvantageous within the context of their own region, for they are vastly different and have political documents that speak to their distinctions.

Constitutions of Latin America, though increasingly liberalistic on the surface, often have foundations of conservative corporatism which “envision society in terms of hierarchically arranged groups that secure privileges and associate on the basis of duty” (Arceneaux 95). This is different from the liberalism of the United States constitution that is structured around autonomous individuals with rights and freedoms that equip them to go beyond category or group. The constitutions of Latin America dedicate significant attention to enumerating rights for groups like workers or students, while often designating two separate sections for individual and social rights (Arceneaux 96). The emphasis on collective rights within Latin American constitutions is especially advantageous for protecting historically threatened/disadvantaged groups like indigenous communities, who hold special importance in the context of Latin American societies.

A defining quality of Latin American constitutions is their promotion of substantive democracy. Latin American constitutions encourage progressivism and activism that demands governments produce substantive policy outcomes. The U.S constitution, however, has a reliance on procedural democracy, that avoids prescribing what “a government ought to do” (Arceneaux 99). Substantive democracy in Latin American constitutions provides ample room for their doctrines to reflect relevant contemporary concerns and address pressing societal issues by positioning it as a duty written into law. Enumerating policy outcomes contributes to the long length of constitutions in Latin America that contrasts significantly with the relatively simple and plainly stated U.S constitution. The reliance on such detailed rules and procedures limits a constitution’s viability and potential for longevity. Politically volatile regions require room for interpretation in their laws and institutions or else each change in administration, and thus change in political priorities/values, will result in desire to utilize constitutional reform. Excessive constitutional reform degrades the sanctity and authority of the document, and thus the authority of laws and procedures of government.

Chapter 4

Distinguish “constitutional power” from “partisan power.” Which has played a stronger role in the development of executive power in contemporary Argentina?

Constitutional power is “formal constitutionally defined rules” that “places Congress center stage and stations the president in the largely reactive role” (Arceneaux 135). Constitutional powers declare and quantify the specific authority of branches of government. These powers are outlined by amendatory observation, referendum, executive orders, varying forms of vetoes, urgency petitions, authority, etc.. In the Latin American political context, constitutional powers have often been utilized to promote activist presidents that are more visible in the lawmaking process. Partisan power is measured by the influence and size of a President’s affiliated party in congress. These powers are also measured by a President’s control over his party which, when obtained, can mean a “more cooperative, if not compliant, congress” (Arceneaux 140). Partisan power is distinctly different from constitutional power in that it naturally fluctuates with elections and can be an unstable/unreliable form of power for the executive.

Constitutional reform has played a massive role in both empowering and constraining the executive in contemporary Argentina. Starting in the 1990s, delegated decree authority, partial promulgation, and NUDs were codified into the constitution, which massively extended the reach of presidential legal power and simultaneously “represented a decrease in the de facto powers of the president” (Arceneaux 158). Much of Argentina’s history, which explains the contemporary political climate, has seen strong executive power despite weak partisan power. Since Argentina suffers from a weak political party system, Argentinian presidents often have more unchecked use of their constitutional power and can assert dominance by interpreting “extraordinary powers” in their favor (Kline 116). It seems that partisan power being unusable by the president is even anticipated by the Argentine constitution which talks about invoking NUDs in times of “political impossibility” (Arceneaux 159). More recently, both Kirchners have expanded executive law making authority by capitalizing off constitutional power like the state-of-siege power and by invoking their right to intervene (Kline 116). Most contemporary Argentine executives have cited “times of emergency” (language that is very important in defining executive constitutional power) as reason to push their term limits, massively overhaul segments of government, and strong arm congress towards their will.

It seems that overwhelmingly constitutional reform has shaped contemporary Argentina. More importantly, the language of the Argentine constitution provides presidents leeway and “room to interpret” laws/powers in a way that greatly centralizes authority in the executive. The current constitution in Argentina gives the president “siege of powers, the right to intervene in provincial governments, the power to initiate legislation, and the right to appoint cabinet members without confirmation from Congress” (Arceneaux 155).

Chapter 9

Does decentralization help democratization?

There is no blanket statement that can be made about the practice of decentralization in its relation to democratization for every Latin American country. Different nations who encompass varying demographics, resources, and cultural or political tradition can find channels to democratization that do not necessitate decentralization. Whether a country relies on a federal or unitary regime can be indicative of said country's national government strength, degree of civil liberties, and their historical relationship with democracy. Democratization entails the people becoming more involved in the political process and only succeeds when the people are repeatedly encouraged to uplift democratic practices because of the tangible benefits they reap from their participation. Decentralization is playing a "pivotal role in the contemporary struggle to democratize" and being widely accepted in many Latin American nations because it is finally spreading a power that has historically been hoarded by centralized, corrupt regimes (Arceneaux 363).

Decentralization, in hopes of increasing democratization, can only occur when a country is politically, economically, and socially prepared for such change. The process of democratization is long and arduous, requiring a stayed commitment by the government to prioritize truly free and fair practices. In the case of Venezuela, rushed attempts to decentralize led to an upended traditional party system and an eventual return to a centralized federalism. For Peru, a country that has long struggled with authoritarian legacy, decentralization policies and regional local elections are a signal that democratic progress is occurring, albeit incrementally (Kline 195). Peru's constitution explicitly outlines a commitment to decentralization, however, the lack of "comprehensive constitutional framework for a defining, guaranteeing, and dividing authority makes for a precarious process that feeds anxieties and the potential for political conflict" (Arceneaux 366).

A highly centralized government can show democratic values and practices, however the election of national leaders in periodic elections does not fulfill, for the people, what democracy should be. In Latin American countries, where topography and size can easily hinder access to urban centers for people in rural communities, local leaders need to have real power. Administrative decentralization helps "lower officials gain responsibilities, usually in areas such as education, health care, regional economic planning, and welfare" while political decentralization is "marked by the direct election of government and municipal officials" (Arceneaux 373). Decentralization empowers local communities to see direct results from their voting, which develops and preserves the nation's view of democracy as beneficial. Even more so, decentralization encourages a more responsive form of rule which is desperately needed in many Latin American countries who have lacked substantive ways for their citizens to check abuse of power by national government officials.