

## INTRODUCTION TO UPDATES ON NEW DEVELOPMENTS AFFECTING POLITICAL DEMOCRACY

This book on democracy in Latin America was published in January 2023. In order for it to be typeset, copy edited, proof-read, and printed, the author was able to include only developments through October 2022. The following updates are designed to inform readers of the most important new developments that affect political democracy in Latin America.

Most of the following updates cover the countries included in pp. 182-189 under the sub-head “Contemporary Developments with Implications for Democracy.” Two of the brief essays, those on Peru and Guatemala, are included because of their relevance to contemporary Latin American political democracy.

## BRAZIL UPDATE

From the time of Jair Bolsonaro's election as president in 2018, observers began to be concerned about the resilience of Brazil's young democracy, which dated only from 1985. During his campaign, Bolsonaro, a retired army captain, spoke favorably of Brazil's recent 21-year military dictatorship. Following his election, he drew heavily on military personnel, both active and retired, for his staff. He made no secret of his disdain for the country's political institutions, particularly its Supreme Court, which blocked some of his attempts to circumvent constitutional norms.

When Bolsonaro announced that he would stand for re-election in October 2022, concern turned to fear that, in a second term, Bolsonaro would succeed in derailing democracy. Not only Brazilians, but advocates of political democracy throughout the Americas and beyond feared the ramifications of the subversion of democracy in the country with Latin America's largest population, area, and economy.

Former Pink Tide President Lula's narrow victory over Bolsonaro, by 50.9 % to 49.1% or 2.14 million votes, did not quell the anxiety over the future of democracy. Bolsonaro failed to concede defeat and left for several weeks in Florida, pointedly skipping the transfer of power ceremony. But his supporters were anything but quiet. They blocked some of the country's major highways for days, and the police tasked with removing them often delayed doing so. Other supporters camped in front of military bases, including that in the capital, Brasilia, demanding that the military intervene to cancel the election. Lula, meanwhile, tried to assert his authority amid the fluid situation.

On January 8, 2023, hundreds of Bolsonaro supporters invaded Brasilia and occupied the buildings corresponding to the judicial, legislative, and executive branches of government. Much like the invasion of the U.S. capitol on January 6, 2021, the insurrectionists ran rampant through the buildings smashing furniture, windows, and pieces of art. Police and military forces eventually regained control of the mob. In the aftermath, Lula fired both civilian and police authorities for failing to prevent the event, which some observers termed a coup attempt. Over two months after the election, the invasion underscored the country's extreme polarization.

In June 2023, the Supreme Electoral Commission declared Bolsonaro ineligible to run for office for 8 years. His crime was casting doubt on Brazil's electoral system by questioning the electronic voting machines and, after the election, claiming fraud. He is expected to face other charges related to his tenure as president in the coming months. He still has not recognized Lula as the legitimate president. (Does this sound familiar?)

Today, the possibility of military intervention to undo the election seems remote. With Bolsonaro sidelined until 2030, his appeal with the public seems likely to fade. While not over, the threat to Latin America's largest political democracy has subsided. It will take a few more years and a few more elections to declare it saved.

## CHILE UPDATE

In September 2022, Chileans overwhelmingly rejected the draft constitution drawn up by an elected, leftist-dominated constituent assembly by a margin of 62 to 38 percent. Of the many provisions that a majority rejected, perhaps none was more unpopular than the one naming Chile a “plurinational” country, a title previously adopted in Bolivia and Ecuador, both with large indigenous populations. Despite the rejection, a December 2022 poll showed that 67 percent of respondents favored a second effort to erase Pinochet’s 1980 constitution.

The following month, Congress approved a new two-stage pathway to drafting a post-Pinochet constitution. First, Congress appointed a 24-member “Council of Experts” to draw up a draft. Then in May 2023, national elections were held for a Constitutional Council whose fifty members are charged with approving and/or modifying the draft presented by the Council of Experts.

While persons aligned with the left dominated the first constitutional process, public sentiment had shifted away from the effervescence of the 2019-2020 “estallido,” or explosion, resulting in right-of-center parties and individuals, including some closely identified with the Pinochet dictatorship, controlling both stages of the second process. Such a radical change resulted from several factors. Part of the shift is simply the widespread reaction to the first constitutional draft. The Boric government, which was identified with that failed draft, has lost much of its original support. A spike in crime and a reaction against a recent wave of immigration from Haiti, Venezuela, and elsewhere further moved public opinion to the right. Chile’s conservative mainstream media have promoted the right-wing approach to constitution-writing.

The second draft constitution is scheduled for a vote in December 2023. If approved, the new charter will likely include only small changes from the current one and thus anchor Chile to its authoritarian, neoliberal past. If rejected, will there be the will to try a third time to move Chile past Pinochet’s legacy?

## CUBA UPDATE

A dictatorship since the early months of Fidel Castro's administration, Cuba has experienced no movement toward political democracy over the years. Raúl Castro was succeeded upon his 2018 retirement by the first, and so far the only, dictator of the post-Castro era: Miguel Díaz Canel. Díaz Canel's authority and legitimacy were severely challenged by the widespread July 11, 2021 riots. This greatest challenge to authority in several decades was put down with brutal force and hundreds of persons were sentenced to prison for their participation.

The glaring division in society between those with access to hard currency and those without has not abated, and thousands of Cubans continue to flee the country in search of economic opportunity and personal freedom. The post-Castro 2019 constitution lacked the commitment to socialism articulated in the 1976 charter that it replaced. The socioeconomic democracy of the early years of the Cuban Revolution, based on the concept of egalitarianism, has eroded badly.

In the past few months, Russia and China have increased their presence on the island. China has proposed a joint Cuba-China military training facility which, if implemented, would be seen by Washington as a serious threat. The two powers' presence may provide an economic boost and thus strengthen the Communist Party's hold on the Cuban population.

U.S. policy under President Joe Biden has reversed the tightening of economic pressure on Cuba instituted by the Trump administration, but his options are limited. The U.S. embargo, initiated in 1960 by President Dwight D. Eisenhower, has caused immense damage to the Cuban economy over the years. The embargo was renewed by successive U.S. presidents, but the 1992 Helms-Burton act embedded it in law and prohibited ending it until or unless Cuba moved toward "democratization and greater respect for human rights," as judged by the U.S. Congress. The Cuban populations of Florida and elsewhere make it unlikely that Congress will certify such change in Cuba, limiting U.S. options for engaging with the Cuban regime in positive ways.

## EL SALVADOR UPDATE

Using his control of Congress, late in 2022 Bukele got the body to institute a state of exception, which has been extended several times, in response to a dramatic rise in murders perpetrated by the country's notorious gangs. Under the state of exception, arrests do not require warrants and detainees have no right to a lawyer. By February 2023, over sixty thousand suspected gang members had been arrested and the majority incarcerated in a newly constructed 40,000-capacity prison thought to be the largest in the Americas. Despite concerns over human rights violations, public opinion in El Salvador has been highly favorable to Bukele's crackdown on crime; his approval tops 80 percent in several polls.

Concurrently, Bukele declared a "war on corruption" and announced a plan to build a separate prison for white collar criminals. While corruption has been endemic, Bukele's announcement can be seen as a warning to the country's elites to support him or face consequences.

Meanwhile, to further consolidate his power, the president launched a "reform" that virtually guarantees his party's dominance of Congress and local governments across the country. It involves reducing the size of Congress from eighty-four to sixty representatives and consolidating El Salvador's 262 municipalities into 44 "districts." With the government determining the boundaries of congressional and local electoral districts, the control of Bukele's party, Nuevas Ideas (New Ideas), is assured. So is Bukele's personal power over the country—power that he has accumulated in a very short time. Leaving no doubt about his intentions, on June 26, 2023, Bukele registered his candidacy for president in the 2024 election—his path cleared by the Supreme Court's prior invalidation of the constitutional prohibition of successive presidential terms.

## GUATEMALA UPDATE

The Guatemalan election of June 25, 2023 was expected to continue the elites' control of the country and its politics—control they had enjoyed from the nineteenth century to the present except for the 1945-1954 interregnum of progressive governance terminated by the U.S.-orchestrated overthrow of Jacobo Árbenz. But defying the odds, in a multi-candidate field moderate progressive Bernardo Arévalo, the son of progressive President Juan José Arévalo (1945-1950), captured 12 percent of the vote and a place in the runoff against ultra-establishment candidate and former first lady Sandra Torres.

Worried about the possibility of losing their monopoly of power, establishment conservatives immediately began to contest Arévalo's right to participate in the election. Their machinations led the Supreme Court of Justice, the Supreme Electoral Tribunal, the Constitutional Court, and the Public Ministry to weigh in, creating a reign of confusion in the run-up to the August 20 election.

As of early August, it is unclear whether the establishment will have warded off the greatest threat to its monopoly of power since the 1950s. Stay tuned for either a democratic breakthrough or an illegal but effective defense against democratization in Guatemala.

## NICARAGUA UPDATE

Since their November 2021 re-election, Daniel Ortega and his wife, Rosario Murillo, have tightened their already firm grip on Nicaragua. They have continued dismantling the institutions of civil society, such as civic and human rights organizations. The Catholic Church has suffered persecution and the regime closed the Vatican embassy in Managua. The government has announced its intention to leave the OAS and has strengthened ties with Russia and China. Over 200,000 individuals are thought to have left the country for political reasons.

In February 2023 the Ortega administration expelled 222 political prisoners and flew them to the United States. A week later, it stripped nearly one hundred opponents of Nicaraguan citizenship, labeling them “traitors.”

There is little reason for optimism about the restoration of political democracy, which Nicaraguans have experienced for only a brief period of their history as a nation.

## PERU UPDATE

Peru's unstable and corrupt political system approached collapse on December 7, 2022. Frustrated by his inability to move legislation through the opposition-controlled Congress, leftist President Pedro Castillo attempted to shutter the national Congress by decree. The Congress responded by impeaching President Castillo and removing him from office. Once again a military establishment refused to take power in a political crisis, and as determined by the constitution, Vice President Dina Boluarte took over as acting president.

The overthrow of Castillo mobilized his supporters and other progressives, who staged demonstrations in the Andean cities and the capital, Lima, demanding Castillo's restoration to the presidency, the dissolution of Congress, and a new constitution. The demonstrations were met with police violence, which has caused over sixty deaths, but have continued off and on to the present. Boluarte continues as acting president and the congress remains intact.

Underlying this prolonged standoff is the thorough corruption of Peruvian politics. All six presidents between 2001 and the present have been charged with corruption, and over half of the members of Congress are accused of the same crime. Understandably, members of Congress are loath to lose the seats to which they were elected. Perhaps more importantly, while in office they are immune from prosecution. If the Congress were to be dissolved, those members would lose their immunity and many would likely face prison.

Both sides are dug in. The question is, will the current administration and Congress surmount the protests and remain in office until the scheduled 2026 elections?

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## VENEZUELA UPDATE

Venezuela under the Maduro dictatorship has not changed fundamentally in the past several months. The economy has improved marginally and poverty has eased a bit, making life more tolerable for some. Opposition to the regime still draws severe repression. The diaspora continues, with over seven million Venezuelans (around 20 percent of the country's population) having emigrated.

Despite economic sanctions, recognition of the Guaidó "interim government" by over sixty countries, a failing economy, mass protests, and an investigation by the International Criminal Court into potential crimes against humanity committed by the regime, Maduro has continued in power. His durability, owing above all to the support of Russia, China, and Iran and the loyalty of the armed forces, has led the domestic and international opposition to adopt new approaches to dealing with his regime.

Venezuela is no longer the international pariah it was, as a majority of Latin American countries and numerous others have resumed diplomatic relations with the regime. Recognizing the failure of the Trump administration's hard-line approach to removing Maduro, The United States under President Joe Biden has eased sanctions, held meetings with Maduro administration operatives, and even allowed Chevron to resume pumping Venezuelan oil. The domestic opposition has given up on Guaidó's self-proclaimed presidency and reconsidered its approach of boycotting elections. In preparation for the 2024 elections, the opposition parties agreed to hold a primary election to select a single candidate to run against Maduro, hoping that the dictator's low popularity would give them a chance to win.

Maduro, however, is playing hardball. He has dissolved the national electoral council and is supporting a lawsuit to block the opposition's planned primary election. Following Daniel Ortega's playbook for consolidating his power in Nicaragua, Maduro has banned the top two candidates, María Corina Machado and veteran politician Henrique Capriles, from running in the primary--if it is allowed to take place.

The quasi-normalization of Maduro's dictatorship is the new reality. It is difficult to see what can change that in the short term.