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**Explaining Democratic Divergence:
The Impact of Elite Political Culture and Political
Institutions on the Democratic Performance of
Colombia and Venezuela**

by

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A thesis submitted in partial fulfilment of the requirements for
the degree of Doctor of Philosophy in
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Dedication

For my mother and in memory of my father

Declaration and inclusion of material from a prior thesis

I hereby declare that this thesis has not been previously submitted for a degree at another university. It will not be submitted for another degree in the future in full or in part. In the tenth Annual Politicologenetmaal Conference at University of Amsterdam in 2011, I presented a working paper arising out of the preliminary theoretical and empirical chapters of this thesis entitled “The Impact of elite political culture and political institutions on democratic consolidation in Latin America: a comparative study of Colombia and Venezuela”. Finally, I also declare that this thesis is a product of my own work and it is not based on any kind of collaborative research.

Abstract

The aim of this thesis is to explain and assess, from a comparative perspective, the drivers behind the process of democratic divergence experienced by Colombia and Venezuela from the mid-1990s until 2010. This thesis claims that in order to understand this phenomenon it is necessary to study this observed occurrence from two complementary perspectives. First, it introduces the '*Circular Causality Model*' as an alternative theoretical framework to explain the opposite democratic paths taken by these cases. It critically argues that traditional strands of literature such as modernisation theory, resource curse theory, institutional theory, and political culture theory cannot, individually, provide compelling answers to explain divergence. Instead, it claims that the best explanation to be offered lies in combining, or merging, two important and contested theories; namely, institutional and political culture theories. Hence, it argues that not only structural factors, but also agency ones are important to fully understand this phenomenon. Therefore, it groups together elite political culture, the enactment of new constitutions and electoral system as the independent variables to explain democratic divergence. The causality offered by this circular model is one in which the renewal of political elites (agency) – which occurred during the 1990s in both countries- has effects over the functioning of the mentioned key subset of political institutions (structures) which taken together will help explain democratic divergence. The second part of the thesis introduces a multivariate regression model to assess the statistical significance of the independent variables included in the theoretical *Circular Causality Model* to explain divergence. By building from the scratch an entirely new dataset, seven different empirical models offer a rather new approach to operationalise and measure the independent variables contained in the theoretical model. The estimation of the regression model proves that the independent variables that make up the theoretical model are statistically significant and correctly predict the opposite democratic path followed by Colombia and Venezuela during the 'divergence period.'

List of abbreviations

AD	Acción Democrática (Democratic Action).
AVDF	Asociación Venezolana de Derecho Financiero.
CC	Control of Corruption (Kaufmann Indicators).
Cm	Colombian Mean.
CNE	Consejo Nacional Electoral de Venezuela (National Electoral Council).
COPEI	Comité Político Electoral Independiente (Political Electoral Independent Committee).
ELN	Ejército de Liberación Nacional (National Liberation Army).
ENP	Effective Number of Parties
EPL	Popular Liberation Army.
FARC	Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Colombia).
FH	Freedom House Index.
GE	Governance Effectiveness (Kaufmann Indicators).
HDI	Human Development Index.
HHI	Herfindahl Hirschman Index
ISI	Import Substitution Industrialisation.
M-19	Movimiento 19 de abril (19 th of April Movement).
MSSD	Most Similar Systems Design.
NEC	National Electoral Council.
PC	Partido Conservador (Conservative Party)
PL	Partido Liberal (Liberal Party).
PSUV	Partido Socialista Unido de Venezuela (United Socialist Party of Venezuela).
PTS	Political Terror Scale.
PV	Political Stability and Absence of Violence (Kaufmann Indicators).
RL	Rule of Law (Kaufmann Indicators).
RQ	Regulatory Quality (Kaufmann Indicators).
TSJ	Tribunal Supremo de Justicia (Supreme Tribunal of Justice).
UNDP	United Nations Development Programme.
UNESCO	The United Nation Educational, Scientific and Cultural Organisation.
VA	Voice and Accountability (Kaufmann Indicators).
Vm	Venezuelan Mean
VTV	Venezolana de Televisión
WDI	World Development Indicators.

Chapter 1

1.1. Introduction

For most of the twentieth century, scholars working on topics related to processes of democratisation found in Latin America a rich field of study, as most countries in the region were experiencing democratic defeat. Almost all the countries in this era were characterised as polities facing political instability and polarisation, military coups, repression, and democratic breakdown. As a result, much of the literature about regime performance in the region focused its attention on explaining the forces behind the seeming impossibility for these polities to achieve a transition to a democratic regime. To be sure, Huntington's seminal article '*Democracy's Third Wave*' (1991a) argues that over, what he called the 'second wave' of democratisation which took place between 1945 and 1962, most of the Latin American countries were not democratic.

However, the glum picture of democratic failure changed since the so-called 'third wave of democratisation'¹ reached Latin America. Such spread of democratic values throughout the region has elicited considerable academic attention providing a vast amount of research aiming to explain the process of democratic transition and consolidation.² All these studies have concluded that by the dawn of the twenty-first century almost every country in the region have elected civilian presidents in a generation; satisfying, from a formal level, Dahl's (1989) minimum conditions of democracy. This means that, to an extent, Latin American countries have met, or are close to meeting, the seven criteria or conditions which Dahl regards as critical underpinnings for a country to be considered a democracy. These are: 1) elected officials; 2) free and fair elections; 3) inclusive suffrage; 4) the right to run for office; 5) freedom of expression; 6) alternative information; and 7) associational autonomy (Dahl 1989, 221).

¹ According to Huntington (1991) the third wave of democratisation occurred between 1974 and 1990. During this time, he argues, 'Latin America was the region that democratised most fully' (Huntington 1991, p. 76).

² See for example: Schmitter 1988, 1995; Schneider 1995; Linz, et. al. 1978, 1996a; Schedler 1998 (a)(b); Peeler 1986, 1992; Rochon 1989; Malloy, et. al. 1987; Whitehead 1989; Karl 1990; Collier, et. al. 1991; O'Donnell 1992; Valenzuela 1992; Scott 1996; Lagos 1997; Mainwaring 2000; Camp 2001a; Naím 2001; Smith 2005; Carrión 2009; Karl 1987; McCoy 1995; Hellinger 1991; Ellner and Hellinger 2003; Buxton 2001; Buxton and McCoy 2008; McCoy and Myers 2004; Lander, et. al., 2000, 2008; López Maya 2002, 2003, 2004; among others.

Consequently, scholars³ and qualified groups, such as Freedom House, have made positive assessments about the region's progress to guarantee political rights and civil liberties to their citizens by classifying these countries as 'free' and 'partly free' (Freedom House 2006). International organisations have also claimed that, for the first time in Latin American history, democracy is the dominant form of government, in which every country in the region, apart from Cuba, has elected civilian presidents in a generation (UNDP 2004, 13).⁴ Considering this evidence, Latin American scholars working on topics of democratisation were no longer concerned about determine whether these countries were democratic or not. Instead, their attention shifted from the study of transitions to the study of maintenance, quality, and consolidation of democracy. Hence, most of the research on Latin American democratic performance focused primarily on topics about the modes of regime transitions, economic pre-conditions for democracy, and the issue of parliamentary vs. presidential forms of government.

In contrast, there is a set of countries in the region, namely Colombia and Venezuela that did not share this similar trend to achieve their democratic transition. These two countries differ from their neighbours in that they managed to attain their democratic transition long before the 'third wave' of democratisation swept Latin America and, therefore, can be regarded as outliers. Not surprisingly, the literature on Latin American politics for these countries is either rather scarce or poorly tracked by scholars.⁵

It seems that scholars forgot, or perhaps overlooked, both these cases in order to explain the rationale behind how these polities managed to achieve their democratic

³ For instance, Mainwaring argues that since 1978 the number of democracies in the region has increased sharply at the expense of authoritarian regimes, adding that 'by 1990, virtually every government was democratic or semi-democratic' (Mainwaring 2000, 11).

⁴ To get a better idea of how profound was the re-establishment of democracy in the region over the second half of the twentieth century one has only to look at the number of changes of government that occurred over time. Thus, from 1930 until 1980, all the countries in the region (including Cuba) underwent 277 changes of government, with 104 of those (38% per cent) being by military coup. However, this trend changed during the third wave because by the end of the 1990s the change of administration that took place through military intervention occurred in only 7 of the 37 countries in the region (Palmer 1996).

⁵ The substantial exceptions of this incomprehensible lack are: Linz and Stepan (1978) 'The Breakdown of Democratic Regimes: Latin America'; Diamond, Linz, and Lipset (1989) 'Democracy in Developing Countries'; and Collier and Collier (1991) 'Shaping the Political Arena'. More recently, Hagopian and Mainwaring (2005) 'The Third Wave of Democratisation in Latin America: Advances and Setbacks'; and more recently Bejarano (2011) 'Precarious Democracies.'

transition over most part of the second half of the twentieth century. In fact, prominent scholars such as Mainwaring, O'Donnell and Valenzuela (1992); Malloy and Seligson (1987); or Linz, et. al. (1978, 1990); among others did not include these cases within their research agendas to explain their process of democratisation in the Latin American context. Although such omission was somehow understandable because over the second half of the twentieth century the democratic performance of these cases used to behave in such predictable way that scholars considered them as dull countries to be analysed (Mainwaring 1990). The omission was also to some extent justifiable due to, unlike Colombia and Venezuela, *most* of Latin American polities were struggling to attain democracy and, therefore, scholar attention was place on understanding and provide answers on how these countries could make the transition from authoritarianism to democracy.

However, today, such omission can no longer be justified. The importance of these cases to explain the process of democratisation in the region have become prominent because since the end of the 1990s Colombia and Venezuela have taken different democratic paths moving away from a similar path that these polities used to share over most part of the second half on twentieth century. Hence, the aim of this project is to identify the drivers that can explain the divergent democratic path that Colombian and Venezuelan democracies faced from 1990 to 2010 by conducting a comparative analysis of their democratic performances. To be sure, my objective is to explain the process of regime change experienced by these countries rather than explain the regime type that individually these countries have attained in the time period mentioned above. I believe these countries deserve closer attention because when the similar, steady and predictable democratic performance of these regimes during the transitional era is compared against their later divergent democratic trajectories may allow us to have a complete, non-bias, and better perspective of the process of democratisation followed in the region.

In fact, from 1958 until the enactment of their new constitutions (in 1991 and 1999 respectively), these countries have been considered prime examples of what is known

as pacted democracies.⁶ Both these countries, along with Costa Rica,⁷ have also been characterised as being the more enduring democracies in the region. Consequently, the democratic transition of Colombia and Venezuela took place between 1945 and 1962. During this period, the military rule that used to govern these countries came to an end when in June 1957 Colombia, and in January 1958 Venezuela began their democratic transitions.⁸

The study of the democratic performance of these polities over the transition period is important for Latin American politics because they managed, unlike most of the countries in the region, to institutionalise democratic procedures which allowed them to have both democratic regimes, and to keep a stable trend in their democratic performance. In fact, during this period both countries were classified as either ‘free’ or ‘partly free’ democracies by Freedom House⁹ (see figure 1.1); or as democratic polities by the Polity IV project¹⁰ (see figure 1.2). It is important to note that during this period, Venezuela outperformed Colombia’s democratic performance as both indexes clearly shows (see figures 1.1 and 1.2). This is because the former was less exclusionary and a more competitive regime than the latter (Bejarano 2011).

⁶ Pacted democracies refers to the explicit pact making among competing elites (i.e., elites from an authoritarian regime and the democratic opposition) that engage in multilateral negotiation and compromise and agree to make or achieve a transition from authoritarianism to electoral democracies. For instance, Karl and Schmitter (1991) define a pacted democracy as one in which ‘elites agree upon a multilateral compromise among themselves.’ (ibid.: 275). Colombia and Venezuela are prime examples of elite settlements to reach their democratic transition to the point that their democratic pacts are widely cited in the scientific literature as: ‘The National Front’ and ‘The Punto Fijo Pact’ respectively. This concept will be further developed in chapters 2 and 3. For additional references please see: Karl and Schmitter 1991; Burton and Higley 1987; Higley and Burton, 1989; Peeler, 1992; Hartlyn and Dugas 1999; Buxton 2001, 2005; Lopez Maya 2003, 2004; McCoy 1995; among others.

⁷ Due to the particular democratic transition that Costa Rica went through, I decided to focus and study the cases of Colombia and Venezuela because they shared a common set of commonalities that make the comparative analysis richer as I have to focus the analysis on the salient differences that make these polities to take different democratic paths.

⁸ According to Bejarano (2011), ‘the entire process [i.e., the transition from authoritarianism to an electoral democracy] took approximately two years in each case. The transition in Colombia lasted twenty-four months, from July 1956 to August 1958. The transition in Venezuela lasted eighteen months, from August 1957 to February 1959’ (ibid.: 89). They were brief transitions if compared with the Brazilian case, which lasted more than a decade.

⁹ Freedom House index is a product of Freedom in the World Report launched in 1973. It produces annual scores representing the levels of political rights and civil liberties in each state and territory, on a scale from 1 (most free) to 7 (least free). Depending on the ratings, the nations are then classified as ‘free’ (1.0 -2.5), ‘partly free’ (3 – 5), or ‘not free’ (5.5 – 7.0).

¹⁰ As for the Polity IV, its democratic index offers a scale to evaluate the quality of the democracy with scores ranging from -10 to +10. This scale can be arranged so that countries can be classified as Autocracies (-10, -6); Close Anocracy (-5, 0); Open Anocracy (1, 5); Democracy (6-9); and full democracy (10).

However, the mentioned democratic stability started to crumble at the end of the 1980s and early 1990s when the economic, social and political crisis struck these countries. Consequently, citizens were discontent as their governments were unable to offer solutions for, (i) high economic inequality, (ii) corruption at the elite level, (iii) poverty, and (iv) the impossibility to avoid the '*politics of exclusion*' for which the traditional bipartisan political system remained dominant (Buxton 2001, 2005). Which in turn meant neglecting political participation to minority groups such as left-wing political parties (in Colombia); and black, indigenous and women (in both cases). The undeniable exclusionary characterisation conducted by the traditional political parties in both regimes has led to some scholar (e.g., Ellner, et. al. 2007; Ellner 2008; Buxton 2001, 2008, 2011; McCoy, et. al. 2004; López Maya 2002; 2004) questioning the notion that Colombia and Venezuela constitute instances of 'exceptional democracies' in the sense that their democratic stability was 'built upon exclusionary and undemocratic practices that [...] gave way to a stifling political system and an alienated electorate' (Encarnación 2002, 41).

As expected, the simultaneous crises that both countries faced threatened its democratic stability and survival and forced their governments to trigger a set of political reforms to avoid it. Thus, even though both countries took similar measures to solve these problems they reached a completely different outcome in terms of their democratic performance which transformed the steady, and predictable trend that used to characterised their democratic trajectories. Figures 1.1 and 1.2 shows that during the 1990s, volatility became the norm as their democratic performance began to deteriorate reaching worrisome levels of democratic deconsolidation.¹¹ Freedom House (see figure 1.1) shows that Colombia passed from a score of 3 in 1990 to 4 in 2000, while Venezuela shifted from a score of 2 in 1990 to 4 in 2004. Polity IV (see figure 1.2) confirmed this negative trend in democratisation. In 1990 both countries reached a score of 9, a decade later this score fell 3 points, reaching a score of 6 which again suggests a process of democratic deconsolidation. Despite both indexes,

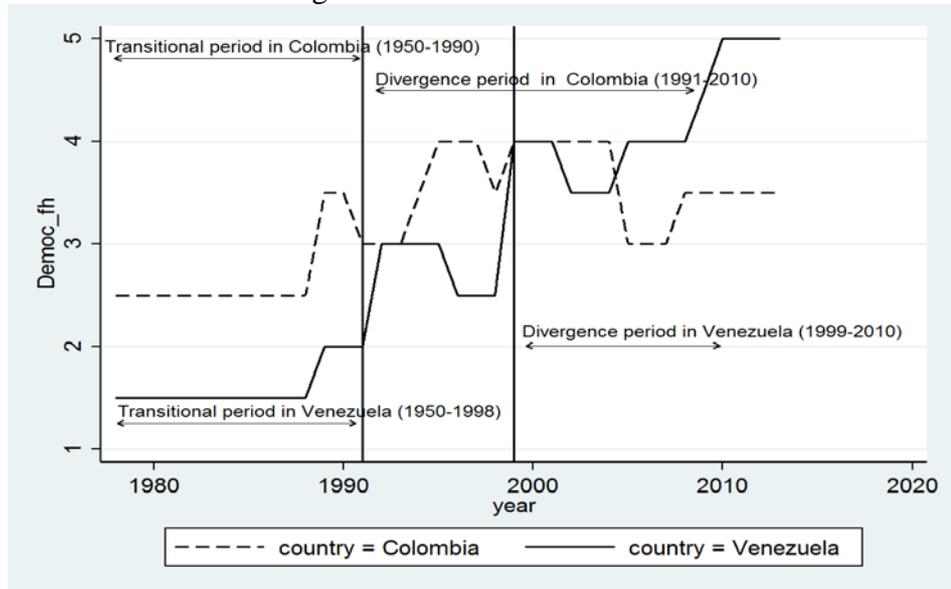
¹¹ The concepts of democratic deconsolidation, or it's opposite, democratic consolidation relates to Schedler's (1998b) one-dimensional definition of democracy. As for the latter, it should be understood as a dynamic process of 'democratic progress' whereby a polity move in the direction that is capable of achieving the standard package of civil freedoms and political rights proposed by Dahl's liberal definition of democracy. Whereas for the former, a democracy will deconsolidate insofar as its political process shifts away from the precepts defining a liberal democracy. This concept will be discussed more at length in chapters 3 and 4.

respectively, still regard these countries as either ‘partly free’ democracies, or as ‘democracies’ at the beginning of the twenty-first century, there is no doubt that during the 1990s both democratic performances followed the same path as both regimes showed signs of democratic deterioration when compared it with their trajectories during the previous 40 years.

The trend of deconsolidation shared by these countries during the 1990s became blurry when Colombia and Venezuela’s democratic trajectories started taking divergent paths from 2000 onwards. Colombia’s democracy fluctuated within a bounded interval that enabled it to maintain, in average, its previous democratic performance; whereas Venezuela began a deep and continuous process of deconsolidation. Venezuela’s steep drop in its democratic performance has been so remarkable that some scholars (e.g., Puddington 2007(a) (b); Lagos 2008; Hidalgo 2009; Brewer-Carías 2010; Corrales, et.al. 2010) have claimed that this country belongs outside the ranks of democratic regimes.

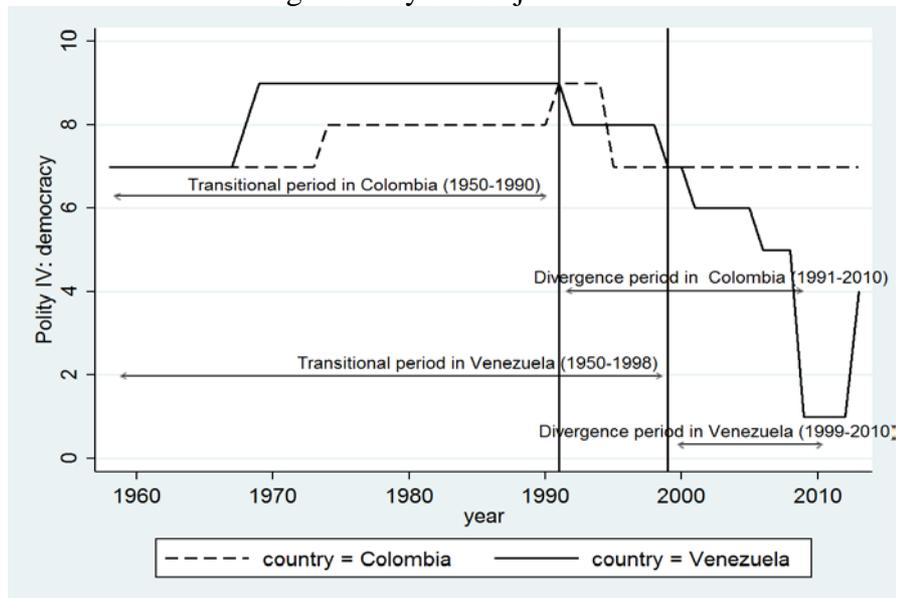
What is striking about this outcome is not only that both countries took opposite democratic paths, but also that for first time (since these polities made their transition to democracy in mid-1950s) Colombia’s democracy outperformed Venezuela. Freedom House (see figure 1.1) shows that both Colombia and Venezuela scored 4 in 2000, but in 2010 these polities were located far from one another. That is, Colombia scored 3.5, while Venezuela scored a worrisome score of 5 very close to be classified as a ‘not free’ country. In turn, Polity IV (see figure 1.2), shows more emphatically the divergent performance these polities went through over the first decade of the twenty-first century. It located Venezuela as an ‘open anocracy’ with a score of 1 in 2010, 6 points below the score it obtained in 2000, while Colombia remained stable by holding its classification as a ‘democracy’ with a score of 7 in 2010, the same score assigned to this country in 2000.

Figure 1.1.
Colombia and Venezuela: democratic performance according to Freedom House



Source: Freedom House Scores, 1972 – 2010, available at www.freedomhouse.org

Figure 2.2.
Colombia and Venezuela: democratic performance according to Polity IV Project



Source: Polity IV Scores, 1960 – 2010, available at www.systemicpeace.org/polity/polity4.htm

Considering the variability in the democratic performance these countries went through over the whole period of analysis (1958 - 2010), a set of questions might be worth asking: *what caused this democratic divergence? How do we explain the volatility and the divergent democratic paths these countries have experienced from 1990s onwards? How can we account for democratic divergence after these polities underwent a long-lasting, stable, and similar process of democratic transition? How did Colombian democracy managed to outperform Venezuela's democracy after decades in which the latter always had a better democratic performance?* All these questions will be critically engaged in order to offer both, an alternative theoretical framework called the '*Circular Causality Model*', and a multivariate regression model to assess empirically whether the theoretical model proposed here explains democratic divergence.¹²

To do so, this project will conduct a critical revision of various strands of literature on democratisation, such as: modernisation theory, resource curse theory, institutional theory, and political culture theory. All these approaches will be assessed aiming to evaluate whether, individually, they can explain processes of regime change such as those related with processes of democratic divergence. From this analysis, this project will claim that none of them, individually, can provide compelling answers to the questions identified previously¹³.

So, if none of the previous four theoretical frameworks were individually suitable to assess divergence, what would be a more suitable theory to explain this phenomenon? Henceforth, I will attempt a novel middle range analysis by claiming that a better theoretical approach would be to explain democratic divergence by merging two frameworks that are often seen as contenders by scholars focusing on topics of democratisation.¹⁴ My research strategy is built on gauging whether the political culture and institutional theories serve together in order to explain democratic

¹² The scope of the proposed theoretical model will be developed in chapter 3, and the empirical model will be presented in the second part of this project in chapters 7 and 8.

¹³ A critical analysis claiming the reasons why these set of theoretical frameworks do not explain, individually, democratic divergence will be developed in depth in chapter 2.

¹⁴ The middle range analysis proposed here is closely related to Mentor's Middle-range theory widely used in Sociological studies. In his book: *Social Theory and Social Structure*, Mentor (1949) claims that this methodological approach is a way to avoid relying on one theory to explain a social phenomenon, but rather in the construction of a new theory by merging two or more theories in a coherent paradigm with a greater level of abstraction from which we can derive hypothesis that can be empirically tested (ibid.: 51).

divergence. The central argument propose is to stress that by merging these frameworks it is possible to offer a novel theoretical approach to explain democratic divergence. Hence, one of the contributions of this research is to offer what I called a *Circular Causality Model* in which the linkage between political culture and institutional theories reinforce themselves repeatedly over time to explain the process of democratic divergence. This model will allow me to offer a different understanding of the divergent democratic performance that Colombian and Venezuela underwent since mid-1990s. I will argue that not only structural factors, but also agency ones are important to fully understand this phenomenon.¹⁵ Furthermore, the causality that the model offers is one in which the renewal of political elites (agency) have effects over the functioning of a key subset of political institutions (structures) which taken together, this will help explain democratic divergence.¹⁶

To operationalise this *Circular Causality Model*, I side with those arguing in favour of elite political culture (Peeler 1992; Lagos 2008; Bejarano 2011), rather than the masses. Elites are a crucial agency variable that will shed light over the process of democratic divergence which I study here. However, the model will also claim that, in addition to changes in the political culture at the elite level, there is a subset of structural political institutions, namely: constitutional reforms and electoral systems that will also be regarded as explicative variables. Hence, with the introduction of the

¹⁵ This model differs from those proposed by Collier and Collier (1991), and Bejarano (2011) in that I identified agent and structural factors as a set of critical junctures to explain democratic divergence. Collier and Collier seminal book 'Shaping the Political Arena' takes sole structural factors to offer a comparative analysis of Colombia's and Venezuela's political parties and party systems in order to assess how these institutions were shaped over the second part of the twentieth century to test their impact on the democratic performance of these polities. Bejarano, in turn, in her book 'Precarious Democracies' also takes structural factors to conducted a comparative analysis of these cases from a historical approach in order to explain that the complex patterns of democratic convergence and divergence followed by these countries since 1950s can be assessed by focusing not only in parties and party systems but also 'on the nature and the strength of the central state, as well as on the legacies from the transition pacts' as independent variables that explain democratic divergence (2011, 258). My model differ from these two contributions in that my approach takes together agency and structural factors in order to highlight and explain the process of democratic divergence that Colombia and Venezuela faced over a more contemporary period (since 1990 to 2010). Thus, it identifies a different set of critical junctures ranging from renewal in the elite political culture and its effect over a subset of political institutions; namely: constitutional reforms and electoral systems as the key variables that explain the different democratic trajectories of the cases under study.

¹⁶ The classical model of political culture based on Almond and Verba's (1963) seminal work expects political culture to adapt to political institutions over time. However, my work advance a different causality hypothesising that is the political culture at the elite level the one shaping political institutions. Meaning that changes on values, beliefs and attitudes do not impact directly upon the performance of a regime but first upon political institutions and then, these 'new political institutions', would have indeed effects upon the democratic performance of the regimes under study.

Circular Causality Model I can group together elite political culture, the enactment of new constitutions and electoral system as the independent variables to explain my dependent variable defined as democratic divergence. Therefore, the research question I will attempt to answer is the following: *To what extent do changes in beliefs, values, and attitudes of political elites affect the structure and functionality of key political institutions which, in turn, might explain the process of democratic divergence of the countries under study?*

It is imperative that my theoretical framework be accompanied with an empirical test to validate or reject the research question. Therefore, the second contribution of this study is to offer a multivariate regression model to quantify and test the statistical significance of my independent variables in order to explain democratic divergence. To my knowledge, scholars have not attempt yet to develop a statistical model that combine the set of theoretical approaches described above for determining the existence of democratic divergence for the cases under study. That is not to say that scholars working on topics related with processes of democratic performance have not taken seriously the use of quantitative methodologies. The point to stress here is that the *Circular Causality Model* proposed in this project provides a holistic and integrated approach that I could not find anywhere in the bibliographic review conducted for the pair of cases under analysis.¹⁷

Having clarified both the theoretical and the empirical model my research will propose, it is now necessary to define what democracy means in this project.¹⁸ A clear understanding of this concept is of utmost importance as it will allow the determination of a focal point of comparison to assess regime change. That is, it will enable an assessment of whether the countries under study are moving towards or away from this point and, therefore, to assess the causes explaining whether these countries have gone through a process of democratic divergence or not. Therefore and bearing in mind that the objective of this study is not to use a case study methodology aiming to

¹⁷ As discussed earlier, the only exception closest to my approach was Bejarano (2011). She was also interested on formulating an assessment to the divergent democratic path experienced by Colombia and Venezuela. However, its methodological approach relied more on a historical institutionalism account rather than using of a quantitative approach (ibid.: 14). Hence, the empirical component in my research seeks to provide analytical information and quantitative evidence which is expected could contribute to get a better and deeper understanding of contemporary studies on democratisation.

¹⁸ The conceptualisation of this key term will be further developed in chapters 2 and 3. However, at this introductory point, it is necessary to delimit the scope of the concept and how it relates with the process of democratic performance

separately classify the type of democracy my cases might attain, but rather to use a comparative methodology to explain the causes that produced their process of democratic divergence this study will follow the procedural definition of liberal democracy suggested by Dahl (1971) in which a polity can be regarded as fully democratic and consolidated if it meets Dahl's seven criteria outlined above.

The advantage of using Dahl's approach lies in that the notion of liberal democracy is not as minimalist as the simple notion of electoral democracy suggested by Schumpeter (1943) and, therefore, focuses its attention on broader aspects such as those related with the expansion of civil liberties and political rights (Norris 2008).¹⁹ Assessing these aspects is critical in my research as both of them capture agency and structural factors that are contained in the theoretical *Circular Causality Model* proposed above to explain democratic divergence. Hence, Dahl's definition of democracy seems less vulnerable to criticism than Schumpeter's as the criteria provided by the former 'has done much to ensure that these measures of democracy are squarely focused on theoretically [and empirical] relevant attributes' (Munck, et. al. 2002, 23).

Another advantage of using this concept to explain divergence is that this notion provides an observable and operational definition of democracy and, therefore, can be used as a basis for empirical measures (Norris 2008). As discussed earlier, one of the aims of this study is to offer a multivariate regression model to assess empirically whether the theoretical model proposed here explains the opposite democratic paths that Colombia and Venezuela when through since mid-1990s. Hence, to be based on the concept of liberal democracy will facilitate its empirical operationalisation as this concept relates very closely to the way Freedom House measure it. That is, as Campbell (2008) has argued, Freedom House data is closely linked with the dimensions of political rights and civil liberties that reflect to a certain extent the conventional definition of liberal democracy (ibid.: 38). Furthermore, the use of this concept from a comparative perspective, allows systematic comparisons with other nations states that are going through similar processes of democratic performance

¹⁹ According to Campbell (2008), '[t]his means that a liberal democracy demands sufficient democracy standards, and not only minimum standards. In other words, liberal democracy goes beyond the minimum standards of an electoral democracy. In such an understanding a liberal democracy already represents a higher manifestation form of democracy' (ibid.: 18).

which facilitates replicability across different studies (Norris 2008). Overall, then, liberal democracy should be understood as an ideal point of arrival to which the countries under analysis wish to achieve.²⁰ Therefore, the democratic performance in Colombia and Venezuela will be assessed insofar as they move closer or further away to the definition of liberal democracy.

As expected, the notion of liberal democracy to conceptualise and measure processes of democratisation had also been highly contested arguing that this conceptual approach contains flaws to classify correctly democratic regimes within political science (Buxton 2001). For instance, scholars such as Buxton, criticises the concept for being purely procedural and therefore allows any polity to be democratic once basic democratic rules are accomplished. She also adds, referring to the Venezuelan case, that given the political events this regime went through since mid-1980s a different approach should be used because ‘meet[ing] the functional prerequisites of liberal democracy is an insufficient qualification for [assessing] legitimacy or stability’ (ibid.: 6).

Therefore, Buxton (2001, 2008, 2009), along with other recognised scholars such as McCoy and Myers 2004; Lopez Maya 2004; Lopez Maya and Lander 2011; Smilde and Hellinger 2011; among others, proposed a different approach to classify the Venezuelan regime away from the Western biased approach of liberal democracy claiming that through the latter the political reality of Venezuela can only be labelled in a dichotomous reductionist category of either being an authoritarian or a democratic regime. Starting from identifying that the Bolivarian model of democracy changed the traditional *Punto fijistas* social and political ways of engagement in the country by arguing that the ‘old elites and beneficiaries were replaced by new actors and constituencies with different interests [...], and traditional lobby mechanisms were supplanted by new and typically informal networks of influence and access’ (Buxton 2011, x), these scholars claim the need to break with the notion that Venezuela should be analysed or assessed as a liberal democracy and rather it should be analysed as a

²⁰ McCoy and Myers (2004) argues, in a very interesting way referring to the Venezuelan case, that this country in the pre- and post- Chávez era was not classified as a liberal democracy, but somewhere in a grey area in which cannot be regarded as a polyarchy. Following this idea, one could also argue for this comparative study that neither Colombia nor Venezuela can be classified as liberal democracies, but that they are also located in the grey area that these authors referred to. In this sense, liberal democracy serve as a point of reference to show how close or far away these regimes are from it and, therefore, to assess their democratic performance.

‘state-sponsored participatory’ or ‘protagonistic democracy’ (Buxton 2001, 2011) or ‘participatory democracy’ (Lopez Maya 2004, 2011) or ‘Bolivarian democracy’ (Smilde 2011).

Overall, all these alternative notions to re-categorise the Venezuelan regime shares a distinctive element not present in the definition of liberal democracy. It ‘favours the routinized popular participation and informal, partisan and personalised modes of state management’ (Buxton 2009, 147). That is, these notions represent a definition of democracy that seeks to give more attention to the ‘the urban poor, the military, entrepreneurs, grassroots groups, and intellectuals’ (McCoy, et. al., 2004, 7). Hence, it is claim that understanding Venezuela as a ‘protagonistic democracy’ or as a ‘participatory democracy’ allows to highlight the advantages to put in practice mechanisms of direct democracy aiming to promote the autonomy that historically marginalised segments of Venezuelan society had demanded and that will allow them to achieve a more inclusive, participatory and egalitarian forms of democracy in this country (Buxton 2008). Thus, scholars relying on this notion to explain regime change in Venezuela claim that this alternative conceptualisation might unearth non-procedural dimensions and dynamics needed to capture different nuances of this political system ‘that enhances popular, democratic governance by permitting social movements and groups to participate actively and collaborate with the bureaucracy and the elected official’ (Hellinger 2011, 341), dimensions that the notion of liberal democracy disregard.

Despite the notion of ‘participatory democracy’ or ‘protagonistic democracy’ can be regarded as a novel, important, and an alternative approach to classify the Venezuelan regime away from the reductionist authoritarian-democratic dichotomous category, I will critically challenge this notion by offering two reasons aiming to claim that the definition of liberal democracy it is a suitable and better approach to assess regimens that have been taking different democratic paths.

The first reason is based on the undisputed recognition that *Chavismo*, unlike the Punto Fijo system, promoted popular participation by bringing about ‘the development and institutionalisation of new mobilisation and organisational forms at the community level’ (Buxton 2011, xx). However, it did so by keeping a pattern of continuity with the past in which the once excluded over the Punto Fijo system were now included as

part of the government, while those who were part of the government in the past now were the excluded. Echoing Buxton (2005), such pattern of continuity ‘led to the displacement and exclusion of those who owed their position to the Punto Fijo model and their replacement by those who had been marginalised by it’ (ibid.: 338). Hence, this polarisation across social classes cast doubts on whether Chávez’s participatory democracy actually produced an inclusive democracy for the entire Venezuelan civil society or if his Bolivarian participatory democracy was only taken to co-opt the part of the polarised population that supported his model of governance.

Evidence provided by the same scholars defending the notion of participatory democracy²¹ seems to agree more on the latter, rather than on the former outcome. They recognised that, as Posner (2015) nicely put it, ‘[...] while grassroots groups have been working steadfastly to achieve a more inclusive, participatory and egalitarian form of democracy in Venezuela, the Chávez regime often stymies their efforts’ (ibid.: 102). That is, under Chávez the poor saw themselves as more recognised and empowered, but the pro-government elites saw them as a co-opted mass. This means that the ‘regime pursues top-down control rather than a participatory form of democracy that promotes autonomy of historically marginalised segments of Venezuelan society’ (ibid.: 102). As discussed earlier, Buxton (2005) also seems to agree that co-optation marked a process of continuity when she compares the nature of the regime between the Punto Fijo period with the *Chavismo* period by claiming that ‘The Fourth Republic excluded the radical left and the poor [whilst the] Fifth Republic excluded the politicians and beneficiaries of the Fourth Republic’ (ibid.: 345). Therefore, if co-optation existed under the Chávez regime, as seem to be the case, then the notion of participatory democracy can be put into question because this type of democracy cannot represent an inclusive form of government as argued by those who defend this notion.

The second reason defending the notion of liberal democracy to explain democratic divergence is a methodological one. Even though if the discussion provided above

²¹ In the book: *Venezuela’s Bolivarian Democracy: Participation, Politics, and Culture under Chávez* (2011), several scholars (e.g., Smilde, Hellinger, Lopez Maya, Acosta-Alzuro, among others) examined how collective life was created by grassroots groups through participation in different informal structures that allowed them to feel that they were part of the Venezuelan society. Among the informal structures studied in this book promoting broader participation are: community television, Venezuela’s Telenovelas, Women and Poetry, religion, online democracy, etc.

were questioned and were left out of the analysis because the notion of participatory democracy is indeed appropriate and helpful to classify or categorise political regimes –despite the doubts casted in terms of its capability to represent an inclusive definition of democracy, it is important to remember that the aim of this study is not to classify, individually, whether the Colombian or the Venezuelan regimes attained a specific regime type. Rather, as explain earlier, it aims to explain the reasons behind why these two countries took different democratic paths since mid-1990s. That is, methodologically this study is not about conducting separate case studies to establish whether these two countries are democratic or not. Instead, it puts forward a comparative study between these two cases with an empirical component aiming to test divergence throughout seven different multivariate regression models. Therefore, by relying on the definition of liberal democracy, unlike the one on participatory democracy, it can be ensured the collection of objective and observable data due to this notion is closely related with the methodology followed by Freedom House to assess the democratic performance across countries (Coppedge, et. al. 2011; Munck 2009). In this sense, liberal democracy, and therefore Freedom House, can be regarded as a more encompassing definition to assess empirically divergence because this notion measures democracy in a comprehensive, objective and disaggregate fashion, pushing in the right direction the alignment of both the theoretical and the empirical models proposed in this study.

In sum, it is important to bear in mind that each of the definitions discussed above has its own strengths and weaknesses. As discussed earlier, the strength of the notion of participatory democracy is that it aims to classify regimes by assessing how ordinary citizens can participate in politics as a ‘lineal descendant of the “direct” (i.e., non-representative) model of democracy’ (Coppedge, et. al. 2011, 257). It does so, by stressing the important role citizens have when they get involved in communal settings such as participating in assemblies, voting, referenda, social movements, public meetings, town hall meetings, among other spaces of political engagement (ibid.: 259).

Yet, its weakness and limitation lies, in first place, in that this notion seems to cast doubts on its capacity to assess the inclusiveness, and therefore the political participation for the entire population, regardless of membership regime. Hence, if polarisation and co-optation of some parts of the civil society is the result of implementing this type of regimen then this notion can be regarded as not being as

accurate to classify regimens (Posner 2015). Additionally, despite this notion seems to work well for assessing regime types for individual cases when inclusiveness is guaranteed for the entire society, the same effect does not come about when a comparative analysis is conducted (Munck 2009), and when the comparison of cases aim to explain processes of democratic divergence. Finally, it also fails when this notion is meant to be used as an empirical tool to conduct a statistical regression to test the robustness of the theoretical model proposed in this study. Because the assessment of participatory democracy relies more on qualitative methodologies –i.e., field work or ‘facts on the ground’ as Buxton (2011) nicely puts it, rather than in quantitative methodologies there is not observable data available to measure democratic divergence with empirical information from a statistical perspective, and for over long periods of time as the one selected on this study.

Overall, liberal democracy, despite its weaknesses such as those concerning its capability to measure accurately the fundamental principle of *equality*,²² it is still the most reliable conceptual approach to explain democratic divergence. This is because, its procedural characteristics help to stress the intrinsic importance of horizontal accountability (enforcement of check and balances), rule of law, minority rights, civil liberties, and political rights. These characteristics are closely related with the structural and agency variables that the theoretical model proposed in this study aim to explore in order to explain divergence.²³ Additionally, as discussed earlier, liberal democracy has the benefit that its conceptualisation is closely related with the methodological approach used by Freedom House which means that the operationalisation of the dependent variable in the empirical model can be based on reliable empirical information to measure democratic divergence.

Before presenting how the research will be organised, I will first introduce a procedural note which I believe is worthy to mention. To conduct the comparative analysis between both countries this project will compare two time periods in order to differentiate the two phases that both countries faced during the whole period of analysis (from late 1950s to 2010). The first period of democratic performance to be

²² For instance, issues such as gender democracy (see Pantelidou-Malouta, 2006), or economic and socio-economic sustainability, or environmental responsibility (Campbell 2008).

²³ The theoretical model proposed here to explain democratic divergence is called Circular Causality Model. It will be explained in detail in chapter 3

analysed will be labelled as the ‘transitional period’. It will cover the following time frames: 1958-1990 and 1958-1998 for Colombia and Venezuela, correspondingly (see figures 1.1 and 1.2 above). The length of this period corresponds to the year in which both countries made their transition to democracy (1958 for both countries) until the previous year in which each country introduced its new constitution (1990 in Colombia and 1998 in Venezuela).

The second period of analysis will be labelled as ‘divergence period’. This period, in turn, will cover the years from 1991-2010 and 1999-2010 for Colombia and Venezuela, respectively (see figures 1.1 and 1.2 above). Again, the length of this period corresponds to the year in which each country enacted their new constitutions (1991 in Colombia and 1999 in Venezuela), until 2010, years in which data was available. The choice of these two periods is a methodological strategy which is commonly used in comparative politics to assess a political phenomenon in a comparative perspective. In this case and in order to explain that divergence occurred in this period it was necessary, first, to know how polities were performing one period before, that is over the ‘transitional period’. However, it is important to note that the research strategy for this project will be primary focus on determining the agency and structural factors that over the ‘*divergence period*’ marked the opposite democratic paths of the countries under study.

1.2. The structure of the thesis

This project will be structured in nine chapters. Following this introduction, the remaining eight chapters will be divided in two parts. The first one consists of five chapters focusing on a complete conceptualisation of the different theories and variables that will make up the theoretical model proposed in my research which explain democratic divergence. Chapter 2, empirically assess the existence of the process experienced by Colombia and Venezuela over the ‘divergence period.’²⁴ Next, I ask what are the theoretical frameworks with explanatory power that will allow me to assess divergence. To answer this question, I will review four approaches: (i) modernisation theory, (ii) resource curse theory, (iii) institutional theory, and (iv)

²⁴ Here, I claim, by looking at data from Freedom House index and Kaufmann’s dimensions of governance that the process of democratic divergence did happen and that it can be explained by structural and agency factors.

political culture theory. I claim that neither of them, individually, can be regarded as self-sufficient theoretical frameworks to explain divergence. The chapter will argue that the best explanation of democratic divergence lies in combining, or merging, two important and contested theories; namely, institutional and political culture theories. In the last section, I will offer a methodological note explaining the type of comparative method to be used in this project. I will show that using a *Most Similar System Design* is a better quantitative methodology to operationalise all the variables that make up the *Circular Causality Model* presented in the third part of this chapter.

In Chapter 3, I focus on providing a comprehensive explanation to justify the *Circular Causality Model* as a theoretical approach to explain democratic divergence. To do so, I argue that the linear causality models offered by both institutional and political culture theories are more suitable to explain processes of democratic transition, maintenance, quality, and consolidation than those of democratic divergence. This chapter will claim the need to merge these two approaches in order to introduce a new causal relation in which both elite political culture and some key institutional criteria can interact together over time in order to explain the opposite democratic paths that both countries faced over the ‘divergence period’.

Chapter 4, in turn, revisits the literature of democratisation aiming to conceptualise the dependent variable: democratic divergence. To that end, I will provide a theoretical discussion in which three traditional approaches are analysed: institutional approach, the social structure approach, and the path dependent approach. From this discussion, I will argue that the latter is the most appropriate to study the process of democratic performance because it understands democracy as a dynamic entity that will allow us to track over time the causes behind the different democratic trajectories that any regime can take. Next, the analysis will be narrowed down to Latin America to introduce a re-construction of Schedler’s (1998a) model to classify democracies in the region. I argue that for the Latin American context Schedler’s notion of ‘advanced democracy’ does not apply, and therefore the notion of ‘liberal democracy’ should be the highest notion to which a polity in the region should reach in order to be considered as a consolidated regime. In the last part of this chapter I filter the analysis to the Colombian and Venezuelan cases to provide the conceptualisation of democratic divergence.

In chapters 5, I examine the conceptualisation of the first independent variable, that is, elite political culture. By conducting a literature review I will claim that culture matters as a concept that can explain democratic divergence between nations and other political groups. Additionally, this chapter provides a comprehensive analysis to show that both cases experienced a renewal in their political elites when these polities decided to introduce a complete reform to their constitutions. This renewal will be explained by the appointment in the Venezuelan case and the election in the Colombian case of a broader set of political actors to form the Constitutional Assemblies which, in turn, had the responsibility of implementing all the provisions to be included in the new constitutions.

Chapter 6 will examine the conceptualisation of the two additional independent variables that correspond to the institutional theory; namely, constitutional reforms and electoral systems. I will stress the role that political institutions play in explaining the process of democratic divergence in Colombia and Venezuela. Hence, I will argue that the constitutional reforms, and the accumulation of power achieved by using decree powers by Presidents Chávez and Uribe, along with the electoral reforms carried out by these countries during the 1990s changed the way political institutions function and perform. Overall, I will argue, they can be deemed as factors that might play a significant role in explaining the different democratic paths that Colombia and Venezuela took over the ‘divergence period’.

The second part of this project will be split in three chapters. Chapter 7 is meant to operationalise and measure the variables included in the *Circular Causality Model* that were conceptualised in chapter 4, 5, and 6. The operationalised variables will be used as an input to estimate a set of multivariate regression models in the next chapter.

Chapter 8 will estimate multivariate regression models to assess from an empirical perspective the project’s research question. By estimating this model, it is possible to test and quantify the hypothesis about the statistical significance of the independent variables in the explanation of the divergent democratic paths. The outcome of the models will allow me to claim that there is enough evidence suggesting that the divergent democratic trajectories in both countries could be explained mainly by changes in the elite political culture, and constitutional reforms due to their statistical

significance on the empirical models presented, and in lesser extent by changes on the reforms of the electoral systems in both countries.

In the final chapter, I summarise the main findings of this project by binding together the theoretical discussion offered in the first part of this research and the results obtained in the second part. It concludes by claiming that there is enough theoretical and empirical evidence in which both agency (i.e., elite political culture) and structural (i.e. constitutional and electoral reforms) factors are important variables to explain the process of democratic divergence experienced by Colombia and Venezuela over the ‘divergence period’.

PART I

CONCEPTUALISING THE DEPENDENT AND INDEPENDENT VARIABLES TO ASSESS DEMOCRATIC DIVERGENCE

Chapter 2

Explaining the drivers of democratic divergence: an empirical and theoretical approach to Colombia and Venezuela

2.1. Introduction

The processes of democratic transition in the region, specifically those carried out by Colombia and Venezuela, were for many leaders, politicians, and scholars, rather salient examples of democratic stability and rule of law within Latin America (Peeler 1992; Hausmann, et. a., 2014). Both countries were guiding democratic examples for countries that were reluctant to move away from their authoritarian regimes. They were considered as alternative political systems to both the communist revolution, and the right-wing authoritarian regimes that were in norm during the cold war period (Wiarda 2001).

Why can Colombia and Venezuela be considered important referents of democratic stability over the ‘transitional period’? There is a threefold answer to this question. First, in contrast to other countries in the region, these polities had a long history of competitive democratic institutions as they maintained the institutional rules and procedures of an electoral democracy since 1958 (O’Donnell 1997). Secondly, the commonalities these countries shared in order to achieve their transition to democracy were remarkably similar in an era where democracy was not the first option as the political regime in the region (Aviles 2005).²⁵ And lastly, both countries overthrew their military governments in the same year (1958) by establishing the very same mechanism of political settlements among their traditional political parties so that political elites could govern these nations through ‘a system of alternation, democratic freedom, and competence’ (Cardozo da Silva 2002, 33). Based on these similar characteristics the post-dictatorship counties in the region were willing to emulate the successful democratic transition of Colombia and Venezuela (Wiarda 2001; Mainwaring 2006).

²⁵ Such similarity can be seen when: both countries began their democratic transition process long time before the third democratic wave swept Latin America. In addition, both kept relatively liberal economic systems and enjoyed important trade and economic relations between them and among other Western countries. Moreover, both countries also accomplished their process of democratic transition by electing successive presidents through relatively fair and competitive electoral processes for decades.

Hence, after the flourishing process of democratisation from the beginning of the 1990s, the process of regime change began to be unpredictable in Latin America. Nondemocratic countries such as Chile, Argentina, and Uruguay started and completed their process of democratic transition; while countries such as Colombia continued its steady and lengthy process of democratic stability. However, countries such as Bolivia, Ecuador, Nicaragua, and Venezuela did not continue with their process of democratic transition and consolidation, but instead follow a route of democratic deterioration (Lagos 2008). Consequently, it can be argued that at the beginning of the twenty-first century democratic fogging was the norm across the region.²⁶ Some countries were moving towards a democratic consolidation, while others undermined their democratic performance by eroding political freedoms and concentrating more power in the hands of their presidents (ibid).

The most salient consequence of such regime heterogeneity was that, from mid-1990s, Colombia and Venezuela's solid and well-known stable democratic systems took completely divergent paths on their process of democratic performance. Therefore, it is striking to study how countries that have completed a long-lasting and successful process of democratic transition eventually ended up taking completely opposite poles in their democratic path by the end of the twentieth century.

To grasp a better understanding of this atypical democratic performance, it is necessary to question if such process of democratic divergence really happened, and if there is empirical evidence that can prove it. If it did happen, a valid question to ask is: what caused this democratic divergence? Also, why did the Colombian regime constantly attempt to generate effective and secure steps towards its democratic stability, while the Venezuelan regime reversed many of its democratic gains, and now is setting up a political structure that looks more like an impaired democracy?

The aim of this chapter is to offer comprehensive answers to all these questions. The next section will present some empirical evidence in order to stress that the available data supports the claim that democratic divergence between these two countries

²⁶ For instance, according to the Democratic Index Report (2011), it is argued that Uruguay is a full democracy with an index score of 8.1 (out of 10) and a global ranking of 17th, while Cuba, the only authoritarian regime in the region, ranked 126th (see: http://www.eiu.com/public/topical_report.aspx?campaignid=DemocracyIndex2011 last accessed on 1st February 2012).

occurred. The third section will present alternative frameworks that might help elucidate an answer to the process of democratic divergence experienced by Colombia and Venezuela over the ‘divergence period’. After analysing approaches such as modernisation theory, and resource curse theory, this section will conclude by saying that the best approach with more explanatory power to elucidate the drivers of democratic divergence is by merging both political culture and institutional theories together. In the fourth section I will discuss the methodological approach this research will follow and explain the process of data gathering and its sources. It also will conclude that the *Most Similar System Design* is the best methodology to operationalise the variables that make up the *Circular Causality Model*. Finally, I will present conclusions.

2.2. Explaining empirically the existence of democratic divergence

As I have discussed above, Colombia and Venezuela are two cases in contemporary Latin American politics facing unusual processes in their democratic performance. Such particularity deserves more attention in order to determine the causes and consequences upon which the process of democratic divergence occurred in these polities. This section will illustrate such process by conducting a comparative analysis based on empirical evidence between the two interrelated periods that this research has identified, namely: the ‘transitional period’ and the ‘divergence period’.

At this introductory level, it is worth examining in more detail these two periods. First, by using the historical background that the former period provides I try to understand and identify what drove both these ‘brotherhood Republics’²⁷ to follow opposite poles in their line of democratic performance during the latter period. In fact, the ‘*the transitional period*’ was characterised by the similarity in the implementation of policies and strategies to achieve a solid transition to democracy by these two

²⁷ Brotherhood Republics is a term widely used by both Colombian and Venezuelan citizens and governments to refer to their common heritage. The term dates back to early 1800s when these two countries, along with Ecuador and other close territories, used to form one country known as GREAT COLOMBIA. After the disintegration of this country by mid-1800s, Colombia and Venezuela have kept a very close relation in both political and economic aspects that have strengthen their ties of friendship. However, the friendly relationship between these countries has been affected since mid-1990s when two presidents with ideological differences took office (i.e., Hugo Chávez in 1998 in Venezuela, and Alvaro Uribe Velez in 2002 in Colombia). Hence, the use of this term in my project it is by no means arbitrary as it is meant to show how two countries that used to be so similar during the ‘transitional period’, ended up being so different during the ‘divergence period’.

countries. It is important to highlight that during this period both countries -in 1958- experienced their transition from authoritarianism to electoral democracies. They managed to make such transition because both countries followed the very same political strategy, building alliances and consensus among the major and more traditional political parties (Bejarano 2011). Consequently, the end point of those alliances allowed political elites to reach agreements upon which both polities could begin their democratic transitions by implementing what is known as ‘pacted democracies’ (Wiarda 2001; Buxton 2005).

The implementation of these pacted democracies came from the establishment of two hegemonic and resilient political parties²⁸ in each country that governed and dominated the political field over the whole duration of this period (Peeler 1992; Lopez Maya 2002, 2003). However, the political and economic performance resulting from the implementation of these pacted democracies models started to crumble at the end of the ‘transitional period’.²⁹ Such poor performance marked the interlude of fundamental shifts for both countries in terms of their process of democratic performance over the ‘divergence period’. It was during this period that both Colombia and Venezuela took different democratic trajectories; hence I will examine separately structural and agency reasons in order to explain this phenomenon. Among the structural reasons, I will show that both erratic and ineffective social and economic policies were delivered by the neoliberal model of development during the 1980s. Additionally, the permanent political exclusion of the masses and political minorities by traditional political parties in both countries can be identified as part of the motives explaining this change.

Among the agency reasons, I will argue that during this period a fundamental generational change occurred among the traditional political elites as new political

²⁸ For the Venezuelan case Acción Democrática (AD), and the Social Christian Party (originally Comité Político Electoral Independiente, or COPEI) were the most traditional parties. As for Colombia, the Liberal party (Partido Liberal (PL)), and Conservative Party (Partido Conservador (PC)) were the political parties that kept in power during this period.

²⁹ For instance, on the political front, both countries faced restrictions on political participation and political competition. This issue of political exclusion led to limited, or none, access to democratic representation in both countries, specifically for middle and poor social classes, and representatives of leftists’ parties (Corrales, et. al., 2010; Buxton 2001; Ellner 2008). On the economic front, this period was characterised by the implementation of the Import Substitution Industrialisation (ISI) model, and its subsequent replacement –at the end of the 1970s- for the neoliberal model of development. These models failed to deliver satisfactory solutions for high unemployment and inequality, and a considerable fall in per-capita income by the end of this period (Hausmann, et. al. 2014; Mainwaring 2006; Buxton, et. al., 2008).

actors accessed the political arena when both polities decided to conduct comprehensive reforms. These reforms were made primary to their constitutions and electoral systems in order to deal with the problems linked with a potential state failure. Furthermore, I will argue that the appointment and election of members of the Constituent Assemblies –at the beginning of the ‘divergence period’- should be identified as a critical juncture that allowed the renewal of traditional political elites that led to appropriate different values, beliefs, and political attitudes in the political arena. Therefore, the changes in the political culture at the elite level is another motive underlying the beginning of a period characterised by significant political transformations with different consequences in the process of regime change for both countries.

In what follows, in order to make a more solid case upon the dissimilar democratic trajectories in the ‘*divergence period*’; tables 2.1 and 2.2 are meant to show the existence of democratic divergence by analysing some economic, political and social figures from different sources (e.g. World Bank, World Development Indicators (WDI), United Nations Development Programme (UNDP), Freedom House Index, and Kaufmann’s governance indicators). By analysing these tables, it is possible to collect empirical evidence which will allow us to identify and measure the effect that the above-mentioned variables can explain the process of democratic divergence.

Table 2.1 focuses on a comparative analysis of social and economic indicators. I focus on the third column of this table which shows a growth of the GDP per-capita in Colombia which was 56%, whereas Venezuela’s GDP decreased 11% within the two periods. This shows that Colombia’s economic policy was more efficient during the ‘divergence period’. It was characterised by a neoliberal economic model which had state intervention as a mechanism to fix distributional failures that the free market was not able to fix. Conversely, Venezuela’s departure from a neoliberal economic model to the ‘Socialism of the XXI century’, proved not work in the direction of improving citizens’ well-being.

The literacy index, during the ‘divergence period’ performed well. Both countries reached almost universal coverage at the basic and middle levels of education.³⁰ The

³⁰ Information on adult literacy for the Colombian case during the ‘transitional period’ was not possible to find.

Human Development Index (HDI), for both countries reached the ‘high’ level of the Human rankings.³¹ However, it is important to mention that during the ‘divergence period’ Colombia growth rate is greater than Venezuela’s. Life expectancy growth rate was, on average 7 years higher than 30 years ago.

The only indicator in which both countries have worsened during the whole period of analysis was the percentage of people living below the poverty line. As table 2.1 shows the poverty threshold –also known as extreme poverty- has increased in 1,1 percentage points in Colombia, and in 4,4 percentage points in Venezuela during the last 20 years. This implies that in average the population had been facing the absence of enough resources to secure their basic needs. This is a worrisome indicator linked to the popular dissatisfaction with the political and economic systems put in place during the ‘transitional period’. It may also be understood as one of the possible factors that triggered the change in the democratic performance mentioned above.

Table 1.1.

Key social and economic indicators in Colombia and Venezuela: a comparative analysis between the ‘transitional period’ and the ‘divergence period’

Social and economic indicators	Transition period (1960-1990)		Divergence period (1991-2010)		Change within the periods of analysis	
	Colombia	Venezuela	Colombia	Venezuela	Colombia	Venezuela
Population (mean) ^a	24.262.802	13.112.048	40.212.584	24.639.185	15.949.782	11.527.137
Population growth annual (%) (mean) ^b	2,5	3,2	1,7	1,9	-0.8*	-1.3*
Population below poverty line PPP \$1.25 a day (%) (mean) ^b	4,1	1,4	5,1	5,8	1,1*	4,4*
GDP per cápita in 2005 constant prices (US\$) (mean) ^b	2.098	6.263	3.276	5.567	56%	-11%
Life expectancy at birth (years) (mean) ^b	63,05	66,26	71,00	72,63	7,95	6,37
Human Development Index (mean) ^c	0,64	0,58	0,73	0,69	13%	19%
Adult literacy (% of population >15) (mean) ^b	-	87,3	91,5	94,5	-	7,2*

Sources: a) World Bank (2015), b) WDI (2015), c) UNDP (2015).

*The change within the periods of analysis is measured in percentual points.

(-) No data available

In sum, Table 2.1 shows that the evolution of the social and economic indicators was, to some extent, opposite in both the two periods and the two countries under analysis. It can be stressed that Colombia had a better performance in its socio-economic indicators than Venezuela. However, the failure in the reduction of poverty can be regarded as the big setback in both countries and one of the possible triggers that may explain the unusual democratic performance of both these polities.

³¹ The Human Development Index (HDI) is a composite statistic used to rank countries by level of ‘human development,’ taken as a synonym of the older term standards of living, and distinguish ‘very high human development,’ ‘high human development,’ ‘medium human development,’ and ‘low human development’ countries.

In. Table 2.2 I analyse the evolution of political freedoms and civil liberties by comparing Freedom House³² ratings for both polities. The table shows that the evolution of this index over the two periods of analysis is rather mixed over time. However, in order to make a fair assessment, it is necessary to focus attention both on the *scale* of the Freedom House index score –that is, its *scale* from 1(most free) to 7 (least free)- and its *classification* as ‘free,’ ‘partly free,’ or ‘not free.’

Focusing on the ‘transitional period’, table 2.2 shows that by 1972 –year in which Freedom House released its scores for the first time- Colombia was considered as a ‘free’ country with a score of 2.5, but by 1990 its classification changed to ‘partly free’ with a score of 3.5. In the Venezuelan case, the evidence suggests a rather different perspective in terms of political rights and civil liberties. The scale and classification provided by Freedom House index shows that Venezuela scored 2 and kept its ‘free’ classification during the two the decades of the ‘transitional period’. Hence, despite both countries were classified as ‘free’ democracies at the beginning of this period; Venezuela can be considered a more stable, solid and mature democracy by the end of this period. That is, this polity achieved a more solid result in terms of its process of democratic performance compared with Colombia over the ‘transitional period.’

Table 2.2.

Freedom house index and classification: a comparative analysis between the ‘transitional period’ and the ‘divergence period’

Indicator / Year	Transition Period (1958-1990)				Divergence Period (1991 -2010)									
	Colombia		Venezuela		Colombia					Venezuela				
	1972	1990	1972	1990	1996	1998	2002	2006	2010	1996	1998	2002	2006	2010
Liberal democracy, Freedom House Index ³	2.5	3.5	2	2	4	3.5	4	3	3.5	2.5	2.5	4	4	5
Freedom House Classification ³	F	PF	F	F	PF	PF	PF	PF	PF	F	F	PF	PF	PF

Sources: a) Freedom House Index (2002, 2011).

Note:

Freedom House Index is a 7-point scale (where 1=high, 7=low).

The Freedom House rankings in this table were taken from the *Freedom in the World Reports* 1997, 1999, 2003, 2007, and 2011 survie. The data reflect events for 1996, 1998, 2002, 2006, and 2010 respectively. "F" stands for free, "PF" stands for Partly Free

However, table 2.2 also shows that this trend changed in the ‘divergence period’. The democratic scores were somewhat reversed as Colombia maintained its average classification, whereas Venezuela had a sharp fall in its democratic performance. That is, Colombia began this period with a worrisome score of 4.0 –due to problems

³² The previous chapter already offered a description of how this index measures the democratic performance of the countries under study (see footnote 8).

associated with political and drug-related violence, and corruption- but then it showed a recovery and persistent signs of democratic progress, measured in terms of political freedoms and civil liberties. This allowed Colombia to improve its score according to Freedom House. It reached a scale of 3.0, in 2006 and then had a small regression in 2010 by reaching a score of 3.5.³³

Venezuela's case was quite interesting due to this period marked a turning point in terms of its democratic performance. First, as table 2.2 depicts, during the first half of the 'divergence period' Venezuela kept its classification as 'free' country scoring 2.5 over two consecutive periods. However, it was only until 1998 –year in which President Chávez took office- when Venezuela loss its classification as 'free' and became part of the group of countries classified as 'partly free'. Since then, the fall of this indicator has become prominent and coincides with President Chávez's 12 years term in office. In fact, the ranking given to Venezuela by Freedom House in 2010 met a worrisome score of 5.0. This score not only put Venezuela in the lowest scale of the 'partly free' classification having no neighbouring country in the region to compare to, but also reflects the persistent erosion of political rights and civil liberties that Venezuelan citizens have been facing.³⁴ Consequently, *Chavismo* has achieved particularly low levels of political contestation and low levels of political inclusion. This combination is not supported in Robert Dahl's classic idea of a liberal democracy where high levels of political contestation and political inclusion are required to achieve a consolidated democracy³⁵ (Dahl 1971).

To continue the assessment of the divergent democratic process experienced in these countries, it is also important to take into account citizens' political perceptions

³³ Colombia's democratic stability according to Freedom House index, put the country close to other countries in the Latin American region, such as Peru and El Salvador, all of which enjoy the classification of 'free' polities with a scale of 2.5 by the end of the 'divergence period'. Nonetheless, still significant improvements should be made to reach the levels of consolidated democracies such as those of Chile, Costa Rica, among others (Freedom in the World 2011).

³⁴ According to the report Freedom in the World 2011 –which reflects events in 2010 for the countries under study- Venezuela is the only country in the Latin American region with the lowest score within the status of 'partly free' countries. Haiti and Guatemala are the neighbouring countries following Venezuela with scores of 4.5 and 4.0 respectively.

³⁵ According to Corrales and Penfold (2010), the level of contestation under Chavismo 'has increasingly undermined political competition for office by placing state resources and security services at the disposal of the ruling party while denying them to its rivals. As for the level of inclusion, Chavismo [has also] mobilised new and non-traditional actors in the electoral arena (which clearly strengthens democracy), but also has deliberately excluded comparatively large segments of society, labelling them as 'oligarchs,' 'contemptible,' and 'enemies of the common people' (Corrales, et. al. 2010, 8)

regarding the quality of their governments. To a greater extent, political perceptions reflects people's views, beliefs and values on government performance which is closely related with political culture theory.³⁶ To capture citizens' perceptions, I rely on Kaufmann/World Bank governance indicators (2010).³⁷ Table 2.3 summarise and analyse the evolution of six aggregate governance indicators since 1996 to 2010.³⁸ The analysis of this data will allow me to assess whether Colombian and Venezuelan citizens have the same level of government legitimacy in order to claim that agency factors can also explain the divergent path taken by the countries under study over the 'divergence period'.

For the Colombian case, table 2.3 shows the positive progression in each of its six governance indicators for every single period through the time of analysis. In 2010, indicators such as governance effectiveness (GE) and regulatory quality (RQ) were placed in the highest ranks of Latin American nation-states, while indicators such as those of control of corruption (CC), rule of law (RL), and voice and accountability (VA) are in the middle ranks of the countries in the region. However, among Latin American nations, Colombia performed very poorly in relation to the indicator of political stability and absence of violence (PV). What is interesting about the overall

³⁶ As mentioned in the introduction, this project will consider political perceptions to be an important variable that explain democratic divergence. Hence, the reason for analysing citizens' perceptions is supported by the already mentioned argument that not only structural reasons, but also agency ones are important to fully understand the process of regime change.

³⁷ Kaufmann indicators provide a summary of six aggregate governance indicators. These indicators rank each country on 0-100 point's scale where higher scores mean better governance ratings. The description of the six broad dimensions of governance found in Table 2.3 are the following: a) Control of Corruption (CC): It reflects perceptions of the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as 'capture' of the state by elites and private interests; b) Government Effectiveness (GE): It captures perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies; c) Political Stability and Absence of Violence (PV): It reflects perceptions of the likelihood that the government will be destabilized or overthrown by unconstitutional or violent means, including politically-motivated violence and terrorism; d) Rule of law (RL): It captures perceptions of the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence; e) Voice and Accountability (VA): It reflects perceptions of the extent of which a country's citizens are able to participate in selecting their government, as well as freedom of expression, freedom of association, and free media; and f) Regulatory Quality (RQ): It captures perceptions of the ability of the government to formulate and implement sound policies and regulations that permit and promote private sector development. To find out more information about data and methodological issues please refer to 'The Worldwide Governance Indicators: Methodology and Analytical Issues' (September 2010) by visiting: <http://www.govindicators.org>

³⁸ The data reported by Kaufmann's methodology is only available since 1996 which means no information is accessible for the 'transitional period.' However, this setback does not represent a problem due to the main period of analysis this project is focusing on is over the time frame in which both countries faced their process of democratic divergence: 1991-2010.

progression of Colombia's government ratings is that, when comparing 1996 ranks with 2010 ranks, it is possible to infer that the quality of governance in this country has improved at a low growth rate.³⁹

Table 3.3.

Key political indicators in Colombia and Venezuela: an analysis for the 'divergence period'

Indicator	Country	Divergence Period (1991-2010)											
		1996	1998	2000	2002	2003	2004	2005	2006	2007	2008	2009	2010
Control of Corruption	Colombia	40	41	42	45	47	48	48	48	46	46	44	42
	Venezuela	32	31	39	29	30	32	31	31	30	28	27	26
Government Effectiveness	Colombia	46	47	44	42	47	47	47	48	49	49	45	49
	Venezuela	36	33	35	30	31	30	32	29	29	28	31	28
Political Stability y No Violence/Terrorism	Colombia	18	15	18	10	2	6	9	13	14	13	13	19
	Venezuela	38	38	34	22	24	22	26	25	26	24	25	25
Rule of Law	Colombia	32	34	30	34	35	36	37	40	41	41	41	43
	Venezuela	32	34	32	27	24	26	26	22	19	18	18	17
Voice and Accountability	Colombia	37	41	39	40	41	44	44	46	46	46	47	47
	Venezuela	45	49	47	39	41	38	36	37	34	34	32	32
Regulatory Quality	Colombia	52	51	53	50	48	50	51	53	55	55	53	55
	Venezuela	46	45	40	37	29	28	27	27	22	23	18	18

Source: Kaufmann indicators (2010)

Notes: Originally, the Worldwide Governance Indicators had a scale that ranges from approximately -2.5 (weak) to 2.5 (strong) governance performance. Although, estimates of governance were modified to range from 0 (weak) to 100% (strong) governance performance. The Worldwide Governance Indicators (WGI) the Kaufmann indicators measure six dimensions of governance since 1996. This index ranks each country on 0-100 point scales where higher means better governance rating.

As for Venezuela, table 2.3 also shows a continuous deterioration in the quality of governance during the 'divergence period.' In fact, this polity went from having high and middle ranks in 1996 to perform very poorly in five out of the six dimensions by 2010. For instance, indicators such as control of corruption (CC), government effectiveness (GE), political stability (PV), rule of law (RL), and regulatory quality (RQ) which were rated in terms of quality of governance as middle and high ranks in 1996, in 2010 they were rated as weak indicators. Among these indicators, (RL) went from a score of 32 in 1996 to 17 in 2010 this meant that people's perceptions on how governmental decisions have been made are less abided by legal principals and more by personal interests aimed to keep the actual political regimen in power. In addition, (VA) can be considered as the only one scoring in the middle rank of Kaufmann

³⁹ In fact, it is possible to infer that Colombia, over the 'divergence period,' has emphasised the importance of structuring a capable state, more accountable to its citizens, and operating more efficiently under the rule of law.

For the sake of comparison and better understanding of the data shown in table 2.3, it should be said that if I take, for example, the value of 55% as the highest Colombian governance indicator in 2010, then I am able to claim that an estimated 55% of the countries in the world rate worse and that for extrapolation an estimate of 45% of the countries rate better in Regulatory Quality (RQ) than Colombia. This interpretation locates Colombia in the highest rank of countries making reforms aimed to improve the quality of government. Conversely, if I take the lowest indicator: Political Stability (PS) then the quality of the Colombian government is compromised as only 19% of the countries in the world rate worse and, therefore, an estimate of 81% of the countries rate better off.

indicators in 2010. Nonetheless, its permanent decline since 1998 is a logic and worrisome outcome of the state intervention in the regulation of radio and television throughout the Communication Law enacted in 2000.⁴⁰

To assess the statistical significance on the mean difference between the scores presented above, I conducted a t-test. Table 2.4 shows the mean performance for each one of the six governance indicators analysed during the ‘divergence period’. This t-test shows that the differences between the means of Colombia and Venezuela for each of Kaufmann’s indicators are statistically significant ($p\text{-value} < 0.01$). Furthermore, this table shows that Colombia has a better mean and its difference from Venezuela is statistically different from zero for the five indicators.⁴¹ The only exception is the indicator of Political Stability and No Violence/Terrorism, in which Venezuela has a better performance⁴² during the ‘divergence period.’

The analysis of the following indicators suggests that for Venezuela the trend of the six aggregate indicators performed poorly since President Hugo Chávez took power in 1998. In fact, the empirical evidence offered in table 2.3 shows the negative trend on each dimension of quality of governance from 1998 onwards. Moreover, one can contrast the positive performance these indicators had during the first two years (1996-1998) in which Chávez had not been elected yet. The empirical evidence supports academic claims that President Chávez has transformed a pluralistic democracy into a hybrid regime⁴³ (Corrales, et. al. 2010; McCoy, et. al. 2004). Or that Venezuela ‘has an authoritarian government created [...] by a systematic process of destroying from

⁴⁰ This law was enacted as Ley Orgánica de Telecomunicaciones, in Gaceta Oficial No 36.970, June 12, 2000. Its aim was meant to empowered the Venezuelan state to administer, control, and revoke authorizations and permits to private media organizations that were opposed to the actual government (Brewer-Carías 2010).

⁴¹ The null hypothesis should be understood as the difference between the Colombian mean (C_m) minus the Venezuelan mean (V_m) is less than 0. That is, $C_m - V_m < 0$. On the contrary, the alternative hypothesis states that $C_m - V_m \geq 0$, which means that Colombia in average is better off than the Venezuelan case. The conclusion on this test is to reject the null hypothesis with a 1% level of significance according to the P-values shown in table 2.4.

⁴² On this case, the null hypothesis should be understood as the difference between the Colombian mean (C_m) minus the Venezuelan mean (V_m) is bigger than 0. That is, $C_m - V_m > 0$. The rejection of the null hypothesis states that $C_m - V_m \leq 0$, which means that Venezuela is better off than Colombia for this indicator with a 1% level of significance according with the P-values shown in table 2.4.

⁴³ Hybrid regimes should be understood here as political systems in which the mechanism for determining access to state office combines both democratic and autocratic practices. That is, in this type of regimes freedom exist and the opposition can compete in elections, but the system of check and balances becomes inoperative.

within the state all the basic principles of democracy, its institutions, and the Constitution' (Brewer-Carías 2010, 13).⁴⁴

Table 4.4.

Performance of governance indicators in Colombia and Venezuela using a t-test in the 'divergence period'

Indicator	Colombia (media)	Venezuela (media)	T-statistics	p-value	Performance Col vs. Ven
Control of Corruption	44,75	30,50	11,26	***	High
Government Effectiveness	46,67	31,00	16,12	***	High
Political Stability and No Violence/Terrorism	12,50	27,42	-6,70	***	Low
Rule of Law	37,00	24,58	5,92	***	High
Voice and Accountability	43,17	38,67	2,33	**	High
Regulatory Quality	52,16	30,00	7,65	***	High

Source: Worldwide Governance Indicators, 2014 Update.

Notes: The mean calculation is based on an average of 12 observations for each country, period 1996-2010.

***Significance 1%, ** Significance 5%, *Significance 10%

In sum, Freedom House index and Kaufmann's indicators allow us to claim that the process of democratic performance measured in terms of both political rights, and civil liberties; and quality of governance, suffered a severe fracture between the 'transitional period' and the 'divergence period'. That is, tables 2.1, 2.2, and 2.3 showed that since the end of their last dictatorship, and until early 1990s Colombia and Venezuela were recognised as two of the most stable democracies around the region. Both countries –during the 'transitional period'- managed to keep their political systems stable by reaching agreements among political elites to govern their nations through a system of alternation [of power between their two traditional parties], democratic freedoms, and competence (Cardozo da Silva 2002; Ellner 2008). However, it was not until mid-1990s that these 'brotherhood democracies' took completely different democratic paths as the analyses of Kaufmann's indicators, and Freedom House scores has shown. In this period both indicators began behaving differently, that is, in opposing directions. By 2010 it is feasible to stress that Colombia continued its process of democratic stability, whereas Venezuela began a democratic deconsolidation process.

⁴⁴ Another set of authors aligned with the idea to characterised Venezuela as a deconsolidated regime are: Mainwaring, et. al. (2001) who used the concept of 'Semidemocratic' as a new type of democracy to describe this regime; Schedler (2010) who described it as an 'electoral authoritarian'; and more recently Levitsky, et. al. (2013) came up with the concept 'competitive authoritarianism' to describe not only the Venezuelan regime, but also the Bolivian under Evo Morales, and the Ecuadorian under Rafael Correa regimes.

In conclusion, from the data collected, one can claim that there exists divergence in their democratic performance. Colombia has shown to be a sustainable democracy in process of consolidation, whilst Venezuela has become a hybrid regime. These opposite paths are not common, as they began their democratic performance aligned until 1998 when President Chávez took office. From this moment, Venezuela and Colombia democratic performance divert into different paths. An interesting point which I will address in the following section is related to the origins, causes, and effects of the divergence. In sum, the next section will identify the drivers of the different democratic trajectories by presenting different theoretical explanations.

2.3. Explaining the drivers of regime change

In contemporary politics, experiences of regimen change towards ‘less’ democratic forms of government have been progressively more common among several countries in the region during the last 20 years.⁴⁵ Consequently, acknowledging the occurrence of this phenomenon, scholars (e.g.: Cleary 2006; Corrales, et. al. 2007; Schamis 2006) have spent a great deal of time following a line of research aimed to identify the causes and effects of left-leaning reformist governments.⁴⁶ However, rather little attention has been devoted to explaining the causes and effects of their divergence. The following section will present four theoretical approaches that might explain why these countries are currently located in different ends of the political spectrum.

Modernisation theory

Modernisation theory’s main assumption is based upon the direct relation between economic development and democracy. That is, more development promotes more democracy. According to Lipset’s thesis (1959), for democracy to work high levels of education are required as well as a middle social class with an acceptable standard of

⁴⁵ For instance, since the election of presidents such as: Hugo Chávez in Venezuela (1998-2012), Daniel Ortega in Nicaragua (2006-), Rafael Correa in Ecuador (2007-2010), Fernando Lugo in Paraguay (2008-2013), and Mauricio Funez in El Salvador (2009-); leftist victories have become increasingly clear and ‘started representing a regional trend rather than a series of isolated events’ (Cleary 2006, 36).

⁴⁶ As chapter 3 will stress, it has been so evident the regional trend of leftist governments in the Latin American region that the terms of ‘Pink Tide’ or ‘left turn’ have become commonly used to describe the perception that leftist ideology in general, and left-wing politics in particular, is increasingly influential in Latin America. Particularly, the term ‘Pink tide’ it is a play on words based on ‘Red tide’ with ‘red’ -a colour long associated with communism- being replaced with the lighter tone of ‘pink’ to indicate the more moderate communist and socialist ideas gaining strength in the region.

living. Hence, if most of the population is illiterate, and poor; democracy will be an elusive goal. Historical evidence and countless academic papers agree and support Lipset's hypothesis about the causality between economic development and democracy. He argues that more development promotes more democracy by 'generating more democratic values and attitudes, a less polarized class structure, a larger middle class, and a more vigorous, autonomous associational life' (Diamond, et. al. 1992, 354).

From the evidence presented in the previous section, it can be argued with a high level of certainty that over the 'transitional period' both Colombia and Venezuela can be regarded as good instances of how Modernisation theory works in practice. In fact, by 1990 both countries were deemed as developing economies with a relatively high rate of adult literacy, a quite acceptable GDP per capita, and a medium level of Human Development Index (HDI) (see table 2.1). After comparing the positive performance of the previous economic indicators with the relatively good performance of the citizens' perception on political rights and civil liberties obtained during this same period –see table 2.2- it is possible to infer that the causality between development and democracy is supported by the countries under study. Furthermore, it should also be said that during the 'transitional period', and in contrast with Colombia, Venezuela represented an even better case to support Lipset's hypothesis as this polity delivered better economic results that were also reflected by its more stable democratic classification as a 'free' country according to Freedom House Index. Therefore, the fact that until late 1980s both countries were regarded as the most stable democracies in the Latin American region by politicians and academics alike also showed that Modernisation theory was a good approach to explain their outstanding democratic performance.

Yet, the empirical evidence also confirmed that during the 'divergence period' this theory seemed to be no longer suitable to explain the opposite democratic trajectories followed by these countries. Table 2.1 shows that even though the economic indicators started performing poorly mainly those related with population below poverty line in both countries, and GDP per-capita for the Venezuelan case, the performance of their political indicators (see tables 2.2 and 2.3) behaved unevenly. That is, it can be argued that Modernisation theory is still a good approach to explain the democratic performance followed by Colombia as its economic, social and political indicators

have enjoyed a positive and consistent trend during the two decades that make up the ‘divergence period’. Nonetheless, the opposite happened to the Venezuelan case. Although the economic indicators continued a positive path, its political indicators have gone through a continuous reversal since the very year President Chávez started his term in 1998. Thus, due to the atypical behaviour between the above-mentioned indicators it is possible to infer that Venezuela is a case in which Modernisation theory does not fit and is unable to explain the process of democratic divergence that this research is aim to assess.

In sum, although this theory can be regarded as a good approach to explain the democratic performance during the ‘transitional period’, it cannot, in turn, be regarded as a good theoretical framework to explain the reasons, causes, and effects that the process of democratic divergence brought. That is, modernisation theory fails to fully explain the process of democratic divergence because, despite the good performance of the economic indicators for both countries, only Colombia has been able to continue its process of democratic stability, while Venezuela is going through a process of democratic regression as demonstrated by several studies such as Worldwide Governance Indicators (2010), Freedom House Index (2011), Democracy Index (2010)⁴⁷, Polity IV, among others.

Resource curse theory

The resource curse theory can also be regarded as an approach that might help to understand and explain the process of democratic divergence experienced by Colombia and Venezuela over the ‘divergence period’. This approach claims that high dependence on land-based or mineral natural resources will induce serious economic and institutional deficiencies because the fiscal benefits derived from oil rents causes conflict among political factions preventing a better democratic performance –i.e., corruption and political centralisation (Sachs, et. al. 1995; Karl 1997; Buxton 2001; Tinker 2009, 2015). It also prevents an efficient distribution of wealth, which, in turn,

⁴⁷ The magazine ‘The Economist’ publishes this index and its information relies on the Economist Intelligence Unit that measures the state of democracy in 167 countries, of which 166 are sovereign states and 165 are UN member states. The Economist Intelligence Unit’s Democracy Index is based on 60 indicators grouped in five different categories: electoral process and pluralism, civil liberties, functioning of government, political participation and political culture. The Index was first produced in 2006, with updated lists are produced in 2008, 2010 and 2011.

places a 'curse' as it reduces popular support for the political system and, by extension, a democratic decay (Ross 1999; Sachs, et. al. 1995).

This thesis has been debated by many scholars arguing that it is not universal or inevitable as it may affect differently certain regimes under certain conditions. On this line of thought, Karl (1997) in her seminal book, *The Paradox of Plenty* despite at the beginning agreeing with this general assumption,⁴⁸ distance herself from this simplistic argument and contributes to this theory by acknowledging that the final effect on the economic or political performance rests not primarily on the dependence on a natural resource but fundamentally on the nature of the state. That is, it is not necessarily true that all countries 'enjoying' mono-export economies of a key land-based or mineral commodity will end up promoting authoritarian regimes.⁴⁹ Hence, by comparing several oil dependent countries, Karl and other scholars (i.e. Monaldi, et. al. 2014; Lopez Maya 2004, 2011; Hausmann, et. al. 2014; Buxton 2001; McCoy, et. al., 2004; Bejarano 2011; among others) stress that strong states⁵⁰ are capable of absorbing and channelling efficiently the revenues derived from exporting commodities, such as oil, avoiding both negative consequences for regime performance or for other sectors of the economy. Therefore, strong states will avoid incurring in the so-called Dutch disease (see Hellinger 2000). Conversely, it is also recognised that *The Paradox of Plenty* will be present in those regimes that have weak states or lack of adequate political reforms. Hence, scholars such as Philip (2000), Buxton (2001), and Hellinger (2000), among others, argue that elite corruption, extreme political and economic centralisation, patronage politics, rent-seeking, and a culture that emphasises the distribution rather than the creation of wealth are characteristics ascribed to the formation of weak states. These characteristics, taken together, contribute to increase the probabilities for a state to become nondemocratic.⁵¹

⁴⁸ That is, countries with high dependence on petroleum production (or any other high-rent commodity) leads to disproportionate fiscal reliance on petrodollars and fiscal spending, bringing about economic deterioration and political decay (Karl 1997, 44)

⁴⁹ Norris (2008) sides with this argument by stating that '[this theory] also needs to explain how oil-rich extractive industries can be an apparent blessing for the Norwegian state but a curse in Saudi Arabia' (Norris 2008, 12).

⁵⁰ Terry Karl defined 'strong states' as those regimes with bureaucracies and other institutions that ensure high autonomy and high capacity to enforce laws in the public interest (see Karl 1997, and Karl, et. al., 1991).

⁵¹ Overall, under this more compelling approach, the resource curse thesis generates two different economic and political distortions that will be present in weak political system (Sachs, et. al. 1995). The former distortion, it is claim (Corrales, et. al. 2010; Norris 2008; Buxton 2001; Lopez Maya 2003, 2011;

According to this line of reasoning, and focusing on the cases under study, it is tempting to use this persuasive structural explanation to explain the process of emergence and persistence of democracy over the ‘transitional period’, and the subsequent decay of democracy over the ‘divergence period’ in Venezuela. It is also tempting to apply it to the process of democratic stability experienced by Colombia over the whole period of analysis. This can be justifiable because, according to Bejarano (2011), both countries can be regarded as mono-export economies and therefore the resource curse theory might be a good approach to explain their divergent democratic performance.

Undoubtedly, Venezuela is a country whose economy is highly dependent on oil production from which it earns huge revenues from its commercialisation.⁵² On the other hand, Colombia can also be deemed as mono-export economy because, even though it is a more diversified economy, the bulk of its revenues derived from its trade balance have historically depended on coffee exports.⁵³

However, it is striking to note that despite these countries being mono-exports neither of them have gone through processes of democratic decay caused by their dependence on their specific commodities. Contrary of what the resource curse thesis predicts there is no evidence that Venezuela’s dependence on oil have caused any negative effect on its democratic performance. On the contrary, as Karl (1986) argues, it seems that ‘petroleum is the single most important factor explaining the creation of the structural conditions for the breakdown of military authoritarianism and the sub-sequent persistence of a democratic system’ (ibid.: 197). That is, following Bejarano’s (2011)

Hausmann, et. al., 2014), produces macroeconomic volatility, overvaluation of the exchange rate, income inequality, lower investment in building human capital, and heightened danger of state capture and rent-seeking by ruling elites. Whilst the latter distortion reduces popular support leading to fragmentation of the party system which in turn triggers political incoherence by increasing the stakes of holding power, and making a country vulnerable to civil war, rebellion, and insurgency (Karl 1997; Buxton 2001; Humphreys 2005; Monaldi, et. al., 2014).

“Stakes of power” is a concept used by Monaldi and Penfold (2014) to discuss how political institutions can be regarded as explanatory variables to explain regime change. They define this concept as ‘the value that key political actors place on being in power as opposed to being in the opposition’ (ibid.: 288). Thus, in order a democratic country avoid becoming an authoritarian regime should guarantee to put limits to the ‘stakes of power’. That is, if the ‘stakes of power’ are too high, those in power would do whatever they can to remain in power (ibid.: 288).

⁵² In fact, Venezuela ‘as early as the 1930s-oil accounted for 82 percent of the total export of goods... and this share increased throughout the century, reaching a peak of 90 percent by mid-90s’ (Thorp 1998, 347).

⁵³ According to Thorp (1998), Palacios (1983), and Bergquist (1996) since the early 20th century, coffee accounted for half of the total exports of goods, but its share increased to 75 percent by 1990s.

claim –when she compares other major oil-exporting countries- it is possible to infer that oil has favoured existing regime arrangements rather than undermining them.

A similar conclusion can be reached for Colombia's dependence on coffee production: there is no evidence supporting a palpable effect on its democratic performance caused by its commodity dependence. When Bejarano (2011) compared Colombia with other coffee exporters such as Brazil and Central American nations, she stressed that 'the task of building a causal explanation of regime change with coffee production for export as the main independent variable seem rather daunting,' a claim to which she immediately adds, 'no single parsimonious hypothesis could possibly account for the variation between Costa Rica's strong and stable democracy, Brazil's punctuated history of regime change, and the various forms of authoritarianism characteristics of most Central American coffee-exporting countries (Guatemala, El Salvador, Honduras, and Nicaragua)' (ibid.: 34). Hence, like oil in Venezuela, coffee production for exports in Colombia does not appear to be a good predictor of either democracy or authoritarianism.

Overall, then, it seems that coffee and oil have certainly played an important role in both Colombia's and Venezuela's economy but not necessarily on defining their democratic performance. In my view, and given the evidence provided this far, it is plausible to claim that something must be wrong with the resource course theory and its argument linking oil/coffee and democracy when it is applied to the cases of Colombia and Venezuela. Several scholars (McCoy, et. al. 2004; Buxton 2001; Hausmann, et. al., 2014, Karl 1997) share this view by arguing that the direct causality between resource dependence and democratic decay cannot be properly assessed by the resource curse thesis because it overlooks the important effect that the nature of the state (i.e., weak/strong institutions) might play in explaining democratic performance. For instance, Monaldi and Penfold (2014), adopting a political economy perspective in their analysis on Venezuela, argued that in order to have a full picture of the decline of democratic governance in Venezuela not only oil dependence and oil income decline should be considered as explanatory variables, but also the role of institutional variables to understand the extent of the decay in democratic governance and institutional quality in this country (ibid.: 289). Similarly, Buxton (2001) claims that it is the failure or the lack of political reform (particularly on the electoral front), not necessarily the dependence on a specific commodity, that explains the political

crisis experienced by Venezuela at the end of the 'transitional period' which, in turn, contributed to understand President Chávez's electoral success at the end of 1990s.

In sum, despite its centrality, coffee and oil production for export seems insufficient for explaining the process of democratic divergence experienced by these polities. It seems that commodity dependence, while accounting for some broadly similar socioeconomic explanations, does not seem to be a good predictor of the process of regime change experienced by Colombia and Venezuela over the 'divergence period.' Based on Mahoney's (2001) critique which claim that 'a limited focus on commodity differences has proved unable to explain twentieth-century regime outcomes' (ibid, : 18), it can be argued that the resource curse thesis is not universal or inevitable as it may affect differently certain regimes under certain conditions. Therefore, echoing scholars such as Buxton (2001), Buxton, et. al. (2008), Karl (1997), McCoy, et. al., (2004), Hausmman, et. al., (2014), I will rule out this theoretical framework by arguing that the direct causality between resource dependence and democratic decay cannot be properly assessed by the resource curse thesis because it overlooks the important effect that both the building of weak or strong institutions, and political reforms might play in explaining democratic performance.

Political institutions and political culture

Having ruled out both the modernisation and the resource curse theories as suitable theoretical approaches to explain divergence, I now turn to an assessment of whether the Institutional approach or the Political Culture approach can convincingly be regarded as theoretical frameworks with explanatory power to explain divergence.

To do so, first, I will argue that an institutional change –triggered by the enactment of new constitutions during the 1990s in both countries– is the main explanation for the divergent democratic path in both these regimes. Second, I will also stress that changes in political institutions alone fails to fully explain this phenomenon. Therefore, this study will propose to incorporate the contribution that a change in political culture, at the elite level, makes in building an explanation for this phenomenon. That is, unlike the approach taken by a number of scholars Bogaards (1998), Lijphart (1999), Andeweg (2000), Avilés (2001), Norris (2008), Bruce (2009), among others, this study claims that institutions certainly matter, but only in combination with a simultaneous

change in the attitudes and beliefs of political elites that enabled the required changes on key political institutions in order to enable the transformation and change of direction in the democratic performance of both political regimes.

In the next chapter, I will emphasise that my hypothesis is based on the causality that changes in beliefs and attitudes of political elites can affect the functioning of key political institutions that, in turn, facilitate the transformation of the regimen performance in both countries.

To support this hypothesis, I argue that the best explanation for what caused the democratic divergence experienced by Venezuela and Colombia rests upon two important and contested theories: institutional and political culture approaches. These theories, unlike those of economic development and the resource curse, can be regarded as the best suitable explanatory approaches to elucidate the reasons behind why these two particular regimes moved in opposite directions during the ‘divergence period’. These approaches may also be considered suitable because the common factor that contributed to the process of regime change was the enactment –during the 1990s- of a new set of fundamental principles or rules embedded in the form of new constitutions. These new rules, in turn, also allowed changes in the electoral systems, which enabled democratic divergence in these two regimes. Additionally, I claim that such institutional arrangement could have not been possible without a change in the political culture from those with political power. That is, for the Latin American context in general, and for Colombia and Venezuela in particular, elite’s attitudes and behaviours exerted an important influence to change the functioning of their political institutions. This is the reason why I consider both institutions and elite political culture the independent variables of this study to explain democratic divergence.

Although the conceptualisation of the dependent variable will be discussed later; it is important at this point to bring forward the explanation of democratic divergence. This concept will be closely related to the explanation of the process of regime change, which in turn will be deemed as a proxy variable of the former. In other words, regime change is explained here by the movement a polity can make in terms of advances or setbacks from the ideal conditions to achieve its democratic consolidation.

That is, I will follow Schedler's (1998a) understanding of democratic consolidation as a nonstop process of democratic continuity that a polity should follow in reaching its ideal type of democracy. However, and despite the agreement with Schedler that the process of democratic consolidation is a dynamic one, this project argues that for Colombia and Venezuela the definition and the ideal type of democracy is slightly different to the one offered by Schedler. That is, for Schedler (1998a), the ideal type of democracy is called '*advance democracy*.' In his opinion, this type of democracy is reached when the previous type, called *liberal democracy*, has been deepened enough to the point that, as Doorenspleet expressed, 'democracy is not only a political but also a specific social and economic system' (Doorenspleet 2001, 12).

Nonetheless, and despite this research follows Schedler's understanding of democracy as a permanent process of democratic continuity with signs of progress or setbacks, this research also takes distance from his conceptualisation. That is, this project reconstructs Schedler's contribution by excluding from the analysis his concept of *advance democracies*. The reasoning behind this is that in the Latin American context some countries are, if anything, trying to consolidate a type of liberal democracy; while, other countries are going towards a process of democratic deconsolidation. Additionally, another reason to move away from the concept of *advance democracies* is that this research also agrees with Doorenspleet's (2001) opinion that there are very few empirical cases reaching this type of democracy. I add that if those cases exist, then surely, they are not within the Latin American region.

This is another reason, as discussed in the introduction, why this study will follow the procedural definition of liberal democracy suggested by Dahl (1971) in which a polity can be regarded democratic and, therefore, consolidated when its civil and political rights; and fair, competitive and inclusive elections are present in the day-to-day basis. Hence, a polity can be regarded rather consolidated insofar as it will manage to be closer to the definition of liberal democracy because at this point 'its possibility of breakdown appears to be very low, or the other way around, its probability of survival appears to be very high' (Schedler 1998b, 3).

In short, and based upon the above discussion, now it is possible to claim that the whole model on which this research will be supported relies on two independent or explanatory variables such as those of elite political culture, and the performance of

two particular political institutions; namely: constitutional reforms and electoral systems. These variables, I argue, will have explanatory power to describe the changes in the process of democratic performance. Hence, I argue that implementing this novel theoretical model will allow us to study basic continuities and changes in the political culture of national political elites and its resulting implications on the performance of political institutions. That is, by reconsidering the unexplored linkage in the Latin American context between elite political culture, political institutions, and democratic divergence this research will contribute with an alternative explanation of the process of regimen change for Venezuela and Colombia.

2.4. Research design and methods

This section will outline the methodological approach this study will follow, and what kind of empirical data will be gathered and used for that purpose. To gain a better understanding of the drivers explaining democratic divergence between Colombia and Venezuela for the two periods under analysis, I rely on the ‘most similar systems design’ (MSSD) as the methodological approach (Przeworski and Teune, 1970). This research strategy is based on Mill’s method of difference in which the researcher ‘brings together systems that are as similar as possible, thus allowing a large number of variables to be ignored (under the assumption than they are equal)’ (Sartori 1991, 250 in Bejarano 2011, 254).

In fact, the pair of cases selected in this project, are indeed very similar in many aspects.⁵⁴ However, building on Mill’s method of difference, this project argues that both cases began to differ from each other when the political, economic, and social crises struck these polities at the end of the ‘transitional period.’ Such differences come from the supposed similar strategies these polities implemented to deal with these crises in order to avoid a state failure. That is, both countries conducted full constitutional reforms, both allowed a broader participation of political actors that historically had been excluded from the political arena, and both conducted an

⁵⁴ According to Bejarano (2011), at least until early 1990s, these two countries were regarded as the most durable and stable democracies of the Latin American region, both moved away from military rule and made their transition to democracy in the same year -1958. Both used elite political settlements known as ‘pacted democracies’ in order to become democratic regimens, and last, they shared plentiful similarities in areas such as history, location (neighbouring nations), population, language, ethnicity, religion, culture, economy, among others.

institutional engineering to change the way the state apparatus worked. Additionally, and in order to implement the above-mentioned reforms, both countries also renewed their political actors by appointing (in the Venezuelan case) and electing (in the Colombian case) more plural Constituent Assemblies that had the responsibility to conduct comprehensive reforms to their regimes so as to avoid a deepening of the crises these polities were facing at the end of the ‘transitional period.’

These strategies are identified in this project as critical junctures because despite their similarity, they were implemented with a completely different rationale. In other words, my argument is based on identifying and selecting a set of critical junctures to compare and explain democratic divergence. These critical junctures are the renewal of the traditional political elites that used to rule these countries, the constitutional reforms conducted by these new set of political actors, and the effects that such reform had over the electoral system. They will be regarded as the independent variables that will explain the complete opposite outcome in the democratic performance of these countries over the ‘divergence period.’

This project will use different methodological approaches to operationalise the impact of how changes in the institutional setting (i.e., constitutional and electoral reforms) triggered simultaneously changes in the beliefs and values of a set of renewal political elites, which will explain divergence. Hence, a comprehensive archive research was conducted to build a database enabling to track back and forth the constitutional reforms and amendments over the ‘transitional and divergence periods’. This database will allow me to compare whether these constitutional changes had an effect to consolidate or deconsolidate the democratic performance of the countries under study.⁵⁵ Additionally, this project will also make extensive use of traditional and well-known databases from recognised organisations such as cross-national surveys (e.g., Freedom House, Polity IV) and primary sources such as: Worldwide Governance Indicators; World Value Survey; Georgetown database of the Americas; Electoral Observatory of LA database: The Political Terror Scale: among others. Finally, I also built an original database to measure power concentration in the parliaments by using the Herfindahl Hirschman Index (*HHI plurality index*).

⁵⁵ Appendix 2 will explain in detail the methodology used to build this database.

In sum, the proposed methodological approach offered by this research rather than intend a separate case study to assess regime type, it will offer a reliable comparative analysis to assess democratic change by offering both a theoretical and empirical contribution. In turn, this methodology will allow me to provide answers regarding the forces that explain the divergent democratic paths that Colombia and Venezuela faced over the ‘divergence period.’ Moreover, this methodological approach has the intention to facilitate the introduction of a statistical model that can assess the extent to which the independent variables chosen in this project are robust enough to explain democratic divergence.⁵⁶ Hence, both the theoretical framework –enclosed within the *Circular Causality Model*-, and the empirical model –offered in the second part- will provide new analytical information that will allow me to explain the phenomenon of democratic divergence experienced by Colombia and Venezuela, and will also contribute to a further understanding of contemporary studies on democratisation.

2.5. Conclusion

The aim of this chapter was threefold. First, I showed the existence of a process of democratic divergence between Colombia and Venezuela during the ‘divergence period.’ By identifying and analysing structural factors (e.g., democratic indexes such as Freedom House and Polity IV and economic and well-being indicators), and agency factors (e.g., Kaufmann’s governance indicators) it was possible to establish that the process of democratic divergence began when severe crises struck these polities in late 1980s and early 1990s. These crises were regarded as the triggers of the process of democratic divergence because they forced authorities to implement mechanisms to prevent the failure of their nation-states. The evidence provided (see tables 2.1, 2.2, and 2.3) showed that the indexes of democratic performance and governance had a variation in opposite directions in both countries during the ‘divergence period’. This finding gave ground to claim that the process of democratic divergence really happened by showing that the Venezuelan democratic performance worsened, while Colombia was able to remain fairly stable within a bounded interval. This enabled the

⁵⁶ The second part of this project will explain how all the variables mentioned above will be operationalised and measured, and will also introduce a multivariate regression model to test its robustness to assess divergence.

latter to maintain, in average, its previous democratic performance during the ‘divergence period’.

Having assessed the existence of democratic divergence, the second aim of this chapter was to determine the best possible theoretical approach to explain this phenomenon. By conducting a critical approximation of the most relevant theoretical frameworks focussing on explaining processes of democratisation, this chapter argued that the modernisation and the resource curse theories can be ruled out from the analysis. Neither of these frameworks have explanatory power to elucidate a full explanation for both cases under study.

Given that neither modernisation theory, nor the resource curse theory are feasible frameworks to explain divergence, the third section aimed to search and propose an alternative theoretical framework that could help to elucidate an answer to the process of democratic divergence experienced by Colombia and Venezuela over the ‘divergence period’. Hence, I introduced a preliminary idea –that will be explored in greater depth in the next chapter- about the positive explanatory implications of merging both the political culture approach and the institutional theory as an alternative framework that can offer a full explanation of the different democratic trajectories taken by the countries under study. This novel approach, it has been argued, allows for the identification of a set of two independent or explanatory variables such as those of elite political culture, and the performance of two particular political institutions; namely: constitutional reforms and electoral systems. By analysing the relation between these variables, it is possible to describe and analyse the divergent democratic paths that both Colombian and Venezuelan democracies faced during the ‘divergence period.’

One of the things that everyone knows, but no one can quite think how to demonstrate is that a country's politics reflect the design of its culture'
Clifford Geertz.

Chapter 3

Democratic divergence in comparative perspective: developing a new theory with new explanations

3.1. Introduction

The process of democratic divergence between Colombia and Venezuela is not an isolated outcome of unforeseen circumstances that occurred exclusively to these countries. It responds to an unusual democratic detour that affected the democratic performance of many countries in the Latin American region since the last decade of the twentieth century (e.g., Bolivia under Evo Morales, Ecuador under Rafael Correa, Nicaragua under Daniel Ortega, and to a lesser extent Argentina under Cristina Fernandez de Kirchner). Such detours brought a blurry picture to the process of democratic performance followed by the countries in the region as some of them continued to seek the route to achieve their democratic consolidation, while others took opposite routes that moved them away from that purpose.

Such democratic detours have created scholarly interest and intellectual tensions among contemporary political scientists to figure out the causes behind the heterogeneity that Latin American countries have presented in their democratic performance from the late 1980s and early 1990s.⁵⁷ These scholars, have provided valuable academic contributions (i.e., modernisation and resource curse theories) to explain the different phenomena that many countries in the region have experienced in their processes of democratisation. However, this research will argue that in order to explain the particular process of democratic divergence both in Colombia and Venezuela over the 'divergence period' the best explanatory theories are the institutional and political culture approaches. Unlike the traditional belief that regard

⁵⁷ Indeed, many of the explanations on the type of regimen change have mainly based their analyses on structural approaches such as those discussed briefly in the previous chapter; namely: modernisation theory, and the resource curse theory (Bollen 1980; Bollen and Jackman 1985; Coppedge 1997; Coulter 1975; Dahl 1971: 62-80; Diamond 1992; Lipset 1960; Lipset et. al. 1993; Przeworski et. al. 1996; Przeworski; Limongi 1997; and Karl 1997).

these theories as contested ones, this research will merge them and will consider them as the explicative variables because by studying them together it is possible to offer an alternative approach that will allow us to explain democratic divergence. That is, by merging these two theories this project will introduce a *Circular Causality Model* with explanatory power to elucidate the causes and effects that changes in the value system of political elites might exert on the functioning of key political institutions that, in turn, will allow us to explain the divergent democratic paths during the last 20 years.⁵⁸ Hence, the aim of this chapter is to explain the rationale of this alternative theoretical to explain the grounds upon which the recent divergent democratic processes were triggered.

To that end, this chapter will be organised in four sections, being this introduction the first of them. Section 3.2 will consist of three parts. The first two parts will separately assess the linear causal relationship offered by both the Institutional and Political culture approaches in order to critically argue that individually these theoretical frameworks are best suited to explain processes of democratic transition, maintenance, quality, and consolidation rather than those of democratic divergence. More specifically, part one of this section begins by laying down the theoretical framework upon which the institutional analysis will be conducted. I will stress that among the two-main institutional schools the attention will be focused on the New Institutionalism –more than on the old institutionalism-, because the former provides a broader range of theoretical and methodological tools to explain processes of regime change. That is, while the former school understand institutions as structures and organisations that can be shaped by different actors in a society and, more importantly, can be used to explain different political phenomena as independent variables; whereas the latter school conceived them just as fixed or monolithic structures that cannot be shaped in the short or medium term (Peters, 1998).

The second part of section 3.2, will analyse the contribution that scholars such as Ronald Inglehart have made in the field of political culture. He argues that ‘society’s mass values have the stronger causal effect in strengthening democracy because values such as trust, tolerance, and feelings of efficacy represent ‘Civic Virtues’ that enable

⁵⁸ The scope and impact of the Circular Causality Model will be explained in detail in section 3.3 of this chapter.

democratic regimes to function effectively' (Inglehart 2005, 157). By following Inglehart's line of argumentation, this section concludes by showing that the political culture model assumes a unidirectional causation, which implies that civic culture has an effect and causes impacts on the processes of regime change.

The third part will focus on a central issue within the school of political culture, that is, I will stress the importance of differentiating between mass and elite values when it comes to evaluating the process of democratic change for the countries under study. It will argue about the need to make this distinction, as the scale of internalisation of political values and beliefs is uneven not only between elites and masses but also among countries with different democratic performances. In this regard, Inglehart (1990) argued that political attitudes in deconsolidated democracies are still dominated by 'materialist values;' whereas 'post-materialist' values are the commonality among citizens in mature democracies.⁵⁹ Therefore, because the polities under study are not yet consolidated democratic regimes⁶⁰ -which, in turn, means that they have also failed to reach a full transition from materialist to post-materialist values- then elites –rather than masses- might enjoy a disproportional share of political power to the extent that they are able, through elite settlements and other political mechanisms, to lead the transformation and functioning of political institutions which will explain in full the different democratic trajectories experienced by Colombia and Venezuela during the 'divergence period.'

Section 3.3, will introduce the *Circular Causality Model* as the theoretical follow by this research to explain democratic divergence. As mentioned above, this model is based on the premise that individually both the institutional and the political culture approach can be regarded as good frameworks to explain processes of democratic consolidation, however, they fail to provide a compelling explanation when they try to fully explain processes of democratic divergence.⁶¹ Thus, the central assumption

⁵⁹ That is, citizens in developed societies usually have more access to particular sorts of knowledge that will provide them with a better understanding and more confidence in making decisions that will affect the functioning of their democratic regimes than those citizens from developing societies.

⁶⁰ On the contrary, as was shown in chapter 2 and in several instances during this chapter the central argument is that both polities have taken divergent democratic paths.

⁶¹ In other words, because the linear models offered by the institutional theory does not consider cultural factors, and the political culture approach relies more on explaining the formation of mass values rather than the elite ones, the Circular Causality Model proposed in this section aims to merge both these contender theories so that they can be treated as the explicative variables to explain the process of democratic divergence experienced by Colombia and Venezuela.

behind the *Circular Causality Model* is that, in order to offer a comprehensive explanation, it is necessary to analyse the cyclical impact that changes in the formation of elite's political culture –rather than those of the masses- exert on the functioning of key political institutions.

The final section, will focus on closing the main arguments included in this chapter. It will hypothesize positive assessments that can be achieved from a theoretical and empirical perspective when merging the approaches. The chapter will finish by encouraging further systematic reflection and analysis about the importance of considering the concept of elite political culture in the evaluation of the processes of democratic divergence in Latin American countries in general, and, particularly, for the case studies proposed in this research.

3.2 Revisiting institutional and political culture approaches, and its link with elite and mass political values

In the comparative study of politics, few questions have been as enduring as ‘What causes democracy?’ Democracy has been examined repeatedly by each one of the major theoretical approaches in comparative politics such as those of structuralism, rationalism, and culturalism. However, many political scientists, see for instance: Diamond, et. al. (1999b), Camp (2001a), Lagos (2001, 2008), and Smith (2005), seem to consider the latter approach as the black sheep of the family. To the extent that most Latin American analysts have paid rather little attention studying how this approach might help explain the process of regime performance in the region.

Scholars usually argue that, from a theoretical perspective, the cultural thesis is unattainable. For instance, structuralism regards the very concept of political culture as epiphenomenal and superfluous. This is so because they find its sources more varied, its nature more plastic and malleable, and its effects less decisive than alternative approaches (Diamond, et. al., 1999b). Following the same line of criticism other scholars claim that the cultural approach is misleading because it is vague about the object of study and the units of analysis. This vagueness comes from the blurry line of analysis between culture and other categories such as behaviour and institutions conducted by scholars such as: Camp (2001a), Lagos (2001, 2008), Smith (2005), and for failing to explain political change (Lehoucq 2004). However, and unlike those

analysts, this study is more closely aligned with Harrison (2000), Putnam (1971), and Muller, et.al. (1994), as they believe that ‘Culture Matters’ not only to assess the process of democratic consolidation, but also when the study of processes of democratic divergence is the aspect to be addressed.

In order to highlight that, individually, both the institutional and the cultural approaches fall short to explain the current democratic divergence between Colombia and Venezuela, the next two parts of this section aim to make a theoretical account of each of them as a way to emphasise that their linear models of causality are more suitable to explain processes of democratic transition, maintenance, quality, and consolidation rather than those of democratic divergence. The third and last part of this section will stress that the missing variable to connect the above-mentioned frameworks is the variable of elite political culture. Therefore, it will be suggested that the likelihood of explaining the process of democratic divergence will depend upon elite settlements led by politicians and shaped by changes in their attitudinal behaviour, rather than on democratic preferences of the masses, as is the general view of many analysts of political culture in developed countries.⁶²

Institutional approach

The analytical framework offered by the New Institutionalism⁶³ portrays an evident division within the study of political sciences. On one hand, there is a set of political scientists focusing their attention on developing a ‘hard’ type of institutional analyses whose main concern focuses on the need to establish universal laws as to how political institutions should work in practice.⁶⁴ On the other hand, there exists another set of political analysts who put forward a ‘soft’ type of institutional explanation. Their main

⁶² Among the political scientists that focused its attention on the preference of the masses, rather than on the elites’ preferences to explain the democratic performance in developed societies it is possible to name Almond and Verba (1963), Putnam (1971), Muller, et. al. (1994), and to some extent Lijphart (1999). It was only until Inglehart (2000, 2005) introduced the concept of subculture that the role of political elites in developing societies became important to explain processes of democratisation.

⁶³ The New Institutionalism –unlike the Old Institutionalism- is considered an alternative, complementary and explanatory theory in this research project as it stresses that the most significant element of political institutions is the set of values upon which both the decisions and their member’s behaviour are shaped, and not only as the formal and structural aspects of how politics works in practice –as old institutionalism used to claim. Whilst old institutionalism was meant just as a purveyor of descriptive analyses, new institutionalism aims to analyse both political phenomena –including processes of regimen change- and the actual behaviour of institutions using institutions as independent variables in order to explain them (Peters, 1998).

⁶⁴ Both Rational choice and behavioural theories are instances of these types of formal analysis.

interest is to understand political institutions not as fixed bodies but as structures that evolve over time and on which historical phenomena and cultural changes play an important role (Shapiro and Wendt, 1992; Green and Shapiro, 1994). Yet, despite their differences both analyses agree that in understanding the variations in the democratic performance of political regimes, the most important explicative elements are those related with institutional factors, and not exclusively with economic or social ones (North, 1990).

In a sense, it can be argued that New Institutionalism –with its different interpretations and applications- has been focused on giving a clarifying explanation about what would be the most adequate institutional engineering that could produce the best type of both society and individuals.⁶⁵ In the search to offer an alternative and complementary explanation of such phenomena, New Institutionalism has dealt with basic disagreements within its very own discipline that fostered the emergence of different traditions that usually differ from many theoretical and methodological aspects.⁶⁶ However, and despite its internal discrepancy, the end of this theoretical framework and the major commonality among them is to propose a direct and unidirectional linear causality between the roles exerted by a particular set of political institutions over the democratic performance of different political regimes

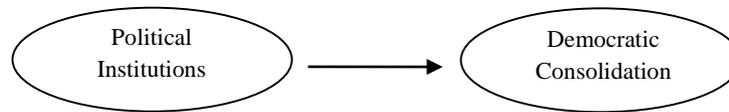
Figure 3.1 summarises the causality model that the Institutional explanation holds in order to support and explain the performance and, therefore, the consolidation process of different political regimes.

⁶⁵ For instance, Rawls (1985) clearly supports the importance of political institutions by endorsing the idea that political debate should be focused not on determining whether political institutions are important or not, but on defining the number and type of institutions that every single polity needs according to its own and unique traditions. That is, contemporary scholars in political science stress that institutions play a powerful part in the study of political phenomena –including the analysis of democratic performance- because they are the mirror of social norms that govern a particular society (Lijphart, 1977; Lipset et.al., 1967; Putman 1993).

⁶⁶ ‘Hard’ traditions such as those of behaviourism, rational choice, game theory and Marxism were in force after the post-war period till mid-1980s but they lacked explanatory power to validate what these theories used to predict with their observed results in practice. Therefore, the renewed political interest on the institutional approach put ‘upside down’ such theories when scholars realised that formal political institutions might help to structure and better understand different political processes. Since then, political institutions are considered not as intermediate variables, but rather as variables with its own explanatory power (Rothstein, 1990).

Figure 3.1

Causality model proposed by the institutional approach to assess the process of democratic consolidation



Drawing from the causality shown in figure 3.1, it can be argued that the common factor shared by the institutional approach, namely; old and new institutionalism, is that they are intended to explain democratic performance by the direct influence that formal political institutions exert in providing strong conditions to achieve democratic consolidation. This approach, considers political institutions as the explicative and more important variables to offer a comprehensive understanding on topics related with democratisation.

Political culture approach

Unlike institutional theory, this approach states that political culture plays a direct and important role in explaining the performance, maintenance, or failure of democracy. It argues that mass values exert an important part in strengthening democracy. Inglehart (1990), as one of the most prominent scholars of this line of thought, showed that independent variables such as: life satisfaction, interpersonal trust, and rejection of revolutionary change are highly correlated not only with economic development but also with stable democracies. In sum, this theory focuses on showing how society's mass values are the most important asset to strengthen democracy as these values 'play a crucial role in the emergence and flourishing of democratic institutions' (Inglehart 2005).

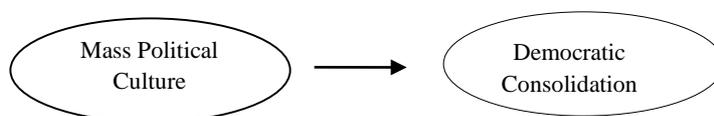
Several scholars have endeavoured to reassert the importance of systematic analysis of democratisation and in doing so they have highlighted the central place of political culture in the comparative study of democracy. For instance, the theory of civic culture proposed by Almond and Verba (1963), and further elaborated by Inglehart (1988, 1990), postulates that the viability to consolidate a democratic regime would be affected powerfully by attitudes such as beliefs in one's ability to influence political decisions, feelings of positive affect for the political system, and the belief that other citizens are basically trustworthy. That is, 'trust, tolerance, and feelings of efficacy

represent ‘civic virtues’ that enable democratic regimes to function effectively’ (Inglehart 2005, 157).⁶⁷ In this line, political culture claims that countries with high levels of these civic culture attitudes are more likely to adopt and sustain democracy over time than countries with lower levels, regardless of socioeconomic factors such as the level of economic development.⁶⁸

Figure 3.2 summarises the causality model that this approach holds in explaining the performance of different political regimes. It shows that political culture approach has two basic claims. First, it hypothesizes that its causal relation is grounded on the assumption of unidirectional causation by which ‘[...] civic culture has an effect on democracy, and that [the performance of] democracy does not have an effect on civic culture’ (Muller, et. al. 1994, 635). And second, that political institutions and mass values must be congruent to produce stable, effective and consolidated regimes (Inglehart 2005, 157).

Figure 4.2.

Causality model proposed by the political culture approach to assess democratic consolidation



Nonetheless, political culture theory has also been subject of criticism mainly from those who defend the opposite causation between democracy and political attitudes. That is, for those who claim that civic culture attitudes are an *effect* rather than a *cause*

⁶⁷ In order to explain his findings, Inglehart (1990) offers a model that it is made up of three independent variables; namely, (i) the gross national product in 1950, as a proxy of the country’s level of economic development; (ii) the percentage of the labour force employed in the tertiary sector –as an indicator of the size of the middle class; and (iii) a composite measure of civic culture over 1981-86 that reflects an average for the general public of its level of interpersonal trust, life satisfaction, and lack of support for revolutionary change. His dependent variable consists of the country’s years of continuous democracy from 1900 to 1986. The model’s estimates showed that economic development had no significant direct effect on the dependent variable, whereas labour force in services, and civic culture variables had a positive effect of .36 and .74, respectively. These results led him to infer ‘that over half of the variance in the persistence of democratic performance can be attributed to the effects of political culture alone’ (ibid.: 46). He concluded more generally by saying that the evidence ‘tends to confirm the basic thesis of The Civic Culture’ (ibid.: 48).

⁶⁸ Following this line of thought, Eckstein (1996) and Eckstein, et al. (1996) argue also that a democratic system will become stable only if people have internalised democratic norms and practice them in their daily relationships (Ahmadi, et. al., 2011). During the same period, Inglehart and Welzel (2005) also suggests that ‘mass values play a crucial role in the emergence and flourishing of democratic institutions’ (ibid.: 2); they conclude by suggesting that political culture fundamentally drives economic performance and democratic stability (Jackman, et al. 1996)

of democracy. According to this line of reasoning, democracy typically is established for reasons other than by attitudinal changes in the civic culture of the people. That is, the successful persistence of democracy over time is likely to cause increases in levels of civic culture because high levels of subjective political competence, pride in the political system, and interpersonal trust are a rational, learned response to the experience of living in a country that has a stable democratic regime (Barry 1978, Schmitter, et. al., 1991).

Muller and Seligson (1994) also criticised Inglehart's conceptualisation of civic culture arguing that among the three variables that make up his measure of civic culture, interpersonal trust is 'unrelated to change in a country's level of democracy' (ibid.: 646). That is, neither high nor low levels of interpersonal trust appear to be a threat or a guaranty in the promotion of democracy. By saying that, they challenged one of the main assumptions of the political culture school: to consider interpersonal trust as an important attitudinal prerequisite for the establishment of a stable democracy.⁶⁹ Thus, Muller and Seligson's analysis on the causal linkages between levels of civic culture attitudes and change in the level of democracy showed that Inglehart's assertion '...is not supportive of the thesis that civic culture attitudes are the principal or even the major cause of democracy' (ibid.: 647).⁷⁰

Not only did Muller and Seligson (1994) criticise Inglehart's conceptualisation, they also criticised the set of variables chosen by him to construct the index of civic culture attitudes. They argued that the three independent variables suggested by Inglehart have no significant effect to explain democratic change (ibid.: 647). Therefore, they proposed a new direction for future research by shifting the focus from attitudes of the

⁶⁹ This assumption has been defended by prominent scholars such as Almond and Verba 1963; Dahl 1971; and finally, Inglehart 1988, 1990.

⁷⁰ Additionally, Jackman and Miller (1996) argue that political culture approach needs to be recast in institutional terms, acknowledging a more direct role of political considerations in explaining democratic consolidation (ibid.: 633). This criticism is based on Inglehart (1990) and Putman's (1993) assumption which claims that political culture approach has identified distinctive sets of subjective attitudes that are highly resistant to change and widely held across individuals over time. These, in turn, are a fundamental generator of economic and political performance. Consequently, Jackman and Miller (1996) provide evidence that Inglehart's measure of political culture is significantly influenced by short-term factors (i.e. unemployment and economic growth), which allows them to question the durable cultural syndrome assumption. They claim that there is no evidence to suggest that cultural factors have any systematic effects on political and economic outcomes (ibid.: 653) and instead, they propose to redefine the puzzle of political culture in more institutional terms. They re-frame the political cultural approach so that it takes into account crucial objective conditions embodied in institutions rather than subjective cultural attitudes in order to improve the explanation of processes of democratic performance.

masses to the attitudes of the elites. Accordingly, they claimed that since elites have greater opportunity and ability than masses to influence the kind of regime a country might have, more attention needs to be paid to the way in which their value system is constructed in new political culture models. In fact, Dahl (1971) attributes great importance to the attitudes of political leaders as a cause of the consolidation and stability of democracy in developing countries. Following this argument, Higley and Burton (1989) also provide a strong argument claiming that the single critical determinant to evaluate the stability, and therefore, the performance of democratic regimens is by studying how the process of elite settlements was reached, and how they support and understand democratic institutions and political values (ibid.: 23).

In short, and by bringing together the main arguments stressed above, it can be argued that both the institutional and political culture approaches have different interpretations on how to explain a regime's democratic performance. On the one hand, institutionalists argue that through formal and efficient political institutions it is possible to disperse power so that there are multiple veto players and multiple checks and balances. These institutions will limit the power of central governments by encouraging conditions conducive to consolidate democratic regimes in divided societies (Lijphart 1999, Mainwaring 2001). Hence, setting up formal and efficient institutions as independent variables will lead to the emergence of stable democracies. On the other hand, political culture claims that the process of democratic consolidation requires more than just well-designed formal institutions or enact a constitution. Instead, it argues that there is a causal linkage between self-expression values and democracy, which indicate that 'the causal arrow flows mainly from culture to democracy rather than the other way around' (Inglehart 2005, p. 5).

Although these schools have provided explanations in a quite accurate fashion to understand the different processes of democratisation in advanced and industrialised societies, one cannot say the same when studying and analysing developing countries. As was shown before, considerations of cultural factors were dropped from the institutional approach under the argument that this variable does not exert an important influence on stable Western democracies (Spinner 2007, 23). As a result, Institutionalism seem to have disregarded how people's structure their political values and therefore its role in explaining the processes of democratic performance in non-

Western democratic systems. In turn, advocates of the political culture approach mainly focus their attention on the effects that mass political values may exert on processes of democratisation in developed countries. However, they left aside the impact that elite political values might have on such processes in developing countries.

Considering the main assumptions of the above-mentioned theoretical approaches, and particularly its criticism, the next section will highlight the theoretical and empirical implications of merging these approaches. Thus, special attention will be given to understand the way elites' attitudes are formed when it comes to propose new political culture models that are interested in studying processes of democratic performance in the Latin American region, and particularly the process of democratic divergence experienced by the countries under analysis.

Elite vs. mass political culture

Differentiating between elite and mass political culture will play a transcendental role in supporting the central research question of this project for two reasons. First, it will allow me to highlight why people's political attitudes in developing countries are still dominated by materialist values. And second, due to in non-Western countries human emphasis is mainly focus upon the struggle for economic and security survival, then the likelihood to explain the process of democratic divergence will depend upon the way elite settlements were setting up among those with political power rather than on the political perceptions held by the masses. Hence, this section will agree with Aberbach, et. al., (2006) when they argue that 'although elites have an important role in advanced democracies, their political influence may be even greater where social inequalities exist' which is the case for the pair of countries selected in this project (ibid.: 1197).

As a starting-point, this section argues that the concept of political culture does not imply that all societies share the same set of political attitudes. That is, values and beliefs are unevenly distributed through the population (Diamond 1999, 163). As a matter of fact, evidence from several cross-national surveys (i.e. World Values Surveys, Freedom House, and Latinobarometro) indicate that the set of values a country may have will depend, among other things, on their level of socio-economic

development. Consequently, the values and beliefs found in developed societies should differ strikingly from those found in developing societies.

Inglehart (1988, 1990) makes this differentiation even more evident by arguing that people within a country or between countries have different scales of cultural values. On the one hand, he stresses that poor societies are vested with '*materialist values*' because people's priorities reflect their socioeconomic conditions, placing the highest subjective value on the most pressing needs. Therefore, since material sustenance and physical security are the first requirements for survival, under conditions of scarcity, people in developing countries give top priority to safety goals, subordinating, in turn, their human freedom to social conformity and state authority. In contrast, rich societies are vested with '*postmaterialist values*'⁷¹ because their citizens –once they have secured their survival needs- have the capacity to focus or devote more attention on other important issues such as sense of community, quality of life, and politics.⁷² Thus, under conditions of prosperity, postmaterialists place markedly less emphasis on economic growth and much more emphasis on issues such as environmental protection, quality of life, and political freedom (Inglehart 1988, 1224). In brief, people's values in developing countries prioritise 'patriarchy over equality, conformity over tolerance, authority over autonomy, and security over self-expression values' (Welzel and Inglehart 2009, 131).

From the above analysis, it can be stated that Latin American societies have not achieved a full transition from materialist to post-materialist values, and consequently the value system held by the masses in these under-developed societies are still associated with the pursue of economic and physical security as overriding priorities. Therefore, masses in Latin American countries leave aside values –usually held in developed societies- that elevate self-expression, belonging, and political activism and participation. Consequently, because Colombia and Venezuela match the socio-economic characterisation of 'developing countries,' it can be assumed that their

⁷¹ It is worth noting that '*postmaterialist values*' are closely related to the concepts of '*emancipative values*' and '*self-expression values*' as described by Inglehart and Welzel (2005). They demonstrated that their measure of self-expression values has an inherently emancipative impetus and that the use of the terms postmaterialist, self-expression, and emancipative values are interchangeable.

⁷² That is, citizens of relatively poor societies are more likely to emphasize materialist values than postmaterialist ones, their main concern is toward authority and strong leadership and, at the same time, they are more likely to '[...] accept limitations on democratic freedoms for the sake of national order and other instrumental goals' (Welzel and Inglehart 2009, 131).

political culture is still dominated by materialist values. Accordingly, the elites rather than the masses are the ones called to explain the democratic divergence experienced in their processes of democratic performance during the ‘divergence period.’ That is, this research argues that the likelihood to explain the process of regime change for the countries under study will depend upon how the preferences of political elites and the formation of their attitudinal behaviour shaped, affected, and influenced the functioning of key political institutions that brought about significant consequences in their process of democratic divergence. By following this causal effect, this research has distanced itself from the traditional view of political culture in developed countries that considers democratic preferences of the masses as the critical factor in explaining the process of democratic consolidation.

If the role of elites is important to explain the process of democratic divergence displayed by Colombia and Venezuela in recent years, what is the definition of elites this research will follow? What will be our understanding of the concept of ‘elite political culture’? And, how these two concepts related with ‘elite settlements’? Elites will be defined as those with political power. That is, it involves *only* the incumbents of the political regime including those participating in government who form the opposition. Following Collier’s (1999) conceptualisation, elites should be understood as those playing ‘a strategic [role] of the ‘ins’ or those already included in the regime, but not to the role of the ‘outs’ or groups excluded by the rules of the regime (i.e.: business, trade unions, military, media, religious, and intellectual), without political rights or accepted institutional avenues of participation’ (ibid.: 18). As for the concept of ‘elite political culture,’ I will follow Putnam’s (1971) definition which defines the concept as ‘the set of politically relevant beliefs, values and habits of the leaders of a political system’ (ibid.: 651). Therefore, these concepts will be closely related by the fact that the countries under study reached its transition to democracy throughout political agreements known as ‘pacted democracies’.⁷³ Hence, elite settlements can be

⁷³ As discussed in chapter 2, Colombia and Venezuela have been considered (see: Burton and Higley 1987; Buxton 2001, 1989; Karl and Schmitter 1991; Peeler, 1992) good cases of what can be considered ‘pacted democracies’. This is because its transition to democracy involved explicit pacts among competing elites which, in turn, ‘excluded marginal sectors, most of the middle class, and the junior military officers from decision making’ (McCoy 2004, 274). In fact, Colombia had the clearest instance of elite settlement as its democratic transition, in 1958, was the outcome of a bargaining process –called The National Front (El Frente Nacional)- between the two most traditional parties –Liberal Party (PL) and Conservative Party (PC). The purpose of this pact was the alternation of power and bipartisan parity in executive, legislative and judicial posts (Hartlyn and Dugas 1999). The National Front formally lasted

understood as the processes ‘in which previously disunities and warring elites suddenly and deliberately reorganised their relations by negotiating compromises on their most basic disagreements, thereby achieving consensual unity and laying the basis for a stable democratic regime’ (Higley, et al., 1992, xi).

Overall, from the previous analysis, it is possible to infer that both Colombia and Venezuela are developing countries with a political culture characterised by having materialist values. Attaching this cultural characterisation to both these countries is important because this project advocates the idea that elite’s attitudes should receive special attention in new political culture models interested in understanding processes of democratic divergence. Moreover, changing the focus from masses to elites has also operational advantages for two main reasons. First, because this project regards elite political culture as the missing variable that will glue both the institutional and the political culture approaches in order to explain the process of democratic divergence. And second, the inclusion of the elite political culture as an explicative variable will allow us to introduce a *Circular Causality Model* with explanatory power to elucidate an alternative way to explain how the process of democratic divergence happened in the polities under scrutiny. This is the purpose of the next section.

3.3 Merging the two approaches: introducing the *Circular Causality Model* to assess democratic divergence

The main goal of this section is to provide an alternative model that can help us explain the process of democratic divergence that Colombia and Venezuela have experienced since mid-1990s till 2010. With that goal in mind, this section aims to propose a *Circular Causality Model* in which both the institutional and political culture

from 1958 to 1974; however, the subsequent governments kept the traditional bipartisan coalitions until 2002 (Posada-Carbó 2006).

Venezuela also made its transition to democracy through an elite settlement, but not as complex in its formation as the one in Colombia. Venezuela also had two dominant parties: Democratic Action Party (AD), and Committee for Independent Political Electoral Organization (COPEI). For almost half a century –from 1958 until 1999- these parties, through alliances and coalitions, won almost every election in Venezuela (Naím 2001; Buxton 2001; Lopez Maya 2002, 2004). According to Levine and Crisp (1999) until 1993 the two dominant parties combined (COPEI and AD) took over 80 percent of the vote in presidential and legislative elections. In fact, the consolidation of such alliance was sealed through the signature of the Punto Fijo Pact (El Pacto de Punto Fijo) in 1958. This pact guaranteed alternation of power between the two parties and equal participation of all party members in the executive cabinet of the winning party. However, this consensual picture radically did change when Hugo Chávez got to the presidency in 1999.

approaches are taken together as explanatory variables to illustrate the causes and effects these variables might exert upon the process of democratic divergence for the countries under study.

To do so, this research builds on answering the following question: to what extent changes in political elites' beliefs, values, and attitudes have effects on the structure, functionality, and performance of key political institutions which, in turn, may affect the process of democratic performance of the countries under study? In addressing this question, this section will rely on the findings made in the previous sections showing that in developing countries the concept of elite political culture *does matter* because it is able to *shape* political institutions. These reshaped new political institutions, in turn, will indeed have effects upon both the direction that the process of democratic divergence will take. In other words, and following Harrison's (2000) assertion, this section aims to support the idea that 'Culture is the mother, and institutions are the children [of political change]' (ibid.: xxviii).

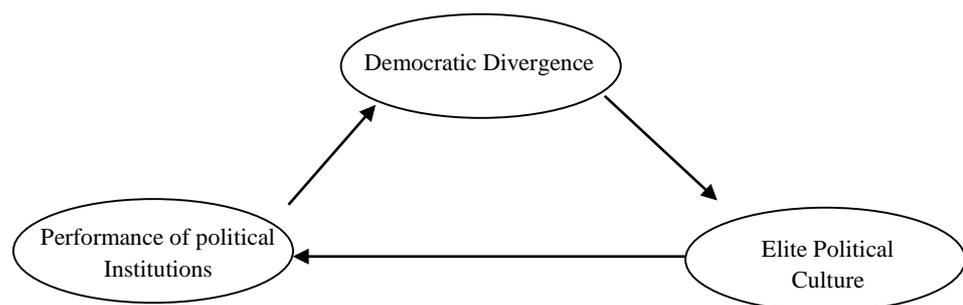
It is within this context that this project emphasises the idea that culture is path dependent. That is, '[...] distinctive cultural values depend on different value systems developed in different geographical locations' (Inglehart 2000, 80). Therefore, if culture matters to explain the current divergent democratic process of the cases selected for this study, it is argued that for developing countries culture matters even more because in these geographical areas political elites have a disproportionate influence over political outputs. If such influence is used to shape important democratic institutions then, both elite political culture and political institutions will provide enough evidence to explain the process of democratic divergence of these polities.

To be sure, figure 3.3 introduces and explains the *Circular Causality Model* this project will assess as the theoretical framework this project will rely on. It shows that democratic divergence is the dependent variable which is a function of two independent variables; namely, elite political culture, and the performance of two political institutions: Constitutional reforms and electoral systems. Unlike the one-way linear models represented by figures 3.1 and 3.2; figure 3.3 shows a model where causality is a circular one because it reinforces itself again and again over time. That is, this model hypothesises that in explaining how Colombia and Venezuela followed

different democratic paths during the ‘divergence period’ first it is important to look at how elites’ formation of values has changed their attitudes, beliefs and views of the political world. Such changes, the model suggest, will have implications on the way some key political institutions function because elites have the power to modify them and make them function in accordance with their political preferences. Finally, the impact of both independent variables will have an effect over the process of democratisation, which brought these polities to find themselves in opposite extremes of the democratic road of consolidation in just a matter of 15 years.

Based on the above considerations, this *Circular Causality Model* shows an important contribution from a theoretical perspective. It validates the linkage between the independent variables: elite political culture, the enactment of new constitutions and electoral systems as a methodological tool to explain the process of democratic divergence for the countries under review. This relationship has been barely studied in Latin American contexts and can be regarded as a new approach to explain the opposite democratic path taken by these polities. Hence, this model can be considered a novel theoretical framework because it merges two existing, but competing, bodies of theory in a way to explain a new and rather rare political phenomenon; namely: democratic divergence.

Figure 5.3.
Circular Causality Model proposed by this study.



In this sense, figure 3.3 also depicts the central role that the variable elite political culture plays in the formulation of this *Circular Causality Model*. Unlike most of the literature on political culture which focuses mainly on the increasingly and decisive role that masses have in shaping the character and viability of democracy in developed societies, this model critically highlights the surprisingly little understanding about the power and influence that political elites have in the Latin American context. This model conveys the idea that elite attitudes are an important element in influencing democratic

performance in developing countries. This is the reason why in the proposed model (figure 3.3) the concept of elite political culture, rather than the one of mass political culture (as in figure 3.2), is regarded as the missing variable that should be considered in order to link together the notions of political culture and institutions to explain the process of democratic divergence.

At this point it is worth asking, how can this model operationalise the concept of democratic divergence so that it can explain the change in the democratic direction taken by the polities under review during the ‘divergence period’? This study proposes that the concept of democratic divergence –the dependent variable- can be used as a proxy variable of democratic consolidation. Therefore, democratic consolidation should not be understood here as a definition of democracy *per se*. Rather, it should be read as a dynamic process of ‘democratic continuity’ whereby a polity moves left or right over a continuum line of democratisation in order to reach different levels of democratic performance (Schedler 1998a). That is, the degree of democratic divergence experienced by the countries under analysis can be understood as the extent to which these countries have moved either right or left on the one-dimensional line of democratic performance proposed by Schedler (1998a). Therefore, the *Circular Causality Model* aims to explain the dynamic process a polity might follow to achieve either its deconsolidation or its democratic consolidation.⁷⁴

3.4 Discussion and conclusion

The central claim of this chapter is that ‘culture matters.’ However, the chapter stressed that it matters even more when elite’s attitudes are considered in order to explain the continuous and uneven trend of democratic performance that characterised the Latin American context. It also claimed that this heterogeneous democratic performance can best be understood by studying basic continuities and changes in the political culture

⁷⁴ Chapter 4 will explain in depth Schedler’s model. For now, it is worth mentioning that Schedler (1998a) located authoritarian regimes at the extreme left, and advanced democracies at the extreme right of his one-dimensional continuum line of ‘democraticness’ (ibid.: 93). Between those extremes, he also located electoral democracies and liberal democracies to depict four regime types on which a polity might move at different moments in its search to achieve its democratic consolidation. Democratic divergence, then, will occur when the cases under study place themselves in opposite ends on Schedler’s line of democratisation.

of national political elites, and its resulting implication on the transformation and performance of political institutions.

Therefore, by reconsidering the unexplored linkage in the Latin American context between elite political culture, political institutions, and democratic divergence, this research project contributes to knowledge by moving away from the traditional relationships of causality presented by the Institutional approach and Cultural approach. Typically, both these theoretical frameworks are used separately in order to explain processes of democratisation. However, this chapter introduced a ‘new’ *Circular Causality Model* to explore the extent to which democratic divergence in Colombia and Venezuela can be explained by merging both frameworks. The theoretical model proposed here seeks to focus on the pertinence that changes in elite political culture –rather than the masses- might exert over the engineering of political institutions as an alternative approach to explain the different democratic trajectories followed by the countries under analysis over the ‘divergence period.’

Finally, the chapter also argued that the model proposed in figure 3.3 deserves more academic attention because by studying the interaction of the variables that make up this model is useful to provide a better understanding of the causes behind the process of democratic divergence. This is precisely the purpose of the following chapters. Next chapter will provide an in depth theoretical analysis of the dependent variable: Democratic Divergence. Chapters five and six will do the same but with each one of the independent variables: elite political culture and political institution respectively.

Chapter 4

Democratic divergence: conceptualising the dependent variable

4.1. Introduction

The aim of this chapter is to present a theoretical framework for the dependent variable in the *Circular Causality Model* proposed in the previous chapter. In figure 3.3, I argued that democratic divergence is the dependent variable which can be explained by two sets of independent variables; namely, elite political culture and political institutions.

The evidence provided in the previous chapters also confirmed that the concern towards understanding the process of democratic transition in the Latin America has been superseded and today a large proportion of scholars have shifted their attention to two related issues. First, some scholars focused on understanding why some polities have been able to keep their democratic stability and continued their process of consolidation, while another set of scholars have been committed to provide answers as to why some countries in the region are experiencing democratic regressions. Nevertheless, there has not been enough academic research to explain the cases which have taken opposite democratic paths, that is, democratic divergence.

Therefore, the plan of this chapter is to discuss and provide an explanation about the causes and effects that the change in direction of democratic performance has had in both polities. Consequently, this chapter will offer a conceptualisation of the dependent variable by showing how and why both the elite political culture approach –as opposed to mass political culture- and the institutional approach combined offer a better set of variables to explain the divergent paths in the process of democratic performance experienced by Colombia and Venezuela.

As was outlined in the previous chapter, scholars who have tackled the problem of democratic consolidation in Latin America mainly study the attitudes of the general public –or masses-, arguing that as a norm ‘a democratic political system cannot survive for long without the support of a majority of its citizens’ (Miller 1974, 951). Although this research project believes that commitment towards democracy depends, to a certain extent, on pro-democratic citizens’ views and attitudes, it is also possible

that such commitment need not come solely from them. To a significant extent commitment towards democracy also comes from political elites' views and their attitudes. That is, I claim that elites' support for democracy and their satisfaction with political leadership are '[the most] important factors in evaluating Latin American leaders' progress toward consolidating their democracies' (Bishin, et. al., 2006, 1194).

To justify the use democratic divergence – or its proxy democratic consolidation- as the dependent variable in the *Circular Causality model*, this chapter will be organised in five sections. Following this introduction, the second section will focus on the conceptual debate about the notion of democratic divergence. I will present the three most traditional approaches on which the debate has focussed; namely, the Institutional approach, the social structure approach, and the path dependent approach. From the three approaches, I conclude that Schedler's path dependent conceptualisation is the most appropriate to describe and explain Colombia and Venezuela's divergent processes of democratic performance.

The third section will narrow down the conceptual discussion by analysing how Latin American countries have dealt with the transition process towards more consolidated democratic regimes. I present how the democratic transition from authoritarian regimes was reached by different types of elite settlements which, in turn, brought uneven levels of democratic transitions. Hence, among the different countries in the region many are closer to a full process of consolidation; whereas others are experiencing some kind of reversal processes. The latter trend will be explained by the influence of three factors; namely, lack of civil society participation in the process of establishing new democratic structures, the amnesty granted to the military for allowing the implementation of democratic regimes, and the transmission of bureaucratic patronage into the democratic structure. This section concludes that Latin America itself is neither a coherent region nor a proper and comprehensive unit of political analysis when studied as an instance of democratic consolidation.

The notion of democratic divergence will be further narrowed down in the fourth section as it will explain and analyse its application in the context of Colombia and Venezuela. This section will describe in a comparative fashion the process these two countries went through to achieve what at first was thought to be a successful process towards their democratic maturity, but that later ended up –by the end of the 20th

century- taking completely different democratic paths.⁷⁵ Finally, the fifth section will highlight the main conclusions.

4.2. Democratic divergence: a conceptual debate

The democratic transition period is a time of great political uncertainty as it is subject to ‘unforeseen contingences, unfolding processes, and unintended outcomes’ (Karl, et. al., 1991, 270). This period, moreover, can also be characterised by having a hybrid regime where institutions of old and new regimes must co-exist together, sharing power among authoritarians and democrats whether through conflict or by agreement (O’Donnell 1988). As discussed in Chapter 1, a democratic transition can be regarded as complete and, therefore, consolidated when a polity meets Dahl’s minimal criteria. That is, the polity can guarantee free, fair and contested elections; the separation of powers between the executive, legislative and judicial branches of government are clearly delimited by constitutional rules; and, when the ruler of that polity governs democratically by avoiding infringing the constitution; the rights’ violation of minorities and individuals; and/or avoiding the damage of the legitimate functions of the legislature (ibid).

But, how can we know when the process of transition has finished and, therefore, the beginning of a process of consolidation? Answering this question requires, first, a conceptual clarification in order to get a better understanding of what democratic consolidation means. This conceptual exercise will be useful for two interrelated reasons. First, this enables the research project to have a clear reference point to compare how far (or how close) polities are from reaching a full consolidation. And second, it will allow me to provide an analysis which shows that both Colombia and Venezuela took different democratic trajectories in their democratic process that places them in opposite positions of their democratic performance since the beginning of the ‘divergence period.’

⁷⁵ To do so, this section will resort to the time frames defined in chapter 1, and depicted in figures 1.1 and 1.2. That is, the analysis of the so-called ‘transitional period’ –from 1958 to 1990- will explore the course of action on how the democratic transition process took place, whereas, the period so-called ‘divergence period’ –from mid-1990s till 2010-, will examine the reasons behind why these counties took completely different democratic paths.

To start with, it can be argued that the concept of democratic consolidation is generally associated with that of stability or institutionalisation. However, it is important to bear in mind that the mere retention of a democratic regime does not necessarily mean its consolidation (Valenzuela 1992). In other words, '[c]onsolidation and stability are not the same phenomenon, although the latter is an attribute of the former' (Shin 1994, 144). Following this argument, then, the democratic transition phase will reach its end when a new polity has enacted a new constitution and held free elections for political leaders with no barriers and mass participation. Nonetheless, such successful transition to procedural democracy guarantees neither survival and stability nor consolidation. For this same reason, Whitehead (1989) argues that democratic consolidation involves an increasingly 'principled' rather than 'instrumental' commitment to the democratic rules of the game. Along the same line, Linz's minimalistic definition claims that a consolidated democracy is a political regime in which 'democracy [should be regarded] as a complex system of institutions, rules, and patterned incentives and disincentives has become 'the only game in town'' (Linz and Stepan 1996, 15). This means that democratic consolidation requires more than elections and economic market strategies in order to change from one regime to another (ibid.: 16).

Other scholars, however, offer a wider conceptualisation of the notion of democratic consolidation that not only focuses on structural explanations and their degree of institutionalisation, but also that considers agency accounts to explain the role that elites and masses might play to achieve consolidation. Along this line of thought, for instance, structuralists such as Juan Linz state that a consolidated democracy is 'one in which none of the major political actors, parties, or organised interest's forces, or institutions consider that there is any alternative to the democratic process to gain power, and that no-political institutions or groups has a claim to veto the action of democratically elected decision makers' (Linz 1990, 158). In other words, when 'a society frees itself from the spells cast by authoritarian demagogues and rejects all alternatives to such democracy so as to no longer imagine any other possible regime' (Hermet, 1991, 257) then, and only then, a democracy can be regarded as consolidated. The agency school, on the other hand, becomes even more important when scholars such as Higley and Gunther (1992) argue that the process of consolidation can be considered complete when elite consensus on procedures is coupled with extensive mass participation in elections and other institutional processes (ibid).

In the conceptual debate about what democratic consolidation is and what is not, there is a third school which offers the path dependant approach. Its aim is to reconcile a more compelling understanding of this notion by claiming that ‘the meaning of democratic consolidation cannot be decided by conceptual fiat, without considering the concrete empirical realities as well as the practical tasks it is meant to address [...] It varies according to the context and the goals of our research’ (Schedler 1997, 4). This school of thought proposes a model based on four competing definitions of democracy which are used to describe a regime’s performance. All of them are compatible with different types of polities making a transition from the least form of democratic regime to the point where it achieves its consolidation. That is, ‘they all start from some type or other of democratic regime. And they all head toward some normative goal which either reads democratic survival or democratic progress’ (ibid.: 7). Thus Schedler (1998a) borrowed Collier and Levitsky’s (1995) semantic ordering and classification of the chaotic and countless definitions of types and subtypes of democracies and offered a dynamic and compact four-fold classification of regimes along a one-dimensional continuum of ‘democraticness.’

Figure 4.1 summarises Schedler’s (1998a) model as it depicts the classification of the different definitions of democracy used to explain democratic performance and consolidation. Let $[0,1]$ be the line that depicts the one-dimensional continuum of democracy. He begins by showing that on the extreme left that is, at zero, a democracy is conceived as an *authoritarian regime*. Further to the right, he includes *electoral* and *liberal democracies*. At the extreme right of the democracy line that is, at one, he classifies a democracy as one that is conceived as *advance democracies*.⁷⁶ Overall, Schedler argues that ‘this classification shows how these four regime types define the empirical context as well as the normative horizons and practical tasks that characterise distinct conceptualisations of democratic consolidation’ (Schedler 1998a, 92).

⁷⁶ ‘Authoritarianism’, Schedler claims, is to be understood as an equivalent to non-democratic regime and not, as others do, as a subtype of non-democracy. ‘Electoral democracy’, in turn, is deem as a border line case that possesses some, but not all, of the features of liberal democracies and, therefore, fall somewhere in between advanced democracies and authoritarianism. As for ‘liberal democracies,’ Schedler argues that this subtype of democracy is not a self-explanatory notion but given its widely acceptance this subtype can be achieved when the minimal procedural Dahlsian standard package of civil and political rights plus fair, competitive, and inclusive elections is fulfilled. Finally, ‘advanced democracy’ refers rather to an ideal and reifying established Western democracies. That is, this subtype possesses some positive traits over and above the minimal criteria of liberal democracy, and therefore ranks higher in terms of democratic quality than many new democracies (Schedler 1997, 1998a).

Figure 6.1.
Schedler's classification of the different definitions of democracy

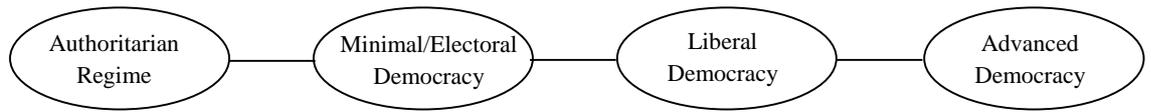


Figure 4.1, moreover, can also be regarded as a normative classification of the different type of regimes a polity can experience in its process of democratic performance. It may also be considered as a helpful tool to identify, what Schedler called: ‘positive’ and ‘negative’ notions of democratic consolidation (ibid.: 95). Keeping in mind that the study of processes of democratic consolidation presupposes that a democratic regime exists from the beginning to the end of the process,⁷⁷ Schedler’s conceptualisation helps to understand the different paths that different polities might follow in order to either avoid regressions –negative notions of democratic consolidation- or move forward and try to attain further democratic progress –positive notions of democratic consolidation-. The usefulness of Schedler’s model, for this research relies on that it helps explain different normative types of democratic definitions over which I can locate any regime and thus, to describe their democratic performance over time.

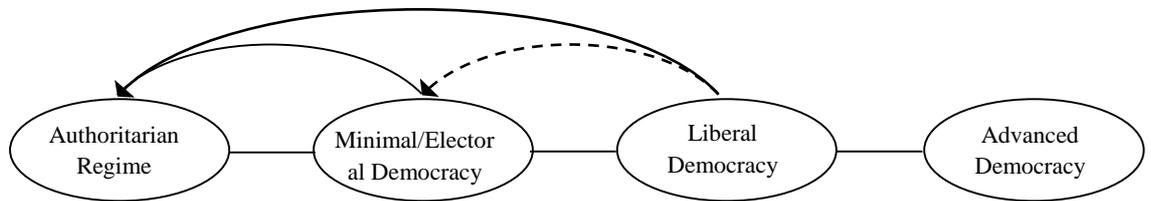
To this end, Schedler’s model (1998a) can be regarded as a good analytical tool by scholars as it analyses negative or positive notions of democratic performance, such as those related with processes of democratic divergence. Under this context, Schedler offers two scenarios to typify this process of regime change. Figure 4.2 represents these cases. The full lines represent the process to prevent a ‘democratic breakdown;’ whilst the dotted line represents the process of ‘democratic erosion’⁷⁸

⁷⁷ In fact, it does not make any sense to study democratic consolidation processes of any authoritarian regime.

⁷⁸ Again, Schedler (1998a) argues that ‘democratic breakdown’ occurs when a polity, standing from either an electoral or liberal democracy, is trying to avoid a regression towards authoritarianism. In other words, as O’Donnell put it: ‘[these polities] are basically preoccupied with keeping democracy alive and preventing its ‘rapid death’ (O’Donnell 1992). As for ‘democratic erosion,’ it occurs when the democratic regression moves from a position of liberal democracy and goes backwards toward a position of electoral democracy, that is, these polities are trying to avoid a ‘slow death’ of democracy.

Figure 7.2.

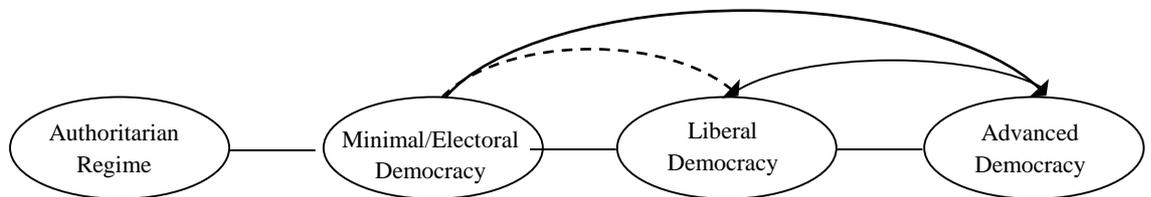
Schedler's definitions of democratic regression: preventing democratic breakdown (full line), and preventing democratic erosion (dotted line)



In turn, Schedler's model can also be useful to analyse the opposite process: one in which a polity is rather concerned, not with regressions, but on how to achieve a better democratic performance by trying to attain progress toward either liberal or advanced democracies. Along this line of thought, Schedler offers two additional alternatives to describe the process within which such polity might undergo the route to achieve its real consolidation. As Figure 4.3 shows, the dotted line represents the process of 'completing democracy;' whilst the full lines embody, as Doorenspleet (2005) claims, the 'desirable ideal' of the process called 'deepening democracy.'⁷⁹

Figure 8.3.

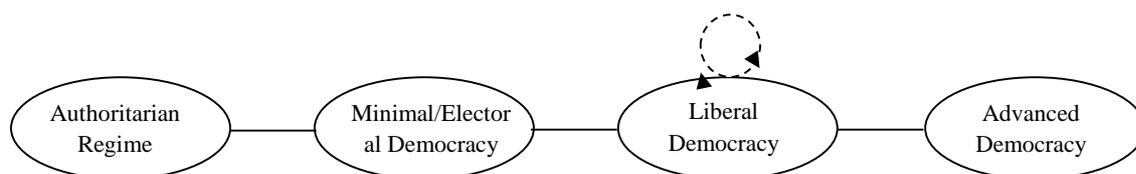
Schedler's definitions of democratic progression: completing democracy (dotted line), and deepening democracy (full line)



Last, Schedler also offers an in-between conceptualisation to describe what he describes as 'a neutral position of democratic consolidation' (Schedler 1998a, 99). He refers to such position as the 'organisation of democracy.' Figure 4.4 represents this case. Here, Schedler describes those regimes which are in a phase of their process of democratic consolidation such that neither regressions nor progressions are meant to change in the near future.

⁷⁹ As can be seen in figure 4.3 'Completing democracy' should be understood as the process of moving to the right from electoral democratic regimes to liberal democratic regimes. Whereas, 'deepening democracy' refers also to the process of moving again to the right but this time from either electoral or liberal democratic regimes to the one of advanced democratic regime.

Figure 9.4.
Schedler's definition of organising democracy



The notion of democratic consolidation discussed above, showed that in contemporary politics the conceptualisation of this term is not an easy task. It seems that this concept has been used in the literature arbitrarily. In this sense, I give credit to Pridham's (1995) observation according to which it is a 'nebulous concept' (ibid.: 8). In fact, and before Schedler's reconstruction and reformulation of his four clear notions of democratic consolidation, 'the conceptual fog that [used to] cover this term became even denser and thicker as more [scholars] paid attention to it' (Schedler 1997, 3). Fortunately, Schedler's conceptualisation brought a pragmatic and simpler way to understand and reorder the conceptual map to explain processes of democratisation. Schedler's concluding remarks is that we should return to the concept's original concern with democratic survival to 'restore its classical meaning, which is securing achieved levels of democratic rule against authoritarian regression' (Schedler 1998a, 103). In other words, scholars should limit its use to the two 'negative' notions described above: avoiding democratic breakdown, and avoiding democratic erosion (see figure 4.2).

For the reasons outlined above, this project will follow Schedler's conceptualisation. The reason behind I decided to follow this path-dependence conceptualisation is that, as demonstrated in chapter 2, Latin American democracies have successfully completed its democratic transition, and therefore its process of democratic performance deserves closer attention, especially over the 'divergence period'. In fact, today all the countries in the region, but Cuba, can be placed in one of the two middle notions of Schedler's democratic classification, namely: either minimal/electoral or liberal democracies. Thus, Schedler's dynamic model based on the four-fold classification of regimes will allow us to track, and therefore understand the causes behind the process of democratic divergence experienced by Colombia and Venezuela. Moreover, by knowing -at any point in time- the location of a polity along this one-dimensional continuum model, I will be able to track either the 'positive' or 'negative'

notions of democratic change that both countries have gone through over both the ‘transitional and divergence periods’ under analysis.

4.3. From transition to democratic consolidation in Latin America

In the previous section I chose the path dependent approach as an adequate theoretical framework to conceptualise democratic divergence. This is because it helps to track the performance of different regimes throughout the period studied which in turn, will be used to explain in a comparative fashion the different democratic trajectories that Colombia and Venezuela followed during the ‘divergence period.’ However, Schedler’s conceptualisation is still too broad to be applied to the Latin American context. The aim of this section is to re-construct this framework so it can be used to explain the heterogeneous democratic performance that characterises this region since the end of the 1990s.⁸⁰

Such heterogeneity can be evidenced when in some countries, for instance, civil society became aware and involved on political matters. These practices can be regarded as new set of values people have implemented in order to strength democracy. On this regard, Isbester (2010a) argues that ‘civil society is becoming more robust and organised, [most of the] elected governments are reforming their states to improve the calibre of state institutions and democratic governance, and also their ‘Human Rights violations have diminished substantially’ (ibid.: xii). However, there is also evidence stressing that democracy is still fragile in other set of countries in the region and although some countries have not fallen, many have been shaken; and some are even regressing.⁸¹ There is a rather broad consensus among Latin Americanists: Buxton (2001, 2005), Ellner (2008), and Hausmann, et. al., (2014), among others, in identifying that the problems of poverty, social exclusion, and

⁸⁰ As an example of such heterogeneity, it can be said that in 1977, only Colombia, Venezuela, and Costa Rica had democratically elected governments. In 1978, after the withdrawal of its military, Ecuador wrote a democratic constitution and a year later held presidential elections. In the same year, the Peruvian military held elections for a legislative assembly and, in 1980, a democratic elected president took power. In 1983, Argentina elected a civilian assembly and president. In 1984, after a negotiated transition, Uruguay elected a president. In 1985, Brazil elected civilian presidents. In 1989, Chile and Paraguay both elected civilians presidents. In 1990, a civilian government took over in Panama. In 2000, Mexico elected its first president in 70 years who was not from the long-ruling Institutional Revolutionary party (PRI). And, in 2001, Peru’s backsliding into authoritarianism was halted and a civilian president was elected again (Isbester 2010c, 55).

⁸¹ The cases showing some levels of regression during the last decade are Ecuador, Bolivia, Venezuela, and, in lesser extent, Peru (Isbester 2010b, p.8).

inequality are the causes explaining the democratic reversions on the latter set of cases, and they claim that these issues should be addressed in order to avoid further democratic regressions. In sum, as Isbester (2010a) stresses, 'inequality and poorly structured relations of power have produced a weak state and a minimal electoral democracy in some Latin American countries' (ibid.: xiii).

Apart from this evidence, which has shown the heterogeneous levels of democratic performance that countries in the region have achieved, it is important to study the same issue from a conceptual perspective. Previously I introduced, both in the introduction and in chapter three, the definition of democracy as liberal democracy that this research will follow, which corresponds to the definition put forward by Robert Dahl.⁸² Relating this definition to Schedler's (1998b) path-dependence framework, then, it is possible to claim that today most Latin American countries are located around the middle segments of Schedler's democracy line classification (see figure 4.1). However, the time it took for each one of these countries to reach its classification was not the same. Some countries reached higher levels of democratisation than others as they met most of Dahl's criteria; whereas others only met these criteria partially. Hence, the difference in achieving different democratic performances can be attributed to the type of elite pacts celebrated among the Latin American regimes.⁸³

Paradoxically, reaching the transition towards democracy by settlements among elites brought problems of different magnitude and intensity. This did not allow the process of consolidation to be complete. Three issues can be enumerated as the causes of this phenomenon. First, most of the countries in the region completely ignored the role civil society could have played when these settlements were signed, because they

⁸² As was previously outlined, according to Dahl a polyarchy can be considered as fully democratic when it meets the following seven criteria: 1) elected officials; 2) free and fair elections; 3) inclusive suffrage; 4) the right to run for office; 5) freedom of expression; 6) alternative information; and 7) associational autonomy (Dahl 1989, 221). That is why this project argues that inasmuch as a regime fulfil most or all of these criteria, it will be closer to the definition of liberal democracy proposed by Schedler (1998a); whilst if it does not fulfil neither or just a few set of these criteria the regime will be closer to Schedler's notions of electoral and/or authoritarian regimes.

⁸³ Although all the countries in the region reached their transition towards democracy by elite settlements, except for Argentina and Ecuador, only three countries in the region could both made their transitions and, at the same time, maintain their democracies alive (without regressions) and in good shape until mid-1990s thanks to settlements made by political elites. Those countries were: Colombia in 1957-58, Venezuela in 1958, and Costa Rica in 1948. However, Venezuela during the last decade has shown, as will be discussed in the next section, some signs of democratic regression.

denied them the opportunity to participate in the process of establishing the new democratic regimes. Consequently, Silva (2004) stresses, ‘under the elite pact, civil society organisations become weakened, marginalised, fragmented, disillusioned, exhausted and ultimately depoliticised’ (ibid.: 145). This lack of civil participation became a challenge for the consolidation of democracy because it led to the rise of hegemonic political parties, which, in turn, neglected minorities’ legitimate right to participate in the electoral process during the ‘transitional period.’

Second, the amnesty granted to the military during the transition process left the public with a taste of inconformity against democracy as citizens weren’t treated as equals before the law which essentially led to a generalised dissatisfaction with this type of regime.⁸⁴ Thus, civil society’s inability to bring the military to justice was a deep disappointment which resulted in the difficulty in implementing a comprehensive process of democratisation in the region. As a result, the nations that enacted constitutional laws to grant military forgiveness –i.e. Chile, Argentina, Paraguay, Uruguay, among others- required that those authoritarian legacies were removed from their constitutions as a necessary step to improve their democratic performance.

A third problem that elite pacts brought during the transition process was to engage in economics for the benefit of special interest groups, that is, clientelistic relations, deep bureaucracy, and patronage (Buxton 2005). These were transmitted into the democratic structures as non-democratic practices. Isbester argues that these practices, ‘operate with and through democracy’s procedures, institutionalising themselves and weakening democracy in the process’ (Isbester 2010c, 60). Furthermore, a problem caused by the institutionalisation of bad practices is that elites may use the conventional democratic procedures in conjunction with these informal practices in order to perpetuate their own bases in power.

Because of these problems, Latin American countries since the beginning of the ‘divergence period’ –in greater or lesser extent- have been experiencing cultural and institutional changes which led them to reach different levels of democratic

⁸⁴ In fact, in countries such as El Salvador in 1993, Chile in 1978, and Argentina in 1987 the military, through a high level negotiation process with political elites, were able to bargain the end of their authoritarian regimes by writing certain authoritarian rules into the new constitutional democracies. These ‘rules’ allowed them to avoid being brought to justice and be judged for human right abuses (Schedler 1997).

performance. In fact, some polities have experienced positive notions of democratic progress,⁸⁵ while other polities have experienced some kind of democratic regression weakening their democratic performances, but without reaching levels of authoritarian regimes, that is, to the lower level of Schedler's classification of democratic definitions (see figure 4.1).⁸⁶

In short, it seems that the uneven implementation of fundamental political rights, civil liberties, and democratic procedures during the 'transitional period' resulted in some form of divergent process in the region's democratic performance. Based on these premises, the issue of whether a democracy has been consolidated in the region is unquestionably important. Therefore, I claim that it is important to identify the type of democracy a country has achieved by the end of the 'transitional period', because departing from this point it can be possible to identify and understand the various causes that explain the heterogeneous democratic performance experienced by the countries in the region.

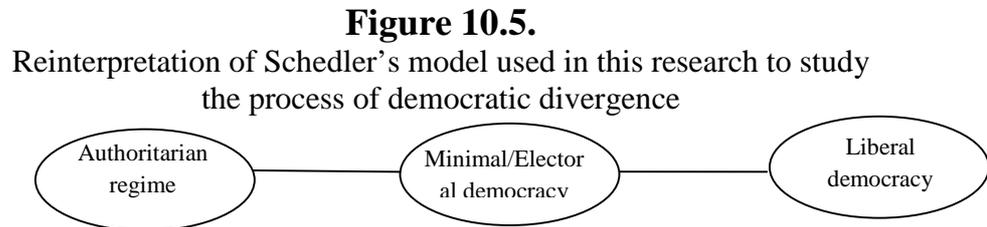
To succeed in this endeavour and root it into the Latin American context, it is necessary, first, to re-construct Schedler's model presented in figure 4.1. Unlike Schedler's model which considers 'advanced democracies' as the highest and purest level of democratic performance, I will consider 'liberal democracies' as the highest level to which a Latin American country might aspire in order to achieve full consolidation (see Figure 4.5). In other words, in this project I claim that if a Latin American country reaches an ideal combination of civil liberties and democratic procedures for every citizen, then, such country can be considered a liberal democracy, and therefore consolidated.

The following two reasons support this methodological assumption. First, 'liberal democracies' is perfectly aligned with the definition of democracy this project has proposed, and second, the definition is a more realistic goal if compared that of

⁸⁵ That is, they are located close to Schedler's middle notions of democratic performance (i.e.: either as 'minimal/electoral democracies' or 'liberal democracies').

⁸⁶ As instances of democratic regressions in the region it is possible to find cases such as those of Peru that suffered a temporary reversal of democracy in 1992-2001. Venezuela that had two attempted coups: one led by Hugo Chávez in 1992, and the other one against him in 2002. Paraguay attempted two coups in 1996 and 2000. Between 1997 and 2006, Bolivia had four governments. Whereas Argentina went through five governments in two weeks in 2001 as it struggled with its economic crisis. And finally, Ecuador's populace drove four presidents from power between 1997 and 2006 (Isbester 2010c, 61).

‘advanced democracies’ which is considered more idealistic and much more difficult to attain by developing countries (Doorenspleet 2001). Therefore, Schedler’s original model will be re-constructed into the three types of democratic regimes shown in figure 4.5.



This reformulated model will serve to answer the following questions. What type of democracies do Latin American countries have? Are they close or far away from full consolidation? The answer to these questions may be contradictory when it is studied from a conceptual perspective. For instance, it is possible to claim that most Latin American countries are very close to full consolidation, if we can agree with Peeler’s definition which stresses that, ‘once a democratised regime has had at least two changes of power from the ruling party to an opposition party without the threat of military intervention, foreign meddling, or generalised non-cooperation of the elite, it can be said that this democracy has been consolidated’ (Peeler 2004, 93).

However, if we agree with a more comprehensive and challenging definition such as that of Linz and Stepan which state that a country can be regarded as consolidated when ‘it is able to defend itself against threats, while deterring regimen breakdown, erosion of democratic principles and procedures, and ideally working toward an improved democracy’ (Linz, et. al, 1996, 15), then the answer to the previous questions may not be straightforward. Most Latin American countries have free, fair, contested, and regular elections with mass participation but at the same time they lack some of the fundamental civil liberties that only the rule of law can protect.

Under the latter definition, then, this project claims that the type of democracy most of these countries currently have achieved corresponds to the type of ‘electoral democracy’ according to the reformulated version of Schedler’s model offered in figure 4.5. This definition is closer to Wiarda and Kline’s perception as they stated that ‘75 per cent of the democracies in Latin America have consolidated illiberal, or

minimum, or electoral democracies.⁸⁷[By 2006,] only Chile, Argentina, Brazil, Uruguay, and Costa Rica have liberal democracies with both civil liberties and political rights' (Wiarda and Kline 2007, 85).⁸⁸ This leftist trend shows that Latin America itself is neither a coherent region nor a proper and comprehensive unit of political analysis when it concerns its democratic performance. The consequence of such heterogeneity makes the analysis and understanding of democratic performance a challenge. Hence, to study the process of democratic performance in the region it is necessary to examine each country individually in order to identify the determinants that explain how far, or close, these countries are from consolidating their democracies. The next section will deal with this task by focusing on the specific cases of Colombia and Venezuela.

4.4. Democratic divergence in Colombia and Venezuela

Having analysed the transition process towards regime change, and its implications in terms of the heterogeneous democratic performance Latin American countries have shown, led us to understand the divergent process followed by the cases under study.

However, before addressing this task it is important to highlight what makes Colombia and Venezuela interesting cases for political analysis. As discussed earlier, both these polities ended their dictatorships in mid-1950s and they started a parallel and homogeneous process of political reforms that led them to be considered as two of the most democratic countries in the region. Nonetheless, only 20 years ago these polities began experiencing divergent democratic paths, which had, and still has, consequences for their democratic performance.

⁸⁷ Because there is not agreement among scholars, this definition of democracy varies from author to author and the problem under analysis. Therefore, in the literature of democratisation it is possible to find some different names to describe the same phenomenon of 'electoral democracies.' For instance: 'Hybrid democracies,' or 'minimum democracies', or 'illiberal democracies.' This research will use the concept of 'electoral democracies' to classify countries that have mass participation and adult suffrage but lack some civil and political liberties.

⁸⁸ The generalised outcome for these 75% of countries was that they triggered a wave of left-leaning reformist governments known as 'the Pink Tide' or, as other Latin Americanists called it, 'a left turn' in Latin American politics (see for instance: Cameron, et. al. (2013); Arnson, et.al. (2007); Castañeda, et. al. (2008); Levitsky, et. al. (2011); Silva (2009); Weyland, et.al (2010); among others). In fact, since the election of presidents such as: Hugo Chávez in Venezuela (1998-2012), Daniel Ortega in Nicaragua (2006- until today), Rafael Correa in Ecuador (2007-until today), Fernando Lugo in Paraguay (2008-2013), and Mauricio Funes in El Salvador (2009-2014); leftist victories have become increasingly clear and 'started representing a regional trend rather than a series of isolated events' (Cleary 2006, 36).

It is unquestionable that the political, cultural, and social homogeneity shared by these polities became evident even before the ‘transitional period.’ In fact, it can be stated that it began from the very moment the Republic of the Great Colombia⁸⁹ gained its independence from Spain in 1819. However, it was not until the Republic was dissolved in 1831 that the independent states of Colombia and Venezuela -unlike those of Ecuador and Panama- began to implement economic, cultural, and political reforms so alike that they were coined as ‘Brotherhood Republics.’ Yet, such homogeneity and integration was challenged when Hugo Chávez in 1998 and Alvaro Uribe -four years later- were elected presidents of Venezuela and Colombia respectively. Because of different understandings about what were the best economic model, and the best political reforms to deal with high levels of inequality, poverty and poor political participation, these countries embarked in the implementation of asymmetric reforms which led them to achieve divergent routes in their processes of regime performance.

To understand the rationale behind the asymmetry of the reforms adopted by these polities, the following sub-sections will outline separately the main characteristics that both countries shared in each of the periods of analysis introduced in chapter 1, that is, the ‘transitional period’ (1958-1990), and the ‘divergence period’ (1991-2010). This comparative exercise will help explain and describe the similarities and subsequent differences that both countries experienced over these periods.

The democratic ‘transition’ era: 1958-1990

As discussed above, 1958 was the year that signalled the beginning of the democratic transition for Colombia and Venezuela. It was then that both countries sealed political agreements among their hegemonic political parties aiming to finish their historical rivalry, and avoid the prolongation of their military dictatorships.⁹⁰ These agreements, called ‘The National Front’ in Colombia, and ‘The Punto Fijo Pact’ in Venezuela, had a common goal: to bring political stability by mutually accepting rules among party elites. In other words, the elite agreements were about sharing power by alternating

⁸⁹ The Great Colombia was a short-lived republic that included present-day territories such as Colombia, Venezuela, Ecuador, Panama, northern Perú, and northwest Brazil. The first three were the successor states to Gran Colombia at its dissolution. Panama seceded from Colombia in 1903.

⁹⁰ In Colombia, General Gustavo Rojas Pinilla seized power from 1953-1957 throughout a military show of force. He promised to hand over power when the time of inter-party violence reach an end, and vowed to launch a nation-building effort. As for Venezuela, General Marcos Pérez Jiménez seized power in 1952 and plunged the country into a dictatorship that would last six years.

the presidency between those political parties, regardless of the election outcomes. Additionally, these political settlements also agreed to equally share all legislative bodies and government positions. In short, the system of institutionalised bipartisanship served to deter partisan conflicts by providing the political parties with mutual guaranties in the protection of their interests (Bushnell 1993; Dugas 2006).

On the positive side, Karl and Schmitter (1991) referred to the effects of these ‘pacted transitions to democracy’ as those where both countries began enjoying a process of democratic stability in their deeply divided societies. This rapidly translated into significant economic growth, industrialisation and diversification of their trade balances by the implementation of the so-called import-substitution industrialisation (ISI) model. This model was designed to replace manufactured goods previously imported with those made domestically (Hausmann, et. al., 2014). However, the downside of these agreements was reflected in the lack of representation of new political parties that were excluded from the distribution of political power (Buxton 2001, 2005). This rigid and exclusionary logic of power-sharing was based on a joint strategy, led by the traditional parties, considered to rule out other political forces from the political arena (Rochlin 2003, Buxton 2011). As expected, the result of these exclusionary strategies had consequences at the political and societal levels in both countries.

For Colombia, when minority groups realised that they had no access to legitimate political avenues, they were left with no choice but to resort to extra-systemic means to foster the change that an important part of civil society was willing. Thus, the emergence of left-wing guerrilla groups in the 1960s and 1970s,⁹¹ the right-wing paramilitary forces in middle 1980s, and criminal-minded narco-traffickers also in the 1980s was the response to elites’ failure to address popular concerns in terms of redistribution of political power and economic resources. As for the Venezuelan case, its political exclusion did not lead to the emergence of insurgent groups, because political outsiders and civil society were absorbed and controlled by the traditional

⁹¹ In fact, by the end of 1980s the guerrilla groups fighting for overthrowing the established political and socioeconomic order were: the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), the 19th of April Movement (M-19), Quintín Lame, and the Popular Liberation Army (EPL).

political parties through vertical relations of power.⁹² Hence, the Punto Fijo Pact, gave way to a restricted action by the civil society and, at the same time, an unresponsive form of governance by the traditional political parties (Buxton 2001; Ellner 2008; Smilde and Hellinger 2011).

While these pacts were still the predominant system of governance at the end of the 1970s,⁹³ the ISI economic model of development proved to be exhausted due to its disappointing results, which led to its gradual disengagement in both countries (Buxton 2001). Consequently, by early 1980s, in response to the severe economic crisis that Latin American countries were facing Colombia and Venezuela embarked in the implementation of an export-oriented industrialisation strategy based mainly on a neoliberal model of development. During the first years of this decade the implementation of this economic model worked reasonably well and helped in deepening the implementation of democratic values which in turn also contributed to improve the performance of their democracies.⁹⁴

Therefore, it can be said that for the greater part of the duration of the ‘transitional period’ the elite political pacts signed by these countries not only allowed them to reach a full democratic transition, but also enabled them to take significant advances in their democratic performance. Hence, two things should be said if we had to make an assessment about how deep or superficial the consolidation of democracy for these countries was at this point in history. First, a striking aspect about their democratic transition and subsequent performance is that both countries followed, in greater extent, similar policies at both economic and political levels in order to deal with the

⁹² . In fact, as Collier and Collier (2002) argued, ‘[c]orporatism in Venezuela was characterised by the mobilisation and organisation of both the peasantry and the urban working class into a limited number of officially sanctioned, non-competitive, and state-supervised interest associations linked to the traditional parties’ (quote in Rice 2010, 234). In turn, these organisations constituted the main social interlocutors with the Venezuelan state and political parties by mediating as well as to contain civil society interests (Salamanca 2006).

⁹³ In theory, the Colombian National Front pact should have lasted until 1978, however, in practice its real ‘desmonte’ ended only in 1986 when the Liberal President Virgilio Barco won the presidency by a wide margin, and effectively shut the Conservatives out of the cabinet and other high level positions (Martz 1989). As for the Venezuela case, the Punto Fijo Pact came to an end when Hugo Chávez won the presidency in 1998.

⁹⁴ By mid-1980s it was so successful the combination of neoliberal policies along with the deepening of democratic rule, that even Peeler (1986) had no qualms in including Colombia and Venezuela in the group of Latin American countries regarded as Liberal democracies (Carrión 2009, 237). Nonetheless, I refuse to classify these regimes as Peeler does because even though they were performing well still some civil liberties, and in lesser extent some political rights were restricted. This is the reason why I claim that they are closer to Schedler’s classification of electoral democracies rather than to liberal democracies (see figure 4.5).

different challenges they were facing in order to reach their transition and make progress in their consolidation. And second, Colombia and Venezuela along with Costa Rica –at least until the end of the *'transitional period'*- might be regarded as the most consolidated electoral democracies in the region (Peeler 1986). Yet, as the next section will show, from early 1990s both countries began experiencing different social and economic challenges that had effects in the explanation, analysis, and understanding of their processes of democratic performance.

The democratic 'divergence' era: 1991-2010

By the end of the 80s, the neoliberal economic model had been completely implemented in Latin America, and Colombia and Venezuela were not the exception. The implementation of such model brought about positive and negative macroeconomic outcomes for different countries in the region which, in turn, also had consequences in their processes of democratic performance.

Colombia, in particular, was a country highly regarded in the Latin American region due to the efficient way it handled the 1980s economic crisis. Unlike many other countries, Colombia's neoliberal model was characterised by its gradual implementation and its minimal degree of state intervention, which allowed not a single year of negative economic growth during the 1980s, and part of the 1990s (Dugas 2006).⁹⁵ Nonetheless, by mid 1990s the country faced a severe recession caused by a budgetary deficit and an overvalued currency that throttled exports. Although this recession only lasted until 1999, its consequences were notorious.⁹⁶

This economic downturn reached its end in 2000 when the economy grew by 3% with a single-digit inflation (9.1%); high oil prices and a jump in non-traditional exports kept the trade balance in the black, and interest rates were lower than they had been in years (Hoskin and Murillo 2001, 40). By 2008, Colombia's economic performance was affected by the world's economic recession, but in 2010 4.2% GDP growth stood

⁹⁵ Indeed, during the so-called Latin America's 'Lost Decade' in the 1980s, 'Colombia was the only country that maintained positive growth, serviced its foreign debt responsibly, controlled inflation, and kept huge foreign reserves' (Hoskin and Murillo 2001, 39).

⁹⁶ For instance, growth plunged from 5.2% in 1994 to negative 4.5% in 1999, while unemployment rates nearly tripled to an unprecedented 20%. Furthermore, by 1997 Colombia had one of the sharpest rates of income inequality, which in per capita terms meant that the richest tenth of the population received 51% of the national income.

in sharp contrast to the deep recession of 1999. Inflation was rather low at 3,2%. The fiscal deficit, while still high, appeared to be under control. And unemployment fell from 19% in 1999 to 11.8% in 2010.

The relatively robust performance of the Colombian economy at the macro-level did not become a threat to undermine Colombian democracy, as it was the case for most of the Latin American countries. Paradoxically, the low distribution of wealth combined with lack of opportunities, poverty, and exclusion created a social division that became the main peril to achieve further gains in the process of democratic performance for this country. In fact, Colombia's democratic performance began to erode in early 1990s, not because of the lack of successful economic policies, but due to the highly exclusionary political structures that led the country to be a victim of an armed conflict between drug cartels, left-wing guerrillas, and right-wing paramilitary forces who were asking for a seat in the political arena.

As a reaction to this social crisis and as an effort to rescue the state's legitimacy, Colombia carried out a process of enacting a new constitution in 1991. Such constitutional reform was deemed to be the first and probably the biggest step towards deepening Colombian process of democratic consolidation (Mainwaring 2006, Van Cott 2005). Indeed, the enactment of this new constitution was a step forward in the right direction as it extended the process of decentralisation, introduced a bill of citizen's rights, and provided for a new variety of new participatory mechanisms. Moreover, the new constitution opened spaces of representation and participation for minority groups which were previously excluded from the formal political arena⁹⁷ (Van Cott 2005).

As a matter of fact, the 1991 constitution marked the formal transformation of the execute-legislative relationship in the sense that it placed limits to the extraordinary powers that until then the executive branch of government had (Harlyn, et al. 1999). Moreover, the 1991 constitution made commendable commitments so that Colombia had a specific form of government with real and powerful checks and balances.⁹⁸

⁹⁷ The new Constitution was meant to heal state-society relations, and to reincorporate guerrilla groups into civilian life. The EPL, Quintín Lame, and M-19 guerrilla movements all signed peace agreements with the government, demobilised, and become active participants in the constitutional process (Dugas 2006).

⁹⁸ For instance, the constitution provides for referendums to repeal national laws or to amend the constitution, placed restrictions on the president's emergency power, and weakened the president veto

Nonetheless, the Colombian constitution is still far from perfect. For instance, some gaps are present in terms of balance of power. Along this line, Posada-Carbó (2006) argues that the National Constituent Assembly failed to provide laws to prevent the executive to retain control over the central budget. This issue granted the president with the power to make use of state resources in order to build coalitions in support of executive policies. In short, it can be argued that, as O'Donnell stressed, despite some imperfections, Colombian democracy has become institutionalised in terms of electoral competition but it has not succeeded yet in making its 'second democratic transition' to a fully institutionalised, and therefore liberal democratic regime (O'Donnell 1994, 62).

Unlike Colombia, Venezuela's 1980s economic crisis was poorly handled. As argued by Ellner (2008), and Ellner and Tinker (2007), the above-mentioned crisis along with the elite's massive corruption were the main reasons behind the erosion of the 'Punto Fijo pact'. These two factors were also the grounds on which the course of Venezuelan's democratic performance toward its consolidation changed negatively. In fact, by the end of the 1980s, people's feelings of economic insecurity led to Venezuelan democracy facing serious challenges that ended up affecting its democratic performance (Puddington 2007). For instance, as Lopez Maya, et. al (2004), and Buxton (2001) shows, the steady decline of oil prices, combined with the implementation of harsh neoliberal policies that neither respond to the collapse of the Venezuela's currency, nor to reduce the high rates of inflation and avoid further economic decline, generated social discontent which began to surface against the traditional political parties due to their inability to deliver the right policies to solve the dramatic increase in the level of poverty.⁹⁹

Consequently, Venezuela's economic setbacks in the 1980s quickly translated into political ones at the beginning of the 1990s. For instance, as a response to the growing disenchantment with the existing political system and to the neoliberal reforms put forward under the presidency of Carlos Andrés Pérez (1989-93), Lieutenant Hugo

power. At the same time, the constitution strengthened the political and legislative power of Congress. Additionally, it also prohibited the appointment of legislators to other public offices or cabinet, and established a legislative check on the executive through a 'motion of censure' against cabinet members.⁹⁹ For instance, Lopez Maya and Lander (2004) conducted an empirical study on the socioeconomic impacts of structural adjustments programs in Venezuela which revealed that between 1980 and 1997 the percentage of the country's households living in extreme poverty skyrocket from 9 to 28 percent (2004, 212).

Chávez attempted a military coup in 1992, which -despite its failure- marked the end of the Punto Fijo pact (McCoy and Myers 2004; Ellner and Tinker 2007). Such disillusion also marked the beginning of a process of regime change that started when Hugo Chávez took office in December 1998, which ushered the so-called Latin America's Pink Tide era.¹⁰⁰ As expected, echoing people's disgust with traditional politics, President Chávez's regime began not by focussing on the flagging economy, but by rewriting a new Constitution aimed to 'kill the *partidocracia* (party dominance) that had characterised Venezuelan politics since the late 1960s' (Corrales and Penfold 2007, 101), and fight against the old establishment (Buxton 2001; McCoy and Myers 2004; Ellner 2008; Mainwaring 2006).

Indeed, the 1999 new Bolivarian Constitution fulfilled its promise and managed to change the rules governing relations among the branches of government. It did so by reinforcing the power and autonomy of the central government, the executive branch, and the military (Levine 2002; Monaldi, et. al., 2014). It also 'established new organs of state and citizen power, including the right to hold recall referendums on all elected official (Buxton 2005, 2008). Thus, under the new constitution, Chávez achieved complete control of the institutional checks-and-balances, including a complete discretion over military promotions that currently do not need legislative approval. The Senate was dissolved in favour of a unicameral national assembly. The representative and protagonist nature of democracy was underscored and dramatically restricted the role of the political parties in the system.¹⁰¹ The presidential term went from five to six years, with the possibility of a single re-election. The president gained the power to enact laws by decree and to hold any kind of referendum without support of the legislature. Also, the new constitution introduced the possibility of recalling

¹⁰⁰ The 'Pink Tide' term has been used by mass media in contemporary twenty-first century political analysis to describe the perception that leftist ideology in general, and left-wing politics is increasingly influential in Latin America. Origins of the term may be linked to a statement made by Larry Rohter, a New York Times reporter in Montevideo, who characterised the election of Tabaré Vázquez as president of Uruguay as "not so much a red tide but as a pink one." The term seems to be a play on words based on 'Red tide' with 'red' -a colour long associated with communism- being replaced with the lighter tone of 'pink' to indicate the more moderate communist and socialist ideas gaining strength in the region.

¹⁰¹ The restriction of political parties to participate in the electoral contest was achieved by cutting their public funding.

mayors, governors, or the president, but only under highly stringent conditions for the latter (Corrales and Penfold 2007, 101; Buxton 2008).¹⁰²

Therefore, the new laws contained in the 1999 Constitution attracted watchdogs' attention because major pieces of the new legislation have narrowed down civil rights such as freedom of association, regulate participation in civil society organisations, or give special powers to *chavista* citizens' groups (Corrales 2011, 128). Equally worrisome, the new laws have had negative effects on press freedom as there have been journalists suffering harassment, television stations facing administrative sanctions,¹⁰³ and 32 radio stations have lost their broadcast licenses (ibid.: 112). Consequently, Freedom House downgraded Venezuela -along with Russia- from 'Partly Free' to 'Not Free' in its 2010 annual media-freedom report (Walker 2010).

In sum, the 1999 new Venezuelan constitution, and its further reforms, completely transformed Venezuela's political landscape. The new political order currently rests on a decision-making process centralised in the executive branch of government which has managed -among other things- to undermine its political institutions, become civil society dependent on its central leadership, and demoralise, overpower, and completely exclude political opposition (Rice 2010, 243). So, it is possible to argue that rather than an experiment to deepen the performance of its democracy, the Bolivarian Revolution should be understood as the 'antithesis of democracy' (ibid.: 243); as a 'competitive authoritarian regime' (Corrales 2011); a 'protagonistic a

¹⁰² Not satisfied with these reforms, Chávez pursued further constitutional changes so that he could increase even more his executive power in detriment of the advances achieved during the 'transitional period.' In fact, the second set of constitutional amendments started as soon as he won his presidential re-election in 2006. The constitutional changes included a new enabling law allowing him to enact or change more than sixty pieces of legislation without legislative approval; a redrawing of political lines of authority in ways meant to shrink the influence of governors and mayors by handing over more power to unelected 'communal councils;' the enforcement of the *desacato* (or insult) laws, which penalizes citizens for criticising public officials (Corrales 2011, 127). In addition, the re-elected President Chávez managed to weaken the constraints on executive power causing a severe threat against democracy due to his, as Huntington (1996a) once called, 'executive arrogation.' That is, when a president concentrates too much power in his hands and therefore has the authority of either subordinate or even suspends the legislature, and rules largely by decree (Huntington 1996a, 9).

¹⁰³ In fact, RCTV, the biggest and oldest television station, stopped broadcasting in 2007 as the government of Venezuela decided not to renew its broadcast license for what it said was the station's role in the 2002 cup. Today, the only station broadcasting news in the country outside government control is Globovisión, although some of its assets have been seized and whose owner has been arrested by giving a speech that Chávez found 'offensive' (Corrales 2011, 129).

‘populist democracy’ (Plattner 2010); or even as a ‘participatory democracy’ (McCoy, et. al. 2004; Smilde and Hellinger 2011; Lopez Maya 2004, 2011).

The above analysis established that social, economic, and political events during the 1990s marked the divergent democratic paths taken by Colombia and Venezuela in their process of democratisation. For Colombia, it was not the economic management that the government gave to the 1980s-economic crisis, but the enactment of its 1991 constitution that tackled the social problems that the ‘politics of exclusion’ brought to the country in the form of violence the cause of what Schedler (1997) called ‘positive steps towards consolidation’ for this country. In fact, the enactment of Colombian’s constitution, allowed its democratic progress by gradually repairing its basic defects and pushing its democratic system closer to the so-called type of ‘liberal democracy’ proposed in figure 4.5.

As for Venezuela, it was the mismanagement of the economic crisis and the corruption of its traditional political parties what caused deep popular antipathy towards the *status quo* (Buxton 2005, 2009) what triggered the change in the direction of its democratic performance. Such change came hand in hand when president Hugo Chávez took power in 1998, and enacted a constitution that progressively shifted the country from having an ‘electoral democracy’ to one closer to the notion of a ‘dominant party system’ under Chávez presidency (McCoy 2004). This is the reason why O’Donnell claims that this radical change in Venezuelan democratic performance, represents ‘a progressive diminution of existing spaces for the exercise of civilian power and the effectiveness of the classic guaranties of liberal constitutionalism’ (O’Donnell 1992, 19), which in the end would lead to a *democratura*, a repressive façade democracy (ibid.: 33).

4.5. Conclusion and discussion

This chapter focussed on explaining, from a conceptual perspective, one out of the three variables that make up the *Circular Causality Model* presented in the previous chapter (see figure 3.3). The chapter argued that at a macro level the conceptual discussion on democratic divergence –the dependent variable- can be studied using three main approaches: Institutional approach, Social Structure approach, and path dependent approach. After explaining each one of these approaches, I have argued that

Schedler's (1998a) path dependent approach is more appropriate to study the process of democratic performance in Latin America. This approach offers a comprehensive normative regime classification that is a helpful tool to identify, what Schedler called: 'positive' and 'negative' notions of democratic performance. Narrowing down the analysis at the Latin American level, the chapter introduced a re-constructed version of Schedler's classification of the definition of democratic consolidation. The model has three, instead of four, types of possible regimes that can explain the process of democratic performance for Latin American countries (see figure 4.5). It was claimed that the reinterpretation of Schedler's model allowed this chapter to predict that most of the countries in the region can be regarded as 'electoral democracies' because they have free, fair, contested, and regular elections with mass participation. However, at the same time, these polities lack some of the civil liberties that only the rule of law can protect, and for that reason these countries cannot be regarded as liberal, and therefore, consolidated democracies.

Then, the analysis moved on to the Colombian and Venezuelan cases in order to understand how close or far away these countries were from achieving the required characteristics of a liberal democracy. As a methodological tool the period of analysis was divided in two: the 'transitional period' from 1958 to 1990; and the 'divergence period' from 1991 to 2010.

For the first period, it was established that both countries made their complete transition to democracy, and that they gave meaningful steps in their process of consolidation, to the point that these polities were regarded –along with Costa Rica– as the most consolidated electoral democracies in the region (Peeler 1986, Bejarano 2011). Nevertheless, from 1991 that is, over the second period, these countries began experiencing different social, political, and economic challenges that marked the divergent path in their processes of democratic performance. For the Colombian case, it was argued that due to the enactment of the 1991 constitution and further political reforms this country gradually made positive steps towards its consolidation by mending its basic socio-economic inequalities and its traditional 'politic of exclusion,' pushing in this way its democratic performance closer to the ideal type of 'liberal democracy.' As for the Venezuelan case, and in clear contrast with Colombia, it was argued that this country took negative steps towards its democratic consolidation. That is, since the enactment of its 1999 constitution the Venezuelan political landscape was

completely transformed. As Rice (2010) argues, the new political order rested on a decision-making process centralised in the executive branch which has managed - among other things- undermine its political institutions; become civil society dependent on its central leadership; and demoralise, overpower, and completely exclude political opposition. In short, and because of these radical political changes, this polity rather than experiencing a deepening in its democratic performance, it has gone through a progressive democratic regression that has taken the country closer to Schedler's notion of being regarded as an 'authoritarian regime'.

In sum, the conceptualisation of democratic divergence as the dependent variable of this project was achieved using an adapted version of Schedler's classification offered in figure 4.5. It can be considered as a reliable conceptual approach as it was possible to point out that the opposite democratic trajectories actually occurred during the 'divergence period', and that the explanation of this phenomenon can be found by clarifying the role and effects of structural factors at the social, political, and economic levels.

Chapter 5

What is elite political culture? Conceptualising the first independent variable

5.1. Introduction

The previous chapter focused its attention on delivering a conceptual discussion and offering the best theoretical approach to understand democratic divergence, that is, our dependent variable. There, it was claimed that to understand democratic consolidation –as a proxy to explain democratic divergence- it is necessary to use Schedler’s path dependent approach. That is, divergence was conceived as a continuous political process aimed to explain the gap caused -during the ‘divergence period’ between these two countries- by their opposite democratic trajectories (see figures 1.1 and 1.2). Within this framework, I also argued that these polities were located somewhere between the types of ‘electoral democracies’ and ‘liberal democracies’ according to Schedler’s (1998a) re-construction of his one-dimensional continuum line of ‘democraticness’ offered in figure 4.5. Nevertheless, it was also made clear that due to the evolution of the democratic performance during the last 20 years, Colombia has been closer to satisfying the classification of ‘liberal democracy’. Venezuela, in contrast, has been below the category of ‘electoral democracy’, which implies that it has been dangerously close to the classification of a ‘authoritarian democracy.’ Such difference, I argued, was what defines the process of democratic divergence followed by the countries under study.

After agreeing both on the definition of democratic performance, and the process of democratic divergence followed by these countries during the ‘divergence period’, it is necessary to present the reasons why I have selected the first independent variable in the *Circular Causality Model* described in chapter 3; namely, elite political culture.¹⁰⁴

¹⁰⁴ Chapter 6, in turn, will provide a conceptualisation of the second set of independent variables related with political institutions. Particularly, that chapter will focus on the effects that Constitutional reforms and electoral system reforms have had to explain the divergent democratic path taken by the countries under study.

From the standpoint of Political Culture, the present chapter will examine and describe the causes of the process of regime change in these two countries. To do so, I will answer the following questions: To what extent, does political culture lead a defining role in the divergent democratic path of the countries under study? And, why is it important to focus the attention on the changes in values, beliefs, and attitudes of the political elites, rather than those of the masses to explain divergence?

It is with those objectives in mind that this chapter will be organised in five sections. After this introduction, the second section will focus on the conceptual discussion and analysis of Political Culture as the first independent variable. The third section will conduct a literature review to evaluate the main contributions that, at a macro level, have been made in the field. The aim of this section is to assess the applicability of this approach in the explanation on how changes in political values and beliefs at the elite level –rather than those of the masses- may have significant implications in explaining the process of democratic divergence. The fourth section will narrow the analysis to Latin American countries. I argue that the conceptualisation of political culture should be treated differently from that used in Western democracies. I will present two reasons to support this claim. History and early socialisation are important components to explain processes of regime performance because political experiences from the past affect traditions and beliefs of different social structures in the present. The second reason, echoing Inglehart’s (2000) assertion, is that different historical accounts cause different cultural experiences in the processes of democratisation. Hence, cross-cultural variations –identified as materialist and post-materialist values- are an important source to conceptualise political culture in Latin America as they might help understand why elites’ political traditions matter most for explaining the process of democratic divergence between these two countries. The last section will provide some concluding remarks.

5.2. Political culture: a conceptual debate

The *Circular Causality Model* presented in chapter 3—see figure 3.3- showed that ‘elite political culture’ is one of the independent variables meant to explain the divergent process of democratic performance that Colombia and Venezuela have faced during the last 15 years. However, because elite political culture is just one part of a broader theory in political culture, this section will offer a general conceptualisation of political

culture. It aims to understand how this concept has contributed to get a better understanding of democratic studies in political sciences. This will also help to establish links between attitudes at the mass and elite levels; not to mention, the implications of culture in the process of democratic performance in Latin America.

The concept of culture, in political science, is frequently related with the literature of political culture, which became important in the context of post-war political sociology; specially, in policy initiatives intended to reproduce the conditions of Western democratisation abroad (Somers 1995). However, it was not until Gabriel Almond and Sidney Verba's seminal book, *The Civic Culture* (1963) that the relationship between political culture and democracy began to gain ground in social sciences. It was considered an alternative conceptualisation to explain how political orientations play an important role in understanding the process of democratisation; all of this, through its impact on democratic institutions.¹⁰⁵

These scholars conceptualised the notion of political culture 'as the particular distribution of patterns of orientation toward political objects among the members of a nation' (Almond and Verba 1963, 13). Consequently, they offered one of the most influential contributions of political culture by identifying a cluster of values and attitudes that could lead to the stabilisation and consolidation of democratic regimes. Additionally, they also identified and argued that different 'countries differ significantly in their patterns of politically relevant beliefs, values, and attitudes and that within nations these elements of political culture are clearly shaped by life experiences, education, and social class' (Diamond 1999, 161). In other words, that all social groups not necessarily share the same beliefs and values because they are unevenly distributed throughout the population.

Although Civic Culture also marked a new and important route to study processes of democratisation in the 1960s, it lost its ground when new theoretical approaches (i.e. rational choice theory, behaviourism, modernisation theory, among others) introduced quantitative methodologies.¹⁰⁶ Nevertheless, it was only in the 1990s with the

¹⁰⁵ In fact, *The Civic Culture* book was the first attempt to provide a well-developed theory of political culture based on cross-national empirical data.

¹⁰⁶ Those new approaches dismissed the notion of political culture for being vague about the object of study and the units of analysis; for blurring the line between culture and other categories such as institutions and behaviour; and for failing to explain political change (Levitt 2005, 366)

emergence of theoretical and empirical alternatives to the process of democratic consolidation, rather than to the process of democratic transition, that the notion of political culture regained its role in the contemporary study of democracy.

From this point, the literature in political culture, addressed a conceptual dispute about what is -and what is not- political culture. Ronald Inglehart intervened in this dispute by pioneering a cross-national research that built on, and tested, Almond and Verba's assertions. In fact, in his book *Culture Shift in Advanced Industrial Society* (1990), Inglehart offered a conceptualisation where the prevalence of specific individual attitudes and values such as life satisfaction, interpersonal trust, and disdain for revolutionary change were strongly correlated with the process of democratic consolidation. At the same time, he also claimed that 'political culture may be a crucial link between economic development and democracy' (Inglehart 1990, 45). Moreover, he argued that political culture plays a direct and important role in the development and maintenance of democracy; that mass values play an important part in strengthening democracy; and that "trust, tolerance, and feelings of efficacy represent 'civic virtues' that enable democratic regimes to function effectively" (Inglehart 2005, 157). Finally, he went even further by claiming that 'mass values play a crucial role in the emergence and flourishing of democratic institutions' (ibid.: 2).

While this conceptual debate was taking place, other political scientists also argued about the relevance of the concept of 'social capital' and its relationship with political culture. The book *Making Democracy Work* written by Robert Putnam (1993), found a link between trust and the existence of a civil society (Pérez 2009, 21). This link explains best the performance of democratic institutions from a set of 'civic community' attributes, rather than from the traditional socio-economic development approach. That is, civic attributes such as participation in social affairs, conditions of political equality, norms of trust and solidarity and, above all, the existence of a vibrant civil society –which taken together form the concept of social capital- are related with the performance of governmental institutions.¹⁰⁷

Despite those important contributions, the conceptual debate is far from over. For instance, Ersson and Lane (2008) claimed that the notion of political culture was more

¹⁰⁷ For instance, Knack (2002) found that in some American states there is 'strong evidence that social capital influences governmental performance' (Knack 2002, 782).

encompassing than just its traditional relation with free associations of civic virtues. In fact, he claims, it also covers ‘the politics of all kinds of communities, ethnics, religious and sex-based ones’ (ibid.: 421). In this context, political culture refers to ‘all human activities that relate to a group or society’s prevailing political beliefs, norms and values’ (Welzel and Inglehart 2011, 312).

In the same context, Huntington’s book *The Clash of Civilizations and the Remaking of World Order* (1996b) is perhaps the most prominent and polemical recent example of how religion might have an influence over political culturalism in political science. He argues that the fundamental source of conflict in the current world is not economic or ideological in nature, but cultural. For Huntington, each civilization has a primordial cultural identity, so that the ‘major differences in political and economic development among civilizations are clearly rooted in their different cultures’ (Huntington, 1993, 22). At the same time, he also warns that ‘culture and cultural identities [...] are shaping the patterns of cohesion, disintegration, and conflict in the post-Cold War world [...] The rivalry of the superpowers is replaced by the clash of the civilizations’ (ibid.: 28-29). In sum, as Wedeen (2002) underlines, ‘for Huntington, culture refers to the purported enduring values harboured by highly integrated civilizations (or cultures), that is, the values, attachments, beliefs, orientations and underlying assumptions prevalent among people in a society’ (ibid.: 715).

The literature review conducted above provides evidence that despite the different understandings of the concept, and regardless of its empirical use: ‘culture matters’ for political scientists. It matters in different ways across different societies, countries, and the purpose of scientific inquiry.¹⁰⁸ Overall, all these understandings of political culture tells us two interrelated things. First, that this concept can explain the diversity among, and continuity within, nations and other political groups. And second, that the notion of political culture would provide an alternative and deeper understanding about the formation of political attitudes, and therefore can be regarded as a decisive

¹⁰⁸ For instance, as Wedeen (2002) summed up, political culture conceptualisations have been used as a conceptual umbrella to cover topics as diverse as perceptions, beliefs, and values concerning everything political (Brown 1984, 5; Pammett and Whittington 1976, 1); as the ‘amiable peculiarities’ that distinguish nations (Beer, et. al., 1958, 12); as political values (Njaka 1974; Paden 1973; VanderMeer 1985); as ideology (Bluhm 1974); as democratic values (Rochon and Mitchell 1989); as resistance to indoctrination (Almond 1983; White 1984); as common knowledge (Chwe 2001); as ‘a socially shared and logically interrelated set of symbols, codes, and norms’ (Rogowski 1997 and Lustick 1997); among others.

conceptual tool to explain processes of democratic performance, and particularly, the process of democratic divergence experienced by Colombia and Venezuela over the ‘divergence period.’

5.3. From political culture to elite political culture

As presented previously, the concept of political culture, in contemporary politics, plays an important role in the difficult task of explaining processes of democratic performance. Today, scholars interested in studying such processes in Western democracies agree that an encompassing definition of this concept is one proposed by Larry Diamond (1999) which claimed that political culture should be understood as ‘people’s predominant beliefs, attitudes, values, ideals, sentiments, and evaluations about the political system of their country and the role of the self in that system’ (ibid.: 163). Although this research project agrees with this definition, it also claims that for Colombia and Venezuela the concept of elite political culture is more suitable to explain the causes behind their opposite democratic trajectories over the ‘divergence period.’

The argument supporting this choice is based upon the recognition that not all social groups share the same political culture, which is to say that values and beliefs are unevenly distributed throughout the population. By accepting this premise, I stress that in developing countries the value systems and worldviews between masses and elites are particularly different if they are compared against those held by the same groups in developed countries. This distinction is quite important to offer a conceptual discussion about the understanding of political culture in Latin America. This will be examined in the next section; however, it is worth noting in advance that when it comes to assess which social or political groups matter most and have the power and incentives to affect the level of democratic performance in the region, without doubt political elites is the most influential group because they have the capacity to influence in the way masses form their political values in developing democracies. That is, as McCoy (2004) nicely puts it, political elites have an important role ‘mediating political orientations and political learning’ (ibid.: 264).

In fact, renown academics such as Almond and Verba (1963), Putnam (1993), Inglehart (1990, 2005), and Welzel, et. al. (2009, 2011), among others, have met the

criticism from Third World scholars. For instance, Jackman and Miller (1996) argue that some of the early works have focused mostly on advanced industrial societies overlooking how political culture might have affected developing countries. Consequently, Ersson and Lane (2008) argue that some of these works have led to dangerous generalisations, as they have tried to homogenise the role masses can play in the process of democratic consolidation in developing countries, omitting evidence that the latter countries have different value systems.

Hence, and based on these criticisms, this research follows Wiarda's (2001) assertion to identify the key players in charge of changing the democratic performance in developing countries. He claimed that the 'social group that led the democratic transition process from the authoritarian rule in Latin America was not the masses but the political elites' (ibid.: 313). For this reason, Elite Political Culture will be regarded as one of the independent variables with explanatory power to elucidate the reasons behind the divergent process of democratic performance in the counties under study. Next section will focus on providing theoretical support for choosing this variable to explain democratic divergence.

5.4. Political culture in Latin America

As discussed earlier, the conceptualisation of political culture in Latin America should be discussed from a rather different perspective to the one offered by the classical and Western oriented perspective. The reason for this is twofold. First, history and early socialisation constitute a powerful determinant of culture that has different outcomes amongst different social groups (Diamond 1999). Therefore, historical accounts should be taken into consideration to understand the influence that national political traditions and the experience that previous political and economic regimes exerted on both the understanding of political culture and the configuration of the region's social structure. As will be stressed later, such configuration led to a 'special' role of political elites which both shaped political culture and established a specific set of beliefs and behaviours that were common across the region, and, consequently, different from those of the Western Europe and North America.

Second, the autonomous and enduring cross-cultural differences among countries from distinctive historical experiences reinforces Inglehart's thesis of the existence of

cultural zones (Inglehart 2000). That is, people's worldviews in rich countries differ systematically from those of low-income societies; specifically, in areas such as politics, religion, and social norms and beliefs. Hence, Inglehart's cross-cultural variations -based on his distinction between materialist and post-materialist values¹⁰⁹— are an important source to conceptualise political culture in Latin America. These two distinctive characteristics will help us to understand why elites' political traditions matter most than those from the masses to explain divergence, stability and regressions of the democratic systems in the region.¹¹⁰

History and early socialisation

Latin American culture is the outcome of distinctive historical trajectories followed by the countries in this region. In turn, these trajectories will help understand the region's elite dependence, its cycles of authoritarianism, and its pronounced social inequality. As Htun (2000) states, the beliefs and values system in contemporary Latin America, which are based on Ibero-Catholic culture, still today resembles that of their Spanish and Portuguese conquerors, rather than that of the Anglo-protestant culture of US and Europe (ibid.: 191).

In fact, Latin America was a by-product of the 1500s Spanish and Portuguese conquest that exported its Hapsburgian model of political authority to the region.¹¹¹ This model was characterised by feudal traditions where militaristic, absolutists, class-based, rigidly Catholic and orthodox, and mercantilist attitudes were the dominant traditional values imposed during the sixteenth century's occupation.¹¹² The next three centuries

¹⁰⁹ For a more detail account about the difference between materialist and post-materialist values, see Inglehart's paper (1988) 'The Renaissance of Political Culture' *American Political Science Review*, vol. 82.

¹¹⁰ Although these two reasons will be treated separately in the following paragraphs, it is worth mentioning here that the link between them (historical accounts and its resulting distinctions on people's values) seems to be a good approach to conceptualise the notion of political culture in the Latin American region.

¹¹¹ The Hapsburgian model refers to the political strategy developed by Spain and Portugal during the sixteenth century to achieve unity and centralisation. The results of the centralising, unifying steps were to eliminate the corporate and autonomous groups of powers in order to pave the way of a solid monarchy. Because of such elimination, also the hope for future Spanish and Portuguese democracy went away (Véliz 1980).

¹¹² According to Wiarda, the transference of these set of values had an impact on all areas of Latin American life. For instance, the political system was top-down and authoritarian. The economy was mercantilist, exploitive, and statist. Socially, the system was two class and hierarchical. As for religion, orthodox, monolithic, and absolutist were the values imposed by the Catholic Church, which at the same time it played the important role of being the base of all social, political, economic, and cultural beliefs. The educational and legal precepts also followed the precepts of the Catholic Church. Finally,

of colonial rule did not have a clear effect on changing the value system imposed in the region (Wiarda 2001). Instead, during this time those sets of traits became deeply rooted and were internalised generation after generation by society, becoming part of their everyday life. Moreover, the influence of the colonial domination from the Spanish and Portuguese monarchies was so powerful that they managed to isolate the winds of 'cultural' change that modern Western civilisation were trying to implement in Europe and North America.¹¹³

However, it was not until the eighteenth century that the conservative, very catholic, monolithic, and political and economic system implemented in Latin America began to disintegrate due to the influence of the Enlightenment movement that used to dominate the world of ideas in Europe. This movement was an ideological revolution led by a group of more rationalistic monarchs that came to power in Spain and Portugal during this century. It introduced liberal reforms in order to end the abuses of the church and state (Htun 2000). To a certain extent these reforms were implemented relatively successfully in most part of the society because Latin America's urban and political structures –i.e., military, church, bureaucracy and feudal elites- began experiencing modest strains of liberal and rationalists' ideas. Nevertheless, people from the countryside remained traditional, conservative and Catholic. The asymmetry in Latin America political culture between peasants and those living in the cities bred divisions and added tensions that led to the independence from Spain and Portugal during the late eighteenth and early nineteenth centuries.

Without doubt the Latin American war to win the independence was characterised by the challenge that liberal and republican ideologies exerted over the traditional Neo-Scholastic orthodoxy. As a result, liberalism reached power in some countries, but only temporarily. Yet, after some years of independence, conservative and reactionary forces staged a comeback and dominated politics in most Latin American countries. The common factor of this period was the permanent dispute that conservative and liberal ideologies had in order to reach political power. In fact, from both ideologies,

intellectually, the system was top-down and based on rote memorisation of Catholic precepts and deductive reasoning (Wiarda 2001, p. 346).

¹¹³ As a matter of fact, during the sixteenth and seventeenth centuries Western European countries were moving in a modern direction by different events such as the Protestant Reformation, the Enlightenment, and the English Revolution, which took them to an era of liberal thinking and emancipation. However, none of these currents of thought had an early political socialisation in the Latin American region.

the liberal one was weaker making a stark contrast with its counterpart in Europe and North America. This feature of Latin American liberal ideology was due to its lack of mass support or legitimacy, the top-down hierarchical structure and elitism dominated by the conservatives, and because liberalism was not able to fully develop a market economy based on private enterprise and economic freedom. Consequently, Latin American liberalism died in the last decades of the nineteenth century and economically in the first decades of the twentieth (Htun 2000, p. 347). So, in the early twentieth century -after almost three centuries of colonialism and ninety years of independence- Latin America's political culture still was, as Anderson (1967) described it, strongly shaped by Catholic political assumptions such as the supremacy of God and his authority; conservative, non-(even anti-) liberal; centralised, and therefore, mainly authoritarian; and the society was still dominated by three elite groups –church, oligarchy, and the military- (ibid.: 158).

However, the political, social, economic, and cultural changes in the international sphere broke down Latin Americas' isolation from the rest of the world, which pressured the region to change its traditional political culture system. In fact, in the early twentieth century and mainly with the rise of the Great Depression, new groups (e.g. middle class) began to clamour for a social change that enabled them to be part of the political system.¹¹⁴ Although in the 1930's and 1940's the working class was included into the political arena, its inclusion was not as smooth and quick as that the middle class (Johnson 1958). Presumably, there were two reasons for this. First, the working class was large in numbers (mass politics), and therefore, their insertion required a great deal of care to organise them into the system. And second, labour groups had a different political ideology to those held by the traditional elites.¹¹⁵ By 1960s peasants were co-opted by the system which meant that political elites adopted

¹¹⁴ In this regard, according to Johnson (1958), by 1920s, in advanced countries such as Chile and Argentina, groups from the middle class: business, commercial, industrial, and importer-exporter groups were admitted into the system but as a part of the existent oligarchical elite, while in less-industrialised countries such as Dominican Republic and Honduras these groups were absorbed into the system but as part of the military elite.

¹¹⁵ As a matter of fact, labour groups were organised on a Marxist, syndicalist, or communist basis that implied a completely different political ideology to the one of the traditional-elite groups. This bottleneck was settled by a negotiation process where the political elites elaborated labour codes and new social welfare programs designed to give benefits to the organised workers in return for labour's giving up its revolutionary pretensions. However, at this time in history, those radical- Marxists groups or union workers that neglected to accept elite's rules were either suppressed by the government or left outside of the political system.

agrarian reforms and other agrarian programs, not so much to redistribute land but to absorb them into the political system and give them limited benefits as a way of defusing potential rural-based revolutions¹¹⁶ (Wiarda 2001, p. 289; Hausmann, et. al., 2014).

The slow and almost precarious change in the Latin American political culture was not only due to the pressure of social groups wishing to be part of the political system, but also to the changes produced by industrialisation on the value system of the population (Ellner, et. al. 2007). Unlike Europe and North America, where industrialisation started by the late nineteenth century, in Latin America urbanisation and industrialisation took place later; specifically, during the decades between World War I and II. Certainly, Industrialisation undermined earlier feudal and medieval social structures and gave rise to vast social changes. Thus, the Church –and its religious influence- was probably one of the most affected traditional institutions that underwent social pressure. It became less important while sentiments of indifference and secularism began to take over. Although the region remained nominally Catholic,¹¹⁷ the downturn in religion observance had a profound effect on the social and political systems in Latin America (Levine 1981).¹¹⁸ Such subtle secular change brought important transformations on people’s life perceptions. Thus, increasingly new ideas about egalitarianism, democracy, social justice,¹¹⁹ and individual rights began to infuse Latin America by the 1950s.

Along with the religious decay, another factor that played an important role in changing political culture was economics. Industrialisation brought the re-birth of Corporatism as political ideology, and its economic interpretation of society. The Corporatist economic model was seen -during the 1930s-1940s- as a third way between what then seemed to be a failed capitalism (liberalism) and an unacceptable

¹¹⁶ From the 1970s and continuing to the present the insertion of women and indigenous groups into the system has been a constant struggle in different countries with heterogeneous outcomes.

¹¹⁷ According to Levine (1981), by the 1980s only 10% to 15% of Catholics actively practice their religion. At the same time, he also shows evidence that the number of Catholic orders, charity, education, hospitals, social services, and so forth went all down.

¹¹⁸ The rise of secularism and eventually Protestantism and other beliefs in twentieth century had the long-range effect of gradually undermine the influence of the Catholic beliefs and theology that had long undergirded the society and polity (Levine 1981).

¹¹⁹ For instance, people started questioning the old idea of a God-given hierarchy among persons, of natural human inequalities, that poverty is good for the soul, or that children should be malnourished and diseased because God had willed it that way (Wiarda 2001, 293).

Marxist-Leninist model of development. According to Wiarda (2001), Corporatism is often referred to as a conservative political philosophy that ‘would seek to ameliorate the problems (rootlessness and alienation) of modern mass man but without the class conflict of Marxism or the anarchic individualism of liberalism’ (ibid.: 250). That is, Corporatism sought to restore the ideas of brotherhood, social peace, community, and class harmony by implementing an economic model based on the growth of modern state planning, and social welfare programs carried out under state auspice and of the integration of (and control over) interest groups through top-down government administration (Aron 1970).¹²⁰ Thus, under the influence of a Corporatist economic model, elites continued receiving the means by which they could control and regulate lower-class groups who were increasingly challenging them from below.

Nevertheless, by early 1950s, Corporatist Latin American elites managed, only partially, to fulfil its more important promise of granting full inclusion of the rising working class into the political, social, and economic system. As a result, this failure brought a vast socioeconomic gap and inequality among the population. This, in turn, opened a window of opportunity for a brief democratic interlude which gave a renewed hope to liberals and democrats, an ill-functioning of the democratic and for a Fidelista version of Marxism (in Cuba).

None of these three ideologies achieved a majoritarian status.¹²¹ On one hand, during 1930s to late 1970s, the emphasis of the liberal economic model was on import-substitute industrialisation (ISI).¹²² According to Buxton (2001), ‘[u]nder the ISI model state subsidies and protections from imports was extended to the domestic sector as a mode to catalysing growth’ (ibid.: 39). That is, this model sought to build domestic industry and reduce the dependency on imports from foreign countries. To do so, governments acquired a central role by taking direct actions to stabilise the economic cycle throughout the implementation of policies such as: (i) nationalisation,

¹²⁰ In fact, according to Malloy, virtually every regime that came to power in Latin America in the 1930s and 1940s was infused, in some way or another, with this corporatist ideology and programs. That is, it is impossible to understand Latin America during this period without coming to grips with the phenomenon of corporatism (Malloy 1977).

¹²¹ At this respect, Wiarda argues, that in leading countries like Chile, Argentina, Brazil, and others, the left (Marxism) could command from 15% to 30% of the vote; the centre (Liberalism) could also get 25% or 30%; and the right (Corporatism, conservatism, authoritarianism) the other one-third of popular sentiment (Wiarda 2001, 349).

¹²² The countries that pursued this model with more determination were México, Argentina and Brasil, and in a lesser extent Colombia, Peru, Chile, Uruguay, Costa Rica, and Venezuela.

(ii) subsidisation of vital industries, (iii) increased taxation to fund the latter, and (iv) protectionist trade policies. Despite the ISI strategy managed to achieve a rapid process of urbanisation, increasing domestic employment, and economic self-dependence; such results were not enough to solve the structural economic problems.

Hence, due to the disappointing results such as inefficient and obsolete industries unable to compete with the new industries in developed countries, the model was gradually abandoned by Latin American countries in the early 1980s. The lack of competitiveness was accompanied by high levels of unemployment that produced increasing levels of inequality and poverty, and, therefore, a strong decrease in the region's GDP levels (Portes, et. al., 2005).

Because of its inefficient outcomes, a new neoliberal model of development quickly replaced the ISI model during the 1980s-1990s. The neoliberal model came, in part, by pressures from the United States and the international lending agencies arguing that in order to become a dynamic, growth-oriented economy in the modern, global era, Latin American countries had to downsize their states, privatise, cut tariffs, and enable market liberalisation. In other words, as Watson (2004) emphasises, neoliberalism implied 'a wholesale change in the relationship between the state and society, with a more vigorous embrace of the market being part of a generalised withdrawal of state provisioning and action' (ibid.: 165).

The outcomes achieved by the implementation of the neoliberal model over democratic performance and people's political culture can be regarded as mixed in the region. On the upside, it can be argued that 'neoliberalism and market reforms enhanced international protection for democracy in the region' (Weyland 2004, p. 138), and it also brought a coherent global change involving a reorganisation of the state, the class structure,¹²³ and new values for citizens (Petras 1997, 85). Economically, Latin America reached a much higher level of development compared to what it had achieved during the 1950s. Socially, with new escalators of upward mobility, the region was also more pluralistic than in earlier decades. And politically,

¹²³ By the end of 1990s, neoliberal social programs caused that the region was 70% more urban compared to 70% rural only four decades earlier. It was 70% literate compare to 70% illiterate in the 1950s (Weyland 2004, p. 148).

the region witnessed the birth of new dynamic political parties, labour movements, and technocratic elites (Wiarda 2001, 295).

The downside, unfortunately, came from the failure of the neoliberal model to consolidate the social forces necessary for its stabilisation (Harris 2000).¹²⁴ This resulted in the early onset of crises that would weaken its course. In fact, the three largest Latin American economies were the theatre for the most dramatic crises that jeopardised the hegemony of this model. The crises of Mexico in 1994, Brazil in 1999 and Argentina in 2002 showed that neoliberalism was crumbling as it was unable to deliver satisfactory and definitive cures for the worrisome social and economic problems these countries were facing (ibid.: 325).¹²⁵ Further, national debt expanded exponentially and regional economies became highly vulnerable, helplessly exposed to attack from speculators (Walton 2004).

From the analysis conducted above it seems that history and early socialisation constitute powerful determinants for the conceptualisation of political culture in Latin America. This has shown the strategic role that a small number of political actors –i.e., elites- have had within Latin American society. Overall, elites were, and still are, capable of accommodating themselves in order to avoid losing political power by changing as they please the rules under which a political regime should follow. This is precisely the reason behind Wiarda's suggestion to invite political scientists in the region to take into account –and probably study more- the key role that political elites have had to influence the political order across the time. In his words Wiarda claims that 'the improvisations, flexibility, adaptability, remarkable survivability, and sheer genius that Latin American elites have shown in protecting their power structure, [have enabled them] to survive and thrive well during region's history' (Wiarda 2001, 282).

¹²⁴ In fact, in most countries, the urban working class, the peasantry, the rural workers, the lower sectors of the salaried middle class, the members of the large informal sector, and the indigenous communities have been largely excluded or marginalised from the policy making process under the implementation of Neoliberalism (Harris 2000, 149).

¹²⁵ For instance, although the ravages of hyper-inflation were solved, this was only achieved at the cost of high unemployment rates; economic development –for a decade or more- was paralysed; the concentration of wealth grew greater than ever before; public deficits spiralled and the mass of the population had their rights expropriated, most notably in the domain of employment and labour relations.

Cross-cultural variations

This project has stressed, previously, that political culture in Latin America has evolved throughout time towards a more emancipated and liberal society. It has been highlighted that the formation of both its political traditions and value systems –in its different geographic locations- is historical dependent. However, to achieve a complete conceptualisation of political culture in the region this project will establish an additional relationship between the autonomous and enduring cross-cultural differences among countries –or regions- caused by its distinctive historical accounts and, what Inglehart called, the existence of cultural zones. (Inglehart 2000).

To do so, it is reasonable to ask if, as Inglehart does, culture is not a constant, but a system through which society adapts to its environment. This section will also ask, to what extent is Latin America still more authoritarian, more hierarchical, and more corporatist than most of Western countries and the United States?

According to Hartz (1955), the conceptualisation of the Western European and American political culture may be traced back to the English common law tradition.¹²⁶ Such tradition –belonging to the dominant liberal convention- stresses that the beliefs and values shared by those societies are related with ideas such as limited government, Protestantism, individual liberty, pluralism, check and balances, the expansion of freedom and equality, and the separation of Church and state (ibid). Whereas, Latin American political culture –while similarly predominantly Western in origins- draw from ideas very different from those emphasised in Europe and the United States and gives them different meaning.¹²⁷ That is, Latin American values and beliefs are more conservative and place more emphasis toward order, hierarchy, discipline, authority, elitism, non-equality, and the group or communal –rather than individual- rights for the society.

In short, and to answer the questions previously asked, it can be said here –without surprise- that Western European and American political cultures can be regarded as liberals (Hartz 1995) or, even, pluralists (Dahl 1956, Lowi 1969). Therefore, these

¹²⁶ The English tradition rely on thinkers such us Locke, Jefferson, Madison, Tocqueville, Lincoln, and Roosevelt.

¹²⁷ The Latin American tradition was based more on conservative thinkers such as Aristotle, Plato, Roman law, Augustine, Tomas Aquinas, and Spanish medievalism.

regions are in marked contrast with the Catholic-conservative political culture of Latin America. Consequently, the former political tradition is more liberal and, more emancipated than the latter.¹²⁸ It can also be argued, however, that the differences between these two political traditions are less clear-cut today, and that the differences between the two have become even more unclear than in previous decades. In fact, Latin America is becoming more modern and secular; nevertheless -and despite its modernisation- its traditional beliefs and ideas are still conservative and powerful if they are compared against the value system of Western European countries and the United States.¹²⁹

To emphasise even more the cross-cultural differences presented above, Inglehart and Welzel (2005) argue that the existence of different cultural zones is not only the outcome of historical heritage, but also the outcome of different and uneven paces of economic development among countries. That is, as societies develop economically, their cultures tend to shift towards a more secular and emancipator direction (ibid). My findings, so far, support this description when I claimed that the worldview of Anglo-protestant and liberal people of Western European and North American societies are more aligned with higher GDP per capita, lower levels of poverty, more education, and so forth. Which, in turn, differ systematically from that of Latin American societies based more on Roman Catholic and conservative traditions that are more aligned with lower economic, cognitive and social resources. In sum, following Inglehart and Welzel (2005) arguments, it can be argued that the conceptualisation of contemporary political cultures between Western societies and Latin American ones should be based on both the impact of socioeconomic development and society's historical heritage (ibid.: 75).

The discussion about the effects that different socio-economic development has had on the formation of different value systems among regions leads us to recast

¹²⁸ By emancipatory traditions, this project is aligned with Inglehart's and Baker's (2000) conceptualisation of this concept. For them, secular or emancipatory traditions are related with those values that in average are held by citizens from developed societies. That is, traditions 'associated with values that are increasingly rational, tolerant, trusting, and participatory' (ibid.: 19).

¹²⁹ As a matter of fact, since the mid-twentieth century Latin America has been going through a process of relative modernisation in its political, ideological, and socioeconomic fundamental beliefs that have produced important changes. For instance, the Catholic Church is undergoing a profound transformation, as it no longer maintains its grip on the population as it once did; literacy rates are increasing; the region is more urban; the middle class has become dominant in many areas; and globalisation is putting new and irresistible pressures to change its traditions.

Inglehart's cross-cultural variations based on his distinction between materialist and post-materialist values (Inglehart 1988). As this project has already explained in the second chapter, and confirmed in the previous section, the socio-economic characterisation of Latin America can be considered as a low-income region with a notion of political culture still dominated by materialist values. In this context, Camp (2001), Lagos (1997, 2001), Puddington (2007), and Smilde and Hellinger (2011), have found that these countries are characterised by having a set of preferences divided into traditional and survival values. The former set of preferences –that is traditional ones- emphasise values such as; religion, family, rejection of divorce, and a pro-life stance on abortion, euthanasia, and suicide. In addition, the latter set of values –that is survival ones- are characterised by having low level of subjective well-being, low interpersonal trust, intolerance, low support for gender equality, and is relatively tolerant to authoritarian governments. Consequently, the masses in developing countries are more focused on the struggle of economic wellbeing to secure their survival, than enhancing the set of values required to consolidate their democracies. Hence, masses are in no condition to make a significant contribution to change their democratic performance from electoral to liberal democracies as they are, first and foremost, obliged to deal with the economic uncertainties that the economic system cannot provide.

Accordingly, given the impossibility masses have to influence the democratic performance because they have to prioritise their economic needs, a full conceptualisation of Latin American political culture is one in which the inclusion of political elites is required because their attitudes have played an important role in shaping the political processes throughout the region. Along this same line of thought, this research agrees with Muller and Seligson (1994) when they argue that a 'useful new direction to take may be to shift the focus at the micro level from attitudes of the general public [masses] to attitudes of elites. Since elites have greater opportunity and ability than the general public to influence the kind of regime a country will have, [therefore,] their attitudes should be given special emphasis in political culture models' (ibid.: 647). Hence, this section concludes by saying that the likelihood that divergence, maintenance and/or consolidation of Latin American democracies occurs will depend on the distinctive elite transformation, carried out by the elites themselves,

rather than on democratic preferences of the masses as is the general view of many analysts of political culture in Western societies.¹³⁰

5.5. Conclusion and discussion

In this chapter I first dealt with the conceptualisation of the notion of political culture, which represents the first independent and explanatory variable in the *Circular Causality Model* proposed in the third chapter. Here, I offered a two-fold analysis. First, an overall conceptualisation derived from the contributions of the main scholars that have been working on the notion of political culture in explaining how this concept contributes to a better understanding on topics related with processes of democratic performance, was presented. This analysis provided evidence that culture matters despite its different conceptualisations, and regardless of its empirical use. It also showed that for political scientists culture matters as a concept that can explain the diversity among, and continuity within the democratic performance of different regimes and other political groups. In this regard, not all social groups share the same political culture and their values and beliefs are evenly distributed through the population. By accepting this premise, I assessed the differences in the value systems and worldviews between masses and elites -held by the same groups- in developed and developing countries. Consequently, I claimed that this distinction is quite important to offer a conceptual discussion about the understanding of political culture in Latin America and to explain the democratic divergence experienced by Colombia and Venezuela.

The fourth part of this chapter focussed on describing, from a historical, political socialisation and cross-cultural perspective, the evolution of the notion of political culture since colonisation until today. Here, it was stressed that without any doubt the political culture from the early centuries has changed dramatically compare that in the modern era. For instance, Latin American political culture in early nineteenth century

¹³⁰ The main scholar defending the important role masses play in developed societies to consolidate democracy is Inglehart (see for instance: *The Silent Revolution: Changing Values and Political Styles Among Western Publics* (1977); 'The Renaissance of Political Culture.' (1988); *Culture Shift in Advanced Industrial Society* (1990); 'Postmaterialism' (1991); 'Culture and Democracy,' (2000). Also see some of his co-authored books and articles: 'Modernization, Cultural Change, and the Persistence of Traditional Values,' (2000); and *Modernisation, Cultural Change, and Democracy: The Human Development Sequence* (2005). However, this project aims to specify the idea of political culture and focus on elite political culture instead of mass political culture to explain democratic divergence as it is suggested by Muller and Seligson (1994).

can be described as rural, static, Catholic, closed, strictly hierarchic, and relying on values of obedience, order and discipline. Public opinion surveys such as, Latinobarometro (2009) and Freedom House (2009) have revealed that today's Latin American Political Culture has evolved and can be associated with a more liberal, pluralistic, democratic, and socially just society, however, it cannot be regarded as an emancipated society such as those in Western countries.

In other words, as Wiarda emphasises, 'the old and 'parochial' political cultures that Gabriel Almond and Sidney Verba found in Latin America five decades ago are now giving way to a more participatory democracy, and –in some way- more liberal political culture' (Wiarda 2001, 296). Nevertheless, today, and despite this positive evolution, political culture in the region is still conservative in its essentials and remains often top-down in its hierarchy, with authoritarian attitudes, organic, elitist, centralised, statist, conformist, with Catholic traditions, and group –rather than individual- oriented.

The previous characterisation of Latin American political culture allowed me to claim that political elites have been the main figures that have played an important role and clear influence in the formation of such political tradition in Latin America. Because the masses have been more focused on the struggle for economic wellbeing and their survival, rather than enhancing the set of values required to consolidate their democracies that would allow them to make further progress in their democratic performance, political elites have been crucial. Hence, the divergent democratic paths of Colombia and Venezuela depends on the distinctive and transformative role that elites have carried out, rather than on the democratic preferences of the masses as is the general view from scholars that have studied the processes of democratisation in Western societies.

Chapter 6

Which types of political institutions? Conceptualising the second set of independent variables

6.1. Introduction

As discussed earlier, to explain the drivers that have caused Venezuela and Colombia to take opposite democratic paths over the ‘divergence period’, I merged two important and contested theories; namely, Institutional and Political Culture approaches into the *Circular Causality Model* proposed. The aim of this chapter is to analyse and identify a subset of political institutions from those proposed by Lijphart (2009, 2012) that presumably have explanatory power to assess democratic divergence.

To address this task, I will use the definition of political institutions proposed by Peters (1998) which claims that institutions are ‘a set of values on the basis of which member’s decisions and behaviours are shaped,’ (ibid.: 308). In other words, institutions have a ‘logical adaptation’ to the political process. The interesting feature of this definition is that it moves away from what had been commonly known as simple formal structures or procedural rules without possibilities of change. Conversely, in this chapter I will claim that political institutions should be conceived as a set of variables that cause an effect on democratic divergence, but with the needed intervention of political actors that have the power, the incentives, and the interest to change the way those institutions work in practice.

Thus, this chapter is meant to answer the following two core questions: (i) which type of key political institutions –combined with changes in the political culture at the elite level- have triggered democratic divergence? And (ii) what has the criteria been to select them? Although I will critically argue against the selection of Lijphart’s institutional criteria, section 6.2 will focus mainly on his central contribution, as it will serve as a cornerstone to explain democratic performance. Thus, by reviewing Lijphart’s (1999, 2012) contested typologies, namely: majoritarian and consensus democracies, I present his contributions to democratic theory by explaining how such typologies can be used to distinguish different patterns of democracy and its effects on the democratic performance in developed societies.

In section 6.3, I present some of the criticisms made by Bogaards (2000), Schmidt (2000), Cranenburgh, et. al. (2004), among others, to Lijphart's institutional approach. I will argue that although Lijphart's criteria to classify majoritarian and consensus democracies are helpful to explain processes of democratic performance mainly in develop countries, his approach it is not fully convincing to explain the same phenomenon in less developed countries. Departing from the criticism conducted by the scholars mentioned above, the remainder of this section will provide an adaptation to Lijphart's institutional setting so that it can explain the democratic divergence experienced by Colombia and Venezuela. To do so, I select a subset of key political institutions –from those proposed by Lijphart- and clarify why they can play a significant role in explaining democratic divergence. I claim that the full set of political institutions suggested by Lijphart does not have the same relative weight to explain democratic divergence in these two countries. Hence, I propose a two story institutional building, as opposed to the Lijphart's 10 story building, where constitutions and electoral systems are the key political criteria over which political elites exerted a profound reform over the 'divergence period' that brought a shift in the democratic performance of these two countries.¹³¹ Then, I will argue that these two institutions are the key criteria because they have a higher explicative weight to connect the actions of political elites and structural changes which led the countries under study to follow divergent democratic paths.

Once I have justified the choice of political institutions, section 6.4 will conduct a comparative analysis of each of the two political institutions over the two period of analyses i.e., 'transitional period' Vs. 'divergence period'. I will argue that these polities reached their divergent point in democratic performance by the beginning of the 'divergence period' when renewed political elites decided to conduct not just a simple institutional engineering but instead a comprehensive reform on both constitutions and electoral systems. Thus, subsection 6.4.1 will offer a comprehensive explanation of how both the constitutional reforms conducted by Colombia and Venezuela, and the accumulation of power achieved by Presidents Chávez and Uribe

¹³¹ Lijphart's typology will be summarised in the next section; however, it is worth mentioning here that the 2 political institutions picked by this study to explain the process of democratic divergence for the cases in question are one from the federal-unitary dimension: Constitutions; and the other one from the executive-party dimension: electoral systems. The justification of this selection is by no means arbitrary and will be explained in section 6.4.

that arose from the use of decree powers and granted by the enactment of new constitutions can be regarded as explicative variables triggering the divergent path over the 'divergence period'.¹³² To this end, I will analyse, from a comparative standpoint, the provisions enacted in their old constitutions (1886 in Colombia and 1961 in Venezuela) against those enacted in their new constitutions (1991 in Colombia and 1999 in Venezuela) in three fronts: electoral reforms, power distribution reforms, and policy-making reforms, respectively. Additionally, I will analyse how the use of decree powers by Presidents Chávez and Uribe in the form of either *State of Emergency* or *Enabling laws*, as provisions granted by the new constitutions allowing the concentration of power in the executive branch of government, can also be understood as variables to explain democratic divergence. Subsection 6.4.2, in turn, will place emphasis on the role exerted by electoral reforms to shift the democratic trend these countries used to follow over the 'transitional period'. That is, I will argue that among the constitutional reforms conducted over the 'divergence period', particularly those regarding the electoral system has a greater explanatory power to elucidate the changes in the democratic performance in both countries.¹³³

Finally, section 6.5 concludes by saying that the subset of institutional criteria: Constitutional and electoral systems are variables with the highest explicative power to offer a good explanation of the divergent democratic process faced by Colombia and Venezuela over the 'divergence period'. Nevertheless, I will also offer a note of caution by emphasising that the effects of these variables on democratic performance may have been due to the incentives and power political elites have to change the way institutions operate. Hence, it is not possible to think of institutional reforms as an isolated effect, it is imperative that the strategic role played by political elites play a

¹³² It is important to note here that unlike many Latin American countries that carried out changes in their constitutions from 1970s onwards, the cases of Colombia and Venezuela are *sui generis* in the sense that at the beginning of the 'divergence period' they conducted a comprehensive reform to their whole constitutions instead of just conducting partial amendments as many countries in the regions did. This is a significant issue to consider as it explains the nature of the institutional, political and economic crises these polities were facing at the end of the 'transitional period' which, in turn, urged these polities to implement a complete reform to their institutional setting in order to avoid a state failure.

¹³³ As will be explained later, this is because after conducting a comparative analysis of the different electoral reforms enacted by Colombia and Venezuela, there would be qualitative evidence to show that, from 2002 -and for the first time in history-, Colombia was placed above Venezuela in terms of its democratic performance. I claim this occurred due to the decisive role exerted by the enactment of both electoral reforms in Venezuela and Colombia in 1999 and 2003 respectively.

decisive role to make institutional change possible which, in turn, affects democratic performance.

6.2. Political institutions: a conceptual debate

Scholars supporting the institutional framework argue that people learn to value democracy by living under democratic institutions for many years (Rustow 1970). Others claim that it is possible to shape a society by shaping its institutions –which means that political scientists can provide a quick fix for most problems (Welzel and Inglehart 2009). Overall, the central assumption of the institutional explanation postulates that living under democratic institutions causes the emergence of pro-democratic values to emerge among the public. That is, ‘society’s prior democratic experience has the stronger causal effect on its mass culture’ (Inglehart 2005, 173).

One of the most prominent supporters of institutionalism in the area of comparative politics is Arend Lijphart; particularly for his seminal book *Patterns of Democracy* (1999 and 2012). Lijphart’s innovative contribution offers a model¹³⁴ that differentiates between two ideal types of regimes: consensual and majoritarian democracies that differ from each other through ten institutional criteria.¹³⁵ Thus, Lijphart’s democratic characterisation can be regarded as a useful typology not just to operationalise two very different normative understandings of democratic decision-making, but also to explain the influence that a set of political institutions might have over the type and performance of any democratic regime.

According to Lijphart (1999) consensus democracy is recommended for any type of society, divided or not, due to dispersion of power is its salient characteristic. As

¹³⁴ This model was first outlined in 1994 by Lijphart in his book *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries*; and then further developed in Lijphart’s book *Patterns of Democracy* (1999). The last version of this book was published in 2012. It updated the study of the cases with more and reliable information, but the main findings remain unchanged from his previous version.

¹³⁵ Arend Lijphart built his model showing that consensus and majoritarian democracies differ along two dimensions, each of which has five political institutions or criteria. The first five criteria belonging to the ‘executive/parties dimension’ that promote the majoritarian type of democracy rest on: single-party government, cabinet dominance, a two-party system, a majoritarian electoral system –First-past-the-post (FPTP) system-, and interest-group pluralism. Whilst the second set of institutions associated with the ‘federal-unitary dimension’ –also to promote majoritarian democracies- rely on the following five criteria: a unitary and centralized government, a unicameral legislature, constitutional flexibility, the absence of judicial review, and a central bank controlled by the executive. The opposite criteria promote consensus democracy and altogether favour the creation of multiple checks and balances, as well as the dispersion of power.

Mainwaring (2001) stresses: ‘a simple majority should not govern in an unfettered fashion’ (ibid.: 171). Put differently, given the conflict of interests that heterogeneous societies face, ‘government *‘by and for the people’* must mean not simply government by the majority of the people, but by *as many people as possible*’ (Cranenburgh, et al. 2004, 281 original emphases). Hence, power sharing is the main principle behind consensual democracies. Conversely, majoritarian democracies are meant to concentrate power in few institutions and individuals creating sharp divisions between those who hold power and those who do not.

Lijphart’s analysis on the performance of these two types of democracies led him to the conclusion that consensus democracy is a superior form of democracy, and therefore, ‘it becomes simply the best model for every country’ (Bogaards 2000, 414).¹³⁶ Hence, consensus democracy is a typology that most likely would guaranty the process of democratic consolidation in divided societies. Thus, Lijphart regards consensus democracies as the ‘kinder and gentler’ form of government and recommends the adoption of its institutional setting in any political regime that has the possibility to alter its basic framework (Lijphart 1999, 301).

Consequently, Lijphart’s contribution can be regarded as a useful typology to analyse processes of democratisation in established regimes.¹³⁷ Its usefulness lies, as Lehnert (2007) stresses, in that it is ‘[a] conceptual tool to simplify and order complex social phenomena such as [those concerning] political systems’ (ibid.: 62). In fact, it seems that the majoritarian/consensual typology offered by Lijphart met that purpose and, therefore, can be considered as both a tool to categorise democracies, and also to explain the processes followed by divided polities that have reached their transition and are seeking for their consolidation through the implementation of consensual institutions.

¹³⁶ In fact, Lijphart concludes that, in terms of policy performance, majoritarian democracies do not do better than consensus democracies, particularly in terms of macroeconomic management (that is, the record of inflation, unemployment, and economic inequality) and the control of violence. Furthermore, consensus democracies clearly outperform majoritarian democracies, particularly in terms of democratic quality as it is more egalitarian (i.e. by generating a larger proportion of women in elected office, greater party competition, higher voting turnout, and stronger public satisfaction with democracy).

¹³⁷ Lijphart’s theory is far more encompassing and cannot be done justice to summarise it in a few paragraphs. However, it is expected that this summary has pointed out his most important and general findings.

6.3. Criticism on Lijphart's institutional approach

In the introduction of this chapter I claimed that this research project will only use as the second independent variable only a subset of political criteria from the full set proposed by Lijphart. To adequately choose such subset of variables, I depart from the criticism that scholars such as Bogaards (2000); Schmidt (2000); Mainwaring (2001); Amyot (1985); among others, have made to Lijphart's typology. For instance, they critically ask whether each of the 10 institutional criteria proposed by Lijphart have the same explanatory power to analyse any process of regime change, namely: transition, consolidation and/or democratic divergence. Or, if is it possible that Lijphart's institutional choice might only be useful to explain the dichotomy between majoritarian/consensual democracies but not to explain other type of democratic performance.

Consequently, handful scholars have argued that Lijphart's typology needs to be reconstructed to increase its explanatory power. Thus, Mainwaring (2001) argues that Lijphart's measurements of his institutional criteria are rather subjective as 'he selects some institutions [criteria] on which consensus democracy has a clear advantage but not [those] that favours majoritarian democracies' (ibid.: 171). Similarly, Amyot (1985) and Schmidt (2000) suggested that Lijphart's selection of subjective criteria is not only misleading, but 'idealistic' in that they were assigned the same relative weights in the definition of his models of democracy. Bogaards (2000), on the other hand, argues that serious conceptual flaws plagued the concept of consociationalism. This is because Lijphart is not able to offer a clear-cut definition among three of the most important concepts used within his theory; namely, the notion of consensus democracy, the narrower and earlier concept of consociational democracy,¹³⁸ and the notion of power-sharing.¹³⁹ Hence, Bogaards claims, consociationalism can be

¹³⁸ Consensus democracy, explained in the previous section, was a by-product of Lijphart's (1977) previous work in which introduced the concept of consociational democracy. The main purpose of consociationalism was to emphasise the importance of certain institutional arrangements that could help to maintain democratic stability in heterogeneous societies. It included 'the existence of coalition governments, minority veto rights, Proportional Representation (PR) in public offices, and self-governing autonomy in territorial communities' (Norris 2008, 4). In sum, Lijphart regarded consociational democracy as the solution for those countries in which majoritarian democracy might not work due to deep divisions in their societies.

¹³⁹ Lijphart's reply to Bogaards' criticism was that these three concepts were synonymous. For a more comprehensive understanding over the heated debate between these two scholars see: Bogaards, Matthijs. (2000). 'The Uneasy Relationship between Empirical and Normative Types in Consociational

regarded as a complementary but incongruent normative typology to study processes of democratic performance.

From a prescriptive value of the majoritarian-consensus distinction, Andeweg (2000) –referring to the advantages of Consociationalism over Consensualism- argues that the validity of Lijphart’s typology should be debated not in terms of its contribution to political sciences, but in the reasons behind ‘[the selection] of countries, the concepts, the causes, and the consequences associated with the use of Consociationalism [as a theory to explain democratic performance]’ (ibid.: 509). In other words, what Andeweg implies is that Lijphart’s approach is incapable of capturing patterns of democracy beyond the scope of the OECD world. Shortly after, Andeweg (2001) continued with the criticism on Lijphart’s main hypothesis by arguing that Lijphart’s decisive factor on selecting his ten criteria was a way of justifying his normative bias toward power-sharing arrangements.

In a slightly different fashion from the previous criticism, Fortin (2008) challenged the applicability of Lijphart’s typology arguing that it is unsuccessful to replicate in different cultural settings compared to those selected in his work.¹⁴⁰ Thus, Fortin concludes that a different institutional engineering is required to explain the process of regime performance that is not contemplated in the country selection of Lijphart’s work. Spinner (2007) also argues that the process of building or adapting new institutions after the dissolution of the Soviet Union –as his case selection included East Germany and Hungary- do not fit with Lijphart’s majoritarian/consensus framework. Thus, Spinner’s work claimed that ‘elite political culture is not consensualist despite the largely consensus-democratic institutional setup’ (ibid.: 10) because political institutions are shape by collective memories of ‘deep impact historical junctures’ (ibid.: 12).¹⁴¹

Theory’, *Journal of Theoretical Politics* 12: 395-423; and Lijphart, Arend (2000) ‘Definitions, Evidence, and Policy: A response to Matthijs Bogaards’ Critique’, *Journal of Theoretical Politics*, 4, pp. 425-31.

¹⁴⁰ In fact, in an attempt to replicate Lijphart’s findings on East European new democracies Fortin (2008) argues that Lijphart’s majoritarian/consensus classification cannot be equally applied to post-communist countries because the relationships between institutions and the two dimensions take opposite directions. For example, a multi-party system is positively correlated with executive dominance, reversing the findings proposed by Lijphart.

¹⁴¹ Like Fortin (2008), Croissant and Schächter (2009) –analysing several Asian democratic regimes- found no evidence that these polities might support Lijphart’s Consensualist hypothesis. After applying Lijphart’s institutional setting, over nine Asian polities –except for the interest group system criterion,

More recently, Doorenspleet and Pellikaan (2013) also joined the discussion over the pros and cons of implementing Lijphart's typology. Although they acknowledge Lijphart's dominant position in the study of processes of democratisation, they critically argue that the impact of the different institutional criteria to explain democratic performance is unclear. Hence, they propose 'to combine the theoretical and conceptual knowledge from Lijphart's [1960s] earlier work [...] with his more recent work [1990s]' (ibid.: 239). From this novel methodological exercise, they offer a new typology of democratic regimes which is used to depict a cube with eight different types of democracy. The three-dimensional figure, in turn, assesses three institutional criteria (electoral systems, political systems, and social structure) that contradict each other when Lijphart's approach is used to explain democratic quality and performance. They conclude that among the three institutional choices, the type of electoral system is the most important to determine a regime's democratic performance (ibid.: 260). However, they also argue in favour of considering both the type of political system (i.e., centralisation or decentralisation), and the structure of the society (homogeneous or heterogeneous) in order to achieve 'the highest level of governance' (ibid.: 261).

The last criticism to be considered is made by Cranenburgh, et. al. (2004). Like Schmidt (2000), she also states that the consensual appearance of democracy based solely on formal institutional criteria can be misleading. She claims that, for the South African case, the party system affects the meaning of the other institutional criteria, meaning that Lijphart's criteria should be assigned a relative weight. Additionally, she claims that the 'distinction between consensus and majoritarian systems overstates the importance of *formal* institutions, especially if applied to the countries in the Third World' (Cranenburgh, et. al., 2004, 282 emphasis added). As a matter of fact, this criticism aims to emphasize that *less formal* political variables are more important in

the authors found that neither the executive-parties nor the federal-unitary dimensions can be found in these cases. Instead, they found that some criteria from the first dimension (e.g., number of parties), seem to be connected to criteria of the second dimension (e.g., level of decentralisation or governmental system). That is, 'single criterion show negative correlations and thus do not go together in Asia' (ibid (2009) in Bormann 2010, 6). Therefore, the authors argue that this finding is not plausible within Lijphart's theoretical framework as each institutional criterion from each of the two dimensions should be independent from each other. In turn, they argued that what explains democratic performance is the influence of contextual factors (i.e. historical factors) and elites trying to secure power positions against challenges, not the design of a particular institutional typology such as the one proposed by the consensual theory.

establishing democratic regimes than the formal institutional arrangement put forward by Lijphart. In sum, as Schmidt does, she also contends that in order to understand how a political system actually works, the formal criteria used to distinguish between the two types of democracy should be given a relative weight.

Overall, the criticism on Lijphart's consensus theory can be summed up in three main aspects. First, the theoretical framework seems to work better in regimes that have made either a successful transition towards democratic consolidation or those that are considered as stable democracies (i.e., OECD countries). This makes it difficult to generalise Lijphart's institutional setting in newly democratising states, as well as those facing processes of democratic divergence. Second, and maybe most importantly, Lijphart's framework lacks a differentiating factor in terms of the relative weight that each of his 10 formal criteria should have when studying patterns of democracy in developing countries. And thirdly, the lack of relevance that Lijphart gives to the influence that other less formal independent variables might have to track patterns of democratic performance in non-stable regimes. On this issue, Cranenburgh (2006) states that for sub-Saharan African countries –such as Namibia- ‘political culture and elite behaviour [...] should count as the most important variables in [dominant one-party] system[s]’ (ibid.: 601). I will argue, echoing Cranenburgh's assertion, that less formal variables like culture and elite behaviour can be put together along with the formal criteria put forwarded by Lijphart to explain the process of democratic divergence that Colombia and Venezuela faced over the ‘divergence period’.

Undoubtedly, Lijphart's typology should be recognised as a big contribution to the political science as his work has provided a compelling theory that does explain processes of democratic consolidation for established democracies (Kaiser 1997). Ironically, however, his typology –following Cranenburgh, et. al. (2004), Schmidt (2000), and Bogaards (2000) criticism on Lijphart's work- fell short as it became difficult to generalise the institutional setting in countries that have not reached a complete democratic transition or undergone processes of democratic divergence.

Drawing from the above criticism, and based on both Goodin's (1996) idea about institutional reform, where it is claim that the likelihood of building new or changing old institutions depends on a deliberate decision made by strategic actors with political

power,¹⁴² and Cranenburgh's, et. al. (2004) idea about the relative weight Lijphart's institutional criteria should have, section 6.4 will offer a conceptual analysis of how political elites in Colombia and Venezuela consciously focused their reform efforts or gave more relative importance to 2 out of the 10 Lijphart's key institutional criteria.¹⁴³

6.4. A comprehensive reform of the state to explain democratic divergence in Colombia and Venezuela

The aim of this section is to claim that the strategic choices made by political elites to overcome the deep political turmoil and institutional decay that were compromising the democratic survival of Colombia and Venezuela at the end of the 'transitional period' were focused on conducting not just a simple institutional engineering but a complete reform of the state; which implied reforming the very nature of two key political institutions/criteria. That is, the reform of both constitutions, and the electoral systems should be understood as the institutional criteria to be amended by political elites in order to achieve a transformation of the performance of their political regimes.¹⁴⁴ Additionally, this section will also argue that the comprehensive institutional reform carried out over these regimes set a turning point in which both polities took different democratic trajectories. In other words, the onset of the 'divergence period' for the countries under study can be explained by the institutional

¹⁴² Goodin (1996) not only focused his attention on this reason to explain the causes of building new and/or change old political institutions: He also provided two more arguments to support the importance of conducting institutional engineering. The first one argues that institutions are the result of an accidental process whereby the interaction among them can lead to the formation of a new type of unforeseen institutions. The second one is that institutional change may also be the result of evolutionary factors. That is, political institutions that have adapted to the diverse phases of social development are the ones who will survive in time through a type of selective mechanism. However, this project aligns with the reason given above because it is in accordance with the rationale offered by the Circular Causality Model in which the causality arrow between the independent variables goes from the power political elites must change or reform political institutions in explaining democratic divergence.

¹⁴³ At this point it is worth mentioning that section 6.4 will focus only on the conceptualisation of the second set of independent variables: constitutions and electoral systems. As discussed in the introduction, this research believes that these 2 institutional criteria might provide insights to explain the process of democratic divergence for the cases under study. The conceptualisation of the first independent variable: that is, elite political culture was already conducted in chapter 5.

¹⁴⁴ Drawing on both Schmidt (2000) and Cranenburgh, et. al.'s (2004) criticism on Lijphart's work, this project assigned a higher weight to these two institutional criteria because I claim that through their comprehensive reform led the countries under study down to their divergent democratic paths. However, it is also worth noting that these key criteria would also influence the functioning of the remaining eight criteria proposed by Lijphart.

reform led by renewed political elites over the discussed two key political institutions (see figure 3.3).

Thus, this section will conduct a comparative analysis on the above-mentioned institutional criteria and their evolution over both the *'transitional and the divergence'* periods. These two criteria, will be separately explained in two subsections in order to show how the amendment of the former in both countries at the beginning of the *'divergence period'* will have a direct effect on the reform of the latter. This section will conclude by saying that the reform of both criteria has explanatory power to explain democratic divergence.

6.4.1. Constitutions

Constitutions are usually regarded as institutional frameworks providing the *'rules of the game'* that structure the political regime, and as a system of incentives concerning government formation. Scholars, such as Negretto (2013) argue that written constitutions are instruments that *'regulate[s] the basic structure of the state and the political regime, which includes the channels of access to principal government positions, the allocation of powers among different branches and levels of government, and fundamental individual rights'* (ibid.: 5). Similarly, Quisbert (2012) claims that a *'political constitution is a positive supreme legal norm governing the organisation of the state, which establishes the authority, the way that authority is exercised, the checks and balances over the public institutions, defining the fundamental rights and duties of citizens, and a tool that ensures people's political and civil freedoms'* (ibid.: 3, my translation). Similarly, other scholars such as Ackerman (2000); Fox, et. al. (1992); Schmidt (2000) and Cranenburgh, et. al. (2004) also endorse the idea that constitutions should be conceived as: (i) the essential tool to create conditions under which governments will continue to rule, and (ii) the conditions by which a nation can determine its democratic path. Unlike Lijphart (1999), these scholars conceive constitutions as more than just another institutional criterion by suggesting that it should hold the biggest relative weight among other political institutions in order to explain the process of democratic divergence in Colombia and Venezuela.

As it was already suggested, Colombia and Venezuela –before the enactment of their new constitutions (i.e., at the end of the *'transitional period'*) were under severe strain

as they were suffering from structural problems (e.g. economic, political and social) that could have led them to be considered as failed states. This research argues that these issues can be understood as a contingent juncture that forced political elites to react and respond. The response triggered a constitutional reform aiming to contain the economic disarray, the political violence, and the social unrest that citizens of these polities were facing by the end of the 1980s (Buxton 2005; Lopez Maya, et. al., 2011). Hence, the enactment of these new constitutions was the result of political bargaining between the traditional elites and new political actors who felt the social pressure and ineffectiveness of successive governments. They seized the opportunity to lay down a new set of normative principles, expressed in constitutional reforms, that were expected to have a direct influence over the democratic path taken by Colombia and Venezuela over the ‘divergence period’.

To justify the premise that constitutional reforms is one of the explicative variables triggering the divergent path of Colombia and Venezuela’s democracies, I will offer a comparative analysis for each of the cases. The analysis will be based on the distinction of three fundamental criteria of constitutional reform that political elites primarily focused on. Thus, subsections 6.4.1.1 and 6.4.1.2 will show that Colombia and Venezuela’s constitutional reforms –and further amendments- focused on criteria such as: electoral reforms, power distribution reforms, and policy-making reforms in order to offer an alternative set of tools to address and solve the challenges and problems both countries faced by the end of the ‘transitional period’.¹⁴⁵ However, it is worth mentioning that these three criteria are not exhaustive in terms of the scope of the constitutional reform but are sufficient to indicate that their reform helped, in part, to explain the outcome of the process of democratic divergence achieved by the countries under study over the ‘divergence period.’¹⁴⁶ Finally, subsection 6.4.1.3 will focus on explaining how the use of decree powers by Presidents Chávez and Uribe over the ‘divergence period’ affected negatively the democratic performance of both countries. It will argue that the overall effect was more harmful for Venezuela’s than for

¹⁴⁵ The selection of these three criteria to pursue a constitutional reform are by no means arbitrary, they represent the main issues over which the regimes under study were losing legitimacy by the end of the 1980s, and, therefore, are the ones that political elites had to reform or amend in order to avoid the collapse of their democracies.

¹⁴⁶ Appendix 2 will offer a set of four tables showing in detail the type of constitutional reforms that cover these criteria.

Colombia's political system. This is because the former regime was less vigilant than the latter in controlling the accumulation of power of the executive branch.

6.4.1.1 Constitutional reform and further amendments in Colombia: comparing the features and performance of the 'transitional period' and the 'divergence period'

The 1991 Colombian constitution was the outcome of a lengthy process of deliberation whose delegates¹⁴⁷ had the mandate –throughout a Constituent Assembly¹⁴⁸- to reform the constitution of 1886 that had failed to provide strong democratic institutions in order to overcome (i) the perplexing crises and (ii) the political exclusion caused by the legacy of bipartisanship labelled as the 'National Front'¹⁴⁹. Therefore, the aim of such compelling reform was to 'endow the country with modern democratic institutions designed to foster greater participation [and inclusiveness] in the democratic process, to strengthen the rule of law in a country where the proliferation of political violence had corroded Colombian political and legal institutions, and to secure a firm ground for human rights with mechanisms to protect these rights' (Fox, et. al. 1992). As a result, the whole renovation of the political structure conducted throughout the 1991 constitution 'strengthened the checks and balances of the political system in an effort to endow political institutions with greater legitimacy after decades of limited participation and low representation' (Cardenas, et. al., 2008). Thus, the enactment and implementation of the new set of rules in the new constitution can be regarded as a good example of what Noguera-Fernandez (2011) has called a

¹⁴⁷ These delegates were chosen through direct elections pursuant to a national referendum.

¹⁴⁸ The composition of this Assembly reflected the national commitment to inject a higher and broader degree of participation and inclusiveness into the traditional framework of Colombian government. In fact, this Assembly was composed of 70 representatives elected in December 1990 under new electoral rules designed to be fairer to left wing parties, former guerrilla movements (e.g., M-19 and EPL), and minority groups that never had a real chance to be part of the government (Yarbo 1991). The composition of this institution also indicates the renewal of the political elites that used to rule the country over the 'transitional period.' In fact, this Constituent Assembly was created with a pluralist 'spirit' to include all the factions that the 'National front pact' excluded since 1950s.

¹⁴⁹ For a more compelling conceptualisation of the origin and effects over the legal, economical, and political impact this kind of political settlement brought about to Colombia please refer to chapter 2, section 2.2.

‘progressive constitution’ which, in turn, served as a model for other polities in the region to conduct their own constitutional reforms or updates.¹⁵⁰

Thus, the progressiveness of the Colombian constitution will be studied by using the three criteria mentioned above: electoral reforms, power distribution reforms, and policy-making reforms. Table 6.1 shows in detail these criteria in a comparative fashion and analyses how these reforms were enforced over the ‘divergence period’ using the 1991 constitution and further amendments against the provisions contemplated by the old 1886 constitution during the ‘transitional period’.

Table 6.1 clearly shows that the inclusiveness and procedural features included in the 1991 constitution are, without doubt, some of the distinctive and more outstanding characteristics of this institutional reform. In fact, the provisions contemplated in the electoral reform (see first row in table 6.1) were an attempt to curtail the concentration of power that the executive branch of government used to have when the bipartisan tradition ruled the country over the whole ‘transitional period.’ For instance, the control over the executive branch increased due to various reforms. First, by changing the electoral formula to elect the president from the plurality method to the majority runoff method. Second, by adding a proscription of presidential re-election; and third, by changing the mechanisms to appoint governors, mayors and the vice-president that went from direct appointment by the president to popular election. Additionally, the electoral formula to elect the legislature was also changed. Colombia, over the whole ‘transitional period’ and the first part of the ‘divergence period’ (until 2002) had a semi-proportional system that used the Hare quota system¹⁵¹ and largest remainders to

¹⁵⁰ In fact, the successful implementation of the new and progressive Colombian constitution served as a benchmarking model for the constitutional design followed by other Latin American countries that were keen to reform or update their old constitutions. Thus, the cascade effect caused by the enactment of new constitutions in the region by the late twentieth and early twenty-first century gave rise to what is known today as: ‘Latin American Neo-constitutionalism.’ This concept refers to no less than a decision made by some states to take distance from the western classic constitutionalist models on which most of the Latin American countries used to rely on as a basis to formulate their first constitutions after independence in eighteenth century. In this regard, then, Neo-constitutionalism became the blue print to restructure both the state and the functioning of political institutions exerting a positive influence in the reformation and constitutional design in countries such as Ecuador (1998-2007-2008), Venezuela (1999), and Bolivia (2006-2009). In sum, following Noguera-Fernandez (2011) it can be argued that the 1991 Colombian constitution can be considered ‘as the starting point of the new constitutionalism in the [Latin American] continent’ (Noguera-Fernandez 2011, p. 18).

¹⁵¹ The Hare quota system works as follows: In each electoral district, seat quotas are calculated by dividing the number of votes by the number of seats. Seats are first allocated to parties according to integer multiples of quota’s. That is, if a party has double the amount of votes as the quota, the party is

distribute votes, and had no election threshold (Wills-Otero 2009). However, in 2003 a constitutional amendment reformed the electoral system by introducing the D'Hondt electoral formula to award seats in congress and introduced a 2% electoral threshold of the valid votes for the parties to participate in the in the distributions of seats in congress, and a single-party list. Thus, the 2003 constitutional amendment changed the electoral system from a semi-proportional to a proportional system with a much lower party fragmentation (Wills-Otero 2009).

Other reforms that were put into consideration –and had never been provided by the 1886 old constitution-, were the increasing participation of new political parties. This, reform, first, guaranteed seats for minority groups such as indigenous and black communities; and second, ensured the inclusion of the left-wing political parties within the Constituent Assembly from the very outset of the constituent process. This reform also, thereby, increased the ‘effective numbers of parties [...] from 2.16 in Congress [which was the average number of political parties over the ‘transitional period’] to 4.45 in the Constituent Assembly [time from which the ‘divergence period’ started]’ (Negretto 2013, 177).

As for the power distribution reforms, table 6.1 also shows (see second row) that the 1886 constitution, in contrast to 1991, established a strong state with the presidency as its dominant feature.¹⁵² The president also had absolute control over the management of both public and private credit in the country, and over the national budget, not to mention the faculties he had to declare the state of siege anytime he considered it necessary to govern by decree. Consequently, the Constituent Assembly in 1990 focused on creating a more powerful system of checks and balances over the president by introducing a more active role for congress, the judiciary, and sub-national authorities that imposed increasing constrains on the executive’s authority (Spiller, et. al 2008; Cardenas, et. al 2008). Thus, under the new Constitution, the expansive powers granted to the president were scaled back as the ‘new rules of the game’ imposed constitutional provisions to limit the executive’s power in favour of the

assigned two seats and so on. If all seats are not assigned using the quota, seats are awarded to parties with the largest remainders of votes (Roland, et. al. 2005).

¹⁵² For instance, over the ‘transitional period’ it was common that 160 state companies were subject to the control of the president, including the banking sector, electricity, oil, and other industries (Art. 120, 1886 Colombian Constitution).

legislative and judicial branches of government (Art. 212 – 214, 1991 Colombian Constitution).¹⁵³

Finally, the policy-making reforms (see third row in table 6.1) included in the 1991 constitution were also an endeavour to prevent the president's strong agenda setting granted by the 1886 old constitution. Thus, one of the greatest achievements attained by the Constituent Assembly can be summarised by repealing two important provisions granted in the old constitution. First, the abolition of the state of siege that granted the president to legislate by decree overpassing the Congress.¹⁵⁴ And second, the inability of the president to convert a temporary decree into a permanent one based upon the declaration of the state of economic or social emergency.¹⁵⁵ Similarly, constitution makers also curtailed president's unlimited delegation of legislative power so that he could not use this provision as a way of legislating for his own benefit. Instead, the Assembly granted the 'delegation of legislative powers to the executive with the proviso that the president must request that delegation and Congress must be explicit about the limits and terms of the delegation' (Negretto 2013, 192).

¹⁵³ An example of this was the creation of the Constitutional Court, and the offices of both the Attorney General and the Prosecutor General as institutions that would strengthen the control over the government. The Attorney General office was established to oversee the behaviour of Public officers – including cabinet members and the president, whereas the creation of the Prosecutor General office was meant for prosecuting all kind of crimes. The Senate would appoint the former from a list of three candidates proposed by the president, the Supreme Court, and the state council. As for the appointment of the latter, the Supreme Court should elect it from a list of three candidates submitted by the president (Negretto 2013, 190).

¹⁵⁴ Over most part of the 'Transitional Period' –thirteen years (1974 – 1990)- the state of siege provision was the provision presidents resorted to decree laws and create legislations overpassing the control of the Senate. Thus, presidents could reform codes, regulate economic activities to deal with economic crisis, and so forth, which conferred unlimited powers to secure governability.

¹⁵⁵ Under the new constitution, this would be possible only if Congress support and vote in favour of that law, otherwise, such decrees would lapse after the emergency was over (Negretto 2013, 173).

Table 5.1.

Main constitutional reforms and further amendments in Colombia: comparing the 'transitional period' and the 'divergence period'

Criteria	1886 Constitutional provisions: 'Transitional Period'	Reforms outlined in the 1991 new constitution: 'Divergence period'	Passed	
Electoral reforms	Presidential election by majority formula	Presidential election by majority runoff formula	Yes	
		Proscription on presidential re-election	Yes	
		Term limits for legislators	No	
	Congress appoints a vice president in case of president's absence, resignation or dead.	Popularly elected vice president	Yes	
	Semi-proportional electoral system with Hare quota system at local district levels, and no threshold for legislative elections	The 1991 initially did not change the electoral formula to elect the legislature. The Hare quota System was still in place.	The 2003 electoral reform abolished the Hare quota system by introducing the D'Hondt formula with a nationwide electoral district, and a 2% threshold for legislative elections. With the introduction of the D'Hondt formula the electoral system passed from a Semi-proportional system to a Proportional one.	Yes
President appoints governors and mayors	Enable popular elections of governors and mayors	Yes		
Congressional and presidential elections are no concurrent	Extension of the no concurrent elections already applied to national elections to the local elections.	Yes		
Power distribution reforms	NA	Downsizing the Congress, and the election of senators from a special district for indigenous and black communities was set up.	Yes	
	President as a dominant figure to rule the state.	Bigger participation and political control by the Congress over the president	Yes	
		Motion of censure over the Executive branch of government	Yes	
	Broad appointment powers by the president over the judicial branch	Creation of the Constitutional Court whose members were appointed by the Congress ^b	Yes	
Creation and appointment by the Constituent Assembly of the Attorney General office, the Prosecutor General office, and the Constitutional Court.		Yes		
Policy Making Reforms	President's strong agenda setting powers: i) Government's freedom to declare State of Siege ^c whenever appropriate	Abolition of the State of Siege provision	Yes	
	ii) Enactment of permanent decrees by the Executive during periods of economic and social emergency without Congressional approval	Decrees issued by the Executive during state of economic and social emergency would lapse if not converted into law by Congress.	Yes	
	Unlimited delegation of legislative powers to the president	Temporal and substantive limits on the delegation of legislative powers to the president.	Yes	
	NA	Right of president to call popular referendums with the approval of the Senate	Yes	

Source: Author's compilation from: Negretto (2013); Cardenas, et.al. (2008)

Notes:

^a With the enactment of the new constitution, the House of Representatives was reduced from 199 to 161 members and the Senate from 112 to 100. It also introduced 5 more deputies from special districts and 2 more senators from a special district for indigenous communities.

^b The appointment of the members of the Constitutional Court came from a list of candidates put forward by the president, the Supreme Court, and the state council (Negretto 2013, 189).

^c The State of Siege provision allowed the president to legislate by decree overpassing the Congress.

In sum, the electoral, power distribution, and policy-making reforms implemented by the 1991 constitution illustrate the Constituent Assembly's intention to curtail the

concentration of power that the executive branch of government used to have when the bipartisan tradition ruled the country over the whole ‘transitional period.’ Hence, the outcome of such reforms during the ‘divergence period’ can be summarised as follow: (i) they promoted more inclusive electoral rules allowing the expansion of both the electoral franchise for new political parties, and the inclusion of minority groups into the legislative branch of government;¹⁵⁶ (ii) it facilitated political participation of large segments of society that had been excluded of the political contest, thereby, increased their popular sovereignty that had been long forgotten from the previous constitution; and (iii) it made the executive branch of government loose important traditional prerogatives so that the legislative branch could be strengthened. Hence, the renewal of the political structure for a much more pluralistic, and representative one brought the enactment of a new constitution in 1991 whose reforms had a direct and positive impact on the democratic performance process just after the beginning of the ‘divergence period’.

6.4.1.2 Constitutional reform and further amendments in Venezuela: comparing the features and performance of the ‘transitional period’ and the ‘divergence period’

In a similar way to Colombia, Venezuela’s 1999 constitutional reform –via referendum- was also the result of a lack of confidence and legitimacy that Venezuelans experienced over whether the government could solve the economic,

¹⁵⁶ By looking at the distribution and composition of seats of the Constituent Assembly will help to illustrate the plurality principle ensuring a broader political participation by distributing the greatest number of seats among several political parties. The chart below summarises this issue:

Distribution of Members/Seats in the Constituent Assembly election held in Colombia on December 1990

Political Party	Members/Seats	Percentage (%)
Partido Liberal (<i>PL</i>)	24	34.3
Alianza Democratica Movimiento M-19 (<i>AD-MI9</i>)	19	27.1
Movimiento Salvación Nacional (<i>MSN</i>)	11	15.7
Partido Social Conservador (<i>PSC</i>)	5	7.1
Independent Conservatives	4	5.7
Unión Cristiana (<i>UC</i>)	2	2.9
Unión Patriótica (<i>UP</i>)	2	2.9
Indigenous	2	2.9
Student Movement	1	1.4
Total	70^a	100

Sources: Boudreaux 1991; Buenahora 1992; Negretto 2013

^a Four more members from guerrilla movements were later included in the assembly, of which two (from the Ejército Popular de Liberación (*EPL*)) had the right to vote.

social, and political crises that had been threatening the country's democratic stability (Buxton 2001).¹⁵⁷ However, unlike Colombia, the 1999 constitutional reform –and its subsequent amendments- was conducted with a different purpose which brought completely different results. It provided reforms intended to weaken the institutional checks and balances in favour of giving exceptional powers to the new elected president Hugo Chávez Frías (Negretto 2013).

To analyse how constitutional makers changed the rules of the game by means of constitutional reforms in favour of the executive branch of government I will use the same methodological approach applied above to the Colombian case. More specifically, table 6.2, which compares the electoral, power distribution, and policy-making reforms for the periods in which the last two constitutional reforms –and some amendments- took place in Venezuela.¹⁵⁸ For this reason, I will use two periods: the 'transitional period' and the 'divergence period'. The first will cover, in turn, two sub-periods which had two types of constitutional reforms and amendments leading to different outcomes in terms of the Venezuela's democratic performance. The first sub-period will cover from the enactment of the 1961 constitution until 1989. During this time, a new constitution was enacted and was of great importance in deepening the dominant two party systems. It did so through the enactment of provisions which sought to consolidate the heads of the traditional parties (COPEI and AD) as leaders who lurked in the shadows to rule the country. This served to maintain and strengthen the elite's *status quo* since the signing of the Punto Fijo pact. That is, it was during this first sub.-period that lawmakers meant to undermine the presidential legislative

¹⁵⁷ The main reason for Venezuelan's discontent with the government was the economic decline caused by the dramatic reduction in per-capita oil income, which occurred in the 1980s and 1990s (Buxton 2001; McCoy 2005; McCoy, et. al., 2004). Thus, the negative effects on incomes contributed to the increasing unpopularity of the leading political parties (Monaldi, et. al., 2008).

¹⁵⁸ It is important to note here an important difference between the roads of constitutional change taken for the cases under study over time. Colombia, unlike the Venezuelan case, only had two constitutional reforms during the twentieth century (one in 1886 and the last one in 1991), whereas Venezuela had 15 constitutional reforms during the same period. This is the reason why table 6.1 focuses on analysing the only two constitutional reforms Colombia went through in more than 100 years, whereas table 6.2 focuses exclusively on the Venezuelan last two constitutional reforms (one in 1961 and the last one in 1999). This means that when crisis of governance appeared both countries confronted them with different strategies: Colombia, through constitutional amendments (more than 60 over the last century), whilst Venezuela used constitutional reforms (this country only had 4 constitutional amendments during the last century but conducted more than 15 constitutional reforms). Please see [appendix 1](#) for a detail account of the years on which occurred either constitutional reforms or constitutional amendments for the cases under study.

powers even further in favour of the traditional political elites deteriorating Venezuelan democracy (Brewer-Carías 1997).

The second sub-period of the ‘transitional period’ goes from 1989 –year in which an amendment modified the 1961 constitution- until 1998. The amendment of several provisions to that constitution was meant to change the political *status quo* by establishing checks and balances over the executive in order to evenly distribute the structure of power among the different branches of government, and improve areas of governance and the rule of law (Negretto 2013). Therefore, this amendment can be regarded as a necessary step in the right direction, a step towards improving Venezuela’s democratic performance as table 6.2 will show.

The second period will be the ‘divergence period.’ This period will cover from the moment Venezuela enacted its newest constitution in 1999 until 2010. It was during this period that a turning point occurred against the very nature of the Venezuelan democracy when Hugo Chávez was elected president in 1998. Since then renovated Venezuelan political elites have overhauled its political system by concentrating power in hands of the president, thus diminishing the rule of law and threatening the foundations of a legitimate democracy.

Analysing the reforms of the constitutions in both the two sub-periods of the ‘transitional period’, and the ‘divergence period’ will allow us to explore the impact that changes among political elites had over the constitution’s decision-making process, in terms of passing provisions, through a Constituent Assembly which, in turn, changed the power structure in Venezuela. Thus, table 6.2 will show the bumpy road followed by the democracy in Venezuela contrasting the different and contradictory paths taken by this country in both the ‘transitional and divergence periods’.

By focusing on the electoral reforms in table 6.2, two contradictory trends of electoral provisions arise when the both periods are compared (see first row in table 6.2). Firstly, during the first sub-period of the ‘transitional period’, the provisions approved with the enactment of the 1961 constitution were meant to monopolise the political regime

by concentrating power in hands of the traditional political parties.¹⁵⁹ However, during the second sub-period, and in order to assuage the 1990s political, social, and economic crises, the 1989 amendment aimed to offer an electoral reform so that the system of governance could be more representative and participatory. Nevertheless, as Buxton (2005); Ellner and Helliger (2003) and Ellner (2008) argue, this belated amendment failed to produce the expected result, facilitating Hugo Chávez's arrival to power by the end of 1990s.

It can be argued, as the first column of table 6.2 shows, that all the provisions approved in the 1961 constitution by the National Congress were characterised by implementing both the plurality formula to elect the president and to set concurrent electoral cycles with the legislative branch of government. This combination of constitutional provisions was ideal to maintain and consolidate the traditional two party systems that characterised the concentration of power since the Punto Fijo pact was established at the beginning of the 'transitional period'.¹⁶⁰ Similarly, for the purpose of keeping both the absolute dominance of Congress and a low fragmentation of the party system, the 1961 constitutional reform also provided the introduction of the proportional representation system with the D'Hondt formula to elect the legislature, and with closed and blocked party lists –instead of keeping the traditional plurality formula (Wills-Otero 2005).¹⁶¹ All the electoral reforms contained in the 1961 constitution could not be considered complete, without including a ban to allow regional elections for mayors and governors. This ban was consistent with the concentration of power that leaders of political parties wanted to nominate candidates for their constituencies over which the president had to appoint for (Monaldi, et. al., 2008, 391).

¹⁵⁹ In fact, the election of representatives to the Congress during most part of the 'transitional period' was viewed as the 'election of party representatives who felt [...] more accountable to their own parties than to their constituents or community' (Brewer-Carías 2010, 43).

¹⁶⁰ According to Negretto (2013), plurality rule for presidential elections and concurrent electoral cycles tends to result in two major parties, even if the congress is elected by proportional representation (PR). Precisely, this was the electoral formula that constitution makers supported with the approval of the 1961 constitution. The idea behind this provision was to keep secure the leadership of the heads of the political parties that were the power in the shadows to which presidents must rely on.

¹⁶¹ The idea behind establishing the PR system for the election of the legislature was to guarantee the dominance of Congress by representatives of the two traditional parties (COPEI and AD), and the representation of all minorities in the Congress. Thus, the single closed and blocked list electoral system aimed to discourage the emergence of new political parties by means of powerful disciplinary tools in the hands of the party leaderships (Monaldi, et. al., 2008; Brewer-Carías 2010).

By the end of 1980s, the outcome of these electoral reforms was promptly rejected by the people. Citizens felt the formulas being used to elect the legislature and the president did not represent them, mainly because these were viewed to be committed with the leaders of the political parties, as opposed to the people and their constituencies (Buxton 2005).¹⁶² To deal with the problem of political representation and the lack of confidence in the political system, political leaders proposed, in 1989, an amendment to the constitution. The most significant change, at least on the electoral front, was to enable popular elections for mayors and governors. Although the amendment increased political representation and participation of the civil society, it did not change the root of the problem. That is, these electoral formulas did not change the structure of power in hands of the leaders of the traditional political parties. In other words, the 1989 amendment wasn't enough to solve the problems –economic, social and political- the regime was facing; and, it was too late.

The impossibility to solve the problems by constitutional amendments encouraged Hugo Chávez to undertake a new electoral reform during the 'divergence period' with the enactment of both the 1999 constitution, and later on with the 2009 Organic Law of Electoral Processes (Smilde 2011). The second column in table 6.2 clearly shows that the provisions that the Constituent Assembly successfully passed were those in which the electoral formulas guaranteed a complete transference of political power to the executive branch, rather than distributing it among the different branches of government. This shows why Chávez's strong coalition in the Constituent Assembly opposed any attempt to change the electoral formula and continued with a restrictive one, such as the plurality formula for electing presidents, even though the adoption of the runoff presidential election was contemplated in the 1999 constitutional reform (Negretto 2006). In line with the aim of concentrating power in the hands of the president, the new constitution also extended the presidential term from 5 to 6 years and in addition, passed presidential re-election for one additional term.

¹⁶² People's rejection over the elected political elites can be seen by the fall in the support of the political parties. According to Brewer-Carías (2010), 'electoral support for the two main parties varied from 92.83% in 1988 to 45.9% in 1993, to 36.1% in November 1998, and to 11.3% in December 1998, when Hugo Chávez was elected president' (ibid.: 43).

Table 6.2.

Constitutional reforms and main amendments in Venezuela: comparing the ‘transitional period’ and the ‘divergence period’

Criteria	1961 Constitutional provisions and the 1989 amendment: <i>‘Transitional Period’</i>	Reforms outlined in the 1999 new constitution and further amendments: <i>‘Divergence period’</i>	Passed
Electoral reforms	The 1961 constitution provides presidential election by plurality formula concurrent with legislative elections. Presidential re-election was not allowed ^a	The new constitution preserved the electoral formula to choose presidents by keeping the plurality formula. It also expanded from five to six years the presidential term, and allowed presidential re-election by only one consecutive term.	Yes
		The 2009 amendment enable the unlimited presidential re-electio ^a	Yes
	The 1961 constitution did not allow regional elections for executive offices	Presidential and legislative elections no longer concurrent. However, legislative elections were set to coincide with the elections of governors and mayors.	Yes
	The 1989 amendment enable popular elections for governors and mayors		
	The 1961 constitution enables the PR System with the D’Hontd system, with closed and blocked party lists as the electoral formula to elect members of the legislative branch.	Legislature's electoral system changed to a mixed-member PR system with a plurality component ^c :	Yes
	The 2009 amendment introduced a one-side gerrymandering strategy to strengthen electoral districts where the president's party was weak.		
Power Distribution reforms	The 1961 constitution grants a strong, centralised, disciplined, and no fragmented two party systems.	The new constitution substitutes the newly constituted multiparty system with a personalist, one-party system integrated into the state that seized and took over political power.	Yes
	The 1989 amendment allows for a decentralised and fragmented party system promoting the emergence of new, less cohesive and more pluralistic political parties competing to win elections at the national and local levels.		
	The 1961 constitution granted very limited legislative powers to the president as such powers were exercised within the limits imposed by party leaders.	The new constitution allows for concentration of state power in favour of the president, state centralisation, and extreme Presidentialism.	Yes
	President has no autonomous decree power, unless enabled by congress, neither has the power to call for a popular referendum to pass legislation.	The new constitution enables the president to enact laws as he pleases overpassing the Congress. He is also allow to call for referendums without any support from the legislature	Yes
	The 1961 constitution grants the president the power to appoint and dismiss governors.	The new constitution enables the president to recall the mandate of governors, mayors, and the president but only under highly stringent conditions.	Yes
	The 1989 amendment provides for the election of governors and mayors by popular elections, and also its immediate re-election	In 2006 a presidential decree reduced the power of legitimate elected governors and mayors by handing more power to nonelected representative entities named: ‘communal councils’, which were controlled by Chávez’s political party.	Yes
	The 1961 constitution allows the legislature to elect the Supreme Court by simply majority in a joint session of both houses. Presidents usually have no control over the judicial branch.	Chávez takes full control of the Supreme Court, ending both decentralisation and the independence of the judicial system. Additionally, president is granted to appoint the heads of the nonelected overseen regulatory bodies jeopardising the system of checks and balances that regulates the state concentration of power.	Yes
	The 1989 amendment grants administrative decentralisation and political independence to the Supreme Court from both party leaders and legislators by assuming a more autonomous and active role in the administration of justice.		

Criteria	1961 Constitutional provisions and the 1989 amendment: 'Transitional Period'	Reforms outlined in the 1999 new constitution and further amendments: 'Divergence period'	Passed
Policy Making Reforms	The 1961 constitution grants a predominant role of national party leaders as the heads of the legislature. Thus, they could decide how the party should vote in congress, and, therefore, they had significant control over the policy-making process.	The 1999 Constituent Assembly decrees the dissolution of both the Senate and the Chamber of Representatives of the National Congress. In its place the National Assembly is set up which was comprised by a new set of political elites supporting all the policies the executive wanted to implement.	Yes
	Presidents rely on consultative commissions and corporatist arrangements formed by party leaders, labour and business groups, for the design and implementation of public policies.	Consultative commissions and corporatist arrangements disappeared or were broken down with the enactment of the 1999 new constitution. Instead, the president either by his own or with the support of his followers in the National Assembly oversees the design and implementation of public policy	Yes
	The 1989 amendment enables legislatures to play a much more significant role in the provisions of laws. Party leaders no longer have the power to propose laws outside the congress	After becoming significantly powerful, the president circumvented traditional party leaders and legislatures as policy makers to the point that in several legislative periods (2001, 2007, 2010) the National Assembly granted Chávez 'enabling powers' to rule by decree.	Yes

Source: Author's compilation from: Payne, et. al. (2002); Negretto (2013); Monaldi et.al. (2008); Corrales, et. al. (2007), Corrales (2011); Brewer-Carías (2010).

Notes

a Before the 1999 constitutional reform Venezuelan presidents could run again only ten years after the end of their first term (Payne, et. al. 2002)

b Venezuela adopted the rule of unlimited presidential re-election after a constitutional amendment passed by referendum in 2009 (Negretto 2013, 95)

c It is striking to note that since the 1989 amendment to the old constitution and with the 1999 constitution, different versions of the mixed-electoral systems were used for the legislative elections of 1993, 1998, 2000, and 2005.

The 1999 constitutional reform conducted over the electoral system also modified the electoral cycles; it banned the concurrency of the presidential and legislative elections. However, the Constituent Assembly allowed for both legislative, and governors and mayor's elections to be held at the same time. This constitutional provision reinforces itself with the provision of plurality formula to elect the president. These two electoral reforms tend to produce either two major parties or a single hegemonic party (Negretto 2006). Hence, the design of these reforms can be regarded as constitutional designs meant to hurt the opposition parties rendering them absent of the political contest. This, in turn, allowed Chávez's political party (PSUV) to gain control over most of the important political institutions that provide checks and balances to the government.¹⁶³

As if the electoral reforms made by means of constitutional reform were not enough, in 2009, via a questionable referendum,¹⁶⁴ a constitutional amendment passed

¹⁶³ According to Corrales (2011), after Chávez took office in 1998 he managed, in only two years (from 1998 to 2000), to have complete control over the Supreme Court, the National Electoral Council (CNE), the National Assembly, all but two governorships, most of the military, and, finally, the state-owned oil company (PDVSA) (Idem, 123).

¹⁶⁴ The legitimacy of the consultative referendum that approved, among other things, the indefinite re-election of the president can be called into question as only 38.7% of eligible voters casted their ballots,

resulting in greater accumulation of power in hands of the executive, and against the opposition. This amendment, for instance, enabled the elimination of alternation of power in the presidency. That is, it established the continuous and indefinite re-election of the president, which had been always prohibited (Brewer-Carías 2010, 30). The amendment also approved the Organic Law of Electoral Processes, where the National Assembly introduced a one-side gerrymandering strategy to the electoral system to strengthen electoral districts where the president's party was weak,¹⁶⁵ and, therefore, diminishing opposition electoral stronghold districts¹⁶⁶ (Corrales 2011).

As for the power distribution reforms, table 6.2 (see second row) also shows that the constitutional provisions approved over both periods had different and contradictory aims on this matter. While during the first sub-period of the 'transitional period' the 1961 constitutional reform initially had endeavoured to concentrate power in hands of the leaderships of the two traditional parties (COPEI and AD) –at the expense of reducing power to the legislative and executive branches-, in the second sub-period it tried, instead, to redistribute power by enabling both a higher level of political representation for new political parties, and greater autonomy for the president to enact new laws. However, all the gains achieved with the 1989 amendment to balance the power structure were sharply hampered during the 'divergence period' when Hugo Chávez took office. The enactment of the 1999 constitution engineered a system meant to concentrate power in favour of the president. The following description in table 6.2 analyses these changes over the periods mentioned above.

that is 62.2% of voters did not turn out to vote, the yes votes obtained 81.9% and the no votes 18.1% (Brewer-Carías 2010, 55).

¹⁶⁵ After 8 years in power, Chávez's political party (PSUV) started losing electoral competitiveness in 2007 as it lost about 1.8 million votes between the presidential election in 2006 and the legislative elections of 2010; whereas the opposition, during the same period, won 1.5 million votes. However, as Corrales (2011) clearly states, less competitive does not mean that PSUV became uncompetitive. In fact, despite losing an important share of the legislative house, the coalition ruling party managed to keep the majority in government. For instance, in the 2010 elections, the PSUV obtained 48% of the votes, still more votes than the opposition coalition, La Mesa, which obtained 47% of the votes casted (Corrales 2011, 123).

¹⁶⁶ As noted above, by 2008 Chávez's electoral coalition has both shrunk and changed, thus, establishing a bias gerrymandering strategy was a logic step in order to avoid the electoral misfortunes his party was facing at the end of the 2010. The gerrymandering strategy was 'to merge the electoral districts in which opposition was electorally strong with pro-government districts so as to dilute or destroy the opposition's edge' (Corrales 2011, 129). The aim of this electoral reform was twofold: first, it was done to benefit the ruling party in the states where it was weaker, and second to hurt the opposition where it was more competitive.

As previously discussed, the institutional engineering of the constitution during the ‘transitional period’ was aimed to give more power to leaders of the traditional parties.¹⁶⁷ This meant that presidents, during the first sub-period of the ‘transitional period’ (1961 -1989), had rather little autonomy of decree power (unless enabled by congress), had no power to call for a popular referendum to pass legislation and had no control over the Judiciary.¹⁶⁸ Despite the weaknesses, the only prerogative the 1961 constitution granted to the presidency was the direct, discretionary, and freely appointment and dismissal of mayors and governors for all 23 states that compose the country (Monaldi, et. al., 2008; 391, 397).¹⁶⁹

Over the second part of this same period (1989 -1998) by means of an amendment enacted in 1989, the 1961 constitution was changed in order to redistribute power more evenly among the different branches of government. Because the power structure established during the first sub-period had failed to deliver solutions that could mitigate the effects of the crises the country had faced since beginning of the 80s. The outcome of this amendment was indeed positive in terms of the Venezuelan democratic performance because the legislative branch was strengthened, the leaders of the political parties began to lose their influence, the executive gained autonomy, and the judicial branch became increasingly important as a control body for both the executive and legislative branches.

¹⁶⁷ Two examples can be offered to show the way by which this constitution enabled the leadership of the party leaders. First, they had the power to control nominations of entry into the Congress thereby ensuring a strong, centralised, disciplined and non-fragmented two party system, with high entry barriers for new political parties (Monaldi, et. al., 2008). That is, the national party leaders could control nominations to the Congress as the 1961 constitution enable the use of the single closed and blocked list electoral system to win a seat in the house. This electoral system was a powerful disciplinarian tool used by party leaders in order to use it to control the nominations (who gets in the list) and the order of the election (who gets elected first) (Crisp 2001).

Second, the presidential legislative power was exercised within the limits established by party leaders. This was feasible because party leaders used to control Congress; therefore, if the president wanted to veto a law that favoured party leaders’ interests, Congress could easily override the veto by simple majority.

¹⁶⁸ The election of the members of the Supreme Court was made by the Legislative branch by simple majority in a joint session of both houses.

¹⁶⁹ This constitutional provision in favour of the president was not regarded as a modest political asset. In fact, it was a powerful negotiation tool that presidents often used to equilibrate –in some way or another- the balance of power with party leaders. That is, it enabled presidents to appoint and dismiss governors and mayors to give them a relative good bargaining power with political leaders. This is because presidents have the control over part of the national budget to allocated regional allotments. Another way of looking at the importance of this provision for presidents is that both governors and mayors had to be completely loyal to the president, which in a way could help the president to have decision-making powers in several aspects of the domestic policy.

In fact, one of the most important achievements of this amendment was the introduction of a provision allowing for a more pluralistic system of political parties. This enabled the decentralisation and the advent of new political parties to compete for positions of power.¹⁷⁰ This provision, in addition to helping the decline of traditional bi-partisanship, it also allowed the legislative branch to play a much more significant role in the policymaking process as national party leaders could no longer broke deals outside the congress (Monaldi, et. al., 2008).¹⁷¹ This amendment also changed the most important power prerogative conferred to presidents to bargain with party leaders. In other words, presidents lost control over part of the national budget (the constitutional allotment to the regions) when the 1989 amendment enabled the election of governors and mayors by popular election. This reduced political power of presidents because the executive branch had less influence over the legislative due to congressmen no longer had debts with the presidents. Finally, this amendment not only balanced the distribution of power between the executive and legislative branches but also granted more power to the members of the judiciary. It allowed that the increasing demands from citizens to improve access to justice and judicial independence, both at national and provincial levels, were heard by Congress. Thus, Congress ruled for administrative decentralisation and political independence of the Supreme Court from both party leaders and legislators by granting a more autonomous and active role in the administration of justice.¹⁷²

From the previous analysis, it can be argued that over the first part of the ‘transitional period’ the distribution of power was biased towards the national party leaders, whereas over the second part of that period such balance was re-distributed among the three branches of government. However, as will be seen next, the power distribution

¹⁷⁰ In fact, while during the first sub-period of the ‘transitional period’ the average effective number of parties (ENP) represented in the chamber of deputies was 2.83, by the second sub-period (mid 1990s) the ENP rose to 6.05 (Monaldi, et. al., 2008, 278).

¹⁷¹ A good indicator of this fact is that while over the first sub-period the legislative branch initiated just 34% of the ordinary laws approved, this average increased by almost doubled to 62% over the second sub-period (1989-1999) (Monaldi, et. al., 2008, 395). In terms of power distribution, the above-mentioned change in the approved rate of laws can be understood as a way by which legislator gained independence and became less disciplined to the party leaders, and more specialized in policy issues which gave them the opportunity to even split off from the traditional parties that had nominated them and create their own legislative groups.

¹⁷² The increasing independence of the Court over se second part of the ‘transitional period’ can be illustrated by its leading role in the impeachment of President Pérez in 1992 and its many jurisprudence that had negative effects over the traditional parties (COPEI and AD) when conflicts arise over electoral issues.

reforms approved over the ‘divergence period’ had no other intention but to ensure a systematic concentration of power in the executive branch at the expense of weakening many of the provisions passed over the second sub-period that used to guarantee the checks and balances of the previous constitution.

Accordingly, table 6.2 also showed how the enactment of the 1999 constitution changed dramatically the balance of power in favour of the executive branch since Hugo Chávez took office in 1998. First, the Constituent Assembly –appointed mainly by the ruling party¹⁷³- ‘allowed one faction, person and party, to completely seize and take over political power, and subsequently use it to crush all other parties and opponents’ (Brewer-Carías 2010; 20). That is, under the new constitution the recently constituted multiparty system was abolished and replaced by a very idiosyncratic one-party system that seized and took over political power. This led to concentration of state power in favour of the president, state centralisation, and extreme Presidentialism. These constitutional reforms gave the president more legislative prerogatives, with an antiparty tendency, and a military force aligned and incorporated into the constitution (Corrales, et. al., 2007; Corrales 2014).

A good indicator of the excessive prerogatives granted to the president by the new constitution and its consequences over the structure of balance of power it produced in Venezuela over the ‘divergence period’ was the introduction of the so-called ‘enabling law.’¹⁷⁴ This law is a prerogative granted exclusively to the president to issue decrees with the force of law as he pleases overpassing the congress.¹⁷⁵ Among other things, this law has allowed the president to call for referendums without any support from the legislature, recall the mandate of governors and mayors, partially reform the

¹⁷³ With 56% of the vote, the president’s supporters obtained 95% of the seats in the Constituent Assembly. These disproportional results were the result of the adoption of a majoritarian system, contradicting the proportional representation electoral system prescribed by the prevailing constitution (Monaldi, et. al., 2008; 401).

¹⁷⁴ This particular issue regarding the use of ‘enabling laws’ as a mechanism to concentrate power in the executive branch will be further developed in the next subsection (6.4.1.3) in a comparative fashion with the Colombian case that also had the mechanism known as ‘States of Emergency laws’ and ‘delegative laws’.

¹⁷⁵ President Hugo Chávez have used the full legislative power granted by this ‘enabling law’ to issue decrees in almost all aspects of public life such as: 1) transformation of state institutions; 2) popular participation; 3) public services; 4) Economy and society; 5) financial and tax systems; 6) civic security; 7) science and technology; 8) territorial order; 9) defence and security; 10) infrastructure, transportation, and services; and 11) energy (International Crisis Group, 2008).

value-added tax (VAT)¹⁷⁶ and modify the currency,¹⁷⁷ among others. However, Chávez's main use of this enabling law was focused on undermining the opposition, specifically when they showed signs of political recovery or when they won the major municipalities of the state-capitals in the 2008 elections.¹⁷⁸ Provisions such as the creation of 'enabling laws' and 'communal councils'¹⁷⁹ can be considered as important examples of how the executive branch concentrates power in the hands of the president by constitutional means. These constitutional amendments were designed to change the composition of national power by changing the country's territorial and political organisation which, in turn, was possible thanks to the dismantlement of the democratic government structures.

A comprehensive analysis on power distribution reforms cannot be complete without considering the provisions entrenched in the 1999 constitution in terms of the independence of the judiciary. On this front, evidence shows that the judicial system lost ground in the battle partially won with the 1989 amendment conducted over the second sub-period of the 'transitional period' (see table 6.2).¹⁸⁰ Unfortunately, the progress made in this area backfired during the 'divergence period' when the new constitution was approved. In fact, one of the first tasks assigned by President Chávez

¹⁷⁶ The 26 February 2007 decree reduced the VAT to 11 per cent from 1 March until 30 June 2007 and 9 per cent subsequently (International Crisis Group, 2008; 2).

¹⁷⁷ The decree of 6 March 2007 on monetary conversion paved the way for the change of the currency from Bolívars to Strong Bolívars (1,000 Bolívars: 1 Strong Bolívar) on 1 January 2008 (International Crisis Group, 2008; 2).

¹⁷⁸ The 2008 regional election were held to elect 603 posts for governors, mayors, and local councils. Despite the ruling party (PSUV) won again the majority of both votes and post, the opposition won 5 out of 8 mayor's offices in the larger cities of the country. This electoral outcome was regarded as an important victory for the opposition as the cities won by them were the most populated which, in turn, allowed them to get 4.137.756 votes against 5.422.064 votes obtained by PSUV. Given this electoral outcome, Chávez made use of the power granted by the 'enabling law' and issued a decree that reduced the power of legitimate elected governors and mayors. He did this by transferring more power to nonelected representative entities namely: 'communal councils' which were controlled by Chávez's political coalition (International Crisis Group, 2008; 13).

¹⁷⁹ The communal councils were created by law on 7th April 2006. Since then, President Chávez has relied on them several times in order to set the basis of its centralised government. Particularly on the 2008 regional elections, President Chávez expanded the scope of these entities empowering them to administer the regional budgets of all the presidential led social programs. This new provision weakened the democratic elected municipal governments putting mayors and governors' authority from the opposition into question, as they ended up with no budget to undertake their governing programs.

¹⁸⁰ As previously described, such amendment had an important and positive effect on the decentralisation and political independence of the judicial branch of government. This was possible because it assumed a much more autonomous and active role in the administration of justice, far from the excessive power party leaders had over the appointment of nonelected organs of the public power (e.g., Supreme Court, Judicial Council general controller, prosecutor general, Electoral Supreme Council, among other control institutions) during the first sub-period of the 'transitional period' (Brewer-Carías 2010, 47).

to the Constituent Assembly was not to increase checks and balances by increasing judicial guarantees of constitutional rights to guarantee greater citizens participation in the democratic order. Instead, the Constituent Assembly designed an institutional framework so that the judicial branch of government would be less independent and autonomous. It was based on giving the National Assembly (which was comprised by a majority of Senators from the ruling party) the authority not only to appoint but also dismiss judges –even by a simple majority of votes- of the Supreme Court, and all the other heads of the different control bodies of government (Brewer-Carías 2010, 217). Therefore, making use of this constitutional provision, the National Assembly appointed a new set of Magistrates that were close to government which allowed the president to gain political control over the Supreme Tribunal of Justice and, through it, the whole judicial system (ibid.: 227).

Thus, with the evidence presented previously this project works from the premise that the power distribution reforms conducted over the ‘divergence period’ through a comprehensive strategy of institutional engineering was designed to concentrate and retain power in the hands of the president. This evidence also seems to demonstrate that the government has faced a gradual dismantlement of its democratic regime as the traditional horizontal concept of separation of power beyond the classic legislative, executive and judicial powers has been hampered by a ‘general reform’ which has only benefited the presidential institution.

Lastly, it is necessary to review the evolution of the policy-making reforms. To do so, the last row in table 6.2 depicts in a comparative fashion the main constitutional provisions – either via amendment or reform- this country went through during both the ‘transitional and divergence periods.’ It should be noted that the outcomes achieved by the way policy-making was designed and implemented depend not only on the scope and stakeholder’s interests, but also on the way power distribution reforms were approved by the legislature. In other words, there exists a close relationship between those who were granted (by constitutional means) to enact laws and the way by which those laws became public policy.

Such relationship is evident over the two sub-periods covering both the ‘transitional period’, and the ‘divergence period.’ In the case of the former, and from the analysis presented above, it is clear that over the first sub-period (1961-1989) party leaders

were the ones who concentrated power in their hands. Because congressmen owed party leaders their nominations and subsequent appointment, the latter were the heads of the legislature and thus could decide how the party should design and implement any public policy intended to be approved in Congress. In this sub-period, the policy-making process was conducted not directly by the presidents and its cabinet, but through consultative commissions¹⁸¹ made up by the president, party leaders, interest groups, and business groups. These cooperative arrangements far from favouring a balanced design and implementation of public policies were meant to produce a close control over the policies proposed by the executive power by the other groups integrating these commissions, especially by the party leaders.¹⁸² Thus, and following Monaldi's (2008) analysis, the consultative commissions model used by the Venezuelan regime for the formulations of policies is the result of a bargaining process led by party leaders and other interest groups to limit the presidential power in the policy-making process. In other words, the cooperative arrangements, such as the above-mentioned commissions, 'allowed for party involvements [in the design and implementation] and 'alarms' at higher levels of the policy-making process' (Monaldi, et. al., 2008; 386).

The 1989 constitutional amendment changed little the policy-making process over the second sub-period (1989 – 1998). The consultative commissions were still in place to formulate public policy but with a lower incidence of party leaders. The less important role played by political parties and its leaders was the logical outcome of the reforms conducted over the distribution of power among the branches of government. Although this reform was discussed above, it is worth remembering that over the first part of the 'transitional period' the distribution of power was biased towards the national party leaders, however, it changed over the second part of that same period as was re-distributed among the three branches of government.¹⁸³ As expected, those

¹⁸¹ Between 1961 and 1989, Venezuelan presidents created 330 consultative commissions to formulate public policy (Crisp 2000).

¹⁸² As discussed above, the 1961 Venezuelan constitution did not give presidents significant legislative prerogatives. Presidents were constitutionally weak despite the fact they were often delegated legislative powers and were in charge of initiating most of the legislation approved by the Congress. However, party leaders maintained veto power over legislation, setting significant limits on the exercise of the policy-making process proposed by the president (Monaldi, et. al., 2008).

¹⁸³ As briefly discussed above, the 1989 amendment not only balanced the distribution of power between the executive and legislative branches but also granted more power to the members of the judicial branch.

power distribution reforms had a ripple effect on the policy-making process because the formulation of public policies became the responsibility not only of party leaders, but also of both legislatures and presidents. These branches of government gained autonomy and could freely design and implement policies that were not totally backed by national party leaders. In sum, once again, the analysis conducted over the second sub-period shows that the provisions included in the 1989 amendment concerning policy-making reforms was an important step in the right direction to improve the Venezuelan democratic performance as this amendment ensured decentralisation, autonomy, and a more active role by the different branches of government in the design and implementation of the public policy.

However, the democratic gains achieved through the policy-making reforms over the second sub-period changed dramatically and in a negative way over the ‘divergence period’. Since President Chávez came to power in 1998, this change was expected as the recent appointed Constituent Assembly marked the end of the consultative commissions and the cooperative arrangements used over the whole ‘transitional period.’ That is, rather than continuing with a cooperative strategy among the different branches of government in favour of the design of public policies, the Constituent Assembly decided to dissolve both the Senate and the Chambers of Representatives of the National Congress, and dismiss its elected (in 1989) senators and representatives. In its place a unicameral National Assembly was set up and composed, in turn, by renewed political elite from partisans and members of the new political parties that fully supported the ruling government (Brewer-Carías, 2010).

Consequently, the provisions included in the enactment of the new constitution regarding the policy-making process were easier to pass due to during the whole ‘divergence period’ the legislature had pro-government majorities¹⁸⁴ giving the executive branch, headed by President Chávez, extensive powers to craft public policy to his convenience and with the support of his allies in the National Assembly without almost any kind of opposition. Hence, the policy-making reforms were characterised by an executive branch becoming significantly powerful due to President Chávez managed to circumvent traditional party leaders and legislatures as policy makers. Such presidential dominance on the policy-making process was consolidated by

¹⁸⁴ Chávez had a coalition majority since 2000 onwards and was in minority only in 1999.

successive reforms during several legislative periods (2001, 2007, and 2010) in which the National assembly granted Chávez ‘enabling powers’ to rule by decree (Monaldi, et. al. 2008; 395). This provision, as discussed previously, would further concentrate power in the hands of the president as he could craft policies to maximise his political power, rather than design and implement efficient policies that benefit a far larger part of the population.

In sum, unlike the Colombian case, the electoral, power distribution, and policy-making reforms in both the 1999 constitution, and further amendments had a common ground: the concentration of power in hands of the president. This outcome was achieved by constitutional means as the reforms and amendments implemented over the ‘divergence period’ were endorsed by a new set of political elites whose majorities -loyalist to President Chávez- passed laws that were set up with a political agenda which ended up jeopardising the democratic performance of the Venezuelan regime. Thus, the change in the rules of the game allowed the president: (i) to design an electoral system favouring the ruling political parties and threatening the existence of the opposition parties in the legislature; (ii) to circumvent the authority of the legislative branch as policy-makers; and (iii) to comprise a Constituent Assembly and –later on- a National Assembly with the overwhelming capacity to redistribute power and hand it over to the president which granted him ‘enabling powers’ to rule by decree. Therefore, the comparative analysis conducted above presents conclusive evidence on how over the ‘divergence period’ the new Venezuelan political elite (referred to as the *chavistas*), could change the path of democratic performance achieved during the ‘transitional period’ –especially over its second sub-period- through the three above-mentioned types of reforms that brought a direct and negative impact on the democratic performance followed by Venezuela.

6.4.1.3 Concentration of power in Colombia and Venezuela: a trade-off between the consolidation and the decline of democracy over the ‘divergence period’

As discussed above, the policy-making reforms conducted over the ‘divergence period’ (see Tables 6.1 and 6.2) had clear policy implications for how presidents could rule their countries by decree. The previous sections showed that these regimes

modified and introduced checks and balances into their constitutions to improve the guarantee of the rule of law, political rights, civil liberties, and legitimacy through the general will of their citizens. Paradoxically, however, these new constitutional rules also allowed the modification of some provisions facilitating the concentration of more political power¹⁸⁵ in the Executive branch, introducing new challenges to improving or maintaining the democratic performance of these countries (Montoya, 2010; Corrales et al., 2013).

The intention of this section is to identify, explain and analyse the main mechanisms included or modified in the enactment of the Colombian and Venezuelan new constitutions –or granted by subsequent amendments- that enabled the executive branch of government to hold a greater concentration of power. Additionally, it will also critically assess the impact that these mechanisms had over the democratic performance on these countries. The analysis will focus on the ‘divergence period’ when the Colombian President Alvaro Uribe (2002-2010) and the Venezuelan President Hugo Chávez (1999-2010) managed to use extensively this set of rather extraordinary constitutional mechanisms to enhance their leadership, affecting their polities’ democratic performance. This section concludes by saying that despite both Presidents making use of these mechanisms, causing a democratic deterioration on their regimes, the scope and depth in the implementation of these provisions brought about comparatively more acute consequences for the democratic performance in the case of Venezuela. In this sense, it will be argued that the use of decree powers by both Presidents provides additional evidence to explain the process of democratic divergence followed by these countries over the ‘divergence period’.

Constitutional mechanisms enabling concentration of executive power in Colombia and Venezuela

As has been discussed, the enactment of both the Political Constitution of Colombia in 1991 and the Bolivarian Constitution of Venezuela in 1999 established a new set of

¹⁸⁵ As discussed in subsections 6.4.1.1 and 6.4.1.2, both the 1886 Colombian Constitution, and the 1961 Venezuelan Constitution also allowed for the adoption of such "enabling laws" but only with regards to economic and financial matters (Garcia-Sierra 2001). The enactment of the new constitutions expanded the scope of these provisions granting different levels of power to Presidents so that they can use these provisions on several areas of government as will be explained below.

democratic rules meant to solve the problems that their political systems faced over the ‘*transitional period*’ (Bejarano 2011; Corrales, et. al., 2010; Buxton 2001). However, instead of straightforwardly introducing constitutional changes to strengthen the rule of law and address the politics of exclusion, both constitutions also modified or introduced a set of mechanisms allowing the executive branch to increase its influence by using decree powers. The common mechanisms introduced by both countries with the enactment of the new constitutions were: The *State of Emergency* and the *extraordinary powers* (the latter known as *enabling laws* (leyes habilitantes) in Venezuela, and *delegative laws* (leyes de delegación) in Colombia.

In the Colombian case, the *State of Emergency* was a constitutional provision granted to the President to enable him to enjoy more political autonomy and independence when either circumstantial situations arose or when traditional constitutional powers were not sufficient to confront them (Vanegas, 2011). However, and to prevent the abusive use given to a similar mechanism widely used over the ‘transitional period’ called: *State of Siege*,¹⁸⁶ the new Constituent Assembly opted to clearly delineate the situations in which this power could be used by the President, its length of time, and the instances to declare it. Therefore, *the State of Emergency* can only be applied in circumstances where there is an international armed conflict (external war), a serious disturbance in public order (inner commotion), and a serious disturbance of the economic, social or politic order (emergency order) (Vanegas 2011).¹⁸⁷ Additionally, *States of Emergency* can only last, for wars, the duration of hostilities; for inner commotions, ninety days with maximum two extensions of the same time; and for the emergency order a maximum of thirty days with two equal extensions. The regulatory procedure for using this mechanism is relatively simple since it only requires a Presidential decree signed by the entire cabinet and (only in case of war) the Senate must authorize its execution in advance (Vanegas 2011). Finally, in any of the three cases mentioned above, the Constitutional Court must review the decrees made under

¹⁸⁶ For example, from 1948 to 1991, Colombia was under the State of Siege for more than 30 years (the first period from 1948 to 1959, and the last period from 1984 to 1991). The use of this constitutional provision by Colombian presidents was justified under different circumstances (Semana, 1982) (Iturralde, 2003).

¹⁸⁷ The purpose of having three possible scenarios was meant to force the president to indicate with specificity the justifications to get access to this extraordinary mechanism.

the *State of Emergency* to declare either its constitutionality or to declare it unconstitutional.

On the other hand, *extraordinary powers* in the Colombian case (i.e., *delegative laws*) have a different legal and political nature. The central purpose of this mechanism is to temporarily delegate to the President specific powers of the Legislative branch so that he can create and reform laws (Herrán 2001). For this purpose, the President must expressly request from the Congress the granting of these powers, to be presented in the form of a bill.¹⁸⁸ In addition, the way in which the President will legislate will be through decrees with force of law that the same Congress can modify and to which the Constitutional Court is entitled to oversee.

As in Colombia, the Venezuelan legal system included also into the new constitution the *State of Emergency* and the *enabling laws* (EL) as mechanisms for the Executive to accumulate power so that the President can also govern by decree. The first one was never used during the Chávez administration. According to articles 337, 338 and 339 of the Bolivarian Constitution the President had also three types of situations to declare a *State of Emergency*: a state of alarm (by catastrophe or public calamity), state of economic emergency, and state of internal or external commotion; with a duration of thirty days, sixty days and ninety days respectively and with extensions of equal length. *State of Emergency* provisions should be requested by the President with the signature of his ministers, and any decree issued will have a legal review of the Supreme Court of Justice.

As discussed in the previous section, the second mechanism introduced in the Bolivarian Constitution allowing the executive branch to increase its power are the Enabling laws. Unlike the first one, this constitutional provision has had continuous use since its enactment as will be shown below. According to the Bolivarian Constitution, as in the Colombian case, these laws are formally requested to the National Assembly by the President and its approval requires three-fifths of the total number of legislators (Tavares, et. al., 2004). However, and unlike the Colombian

¹⁸⁸ Such request will be processed under the same nature of any common law, requiring a favourable vote of the absolute majority in the two chambers. The approval of a bill must have four debates: two in the House of Representatives and two in the Senate. The processed law may only grant delegative powers for a maximum of six months and only on the topics that the Congress specifies, excluding, in any case, the impossibility of modifying the codes, statutory, organic or tax laws (article 150, numeral 10 of the Constitution of Colombia).

case, the National Assembly granted President Chávez complete freedom to establish the duration and scope of the implementation of this provision. Additionally, the President has the constitutional duty of justifying every decree made under the delegation of legislative capabilities (Tavares, et. al., 2004).

Alvaro Uribe Velez (2002-2010): the combination of extraordinary constitutional provisions to accumulate power

Over the ‘divergence period’, as Guerrero (2011) states, Uribe’s government continued using the *State of Emergency* mechanism that prevailed in the second half of the 20th century,¹⁸⁹ changing not only the balance between powers but also affecting negatively the democratic performance that the 1991 Colombian Constitution tried to improve.

Under his eight-year term, President Uribe declared three highly controversial *States of Emergency*. Two of them were declared unconstitutional by the Constitutional Court, while only one of them was declared constitutional by the same court.¹⁹⁰ The first of these was issued within the first five days of Uribe’s inauguration by the decree 1837 of 2002 (see Table 6.3 below). The Uribe government argued that a period with special powers was necessary because of the situation of insecurity caused by the threat of illegal armed groups that the country was facing. This *State of Emergency* lasted 180 days through the double extension approved by the Legislature. Its essential aim was to normalise the situation of the country by boosting the capacities of the military

¹⁸⁹ Guerrero (2011) used this comparison, to make a reference to the permanent use of the provision called States of Siege, a constitutional provision from the ‘transitional period’ that was most of the time used by the Presidents since the formation of the National Front until the enactment of the 1991 Constitution.

¹⁹⁰ Over his two terms in government Uribe also issued two additional States of Emergency decrees but they are not considered on this analysis because the extraordinary power was not conferred directly to him but to other departments attached to the government. The first one issued the decree 4333 of 2008 declaring the social emergency aiming to control the massive collection of illegal money and money laundering by private citizens. On this instance was not the President but the Financial Superintendence’s office the authority responsible of conducting the investigation, prosecution and judicial proceeding. The second provision of State of Emergency that was not directly handled by the executive branch but by the Ministry of Foreign Affairs was the decree 2693 of 2010. This decree was issued when the diplomatic crisis of Colombia and Venezuela led to the closing of the border over allegations made by President Uribe that the Venezuelan government was actively permitting the FARC and ELN guerrillas to seek safe haven in its territory (CNN 2010).

forces and the fiscal effort of the Colombians to implement his flagship policy called Democratic Security.¹⁹¹

To implement this policy, President Uribe issued the decrees 2001, 2002 and 2929 of 2002, enabling the creation of ‘zones of rehabilitation and consolidation’. Under the influence of these decrees and zones, the executive branch had the power to restrict population mobility, to manage specific fiscal resources, to allow the security forces to wiretap without a court order, and carry out raids, searches and detentions without any prior judicial authorization or warrant (Guerrero 2011).¹⁹² Regarding the implementation of this *State of Emergency*, Guerrero (2011) argues that this provision went against the institutional limits for two reasons: first, it legislated on fiscal matter, and, second, it converted the paradigm of security into a necessary justification for initiating the concentration of power by strengthening personal ties with the military forces and passing over the national Legislature. Hence, this provision allows us to identify a first instance of institutional concentration of power in hands of the executive branch that was justified by the desire to implement Uribe's flagship Democratic Security policy.

The second *State of Emergency* was issued by means of decree 3929 of 2008. It was justified by stressing the judicial paralysis experienced by the country due to the labour stoppage in this sector which was affecting both institutional stability and the guarantee of providing a fair and effective system of internal justice. To do so, the President issued three decrees seeking to grant special powers to the Superior Council of the Judiciary (SCJ) because the Supreme Court of Justice had refused to apply the rules dictated to solve this problem (El Tiempo, 2009). However, the Constitutional Court declared the decrees unconstitutional because the ordinary means of dealing with the crisis were not properly evaluated, and the mechanisms to address the origin of the problem were not clearly specified.

Finally, the last *State of Emergency* was enabled through the decree 4975 of 2009. It was issued under the justification of rescuing the General System of Social Security in

¹⁹¹ This policy is defined by Pachón (2009) as a government program aimed at consolidating the State at the national level through the strengthening of public force and territorial control.

¹⁹² Likewise, by issuing the decree 1838 of 2002, a new tax was approved to ensure the financing of the Democratic Security policy with a rate of 1.2% on the value of the net patrimony of the richer declarant's (El Tiempo 2002).

Health (GSSSH) from the crisis it was facing.¹⁹³ The decree opened up the way for the central government, headed by President Uribe, to control the entire health sector through the creation of special committees (such as FONPRES – *Fondo de Prestaciones Excepcionales de Salud*), and to finance the health sector deficit by both patients' patrimony and taxes previously earmarked to finance other sectors.¹⁹⁴ Nonetheless, the Constitutional Court, once again, declared this decree unconstitutional for two reasons. First, because the health service is a fundamental right and its regulation requires public participation (not only from the Executive branch), and second because this decree meant to seeking more resources but did not correct the nature of the deficit. Consequently, the Constitutional Court argued that there were no extraordinary events in order to declare a *State of Emergency*, due to there were ordinary mechanisms to deal with the situation, and the decree, on the other hand, hinders the full enjoyment of this service.

Table 6.3 shows all the decrees issued under the three *States of Emergency* described above, as well as their outcome in terms of constitutional control.

Table 7.3.
States of emergency issued by Uribe's
government 2002-2010 – Colombia

Decree	Causes	Legislated decrees	Legal controls	Length
Decree 1837 of 2002	Decrease of public control over actions by illegal armed groups and constant violation of Human Rights	Decree 2555 of 2002 (extension), decree 245 of 2003 (extension), legislative decree 2001 of 2002, legislative decree 2002 of 2002, decree 1838 of 2002, legislative decree 2929 of 2003	C-202/02 and C-1024/02. The Constitutional Court modified and declared some articles as non-constitutional but left intact the bulk of the decree	270 days
Decree 3929 of 2008	Crisis of the health system. Financial Instability	Legislative Decree 3930 of 2009, Legislative Decree 021 of 2009, Legislative Decree 3955 of 2009	C-070/09, C-071/09, C-072/09, C-176/09 Both the Decree calling for Emergency and those carried out under this State of Emergency were declared non-constitutional by the Constitutional Court.	30 days

¹⁹³ The crisis in the health system was caused by the abrupt growth in the demand for expensive drugs and medical treatments that were not covered by government subsidies.

¹⁹⁴ For instance, the gambling taxes that traditionally were used to finance the sport sector. Hence, by the means of this decree was intended to use those resources to finance the health sector.

Decree	Causes	Legislated decrees	Legal controls	Length
Decree 4975 of 2009	Paralysis of the judicial branch	Legislative Decree 4976 of 2009, Legislative Decree 073 of 2010, Legislative Decree 074 of 2010, Legislative Decree 126 of 2010, Legislative Decree 127 of 2010, Legislative Decree 128 of 2010, Legislative Decree 129 of 2010, Legislative Decree 130 of 2010, Legislative Decree 131 of 2010, Legislative Decree 132 of 2010, Legislative Decree 133 of 2010, Ordinary Decree 120 of 2010, Ordinary Decree 358 of 2010, Ordinary Decree 398 of 2010	C-254/10, C-252-10, C-299/10, C-298/09, C-302/10, C-253/10, C-258/10, C-291/10, C-332/10, C-289/10, C-374/10, C-255/10 Each separate decree was declared non-constitutional by the Constitutional Court.	30 days

Source: Own compilation based on Vanegas (2011), Montoya (2010) and data from Bogota Mayor's Office

Overall, from the total *State of Emergency* decrees issued by President Uribe over his eight years tenure, it is possible to recognise the authoritarian nature of President Uribe's decisions by relegating Congress to advisory functions (Montoya 2010). By looking at the nature and justification to issue the first and the third decrees, President Uribe was prone to put his private interests before the public interests contributing to social disintegration, and endangering the democratic performance of the Colombian regime. Nevertheless, it is also important to recognise the role played by the judicial system, particularly the one exerted by the Constitutional Court, as an effective supervisory body to keep the Executive branch accountable to the checks and balances embodied in the 1991 Colombian constitution. The Constitutional Court's capacity to declare two out of the three *State of Emergency* decrees unconstitutional provides evidence to claim that the necessary mechanisms to ensure the independence of the branches of governments to preserve the rule of law worked, and it is still a prime principle of the Colombian political system.

Table 8.4.
Delegative laws issued by Uribe's
government (2002-2010) – Colombia

Date	Purpose	Status
August 6, 2002	Not specified	Filed
October 10, 2002	To advance the renewal program in public administration	Law 790 of 2002
July 20, 2006	To modify the General System of Social Security in Health	Law 1122 of 2007
September 6, 2007	To determine the structure of the National Administration	Filed
July 20, 2008	Provisions in the areas of penitentiary and prison	Filed

Date	Purpose	Status
August 6, 2008	To regulate the foreign service of the republic and the diplomatic and consular career	Filed
October 8, 2008	Special career system for the servers of the Administrative Department of Security	Filed
December 16, 2008	Not specified	Filed
April 23, 2008	Issue the rules related to the career of the personnel of the public force and the provisions that regulate the service of recruitment and mobilization	Filed
July 22, 2009	To determine the structure of the National Administration	Filed
July 29, 2009	To issue career rules of the personnel of the public force, of the service of recruitment and mobilization of the evaluation of the psychophysical capacity and the reduction of the labor capacity; and provisions on arms, ammunition and explosives	Filed

Source: Own compilation based on data from the Congress of the Colombian Government

On the other hand, as discussed earlier, the Colombian Constitution also granted executive powers to the executive branch by allowing the president to use an alternative provision known as *delegative laws*.¹⁹⁵ Due to the strong control that the Constitutional Court exerted over the laws enacted using the *State of Emergency* provision, Uribe's administration tried to use this mechanism in multiple occasions to enable him to pass several laws on the basis that his party, in coalition with other parties, had parliamentary majorities. The use of the *delegative laws* as a provision to pass legislation without following the constitutional process evidence, once again, Uribe's authoritarian tendencies in his approach to ruling the country.

As can be seen in table 6.4, over his eight years in power President Uribe drafted 11 *delegative laws* with the clear political intention to accumulate power in his hands. However, from them, only two finally became the law of the Republic even though President Uribe had a legislative majority during that period (Olivella, et.al., 2006). This rather poor legislative outcome underlines the point that the judicial branch, through the Constitutional Court, and also the Legislative branch, through the unwillingness from members in Congress to delegate their constitutional functions, were hindrances that Uribe had to deal with, restrains that did not allow him to concentrate as much power as he would have wanted.

In the light of the above points, it is worth reviewing the details of the two *delegative laws* that President Uribe managed to pass after the previous control exerted by both the legislature, in four debates; and the Constitutional Court revision. On the one hand,

¹⁹⁵ These are understood as any law that grants the President of the Republic extraordinary powers to execute decrees with force of law for a limited time (Herrán, 2001).

Law 790 of 2002 enabled President Uribe to make an administrative reform aiming to restructure the executive branch of government.¹⁹⁶ This reform was achieved by means of five legislative decrees with a minimum modification by the Constitutional Court through ruling C-911 of 2004.

On the other hand, the *delegative law* 1122 of 2007, aiming to reform the Health System, came into force after Uribe's failed attempt to pass it through the *State of Emergency* provision was declared unconstitutional by Constitutional Court. Hence, this law can be regarded as a hybrid one because President Uribe, using his decree powers, had to negotiate with the Congress so that both branches of government could legislate together to restructuring the functioning of the General System of Social Security in Health (GSSSH) (Restrepo 2007). President Uribe's second bet to enforce this law by using the *delegative law* mechanism rather than the *State of Emergency* clearly shows his persistent attempt to ignore the judicial control prescribed in the Constitution.¹⁹⁷ Nonetheless, it is also important to emphasise the control exercised by the Constitutional Court to prevent that President Uribe from further deepening executive authority through the use of decree powers. As discussed earlier, such control allowed the Constitutional Court to declare unconstitutional most of the decrees issued by means of either *State of Emergency Laws* or by *delegative laws* preventing in this way severe negative effects on Colombia's democratic performance.

Hugo Chávez (1999-2013): the enabling laws as a mechanism for the consolidation of the Bolivarian project

As introduced earlier in this section, President Chávez, unlike President Uribe, from the two Constitutional mechanisms available to him to concentrate power, only resorted to the *enabling law* provision and never to the *State of Emergency* to implement the laws he felt that he needed to consolidate his Bolivarian revolution. Two reasons can be highlighted to understand President Chávez's preference to resort

¹⁹⁶ Among the measures taken was the merging of the Ministry of Commerce with the Ministry of Economic Development, the Ministry of Labour with the Ministry of Health. Thus, this law cut down ministerial offices from sixteen to thirteen. Additionally, the law also eradicated decentralised administrative offices, and Ecopetrol, the oil national company, was split to eliminate functions on non-oil mining fields (Decree-Law 1760 of 2003).

¹⁹⁷ It also shows his stubbornness to rule the country by means of relying more on the extraordinary provisions granted by the Constitution than following the traditional and procedural mechanisms that ensure the rule of law and a better performance of a democratic regime.

exclusively to the former and not to the latter. First, the *enabling law*, when compared with the *State of emergency*, is a more flexible, expeditious, and its implementation is simpler which, in turn, guarantee less constitutional controls by the other branches of government (Tavares, et. al., 2004).¹⁹⁸ The second reason is even more striking than the previous one. As discussed above, despite the Venezuelan Constitution was drawn up by a democratically elected assembly, this assembly was composed by a pro-Chávez majority allowing him to configure beforehand the legal instruments to concentrate or modify the logics of institutional power (Corrales, et. al., 2013). Hence, it is unclear, difficult, and open to debate to understand why Chávez was reluctant to also use the *State of emergency* mechanism since his coalition party was in control of the parliament.¹⁹⁹

Table 6.5 shows the dates of the four periods in which President Chávez, throughout his three consecutive terms as President, used the *enabling law* provision, the length of each one of them, and the number of decrees issued under this mechanism.

Table 9.5.
Enabling laws issued by Chávez's
government (1999-2010) - Venezuela

Start Date	Length	New Laws	Reforms	Total
April 26, 1999	6 months	26	27	53
Announced in 2000, applied since January 2001	12 months	33	16	49
January 31, 2007	18 months	59	20	59- 65 ²⁰⁰
December 12, 2010	18 months	40	14	54

Source: Own compilation from El Mundo (2013) and Guerra (2012)

As can be seen in table 6.5, the first period in which the *enabling law* was implemented was in 1999, when the constitution of 1961 was still in force. President Chávez justified its use by pointing out that the legislative process was too slow, and by the

¹⁹⁸ Therefore, this mechanism had more attributes to quicken the implementation of the Bolivarian project to establish the programmatic foundations for the implementation of the 'socialism of the 21st century' (Node50 2004).

¹⁹⁹ Regardless of what led Chávez to rely exclusively on the use of the enabling law provision to strengthen the implementation of his political and socio-economic model of government, the reality is that he used this provision in four occasions. Not only President Chávez's reliance on resorting on this provision to issue laws, but also the extended length of time that the National Assembly granted him to use it, as stated by Guerra (2012) and Romero, et.al., (2010), should be understood as part of a political strategy in which the legislative branch bestowed more powers to the executive branch so that President Chávez could enact or amend laws without real constitutional controls.

²⁰⁰ The number of new laws and reforms issued over this period is widely debated among scholars because the enactment of many reforms was not considered deep enough to be considered a new law.

need to initiate a "process of democratisation according to the needs of a new society" (VTV 2015). By resorting to this *enabling law*, the newly-elected President Chávez issued 53 decrees that revolved around four axes:²⁰¹ organisation of the public administration, financial sector, tax reform and economic reform. Echoing McCoy (2004), it seems that Chávez over his two first years in government focused his attention in attaining economic change rather than on trying to implement a radical political change. Hence, these decrees allowed the president to freely review and modify the functioning of both ministries, and offices of the national administration, to increase the country's debt capacity, to establish a financial emergency regulation, to impose new taxes on banking operations, the unification of income tax, to carry out a social security reform with new funds, and to nationalise the property of gas and all mining goods to the State.

According to Romero, et. al., (2010), this first *enabling law* seemed to initiate a process of democratisation because it served to open the political system in concordance to what civil society was expecting.²⁰² In this sense, this first set of decrees can be deemed as a political manoeuvre to prepare the ground to configure the needed institutional apparatus so that a new type of democratic regime –more inclusive and participative- could be implemented. But at the same time, the issuing of these executive decrees also aimed to dismantle the power structure that still retained the traditional political parties, represented by AD and COPEI (Ellner, et. al., 2007). As expected, this first enabling period ended with a Constitutional Referendum held in 1999 and the subsequent enactment of the new Bolivarian Constitution which contained all the characteristics of what scholars call a hyper-presidentialist regime, centred on the dominance of the executive branch over the legislature and judiciary (Ellner and Hellinger, 2003).

The second *enabling law*, was applied in a new social and political context. At the beginning of 2001, the new unicameral Assembly was installed and President Chávez took office for second time in front of the Legislature. Thus, on November 13, 2001, the President issued 49 decrees with force of law under the *Enabling law of 2001*

²⁰¹ These were published in the Official Gazette No. 36,687 of April 26, 1999 (AVDF, 2000).

²⁰² As discussed earlier, by this time, most of the Venezuelans' urban poor still had a general belief that the political system was anachronistic and exclusionary, and they had in their memory the consequences that the 1989 Caracazo uprising brought about (McCoy 2004; López Maya 2003).

(EL2001). On this occasion, the law was justified by stressing the existence of a deep economic crisis due to the fall in oil prices (President's Office, 2005). Hence, this law enabled the President to govern, without control of the National Assembly or the judicial branch, in three areas of utmost importance: the land law and agricultural development –which enable the expropriation of land; the hydrocarbons law –which nationalised the production of Venezuelan oil; and the fisheries law –which abolished the industrial fishing permits and created large areas of artisanal fishing.

Overall, as Guerra (2012) and Romero, et. al., (2010) claim, the enforcement of the two enabling laws analysed above aimed to make the transition to the Fifth Republic, which proposed the re-foundation of the State by means of the appropriation of whole branches of government by the ranks of *Chavismo*. From this moment, the presidency will have direct power decision-making over PDVSA, the Central Bank, and virtually over the constitutional control made by Supreme Tribunal of Justice (TSJ).

The third *enabling law* was enacted in 2007 under what is known as the implementation of the Bolivarian project (Romero, et. al., 2011), and it was issued within the framework of the announced First Socialist Plan 2007-2013. The central purpose of this *enabling law* was the structuring of the economic model, for which the President ‘required legislative powers to guide the process of social transformation’ (Guerra, 2012: 395). Interestingly, on this year the National Assembly was totally controlled by President Chávez’s forces because the opposition, led by AD, refused to run for parliamentary elections. Thus, Law EL2007 issued and approved 65 legislative decrees. On this instance, unlike the previous ones, President Chávez had no limits to enforce this law since the National Assembly gave him full freedom to carry out its implementation (Corrales, et. al., 2010). The two areas most affected by the decrees supporting this law were the organic structure of the state, and the country's economic system.²⁰³ According to Villasmil (2007), this enabling period provides evidence to recognise Chávez’s authoritarian nature, not only because he, unilaterally, was able to reform the organic laws of the State but also because his economic reforms can be

²⁰³ For example, during this enabling period the Anti-Hoarding Law came into force aiming at a general ban to maintain commercial inventories, speculation, boycotting, and any other conduct affecting the consumption of food and commodities for the Venezuelan citizens. The Monetary Reconversion Law also came into force strengthening the Executive's role over the National Bank, the Stabilization Law that transfers the oil surpluses to the National Development Fund controlled by the President was also implemented, and the adoption of the Law of the National Bolivarian Armed Forces that deeply politicised the armed forces (Corrales, et. al., 2013).

deemed as a direct confrontation with human rights. This is because the judicial procedures established to guarantee a ‘just’ expropriation of land or private property began to be politicised or disappear altogether in some cases (Guerra 2012). In addition, the involving of the military apparatus in politics consolidated the dependence of the armed forces on the Bolivarian political project (Corrales 2014).

The last *enabling law*, enforced by President Chávez before his death, came into force in December 2010. It can be regarded as the last attempt to adjust and redirect the Bolivarian socialist project. Under this law (EL2010), 54 decrees-laws were issued. Officially, the justification for its enactment was linked to address the internal emergency after heavy rains hit the country in 2010 where thousands of people were left homeless. However, the political element underlying the need to resort to this extraordinary provision was the loss of the qualified majority in the National Assembly by the *Chavistas* (Guerra 2012), which made difficult for Chávez to carry out large-scale legislative projects.²⁰⁴

In sum, the analysis presented here shows that the *enabling law* provision was the constitutional tool used by President Chávez to consolidate his Bolivarian project. By relying on this mechanism, rather than in the *State of Emergency* provision, he managed to reform or enact 215 new laws (see Table 3) over his entire tenure. These laws allowed him to establish the programmatic foundations of his political project known as ‘socialism of the 21st century’. Although Chávez original intention for using this mechanism can be assessed as a necessary tool to change the ill-functioning democratic structures that prevailed over the ‘transitional period’, its constant use over time and the lack of judicial review to control the constitutionality of the decrees enacted disrupted its potential benefits allowing a disproportionate concentration of power in the legislative branch of government. It is quite telling that none of the *enabling laws* enabled by President Chávez had not been reviewed by the Constitutional Court, or that at least some of these decrees could had been declared unconstitutional. This reveals that the institutional checks and balances did not

²⁰⁴ This real political interest is evidenced by the fact that after six months the enabling law entered into effect only one decree was enacted regarding the winter crisis, while the legislation on subjects as varied as the organic order of the State, or the law to implement price-fixing at the private sector (Law of Costs and Fair Prices), or a Labour Law and the Law of Knowledge and Labour to strengthen ties between the State, the trade unions and the armed forces were approved by the president.

exercise an efficient control over President Chávez allowing him to govern Venezuela in a rather authoritarian manner.

However, the outcome of using decree powers on the democratic performance in both countries was quite different and it can be attributed to the role played by the way the judicial branches in both polities exercised control over the constitutionality of the decrees issued when these mechanisms were used. The next section will elaborate further on this aspect by conducting a comparative analysis on the use of these provisions by both presidents and its influence and consequences in the effort to explain democratic divergence.

A comparative analysis of concentration of power in Colombia and Venezuela, and its impact on democratic performance during the ‘divergence period’

As shown above, Presidents Uribe and Chávez relied on the constitutional provisions that allowed them to govern by decree. Both used either the mechanisms of *State of Emergency* and/or the *Enabling law* to enforce their own legislative agenda which, in turn, affected negatively the democratic performance of their respective countries. Hence, based on the evidence presented earlier, in this section I conduct a comparative analysis of how the use of these provisions can be helpful to elucidate an additional explanation on why Colombia and Venezuela took different democratic paths over the ‘divergence period’.

To do so, it is worth asking first, why did the two Presidents choose to rely on these extraordinary provisions to enforce their agendas despite having legislative majorities? Is it not paradoxical that having been able to form majoritarian party coalitions to pass legislation according to their political preferences, they have rather drawn on fast-track mechanisms to enforce their agenda? A possible explanation of this phenomenon is that the presidents shared an increasing sense of urgency to solve the political, social and economic problems that their countries were facing when they were elected. Therefore, and despite having majorities in their parliaments, they made full use of the window of opportunity provided by the enactment of the new constitutions and decided to use the extraordinary provisions that allowed them to concentrate power and govern by decree.

As discussed earlier, both parliamentary majorities and judicial review played a differentiating role on the prospects of Presidents Chávez and Uribe making use of decree powers (i.e., *State of Emergency* and the *Enabling laws*) as mechanisms to accumulate power. Therefore, these two factors can also explain the different impacts on the regime's democratic performance in these two countries. As for the parliamentary majorities, the difference is to be found in the fact that Chávez's coalition was completely aligned and committed with the President's agenda (Corrales 2014), whilst Uribe's coalition had certain resistance to delegating their legislative functions every time the President requested it (Olivella, et. al., 2006). This is explained by the fact that Uribe's coalition was not as homogenous as Chávez's. Therefore, when Uribe requested the delegation of functions to the parliament the legislature was not always willing to give up some margin of manoeuvrability in the future political negotiations with the president, whereas when the same request came from President Chávez the parliament was always ready to grant it.

The second factor explaining the different impact that the accumulation of power had over the democratic performance of these countries relates to the control, or lack of it, that the judicial branch, throughout the Constitutional Court, made to either the *State of Emergency* or the *Enabling laws* issued by the executive branch. As explained above, this control was non-existent for the Venezuelan case (see Table 6.5), whilst Uribe had to face, not only the modification of some of his decrees, but also the declaration of unconstitutionality that prevented that some of the decrees from becoming law (see Tables 6.3 and 6.4). Hence, when comparing the two cases based on the evidence presented, one can infer that Colombia's checks and balances were considerably more effective than in the Venezuelan case. This difference might be attributed to the way by which the constituent process in Venezuela was conceived by the *Chavismo* as they not only limited the role of the Supreme Court of Justice but also allowed to a greater degree the concentration of power in hands of President Chávez (Corrales, et. al., 2013; Corrales 2014).

Overall, the analysis conducted here fosters the claim that the effect of resorting to these extraordinary provisions by Presidents Uribe and Chávez led to a concentration of power in the executive branch in both countries, and at the same time, it also affected negatively their democratic performance. However, the concentration of power in Venezuela can be assessed as significantly deeper than in the Colombian case. Two

additional reasons support this claim. First, Chávez's insistence on issuing *enabling laws* to rule the country by decree had a serious negative impact on the options the opposition had to gain access to power throughout the electoral process.²⁰⁵ This is because by resorting to this mechanism, Chávez managed to change the electoral law disabling multiple candidates from the opposition to run for office at both national and regional levels.²⁰⁶ In contrast, although the strategies used by Uribe effectively allowed him to concentrate power, the nature of his government prevented him from excluding other political forces because he needed a multiparty coalition to govern, and the electoral support of other parties for future elections. Additionally, as Guerrero (2011) states, despite Uribe managed both to partially change the structure of the political system through the 2003 Referendum, and also to approve the Presidential re-election, his executive decrees did not manage to become so authoritarian as he would have wanted, because of the strong control exercised by the Constitutional Court that not only declared unconstitutional most of his executive decrees but also because this Court did not allow the modification of the Constitution so that Uribe could pursue his third consecutive re-election.

The second reason relates to the number, content and scope, and length of the reforms carried out by both presidents when they resorted to the use of decree powers. A comparison of these variables showed that the concentration of power and its negative impact over the democratic performance on these countries were much more far-reaching in Venezuela when compared with Colombia. By looking at tables 6.3, 6.4 and 6.5 it is striking to realise that the number of decrees that passed and became law in the Venezuelan case outnumber by far the number of decrees passed in the Colombian case. In fact, the relation was 215 laws in Venezuela against around 70 laws in Colombia (Guerra 2012).

If the number of reforms enacted is not a good measure to explain the divergent democratic performance of these countries, then the analysis of the content and scope of the reforms may be needed. On this aspect, as discussed above, Colombia (see Tables 6.3 and 6.4) enacted *State of Emergency* or *Delegative Laws* only on specific

²⁰⁵ As discussed above, the only exception to this trend was in the 2007 Legislative Election when the opposition parties refused to participate or try to boycott this election (see Buxton 2005, 2008). As a result, the National Assembly was totally controlled by the political parties allied to President Chávez.

²⁰⁶ For instance, the National Electoral Council (CNE) disqualified 270 opposition candidates for the 2010 elections (Corrales and Hidalgo, 2013; Corrales 2014).

issues that although could have affected both the institutional strength of the country, and the human rights of some Colombian citizens, nonetheless, these reforms were not deep enough to modify the economic, social, and political system in an unrecognizable way.²⁰⁷ In contrast, the case of Venezuela showed that each package of laws enacted by using the *Enabling Law* provision (see Table 6.5) brought about very profound changes to the state's order in areas as varied as social, economic, political (rule of law), the armed forces, international relations, and industrial regulation (Bejarano 2011).

Finally, the length of time that the legislative body granted Presidents Chávez and Uribe the use of decree powers was different and, therefore, can be regarded as another measure to explain democratic divergence. As was discussed above, the Colombian Constitution granted the use of decree powers only for fixed periods of time, no longer than six months, so that the President could implement his political agenda. In contrast, the Venezuelan Constitution allows the legislature to grant President Chávez complete freedom to establish the duration to implement the enabling laws (Tavares, et. al., 2004). In fact, as can be seen in Tables 6.3 and 6.4 President Uribe had 270 days (9 months) to implement his flagship policy known as Democratic Security, and only 30 days to implement the rest of his *State of Emergency* (2 additional laws) and *Delegative Laws* (3 additional laws) prior approval of the Constitutional Court. President Chávez, in turn, had the freedom to extent the duration of his enabling powers as far as he wanted, and without Constitutional review. Table 3 shows that in a period of 10 years, President Chávez resorted 4 times to the use of decree powers,²⁰⁸ 2 of them lasted 540 days (18 months), 1 of them lasted 360 days (1 year), and the last time had a duration of 180 days (six months). Overall, comparing the length of time whereby both presidents managed to enact, implement, and rule by decree, it is possible to infer that President Chávez was granted four times more time than President Uribe to promote their own political agenda. Hence, if a government has more time to resort to decree powers it will increase the likelihood to undermine the

²⁰⁷ As discussed, the Colombian Constitution only granted the use of enabling laws on specific topics. Consequently, Uribe could only cover few areas in each law or else the Constitutional Court would declare what was decreed to be unconstitutional, which effectively happened.

²⁰⁸ This is no insignificant matter when one considers that during the whole 'transitional period' (around 40 years), the Venezuelan Congress only granted decree powers via an "enabling law" five times since 1961 (Garcia-Sierra 2001).

very basis of this political regime due to it will negatively affect the principle of separation of powers and, therefore, its democratic performance.

6.4.2. Electoral system

The previous section highlighted that the reform and further amendments on constitutions had explanatory power, as independent variable, to test the process of democratic divergence for Colombia and Venezuela over the ‘divergence period’. It argued that the role played by a renewed set of political elites –either appointed in the Constitutional Assembly for the Venezuelan case, or elected in the National Assembly in the Colombian case- was crucial to determine the democratic path taken by the countries under study. Moreover, it also showed that political elites made reforms or amendments on their constitutions in order to grant different levels of concentration of power for their executive branches that partially explain the different democratic trajectories for the countries under study.²⁰⁹

However, although comprehensive reforms or amendments on constitutions can be regarded as an important step to explain democratic divergence, its explanatory power over the dependent variable would be partial if reforms over the electoral system are not taken into consideration. Therefore, this section will claim that the main goal from the renewed political elites in reforming their constitutions, during the ‘divergence period’, was to have a direct influence on the way by which the appointment of public elected officials can be changed by controlling the electoral formula. Thus, in this subsection I propose that a central factor in the adoption of different electoral systems over time for the countries under study can be explained by the incentives that politicians have in order to guarantee different levels of concentration of power on both the executive and legislative branches of government through constitutional means. That is, if constitution makers have the possibility to alter the formulas for electing presidents and legislators; electoral cycles; term limits; presidential powers; and the relationship between national and local governments, then, they have an

²⁰⁹ Section 6.4.1 showed that Venezuela’s executive received the support of a pro-government majority in the decision-making bodies so that, by constitutional means, the president could accumulate as much power as possible; whereas for the Colombian case such accumulation was rather control by the judicial branch and in some extent by the legislative branch of government. This is because, both the Constituent Assembly and the legislative body was composed of political forces from different ideologies that managed to distribute power in different degree among the different branches of government.

important political asset to determine how power can be redistributed in a regime. Hence, they will have an important role in determining the democratic path a country might take. In this respect, electoral systems will be considered as the third independent variable that, along with the variables elite political culture and constitutions make up the whole *Circular Causality Model* introduced in chapter three.

To a large extent, tables 6.2 and 6.3 already showed and analysed the effects caused by the electoral reforms conducted for the two countries under study, and for both periods of analysis. From that analysis, it was claimed that over the ‘transitional period’ the electoral reforms in both countries were rather rare due to traditional political elites tried to maintain the political *status quo* by backing traditional parties (COPEI and AD in Venezuela; and Liberal and Conservative parties in Colombia) that used to rule these polities (Bejarano 2011; Buxton 2005). Such stability in the electoral rules can be translated in the steadiness on the democratic performance that Colombia and Venezuela enjoyed over that period allowing them to be considered as one of the most stable democracies in the region (see table 2.2 and figures 1.1 - 1.2).

Yet, it was also clear from the previous analysis that, despite the democratic stability enjoyed by both polities during the ‘transitional period’, the Venezuelan electoral system was more democratic as its electoral rule to distribute seats in the Senate (the upper house in Congress) was a closed-list pure PR system with the D’Hondt electoral formula method; whereas for the Colombian case a semi-PR system with the formula of larger remainders (LR) or Hare system was the electoral rule to allocate seats in the Senate (Wills-Otero, et. al., 2005). Thus, the latter formula, in comparative terms with the Venezuelan one, resulted less proportional and, therefore, more exclusionary as it tried to guarantee the continuation in power for Colombia’s traditional parties.²¹⁰

Nonetheless, after decades without significant modifications, electoral rules did change during the ‘divergence period.’ In fact, since President Chávez took power in

²¹⁰ To be sure about the direct influence that the electoral system has over the democratic performance, Freedom House ratings (see table 2.2) showed that over the whole ‘transitional period’ the Venezuelan democratic performance was always above (lower), and therefore better, than that of Colombia. That is, during that period Venezuela was regarded as a ‘free country’ whereas Colombia always remained below as a ‘partly free’ country.

1998, one of his first goals in government was to appoint a Constituent Assembly²¹¹ whose principal role was to enact a completely new set of rules that will allow him to rule the country. Thus, among the whole new set of rules contemplated in the new 1999 *'Bolivarian Constitution'*, the electoral ones to elect public officials was one on the main focus of this comprehensive reform. As a result, over the 'divergence period' the electoral rules changed three times (1998, 2000, and 2005). These reforms considerably modified the incentives that ruling and opposition political parties had to participate in equal conditions for accessing power positions. Overall, the electoral formula changed from the closed-list pure PR system to a mixed system, with most of the National Assembly members elected by plurality. Thus, the new Venezuelan electoral formula weakened the 'incentives for party discipline and the power of the traditional national party leaders [as used to be the case over the *'transitional period'*]' (Monaldi, et. al., 2008) thereby, favouring the parties allied to the government.²¹²

As for Colombia, its electoral formula also changed over the 'divergence period'. However, it did not change straightaway with the enactment of the comprehensive constitutional reform carried out in 1991. In fact, the largest remainders-Hare system remained in place when the 1991 new constitution was enacted.²¹³ By keeping untouched the electoral formula party unity was undermined contributing to governance problems such as successive political stalemates in the legislature. In this sense, the Hare system did not allow competition among parties, but rather it generated incentives for traditional parties to fragment into several factions.²¹⁴

²¹¹ Premonitory to what is going to happen with the future electoral reforms in Venezuela, the 1998 Constituent Assembly was appointed by a Majoritarian system, leaving completely abandoned for first time in the twentieth century the use of the proportional formula (Monaldi, et. al. 2008).

²¹² To be clear, the effect of changing the electoral formula in 1999 over the Venezuelan democratic performance is negative. Figure 1.1 showed that, according to Freedom House ranking, this country had a sharp fall moving from a 'free country' with a score of 2,5 in 1999 to a 'partly free country' with a score of 4 one year later (see also table 2.2). The one-year lag to observe the change in the evaluation of the democratic rating for this regime is explained because the electoral reform approved in 1998 came into practice in the 1999 National Assembly election, therefore, Freedom House complies this result only up to its 2000 report. The data supporting this argument comes from the report Freedom in the World 2015, <https://freedomhouse.org/report/freedom-world/freedom-world-2015#.VXm-p2BGjdm>).

²¹³ In fact, this formula completed a total period of 45 years without modifications since the last time it was amended in 1958 (Wills-Otero, 2009).

²¹⁴ For example, the excessive party fragmentation produced that in the 2002 election only three lists, out of more than 300 succeeded in electing more than one senator. This means that more than 72 different movements obtained at least one seat in the Senate (Cardenas, et. al., 2008). These movements were typically affiliated to the two major Colombian political parties: Liberal and Conservative.

Such party fragmentation and its extreme personalisation of electoral competition in Congress (Pizarro 2006; Shugart et. al. 2007) urged a political reform that could both unlock the legislative stalemate and, therefore, allow a more responsive system of governance. Thus, in June 2003, after repeated failures, the Colombian congress approved an electoral reform. It moved the electoral formula from the Hare quota system with no limit on the number of lists per party²¹⁵ to a pure PR system with an optional open/closed list (Wills-Otero, 2009; Pachón-Buitrago 2008). This electoral reform was an important step in improving the democratic performance of Colombia because in addition to enhance the ability of parties to act collectively, it also allowed a broader competition among parties from different ideologies that used to be excluded from the political contest. Furthermore, this reform introduced for first time in history, a 2% electoral threshold that helped to limit the number of parties with legislative representation.²¹⁶

Like with the Venezuelan case, the effect of changing the electoral formula over the Colombian democratic performance can be observed by looking at the Freedom House scores assigned to this country. As seen in figure 1.1, Colombia before the 2003 electoral reform was regarded as a ‘partly free country’ with a score of 4 in 2002 by Freedom House, but its democratic performance changed positively once the 2003 electoral reform became operational in the legislative elections held in 2006 scoring 3 in 2007 (see also table 2.2).²¹⁷

The key point to highlight from the previous comparative analysis is that the electoral reforms implemented by the countries under study over the ‘divergence period’ can be

²¹⁵ The Colombian electoral system up through 2002 ‘was an unusual system in which most political parties presented multiple lists of candidates, but there was no pooling of the votes won by any of a party’s various lists’ (Shugart, et. al., 2007: 203).

²¹⁶ As a matter of fact, the parties winning legislative representation were indeed political parties with autonomous representation in the legislature away from the traditional parties or its factions. This outcome represents the positive effects exerted by the implementation of a pure PR system in Colombia, which, in turn, caused an increased in political representation for parties that used to be excluded during the ‘transitional period’ As a result, only 14 political parties won representation in the congress elected in 2006, 58 parties less than in the 2002 legislative elections (Cardenas, et. al., 2008).

²¹⁷ It is worth mentioning here that even though Colombian democratic rating did not change over the ‘divergence period’ and remained as a ‘partly free’ country, its democratic scores along that period did move favourably from 4 in 2003 to 3 in 2007. Again, the three-year lag to observe the effects that changes in the electoral system have over democracy is explained by the period of time required for the reform to start operating. For the Colombian case, the electoral reform was enacted in 2003 but the next legislative elections were carried out just until 2006, therefore, Freedom House could only report this effect in its 2007 report. The data supporting this argument comes from the report Freedom in the World 2015, <https://freedomhouse.org/report/freedom-world/freedom-world-2015#.VXm-p2BGjdm>.

regarded as a critical juncture that can explain the divergent democratic paths taken for the cases under study. That is, while some scholars consider electoral systems as only one more criterion affecting the political process (e.g. Lijphart 1977, 1999; Inglehart 2005), this research claim that this criterion should be regarded, in its own right, as the most important factor to explain democratic divergence because it determines how the balance of legislative power is distributed among different political parties. As seen, during the ‘divergence period’ when Venezuela changed its electoral formula in 1998 from a pure PR system –that used to encourage political party competition- to a more restrictive one such as the mixed electoral system in which its plurality component became its major key feature benefiting pro-government parties to get elected at the expense of opposition parties,²¹⁸ its democratic performance changed negatively towards a less democratic regime. That is, the introduction of the mixed PR system over the ‘divergence period’ encouraged power concentration in hands of the president’s allies and, therefore, marked the beginning of the Venezuelan democratic regression.

Likewise, when Colombian political elites decided to change the electoral formula during the ‘divergence period’ in 2003 -12 years after the 1991 new constitution came into force-, its outcome over the democratic performance of this country also changed. However, its democratic change, unlike Venezuela, was a positive one. That is, when the 2003 political reform changed the electoral formula from a Hare quota system – that used to restrict political party competition only to the traditional Liberal and Conservative Parties and its factions- to a more plural and competitive system such as the PR system with the D’Hondt electoral formula method, its democratic performance improved as can be seen in figures 1.1 and 1.2. Hence, this electoral reform, whose purpose was to extend competition between a new set of political parties with real chances of having congressional representation, encouraged power distribution that contributed to the integration of those political forces that once were excluded from competition. In this sense, then, the 2003 electoral reform can be recognised as a

²¹⁸ It is striking to note that the rate of officials elected by the plurality component from the Mixed System increased every time an electoral reform occurred. This was a mechanism carefully designed to favour the ruling party, at the expense of the opposition parties. For instance, the 1998 reform allowed for the election of the 50 percent of the deputies in multimember plurality districts; with the 2000 reform it was allowed that 65 percent of deputies were elected by the plurality component; and finally, when the 2005 mixed electoral system was implemented without global proportionality, dramatically increasing its disproportionality (Monaldi, et. al., 2008).

fundamental tool helping to improve Colombia's democratic performance over the 'divergence period.'

In sum, this section showed that reforms over the electoral system have explanatory power over the dependent variable. This causal relationship is explained by the strategic intervention of political elites, such as constitutional makers, which can affect the electoral system and, therefore, the democratic performance of the countries under study. In other words, the point to stress here is that political elites should be regarded as intervening actors with political power that make possible changes in the electoral formulas. These changes, in turn, could explain the different paths taken by Colombia and Venezuela. Boix (1999) and Wills-Otero (2009) develops a similar argument claiming that for unconsolidated democracies political elites shape electoral systems according to their interests so that they can maximise the representation of political leaders, and influence the regime's democratic path. The same argument applies for the cases under study. Venezuelan elites by changing the electoral rules, through constitutional means, managed to change electoral preferences of the voters and by doing so they guaranteed Chávez's continuation in power over the whole 'divergence period', resulting in its consequent democratic setback. In contrast, Colombian elites by introducing the D'Hondt electoral formula managed to tackle the problem of concentration of power enabling an open competition from different political forces allowing more equity in the distribution of power, contributing to improve its democratic performance.

6.5. Conclusion

The aim of this chapter was to assess, from a conceptual approach, the explanatory power of the second set of independent variables: constitutions and electoral systems to explain democratic divergence. The chapter began by acknowledging the outstanding contribution Arend Lijphart (1977; 1999; 2012) made to institutional theory by distinguishing different patterns of democracy. I argued that, although Lijphart's contribution can be regarded as an effective theoretical framework to classify political regimes as either Consensual or Majoritarian democracies, it fails to do so when trying to explain patterns of democracy for less developed countries. The central argument to claim Lijphart's theory is unsuitable for this research was based on the criticism made by Schmidt (2000), and Cranenburg, et. al. (2004), among

others. They argued that the institutional criteria chosen by Lijphart is biased in favour of his definition of consensual democracies, and that the relative weight of these criteria should not necessarily be the same to evaluate processes of regime change in non-stable democracies.

Hence, this chapter argues that in order to have a better understanding of the opposite democratic paths taken by the countries under study, Lijphart's typology needs to be re-constructed to increase its explanatory power. This shall be done by giving a higher relative weight to a subset of Lijphart's institutional criteria, those that have played a significant role in the process of regime change. By identifying a critical juncture shared by Colombia and Venezuela at the end of the 'transitional period', one in which both regimes were facing political, social and economic turmoil, this chapter argued that these polities, particularly its political elites, had to make contingent choices related with a comprehensive institutional reengineering if they were to solve their crises. The far-reaching institutional choices were similar in both countries as they decided to conduct a comprehensive constitutional reform in order to create favourable conditions to avoid the collapse of their democracies. Additionally, these countries also placed particular emphasis in reforming their electoral systems. By controlling the electoral formula political elites could redistribute power among several political forces that will help explain, either the regression or the consolidation of their democratic paths.

Thus, it was argued that the selection of the subset of institutional criteria chosen in this research was by no means arbitrary, because the reforms conducted on both constitutions –and its consequences on the accumulation of power by the executive branch-, and their electoral systems can be regarded as the key political institutions over which political elites exerted a profound reform that brought changes in the democratic performance of these two countries.

The comparative analysis conducted in sub-sections 6.4.1 and 6.4.2 over constitutions and electoral systems, respectively, argued that these criteria have explanatory power to explain the dependent variable. As for the former, the analysis carried out over the impact that power distribution, electoral systems, and policy making reforms had over regime change in both countries, and in both periods of analysis –Transitional vs. Divergence- were conclusive. For the Venezuelan case, it was clear that when the

effects of these three types of reforms were compared, over time and against the performance of this democracy, the enacted reforms and constitutional amendments enshrined in the 1999 '*Bolivarian Constitution*' led the presidency into being the centre of gravity, favouring concentration of power in hands of President Chávez and its allies. Additionally, it also limited political rights and civil liberties of those that were part of the opposition. In other words, the election of Hugo Chávez in 1998 and the adoption –via referendum- of the new constitution in 1999 signed off the start of Venezuelan democratic regression.

A very different result occurred in Colombia's democracy when its new constitution was enacted in 1991. Unlike Venezuela, the reforms carried out over the same three constitutional aspects mentioned above (i.e., power distribution, electoral systems, and policy making reforms) curbed the legislative powers of the president by strengthening the rule of law and fostering power distribution. In fact, when compared with the Venezuelan case, the enactment of the new Colombian constitution triggered structural reforms that privileged political competition over political exclusion; a more proportional electoral system over a less –more plural- majoritarian one; and a more efficient and operative process of administrative decentralisation over a just theoretical but rigid decentralisation process in Venezuela. Overall, the constitutional reform carried out in Colombia can be regarded as progressive. One that helped improve the performance of Colombian Democracy as it 'strengthened the checks and balances of the political system in an effort to endow political institutions with greater legitimacy after decades of limited participation and low representation' (Cardenas, et. al., 2008, 202).

Additionally, it was also argued that the comparison on the use of decree powers by Presidents Chávez y Uribe when they resorted to *State of Emergency laws* and/or *Enabling laws* to rule their countries was relatively not as bad to Colombia when compared with Venezuela. The analysis on the number, content and scope, and the length of time that each of the Presidents had to enact and implement laws under this extraordinary mechanism, although negative for both countries, its overall effect was much more adverse in terms of democratic performance for Venezuela than for Colombia. Overall, it was claimed that the use of decree powers allowed concentration of power in the executive branch leading to the erosion of the separation of powers in

both countries. However, and because of the control by the judicial branch, specifically, by the Constitutional Court, was laxer in Venezuela than in Colombia then President Chávez have more freedom to govern by decree affecting in a more negative way the Venezuelan democratic performance when compared to Colombia.

Finally, the chapter put strong emphasis on the effect that reforms over the electoral systems have to explain democratic divergence. It was argued that from all the relevant constitutional reforms conducted over the ‘divergence period’, the ones conducted over the electoral system have the greater explanatory power to elucidate the reason behind the change of trend on the democratic performance of both countries. That is, the change of trend that placed Colombia above Venezuela for first time in history in terms of its democratic performance from 2002 onwards (see table 2.2, and figures 1.1 and 1.2) is explained by the critical effect exerted by the enactment of electoral reforms in Venezuela and Colombia in 1999 and 2003 respectively.²¹⁹

Although chapters 7 and 8 will provide a multivariate regression model to estimate the robustness of the theoretical *Circular Causality Model* proposed in this research, I emphasise that, from a theoretical approach and from the conceptual analysis offered over the previous six chapters that the two institutional criteria picked by this study do have explanatory power to provide a better understanding of the reasons behind the opposite democratic paths that Colombia and Venezuela took during the ‘divergence period’. However, it is important to remember the premise proposed in chapter 5, that the effect caused by these criteria over each country’s democratic performance would occur only if political elites had the power and incentives to change the way they operate.

²¹⁹ Additionally, the chapter also explained that the effects of those reforms over the democratic performance are observed in a time lag while the next legislative elections is held. Hence, when Venezuela changed its electoral formula from a pure PR system with the D’Hondt formula to a mixed PR system with a prominent plural component in 1999, its Freedom House score started a sharp fall moving from a 2.5 score (free country) in 1999 to a score of 4 (partly free country) in 2000, year in which were held legislative elections. Similarly, when Colombia changed its electoral formula from a semi-PR with Hare quota system to a pure PR system with the D’Hondt formula in 2003, its Freedom House score changed favourably three years later when the electoral reform started operating in the next legislative elections held in 2006. As suggested in table 2.2, even though Colombia’s rating remained stable fluctuating within a bounded interval that enabled it to be regarded as a ‘party free’ country its score showed an improvement once the 2003 electoral reform came into practice in 2006. To confirm the above, I presented Freedom House scores, which showed that Colombia had passed from a score of 4 in 2002 to 3 in 2006 (when the electoral formula became operational in the legislative elections held that year).

PART II

**OPERATIONALISATION, MEASUREMENT AND
ESTIMATION OF A MULTIVARIATE REGRESSION MODEL:
TO ASSESS DEMOCRATIC DIVERGENCE IN COLOMBIA
AND VENEZUELA**

Chapter 7

Operationalisation and measurement of the dependent and independent variables to test democratic divergence

7.1. Introduction

In what follows, I will describe how the dependent and independent variables will be operationalised and measured, this will allow me to bind all the elements of the theoretical framework, which have been presented in the first part of this research project. I will use the results of this chapter as an input to estimate multivariate regression models to explain the opposite democratic paths that Colombia and Venezuela underwent during the 'divergence period'.

As it was discussed in chapter 2 and 3 there are rather few theoretical approaches focusing on explaining processes of democratic divergence,²²⁰ and the empirical works to assess this phenomenon are even scarcer. Thus, the multivariate models offered in this part of the project intends to fill this gap. To do so, the empirical models proposed here will group the independent variables into two subtypes of variables according to their explanatory and theoretical relevance to assess divergence. The '*hypothesis variables*' correspond to all the variables that are directly related with the theoretical *Circular Causality Model* proposed in chapter 3 (i.e., elite political culture, new constitutions and electoral system). The model also includes an additional set of variables called '*control variables*'. Despite this last set of variables are not directly related to the problem under study, they need to be deemed as necessary to determine if there is any other variable that could have been left out of the model, which can explain democratic divergence in a more suitable manner (i.e., inflation, GDP growth, Oil rents, Primary Enrolment and Political Terror Scale (PTS)). Last, I also included a dummy variable called *country* which captures the fixed effect on democratic divergence by country.

²²⁰ As was mentioned from the outset of this project the exceptions of this incomprehensible lack are: Linz and Stepan (1978) 'The Breakdown of Democratic Regimes: Latin America'; Diamond, Linz, and Lipset (1989) 'Democracy in Developing Countries'; Collier and Collier (1991) 'Shaping the Political Arena'. More recently, Hagopian and Mainwaring (2005) 'The Third Wave of Democratisation in Latin America: Advances and Setbacks'; and Bejarano (2011) 'Precarious Democracies'

This chapter will be organised into 4 sections including this introduction. Section 7.2 offers an overview of the dependent variable or regressed variable: democracy –as a proxy to study democratic divergence. It will explain how this variable should be operationalised and measured from two empirical sources such as: Freedom House and Polity IV democratic indexes.

Section 7.3 will describe the operationalisation of the independent variables by explaining each one of them separately and the way by which they relate with democracy. To do that, subsection 7.3.1 will explain the operationalisation of the variable elite political culture and its relationship with democracy. To this end, first, I will use a qualitative approach that includes an extended archive revision of constitutional reforms and amendments over the whole period of analysis (53 years) which is summarized in appendix 2. And second, based on the input mentioned above, I build a comprehensive database, summarised in appendix 3, which allowed me to operationalise political culture as a quantitative variable. This variable will be included as an independent variable into the multivariate regression model in chapter 8. Next, subsection 7.3.2 will operationalise the hypothesis variables electoral systems and new constitutions. To operationalise electoral system, I will measure concentration of power caused by changes in the electoral rules. To do that, I will use the Herfindhal-Hirschman Index of plurality (hereafter *HHI*) as a proxy variable that will measure the effect of electoral reforms on power concentration in the legislature. Additionally, the variable for new constitutions (hereafter *NC*) will also be introduced to measure the effect over democratic performance at the time in which the enactment of the new constitutions took place in both countries (i.e. Colombia 1991 and Venezuela 1998). This variable will require a descriptive statistical analysis because it is a dummy variable.

Finally, subsection 7.3.3 accounts for the set of control variables that will allow me to measure the relative impact of a different set of independent variables over the regressed variable in the model, while keeping the '*hypothesis variables*' constant. Section 7.4 concludes with a summary of each one of the variables described in the previous sections, which will allow us to have an input to get a better understanding of the multivariate regression model that will be estimated in chapter 8.

7.2. Operationalisation of democracy as the dependent variable

For estimation purposes the dependent variable will be democracy (*D*), rather than democratic divergence. The reason is straightforward: to assess divergence, it is necessary to test the effects that both independent variables (i.e., elite political culture, and political institutions) have over the dependent variable. Hence, if the independent variables have an opposite effect by country over democracy, then it is possible to claim the existence of a divergent process of democratisation. But, if their effects over democracy on both countries is similar, then the hypothesis should be rejected. Thus, Democracy (*D*) as dependent variable of the empirical model will play a neutral role, which is crucial in determining whether the phenomenon of democratic divergence can be assessed also at an empirical level.

With this aim in mind, the operationalisation and the empirical measurement of the dependent variable will rely on Barreda's insights to solve the problem related with the lack of consensus among political scientists to operationalise democracy (see Munck 2009; Munck, et. al., 2002; Coppedge, et. al., 1990). In fact, Barreda (2011) exposes three ways to operationalise this variable: first, by using existing indexes such as Freedom House and Polity IV; second, by using aggregate indexes or factorial analysis of principal components and; third, a mix of quantitative and qualitative data concerning the performance of democracy. This project will measure democracy (*D*) using the Freedom House²²¹ and Polity IV democracy indexes. Both indexes report annualised time data series, which are adjusted to estimate the regression analysis.²²² Figures 7.1 and 7.2 reports, once again,²²³ the democratic trends of these two indexes

²²¹ As explained in the first part of the project, Freedom House Index is an average of two variables: Political Rights (1-7 interval) and Civil Liberties (1-7 interval). A score of 7 represents the worst score (least free) and a score of 1 is regarded the best score (the freest). In turn, the Political Rights variable is scored by considering a subset of criteria related with: the electoral process, political pluralism and participation, and functioning of government in each country. Furthermore, the Civil Liberties variable is scored by considering criteria such as: freedom of expression and belief, associational and organizational rights, rule of law, and personal autonomy and individual rights in each country. Each of these criteria will receive a weight to aggregate them in one only score for each variable. Afterwards, the aggregate score of each one of the variables is averaged to obtain the overall FH score for each country and for a specific period of time.

²²² Freedom House index provides information since 1972 for Colombia and Venezuela. The only missing data from the time series on this index is the year of 1983. Freedom House did not report data for that year in any of the two countries under analysis. On the other hand, Polity IV index provides information from 1830 for the Venezuelan case, and from 1832 for the Colombian one.

²²³ These figures with some differences were already used in chapter 1 to describe and show the period of time in which democratic divergence occurred. Please see that chapter for a detailed description of

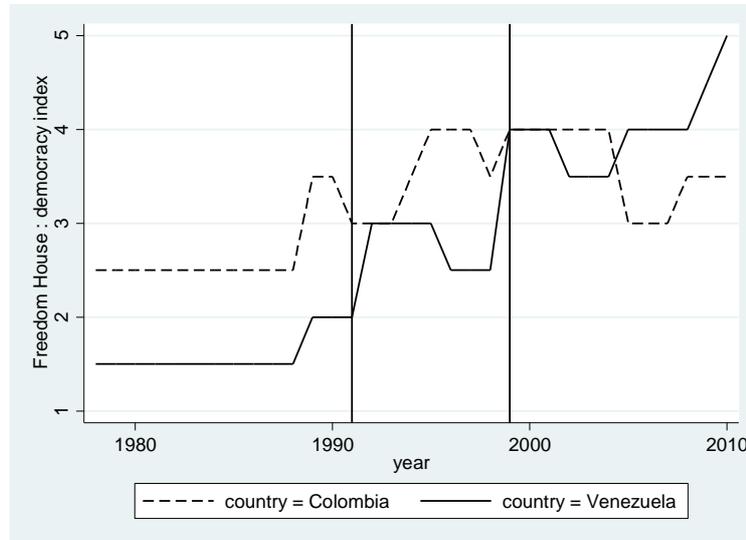
during the *'transitional period'* and *'divergence period'* explaining the opposite democratic trajectories these polities faced during the latter period.

As figure 7.1 shows, Freedom House data lets us see that the countries under analysis have a similar democratic trend over most of the *'transitional period.'* During this period (from 1973 to 1988) Freedom House classified Colombia with the status of *'free'* country. Later, however, Colombia became a *'partly free'* country from 1989 until 1990. As for the Venezuelan case, its democracy moved from being *'free'* from 1958 to 1992, to becoming *'partly free'* from 1993 to 1996, and finally returning to being *'free'* from 1997 to 1999.

Figure 7.1 also shows that when the *'divergence period'* began, the democratic trend in both countries changed dramatically, i.e. these polities took completely opposite directions. This finding confirms the dramatic change in the democratic trend that Venezuelan democracy experienced, whereas the Colombian trend remained rather stable as a *'partly free'* country. That is, Colombian Freedom House scores fluctuated in a bounded interval during most part of the whole period of analysis (i.e., in both the *'transitional and divergence periods'*) but always keeping its classification as a *'partly free'* country. However, unlike Colombia, Venezuela's democratic performance was much more unstable over this period. Its classification went through a severe fall locating this regime at the end of this period close enough to be regarded a *'not free'* country. Its uneven democratic performance began when Hugo Chávez was elected as Venezuelan president in 1998. On that year, Freedom House classified it as *'free'* (scored 2,5), but by 2000 its democratic rating changed negatively to *'partly free'* (scoring 4). Since then, Venezuela's democratic performance has seriously worsened, reaching a worrisome score of 5 by the end of the *'divergence period'* in 2010. In sum, figure 7.1 shows the democratic gap that was widened. This gap is what this project is meant to explain because it reflects the democratic divergence that Colombian and Venezuelan democracies faced over this period.

the democratic performance of these polities during the whole period of analysis (i.e., *'transitional period'* and *'divergence period'*).

Figure 11.1.
Democratic divergence: Freedom House

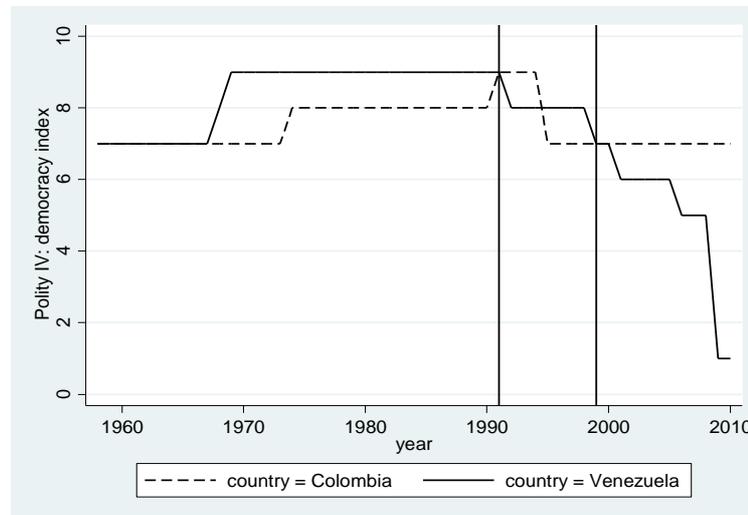


Source: Freedom House

An alternative way to analyse divergence is through the Polity IV democracy index.²²⁴ According to the data gathered for this index (see figure 7.2), Colombia has been a democracy during the whole period of analysis (1957 to 2010), reaching its highest performance during the period 1991 – 1994; in other words, since the beginning of the divergence period and right after the enactment of the new 1991 Constitution. In the same way, Venezuela had been a democracy from 1958 to 2005, when it became an ‘open anocracy’ until 2010. As figure 7.2 clearly shows, Venezuela had a better democratic performance than Colombia from 1960 to 1990 when the divergence path began. However, their democratic performance changed dramatically when Colombia outperformed Venezuela for first time in its democratic history right after Venezuela enacted its 1999 new constitution.

²²⁴ Polity IV democratic index scores ranges from -10 to +10. Here, unlike Freedom House’s index, the higher the score the better the performance of the democracy. This index is calculated as the difference between two variables: Democracy (0-10 interval) and Autocracy (0-10 interval). Hence, Polity IV reflects three essential criteria: the presence of institutions and procedures through which citizens can express preferences about alternative policies and leaders; the existence of institutionalised constraints on the power of the executive; and the guarantee of civil liberties to all citizens (Polity IV, 2016). The Autocracy variable is measured by negative versions of the elements listed above. In overall, then, if the score falls between [10 and 6] the regime will be regarded as democratic, but if the score falls between [6 and -6] the regime will be an Anocracy, and finally, if the interval falls between [-6 and -10] then the regime will be an Autocracy.

Figure 12.2.
Democratic divergence: Polity IV



Source: Polity IV

As can be observed from figures 7.1 and 7.2 both indexes showed that Colombia and Venezuela took different democratic paths over the 'divergence period', which means that, as Lagos (2008) stresses, both indexes can be regarded as a good tool to operationalise democracy as the dependent variable. However, this project will base the analysis on democratic divergence using Freedom House data since this index is more volatile over time than the Polity IV index. This is because the former includes elements related with civil liberties that are not included in the latter which is mainly focus on elements concerning political rights. Hence, due to Freedom House index is a more thorough index allow us to understand better the reasons behind why this two cases took different democratic paths (Munck 2009; Coppedge, et. al. 2011).

Notwithstanding the above, it is important to stress that both indexes also present some similarities particularly on the political rights criteria which can cause some overlapping on the elements they measure. The correlation coefficient between both indexes was 0,68; confirming the overlap and the similarities between the indexes, and therefore their usefulness to be regarded as dependent variable on this project.

In sum, because Freedom House is a more comprehensive index I will take it as the dependent variable to regress the models (Coopedge, et. al. 2011). However, and due to its high correlation with Freedom House, Polity IV democracy index will also be

used in appendix 4 to assess the robustness of the results presented by the statistical model estimated with data from Freedom House.

7.3. Operationalisation of the independent variables

This section will provide a primary approach related with sources, methodology and the statistical analysis used to operationalise each one of the variables that explain democratic divergence. First, I will describe the set of '*hypothesis variables*' in the following order: political culture and political institutions (i.e., electoral system and new constitutions). Finally, I will justify the introduction of the six control variables to isolate the effect of political culture and political institutions over democracy.

7.3.1. Elite political culture and democracy

As it has been argued in the first part of this project, elite political culture has a major impact when trying to explain democratic performance in both countries through the effect that political actors have over two key political institutions such as constitutions and electoral systems. Therefore, it is necessary to understand how elite political culture will be measured so that it can be included into the multivariate regression models that will be presented in the following chapter.

To do so, I constructed a *proxy* variable that could capture the changes on elite's values and beliefs occurred across time.²²⁵ To this end, first, I conducted a qualitative analysis to assess whether there were changes on elite's values by conducting a comprehensive

²²⁵ The reason for having to build a proxy variable to operationalise elite political culture was due to the impossibility to find enough and reliable data from existing traditional and well-known organisations such as: the Iberoamerican Institute from University of Salamanca, Worldwide Governance Indicators, World Value Survey, among others. In fact, the first attempt to measure elite political culture was by using data from the Observatory of Parliamentary Elites of Latin America (PELA) from Salamanca University. The data collected by this organisation focuses on interviews to parliamentarians around Latin America. By using this source, it was possible to gather parliamentarians' political perceptions, values and belief for both cases under study. However, after analysing PELA's database, two problems arose. First, respondents (parliamentarians) could lie or have a different understanding of what democracy meant, therefore, the information provided by them can be regarded as biased.²²⁵ Second, data was incomplete and did not cover the period under study (1958 - 2010) especially for the Venezuelan case, which implied missing values. In other words, PELA's database, in the case of Venezuela, had information for the period between 1993 and 2000 whereas Colombia only had data for the following years: 1998, 2002 and 2006. Hence, there wasn't enough information to cover (i) the 'transitional period' for the Colombian case, and (ii) most of the 'divergence period' for the Venezuelan case. Bias in the information provided by parliamentarians, few observations (n=10), and the lack of information that does not cover the same periods under analysis, are the reasons why comparisons between these countries was an impossible task. Hence, this option was ruled out.

archive research. Second, and based on the previous input, I used a methodology to measure elite's political culture as a quantitative variable. The following provides a detail account on how these two methodological approaches were conducted and how they allowed me to operationalise elite's political culture.

The archive research began, by consulting the constitutions that contained all the reforms and amendments implemented by Colombia and Venezuela from 1957 until 2010.²²⁶ The goal of pursuing this archive research method was meant to assess if a constitutional reform or amendment can be regarded as pro-democratic or non-democratic according to Dahl's definition of Liberal democracy²²⁷ (appendix 2 show a detail account of how this archive research was built and the methodology used for it).

The rationale behind using this approach is based on the idea that by tracking the type of political reforms it is possible to recover elites' changes in their political beliefs and values over time.²²⁸ That is, by gathering information about how elites (in parliament) conducted political reforms before and after both countries enacted their new constitutions it is possible to assess whether there was a change in their political culture between the 'transitional period' and the 'divergence period'. I argue that this methodological approach is a valid one because when the type of constitutional provisions enabled by the 'old elites' ('transitional period') are compared with those

²²⁶ This project studied two constitutions in each period, one for each country, as a baseline to compare their amendments and constitutional reforms. That is, for the 'transition period', the 1886 Colombian Constitution and the 1961 Venezuelan Constitutions were taken as baselines. As for the 'divergence period', the 1991 Colombian Constitution and the 1999 Venezuelan Constitution were the point of analysis. To figure out the specific years of the amendments and constitutional reforms that affected democratic performance I used Negretto's (2013) book "Making Constitutions". The constitutional texts were analysed from Restrepo (2003), and Secretary of the Senate (Secretaría General del Senado) for Colombia, and the Official Gazette of the Republic of Venezuela (Gaceta Oficial de la República de Venezuela) for the Venezuelan case. The qualitative analysis is described in detail in appendix 2 and was supported with other sources such as Brewer-Carías (1996, 2007, 2008 and 2009). The purpose of this archive research was to identify the reforms or constitutional amendments that would have direct effects on the country's democratic performance by reviewing several Political Constitutions published over the whole period of analysis.

²²⁷ A pro-democratic reform is understood as those constitutional provisions that satisfy Dahl's democratic conceptualisation in the sense that a polyarchy can improve both political liberties and civil rights. Moreover, a non-democratic reform, are the constitutional provisions that do not fulfil at least one or none of Dahl's democratic criteria.

²²⁸ Both constitutional reforms or amendment are political outputs that could be understood as manifestation of the preferences on different bills that have effects on political institutions and democratic performance - no matter the legislative or party games including party discipline, log rolls or agenda settings.

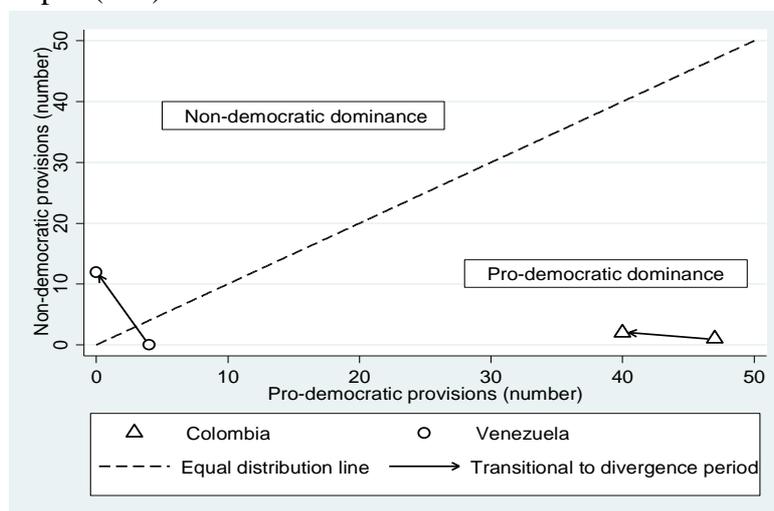
enabled by the renewed ones ('divergence period') in each country it would be possible to capture changes in their political values and perceptions.

To assess whether the archive research presented in appendix 2 manages to capture changes over time on political culture at the elite level, I will offer an initial analysis meant to figure out if the political reforms conducted by parliamentarians (i.e., constitutional reforms and amendments) were pro-democratic or non-democratic, and if their character changed or remained stable over time.

In this sense, Figure 7.3 summarises the number of pro-democratic and non-democratic reforms conducted for the two countries over the '*transitional and divergence periods*.'²²⁹ The arrows in the figure are meant to show the changes in the number of constitutional provisions implemented by each country among periods. This figure also depicts the equal distribution line (dashed line), which is meant to categorise the countries under analysis as predominantly pro-democratic (area under the dashed line) or predominantly non-democratic (area above the dashed line) based on the number of constitutional reforms and amendments enabled in both periods.

Figure 13.3.

Number of pro/(non) democratic constitutional reforms and amendments



Source: Own estimations based on appendix 2

From Figure 7.3, it can be inferred that the constitutional reforms and amendments in Colombia have been predominantly pro-democratic during both periods because 47 pro-democratic reforms were enabled during the '*transitional period*' compared to 1

²²⁹ For a detail description of each of these pro-democratic and non-democratic amendments and reforms please see appendix 2.

non-democratic reform; whereas in the *'divergence period'* the country conducted 40 pro-democratic reforms and amendments and only 2 non-democratic reforms. Conversely, Venezuela carried out constitutional reforms and amendments that failed to yield constitutional provisions as those in Colombia. That is, Venezuela carried out 4 pro-democratic reforms, and 0 non-democratic reforms or amendments during the *'transitional period'*, while in the *'divergence period'* it carried out 12 non-democratic reforms and 0 pro-democratic reforms.²³⁰ This particular outcome can be observed in figure 7.3 when the arrow crosses the equal distribution line²³¹ for the Venezuelan case, whereas for the Colombian case the arrow remains below the equal distribution line in the area corresponding to pro-democratic provisions.

Because Colombia's pro-democratic reforms (87) outnumbered the non-democratic reforms (3) in both periods of analysis, it is possible to infer that elite's political values and beliefs remained rather steady over time, fostering a political culture that promotes liberal democracy. Moreover, Venezuela shifted from being predominantly pro-democratic (4) in the *'transitional period'* to predominantly non-democratic (12) in the *'divergence period'*.²³² The arrow crossing the dashed line in figure 7.3 represents this outcome, which shows that there was a change in Venezuelan elite's values, and beliefs that fostered a political culture to promote a democratic decline rather than a its consolidation. Hence, it is possible to stress that Venezuela and Colombia took different paths during the *'divergence period'*, which was caused by a change in the elite political culture. In this order of ideas, it can be argued that this archive research do capture changes in the political culture at the elite level, and therefore it can be used to operationalize a quantitative variable that measure changes in political culture at the elite level and its impact over democratic performance.

Taking into account that the qualitative analysis discussed above and summarised in appendix 2, lead us to operationalise political culture only as a dichotomous variable by discriminating the amendments and constitutional reforms as pro-democratic or

²³⁰ Appendix 2 provides a detail account of the number of constitutional reforms and amendments

²³¹ As mentioned above, the dashed line represents the equal distribution line in figure 7.3. It implies that the number of pro-democratic and non-democratic reforms and amendments are equal. Any point located over this line should be interpreted as a perfect balance among amendments or constitutional reforms that cannot place any country either as pro or non-democratic.

²³² The notion of democratic predominance in this project refers to the case when pro-democratic reforms outnumber non-democratic ones in a specific period. The opposite applies for non-democratic predominance.

non-democratic, and such dichotomisation reduces significantly the explanatory power of this variable to explain democratic divergence,²³³ it is necessary to introduce a new methodology to operationalise the variable called *elite political culture (PC)* as a continuous variable. This is explained in detail in appendix 3.

To do so, and based on the outcome obtained in appendix 2, I asked two external examiners to weight the extent to which each pro-democratic or non-democratic amendment or constitutional reform have an impact over democratic performance.²³⁴ Each examiner was told to score pro-democratic amendments with a value of 1 or 2, and non-democratic amendments with a value of -1 or -2. A value of 1 means that the amendment has a low impact, and 2 that it has a high impact over democracy. On the other hand, a value of -1 is meant to show a low negative impact over democracy, and -2 means that the amendment has a high negative impact over democracy. Finally, the impact of each amendment and constitutional reform over democracy is measured as the average of the two examiners' scores (see column 6 in appendix 3). Then, I took these average scores, and build the variable *PC* using a process divided in two stages.

These two stages were operationalised as follow. Given that examiner's average scores were estimated by amendment and not by years, it is possible to find years with none, one or many amendments or constitutional reforms, therefore, the aim of the first stage is to estimate a unique value by year for each country. For instance, if there is only one amendment or constitutional reform by year, the value for that specific year will be the

²³³ A first attempt to operationalise variable *PC* on this research was conducted by measuring the mode of the pro-democratic and non-democratic amendments and constitutional reforms enacted by each country over the 'transitional period' and the 'divergence period'. This operationalisation resulted in a dummy variable which took a value of 1 only for Venezuela in the 'divergence period' and 0 in the other case. This dichotomization reduced significantly the dimensionality of the problem, and therefore I decided to operationalise *PC* as a continuous variable following the methodology to be explained in this section.

²³⁴ This methodology was developed aiming to operationalise *PC* as a variable that could take continuous values. Hence, the purpose of using two external examiners was meant to avoid subjectivity bias in building the *PC*'s scores which will be used in the multivariate regression model. The external examiners consulted are expert lawyers in constitutional studies. They have written academic papers on issues dealing with the effects that constitutional amendments have had over the performance of democratic regimes. The first examiner consulted is Dr Lina Buchely, PhD in Law from Los Andes University, and she also holds a MA degree in Law from University of Wisconsin - Madison. Currently, she works as Director of Law undergraduate program at Icesi University (see her academic profile here: http://scienti.colciencias.gov.co:8081/cvlac/visualizador/generarCurriculoCv.do?cod_rh=0001349527). The second examiner is Dr Mario Cajas, PhD in Law from Los Andes University. He currently works as Head of the Legal Studies Department at Icesi University (see his academic profile here: http://scienti.colciencias.gov.co:8081/cvlac/visualizador/generarCurriculoCv.do?cod_rh=0000608130).

same average examiner's score. However, if there is more than one amendment or constitutional reform in a specific year, the value for that year will be estimated as the mean of the average examiner's scores. Finally, for those years that had not amendments or constitutional reforms, I set a value of 0 to fill the missing observations. By conducting this methodology, I managed to construct a continuous variable that takes values from -2 to 2 including decimal values over the whole period of analysis (see column 7 in appendix 3).

The function used to calculate the values of variable PC in the second stage is the following:

$$PC_{it} = \sum_{j=0}^N FS_{i(t-j)}$$

Where:

- PC_{it} is the value of PC for country i in year t
- $FS_{i(t-j)}$ is the average calculated in the first stage for country i and year $t - j$
- N is the number of years since year 1957 until year t .

For instance, the value of the variable PC for Colombia in year 1957 is 2, the same of the first stage, because it is the first dataset observation and therefore there is no accumulative effect. As for the value of PC in 1958 will be also 2. This is because in that year there were no amendments or constitutional reforms in Colombia, therefore it takes the value of the previous year. Finally, the value of PC in 1959 will be 3,75, because it aggregates the first stage values of years 1957 (2), 1958 (0) and 1959 (1,75). The same methodology applies for the following years to estimate the variable PC in both countries.

In sum, the variable PC will be operationalise taking the values estimated in the column called "2nd Stage" in appendix 3. Therefore, PC will be introduced in the multivariate regression models presented in Chapter 8 as a cumulative and continuous variable.

7.3.2. Political institutions and democracy: electoral systems and new constitutions

As stressed earlier, political institutions represent one of the main explanatory variables of this project. Both electoral systems and constitutional reforms are independent variables that play an important role in determining the opposite democratic paths that Colombia and Venezuela underwent during the ‘divergence period’. The following section will explain how each of these variables were operationalised and measured to be included in the multivariate regression model that will be estimated in chapter 8.

Electoral systems and democracy

To explain the operationalisation and measurement of the variable electoral system it is important to emphasise that the purpose of suggesting this variable is to capture the way by which different electoral formulas affect the power distribution on a given regimen. Wills-Otero (2009), side with this argument and explain that in Latin America, proportional forms of representation replaced the majoritarian electoral system when governments realised that the latter posed a threat to concentrate power in a dominant party.²³⁵ Hence, to capture the effect that changes in the electoral formulas have over power distribution when the electoral reforms are implemented, I adopted an economic measurement of market concentration. By using the Herfindahl Hirschman Index of plurality (*HHI*), I could capture the concentration of power within the legislature. The adoption of this index in political science is meant to measure how power is concentrated in a party or political group (Larcinese, 2011). Put differently, it accounts for the way by which the institutional framework of any electoral system can affect power distribution and democracy. The way to interpret the index is as follows: the closer to 1, the electoral formula leads to a relatively more plural electoral

²³⁵ As explained in chapter 6, Venezuela and Colombia were not the exception to this regional trend and during the ‘divergence period’ they decided to reform their electoral systems to have more representatives and become more inclusive. However, the outcome of these electoral reforms could not be more contradictory. While Colombia changed its electoral formula in 2003 from a semi-proportional Hare quota system to a more proportional D’Hondt system to redistribute power among a greater number of parties (see table 6.1), Venezuela did the opposite. In 1999, the country changed its traditional D’Hondt system by a Hare quota system in which the concentration of power fell primarily over the executive branch rather than distributing it among a larger number of political parties (see table 6.2).

system, therefore, power will be concentrated in few political parties. Conversely, if the index is closer to 0, the electoral formula leads to a relatively more proportional electoral system and power will be distributed more evenly among a more number of parties.

As mentioned above, the index will be labelled as *HHI*, and will be calculated with the following formula:

$$\sum_{i=1} s_i^2 \quad (7.1)$$

Where s_i stands for the seats shared by a party from the total seats available in the legislature. Hence, the formula is the sum of squares of the share of seats held by a political party from the total number of seats available in the legislature.

To calculate this index, data was collected²³⁶ for every parliamentary election that was usually held every four years in both countries.²³⁷ Additionally, to operationalise this index as a continuous variable²³⁸ it is important to point out that the seats in parliament are held until new elections are called. Therefore, the value of the index will be the same throughout the entire parliamentary period.

Figure 7.4 depicts the degree of concentration of power in the legislature measured by *HHI* index. This figure shows that both Colombia and Venezuela had a relatively high concentration of power during the ‘transitional period’ as these polities fell in a range between 0.4 and 0.5 in the index, following a similar path and confirming the findings offered in chapter 6. However, these similar co-movements in *HHI* for both countries began to change during the ‘divergence period’ as both countries took completely different routes in terms of how power was distributed among political parties in their parliaments. From the enactment of the 1991 constitution figure 7.4 also shows that Colombian *HHI* index, began to fall. It passed from a score of 0.45 in 1990 to 0.3 in 2002, which in turn, implied an improvement in the distribution of power. However,

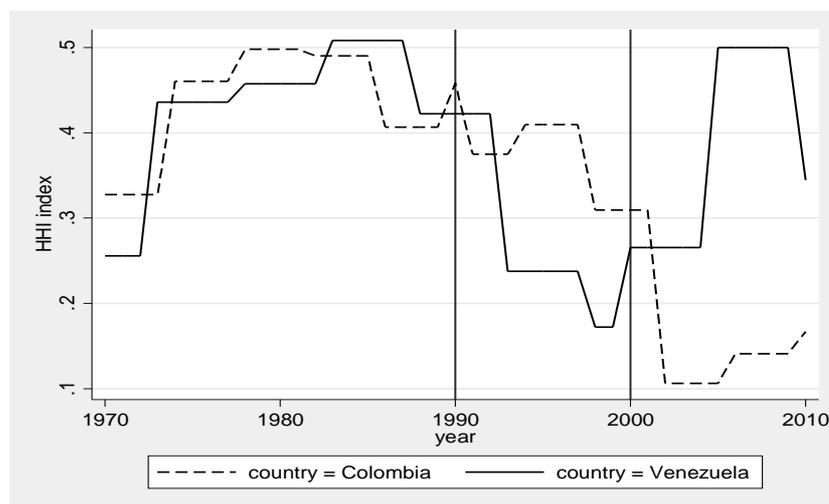
²³⁶ To build the *HHI* variable, it was necessary first to build a database on parliamentary votes, parties and seats based on the following sources: Political Database of the America from Georgetown University (www.pdba.georgetown.edu), Observatorio Electoral (www.electoral.org), the National Civil Registry (Registraduría Nacional del Estado Civil), and National Electoral Council (Consejo Nacional Electoral).

²³⁷ There are atypical cases. For example, for the Colombian case there were elections in 1990 and 1991 and for Venezuela there were elections on 1998, 2000, 2005 and 2010.

²³⁸ This index has an annualised periodicity to be consistent with the time scale of all variables included in this project.

it was not until the electoral reform that came into force in 2003 that the Colombian HHI index reached its sharpest fall from 0.3 to 0.15 showing that the shift to the D'Hondt system brought an effect over a more equitable distribution of power.

Figure 14.4.
HHI



Source: own estimations based on National Electoral Council (*Consejo Nacional Electoral*), Electoral Council (*Observatorio Electoral*) and Political Database of the Americas from Georgetown University

The electoral reform conducted by Venezuela had completely different outcomes when compared with the Colombian case. Figure 7.4 clearly shows the impact that the enactment of the 1999 Venezuelan constitution -which included the electoral reform- had over the participation of different political forces in parliament. Despite Venezuela finished the 'transitional period' with an encouraging HHI index of 0.15 in 1998 its index of concentration of power began to deteriorate as soon as the new constitution and electoral reform came into force in 1999. In fact, by 2000 Venezuelas' *HHI* index scored a 0.25, which from there on become higher year after year reaching a worrisome score of 0.5 in 2010. This outcome reflects the findings discussed in chapter 6 in which the comprehensive reforms carried out by President Hugo Chávez and his allies had no other intention than to accumulate power at the expense of opposition parties.

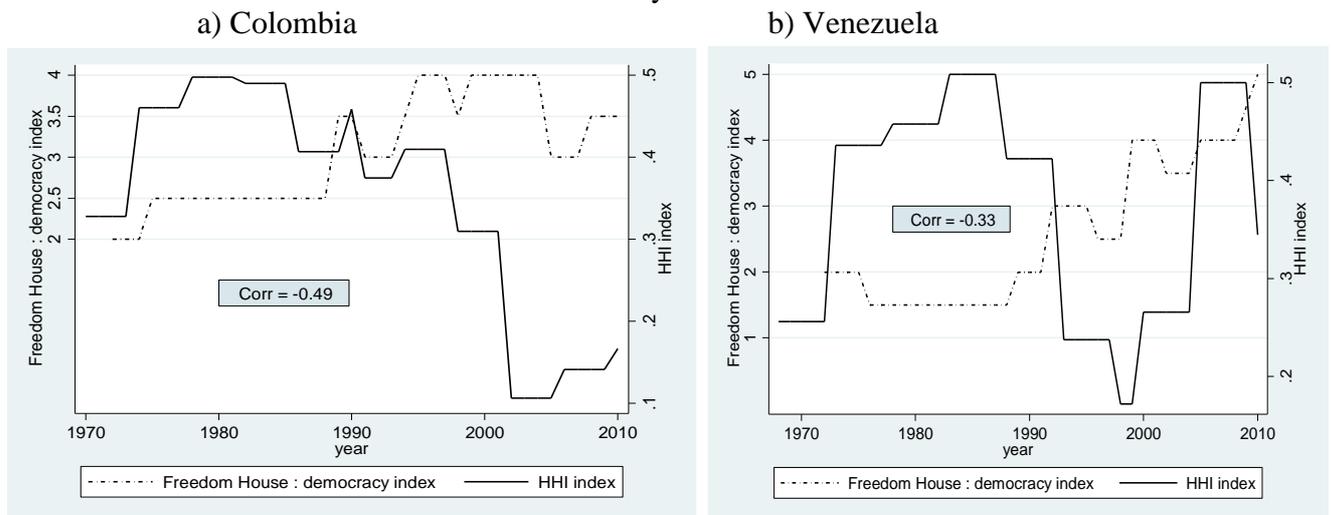
The usefulness of the *HHI* index can also be studied by looking at the relation with democratic performance measured by Freedom House Index. Figures 7.5 (a) and (b) depicts such relationship and shows a rather counterintuitive relationship. That is, focusing on the 'transitional period' both countries scored good indexes of democratic performance as they were regarded as 'free' for the Venezuelan case and 'partly free' for the Colombian case (see figure 7.1). However, their HHI index was relatively high

over this period indicating a high concentration of power among a reduced number of political parties.

This finding can be explained by the way the democratic transition took place for these countries. As discussed in the first part of this project, the democratic transition was reached when the traditional political parties agreed the 'Punto Fijo pact' and the 'National Front pact' to put an end to the military rule that used to govern Venezuela and Colombia respectively. These pacts, as discussed in chapter 3, guaranteed alternation of power between two parties (COPEI and AD in Venezuela; and PL and PC in Colombia) and equal participation of all party members in the executive cabinet of the winning party (Buxton 2001, 2005). By the nature of these pacts it is expected, then, that a high concentration of power would be the outcome which explains the high value of the HHI index during this period. What is striking about this relation is that despite the high value of the *HHI* index the democratic score obtained by these countries were relatively good (at least 'partly free'). This relationship is theoretically counterintuitive: a relatively more plural electoral system (high HHI) that concentrates power among few parties will worsen democracy in heterogeneous societies. However, data shows that during the '*transitional period*', when two parties concentrated power, the democracy index had a good performance in both countries.

Figures 7.5 (a) and (b) also shows that the reforms conducted over the electoral systems during the '*divergence period*' had also effects on the democratic performance but in different degrees in both countries. When Colombia conducted its electoral reform in 2003 by changing its electoral formula from a Hare system to a D'Hondt system its impact over Freedom House Index was rather stable. In average, its democratic classification remained as a 'partly free' country, which fluctuated within a bounded interval and enabled it to maintain its previous democratic performance. For Venezuela, in turn, the change of its electoral system from a D'Hondt system to a less proportional one, such as the Hare System, had the theoretical expected effect over its democratic performance. As shown in figure 7.5 (b) the implementation of the Venezuelan electoral reform in 1999 had a negative impact over its democratic performance as it worsened its Freedom House score to the point that by 2010 this country obtained a worrisome score of 5 out of 7. This made it very close to classify the country as a 'not free' regime.

Figure 15.5.
Democracy and HHI



Source: Own estimations based on Freedom House, National Electoral Council (*Consejo Nacional Electoral*), Electoral Council (*Observatorio Electoral*) and Political Database of the Americas from Georgetown University

Based on the three relations described above, it is possible to infer that the *HHI* index is a good input to measure: the concentration of power between countries, because this index contains relevant characteristics derived from the electoral systems that can be regarded as an independent variable to explain democratic divergence.

New constitutions and democracy

The independent variable for New Constitutions *NC* should be regarded as a dichotomous variable that takes the value of 1 after the year the new constitution was enacted for each country (1991 in Colombia and 1999 in Venezuela), and 0 otherwise.²³⁹ Hence, the purpose of this variable is to capture the effect of the enactment of the new constitutions over the democratic performance in both countries, and to check whether the introduction of the new constitutions explains the inflection point over the democratic performance in both countries. That is, the 1991 new Colombian constitution marked the starting point of a volatility but stable democratic trend, while Venezuela's 1999 new constitution marked the beginning of a deep and continuous process of deconsolidation.

²³⁹ That is, it takes the value of 1 over the 'divergence period' and the value of 0 over the 'transitional period'.

7.3.3. Control variables

As mention above, the aim of the control variables is to account exclusively for the specific effects of political culture and political institutions over democracy. That is, to estimate a multivariate regression model that reflects the incidence of the independent variables on democratic divergence.

For the countries under study this project has considered the inclusion of six control variables. The rationale behind including this type of variables is to keep constant other factors to isolate not only country economic differences, but also social and development variables that might cause some endogeneity problems to test the hypothesis of democratic divergence. Two of the six control variables will be used to test the hypothesis that the economic growth and the dependence of a specific land-based or natural resource have not effect over democracy. To test these hypotheses, I consider the real GDP growth rate (*GDP growth*)²⁴⁰ and the Oil rents as percentage of the GDP (*Oil rents*)²⁴¹ respectively as control variables. That is, these variables have also the additional purpose of testing for the effect of the modernisation and the resource curse theory as potential theoretical frameworks to explain democratic divergence. According to the theoretical *Circular Causality Model* proposed in chapter 3, it is expected that none of these variables could explain democratic divergence.

The other three variables to be considered will be related with the economic, development and social phenomena. Specifically, the first of this set of variables is the annual inflation rate for each country (*inflation*),²⁴² which is take as a proxy of economic stability that might exert explanatory power to assess the democratic performance of each country. The second variable is the gross enrolment ratio in primary school (*primary enrolment*),²⁴³ which is a proxy of education level in each country. Finally, and based on the more recent empirical literature on this topic, I also include the variable Political Terror Scale (*PTS*),²⁴⁴ as a proxy of violence. This is a very important variable to consider into the model. In fact, scholars suggest that violence could be one of the most influential variables to explain the poor and/or

²⁴⁰ The data to measure this variable was taken from World Bank (2011)

²⁴¹ Idem.

²⁴² Idem.

²⁴³ Data from this variable was taken from Unesco (2016).

²⁴⁴ Data from this variable was taken from The Political Terror Scale (2016).

steady democratic performance of the countries under analysis (i.e. Thoms, et. al. 2007; Albertus, et. al., 2012; Hegre, et. al., 2001).²⁴⁵

Finally, the last control variable is *Country*. This is a dummy variable that takes the value of 1 for Venezuela and 0 for Colombia. The inclusion of this variable in the multivariate regression model allow me to control by fixed effects, to capture the country differences that are not included in the above-mentioned control variables.

7.4. Conclusion: a summary of the inputs for the multivariate regression model

The main objective of this chapter was to offer the operationalisation and measurement of a set of variables that could explain democratic divergence trough the theoretical model developed in the first part of this project. The aim of this final section is to describe and provide an overview of the inputs that will make up the multivariate regression model that will be estimated in chapter 8. To this end, this section will group the independent variables into two subtypes according to their explanatory and theoretical relevance to assess divergence. Table 7.1 fulfils this dual objective by offering a description of the type of variable to be analysed, the subset in which the variable was grouped, notation, the purpose of including the variable into the model, an overview of the relationships founded in this chapter, and its source of information.

Finally, after conducting the classification of the variables into the above mentioned two subsets (i.e., hypothesis and control variables) the next step is to arrange the variables in the way they are going to be introduced in the multivariate regression models of the next chapter. That is, for notation purposes and to offer a better understanding of the model, the control variables will be grouped into the vector C that contains the variables *inflation*; *GDP growth*; *Oil rents*; *Enrolment*; and *PTS* (see equation 7.2).²⁴⁶

$$C = (\textit{Inflation rate}, \textit{GDP growth}, \textit{Oil rents}, \textit{Enrolment and PTS}) \quad (7.2)$$

²⁴⁵ Other variables like, Human Development Index (HDI), Literacy rate, and Unemployment rate, have also some effect over democracy, but the lack of empirical information in some of the years that cover this research did not allow me to include these variables as controls.

²⁴⁶ The variable *Country* would not be included in the matrix C , because it is going to be used to perform interactions with the hypothesis variables in the multivariate regression model.

Table 10.1.
Description of variables

Type of variable	Subsets of variables	Notation (description)	Purpose	Overview	Source
Dependent	NA	<i>D</i> (Democracy)	To assess democratic divergence	Both Freedom House and Polity IV democracy indexes are good instruments to observe the changes of the democratic performance of Colombia and Venezuela for the periods studied: 'transitional period' and 'divergence period'.	Freedom House; Polity IV
Independent variables	Hypothesis variables	<i>PC</i>	To test the effect of elite political culture over democratic performance	It captures changes in the democratic performance of the countries due to changes in the elite political culture.	Political Constitutions and amendments from both countries (see appendix 2 and 3)
		<i>HHI</i> (electoral systems)	To measure the influence of the electoral reforms over power distribution in parliament during the whole period of analysis.	It captures the type of relationship (negative or positive) between electoral reforms and democratic performance.	Mainwaring and Stugart (2002); Georgetown data base of the Americas, and Electoral Observatory of LA database
		<i>NC</i> (New Constitutions)	To explain if there is a difference in the democratic performance of the countries after the year the new constitutions were enacted.	It captures the difference in the average performance of democracy after and before the new constitutions were enacted.	Enacted Constitutions of 1991 and 1999 for Colombia and Venezuela respectively.
	Controls	Inflation	To keep other effects constant and test the validity of modernisation and resource curse theory	NA	World Bank
		GDP growth			World Bank
		<i>Oil rents</i>			World Bank
		<i>Enrolment</i>			Unesco
<i>PTS</i>	The Political Terror Scale				
<i>Country</i>	NA				

Source: own compilation

It is important to note that the subset of hypothesis variables should not be grouped because they will be regressed in different multivariate regression models that will explain democratic divergence as expressed in the following linear functional form:

$$D = f(PC, HHI, NC, C, Country) \quad (7.3)$$

Where, D is the dependent variable: democracy, f is a linear function, PC , HHI and NC are the hypothesis variables, C is the matrix composed by the control variables, and $Country$ is the dummy variable. These functions will be estimated as several stochastic²⁴⁷ models in the next chapter to assess whether these sets of variables explain democratic divergence in Colombia and Venezuela.

²⁴⁷ Formally, a sequence of random variables indexed by time is called a stochastic process or a time series process. (Stochastic is a synonym for random.) When we collect a time series database, we obtain one possible outcome, or realization, of the stochastic process. We can only see a single realization, because we cannot go back in time and start the process over again. (This is analogous to cross-sectional analysis where we can collect only one random sample.) However, if certain conditions in history had been different, we would generally obtain a different realization for the stochastic process, and therefore we think of time series data as the outcome of random variables. The set of all possible realizations of a time series process plays the role of the population in cross-sectional analysis' (Wooldridge 2012, p. 312).

Chapter 8

Testing democratic divergence in Colombia and Venezuela by estimating a multivariate regression model

8.1. Introduction

Having explained the operationalisation and measurement of the dependent and independent variables that makes up the theoretical *Circular Causality Model* introduced in chapter 3, the aim of this final chapter is to estimate a multivariate regression model to empirically assess democratic divergence. The theoretical discussion in the first part of this project can be considered as the starting point to estimate the regression model.²⁴⁸ Hence, the statistical model, in this chapter, relates the change in the dependent variable: democracy –as a proxy of democratic divergence–, caused by changes in its independent variables: Constitutional reforms, Electoral systems and Elite Political Culture.²⁴⁹

By estimating a multivariate regression model, it is possible to test and quantify the statistical importance (significance) of the independent variables in the explanation of the divergent democratic paths that Venezuela and Colombia underwent over the ‘*divergent period.*’ In this order of ideas, this chapter will be organised in five sections being this introduction the first of them. Section 8.2 will describe the way by which data was collected and organised. Additionally, it will also provide a detail analysis of the descriptive statistics of the dependent and independent variables. Section 8.3 will introduce and explain the rationale behind the selection of seven multivariate regression models to assess divergence, of which the first six will be linear models, and the last one a non-linear model (Ordered Probit). Additionally, it will also offer an analysis of the expected effect of each of the independent variables over the dependent variable. Section 8.4 will estimate the effect of both elite political culture and the institutional variables (electoral systems and constitutional reforms) over the

²⁴⁸ ‘Econometrics is based upon the development of statistical methods for estimating economic relationships, testing economic [and political] theories, and evaluating and implementing government decisions and policies. Econometric methods are relevant in virtually every branch of applied social sciences. It comes into play either when we have an economic theory to test or when we have a relationship in mind that has some importance for business decisions or political analysis. An empirical analysis uses data to test a theory or to estimate a relationship’ (Wooldridge 2012, 1)

²⁴⁹ For more information, see table 7.1 “variables description” and the general linear function 7.3.

democratic performance in Colombia and Venezuela on each of the seven models described above.

The chapter concludes that there is enough evidence to validate the project's hypothesis. That is, there is quantitative evidence that suggest that the divergent paths of the Colombian and Venezuelan democracies can be explained by changes in the elite political culture, and the reforms conducted over their constitutions, and electoral systems. That is, the independent variables included into the theoretical *Circular Causality Model* have a strong statistical significance, whereas most of the control variables have no clear significance to explain this phenomenon. As a final remark, this section points out some limitations that the empirical analysis faced and that should be taken into consideration for future research.

8.2. Data and descriptive statistics

As was discussed in the first part of this project, the democratic performance between Colombia and Venezuela over the 'transitional period' was quite similar as they followed a rather stable trend scoring ratings that organisations such as Freedom House and Polity IV, regarded them as democratic regimes (see table 2.2). Such democratic stability is a good starting point because to assess divergence it is necessary to compare both cases with a period that share a common baseline. Therefore, this model will use panel data²⁵⁰ to account for differences in democratic performance in two levels: countries (cross-section)²⁵¹ and years (time series)²⁵². Each one of the

²⁵⁰ 'A panel data set (or longitudinal data) consists of a time series for each cross-sectional member in the data set. Panel data can also be gathered from geographical units. For example, we can collect data for the same set of counties in a particular regime on topics as diverse as immigration flows, tax rates, government expenditures, etc., for the years 1980, 1985, and 1990.' (Wooldridge 2012, 10). In social sciences, it is possible to analyse political parties, constitutional reforms and amendments, conflict, peace and constitutions for a set of countries followed over a period of years (Wooldridge 2012). In that sense, 'panel data models allow us to construct and test more complicated behavioural models than purely cross-section or time-series data' (Baltagi 2005, 6).

²⁵¹ 'Cross-sectional information/data set consists of a sample of individuals, households, cities, states, countries, or a variety of other units, taken at a given point in time. Cross-sectional data are widely used in social sciences and economics. In economics, the analysis of cross-sectional data is closely aligned with the applied microeconomics fields, such as labour economics, state and local public finance, industrial organisation, urban economics, demography, and health economics' (Wooldridge 2012, 6). As for political sciences, it can be used on individuals, cities, elections, among others at a given point in time are important for testing hypotheses and evaluating social policies (Wooldridge 2012). In the case of this project, the purpose of using cross-sectional data is to assess a hypothesis of democratic divergence in two countries for two periods of time.

²⁵² 'A time series data set consists of observations on a variable or several variables over time. Examples of time series data include stock prices, money supply, consumer price index, gross domestic product, annual homicide rates, and automobile sales figures. Because past events can influence future events

variables will be accompanied with the notation it , where i denotes the country and t the years within 1976 and 2010 (the boundaries are included). In general, the model will be estimated with 70 observations for all the variables included.²⁵³ That is, the period of analysis begins from 1976 due to data availability from the control variable Political Terror Scale (*PTS*), and the data from the other variables bounds the period from this year onwards. In sum, the variables that make up the multivariate regression model proposed in this chapter hold a yearly interval from 1976 until 2010, which is the last year of the period of study.

Table 8.1 provides descriptive statistics of the variables that I will use to regress the multivariate model. The aim of this table is to summarise basic features of the data used in this research to provide a preliminary quantitative analysis of the variables. Hence, Table 8.1 is made up by 4 different panels, all panels describe the mean, the standard deviation (SD), and the minimum (MIN) and maximum (MAX) values of the data gathered in this study. Panels (a) and (b) show the descriptive statistics of the variables in Colombia before and after the new constitution were enacted respectively, whilst panels (c) and (d) show the same descriptive statistics but for Venezuela before and after the new constitution were enacted.²⁵⁴

The first column in each panel of table 8.1 provides descriptive statistics of Freedom House Index (*FH*). It shows that the mean of *FH*, unlike the ‘transitional period’, increase over the ‘divergence period’ for both countries. However, the increase was much higher in Venezuela when compared with Colombia, explaining the sharp gap in their democratic performance in that period. As for the *FH*’s standard deviation in each panel is rather constant in both countries, which means that the variable’s volatility remains stable over time. Finally, the analysis of the MIN and MAX values

and lags in behaviour are prevalent in the social sciences, time is an important dimension in a time series data set. Unlike the arrangement of cross-sectional data, the chronological ordering of observations in a time series conveys potentially important information’ (Wooldridge 2012, 8). Hence, to assess divergence, the dependent and each one of the independent variables will contain information of both countries (i.e., cross-section data) and years (i.e., time series data).

²⁵³ For example, the dependent variable democracy (D_{it}) is operationalised with information gathered from the Freedom House democracy index for Colombia and Venezuela (i =Colombia or Venezuela) from 1976 until 2010 (t =1976, 1977, ...2010), meaning that the number of observations for this variable is 70 (N =35 for each country). In the same way, the independent variables and controls are constructed and explained as before.

²⁵⁴ The reason behind tabulate four different panels, is that the central aim of this thesis is to assess divergence in the democratic performance after the new constitutions were established in Colombia and Venezuela.

of *FH*, shows that the minimum *FH* value (1,5) between the two countries over the whole period of analysis took place in Venezuela's 'transitional period'. Nonetheless, it is striking to see that the maximum *FH* value (5,0) also correspond to Venezuela but in the 'divergence period'. This finding supports the assumption that the democratic divergence experienced by these two countries is due to the higher volatility experienced by Venezuela rather than on the stability experienced over time in the Colombian case.

Columns 2 and 3 in table 8.1 contain descriptive statistics of two out of the three hypothesis variables, *HHI* and *PC* respectively.²⁵⁵ The mean value of *HHI* in Colombia decrease over the 'divergence period' compared with the 'transitional period', but in Venezuela is rather stable. As discuss in Chapter 6, this finding can be interpreted as a support to the claim that the electoral reform conducted by Colombia in 2003 had a more proportional effect over the political system than the one conducted by Venezuela in 2000.

As for *PC*, the analysis will be focused on the trend that this variable will take based on the MIN and MAX descriptive values in table 8.1. It is worth noting that this descriptive variable takes positive and negative values due to the accumulative way *PC* was operationalised in section 7.3.1 and fully explained in appendix 3.²⁵⁶ As can be seen, over the 'transitional period' both countries follow a pro-democratic trend, because Colombia went from 8,64 (MIN) in 1976 to 12,19 (MAX) in 1990, and Venezuela went from 0,0 (MIN) in 1976 to 3,5 (MAX) in 1998 (see appendix 3). Over the 'divergence period' Colombia continued its pro-democratic trend from 1,67 (MIN) in 1991 to 14,54 (MAX) in 2010, whereas Venezuela did change its trend to a negative one from -1,75 (MAX) in 1999 to -8,67 (MIN) in 2010. This finding is important because, unlike Colombia, Venezuela changed its political values and perceptions from pro-democratic over the 'transitional period' to non-democratic ones over the 'divergence period'.

²⁵⁵ Variable NC is not included in the descriptive statistics, because it is a dummy variable that takes the value of 0 in the 'transitional period' and the value of 1 in the 'divergence period'.

²⁵⁶ It is important to mention that the cumulative process to operationalise *PC* in the 'transitional period' began from 1957 for Colombia and from 1983 for Venezuela, because these were the years in which the first evidence about amendments and constitutional reforms affecting democratic performance was found. Please refer to appendix 2 for a detail account about the different years in which the amendments and constitutional reforms took place.

Table 11.1.
Descriptive statistics

Table 8.1.(a): Descriptive statistics in Colombia, ‘transitional period’

	FH	HHI	PC	GDP growth	Oil rents	Enrollment*	Inflation	PTS
Mean	2.63	0.46	10.55	4.19	4.26	111.20	24.62	3.20
Sd	0.35	0.04	1.34	1.91	1.21	6.27	3.26	0.86
Min	2.50	0.41	8.64	0.95	2.49	103.65	17.11	2.00
Max	3.50	0.50	12.19	8.46	7.51	121.80	29.17	5.00

Table 8.1.(b): Descriptive statistics in Colombia, ‘divergence period’

	FH	HHI	PC	GDP growth	Oil rents	Enrollment*	Inflation	PTS
Mean	3.58	0.26	8.03	3.39	4.76	116.19	14.56	4.65
Sd	0.44	0.13	4.38	2.50	1.39	3.93	11.33	0.49
Min	3.00	0.11	1.67	-4.20	2.36	106.14	3.41	4.00
Max	4.00	0.41	14.54	6.90	7.46	119.84	45.36	5.00

Table 8.1.(c): Descriptive statistics in Venezuela, ‘transitional period’

	FH	HHI	PC	GDP growth	Oil rents	Enrollment*	Inflation	PTS
Mean	1.96	0.40	1.91	2.00	25.25	105.98	29.35	2.52
Sd	0.60	0.11	1.53	4.53	8.21	4.17	28.00	0.95
Min	1.50	0.17	0.00	-8.57	12.24	97.93	2.90	1.00
Max	3.00	0.51	3.50	9.73	46.77	111.70	115.52	5.00

Table 8.1.(d): Descriptive statistics in Venezuela, ‘divergence period’

	FH	HHI	PC	GDP growth	Oil rents	Enrollment*	Inflation	PTS
Mean	4.00	0.36	-3.82	2.69	25.56	103.73	26.03	3.42
Sd	0.43	0.13	2.86	8.35	8.05	2.11	11.53	0.51
Min	3.50	0.17	-8.67	-8.86	15.39	99.15	7.83	3.00
Max	5.00	0.50	-1.75	18.29	38.64	106.76	45.94	4.00

Source: Author's calculations.

* Enrolment should be understood as the gross enrolment ratio in primary school. This variable could be greater than 100 because, according to World Bank (2011), "it includes students whose age exceeds the official age group (e.g. repeaters). Thus, if there is late enrolment, early enrolment, or repetition, the total enrolment can exceed the population of the age group that officially corresponds to the level of education – leading to ratios greater than 100 percent". See: <https://datahelpdesk.worldbank.org/knowledgebase/articles/114955-how-can-gross-school-enrollment-ratios-be-over-100>.

Finally, columns 4 to 8 in table 8.1 presents the descriptive statistics of five out of six control variables.²⁵⁷ Overall, the four panels show that the mean of *GDP growth*, *Enrolment*, and *PTS* in Colombia were greater than in Venezuela. In contrast, the mean of variable *Oil rents* in Venezuela was higher than in Colombia. On the other hand, *Inflation* in both countries presented a high mean in the ‘transitional period’, but only decreased in Colombia over the ‘divergence period’. In sum, this finding show that the economic and development indicators are performing better for Colombia, when compared to Venezuela. However, according to the findings is possible to assess that *PTS* as a proxy of violence in Colombia is higher than Venezuela. Hence, *ceteris*

²⁵⁷ Dummy variable Country is not included in this analysis because the four panels are divided by country.

paribus, these set of variables can be regarded as valid ones to explain democratic divergence in the multivariate regression model.

8.3. Multivariate regression model

According to the way the variables were measured and operationalised in chapter 7, the multivariate regression model proposed in this project aims to test if the *hypothesis variables* cause a difference in the democratic performance of both countries between the ‘*transitional period*’ and ‘*divergence period*.’ That is, a model with these characteristics aims to isolate the effect of institutions and elite political culture to assess the different democratic trajectories that Colombia and Venezuela followed over the ‘*divergence period*.’ As discussed earlier, although the empirical model specified democracy (*D*) as the dependent variable, the models, in fact, will explain the change in the democratic performance understood as divergence given a change in its hypothesis variables: Institutions (constitutions and electoral system) and elite political culture.

Six out of the seven multivariate regression models will be regressed with fixed effects by country.²⁵⁸ In this case, the main aim of adding fixed effects by country is to capture the unobserved heterogeneity²⁵⁹ to control for the country aspects for which no information is available. This could be accomplished by adding the dichotomous variable *country* that takes the value of 1 for Venezuela and 0 for Colombia (see description of control variables in table 7.1). These types of models have the advantage of offering a better estimation of adjusting dynamics (Ashenfelter, et. al., 1982) and identify and measure the effects that cannot be tracked easily in cross-section or time series data (Ben–Porath 1973).

Hence, this project will estimate seven models with different interaction terms to measure the effect of the ‘*hypothesis variables*’ (i.e., new constitutions (*NC*), elite

²⁵⁸ ‘Fixed-effects models are designed to study the causes of changes within countries. The fixed effects formulation implies that differences across groups can be captured in differences in the constant term’ (Greene, 2012).

²⁵⁹ ‘Panel data suggests that individuals, firms, states or countries are heterogeneous. Time-series and cross-section studies not controlling this heterogeneity run the risk of obtaining biased results’ (Baltagi 2005, 4). I performed a Hausman test of fixed effects to decide between fixed or random effects models. The null hypothesis of this test is that the preferred model is random effects versus the alternative of fixed effects (Greene, 2012). Model I and model II obtained an estimate of 11.5 and 16.6, respectively. Both rejected the null hypothesis in favour of fixed effects with a confidence interval of 99%.

political culture (*PC*) and electoral systems (*HHI*) to assess democratic divergence. Particularly, the ‘*hypothesis variables*’ *PC* and *HHI* will be included into the regression models as lagged variables, because these variables do not have an immediate effect over the dependent variable. Therefore, the current value of the dependent variable (*D*) in one specific year (*t*) will be estimated based on the values of *PC* and/or *HHI* of the previous year (*t-1*).

In sum, this project will estimate seven multivariate regression models. The first six will be linear of which five of them will have fixed effects, and one will be estimated as a pooled model.²⁶⁰ The last model will be estimated as a non-linear model also with fixed effects. These seven models, arises from the linear function depicted in the previous chapter (see equation 7.3).

For purposes of easy and clarity, the functions that make up each of the seven models to be regressed will be organised in three separated groups. The first group will show and explain the linear functions of models I, II and III, which individually assess the effect of each of the hypothesis variables over democracy. The second group, include linear models IV and V which group together all the hypothesis variables without and with fixed effects respectively. These models are meant to check whether the unobserved characteristics of the countries have an effect on democracy. Finally, the third group will include models VI and VII as robustness checks for model V.²⁶¹ To do this robustness check, I will assume different specifications for the dependent variable. Hence, model VI will assume a truncated dependent variable, whilst model VII assumes a discrete choice dependent variable. After introducing the functions for each of these groups, I will describe the variables and coefficients used in each of these three separated groups.

Model I estimate a linear model to test the effect the new constitution of each country have over Democracy (*D*). To this end, the model will include the ‘*hypothesis variable*’ *NC* and an interaction term between the above variable and the dummy *Country* (*NC*Country*). This interaction term accounts for the effect of the enactment

²⁶⁰ This model (Model IV) is estimated for the purpose of comparing the effect over democracy when it does not take into account the unobserved characteristics of the countries under study.

²⁶¹ The reason behind choosing Model V to be checked with the robustness models VI and VII is because the former model gathers all the variables that make up the theoretical ‘circular causality model’ proposed in Chapter 3 as the theoretical approach to explain democratic divergence.

of the new constitution in Venezuela over the ‘divergence period’ have over D when compared to Colombia. This model also includes the set of control variables depicted in vector C (see equation 7.2), and the dummy variable $Country$ to correct unobserved heterogeneity by fixed effects.

Model I:

$$D_{it} = \alpha_1 + \beta_1 NC_{it} + \beta_2 NC_{it} Country_{it} + \delta_1 C_{it} + \delta_2 Country_{it} + \varepsilon_{it} \quad (8.1)$$

Model II, in turn, will estimate a linear model that is meant to show the effect that changes in the electoral system has over democracy (D). That is, it includes the lagged ‘hypothesis variable’ HHI , along with the set of control variables C , and the dummy variable $Country$.

Model II:

$$D_{it} = \alpha_1 + \gamma_1 HHI_{i(t-1)} + \delta_1 C_{it} + \delta_2 Country_{it} + \varepsilon_{it} \quad (8.2)$$

The model III will estimate also a linear model meant to measure the effect that changes in political culture at the elite level has over Democracy (D). In this case, I include also the lagged ‘hypothesis variable’ PC , and like models I and II, it also includes the vector C , and the dummy variable $Country$.

Model III:

$$D_{it} = \alpha_1 + \theta_1 PC_{i(t-1)} + \delta_1 C_{it} + \delta_2 Country_{it} + \varepsilon_{it} \quad (8.3)$$

In sum, the above three linear models consist of the following variables and coefficients:

- D_{it} is the dependent variable democracy index in country i and year t .
- α_1 is the models’ intercept coefficient.
- β_1 is the first coefficient of interest in model I, it shows the effect of NC over D in Colombia.
- β_2 is the second coefficient of interest in model I, it shows the difference between Colombia and Venezuela of the effect of NC over D .²⁶²

²⁶² That is, $\beta_1 + \beta_2$ shows the effect of NC over D in Venezuela.

- γ_1 is the coefficient of interest in model II, it shows the effect caused by changes in the electoral system in the previous period over democracy in the current period.
- θ_1 is the coefficient of interest in model III, it allows me to know if changes in elite political culture in the previous period has an effect on democracy in the current period.
- δ_1 is a row vector that contains the marginal effects of the changes in each of the five control variables in vector C_{it} .
- δ_2 is the coefficient that captures the unobservable heterogeneity by country (fixed effects).
- NC_{it} is the value of the variable NC in country i and year t .
- $PC_{i(t-1)}$ is the value of the variable PC in country i and year $t - 1$.
- $HHI_{i(t-1)}$ is the value of the variable HHI in country i and year $t - 1$.
- C_{it} is the vector of control variables in country i and year t .
- $Country_{it}$ is the value of the variable $Country$ in country i and year t .
- The error term is referred as ε_{it} and is assumed to have zero mean and no correlation between periods.

As for the second group that includes model IV and V. Model IV will be estimated as a pooled linear model with the whole set of ‘*hypothesis variables*’, and the vector of control variables. This model also includes two additional lagged interaction terms. The first one, is the interaction between variables HHI and NC ($HHI*NC$). This interaction will allow me to test the difference between the effect that has the HHI variable over D before and after the new constitutions were enacted in each country. The second interaction term is between variables PC and NC ($PC*NC$). This interaction allows me to test the difference between the effect that PC variable has over D before and after the new constitutions were enacted in each country.

Model IV:

$$D_{it} = \alpha_1 + \beta_1 NC_{it} + \gamma_1 HHI_{i(t-1)} + \gamma_2 HHI_{i(t-1)} NC_{it} + \theta_1 PC_{i(t-1)} + \theta_2 PC_{i(t-1)} NC_{it} + \delta_1 C_{it} + \varepsilon_{it} \quad (8.4.)$$

Like model IV, model V will be estimated in the same way but including fixed effects by country. That is, it will include the dummy variable *Country*, and the interaction term between variables *NC* and *Country* (*NC*Country*).

Model V:

$$D_{it} = \alpha_1 + \beta_1 NC_{it} + \beta_2 NC_{it} Country_{it} + \gamma_1 HHI_{i(t-1)} + \gamma_2 HHI_{i(t-1)} NC_{it} + \theta_1 PC_{i(t-1)} + \theta_2 PC_{i(t-1)} NC_{it} + \delta_1 C_{it} + \delta_2 Country_{it} + \varepsilon_{it} \quad (8.5.)$$

The main reason to estimate these two separated models, is to compare the effects of the independent variables over democracy assuming that both countries either behave similarly (Model IV), or differently (Model V) and, therefore, check if they are able to test whether the unobservable heterogeneity of each country affect democracy.

Overall, the variables that make up models IV and V are described in the same way as the first group of models (Models I, II and III). The only difference between the first and the second group of models are the addition of the following variables and coefficients:

- γ_2 is the coefficient of interest, it shows the difference in the effect of the electoral system over democracy, between the ‘transitional period’ and the ‘divergence period’.
- θ_2 is the coefficient of interest, it shows the difference in the effect of the political culture over democracy, between the ‘transitional period’ and the ‘divergence period’.

Finally, as explained above, the third group contains models VI and VII. Both models will be estimated as robustness check for model V.

Model VI estimates a truncated model.²⁶³ The decision to use this kind of model comes from the realization that the values of the dependent variable are bounded in an

²⁶³ This model assumes that the dependent variable follows a truncated distribution. This kind of distribution when is regressed as a OLS model will bring about biased estimations for the coefficients of the independent variable. Therefore, to solve this statistical setback, it is necessary to include the inverse Mills ratio into the truncated model, which provides unbiased and consistent coefficients for all the independent variables.

established range of values²⁶⁴. Hence, this model will be regressed with the same independent variables as model V. The main difference is that model VI will assume that the dependent variable is truncated, and therefore should be transformed into a latent variable which aims to normalise its distribution.

Model VI:

$$D_{it} = \boldsymbol{\varphi}X_{it} + \sigma\lambda_{it} + \varepsilon_{it} \quad (8.6)$$

Model VI consists in the following variables:

- D_{it} is the dependent variable democracy index in country i and year t .
- X_{it} is a vector that contains all the independent variables listed in model V in country i and year t (see equation 8.5).
- $\boldsymbol{\varphi}$ is the row vector of coefficients accompanying each independent variable (i.e., $\boldsymbol{\varphi}$ represents the coefficients accompanying all the independent variables introduced in model V).
- σ is the coefficient accompanying variable λ_{it} .
- λ_{it} is the inverse Mills ratio. That is, the ratio between the probability of the truncated distribution in the observation over the cumulative function of the truncated distribution.
- The error term is referred as ε_{it} and is assumed to have zero mean and no correlation between periods.

Model VII, in turn, is a nonlinear model, specifically an ordered probit model. It assumes the dependent variable as a discrete one.²⁶⁵ It will allow us to test whether changes between scores in the dependent variable are linear or not. The inclusion of this regression model is based on the hypothesis that the effort a country can make to move from one democracy score to another is different depending on the democracy score level the country used to have in the previous period. For instance, it aims to

²⁶⁴ Regardless, whether Freedom House or Polity IV indexes being used as the dependent variable, it is important to remember, as explained in Chapter 7, that these indexes are bounded in an interval from 1 to 7 and -10 to 10 respectively.

²⁶⁵ According to Greene (2012) the ordered probit is an ordered choice model that accounts to regress discrete choice variables as a dependent variable. This type of models assumes that differences between two levels of rating scales of the dependent variable are nonlinear, and is necessary the use of a strictly nonlinear transformation to estimate the model. In this case, I assume that the dependent variable of democracy is a discrete choice variable, and changes between scales are nonlinear.

check whether the effort a country needs to make to pass from 6 (not free) to 5 (partly free) in freedom house index, is different to the one when the country moves from 3 (partly free) to 2 (free),²⁶⁶ even though the change in the democratic performance in both cases are in the same direction (improvement of democracy) and in the same magnitude.

Model VII:

$$D_{it} = \sum_{h=1}^H v_h \mathbf{1}(k_{h-1} < \boldsymbol{\varphi}X_{it} + \varepsilon_{it} \leq k_h) \quad (8.7)$$

Model VII consists in the following variables:

- D_{it} is the dependent variable democracy index in country i and year t .
- H is number of possible scores taken by variable D .
- v_h is the value taken by variable D . For instance, v_1 is the lowest value that variable D can take, and v_H is the highest value taken by variable D .
- $\mathbf{1}$ is a conditional function that takes the value of 1 if the condition between parenthesis is fulfilled, and 0 otherwise.
- k_h is the intercept value coefficient for each score taken by variable D . Where k_0 is taken as $-\infty$ and k_H is taken as ∞ .
- X_{it} is a vector that contains all the independent variables listed in model V in country i and year t (see equation 8.5).
- $\boldsymbol{\varphi}$ is the row vector of coefficients accompanying each independent variable (i.e., $\boldsymbol{\varphi}$ represents the coefficients accompanying all the independent variables introduced in model V).
- The error term is referred as ε_{it} and is assumed to have zero mean and no correlation between periods.

As mentioned earlier, to obtain a better interpretation of the results in the models proposed above I used data from Freedom House index to explain the dependent

²⁶⁶By “effort” this research means that the institutional arrangements or the changes in elite political culture need it to move from a higher (6) to a middle (5) democracy index is different in terms of magnitude when it is compare with a move from a middle (3) index to a lower one (2).

variable (*D*), or its proxy democratic divergence.²⁶⁷ As it will be discussed, the interpretation of the expected effect of each independent variable over the dependent variable is related with the scale that Freedom House uses to measure democracy. That is, an increase in the index (closer to 7) should be interpreted as a deconsolidation. Conversely, if the index is decreasing (closer to 1), then, the interpretation should be that the democracy is consolidating. Therefore, if the sign of the coefficient accompanying any independent variable in the seven models proposed is positive means that increases in the independent variable associated to that coefficient produces a negative effect over democracy, while if the sign of the coefficient is negative, means that increases in the independent variable improves the democratic performance of the countries under study.²⁶⁸ In other words, the coefficient accompanying any independent variable in the models put forward above, represents an inverse relation between that independent variable and democracy.²⁶⁹

In what follows, I am going to explain the expected signs for the coefficients accompanying the hypothesis variables, the interaction terms, and the control variables included in the seven models to be estimated in the next section.

Chapter 7 claimed that the hypothesis variable new constitutions (*NC*) is a dichotomous variable that takes the value of 1 after the year the new constitution was enacted for each country (1991 in Colombia and 1999 in Venezuela), and 0 otherwise. In other words, this variable takes the value of 1 during the ‘divergence period’ in both countries, and takes the value of 0 during the ‘transitional period’ also for the both countries. Therefore, the inclusion of this variable into the models allows me to

²⁶⁷To assess the robustness of the results obtained with Freedom House data in models I to VII, this project also estimated an additional regression with data from Polity IV democracy index. The results of this regression are shown in [Appendix 4](#).

²⁶⁸ It is worth nothing that this form of interpretation applies also for the coefficients accompanying the interaction terms in models IV, V, VI and VII.

²⁶⁹ The results in this chapter for the seven models were interpreted exclusively using Freedom House data, however they can be also interpreted in a similar way by using Polity IV data to check for robustness (appendix 4 will show the estimation of the regression model using these data). As discussed in chapter 7, the preference to estimate the model with Freedom House data instead of Polity IV data cannot be understood as a methodological bias since the results were similar. Hence, selection of Freedom House index is solely due by the way this index has been built, which is more comprehensive than polity IV index (Munck 2009; Coppedge, et. al. 2011). That is, Freedom House index includes a broader subset of indicators to measure democracy as it includes both political rights and civil liberties measurements, while Polity IV is mainly focused on political rights. For this reason, Freedom House data offers a more accurate measurement to account for changes in the democratic performance, understood as democratic divergence that may be caused by changes in elite political culture, constitutions, and electoral system variables.

estimate its coefficient that accounts for the change in the democratic performance after the enactment of the new constitutions in both countries.

However, since the effect of new constitutions over democracy is different for each country, I also include an interaction term between variables *NC* and *Country* (*NC*Country*). Hence, the coefficient accompanying this interaction term will help to differentiate the above effect between countries. Although it is expected that the *NC* have different effects over democracy in each country, this project will not consider an expected sign for these coefficients because it is not possible to determine *a priori* its theoretically effect on democracy.

The second hypothesis variable that will be tested in this project is *HHI*. This variable measure the degree of power concentration achieved through the implementation of an electoral system. It is expected that the effect of an increase in this index will deconsolidate democracy, because electoral systems that are relatively more majoritarian (plural) tend to concentrate more power in the executive branch and therefore are prone to be less democratic than proportional electoral systems (Wills-Otero 2009). This is particularly true in socio-economically diverse countries such as the ones study in this project. Therefore, the expected sign of the coefficient accompanying *HHI* should be positive.²⁷⁰

The third hypothesis variable included into the models is *PC*. As discussed in the theoretical chapters, this variable captures changes in the elite political culture over time. It is expected that improvements in both political values and believes by political elites will cause an improvement in the democratic performance on the cases under study. Therefore, the coefficient accompanying variable *PC*, would have an expected negative sign, because increases in *PC* would lead to a decrease in *FH* (i.e., improvements in the democratic performance).²⁷¹

²⁷⁰ Another argument to justify this expected sign is based on the analysis offered in the theoretical chapters. There, it was explained that unlike Colombia, Venezuela during the 'divergence period' underwent a critical electoral reform that changed its electoral formula from a D'Hondt electoral system to a Hare quota system. In doing this, Venezuela could concentrate power in hands of the official political parties affecting in this way the pro democratic tradition that this country used to have in the 'transitional period'. In other words, the more concentration of power caused by changing the electoral formula in Venezuela during the 'divergence period' would lead to explain the deterioration of its democratic performance.

²⁷¹ To be sure about the relation introduced above, chapter 6 described that Colombia had a renewal in its political elites because of the election of the National Assembly that enabled the new 1991

To capture the differences in the impact of the hypothesis variables (i.e., *HHI* and *PC*) over the dependent variable, I also included two additional interaction terms into the specifications of the last four models.²⁷² The aim of the interactions *HHI*NC* and *PC*NC* allowed to differentiate the effect that both electoral systems and elite political culture have over democracy when compared the ‘transitional period’ with the ‘divergence period’. Therefore, the expected signs for these interactions are positive and negative respectively. The former is positive, because increases in *HHI* during the ‘divergence period’ would lead to deteriorate democratic performance (increase *FH*) in each country. This logic applies primarily to the Venezuelan case, as this country takes to concentrate power during the divergence period as state in subsection 7.3.2. By the discussion offered in the theoretical chapters, the latter would be negative because a non-democratic elite political culture during the ‘divergence period’ would lead to deteriorate the performance of democracy (increase *FH*) in each country.

Finally, as for the control variables included in the seven models: *Inflation*, *GDP growth*, *Oil rents*, *Enrolment*, *PTS* (violence), and the dichotomous variable *Country*, have the purpose of testing different effects to explain democratic divergence. For instance, variables *Inflation* and *GDP growth* are meant to test the hypothesis that modernisation theory affects the democratic performance of each country. According to the discussion offered in chapter 2, it is expected that neither *inflation* nor *GDP growth* influence the democratic performance in the countries studied due to modernisation theory cannot explain the divergent democratic trajectory of these countries over the ‘divergence period’. Variable *Oil rents* is included into the models as a control variable to test for the effect of the resource curse theory as a potential theoretical framework to explain democratic divergence. As discussed in chapter 2, it

Constitution. The election of this new political elites led to a deepening in the pro-democratic reforms that used to characterise the constitutional provisions conducted during the ‘transitional period’. However, unlike Colombia, Venezuela had an inflexion point in the structure of its political culture. That is, the renewal of its political elites at the beginning of the ‘divergence period’ implied the appointment, not the election—as in the Colombian case—of the members of its Constitutional Assembly. Consequently, the appointment of the members of this institutional body was arranged according to the political wishes of President Chávez, excluding the opposition political parties (Bejarano 2011). In virtue of the above, this project claims that the renewal in the political culture of the Venezuelan elites had implications over the type of constitutional provisions enabled during the ‘divergence period’ in the sense that most of the reforms had non-democratic characteristics (see appendix 2).

²⁷² At this point, it is important to remember that Model I (see equation 8.1) only includes the interaction term *NC*Country*, whereas model IV (see equation 8.4) includes the interaction terms *HHI*NC* and *PC*NC*. Additionally, models V, VI and VII include all the three interaction terms mentioned above. Please, see section 8.3 for a detail justification on the way by which the above-mentioned models have these specification types.

is expected that the variable has not significant effect to explain divergence. The inclusion of the variable *Enrolment*²⁷³ as a control variable is meant to account for the effect that improvement in economic development -not economic growth- have over democratic performance in both countries. The coefficient of this variable is expected to take a negative value, because improvement in the educational coverage should lead to improve a polity's democratic performance. The variable *PTS* (Political Terror Scale) is included into the model to measure the effect that violence could cause on the countries' democratic performance. This is an important control variable because scholars (Moore 1998; Albertus, et. al., 2012; Thoms 2007) studying processes of democratisation claim that civil war and/or military conflict have a negative effect on the performance of democracy. Finally, the last control variable is the already mentioned *Country*. This variable takes the value of 1 for Venezuela and 0 for Colombia. This project will not offer an expected value for this variable because it accounts for the unobservable characteristics of each country. Therefore, it is not possible to determine *a priori* its theoretical effect on democracy.

8.4. Estimation results

Table 8.2 shows the results of the determinants of democratic divergence after conducting the estimation of the multivariate regression models explained in section 8.3. The estimation of models I, II, III and V were regressed using Ordinary Least Squares (OLS) adding the variable *Country* to account for fixed effects. Model IV, in turn, was regressed using OLS but without fixed effects.²⁷⁴ Model VI and VII, were regressed as robustness checks using a truncated model, and a multinomial ordered probit respectively. They also include the variable *Country* to account for fixed effects. The innovation of these models can be attributed to the use of the panel data. The errors in all seven models were corrected for heteroscedasticity applying the Jackknife method to estimate the variance covariance matrix of the regressions (Tukey, 1958), which is commonly used in estimations with small samples.

²⁷³ Please bear in mind that Enrolment as a control variable should be understood as the gross enrolment ratio in primary education.

²⁷⁴ As explained in the previous section, the main reason to estimate model IV, is to compare with model V the effects of the explanatory variables over democracy assuming that both countries either behave similarly (Model IV), or differently (Model V).

As was outlined above, Model I²⁷⁵ tests the influence of the new constitutions over democracy to assess divergence in Venezuela when compared with Colombia. The coefficient estimated for variable *Country* in this model showed that in the ‘transitional period’ the Freedom House index in Venezuela was bigger than Colombia in average 0.105, but that difference is not statistically significant according to Table 8.2. This outcome shows that during the ‘transitional period’ both countries follow similar democratic paths. However, the coefficient estimated for the interaction term *NC*Country* shows that during the ‘divergence period’ Venezuela took a different path than Colombia as its Freedom House index was in average 1.41 higher than the Colombian case. This result also shows that the difference is statistically significant, concluding that the change in Venezuela’s elite political culture occurred with the appointment of the members of the Constituent Assembly in 1999, caused a deconsolidating effect on democracy when compared with Colombia. Conversely, another way to interpret this result from the Colombian perspective is that the election of the Constituent Assembly's members in 1991 had a consolidating effect on democracy when compared to Venezuela since the renewal of its political elites reflected at least a more stable political system. Hence, the enactment of the new constitutions marked an inflexion point in the process of explaining democratic performance between the two countries.

The results for this model in table 8.2 show that the global significance F test is equal to 56.79 which means that the independent variables (i.e., hypothesis and control variables) are jointly significant with a confidence interval of 99%. The results confirm that these variables provide valuable information to understand the divergent democratic trajectories over time. Moreover, the overall goodness of fit of this model (R^2) was good because at least the 85% of the change in democratic performance can be explained by variations in *NC* and the control variables.

Model II test the influence of the electoral systems over democracy during the whole period of analysis. This model show that *HHI* have not effect over democracy due to

²⁷⁵ It is worth nothing here that model I, unlike the rest of the models, it is regressed without lagged variables, because this model only includes the hypothesis variable *NC* which, as explained in section 8.3, is a dummy variable that measure the effect of the new constitutions over democracy. However, models II to VII will be regressed with lagged hypothesis variables *HHI* and/or *PC*. That is, this project assumes that the effect of changes in the electoral system and elite political culture will be reflected in subsequent periods over the performance of democracy in the countries under study.

its associated coefficient is not statistically significant. Additionally, the sign of the coefficient is counterintuitive to the theory. This is because the 'pacted democracies' generated by the elite settlements during the first years of the 'transitional period' in both countries improved the overall democratic performance instead of deconsolidating it, as the theory would claim.²⁷⁶ In other words, the effect that the 'pacted democracies' had on concentration of power in few political parties is negative correlated with the scores of Freedom House index showing a good democratic performance (please see figure 7.5). Finally, despite that the global significance F test show that the independent variables are jointly significant with a confidence level of 99%, it is important to note that the independent variables only explain the 57% of the change in democratic performance, according to the R^2 .

Model III is meant to test the impact that changes in elite political culture have over democracy during the whole period of analysis. To this end, table 8.2 show that the coefficient of the hypothesis variable PC is statistically significant at 90%, and its sign is consistent with the theory. This outcome is important for this project because individually the inclusion of this variable seems to have explanatory power to assess the process of democratic divergence in Colombia and Venezuela. This is because the accumulation of pro-democratic values by the political elites (increases in PC) will be reflected in an improvement in the democratic performance (decrease of FH) of the countries under analysis. Hence, the sign associated with this coefficient, as the theory claim, show an inverse relationship between FH and PC . That is, the higher the accumulation of pro-democratic values are, the better the democratic performance of that country would be. As for the goodness of fit measures, despite the fact the hypothesis variable is significant, the R^2 associated with the model is low and equal to 0.62, which means that the independent variables only explained the 62% of the changes in the democratic performance.

Unlike models I, II and III, the results of the remaining models include the interaction terms $HHI*NC$ and $PC*NC$. The purpose to include these two interactions is meant to differentiate the effect that both the electoral system and the elite political culture

²⁷⁶ This is because one would expect that the greater the concentration of power is -caused by the 'pacted democracies' - the worse would be the democratic performance of these polities.

respectively have over democracy during the ‘divergence period’ when compared with the ‘transitional period’ in both countries.

Accordingly, model IV is estimated without fixed effects (i.e., variables $NC*Country$ and $Country$ are excluded from the model), but includes all the hypothesis variables, the two aforementioned interaction terms, and the set control variables included in vector C .²⁷⁷ The results of this model show that the coefficients of variables HHI and PC (which show the effect that these two variables have over democratic performance in the ‘transitional period’), are statistically significant but their signs are counterintuitive with the theory. However, the estimated coefficients of the interaction terms are significant, and with the expected signs. The former result for HHI is not a surprise due to the explanation provided in the results of model II.²⁷⁸ As for the result for PC , it is explained because during the ‘transitional period’ the values and beliefs of the elite political culture in both countries were quite similar.

As for the latter results in the interaction terms, proves that the effects over democracy caused by changes conducted on the electoral system and the renewal on the political elites during the ‘divergence period’ are significant and agrees with predictions from the theory. This is a striking result because this model shows that the selection of the hypothesis variables are indeed relevant to assess processes of democratization. In this sense, this model seems to show that both changes in the electoral formula and accumulation of different sets of political values over the ‘divergence period’ do have explanatory power to provide answers for the process of democratic divergence in both countries.

In terms of the goodness of fit on this model it can be argued that both R^2 and the global significance F test have better results when they are compared with the previous three models. For instance, the R^2 shows that the independent variables of this model explain at least the 87% of the variance in the dependent variable. Additionally, the F

²⁷⁷ As explained before, the reason behind regressing model IV without fixed effects is because I want to compare whether the unobservable characteristics of both countries either behave similarly (without the dummy variable $Country$), or differently (applying fixed effects) as in model V.

²⁷⁸ Again, the counterintuitive sign in the coefficient HHI is explained because of the implementation of ‘pacted democracies’ by elite settlements in both countries at the beginning of the ‘transitional period’.

test shows that independent variables are jointly significant, with a confidence level of 99%.

Unlike model IV, model V is regressed with fixed effects because it is important to check whether the unobserved characteristics of each country have different effect over democracy in each country.²⁷⁹ That is, this model group together all the independent variables included in model IV but, additionally, it also includes the dummy variable *Country* to account for fixed effects and, the interaction term *NC*Country*. The results of this model are similar to model IV, and also showed that the coefficient of the dummy variable *Country* is positive but not statistically significant, which means that the unobservable characteristics of each country had no effect over democracy. Hence, it is possible to claim with high level of certainty that the hypothesis variables included in the model do explain the different democratic paths that both countries took during the ‘divergence period’. This finding is supported by the lack of significance found in most of the control variables included into the model.

Overall, for the five linear models described above it is important now to consider which is the best model to explain democratic divergence. To this end, this project uses the Akaike Information Criterion (AIC) to measure the relative qualitative of these five models.²⁸⁰ Table 8.2 provides information of this measure in each model that, in turn, can be used to select the best model to explain divergence. By looking at these results, it is fair to claim that model V provides the best specification of all because despite this model uses the highest number of independent variables, its AIC is the lowest. Therefore, the goodness of fit in model V is higher than the others, even considering the penalty of loss of degrees of freedom that result from adding variables to the model.²⁸¹

²⁷⁹ It is worth remembering here that model V is like those regressed in models I, II and III, in that all of them accounts for fixed effects. However, the main difference in model V is that it includes all the hypothesis variables.

²⁸⁰ According to Green (2012) the AIC is a measure of the relative quality of a model. It is calculated by considering the R^2 , and it penalizes the model when the number of independent variables increase. Therefore, this measure provides a way to select the model with the best explanatory power to assess democratic divergence.

²⁸¹ Other similar measures to AIC are the Bayesian Information Criterion (BIC) and the adjusted R^2 . All these measures help to select the best model to explain the dependent variable. According to Diebold (1998) all these measures have their virtues and neither of them have an obvious advantage over the

Table 12.2.
Determinants of democratic divergence.

Dependent variable: democracy index from Freedom House (FH_{it})							
Independent variables	Model I	Model II	Model III	Model IV	Model V	Model VI	Model VII
NC_{it}	0.317 (0.234)			0.488 (0.424)	0.796 (1.326)	0.898 (1.377)	6.475 (6.058)
$NC_{it} * Country_{it}$	1.409*** (0.229)				-0.0158 (0.955)	-0.0514 (0.976)	-2.095 (3.668)
$HHI_{i(t-1)}$		-0.994 (0.749)		-3.783*** (0.737)	-3.100*** (0.857)	-3.055*** (0.902)	-10.29 (6.516)
$HHI_{i(t-1)} * NC_{it}$				3.327*** (1.154)	3.320*** (1.234)	3.300** (1.256)	12.52* (6.984)
$PC_{i(t-1)}$			-0.0731* (0.0377)	0.0915*** (0.0232)	0.145 (0.0913)	0.157 (0.0965)	0.954** (0.422)
$PC_{i(t-1)} * NC_{it}$				-0.158*** (0.0207)	-0.177* (0.103)	-0.187* (0.107)	-0.989** (0.414)
$GDP\ growth_{it}$	0.849 (1.326)	1.270 (2.057)	1.598 (2.039)	-0.731 (1.211)	-0.475 (1.329)	-0.402 (1.380)	2.118 (6.021)
$Inflation_{it}$	-0.0200** (0.00946)	-0.0128 (0.0182)	-0.0141 (0.0172)	0.00209 (0.00677)	-0.00904 (0.00705)	-0.0113 (0.00857)	-0.104* (0.0569)
$Oil\ rents_{it}$	0.0152 (0.0123)	-0.0122 (0.0178)	-0.00784 (0.0165)	0.0142 (0.00936)	0.0283** (0.0127)	0.0310** (0.0135)	0.163** (0.0651)
$Enrolment_{it}$	0.0928 (0.450)	-1.089 (0.767)	-0.915 (0.613)	-0.329 (0.367)	-0.265 (0.383)	-0.230 (0.398)	0.277 (1.305)
PTS_{it}	0.397*** (0.0921)	0.683*** (0.0983)	0.660*** (0.0835)	0.137 (0.109)	0.169 (0.156)	0.178 (0.159)	0.705 (0.474)
$Country_{it}$	0.105 (0.306)	0.671 (0.489)	0.0195 (0.548)		0.864 (0.759)	1.002 (0.831)	7.953* (4.334)
Constant	-0.295 (1.482)	2.353 (2.223)	2.219 (2.024)	1.546 (1.089)	-1.014 (1.944)	-1.485 (2.141)	
Mills ratio						0.317*** (0.0368)	
N	70	68	68	68	68	68	68
R^2	0.851	0.575	0.621	0.873	0.887		
AIC	73.37	140.4	132.5	64.25	60.23	60.22	143.9
F	56.79	18.28	21.04	84.24	57.48	52.79	4.102

Heteroscedasticity consistent standard errors in parentheses * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

Source: Own calculations.

Unlike all the models described this far, model VI and VII are nonlinear models which are meant to check the robustness of model V. As mentioned above, Model VI assumes that the dependent variable FH is truncated between 1 and 7. This model also considers

other. Nonetheless, after conducting several tests I realized that either BIC or adjusted R^2 were similar to AIC, showing that model V have the best outcome for all three measures.

all the set of independent variables used in the regression of model V. As shown in Table 8.2, all the coefficients in this model have the same signs and levels of significance obtained in model V. The coefficient accompanying the inverse mill ratio variable is positive and statistically significant. It means that the dependent variable truly follow a truncated distribution, and the coefficients estimated in the model must be analysed with caution, considered the truncated distribution of the dependent variable.

In turn, the last model used a multinomial ordered probit regression. In this case, because Freedom House index can only take 13 values between 1 and 7, the measure of democracy is assumed here as a discrete choice variable (and not as a continuous variable, as was assumed in models I to V). As explained before, this model assumes that differences between two levels of rating scales are nonlinear, and could change the effect that the independent variable have over democracy. The interpretation of this model would be rather different from the previous ones. The reason for this is due to the coefficients accompanying the independent variables in Table 8.2 (see column model VII), do not capture the marginal effect of these variables over democracy, and an interpretation based on those coefficients may be misleading. Therefore, to interpret the effect that the hypothesis variables have over democracy, I will take a different approach by conducting a separated analysis based on the marginal effects that *PC* and *HHI* have over democracy. To do so, I rely on figures 8.1 and 8.2 below.²⁸²

Figure 8.1 is meant to explain the effect that changes in *PC* have over the probability that each one of the possible scores of the dependent variable (*FH*) might happen,²⁸³ and the differences of this effect between the ‘transitional period’ (*NC*=0) and the ‘divergence period’ (*NC*=1),²⁸⁴ captured by the interaction term *PC*NC*. Hence,

²⁸² At this point, it is important to note that the results obtained from the ordered probit model should be taken with caution, because the data used contain only one observation for *FH*=4.5 and *FH*=5 (In both instances for the Venezuela case). This situation leads to perfectly determine the estimation in one of the observations in the model, and therefore the standard errors could be biased. However, and despite this setback, regressing this model can be helpful as a robustness check for model V.

²⁸³ As can be seen in Figure 8.1, *FH* only takes values from 1.5 to 5, due to these scores are the only ones that are included in the database over the entire period of analysis for the cases under study.

²⁸⁴ *NC* takes the value of one after the constitutional reforms were enacted for each country (i.e., 1991 Colombia and 1999 Venezuela), and it takes the value of zero before the constitutional reforms were enacted. In figure 8.1 *NC*=0 is depicted by intervals in hollow triangles, whilst *NC*=1 will be depicted by intervals in solid circles.

Figure 8.1 is divided in 8 graphs, and each one of them denotes the probabilities of each possible score for *FH*. Each graph is composed by:

- The horizontal axis shows different possible values that *PC* takes, based on the scores calculated in appendix 3. This axis is labelled in the graphs as *PC*.
- Confidence intervals in hollow triangles and solid circles showing the marginal effect of different values of *PC* over the probability that the *FH* score happen in the ‘transitional period’ and the ‘divergence period’ respectively. The scale of these intervals is shown in the left vertical axis, and is labelled as the *Effect of one unit increase in PC*.
- A frequency distribution for the variable *PC* is superimposed over each marginal effect plot.²⁸⁵ The scale of this variable is presented on the right vertical axis, and is labelled as the *% of observations in PC*.

As explained above, the results from models I to VI in table 8.2 showed an inverse relationship between *PC* and *FH*, which is boosted over the ‘divergence period’. Hence, the outcome of the ordered probit model shown in figure 8.1 is expected to be consistent with the results obtained with the former models. By looking at the graphs of the probabilities when variable *FH* takes the values of 1.5, 2 and 2.5, it is possible to identify that the likelihood to achieve these values is not caused by changes in *PC*. This is because most of the confidence intervals in these graphs include both positive and negative values for both periods (i.e., transitional (NC=0) and divergence (NC=1)), and therefore neither of them are statistically significant.

By contrast, figure 8.1 shows that *PC* has a positive²⁸⁶ but decreasing effect over the probability that the variable *FH* takes the values of 3, 3.5, 4 and 4.5 in the ‘divergence period’ for all the values of *PC*, while in the ‘transitional period’ the effect is positive only for certain values of *PC* (particularly for values between 6 to 13).²⁸⁷ This result, confirm the theoretical hypothesis from the *Circular Causality Model* introduced in chapter 3 which claimed that higher levels of accumulation of prodemocratic values

²⁸⁵ The combination of a histogram with the outcome of the marginal effects in any graph help us to determine if the effects are concentrated or not in the areas with high number of observations of *PC*.

²⁸⁶ As can be seen by the confidence intervals in the graphs when *FH* equals 3, 3.5, 4 and 4.5, the effect is statistically significant. This is because, the values in the confidence intervals are always higher than zero.

²⁸⁷ See the slope of the confidence intervals depicted by solid circles in figure 8.1 for *FH*=3.5 and *FH*=4.

among political elites produce improvements on the democratic performance on the countries under study during the ‘divergence period’. In addition, this same set of graphs also indicate that, while the confidence intervals depicted in solid circles (‘divergence period’) are decreasing as *PC* values are higher, these intervals, in turn, are placed below the confidence intervals depicted in hollow triangles (‘transitional period’) for some values of *PC* located at the following ranges: for $FH=3.5$ between 7 to 9, for $FH=4$ between 8 to 11, and for $FH=4.5$ for the range between 10 to 13. These range of values points out that there is a difference between the marginal effect of *PC* over democracy in the ‘divergence period’ when compared with the ‘transitional period’. This result confirms the assumption that changes in the accumulation of political culture values, in any direction, have a bigger effect over democracy during the ‘divergence period’, but conditional to high values of *PC*.

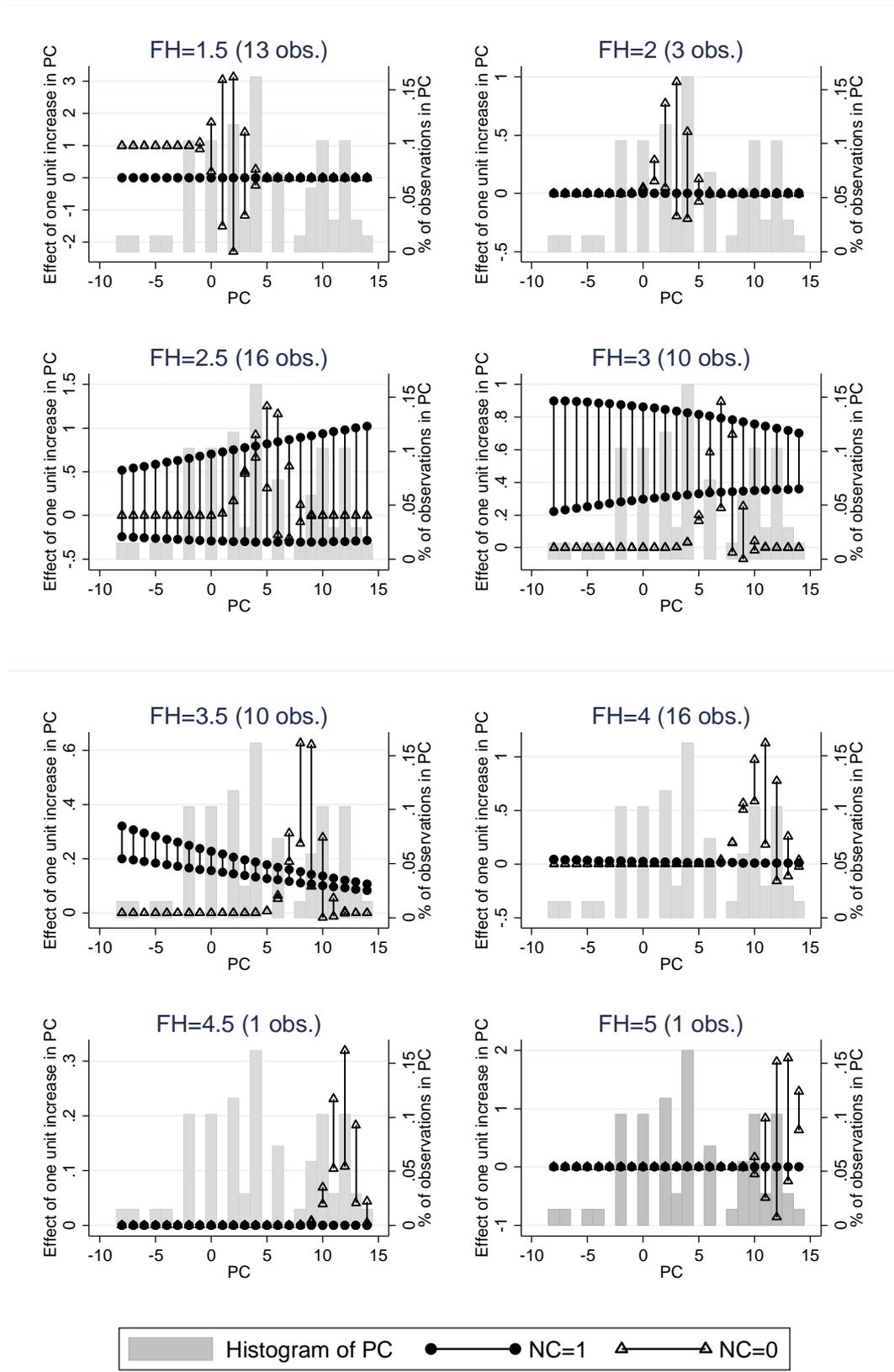
Finally, graph $FH=5$ in figure 8.1 shows that changes in *PC* have no effect over the probability that *FH* take the value of 5. This is because, there is only one observation in the sample for that score of *FH*, and therefore it produces a perfect determination by using the ordered probit model through the constant value, removing any possible relation between the dependent variable and the independent variables.

In sum, the result of the analysis presented in figure 8.1 allows us to offer two important conclusions. The first one, is that for low scores of *FH* (when democracy is highly consolidated),²⁸⁸ changes in *PC* have not a significant effect over *FH*. This is because, for low scores of *FH*, it is supposed that the regime is already democratic meaning that political elites have accumulated a high proportion of prodemocratic values (Inglehart 2000; Inglehart, et. al., 2005). Hence, at these levels of *FH*, an increase of one unit in *PC* have no effect over democracy due to the regime had already been consolidated. The second conclusion is even more important for this study, because it is related with cases in which the regimes have not been achieved a full consolidation (i.e., when the score values of *FH* are between 3 and 4.5). On these cases, it is possible to infer a meaningful difference on the effect caused by changes of one unit of *PC* over democracy, when a constitutional reform is implemented ($NC=1$). This is because, the results shown in graphs when *FH* equals 3, 3.5, 4 and 4.5 clearly

²⁸⁸ This effect is observed in graphs $FH=1.5$, $FH=2$ and $FH=2.5$ of figure 8.1.

present an inverse relationship between *PC* and *FH*, conditional to enact a constitutional reform promoting either pro or non-democratic values.

Figure 16.1.
Marginal effect of PC



Unlike figure 8.1, figure 8.2 will explain the effect that changes of one unit of *HHI* have over the probability to achieve a given score of *FH*, discriminated by period ($NC=0$ and $NC=1$) captured by the interaction term $HHI*NC$.²⁸⁹ Like the previous figure, figure 8.2 will be also divided in 8 graphs each one of them will denote the probabilities to achieve each possible score for *FH*. In this case, each graph is composed by:

- The horizontal axis shows different possible values that *HHI* takes, based on the descriptive statistics shown in table 8.1. This axis is labelled in the graphs as *HHI*.
- Confidence intervals in hollow triangles and solid circles showing the marginal effect of different values of *HHI* over the probability that the *FH* score happen in the ‘transitional period’ and the ‘divergence period’ respectively. The scale of these intervals is shown in the left vertical axis, and is labelled as the *Effect of one unit increase in HHI*.
- Once again, a frequency distribution for variable *HHI* will be superimposed over each marginal effect plot to check the areas where the observations of *HHI* are concentrated. The scale of this variable is presented on the right vertical axis, and is labelled as the *% of observations in HHI*.

Considering the findings shown in model V, the relationships between *HHI* and *FH* was negative, and therefore counterintuitive with the theory over ‘transitional period’. This is because, theoretically it is expected that setting up electoral systems enabling higher concentration of power (high values of *HHI*) will bring about worse levels of democratic performance (high values of *FH*). However, as explained before this counterintuitive finding it is explained by the nature of the democratic pacts that brought about the transition from authoritarianism to democracy in Colombia and Venezuela over the ‘transitional period’.²⁹⁰

This finding is once again confirmed by looking at the first four graphs in figure 8.2, which show the results of marginal effects of *HHI* over *FH* when an ordered probit model is used. Focusing on the graphs when *FH* equals 1.5 and 2, they show positive

²⁸⁹ As explained above, figure 8.2 also depict $NC=0$ by intervals in hollow triangles, and $NC=1$ with intervals in solid circles.

²⁹⁰ Please refer to section 7.3.2 for a detail account of this counterintuitive relationship.

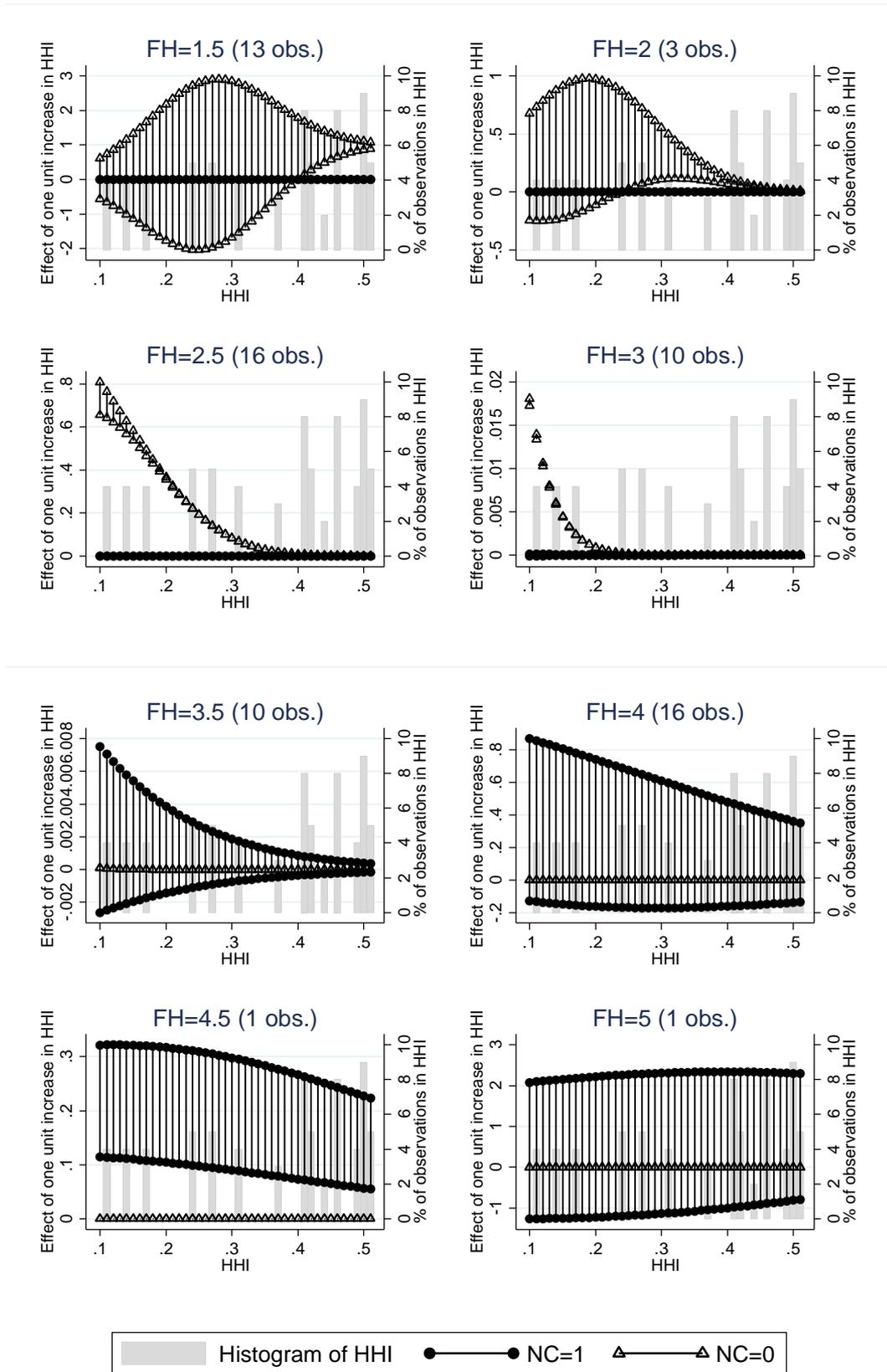
and statistically significant values for those confidence intervals placed in high values of *HHI* at the ‘transitional period’ (intervals in hollow triangles). Additionally, these confidence intervals are in the area where there is a high concentration of observations of *HHI*, according to the frequency distribution of *HHI* plotted in the graph. These results indicate that the probability to achieve low values of *FH* is higher when an electoral system enabling high levels of power concentration (high levels of *HHI*) is setting up. Now, when *FH* equals 2.5 and 3, the graphs show a positive but decreasing confidence intervals showing that the negative relationship between *HHI* and *FH* arise only when low values of *FH* occur during the ‘transitional period’ (confidence intervals in hollow triangles).²⁹¹

According to the findings obtained in model V, it was possible to confirm that changes in the concentration of power distribution (*HHI*) was positively correlated with variable *FH* over the ‘divergence period’. By looking at the last four graphs in figure 8.2 (when *FH* equals 3.5, 4, 4.5 and 5) it cannot be confirmed the relationship mentioned above. This is because, in most of these four graphs²⁹² the confidence intervals related to the ‘divergence period’ -and marked by solid circles- include both positive and negative values, and therefore neither of these intervals are statistically significant. That is, changes in one unit of *HHI* have no effect on the probability to achieve any score of *FH*. The only exception to this trend is presented when *FH*=4.5 where it is observed that the confidence intervals are positive and statistically significant. However, it is not possible to determine the slope of these intervals when *HHI* increase, and therefore it cannot be inferred if changes in *HHI* increase or reduce the probability of *FH* to achieve a score of 4.5.

²⁹¹ This effect occurs because in the ‘transitional period’ variable *FH* only takes values from 1.5 to 3.5, and therefore I do not consider the last four graphs of figure 8.2.

²⁹² Here, the analysis is referred only for graphs when *FH* equals 3.5, 4 and 5.

Figure 17.2.
Marginal effect of HHI



In short, unlike the theoretical approach established by this study, and according with the results obtained from model VII (ordered probit model), it seems that electoral systems measured by the independent variable *HHI* cannot be used as a predictor to determine the probabilities to achieve a score of *FH* for the countries under study.

Overall, after conducting the analysis based on figures 8.1 and 8.2, it is possible to conclude that *PC* is a good predictor of *FH* over the ‘divergence period’. However, this is only possible when countries have not completely achieved their democratic consolidation. That is, when countries scored a *FH* between 3 and 4. In contrast, variable *PC* is not a good predictor to explain changes in *FH*, if the countries have either achieved high or low scores of *FH*. Additionally, figure 8.1 also denotes that variable *PC* is not a good predictor of the democratic performance over the ‘transitional period’. As for *HHI*, the ordered probit model indicates that changes in the electoral systems have no effect to explain the process of democratization in both countries. One possible explanation for this outcome could be that the data used to regress the models contain only one observation when scores of *FH* equals to 4.5 and 5. This situation leads to a perfect determination of one observation in the model,²⁹³ and therefore a bias in the standard errors leading to mistakes in the interpretation of the coefficients significance.²⁹⁴

Finally, the interpretation of the coefficients results from the set of control variables (*C*) included in Table 8.2, will be explained together for the first five linear models, because the last two models (as mentioned before) are regarded as robustness checks.

²⁹³ A perfect determination of one observation in an ordered probit model is produce due to the use of multiple constants, depending on the number of categories found in the dependent variable. If some observation is perfectly determined, it is because can only be explained by one constant, and therefore this observation cannot be considered to estimate the relationship between the independent and the dependent variables.

²⁹⁴ In addition to the robustness check conducted in the previous models VI and VII, I also used an alternative robustness check using Polity IV as a dependent variable. To do so, I regressed Polity IV over the independent variables using the same specification of the first five linear models explained in section 8.3. The results of these alternative estimations are shown in Appendix 4. These results are consistent with the ones obtained using Freedom House in table 8.2, as they are a quite similar in terms of significance and signs of the coefficients. The F-statistics of the ones estimated with Polity IV data are also significant, but its goodness of fit (R^2) are lower than the models showed in Table 8.2. This means that the independent variables included in the models of Appendix 4 explain in lesser extend the variation of democracy. The difference in the goodness of fit of these models (Freedom House Vs. Polity IV) is one of the reasons I decided to work with Freedom House as the dependent variable to measure democratic divergence.

Model VI and VII were left out of the analysis shown in appendix 4, because initially they were used as robustness check for model V when FH were used as the dependent variable in table 8.2.

The result of the first two control variables *GDP growth* and *Inflation*, showed that in general their coefficients are not statistically significant in any of the models contrary to what modernisation theory suggest (Lipset, 1959). That is, these variables consistently have no effect on democratic performance. As for the control variable *Oil Rents*, it is striking to note that it becomes statistically significant only in model V, when it is put together with all the hypothesis variables, and when it considers the heterogeneity between countries.

The coefficients of the control variable *Enrolment* in the models consistently show that is not statistically significant to assess democratic divergence for the countries under study. This result, can be interpreted as if variables related with economic development have not explanatory power to assess divergence, at least for these two countries, and for the periods of analysis. Finally, the results of the *PTS* coefficients are consistent with the theory in the sense that the sign of the coefficient shows an inverse relationship between violence and democracy. However, its statically significance disappear in models IV and V, when all the hypothesis variables were included. It seems that the effect that violence has over democracy is absorbed mainly by the hypothesis variable *PC*, and in a lesser extent by the hypothesis variable *HHI*.²⁹⁵

The last control variable (*Country*) was included for statistical purposes to estimate the model considering the unobservable characteristic of each country. Overall, its coefficients are positive but not statistically significant, which implies that the unobservable characteristics of each country do not affect their democratic performance.

8.5. Discussion and final remarks

The use of a multivariate regression model with panel data and with or without fixed effects can be regarded as a technique commonly used in the field of political science, and it shows that its application can be useful to perform quantitative and comparative analysis to test relevant research questions such as the one proposed in this project. As has been discussed over this project the theoretical and empirical evidence gathered offer an important contribution to explain the reasons behind how the democratic

²⁹⁵ The correlation between variables *PC* and *PTS* is around 0.5, whilst the correlation between variables *HHI* and *PTS* is around -0.3.

performance of the pair of cases chosen by this study took different paths during the ‘divergence period’.

This section is meant to summarise the main findings obtained by the regression of the seven models showed in the previous section. To do so, first the analysis will be focus on describing the impact that individually each of the three hypothesis variables have over democracy (Models I, II and III). Next, by focusing on models IV and V, the analysis will summarise the outcomes of the regressions when all the hypothesis variables are put together. These models in turn are meant to operationalise the theoretical *Circular Causality Model* introduced in Chapter 3. Then, the outcomes of models VI and VII will be regarded as robustness checks for model V. Finally, the findings over the set of control variables will be explained to infer whether these variables might produce an important effect to explain democratic divergence.

As can be seen in Table 8.2, models I, II and III individually represent the effect of each of the three hypothesis variables over democracy in the whole period of analysis (i.e., ‘transitional period’ and ‘divergence period’). Thus, model I confirms the assumption that over the ‘transitional period’ Colombia and Venezuela share a similar democratic performance (see figure 1.1). Additionally, it also shows that when the new constitutions were enacted in each country, their democratic performance took different paths over the ‘divergence period’, this can be observed because the coefficient accompanying the interaction between variables *NC* and *Country* is statistically different from zero.

Model II, showed that changes in the electoral system (*HHI*) do not have an effect over democracy considering the whole period of analysis. That is, the coefficient accompanying variable *HHI* was not statistically significant. In turn, model III showed that changes in the elite political culture (*PC*) have a negative but small effect over *FH* over the whole period of analysis. This finding explains and confirms that an accumulation of pro-democratic values has a positive effect to explain processes of democratic consolidation.

Having determined the individual effect of each hypothesis variable over democracy, models IV and V were meant to analyse together the influence that all the variables included in the theoretical *Circular Causality Model* have, to explain democratic

divergence. These models showed that during the ‘transitional period’ the hypothesis variables *HHI* and *PC* had not the expected sign, as they exhibited a counterintuitive effect over democracy during that period of analysis. However, during the ‘divergence period’ the effect of these hypothesis variables over democracy changed, because the sign of the interaction terms between these variables and variable *NC* were opposite when compared to the ones without interaction. In sum, these findings validate the hypothesis offering in this study, in which changes on both the political culture at the elite level and the electoral system implemented over the ‘divergence period’ explained the different democratic paths taken by Colombia and Venezuela.

To be sure, two robustness checks²⁹⁶ were regressed in models VI and VII. Whilst the results of the truncated regression presented in model VI were similar to model V because the signs and significance of the estimated coefficients remained equal, the ordered probit regression presented in model VII allowed me to identify an additional finding to explain the effect of the hypothesis variables over democratic divergence. That is, the latter model confirmed once again that changes in the political culture at the elite level had an effect to explain democratic performance in the ‘divergence period’. However, this effect is only significant when countries are located at the middle range of Freedom House scores (i.e., when FH equals scores from 3 to 4.5, see figure 8.1). Nonetheless, unlike the six first models, this one also showed that changes on the electoral systems had not a significant effect to explain democratic performance during the ‘divergence period’. This finding is not a surprise, because despite the coefficients of the interaction between *HHI* and *NC* in the previous models were positive and statistically significant, these results were partially offset by the coefficients that accompany *HHI* when was not interacted, meaning that the effect of *HHI* over democracy during the ‘divergence period’ is low or zero.

The economic (i.e., *inflation* and *GDP growth*) and development (i.e., *Enrolment*) control variables had the expected outcome in both the theory, and within the estimated models. That is, they have none significant effect to explain democratic divergence. This finding is important because it reinforces the hypothesis outlined in chapter 2, which said that modernisation theory cannot be regarded individually as a valid

²⁹⁶ As mentioned earlier, it is important to note here that in order to check the robustness of the results presented in table 8.2, an additional check was conducted by using the variable polity IV as the dependent variable. Please, refer to Appendix 4 for a detail description of the above results.

theoretical framework to explain divergence for the countries under analysis. As for the control variable *Oil rents*, its coefficient had a positive and statistically significant value only in model V. This finding validates the central hypothesis of the resource curse theory. It seems that the dependence of a specific natural resource is a key determinant to explain processes of democratic deconsolidation. However, it is counterintuitive to the theoretical discussion offered in chapter 2. Regarding the variable *PTS*, its effect over democracy disappear when all the hypothesis variables were included. That is, because it seems to be related with some other variables which absorb the effect of variable *PTS*. Finally, the variable *Country* is only included in the estimation model for statistical purposes as a control variable (fixed effect), therefore there is no interpretation *a priori*. *Ex post*, the variable depicts that there were not significant differences between the unobservable characteristics of each country.

In sum, the multivariate regression models with panel data were used to test the hypothesis that elite political culture along with electoral systems and the enactment of new constitutions as independent variables explain democratic divergence in Venezuela and Colombia. The empirical models proposed in this chapter have an advantage over the traditional descriptive statistics to explain divergence because the former enables to include control variables. This inclusion is important to accurately estimate the impact of the changes that both elite political culture and electoral system reforms have over democratic performance in both countries. The results from the estimated models support the importance of elite political culture to explain democratic divergence after the enactment of the Venezuelan and Colombian new constitutions. At the same time, the results also support the hypothesis that electoral systems reforms, conducted in 1999 in Venezuela and in 2003 in Colombia, have an effect but in lower or null magnitude to explain democratic divergence.²⁹⁷

These findings confirm that the Venezuelan democratic path deviated from the Colombian one, and had a worse democratic performance during the ‘divergence period’ (finding validated in model D). Additionally, this democratic gap is mainly explained, as can be seen in Model V, by changes in the political culture at the elite level during the ‘divergence period’, and in lesser extend by changes in the electoral

²⁹⁷ Models I to IV showed that electoral reforms have a positive but low effect over the dependent variable in the ‘divergence period’. In contrast, model VII revealed that this effect is not statistically significant.

reforms. Overall, these results support the thesis offered by the *Circular Causality Model* proposed in chapter 3, and favour the hypothesis that elite political culture and electoral system reforms have an effect on explaining democratic divergence in low to middle income countries such as the two studied in this project.

As a final remark, it is necessary to express at least two limitations. First, as was discussed in chapter 7, the available data appropriate for conducting a quantitative analysis was scarce and most of the time inexistent. When data could be found, most of it was dichotomous and might not have been recorded consistently over time, which affects the sample size caused by missing values. Data with these limitations can considerably reduce the spectrum of quantitative or regression analysis that can be performed. For instance, data from potential control variables that could have an effect over democracy, such as HDI, literacy rate, and unemployment rate, were left out from the analysis because of the lack of information for some of the years of the period covered by this project.

The second important limitation is related with the measurement of democracy as dependent variable by both Freedom House and Polity IV. Since the methodology used by these organizations is based on discrete scores, small efforts made by countries to change their current democratic status, might not be considered it by those measurements, and therefore they are not reflected in the indexes. Hence, changes in the independent variables are not reflect on the dependent variable because the latter have not enough volatility. In this sense, it is quite difficult to estimate an accurate relationship between democracy indexes and the variables that cause changes in democratic performance in the countries.

Chapter 9

Conclusions

Over the second part of the twentieth century the democratic performance followed by Latin American countries was a recurring topic of discussion and analysis by political scientists due to during the second wave of democratisation almost every country in the region were facing authoritarian regimes. Scholars' attention on these countries relied on the interest to know the reasons behind why Latin American regimes were unable to make a rapid transition to democracy as most Western countries did. Therefore, the bibliography explaining the region's reluctance to achieve democracy is broad and offers the most diverse theoretical and empirical explanations.²⁹⁸

Interestingly, only three Latin American countries can be considered as outliers of this generalizable democratic performance. In fact, together with Costa Rica, Colombia and Venezuela were a set of countries that made their democratic transitions during the second wave. They emerged as countries that historically were considered as the most stable regimes in the region at least until mid-1990s (Mainwaring 2005, 12; Bejarano 2011, 250). However, from these three countries, this thesis has examined the process of democratic performance experienced by Colombia and Venezuela since late 1950s until 2010, but with particular focus on explaining the causes upon which they took different democratic paths over the 'divergence period.'

Unlike Costa Rica, these two regimes in terms of their democratic performance rely not only on the similarities they shared in terms of their common history, location (neighbouring nations), similar population, same language, same ethnicity, strong catholic influence and similar culture, but specially on the way they attained democracy by conducting elite settlements embodied as 'pacted democracies.'²⁹⁹ These pacts are a distinctive and unique characteristic of these regimens. It was the political mechanism that allowed them to hold a long-lasting and stable democratic

²⁹⁸ See for instance: Schneider 1995; Linz, et. al. 1978, 1996a; Linz 1990; Peeler 1986, 1992; Rochon 1989; Malloy, et. al. 1987; Whitehead 1989; Karl 1990; Collier, et. al. 1991; O'Donnell 1992; Valenzuela 1992; Scott 1996; Lagos 1997; Mainwaring 2000; Camp 2001a; Naím 2001; Smith 2005; Carrión 2009.

²⁹⁹ Scholars developing different approaches on the nature and effects of these 'pacted democracies' over democracy are: Karl 1987; McCoy 1995; Hellinger 1991; Ellner and Hellinger 2003; Buxton 2001, 2005; Buxton and McCoy 2008; McCoy and Myers 2004; Lander, et. al., 2000, 2008; López Maya 2002, 2003, 2004; among others.

performance during the whole ‘transitional period.’ However, since mid-1990s these elite settlements proved to be exhausted as they couldn’t provide solutions to solve the economic, social and political crises these polities were facing (Buxton 2001). Citizen’s discontent and lack of confidence with the political outcomes caused by those crises exerted pressures to carry out structural reforms in the political organisation of these states to prevent a serious threat to the democratic foundations of these regimes (Buxton 2005; López Maya 2002, 2003, 2004; McCoy and Myers 2004). Although the reforms implemented were similar as they involved both agency and structural factors their outcome were completely different in terms of the democratic performance followed by these regimes. That is, both countries during the time that the ‘divergence period’ lasted ended up taken opposite democratic paths, finishing this way a similar democratic performance that during the ‘transitional period’ characterised these former stable and rather steady democracies.

This thesis offered a systematic comparative analysis of the drivers that could explain the process of democratic divergence experienced by these South American democracies. Thus, my research is grounded in providing both a theoretical framework embodied in a so-called: *Circular Causality Model*. It states that changes in the political culture at the elite level, and institutional reforms such as those conducted primarily on the electoral systems and the enactment of new constitutions can be regarded as a good set of independent variables to explain this phenomenon. Additionally, it also introduced a statistical analysis to test the robustness of the theoretical model proposed in this research. By gathering information from statistical datasets published by governmental and international institutions (e.g.: Freedom House, Polity IV, IMF, among others), and by building two comprehensive datasets, this research also estimated several multivariate regression models to assess democratic divergence.

The first part of this project focused its attention on delivering a theoretical model to explain the drivers that caused the process of democratic divergence followed by the countries under study. To this end, chapter 2, empirically assessed and confirmed the existence of the divergent democratic performance followed by Colombia and Venezuela over the ‘divergence period.’ After analysing the data obtained from Freedom House index and Kaufmann’s dimensions of governance I argued that the process of democratic divergence did happened and that it can be explained by

structural and agency factors. By asking what could be the theoretical framework that better explain and assess divergence, I took issue with those accounts that traditionally have been considered good approaches to explain this phenomenon. Thus, I reviewed four approaches (i.e., (i) modernisation theory, (ii) resource curse theory, (iii) institutional theory, and (iv) political culture theory) and critically argued that the former two should be rule out from the analysis as their primarily assumptions do not fit accurately to explain processes of democratisation that take opposite democratic paths. However, I also argued that the latter two despite the fact they are good approaches, individually, couldn't be regarded as self-sufficient theoretical frameworks to explain divergence.

Hence, and to solve this theoretical puzzle, in chapter 3 I proposed a different approach which consist in combining, or merging, the two latter theories. To this end, I throw into question the reliability of these two traditional theoretical frameworks by addressing three distinct literatures in a critical fashion. First, the literature on the conceptualisation of political institutions and its linear causality to explain democratic consolidation (Lijphart 1999, 2012), second the theory of political culture and its emphasis on masses to also explain democratic consolidation (Inglehart 1988, 1990, 1991), and finally the literature on the necessary distinction between the role that elites and masses play in order to explain processes of democratic performance on either divided or homogeneous societies (Inglehart and Welzel 2005).

Several shortcomings were identified in each of them. Consequently, an alternative critical theoretical framework was proposed. Thus, the *Circular Causality Model* was placed at the centre of my analysis arguing that this model can effectively respond to the problems detected in the above-mentioned literatures. It argued that to explain the process of democratic divergence experienced by my cases it is necessary to merge both the institutional approach and the political culture approach because its interaction offer a circular causation that reinforce itself repeatedly over time allowing to understand the opposite democratic paths followed by Colombia and Venezuela. Additionally, this novel theoretical model allowed identifying the independent variables that, it was argued, has explanatory power to assess democratic divergence. Elite political culture, and the performance of two specific political institutions; namely: constitutional reforms and electoral systems were chosen to establish the circular relation between these variables to describe and analyse divergence.

Chapters 4, 5 and 6 focused on the conceptualisation of the dependent and independent variables that makes up the *Circular Causality Model*. Chapter 4 discussed the most important theoretical influences to explain democratic divergence as the dependent variable of this project. To detect the most suitable theoretical framework to conceptualise divergence a handful of theories were studied. After analysing the Institutional approach, the Social Structure approach, and the Path Dependent approach, I argued that an adapted version of Schedler's (1998a) Path Dependent approach is the most appropriate framework to conceptualise the dependent variable. This reformulated version which includes only three out of the four types of regime classification proposed originally by Schedler best fit to explain the process of democratic performance followed by both Latin American countries in general, and for those of Colombia and Venezuela (see figure 4.5). The main reason for preferring this approach was based on premise that it offers a comprehensive normative classification that allows identifying 'positive' and 'negative' notions of democratic performance. Therefore, I argued that the adapted version of Schedler's classification can be considered as a reliable conceptual approach for the dependent variable as it lets us trace the opposite democratic trajectories followed by my cases. Additionally, it also helps to clarify the role and effects of structural factors at the social, political, and economic levels that these countries were facing at the end of the 'transitional period.'

Chapters 5 and 6, in turn, analysed the conceptualisation of the independent variables: elite political culture, and constitutional and electoral reforms respectively. Chapter 5 claimed that culture matters as a concept to explain processes of democratisation due to it can explain the diversity among, and continuity within the democratic performance of different regimes and other political groups. However, I argued that the conceptualisation of political culture should be treated differently from that traditionally used in Western democracies because there exist differences in the way value systems and worldviews between masses and elites in developed and developing countries are formed. Those differences primarily arise from the cross-cultural variations masses hold in terms of materialist vs. post-materialist values. By comparing the political culture's distinctive characteristics in both types of societies, I showed that masses in developing regimes hold emancipative values allowing them to have a direct influence in the political outcomes required to consolidate their democracies. Whereas

masses in developing societies usually hold materialist values which prevent them to have a direct influence in the political outcomes. This is because masses must be more focused on the struggle for economic wellbeing and their survival, rather than enhancing the set of values required to consolidate their regimes (Inglehart 2000).

Consequently, the distinction of cross-cultural variations –identified as materialist and post-materialist values- are an important source to conceptualise political culture in Latin America as they help to understand why elites' political traditions, rather than those of the masses, matter most for explaining the process of democratic divergence experienced by Colombia and Venezuela. Therefore, elite political culture was considered as an accurate explicative variable to explain divergence as the renewal of these political actors at the beginning of the 'divergence period.' played a strategic role and influence in reforming the state and its political institutions with direct implications for the democratic performance of these Latin American countries.

In chapter 6, Lijphart institutional approach was criticised and a more reduce set of political institutions –from those offered by Lijphart (1999, 2012)- were proposed as the second set of independent variables to explain democratic divergence. Despite acknowledging the important contribution this scholar made to explain patterns of democracies in divided societies, I argued, based on the criticisms made primarily by Schmidt (2000), Cranenburg, et. al. (2004), Doorenspleet (2013), among others, that Lijphart's framework is biased in favour of his definition of consensual democracies, and that the relative weight of his chosen criteria should not necessarily be the same to evaluate processes of democratic divergence. A solution to this problem was offered by proposing a two-story institutional building, as opposed to the Lijphart's 10 story building, where constitutions and electoral systems were considered as key political criteria with the highest relative weight over which political elites exerted a profound reform during the 'divergence period' which, in turn, caused a change in the democratic performance of these two countries.

The constitutional reforms and further amendments carried out in Colombia in 1991 and in 1999 in Venezuela were identified as a critical juncture over which the renewed political elites exerted their influence. The comparative analysis conducted over three types of constitutional reforms, namely: power distribution, electoral systems, and policy-making reforms, were conclusive (see tables 6.1 and 6.2). The enactment of the

1999 *'Bolivarian Constitution'* led the presidency into being the centre of gravity, favouring concentration of power in hands of President Chávez and its allies. Consequently, it limited political rights and civil liberties of those that were part of the opposition. In other words, the adoption –via referendum- of the new Venezuelan constitution marked the beginning of Venezuelan democratic regression. Conversely, the enactment of the 1991 Colombian new constitution proved to be favourable as it improved the democratic performance of this country. In fact, this progressive constitution (Noguera-Fernandez 2011) strengthened democratic institutions and systems of checks and balances, bolstered the rule of law, fostered power distribution by means of privilege political competition, and curbed the legislative power that the executive branch of government used to have when the bipartisan tradition ruled the country over the whole 'transitional period.'

In sum, I argued that the constitutional reforms and further amendments conducted by a renewed set of political elites over the whole 'divergence period' was the critical juncture that marked the beginning of the opposite democratic paths followed by these polities. I explained that this is because the political elites who participated in the enactment of the new constitutions hold a different set of political values and believes from those that used to make up the parliaments during the 'transitional period.' Hence the comparative analysis conducted over the constitutional provisions enacted in both periods in each of the countries under study demonstrated that the new political elites elected in Colombia or appointed in Venezuela were set up with different political agendas that ended up taking their democracies to opposite democratic performances (see appendix 2 for a detailed account of this phenomenon). This theoretical discussion was supported by the empirical analysis conducted in chapter 8, as can be seen in Model I (see table 8.2).

As for the electoral reforms, I claimed that among the comprehensive constitutional reforms, the one conducted by the renewed elites over the electoral system have the greater explanatory power to explain divergence. That is, the change observed in the democratic trend that placed Colombia above Venezuela for first time in history in terms of its democratic performance from 2002 onwards (see table 2.2, and figures 1.1 and 1.2) can be explained by the decisive effect exerted by the change in the electoral formula that took place in Venezuela and Colombia in 1999 and 2003 respectively. I

showed that the change in the electoral formula from a pure PR system with the D'Hondt formula to a mixed PR system with a prominent plural component in Venezuela proved to have a negative effect over the democratic performance of this regime. In fact, when this reform was implemented in 1999 the scores of both Freedom House and Polity IV fell sharply, and with it, the inevitable erosion of Venezuela's democracy began. In sum, I argued that the combination of both reforms, namely: the constitutional and the electoral one, allowed me to place the Venezuelan regime below the notion of an electoral democracy and very close to fall back into the levels of authoritarian regimes according to the reformulated Schedler's classification model introduced in figure 4.5.

Unlike Venezuela, I also showed that the electoral reform implemented by Colombia in 2003 had a positive impact over its democratic performance but only when this reform became operational three years later. That is, when the next legislative election was held in 2006. In fact, it was observed that the change in the electoral formula from a semi-PR with Hare quota system to a pure PR system with the D'Hondt formula produced an improvement in the democratic performance of this country. Despite Freedom House kept its rating stable as a 'partly free' country, its score, improved because it passed from 4 in 2002 to 3 in 2006 (see table 2.2) showing an improvement in its democratic performance. From here arose the possibility to place, in the reformulated Schedler's classification model proposed in figure 4.5, the Colombian regime above the notion of electoral democracy and moving to the right approaching to the notion of Liberal democracy, which, as it was argued, corresponds to the ideal notion of democracy for a regime to be considered as fully consolidated.

The second and last part of this thesis estimated several statistical models to assess whether the theoretical *Circular Causality Model* introduced in the first part was a valid approach to explain divergence. The multivariate regression models with and without fixed effects proposed in chapters 7 and 8 proved to be an important empirical tool to test the reliability of the three independent variables chosen in this research to explain democratic divergence.

The empirical regression models proposed in this project specified democracy (D) as the dependent variable. It was operationalized and measured by using two indexes: Freedom House and Polity IV. These indexes, it was argued, help to explain the change

in the democratic performance as they can capture processes of democratic divergence. Moreover, the models also showed how the independent variables can be operationalised and measured. First, it operationalized elite political culture by introducing the variable *PC*. The purpose of this variable was to test the effect that the renewal of political elites had over the democratic performance on the two countries under analysis. Next, it was introduced the variable *HHI* to operationalize changes in electoral system during the whole period of analysis and for both countries. Finally, the variable *NC* was operationalised as a dichotomous variable that takes the value of 1 after the year the new constitution was enacted for each country (1991 in Colombia and 1999 in Venezuela), and 0 before the enactment of the new constitutions. Hence, it captures the difference in the democratic performance before and after the new constitutions were enacted in each country.

To capture the effect that variables *Country*, *PC* and *HHI* had over democratic performance on both the ‘transitional period’ and the ‘divergence period’, I interacted each one of these variables with variable *NC*. The first interaction term *NC*Country* was introduced to differentiate the average democratic performance between Colombia and Venezuela over the ‘divergence period’. The second interaction term *HHI*NC* is meant to test the difference in the effect that *HHI* could cause over democracy between the ‘transitional period’ and the ‘divergence period’. Finally, the third interaction term *PC*NC* tested the incidence of political culture over the democratic performance in the ‘divergence period’ when compared with the ‘transitional period’.

The outcomes of the models contained in both table 8.2 and appendix 4 showed the following results: (i) the hypothesis variables that made up the theoretical model correctly predict the opposite democratic path followed by Colombia and Venezuela during the ‘divergence period’. (ii) It was possible to test that changes in both elite political culture and the electoral system had explanatory power to explain democratic divergence but only over the ‘divergence period’. However, the latter variable (*HHI*) had a lower or null effect to explain democratic divergence when compared with *PC*. This is because, unlike model VII, all the models regressed where coefficients of the interaction term *HHI*NC* were included turned out to be positive and statistically significant. The only exception to this result was in model VII where cannot be tested a statistically significant relationship between *HHI* and *FH* during the ‘divergence

period'. (iii) the overall goodness of fit (R^2) of the first five models in table 8.2 turned out to be significant because, as can be seen in model V, at least 88% of the change in democratic performance can be explained by variations in the hypothesis, and control variables. Whereas, for models in Appendix 4 the R^2 showed that at least 61% of the variation in democracy is explained by the independent variables. And (iv) the control variables have a small or null effect over the dependent variable.

In sum, the multivariate regression models estimated with different definitions of democracy, with and without fixed effects, and different specifications (i.e., OLS model, truncated models, and ordered probit model) provided enough evidence to validate the project's hypothesis. That is, there is quantitative evidence that suggest that the divergent paths followed by Colombian and Venezuelan democracies can be explained by changes in the elite political culture, and the reforms conducted over their constitutions, and electoral systems. Therefore, the hypothesis variables included into the theoretical *Circular Causality Model* have a statistical significance, whereas the control variables have no strong significance to explain this phenomenon.

From the preceding analysis, there have been four inter-related layers of theoretical and empirical investigation throughout the thesis which forms its novelty and contribution: First, I have learned that studying phenomena related with processes of democratic divergence is a challenge that is worthwhile. This is so, because observers of Latin American politics (e.g., Whitehead 1992, O'Donnell 1992, Schmitter 1994, 1995) have traditionally focused their efforts in predicting whether the countries in the region will follow either a consolidated path in which they could attain a fully effective liberal democracy, or a regressive path that could place them close or below to an electoral democracy or even falling back into some form of authoritarianism. However, little attention has been placed to explain the origins and effects that cause processes of democratic divergence in the Latin American context. Therefore, this study can be regarded as a contribution for deepening the debate on democratisation that deals with processes of democratic divergence.

Second, the advocacy of the *Circular Causality Model* as an alternative theoretical approach to explain divergence can also be considered a contribution of my thesis. This model has critically distanced itself from the linear explanations offered by traditional theoretical accounts such as those of the modernisation, cultural or

institutional approaches which in order to explain processes of democratisation rely on single causalities based upon either agency or structural factors (see figures 3.1 and 3.2). Instead, I have argued that my theoretical model can be considered as a fresh approach with more explanatory power because it takes together both agency and structural aspects to explore the extent to which democratic divergence in Colombia and Venezuela can be explained by changes in the functioning and transformation of political institutions caused by changes in the beliefs, values, and attitudes of political elites. Hence, by reconsidering the linkage between the elite political culture (as an agency theory), and the institutional approach (as a structural one), I claim that these frameworks together produce a cyclical impact, which reinforces themselves repeatedly over time to explain democratic divergence (see figure 3.3).

Third, from an empirical perspective, the creation of an entirely new dataset by using various research methods comprises an additional aspect of the contribution of the thesis. This new dataset was the outcome of pursuing an extensive archive research based on consulting several constitutions for both countries which contained all the constitutional reforms and amendments implemented by Colombia and Venezuela from 1957 until 2010 in order to convert the qualitative information collected into a quantitative continuous variable that could allow me to claim the extent to which a constitutional reform or amendment can be regarded more or less democratic according to Dahl's definition of Liberal democracy (see appendix 2 and 3). The rationale behind using this novel methodological resource was based on overcoming the lack of information to operationalise and measure, from a different perspective, the political culture variable.

The fourth and final contribution of this thesis, has to do with the decision to use multivariate regression models with and without fixed effects, instead of using traditional cross-section or time series models to test and quantify the statistical importance (significance) of the independent variables in the explanation of the divergent democratic paths that Venezuela and Colombia underwent over the 'divergence period'. The advantage of using multivariate regression models lies in the possibility to isolate the effect that the introduction of control variables (i.e. *GDP growth, Inflation, Oil rents, Enrolment, PTS and Country*) could exert over the dependent variable. Thus, it is possible to know whether the independent variables chosen by this project have a real effect and can explain divergence. This is an

important characteristic that regression analysis provides because it enables us to avoid collinearity which can mislead the effect of independent variables over the dependent one. This is the reason why this thesis is in capacity to claim that the set of hypothesis variables that make up the *Circular Causality Model* are significantly associated and explain democratic divergence in Venezuela and Colombia.

To conclude, Colombian and Venezuelan regimens are a good pair of cases to compare because they provide insights to explain democratic divergence that is a rather phenomenon in the Latin American context. Therefore, it is hoped that the arguments raised in this thesis will inform and contribute to future studies in the field of democratisation, which will build on the strengths and overcome the limitations and shortcomings of this research project and enhance the heuristic value of the proposed theoretical and empirical frameworks further with the addition of new case studies.

Appendixes

Appendix 1

Constitutional reforms and constitutional amendments in Colombia and Venezuela 1900 – 2010

Country	Constitutional Reform	Constitutional Amendment
Colombia	1886	1894, 1898, 1905, 1907, 1909, 1910, 1914, 1918, 1921, 1924, 1930, 1931, 1932, 1936, 1938, 1940, 1943, 1944, 1945, 1946, 1947, 1952, 1953, 1954, 1956, 1957, 1959, 1960, 1963, 1968, 1975, 1977, 1979, 1981, 1983, 1986, 1989
	1991	1993, 1995, 1996, 1997, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2007, 2009.
Venezuela	1893, 1901, 1904, 1909, 1914, 1922, 1925, 1928, 1929, 1931, 1936, 1945, 1947, 1953, 1961	1973, 1983, 1989, 1990
	1999	2006, 2007, 2008, 2009

Source: Own compilation from Negretto (2013)

Appendix 2

Constitutional reforms and further amendments in Colombia and Venezuela from 1957 until 2010

This appendix aims to offer a qualitative analysis based on an archive research that it is used to track changes on the political culture at the elite level over time for the two countries under study. This project argues that by looking at how elites in parliament conducted political reforms before and after the countries under study enacted their new constitutions it is possible to determine whether or not there was a change in their political culture between the 'transitional period' and 'divergence period.' As introduced in the first part, it is claim that this approach is a valid one because when the type of constitutional provisions enabled by the 'old elites' ('transitional period') are compared with those enabled by the renewed ones ('divergence period') in each country it would be possible to capture changes in the political values and perceptions in the political culture at the elite level.

Hence, the tables³⁰⁰ depicted below are the result of consulting several constitutions for the both countries that contains all the reforms and amendments implemented by Colombia and Venezuela from 1957 until 2010. The goal of pursuing this archive research method was meant to convert all the information collected for each amendment and constitutional reform into a quantitative dichotomous value that could allow me to claim if they can be regarded as pro-democratic (0) or non-democratic (1) according to Dahl's definition of Liberal democracy. This database will be used in appendix 3 to operationalize the variable elite political culture, which in turn will be used to estimate the multivariate regression model in chapter 8.

To achieve this aim, this appendix will be organised according to the following structure. The first section will enumerate and explain the different categories that make up the columns of the tables that summarised the construction of the database. The second section will explain the methodology implemented for the construction of

³⁰⁰ This appendix will depict four tables (A.2(a); A.2(b); A.2(c); and A.2(d)) showing the types of constitutional reforms and amendments that each one of the two countries conducted either over the 'transitional period' or over the 'divergence period' to track whether these constitutional provisions can be regarded as pro-democratic or non-democratic. Therefore, table A.2(a) will display all the constitutional provisions conducted in Colombia during the 'transitional period'; table A.2(b) will do the same but for the 'divergence period' in Colombia, while tables A.2(c), and A.2(d) will contain the same information for the '*transitional and divergence periods*' in Venezuela.

the database. And finally, the third section will depict the four tables that summarise the main constitutional reforms and amendments conducted by Colombia and Venezuela during the ‘transitional period’ and the ‘divergence period’ to determine whether they were pro-democratic (0) or non-democratic (1).

1. Categories used for the construction of the database

The construction of the database required the selection of various literature sources to systematise a large amount of diverse information. The tables resulting from this systematisation is helpful to easily understand the type and the ‘spirit’ of the constitutional provisions conducted over time, as well as its implications for the democratic performance of the countries under study. As can be seen in the tables that accompany this appendix (see below), the categories to systematise the information are:

Year: This category was created to identify the year in which the constitutional modification was made in terms of reform or constitutional amendment.

Type of constitutional change: This category reflects the need to identify the magnitude of the change or the constitutional amendment regarding the institutional design. In other words, it seeks to identify whether the constitutional change was of nature or degree. It is important to clarify that for practical purposes of the investigation; only the following types are considered: the reform and the amendment.³⁰¹

Reform: refers to a fundamental constitutional change. That is a change in the deepest of the Political Constitution (hereafter PC), a modification of the constituent spirit, ultimately, revocation of the Constitution and the enactment of a new one.

The amendment: refers to a non-essential circumstantial change, which allows establishing a mechanism, element or different system, without changing the fundamental principles and values on which the legal and political system rests. In

³⁰¹ It is important to note that in legal terms, the constitutional change (e.g., constitutional reform or constitutional amendment) obeys more specifically to the type of procedure used to carry out the review of the Political Constitutions, depending on the degree of the proposed change.

short, it allows modification of articles without affecting fundamental aspects of the political pact.

Date and number of the legislative act –Colombia-/ date and number of publication in the Official Gazette -Venezuela-: This category helps to identify the date and number of the legislative act, or the Official Gazette, whether it be Colombia or Venezuela respectively; to have a reference to consult the official institution in charge of giving publicity to the modifications of their respective constitutions.

Purpose of the reform or amendment: This category is essential to expose the purpose of the reform/amendment summarised; it obeys to questions such as: why the constitution was changed? What is intended when introducing ‘x’ change? In short, it establishes the cause of the modification of the constitutional reform or the amendment.

Summary: This category was created to briefly explain what the constitutional provision stated before being modified. It obeys to questions like: What existed before the change? How does ‘x’ institution, rule, or system worked before the amendment or the reform? It is crucial to understand the change in full and not in an isolated manner.³⁰²

Modification of constitutional precepts: This category was only applied to systematise much of the information identified in the case of Venezuela –therefore, this category will only appear in tables A.2 (c) and (d). This is because in Venezuela, many of the constitutional amendments were implemented through legislation bypassing the procedures established for modifying the PC. Hence, for tables summarising the Venezuelan case the category ‘*summary*’ was used to detail the essential aspects of each of the laws, and this category was responsible for describing the aspects that existed before the change and the articles being modified (that is, replacement in some cases of the summary category).

Typology (3 criteria): This category was created to respond to the three criteria described in chapter 6 over which Colombian and Venezuelan political elites focused to conduct reforms or amendments to their constitutions to avoid the collapse of their

³⁰² It is important to clarify that this report does not refer to aspects that existed before the modification, as it would go into a degree of specificity that is not required to address and understand the database.

democracies at the end of the ‘transitional period’ (see section 6.4.1). The three mentioned criteria are:³⁰³

Distribution of power: it is classified within this criterion, all sorts of constitutional changes involving the removal, creation, limitation or expansion of the powers of one of the three branches of government (executive, legislative and judicial). As well as a transfer of political power from one branch to another. On the other hand, any kind of constitutional provisions involving a change in the system of checks and balances, or that distributes power to citizenship. Finally, it includes all sorts of constitutional changes referring to the elimination, creation, limitation or expansion of the powers of one of the political-territorial divisions of the country, whether national, state or municipal.

Electoral system: is included in this criterion, any change concerning: (i) the manner or method by which votes are translated into seats. (ii) Their relationship with the party system. (iii) The electoral formula used for transforming votes into seats. (iv) The regulation of electoral campaigns. (v) The distribution of electoral constituencies, among others.

Policy Making: is classified within this criterion, any constitutional change relating to (i) Allocation of budgets. (ii) Distribution of the central government financing. (iii) Ability to make autonomous decisions. (iv) Decentralisation mechanisms.

It is important to note that these three criteria fulfilled another function: to serve as information exclusion criteria. This means that any constitutional change that encompasses an orbit or theme different from distribution of power, the electoral system or policy making, was dismissed for lack of relevance and utility to explain democratic diverge. It is for this reason that the database does not refer to such important constitutional issues such as: economic, social and cultural rights, among others.

Effects on Democracy: This category is undoubtedly the most important, as it concentrates the core of the constitutional tracing, since it is the category that helps

³⁰³ As discussed in chapter 6, the three criteria of constitutional reform that the tables on this appendix explores are by no means arbitrary, they represent the main issues over which the regimes under study were losing legitimacy by the end of the 1980s, and, therefore, are the ones that political elites had to reform or amend to avoid the collapse of their democracies.

determine the effects on democracy caused by the constitutional modifications, which was the main objective of doing this archive research and to consolidate a database useful to operationalize variable *PC* in appendix 3. That is, the systematisation of all the information in all the above categories, obey to the need to consolidate an analytical process that could end up determining whether the studied constitutional changes really strengthened democracy or contributed to its weakening.

Pro-democratic (0) / non-democratic (1): This category is the direct consequence of having determined the effects on democracy of the constitutional modifications described above. It is very important because it allows to quantify the qualitative analysis and convey a more complete and detailed information that can be used as a quantitative input to operationalize variable *PC*. To quantify this qualitative analysis, it was determined whether the effects on democracy were:

- (A) A pro-democratic reform: it refers to those reforms or amendments that produced progress or strengthen the democratic performance of a country, according to Dahl's definition of democracy. Thus, is a pro-democratic change, and it is assigned a value of 0.
- (B) Non-democratic reform: as before, it refers to reforms or amendments that involve a reversal or weakening in democratic terms for the country. Consequently, it is understood as a non-democratic change and it is assigned a value of 1

2. Methodology

The construction of the database required a thorough archive review for which official sources were consulted, such as the Secretary of the Senate (Colombia) and the Official Gazette of the Republic of Venezuela. As well as the compiler book of the entire Colombian political constitutions written by Carlos Restrepo Piedrahita (2003), and several articles of the author and professor at the Central University of Venezuela: Allan Brewer-Carias (1996, 2007, 2008 and 2009). The purpose of this review was to identify the reform or constitutional amendment that would have direct effects on the countries' democratic performance studied by consulting a Political Constitution published before the application of the amendment or reform. This methodology was

intended to determine what was previously established, and proceed to categorise the information for examination.

Four political constitutions corresponding to the periods of analysis were used. To analyse the ‘transitional period’ the 1886 (Colombia) and 1961 (Venezuela) constitutions were used. To analyse the ‘divergence period’ the 1991 (Colombia) and 1999 (Venezuela) constitutions were used. On the other hand, to fill the category ‘*effects on democracy*’, information found on official sources was not enough, which is why, in most cases, it was necessary to investigate further to understand the context and conditions in which the constitutional changes occurred. Therefore, many authors (e.g., Combellas 2002; Cordero, et. al., 2006; Leal, et.al., 2000; Ortiz 2001; Calvijo, et. al., 2009 and 2010; Duque 2014; Henao 2001; Noguera-Hernandez, et. al., 2011; Perez 1997; Restrepo 2003; Rodriguez, et. al., 2006; Rozo 1980; and Varón 2009) who facilitated the democratic process analysis were consulted.

3. Tables summarising constitutional reforms and amendments in Colombia and Venezuela over the ‘transitional and divergence periods.’

By way of a summary of the tables that will be presented below, I will first describe in general terms the effects on democracy generated by the constitutional modifications implemented in Colombia and Venezuela, and also I will list the number of pro-democratic (0) and non-democratic (1) reforms the archive research identified for both periods of time.

Colombia

During the ‘transitional period’ in Colombia, 8 amendments were made to its political constitution in relation to the three main criteria (i.e., distribution of power, electoral system and policy making) in which the archive research focused on. These amendments were carried out in the years 1957, 1959, 1960, 1968, 1975, 1977, 1979 and 1986³⁰⁴ (Negretto 2013. See appendix 1). Over this period 48 articles were passed

³⁰⁴ The Colombian amendments conducted in 1963, 1981, 1983 and 1989 were not considered for building the database because they did not modify any of the three criteria picked by this project to analyse democratic divergence.

and, therefore, modified by the congress of which 47 were pro-democratic and only 1 was non-democratic (see table A.2 (a) below).

On the other hand, during the ‘divergence period’ one constitutional reform was conducted in Colombia in 1991, and 15 amendments to its new political constitution took place. These amendments were made in the years 1993, 1995, 1996, 2001, 2002, 2003, 2004, 2005, 2007 and 2009 (Negretto 2013. See appendix 1). Over this period, a total of 42 articles were amendment and modified by the congress of which 40 were pro-democratic, and the 2 remaining were non-democratic (see table A.2 (b) below).

Venezuela

During the ‘transitional period’ in Venezuela, two constitutional modifications were made in the years 1983 and 1989 (Negretto 2013. See appendix 1)³⁰⁵. From this period, a total of 4 articles were modified by the congress being all of them pro-democratic reforms –i.e., 0 non-democratic reforms were identified (see table A.2 (c) below).

Finally, during the ‘divergence period’ in Venezuela, one constitutional reform was enacted in 1999, and 8 amendments to the new political constitution took place, in relation to the three main criteria in which the archive research focused on. The amendments were made in the years 2006, 2007, 2008 and 2009 (Negretto 2013. See appendix 1). A total of 12 articles were approved during this period by the National Assembly, being all of them non-democratic reforms. That is, 0 pro-democratic reforms were identified from the analysis (see table A.2 (d) below).

Please see tables in the following page.

³⁰⁵ As for the Colombian case, the Venezuelan amendments conducted in 1973 and 1990 were not considered for building the database because they did not modify any of the three criteria picked by this project to analyse democratic divergence.

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1957	Amendment by Plebiscite	Legislative Decree No. 0247 of October 4, 1957 // Legislative Decree No. 0251 of October 9, 1957	To establish political parity between liberals and conservatives political parties, by granting their equal representation in the Supreme Court and the Judiciary Council; in the legislative chambers, assemblies and city Councils; in ministries, governors, mayors, and other officials of the administration who do not belong to the administrative career. Moreover, to grant women political rights.	The following articles of the 1886 Political Constitution (hereinafter PC) were modified: It is clarified that it was not possible to find an 1886 Constitution published before 1957, reason why is not possible to identify exactly what the article previously stated. However, it is considered that the database can identify the change introduced in the Constitution, allowing analysing the effects on democracy.	Power Distribution	In order for this amendment to pass, the government used the people as a primary constituent, with the purpose of manifesting their will through a referendum on the proposed amendments. This allowed political parity, which was necessary at that historic moment in which a strong power struggle was lived through a dictatorship. It also allowed women’s political recognition as key actors in democracy, materializing their right to equality. Importantly, the alternation of liberals and conservatives in the presidency of the republic was constitutionally recognized only until the 1959 amendment.	0
1959	Amendment 1	No. 1 of September 15, 1959.	To establish political parties’ alternation in the Presidency and state that whoever replaces the President, in accordance with articles 124 and 125 shall be of the same political affiliation.	Articles 124, 125 and 127 of the PC were modified. Article 124 gave Congress the power to appoint the replacement of the President in case of absolute or temporary absence; article 125 established permanent and temporary vacancies; and article 127 stated that in case of President’s absence, the designated would assume the presidency until the end of the period.	Power Distribution	This amendment, introduced for the 1962-1974 period, established that the presidency was to be exercised alternately by citizens who belong to the two traditional political parties, the conservative and liberal. This allowed the partisan coexistence, rejecting sectarianism, hegemony and electoral fraud. Compared with the dictatorship lived by the country, a period of alternation in power as the National Front was better. It is important to note that the amendment established that political parity would end in 1974, date from which it would go back to proportional party representation according to the electoral strength.	0
1959	Amendment 2	No. 4 of December 24, 1959	To modify the composition of the Senate and House of Representatives, stating that each department shall elect at least 3 Senators and 3 Representatives.	Articles 93 and 99 of PC were modified, which referred to the composition of the Senate (Art. 93) and the House of Representatives (Art. 97), stating that each department elected 2 senators and two 2 representatives.	Electoral System	This amendment allowed the electoral system to be more inclusive, by giving departments the opportunity to choose at least 3 members of the Senate and the House of Representatives.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1960	Amendment	No. 1 of December 10, 1960	To establish Congress’s control to the exceptional regimen of the State of Siege declared by the President	Article 121 of the PC was modified, which gave the President the faculty to declare the exceptional regimen of State of Siege in case of foreign war or internal disturbance. This constitutional precept established that, once such a regime was declared, the legal authority to issue the necessary decrees to cope with the situation was activated, which could even suspend the laws that were incompatible with the State of Siege.	Power Distribution	This amendment indicated that the President is unable to exercise the faculties of article 121 (State of Siege), without assembling the Congress in the same decree declaring disturbed the public order. Having convened the Congress, the absolute majority would decide whether the decrees issued by the government in exercise of the extraordinary faculties should be reviewed by the Supreme Court to decide on its constitutionality. This amendment was a counterweight to control the Executive.	0
1968	Amendment 1	No. 1 of December 11, 1968	To increase the period of the Comptroller General of the Republic, from 2 to 4 years	Article 59 of the PC was modified, which provided a 2 year period for the Comptroller General.	Power Distribution	By increasing the period of the Comptroller General by 2 years, it gave stability to this office and sufficient time to undertake and execute the necessary reforms. In addition, this amendment improves the institutional checks and balances to control the government.	0
1968	Amendment 2	No. 1 of December 11, 1968	To set a restriction on Congress and a power to the government by stating that the norms relating to the annual budget, the Economic and Social Development Plan (ESDP), public debt, national debt, tariffs, customs, investments, holdings in national income etc., could only be dictate and reformed by government’s initiative.	Article 79 of the PC was modified, according to which laws could be originated from any of the two chambers, having been proposed by their respective members or cabinet ministers.	Policy Making	This amendment creates an exception to article 79, which states that the laws on fiscal and economic issues should only be initiative of the government, both for creation and reform. This allowed that the overall development plan prepared by the Executive was not frustrated by the will of the Legislature. While this amendment gives a very wide discretion to the President, Jacobo Perez (1997) considered that it was necessary since the government has a better capacity to perform that function in an orderly and responsible manner.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1968	Amendment 3	No. 1 of December 11, 1968	To create a Permanent Special Commission (PSC) within Congress to control and monitor the ESDP’ implementation and government’s public expenditure. It also requires the executive to establish proposals on creating a new service or a particular investment in the ESDP, even though it judges the initiative as unacceptable if the PSC insists on the vote of two thirds of its members.	Article 80 of the PC was modified, creating the Permanent Special Commission (PSC) within Congress, and regulating their composition, functions and procedure of the bills’ first debate. The previous content of article 80 became part of article 72, concerning the chambers’ permanent commissions, and 79, which deals with the origin of the laws.	Power Distribution	By creating the PSC, and by requiring the Executive to introduce services or investments proposed by the PSC, a counterweight to the power previously granted to the President (of being the only one entitled to propose laws and reforms concerning the ESDP) is created, since the power control of the legislative branch on the executive branch is increased, which is necessary to maintain the balance of power.	0
1968	Amendment 4	No. 1 of December 11, 1968	To allow the government to speed up the legislative process at his request, when insisting in the urgency of a bill. Such acceleration is given under joint consideration of the two permanent commissions of each chamber.	Article 91 of the PC was modified, which previously did not have the possibility available to the government, to accelerate the legislative process when insisted on the urgency of a bill.	Policy Making	It allows the President to exert some pressure on Congress, in order to generate debate on a bill that it considers urgent, according to the context and government policies.	0
1968	Amendment 5	No. 1 of December 11, 1968	To extend the period of the members of the House of Representatives from 2 to 4 years.	Article 101 of the PC was modified, which established a 2-year period for members of the House of Representatives and the possibility of being re-elected indefinitely.	Electoral System	By increasing the period of the House of Representatives’ members by 2 years, stability and sufficient time to undertake their political programs was given to this position. Additionally, the amendment ensures more effective monitoring from the Legislative to the Executive since extending time in office improves the institutional checks and balances.	0
1968	Amendment 6	No. 1 of December 11, 1968	To increase from 6 months to 1 year the period of ineligibility for senior national officials to be elected as members of the Congress after their functions have ceased. As well as to include the vice-ministers and the National Registrar of Civil State in the list of officials.	Article 108 of the PC was modified, which devoted to the senior national officials, a 6 months period of disability to be elected as members of Congress, after their functions have ceased.	Power Distribution	The separation of powers was strengthened by increasing the period of inability for senior officials of national government to be elected as Senators, and by including new positions within this disability.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1968	Amendment 7	No. 1 of December 11, 1968	To establish that the governors, mayors, departmental comptrollers and the secretaries of the interior could not be elected as deputies until 1 year after their functions have ceased. Also, to increase the period of inability to fill the positions of senator and deputy from 3 to 6 months, of any officer exercising civil, political or military jurisdiction (other than those already included in article 108), in the respective electoral district.	Article 108 of the PC was modified, which did not state the inability referred to senior departmental and municipal positions. On the other hand, it established a 3-month inability period for officials exercising civil, political, and military jurisdiction.	Power Distribution	The separation of powers was strengthened by including senior departmental and municipal officials in the disqualification of 1 year to be elected as Congress members after their functions have ceased, and by increasing the inability period to all other officials exercising civil, political or military jurisdiction.	0
1968	Amendment 8	No. 1 of December 11, 1968	To include vice-ministers, heads of administrative departments and the mayor of Bogota within the charges excluded from the prohibition made to the President to appoint as employees.	Article 109 of the PC was modified, which established that the positions of ministers, governors, diplomatic agents and military chiefs were included within the positions exempted from the prohibition made to the President to provide employment. The article stated the ban for the President to provide employment to senators and representatives during the period of their duties (which remained with the amendment).	Power Distribution.	This amendment allowed the President to have a more stable work team in order to realize its government program and public policy. It contributed to a more efficient management and a reduction of patronage by the government and public administration, both at national, departmental and municipal levels.	0
1968	Amendment 9	No. 1 of December 11, 1968	To establish a ban for senators and representatives, to conduct business (in their own or another name) related to government, departments, municipalities and official and decentralized entities.	Article 110 of the PC was modified, which established the prohibition to make contracts with the government, only to senators and representatives	Power Distribution	By expanding the prohibitions or incompatibilities applicable to senators and representatives, we can affirm that the protection of the general interest in the legislative function is guaranteed, since preventing the realisation of it is hindered by the pursuit of purely private interests.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1968	Amendment 10	No. 1 of December 11, 1968	To unify the President, senators and representatives elections.	Article 114 of the PC was modified, which stated that only the President was elected by citizens’ direct vote and for a 4-year period in the manner determined by the law. This amendment ensures voter turnout.	Electoral System	This amendment is counterproductive for democracy because by introducing the attendance in the elections of the Executive with the Legislative, the electoral incentives of voters are affected since they end up favouring the election of senators that correspond to the same President’s political party.	1
1968	Amendment 11	No. 1 of December 11, 1968	To establish the President’s obligation to present at the beginning of each legislature a detailed report on the ESDP’s implementation and the evolution of public expenditure.	Article 118 of the PC was modified or added, in which the duties and powers of the President in relation to Congress were established.	Policy Making	The control function of the administration assigned to Congress is eased by establishing the President’s obligation to present a detailed report on the ESDP’s implementation and the evolution of public expenditure. Vertical accountability and checks and balances.	0
1968	Amendment 12	No. 1 of December 11, 1968	To limit the government's power to declare a State of Siege by suspending only the rules that the Constitution provides for it, by only declaring it in case of war or internal commotion, and by stablishing the decrees’ automatic judicial control issued in exercise of such powers.	Legislative Act No. 1 of 1960 was annulled, which reformed article 121 of the PC that provided as follows. Before, the President could suspend the Constitution as a whole under the exceptional regime of State of Siege, without limitation; the modalities of internal commotion and war were not considered; and there was no automatic control by the Supreme Court of Justice. Congress was the one who decided whether to send the decrees issued by the President under the State of Siege to the Supreme Court for constitutional review.	Power Distribution	The amendment limited President’s legislative faculties under the State of Siege, including in the Constitution itself the only rules that can be suspended under the exceptional regime. It also limited in which cases a State of Siege can proceed, in order to prevent an insignificant situation to be used as grounds for declaring it. It eliminated the political control on the President, by removing the power to Congress to decide the appropriateness of decrees’ judicial control, and the Immediate judicial control was introduced, strengthening control over the President; this consolidated a much stronger counterweight.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1968	Amendment 13	No. 1 of December 11, 1968	To create a State of Emergency, which can only be declared by the President, upon events that disrupt or threaten the economic or social order or which constitute serious public calamities. In such exceptional regime, the President can issue decrees to resolve the crisis. Also, to create a double control: political and judicial in which Congress acquires the power to repeal, modify or add the specific subjects of the decrees issued by the President under the State of Emergency. On the other hand, the Supreme Court must decide on the decrees' constitutionality.	Article 122 of the PC was added.	Power Distribution.	Is it feasible to say that this amendment (by creating the State of Emergency and double control -legislative and judicial- to decrees issued under such exceptional regimen), although it gives new power to the President, has the necessary mechanisms to regulate the handling of that power, since it is not only controlled by Congress, but also by the Supreme Court.	0
1968	Amendment 14	No. 1 of December 11, 1968	To establish that senior national officials can only be elected as President 1 year after their functions have ceased (the disability was increased from 6 months to 1 year)	Article 129 of the PC was modified, under which senior government officials could not be elected as president but 6 months after their functions have ceased. The article also specified the ban on President's re-election (which remained with the amendment).	Power Distribution	By increasing the inability period for senior officials of national power to be elected President, the separation of powers was strengthened.	0
1968	Amendment 15	No. 1 of December 11, 1968	To ensure proportional party representation, when 2 or more individuals are voted for on popular elections or public corporation. The Hare method is introduced to distribute parliamentary seats.	Article 172 of the PC was modified, which established the majority formula when 2 individuals were voted for in popular elections or a public corporation.	Electoral System	By eliminating the majority formula (the most restrictive in terms of electoral competition) and adopting the semi-proportional representation formula (Hare's system), we can affirm that the electoral system became more diverse and plural, and therefore more democratic.	0
1968	Amendment 16	No. 1 of December 11, 1968	To establish that beginning with the 1970 elections, the partisan parity principle in departmental assemblies and city councils established in the period of the National Front, is eliminated.	By which the temporary paragraph was added article 172 of the PC, which established the procedure to elect members of popular elections and public corporations.	Electoral System	It contributed to implement the proportional representation of the parties. It assured the end of partisan parity established in the National Front, in order to allow genuine political pluralism, and consequently a greater representation of the various interests of the population.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1968	Amendment 17	No. 1 of December 11, 1968	To establish the departments’ obligation to exercise administrative supervision over the municipalities, in order to plan the regional and local development and service provision. As well as to create the central government financing, establishing by law that a percentage of nation’s revenues must be distributed to the Department.	Article 182 of the PC was modified, which did not state the department’s administrative supervision above the states nor did it establish the central government financing. What the article established was the departments’ independence for the administration of sectional matters.	Policy Making	The amendment strengthened regional and local development. At the same time, it improved quality of service delivery by establishing planning and coordination between the department and the municipalities, the first one exercising supervision over the second one. Consequently, the creation of fiscal support allowed the progress in terms of decentralisation, since establishing the transfer of nation’s tax resources to the departments, small municipalities and police stations, strengthens the ability to make policy decisions.	0
1968	Amendment 18	No. 1 of December 11, 1968	To strengthen mayors, so they can attend municipality’s economic and social problems by stating that the government can only give mayors the initiative of the bills related to the municipality’s economic and social development plans and programs.	Article 189 of the PC was added.	Policy Making	By leaving open the possibility that mayors can obtain the initiative of the bills related to the municipalities’ economic and social development plans and programs, a fertile ground is created for progress in decentralisation and local autonomy.	0
1968	Amendment 19	No. 1 of December 11, 1968	To authorize the city councils to create local administrative boards, delegating administrative functions to them.	Article 196 of the PC was modified, which did not state the possibility of creating local administrative boards. It only concerned the composition of the city council and the councillors’ ineligibilities and incompatibilities.	Power distribution	This amendment allowed for greater citizen participation in the administration of local affairs, which strengthened participatory democracy.	0
1975	Amendment	No. 1 of December 18, 1975	To allow the direct election of town councillors	Article 171 of the PC was modified, which stated the direct election of councillors, deputies to departmental assemblies, representatives, senators, and President.	Electoral System	This amendment strengthened public participation, which was located in the small municipalities of the Republic, such as Arauca, Casanare, Putumayo, San Andrés and Providence.	0
1979	Amendment 1	No. 1 of December 4, 1979	To regulate the operation of political parties and allowing state funding of party activity.	Article 47 of the PC was modified, which stated that the popular political permanent boards were banned.	Power distribution	By introducing state funding of party activity, it sought to prevent private economic groups from seizing the parties through patronage.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1979	Amendment 2	No. 1 of December 4, 1979	To prohibit the immediate re-election of all members of the nation’s supervisory organisations.	By which the following items were modified: article 59, which established a period of 4 years for the Comptroller General; article 142, which established a period of 4 years for the Attorney General’s Office; article 146, which established a period of 6 years for the Prosecutor General’s Office; article 148, which established a period of 8 years for the magistrates of the Superior Council of the Judiciary; article 149, which established periods of 8 years for the magistrates of the Supreme Court and the Judiciary Council; and article 190, which referred to the departmental comptrollers’ role as regulators of the departments and municipalities’ fiscal administration (The amendment includes a new clause prohibiting re-election).	Power Distribution	By prohibiting the immediate re-election of all members of the nation’s supervisory organisations, the amendment is consistent with the principle of power alternation.	0
1979	Amendment 3	No. 1 of December 4, 1979	To prohibit immediate re-election of the members of the boards of chambers and permanent commissions.	Article 72 of the PC was modified, which stated that each chamber will choose permanent commissions (to process the first bills’ debate) for not less than a 2-year period.	Power Distribution	This amendment allowed the parliamentary power alternation, specifically in the permanent commission.	0
1979	Amendment 4	No. 1 of December 4, 1979	To allow the Congress’s permanent commissions to conduct studies and hearings on national problems and develop bills or legislative acts as a result, it also makes recommendations to the government on matters in which it has the initiative.	Article 72 of the PC was modified, including a new clause as mentioned before. This article regulated matters related to the chambers’ permanent commission in their composition, election, period and functions.	Power Distribution	This amendment led to a dialogue between the executive and legislative branches.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1979	Amendment 5	No. 1 of December 4, 1979	To set as new ground for removal from office of Congress, the missing on an annual legislative session without justification, to 8 plenary sessions that draft legislative acts projects or bills.	Article 75 of the PC was modified, which stated the infringement of rules of disabilities and incompatibilities, as the only ground for parliamentary disability.	Power Distribution	This amendment allowed attacking the parliamentary absenteeism, in order to punish with loss of investiture those congressmen who violate their duties.	0
1979	Amendment 6	No. 1 of December 4, 1979	To introduce political control over the acts of the government and administration, requesting information to ascertain their actions; it also adds as function of Congress the possibility to summon and require ministers in order to make them observations. Finally, it allows Congress, in line with its role of political control, to give motions of censure about official acts, without damage to the motions of observation which paragraph 4 of article 103 refers to.	Section 1 of article 76 of the PC was changed, which stated the faculties of Congress, within which political control is not found. Paragraph 3 of article 78 was also modified, which forbid Congress to give motions of censure regarding official (government) acts.	Power Distribution	This amendment is a counterweight to the great powers of the Executive. This act of the government and the administration control was given by requesting information to ascertain their actions; and summon and requiring ministers, in order to make them observations (this is looked in depth below).	0
1979	Amendment 7	No. 1 of December 4, 1979	To introduce in the chambers’ faculties two political control modalities: Request reports from the government and convoke ministers and make them objections.	Two modalities of political control were added to article 103 of the PC, in which the powers of each chamber are established.	Power Distribution	This amendment, by allowing the Congress to request reports from the government as well as to convoke ministers and make them objections, strengthened the control power of the legislative branch over the executive branch. Checks and balances.	0
1979	Amendment 8	No. 1 of December 4, 1979	To limit the authorisations Congress can give to government, by eliminating the possibility that Congress authorizes the government to "exercise other functions within the national orbit".	Section 11 of article 76 of the PC was modified, which empowered the Congress to "grant authorisation to government to make contracts, negotiate loans, alienate national property and perform any other duties within the national orbit"	Power Distribution	This amendment took away power from the National Executive, by restricting the authorisations that it may ask to Congress. This because before the amendment, it had a very wide margin, as it could evoke any necessary function to perform within the national orbit.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1979	Amendment 9	No. 1 of December 4, 1979	To take away Congress's faculty to temporarily cover the president with extraordinary powers, automatically, for necessity or public convenience. Also, to give Congress the faculty to repeal, modify, or add without matters of limitations the decrees issued in exercise of extraordinary powers.	Paragraph 12 of article 76 was modified, which allowed at the initiative of the Congress itself, to temporarily give the President extraordinary powers. Through the amendment the option referred to in numeral 2 of the previous section was added.	Power Distribution	With this amendment Congress may grant such extraordinary powers only by government's initiative, which allows a more functional and dialogic relationship between the executive and legislative branches. The control Congress can make on President's extraordinary powers is very broad, as it is entitled to intervene as well consider, in legislation made by the President.	0
1979	Amendment 10	No. 1 of December 4, 1979	To establish a ban for the Attorney General, the Prosecutor General, the legal representatives of decentralized entities, and members of the Superior Council of the Judiciary (in general, any public official) to be elected members of Congress for one year after their functions have ceased.	Article 108 of the PC was modified, which already stated the same prohibition to other officials at the national, departmental and municipal levels.	Power Distribution	This amendment contributes to the separation of powers and is consistent with the principle of power alternation.	0
1979	Amendment 11	No. 1 of December 4, 1979	To grant the President, in relation to the administration of justice, the faculty to promote the accusation against any public employee for violation of the PC or laws.	Article 119 of the PC was modified (adding such faculty), in which the powers of the President in relation to the administration of justice were established.	Power Distribution	It allowed greater control of the President against the mismanagement of public employees, by enabling him to participate in their prosecution.	0
1979	Amendment 12	No. 1 of December 4, 1979	To allow the common citizen to exercise public action of unconstitutionality against the decrees issued under the exceptional regimen of State of Siege and State of Emergency.	Articles 121 and 122 of the PC were modified, in which there only was established the requirement for the government to send to the Supreme Court of Justice the legislative decrees issued under the exceptional regimen of State of Siege and State of Emergency.	Power Distribution	This amendment gave citizens the power to exercise direct control on the President, by being able to exercise public action of unconstitutionality on decrees issued under the State of Siege and State of Emergency.	0
1979	Amendment 13	No. 1 of December 4, 1979	To establish that no member of Congress may be arrested or deprived of liberty for any reason, unless judicial conviction of first instance is rendered against it.	Article 107 of the PC was changed, according to which any member of Congress could be apprehended and called at criminal trial without permission from the chamber to which it belonged.	Power Distribution	This amendment allows that in case of crime, a congressman can be sent directly to the competent authorities and without Senate's permission to be judged. This amendment strengthens the political control made to members of Congress by boosting the immunity they had for flagrant offenses.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1979	Amendment 14	No. 1 of December 4, 1979	To set for all congressmen the duty to inform the board of the respective corporation if within 2 years prior to their election they lent paid services to guilds or private law persons on whose interest or businesses, which directly affect matters under Congressional study. Once Congressman reports it, it is up to the board of the chamber to determine whether it should refrain from participating in the proceedings and voting on the matter.	Article 105 of the PC was added.	Power Distribution	This amendment allowed that the legislative function did not focus on the promotion and protection of private interests. This protected public interest, which should form the core of the parliamentary function. It attacked the legislative corruption.	0
1979	Amendment 15	No. 1 of December 4, 1979	To create the Superior Council of the Judiciary, composed by 9 magistrates who are elected by the system of total co-optation (elected by the same corporation intervention of another agency). The most important duties are monitoring and controlling the judicial officials, intervene in the election of magistrates of the Supreme Court of Justice and the Judiciary Council, and impose sanctions to judicial officials.	Article 148 of the PC was modified, which regulates only the time and mode of election of the Supreme Court of Justice. The amendment formally includes in the article the existence of the Superior Council of the Judiciary.	Power Distribution	This amendment created a supervisory figure for the judicial branch, which was much needed as judges have great power within the democratic constitutional system.	0
1979	Amendment 16	No. 1 of December 4, 1979	To remove the system of total co-optation, and instead establish a system of semi-co-optation for the election of members of the Judiciary Council and the Supreme Court of Justice, by determining that they would be elected by the respective corporations, from lists prepared by the Superior Council of the Judiciary. Also, to end the lifelong charges of magistrates by establishing that they should retire from office when reaching the age of mandatory retirement, and that their term would be 8 years long.	Article 149 of the PC was modified, which established a full co-option system, by which the new magistrates were appointed by the current magistrates. At the same time, it established lifelong charges for magistrates.	Power Distribution	This amendment ensured that the high courts continued to have the necessary autonomy to make the final decision of who would be the new magistrates. At the same time, it allowed the election of magistrates to be more transparent, by letting the Superior Council of the Judiciary postulate the list of magistrates to choose from. Finally, it guaranteed the alternation in power principle.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1979	Amendment 17	No. 1 of December 4, 1979	To create the Attorney General’s Office, stating that the Attorney General would be appointed by the Supreme Court of Justice based on a list sent by the President of the Republic (which should have at least 5 names belonging to different political parties), for a period of 6 years. The most important functions of the Attorney General are: to advance the investigation of crimes, to accuse against the Supreme Court the officials whose judgment corresponds to that corporation, and to monitor the enforcement of sentences handed down by the judges.	Article 146 of the PC was modified, which regulated the composition and mode of election of the Judiciary Council’s Prosecutor, which disappears with the figure of the Attorney General of the nation.	Power Distribution	This amendment created a key organism such as the Office of the Attorney General, which has a very strong control role within the State, as is the prosecution of crime.	0
1979	Amendment 18	No. 1 of December 4, 1979	To proclaim the independence of the Attorney General of the nation and its agents, by eliminating the subordination of this in relation to the government. The most important new features that obtained under this independence are: receive and decide on complaints obtained about human rights violation incurred by public employees or officials; monitor the official conduct of public employees and officials, and exercise disciplinary power over them; and promote before the competent authority the investigation of officials’ acts which may constitute criminal offenses.	Articles 142, 143 and 145 of the PC were modified. Article 142 stipulated that the public ministry was exercised under the supreme direction of the government; article 143 established the general functions of the Public Ministry; and article 145 stated the Attorney General’s special functions, within which the aforementioned were not included, due to the Inspector General’s lack of autonomy.	Power Distribution	By granting autonomy, this amendment strengthened the Attorney General’s control function regarding public administration, becoming a guarantor for the proper execution of public functions. System of checks and balances.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1979	Amendment 19	No. 1 of December 4, 1979	To extend the control power of the Supreme Court of Justice so that it can definitely decide on the unconstitutionality claims brought against legislative acts because of procedural defects. Also, to take away the Supreme Court’s power to control the national government decrees issued by congressional authorisation to make contracts, negotiate loans and alienate national assets, when they had been accused of unconstitutionality.	Article 214 of the PC was modified (adding the faculty mentioned above), in which all the powers of the Supreme Court of Justice regarding the custody of the Constitution are established. Paragraph 2 of the same article is changed, as the power mentioned in the previous section is eliminated, but the following powers remain: monitoring government decrees issued under the extraordinary powers acquired by the President in case of necessity or public convenience; and controlling the ESDP, when after 100 days it had not been approved by the legislature.	Power Distribution	It strengthened the system of checks and balances, by creating a better institutional balance. Given the number of legislative acts issued to amend the Constitution, it was necessary that they were known by the supreme constitutional authority, under claims of unconstitutionality. Importantly, control would have been more complete if it had been allowed to control these activities against their material or background vices.	0
1979	Amendment 20	No. 1 of December 4, 1979	To establish the autonomous jurisdiction of the Constitutional Chamber of the Supreme Court of Justice, formed by 8 magistrates to rule definitively on the unconstitutionality objections that the government makes to the bills, also on claims brought against laws and decrees of the National government. Also, to grant full autonomous authority to the Supreme Court of Justice to definitively rule on the unconstitutionality of legislative acts, on procedural defects.	Article 214 of the PC was modified (adding the faculty referred to above), in which all the faculties of the Supreme Court of Justice regarding the custody of the Constitution are established.	Power Distribution	The amendment strengthened the constitutional control, in order to prevent that the Government, in its large sphere of power, was unaware of the Constitution (supreme law and most important political institution within the institutional framework). Checks and balances.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1979	Amendment 21	No. 1 of December 4, 1979	To establish the requirement, regarding budgetary matters and public spending, that the budget allocations for regional development can only be approved after a public debate on the budget committees and plenary sessions. As well as to Prohibit that regional contributions are made for the benefit of private entities. Also, to determine that the total budget approved for such contributions should be distributed equally among departments, and in proportional amount to the national territories.	Article 207 of the PC was modified, which only provided the impossibility to make any public expenditure without having been previously dictated by Congress or by the departmental assemblies. At the same time, it prohibited credits transfer to a subject not covered in the respective budget.	Policy Making	By allowing the community to participate through a public debate regarding regional budget allocations, it made the procedure more democratic for making public policy decisions. It also protected the regional patrimony, by prohibiting regional contributions made for the benefit of private entities, which was decisive in the pursuit of general interest. Simultaneously, it became an anti-corruption mechanism; finally, it established equity and equality conditions in the distribution of regional contributions.	0
1979	Amendment 22	No. 1 of December 4, 1979	To establish that the ESDP must be presented by the government and approved by Congress, and that the Plan's law will have supremacy over those issued to ensure achievement. Also, to establish that any modification involving an economic burden for the state or that varies the inventory of its resources will require prior favourable concept of planning agencies. As well as to set that during the first 100 days of his constitutional term, the government will submit to Congress a bill with the changes it considers requires the general part of the plan. Last, to establish that if the plan is not approved by Congress within 100 days following ordinary or extraordinary sessions from its presentation, the government may implement projects by decrees with the force of law.	Article 80 of the PC was completely modified, in which the general part regarding national and regional policies did not exist and such supremacy was not stated. Also, the requirement of the concept was not established and the government had to make adjustments to the ESDP, when the permanent commission proposed a particular investment or the creation of a new service. Likewise, the government could enforce projects by decrees with the force of law, if the permanent commission did not approve the respective plan during the five months it had to decide. Besides, the permanent commission had the same functions.	Policy Making	The general policies on economic and social planning, were fundamental to overcome a deficiency of this system according to the author Margarita Varon (2009): she focused mostly on solving specific problems and specific investment programs "without wide coverage and intervention pretentions to evolve towards establishing government priorities under the macroeconomic context" (ibid.:14). This ensured the ESDP's effectiveness and it allowed the planning system to be more organized and coordinated. It strengthened the relationship between the Executive and the Legislature and the President's prerogative to issue projects through decrees with the force of law, as the time that Congress has the power to approve them was decreased.	0

Table A.2 (a) Constitutional reforms and amendments in Colombia, 1957-1986 - ‘transitional period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1979	Amendment 23	No. 1 of December 4, 1979	To grant legislative faculties to Congress lost to the 1968 amendment, by stating that the laws that determine the services in charge of the nation and territorial entities, as well as the ones determining the central government financing would not follow the proceedings on the laws and economic programs, but would have the normal procedure of the other laws. For this reason the Legislative reacquired the power to propose the creation or modification of laws relating to public spending.	The final paragraph of article 79 of the PC was annulled, which stated that the laws relating to services provided by the nation and territorial entities, as well as the ones determining the central government financing, would be processed according to the rules of article 80 of the PC, which established the method of creating the laws concerning the ESDP. It is important to remember that the laws that followed such proceedings could only be created or modified by government’s initiative.	Policy Making	The amendment rebalanced the powers of the Legislature against the execution and planning of public spending; it allowed a more active and less dependent Congress intervention regarding the Executive.	0
1986	Amendment	No. 1 of January 9, 1986	To allow the popular election of mayors for a period of 2 years, to let popular consultations to decide matters that interest the residents of the municipality, and to eliminate the governors’ faculty to revoke mayors’ actions.	The following articles of the PC were modified: article 171, which stated that citizens will directly elect the President, senators, deputies and small municipalities’ councillors (the amendment included mayors); and article 201 which established that the mayor exercised governor’s agent functions and that it would be the head of the municipal administration.	Electoral System	This amendment strengthened democracy since it allowed the local administrative decentralisation through an electoral reform. At the same time, it granted genuine autonomy to the mayors by taking away their quality of subordinates of the Governor. It emphasized democratic principles, as mayors became the representatives of the collective aspirations, and it strengthened participatory democracy by allowing citizens to elect mayors by popular vote.	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
1991	1991 Constitutional Reform 1	Political Constitution of 1991	With the 1991 Constitution, it was intended to overcome excessive Presidentialism and exclusive bipartisanship. Also, it sought to amend the Political Constitution of Colombia, annulling the 1886 PC and creating the new 1991 PC. This database will only take into consideration changes regarding the three typologies in which this research focuses on: A) Power Distribution, B) Electoral System and C) Policy making.	The state is organised based on the principle of separation of powers and mutual control between the branches of government, in order to avoid the concentration of power in the hands of a single branch. Article 190: Presidential term of 4 years without re-election; article 150: The President can only be vested with extraordinary powers to issue statutory rules when necessary or when the public requires it, with the approval of the absolute majority of the members of both chambers. The Legislature is given the power to adopt a motion of censure and public hearings on management control of ministers. Regarding the judiciary, the Constitutional Court (Art. 241) was created, the election and appointment mechanisms of high courts magistrates were improved, and it was made sure that their constitutional periods, did not coincide with those of the president. The president loses exclusivity over the nomination of judges to the court, which he now shares with other organisations. In relation to the oversight bodies, it was established that its function was effective and independent of the executive power (Arts. 257-284). The office of the Ombudsman is created.	Power Distribution	The strengthening of democracy is evidenced by establishing the conditions for the presidential system to operate without concentration of power by guarantying the separation of powers. This because the presidential re-election is prohibited, the extraordinary powers of the President which are subject to parliamentary approval are limited, and the President’s appointing power is restricted. Additionally, the necessary conditions to establish the independence of the judiciary are given with the creation of the Constitutional Court and with the election and appointment mechanisms of magistrates, where the President lost exclusivity on the nomination of magistrates to the court, which he now shares with other organisations. The Comptroller and the Public Ministry, by acquiring autonomy, can exercise their duties independently, without government’s interference.	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
1991	1991 Constitutional Reform 2	Political Constitution of 1991	With the 1991 Constitution, it was intended to overcome excessive Presidentialism and exclusive bipartisanship. Also, it sought to amend the Political Constitution of Colombia, annulling the 1886 PC and creating the new 1991 PC. This database will only take into consideration changes regarding the three typologies in which this research focuses on: A) Power Distribution, B) Electoral System and C) Policy making.	Article 108 allowed political and social organisations to obtain legal status to compete electorally by collecting 50,000 signatures, the same number of votes or effective representation in Congress. Article 35 authorised the National Electoral Council (NEC) to automatically grant legal status to political parties and movements represented in the National Constituent Assembly, and allowed the parties and movements with legal status to register candidates without any additional requirement. Expands and strengthens the channels of citizen representation, incorporating four constituencies for the election of Congress: a national constituency for Senate, 32 departmental constituencies for the Assembly, plus 3 special constituencies for black communities, indigenous communities and citizens living abroad. Participation mechanisms expand and besides the universal vote, the plebiscite, referendum, popular consultation, open councils, the legislative initiative and the recall of the mandate are included.	Electoral System	It incorporated elements that allowed different political and social organisations to obtain legal status in a simpler way, and it strengthened the democratic regime through the recognition of ethnic minorities, strengthening new direct elections and the formation of more competitive constituencies. However, the electoral system did not suffer many changes with the new constitution, as it did not change the electoral rule that was used with the 1886 PC for converting votes into seats. That is, the Hare quota formula was maintained during this period. Thereby it sought that each sector managed to see their interests reflected in the legislature.	0
1991	1991 Constitutional Reform 3	Political Constitution of 1991	With the 1991 Constitution, it was intended to overcome excessive Presidentialism and exclusive bipartisanship. Also, it sought to amend the Political Constitution of Colombia, annulling the 1886 PC and creating the new 1991 PC. This database will only take into consideration changes regarding the three typologies in which this research focuses on: A) Power Distribution, B) Electoral System and C) Policy making.	The following relation was maintained with the 1886 PC: Article 341: The hierarchical status of the law and the power of the Executive to issue the National Plan of Development (NPD) and public investment, by statutory decree, if Congress does not approve it within 3 months after being presented. Article 341: The restrictions on the legislator to modify the bill submitted by the Executive, as he can only do it without changing the economic balance.	Policy Making	Democracy was strengthened by involving citizens in the discussion of the development plan. Functional relationships between the Judiciary and the executive and legislative branches are created and it was intended to promote greater autonomy and independence of the Central Bank, and reduce the influence of the executive branch that predominated in the 1886 PC about the macroeconomic system. This made sure that the government did not	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
				Article 342: The requirement to issue an organic law on planning. New articles were added to improve policy making. Article: 342 Citizen Participation in the discussion of the plan; article 343: The creation of performance evaluation systems; article 341: the Judiciary was included in the plan elaboration process. It was established that the dispositions of the NPD are binding and do not require any other legal provision for implementation, and that the plans’ general part can be executed by the Executive despite the legislature’s disagreement.		have election powers to elect the members of the Board during its tenure, anticipating a constitutional period of 4 years.	
1993	Amendment 1	No. 2 of November 23, 1993	To allow the head of the administration of the territorial entity to issue a decree on the development plan (either departmental, district or municipal), in case such public territorial corporation has not approved and issued the plan.	Transitory article 60 of the PC was added, which stated that the departmental, district and municipal development plans will be approved by the respective public territorial corporation (once submitted by the head of administration of the territorial entity).	Power Distribution	This amendment gives exceptional power to the head of territorial administration, by allowing it to issue the development plan proposed by it. This allowed that the development of territorial entities does not obstruct the refusal of the public corporations to approve and issue the respective plan.	0
1993	Amendment 2	No. 3 of December 15, 1993	To allow that permanent or temporary absences of members of the public corporations are filled by candidates in order of registration, successively and descending, that correspond to the same electoral list.	Article 134 of the PC was modified, which provided only that the absolute absences would be filled by unelected candidates in the order of registration in the corresponding list.	Electoral System	This amendment implemented a mechanism to avoid empty seats in case one of the members popularly elected at the respective public corporation were to miss temporarily for any reason.	0
1995	Amendment	No. 1 of December 1, 1995	To define the municipalities’ general system of participation and their budgetary annual increase, according to the average of the current revenue of the nation. Also, to allow the municipality to freely allocate certain percentage in investment, and to require the municipal authorities to be accountable for its	Article 357 of the CP was added, which stated that the municipalities would participate in the nation’s current income, and that the government’s initiative law would determine the minimum participation percentage and would define the priority areas for social investment. It is noteworthy that it was established in the paragraph that municipalities	Policy Making	This amendment strengthened the municipalities’ capacity to implement their policies. However, the government continued to have an important role in determining those municipalities’ investments, which reflects the unitary state as a state organisation. By requiring municipal authorities to present to control and evaluation agencies a detailed	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
			administration to the oversight bodies, or criminal penalty.	could freely allocate certain percentages for investment, according to the category formerly occupied. The above percentages ranged from 15% to 30%. The municipal authorities were asked for accountability against control agencies, in case the transparent and efficient use of resources cannot be proved.		management report which showed the efficient and correct use of resources, it allowed that the freedom acquired to execute public policies, were not exercised regardless of the priority areas for investment. Such accountability is fundamental in any democratic state.	
1996	Amendment 1	No. 1 of January 15, 1996	To establish administrative autonomy and an own budget to the departmental assembly (administrative corporation of popular election), as well as to grant deputies with the quality of public servants.	Article 299 of the PC was modified, which only established the popular election of the members of the departmental assembly, the requirement that the regime of disabilities and incompatibilities was not be less stringent than one for Congress, and the requirements to be elected deputy.	Power Distribution	This amendment granted autonomy to the departmental assemblies and therefore enabled decentralisation. It also allowed greater Deputies’ control by making them public servants; they are subject to different types of special responsibilities such as: tax, criminal, disciplinary and civil; if their actions do not conform to the laws and/or regulations.	0
1996	Amendment 2	No. 1 of January 15, 1996	To grant the power to the departmental assemblies to request reports on the exercise of their functions to the department’s Comptroller General, cabinet secretaries, heads of administrative departments and departmental decentralized institutes’ directors.	Article 300 of the PC was modified, adding the new faculty mentioned above, in a new paragraph. Such article establishes the functions and powers of the departmental assemblies.	Power Distribution	This amendment established a political control by the departmental assemblies, by granting the authority to request management reports to oversight bodies and local government employees.	0
2001	Amendment 1	No. 1 of July 30, 2001	To create the General Participation System of departments, districts, and municipalities, in order to attend the services in charge of these and provide the resources to adequately finance its provision. Also, to allow the law to point out cases in which Nation may attend the expenses’ financing of services within the departments, districts and municipalities’ responsibility. Finally, to prohibit the powers’ decentralisation without prior allocation of sufficient fiscal resources to address them.	Article 356 of the PC was modified, which only stated that the law devised by the government would set the services in charge of the nation and territorial entities, as well as the central government financing (percentage of the current revenue of the nation which would be given to departments and districts).	Policy Making	This amendment allowed the departments, districts and municipalities to have a more effective control over the management of their care interests. It strengthened the capacity of developing public policies. Administrative autonomy. It also strengthened the effectiveness and functionality of the powers decentralisation, since it makes no sense to distribute power without the corresponding financial support to realize public policy projects.	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
2001	Amendment 2	No. 2 of December 27, 2001	To recognise jurisdiction to the International Criminal Court, according to the established by the Rome Statute: facing charges of genocide; war crimes; and crime of aggression.	Article 93 of the PC was modified, which only stated that International treaties ratified by Congress, which recognize human rights and prohibit their limitation in states of emergency, have priority in the internal order. It also established the rights and obligations recognized in the PC must be interpreted in accordance with international human rights treaties ratified by Colombia.	Power Distribution	The amendment made to the Colombian state to the forefront of public international law, by giving its jurisdiction to an international court (giving up some of its sovereignty) for the most serious crimes of international concern. Which at that time was an advanced decision crossing the democratic nations of the world.	0
2002	Amendment 1	No. 2 of August 6, 2002	To modify the terms for governors, deputies, mayors, town councillors and councilman. It went from 3 to 4 years.	The following articles of the PC are modified: 30, which established the duties of the governor and a its 3-year period; 209, which established the role of departmental assemblies, the requirements to be elected deputies and its 3-year period; 314, which established the role of the mayor and its 3-year period; 312, which established the 3-year period for the city council; and 323, which established the district councils' composition form and a 3-year period for councilman.	Electoral System	By increasing by 1 year the mayors' term, that office was given stability and enough time to undertake and implement public policies.	0
2002	Amendment 2	No. 3 of December 19, 2002	To establish the adversarial system of criminal justice by providing that the Attorney General's Office (AGO) is required to advance the exercise of criminal action and conduct an investigation of the facts which are characteristics of a crime that comes to their attention. In turn, establish the discretionary principle, according to which the Prosecutor's office has the right to initiate, suspend or terminate the criminal proceeding according to criminal justice policies. Also, by Removing the AGO's power to adopt security measures to ensure the appearance of the alleged criminal law offenders, and instead grant such power to a criminal judge. Finally, by setting two judges	Article 250 of the PC was modified, which established that the Prosecutor's Office would advance the investigation and accuse the alleged criminal law offenders, and ensure their appearance, by adopting assurance measures (judicial functions,) and taking action to restore rights and compensate the damaged caused by the crime.	Power distribution	This amendment took place within a context in which Colombians had completely lost confidence in the judicial system. It strengthened the criminal system, because the Prosecutor lost his judicial functions, and acquired only the function of conducting the investigation and criminal prosecution, collecting all evidence and bringing it to the judge. The established discretionary principle was from the Continental European system, which requires the judge's legality control in order to be materialized, which provides guarantees, as it prevents the Prosecutor from overflowing in its action and stops him from opening a criminal investigation without valid	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
			in the new system: the supervisory judge and the trial judge. The supervisory judge cannot be a trial judge.			reason. Also, The Prosecutor’s loss of judicial function protects the democratic system, since it is necessary that the agency which investigates and accuses is not the same to decide the alleged criminal law offender’s legal status (for example, freedom). Finally, the supervisory judge is the one to decide everything concerning restriction of fundamental rights. The trial judge is the one who delivers sentence.	
2003	Amendment 1	No. 1 of July 3, 2003	To prohibit citizens to simultaneously belong to more than one party or political movement with legal status. Likewise, to allow political parties to have popular or internal consultations that matches or not with the public corporations elections, in order to make their own decisions or choose their candidates.	Article 107 of the PC was modified, which only guaranteed citizens their right to form and develop political parties and political movements and the freedom to join them. A transitional paragraph is added to article 108 of the PC.	Electoral System	The amendment forbade the double political militancy, and allowed greater population participation in relation to the political parties that reflect their interests and political, economic, cultural and social preferences. By allowing citizens to intervene in the election of their candidates, it strengthened representative democracy even more.	0
2003	Amendment 2	No. 1 of July 3, 2003	An electoral threshold of 2% was established as a requirement to access the seats distribution by political parties, political movements and significant groups. It seeks to allow parties and political movements to regulate their internal disciplinary system through statutes; to establish that "members of public corporations chosen by the same party or political movement, act on them as caucus" in accordance with the law, and the decisions taken democratically; and to allow the internal statutes of parties and political movements, to establish penalties for non-compliance with the directives by the members of the caucus. These penalties can see the expulsion and loss of	Article 108 of the PC was modified, which established that as a requirement to access to the seats distribution, parties and political movements must obtain at least 150,000 signatures or had obtained in the previous election the same number of votes or achieved Congress representation.	Electoral System	This reduced the prevailing personalism in the Colombian political party system, allowed a better political party internal management, promotes political party cohesion and prevents intra-party competition, and enables political parties’ discipline in case a parliamentary does not act as a caucus.	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
			voting rights of: congressman, deputies, and councilmen; for the remainder of the period for which it was elected for.				
2003	Amendment 3	No. 1 of July 3, 2003	To include the significant groups of citizens as major political agents, in addition to political movements and parties; to establish the state funding of political parties and political movements, through the replacement by votes cast system; to establish that the campaigns to elect the President will have access to a maximum of radio and television advertising space, paid for by the state; and to establish the loss of investiture or position, for those who violate the maximum ceilings for campaign financing.	Article 109 of the PC was modified, which stated that the state would contribute to the funding of electoral campaigns for political movements and parties with legal status.	Electoral System	It strengthened participatory democracy by recognizing the citizens’ significant groups as key political actors in the political game, and seeks to prevent economic groups from seizing parties by allowing political parties’ state funding. Also, setting the broadcasting of presidential election campaigns in the media pretends to extend participatory democracy for citizens to know the various proposals and have complete judgment to decide who to vote for. Finally, it is a mechanism to control and punish those party members who violate the financing ceilings.	0
2003	Amendment 4	No. 1 of July 3, 2003	To formally include the term opposition to refer to political parties and movements which seek to pursue a critical role against the government as well as plan and develop political alternatives. Also, to formally establish the constitutional and legal restriction on the rights of access to information and official documents, hold by opponents. Finally, to introduce the response in the media a general law, without restricting it to specific cases.	Article 112 of the PC was modified, which instead of referring to the opposition spoke of the possibility of freely exercise the critical role by the parties and movements that do not participate in government. In turn, this article did not establish that the rights of access to information and legal documentation had legal restrictions. The response was established only for these cases: serious and flagrant misrepresentations or uttered public attacks by senior officials, and participation in the electoral organisations.	Electoral System	It strengthened democracy by protecting constitutionally the opposition (political minority), first by giving recognition (which implied its valuation in the new Rule of Law as a fundamental political actor), and second, it empowered the opponent by allowing it to reply through the media at the time it deems appropriate. It also protects the opposition parties’ confidentiality.	0
2003	Amendment 5	No. 1 of July 3, 2003	To establish conciliatory commissions and its composition by the same number of senators and representatives. So when they gather together, they try to reconcile the texts, and if is not possible, define it by a majority. Also, to	Article 161 of the PC was modified, which in the event of discrepancies before a bill between the two chambers, it stated the formation of accidental commissions to jointly draft the text to be submitted for final decision at a plenary session of each chamber.	Policy Making	By creating conciliatory commissions, made up in equal proportion of representatives and senators, this amendment strengthened the dialogue between the two chambers, and their functional relationship, in order to avoid discrepancies to frustrate public policy projects	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
			establish that the bill be deemed denied if the difference persists in a second debate.			when writing laws. Consequently, it was a mechanism to improve the legislative function. It seeks to avoid an unnecessary legislative burnout.	
2003	Amendment 6	No. 1 of July 3, 2003	To establish as a state’s duty to make sure citizens exercise the right to vote secretly and without any coercion, and to include political movements and parties in the demand addressed to the electoral organisation, to provide voters equally the instruments in which the different movements, parties and candidates should appear clearly identified and under equal conditions. Also, to establish the requirement to repeat only once the elections (of public corporations’ members, governors, mayors and president), when the blank ballots constitute an absolute majority in relation to the valid votes. If the above occurs: prevent the same candidates from repeating in the single elections. Therefore, establish that for the public corporations elections, the lists that have not reached the threshold may not be introduced in the new elections. Likewise, it seeks to allow the implementation of electronic voting to achieve agility and transparency in the vote.	Article 258 of the PC was modified, which provided only that the vote was a right and a civic duty, and also established the conditions for a transparent and secret vote.	Electoral System	This amendment strengthened democracy by protecting the right to vote, which must be completely free. This intended that popular elections happened within a transparency framework, to allow real political competition. It allowed political competition under equal conditions, and gave great value to the blank vote by preventing candidates who do not satisfactorily represent the needs and priorities of the citizenry as a whole, from being popularly elected, showing the above, through a blank majority vote. This assessment was completed allowing citizens to attend new elections, with new options for candidates in order to find suitable proposals and representatives.	0
2003	Amendment 7	No. 1 of July 3, 2003	SINGLE LISTS: to establish the requirement for political movements and parties, to present single lists and candidates, whose number of members cannot exceed charges of seats to be filled in such election. ELECTORAL QUOTA: to introduce the electoral quota formula to distribute the public corporations seats, in order to ensure fair representation of political	Article 263 of the PC changed completely, which established the electoral quota system, when two or more individuals were elected on a public election or public corporation, in order to ensure parties’ proportional representation. The electoral quota was the result number after dividing the total valid votes by seats to be filled.	Electoral System	It allowed preventing an overflowing political offer for voters, and achieving consistent and disciplined lists. It enabled to correct the electoral quota and residues system misuse from electoral micro-businesses, to reward parties that obtain the highest votes with a proportionately larger number of seats. Making	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
			movements and parties, and citizens' significant groups.			the Senate's composition more proportional, and according to the citizens preferences.	
2003	Amendment 8	No. 1 of July 3, 2003	ELECTORAL QUOTA: set the electoral quota formula to allocate the seats among the members of the respective corporation. PREFERENTIAL VOTE: establish the possibility that each party or political movement can pick or not the preferential voting mechanism.	Article 263 was added to the PC.	Electoral System	This amendment enabled to correct the electoral quota and residues system misuse from electoral micro-businesses, to reward parties that obtain the highest votes with a proportionately larger number of seats, to ensure that the Public Corporation's composition better reflects the preferences of citizens. It also allowed voters to be who determine the list's final order. This strengthened representative democracy through a participatory democracy mechanism. Importantly, this allowed the legislators to be true representatives of citizens, and not representatives of the political parties' leaders as it used to be.	0
2003	Amendment 9	No. 1 of July 3, 2003	To take away the state's faculty to elect the National Electoral Council (NEC) members and grant it to Congress, together with the electoral quota system, upon previous nomination of political parties or movements with legal status or by coalitions between them. Also, to establish the quality of public servants to NEC member, and to expand the composition of NEC members, from 7 to 9 members. Finally, to allow one-time re-election of NEC members, and to state that the contentious administrative courts would decide on electoral nullity action.	Article 264 of the PC was modified, according to which the Judiciary Council was in charge of electing the NEC members, from the lists of three drawn up by political movements and parties with legal status. It did not contemplate the quality of public servants of NEC members; the NEC was composed for at least 7 members, according to the law. Finally, it prohibited the re-election of NEC members, and did not devote any action against electoral nullity.	Electoral System	The amendment legitimized the election of NEC representatives and allowed better control to NEC members; by making them the public servants they are subject to different types of special responsibilities such as: tax, criminal, disciplinary and civil, if their actions do not comply with the laws and/or regulations. It ensures greater democratic representation in the NEC, and it strengthens participatory democracy and the electoral system's control, by giving the jurisdiction the power to decide whether a particular act of election by popular vote was invalid.	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
2003	Amendment 10	No. 1 of July 3, 2003	To take away the National Electoral Council’s authority to elect the National Civil Registrar, and grant it to the presidents of the Constitutional Court, the Supreme Court and the Judiciary Council, through merit-based competition. Also, to reduce the National Registrar’s period from 5 to 4 years and to establish a requirement that the National Registrar has not exercised functions in management positions in political parties or movements within the year immediately preceding his election. Finally, to allow the National Registrar’s one-time re-election.	Article 266 of the PC was modified, according to which the National Registrar was elected by the National Electoral Council, for a period of five years. It did not establish such restriction, and the National Registrar’s re-election was prohibited.	Power Distribution.	This amendment made more transparent the National Registrar’s elections by allowing the high courts to intervene, guaranteed a service period equal to that of popularly elected officials, prevented the National Registrar from developing its role in a biased manner, taking into account political interests and favouring political groups, and generated continuity in relation to the management of the National Registrar.	0
2003	Amendment 11	No. 1 of July 3, 2003	To establish the loss of political rights for those who have been convicted at any time by the Commission for crimes involving the State’s patrimony, and those who allowed the State to be sentenced for compensatory damages, under its wilful or severely negligent misconduct, determined by court decision.	Paragraph 5 of article 122 of the PC was modified, which established only as a punishment for that public servant who was convicted of crimes against State’s patrimony, the inability to perform functions.	Power Distribution	This amendment by declaring the impossibility for public servants who had affected state’s patrimony, to be registered as candidates for elected offices, or elected or appointed as public servants, or enter into contracts with the State; it took away the power of those who because of their wrong and unethical behaviour, affect State’s patrimony, which must have the general welfare as the sole destination.	0
2004	Amendment 1	No. 2 of December 27, 2004	To allow political participation to state officials and its decentralized entities that exercise jurisdiction, civil or political authority and administrative positions. The following were excluded from such faculty: state employees who work in the judicial branch, the electoral, control and security bodies. Also, to determine that members of the security forces are prohibited from political participation, and to establish the President and Vice-president may only participate in electoral campaigns 4 months before the date of the presidential	Paragraphs 20 and 30 of article 127 of the PC were modified, which established the prohibition from engaging in political issues to state employees and their decentralized entities exercising jurisdiction, civil or political authority, administrative positions, or serve in electoral, judicial, or oversight bodies. It also provided as grounds for misconduct the use of employment to pressure citizens to support a cause or political campaign.	Power Distribution	This amendment allowed state officials and its decentralized entities exercising jurisdiction, civil or political authority, and administrative positions, to take part in political activities and controversies. These restrictions are based on the subordination of the armed forces to civilian authority that leads the government. Constitutionally the armed forces and the police are not deliberative, ensuring the performance of their duties. It prevented the President and Vice-president from starting their campaign before their political contestants, taking	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
			election’s first round Finally, to prohibit the President and Vice-president during the campaign, the use of state property or National Treasury’s resources, other than those offered on equal terms to the other candidates, except those intended for the duties of office.			advantage in power, and it guaranteed that the opposition and other political parties and movements can compete on equal terms with the President and the Vice-president, who claim to be re-elected.	
2004	Amendment 2	No. 2 of December 27, 2004	To establish a ban on being elected President of the Republic for more than 2 periods, which actually introduced the immediate re-election (which was forbidden) and allow the Vice-president’s re-election as long as it integrates the same formula the president. Allow the Vice-president to be elected President for the next period, only if the President in office is not presented as a candidate.	Article 197 of the PC was modified, which provided that there could not be elected President the citizen who had served as President. Such article also made mention of the ineligibility causes to be president.	Power Distribution	Allowed the immediate presidential re-election, which contradicts the principle of alternation in power, essential in any democratic state. It is noteworthy that this affected the institutional design that had been secured by the 1991 CP, to establish checks and balances, as with the materialized re-election, the autonomy of the bodies called to control the Executive due to its independence was affected, as did President periods coinciding with the other supervisory bodies, as it made the president’s period to coincide with other oversight bodies’ period, which resulted in the President influencing the election of almost every organ that controlled him/her. In addition to the above, allowing immediate re-election of the Vice-president contradicts the principle of alternation in power, fundamental in any democratic state.	1
2004	Amendment 3	No. 2 of December 27, 2004	To include the Armed Forces Commanders and the Police Director General, in the prohibition on being elected President, if they exercised such charges a year before the election. Also, to allow the Vice-president to be elected President for the next period, only if the President in office is not presented as a candidate.	Article 197 was modified, which established the same prohibition to be President of the Republic was stated, if he or she had exercise any of the following positions a year before the election: high courts magistrate, minister, member of the National Electoral Council, member of the Superior Council of the Judiciary, Attorney General, Comptroller	Power Distribution	The amendment guaranteed the separation of powers, and the independence for the exercise of elected office.	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
2005	Amendment	No. 3 of December 29, 2005	To establish that there will be 2 representatives for each territorial district and one more for each 365,000 inhabitants or fraction over 182,500. Also determine that there can be elected up to 4 representatives for each jurisdiction.	General, Prosecutor General, National Civil Registrar, governor or mayor. It did not mention anything about it. Article 176 of the PC was modified, which stated that there would be 2 representatives from each territorial district and one more for each 250,000 inhabitants or fraction over 125,000 that had in excess of the first 250,000. It also determined that through that district there could be chosen up to 5 representatives. In general, the article established how the House of Representatives is elected.	Electoral System	It prevented electoral constituencies from losing representation due to the steady growth of the population.	0
2007	Amendment 1	No. 1 of June 27, 2007	To extend the power of each chamber by allowing them to summon and require not only ministers, but also the superintendents and directors of administrative departments to attend the meetings. Also, to allow establishing the motion of censure also against superintendents and directors of administrative department, when do not attend the summons, without an excuse accepted by the respective chamber.	Paragraph 8 of article 135 of the PC was modified, which stated that the chambers would have the power to summon and require ministers to attend sessions. The possibility to establish a motion of censure against the minister, when it did not attend, without reasonable excuse.	Power Distribution	The motion of censure is the possibility of removing ministers, directors of administrative departments and Superintendents from office for dereliction of duties. First, it is pertinent to note that the motion of censure is an effective way of exercising the political control and accountability of the legislature, and corresponds to a system of checks and balances which leads to a regulation of executive power. After exposing the above, is relevant to say that by extending the censure of motion to the Superintendents and directors of administrative departments (DAD), political control was strengthened, as the directors of administrative departments perform their duties under the President's supervision.	0
2007	Amendment 2	No. 1 of June 27, 2007	To extend the censure of motion regarding superintendents, ministers and directors of administrative departments, by inattention of Congress's requirements and citations. Also, to establish that the poll will be done with the respective officer's public hearing, and to	Paragraph 9 of article 135 of the PC was modified, which only stated the motion of censure concerning ministers and for issues related to duties of the office. Approval required the absolute majority of the members of the two chambers. It did not establish	Power Distribution	The amendment prevented the ministers, superintendents and directors of administrative departments, from evading the political control exercised by Congress. It allowed the participation of the official exercising its right to defence, at the public hearing in which the	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
			modify the approval, requiring the affirmative vote of half plus one of the members proposed by the chamber. Finally, to determine that the resignation of the official in respect of which the motion of censure has been promoted does not prevent it from being approved, and to inhibit a chamber when the other has ruled on the motion of censure.	anything about it, and it was not limited to a chamber when the other had spoken. In general, the article establishes the powers of each chamber.		censure of motion is decided. Also, it made the mechanism for exercising the censure of motion more flexible and gave it a more viability, as the previous regulation was very demanding and made its implementation almost impossible. Finally, it strengthened political control, and it eased the procedure, in order to make it operative.	
2007	Amendment 3	No. 1 of June 27, 2007	To grant departmental assemblies the power to exercise political control over the departmental administration, and to modify the deputies' term, it went from 3 to 4 years.	Article 299 of the PC was modified, which established the departmental assembly's administrative autonomy and own budget and regulated the departmental assembly's composition, the disqualifications and incompatibilities of deputies, among other things. It did not have the faculty to exercise such political control, and the deputies' term was of 3 years.	Power Distribution	The amendment implemented a checks and balances' mechanism to control the function of the departmental administration. By increasing the deputies' term by one year, that position was given stability and sufficient time to undertake its political program.	0
2007	Amendment 4	No. 1 of June 27, 2007	To grant the following powers to the Departmental Assembly: summon and require the Secretaries of the Governor' Office to attend the assembly's sessions. Also, to allow proposing a censure motion if they do not attend without an excuse accepted by the Assembly, and to propose a censure motion regarding the Secretaries of the Governor's office for matters related to functions of office, or by overlooking the assembly' requirements and citations.	Numerals 13 and 14 are added to Article 300 of the PC, which established the functions to be fulfilled by the departmental assemblies through ordinances.	Power Distribution	Allowed the exercise of the functions of the Secretary of the Governor's office, to be controlled by the Departmental Assembly. Checks and balances. It also increased decentralisation.	0
2007	Amendment 5	No. 1 of June 27, 2007	To extend the term of the city council from 3 to 4 years.	Article 313 of the PC is modified, which considered a 3-year period for city councils and also the councillors' disqualifications and incompatibilities.	Policy Making	By increasing 1 year increased the councillors' term, that position was given stability and sufficient time to undertake its political program.	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
2007	Amendment 6	No. 1 of June 27, 2007	To grant the following powers to the councils: summon and require the mayor’s office secretaries to attend the meetings. Also, to allow them to propose a motion of censure if they do not attend without an excuse accepted by the district or municipal council and to propose censure of motion regarding the mayor’s office secretaries for issues related to functions of office, or inattention to the requirements and citations of the district or municipal council.	Paragraphs 11 and 12 were added to article 313 of the PC, which stated the councils’ powers.	Power Distribution	It allowed the exercise of the functions of the mayor’s office clerks were controlled by the departmental assembly. Checks and balances.	0
2007	Amendment 7	No. 4 of July 11, 2007	To allow the national government to define a strategy for monitoring, tracking and integral controlling the spending implemented by local authorities with resources from the General System of Participation, to ensure fulfilment of the goals of coverage and quality. It is determined that this strategy should strengthen public participation forums in social control and accountability processes. Also, to allow the national government to regulate and define the events in which the proper provision of services by territorial entities and the preventive and corrective measures are at risk.	Two paragraphs are added to article 356 of the PC, which regulated matters relating to the services in charge of the nation and the territorial entities. Priority investment areas for the general government financing were also established.	Policy Making	This amendment allowed the government to control the execution of spending by territorial entities, in order to ensure fulfilment of the goals of coverage and quality. Such control is necessary to achieve the goals set by the government. By establishing the government’s obligation to involve citizens in the control and accountability mechanisms, it creates a mechanism that strengthens participatory democracy. This removed autonomy to territorial entities, because the power given to the government was very extensive, and based on that, it could create preventive and corrective measures that transfer powers from territorial entities to national power.	0
2007	Amendment 8	No. 4 of July 11, 2007	To establish that the General System of Participation of departments, municipalities and districts will be increased annually by a percentage equal to the average of the percentage variation that the Nation’s current income has had the in the past 4 years. Also, to determine that municipalities classified in categories 4 th , 5 th , & 6 th , may spend freely, for	Article 357 of the PC is modified, that only regulated the municipalities’ participation in the national’s current income.	Policy Making	The amendment allowed that the General System of Participation of departments, municipalities and districts did not lose purchasing power over time. It granted more autonomy to municipalities to manage the affairs under their care and to exercise their public policies.	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
			investment and other expenses of the municipal administration, up to 42% of the funds received in respect of the General System of Participation.				
2009	Amendment 1	No. 1 of July 14, 2009	To establish ethical principles for the functioning of political parties and political movements such as transparency, objectivity, morality, gender equity and the duty to disclose their political programs. Also, to prohibit citizens to participate in two popular consultations of movements or political parties and to establish the obligation for managers of political parties and movements, to promote internal democratisation process and the strengthening the caucus regime. To set that political parties and movements should answer by any violation of the rules governing its organisation, operation and financing, endorse candidates elected in popular election positions or public corporations, which were convicted in exercise of charge. Finally, to endorse candidates not elected to offices or public corporations, if they were convicted of any crime, and to establish the requirement for the member of a public corporation that wishes to apply for the next election by a different party, to waive the seat at least 12 months before the first day of registration.	Several paragraphs are added to article 307 of the PC, which only stated: the guarantee to all nationals to establish, organize and develop political parties and movements as well as the guarantee for all the social organisations of their right to manifest and to participate in political events.	Power Distribution	Before considering the effects on democracy, it is important to note that this amendment arose from the need to end the illegitimacy and corruption that had taken over Congress, by the infiltration of illegal armed actors. Therefore, the objectives of the amendment were mainly to prevent the financing, infiltration and involvement of actors outside the law in national politics, and to make political parties accountable for their actions. It laid down the guiding principles for the democratic organisation of the parties, which respond to the need of partisan ethics, evidenced through the diffusion of their actions and political programs. Also, it allowed the consolidation of political-citizen participation coherent with strong ideologies, and strengthened parties internally by disciplining them through the caucus regime, which allows forming a party with clear and solid policies and ideology. Finally, it strengthened democracy by establishing the parties' political responsibility for their actions 5) It prohibited double militancy.	0
2009	Amendment 2	No. 1 of July 14, 2009	To establish an electoral threshold of 3% as a requirement for access the seats distribution of political parties, political movements and citizens' significant groups in elections for the House of Representatives and the Senate. Also, to set as grounds for loss of the legal status of	Article 108 of the PC was changed, which had been previously modified by Legislative Act No. 1 of July 3, 2003. The article provided the requirement of a 2% electoral threshold for access to the seats distribution. There was no loss of legal status for such reason, nor was it	Electoral System	By increasing the electoral threshold by 1%, the political party system was strengthened (avoiding further personalism), without infringing the rights of minorities to participate in politics. It was a breakthrough for political parties to fulfil their purpose in democracy. In	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
			parties and political movements and the failure to hold (for every 2 years) conventions that enable its members to influence decision making in major political organisation. Finally, to determine that the National Electoral Council shall revoke any registration of a prosecuted candidate in an event of disability.	given to the National Electoral Council the power to revoke the disabled candidate.		other words, it contributed to political parties effectively operate as "institutions in charge of grouping the political preferences of society to build the general interest" (Prieto Botero, 2010: 23). It Strengthened control system over the elected candidates.	
2009	Amendment 3	No. 1 of July 14, 2009	To remove the votes replenishment system by which state funding for political parties and movements' campaigns are made, and set the partial financing of those with state resources. To establish the possibility of limiting the amount of expenses that can be used in election campaigns and establish maximum levels in accordance with the law. To prohibit parties, political movements and citizens' significant groups to receive funding for electoral campaigns from foreign natural or juridical person, and also state that no private funding may be for undemocratic purposes or to violate public order.	Article 109 of the PC was modified, which had previously been modified by Legislative Act No. 1 of July 3, 2003. The article provided the vote's replenishment system, for state financing of election campaigns. This possibility was not established neither was the prohibition.	Power Distribution	By establishing the partial financing of electoral campaigns with state resources, by setting a maximum amount for such funding, and by prohibiting private financing to political parties, the following strengthened: competition between various parties on equal terms. (i) Transparency in the financing of candidates and political parties. (ii) Greater relevance of the party in the electoral process.	0
2009	Amendment 4	No. 1 of July 14, 2009	To extend the loss of political rights to elected officials who have been sentenced for crimes related to membership, promotion or financing of illegal armed groups, crimes against humanity or drug trafficking in Colombia or abroad.	Article 122 of the PC is changed, which had previously been modified by Legislative Act No. 1 of June 3, 2004. The article established the loss political rights for those who have been convicted at any time by the commission of crimes involving State's patrimony, and those who allowed the state to be sentenced for compensatory damages, under its wilful or severely negligent misconduct, determined by court decision. This currently operates. This amendment extended the loss of political rights to the politicians who have belonged, promoted or financed illegal armed groups, who have	Power Distribution	This amendment strengthened the prevention and punishment of crime in politics. It is pertinent to note that this amendment was crucial to democracy, as it was introduced to remedy the lamentable "para-politics" phenomenon, which acquired this qualifier due to a large number of congressmen involved in criminal investigations for alleged ties with illegal groups.	0

Table A.2 (b) - Constitutional reforms and amendments in Colombia, 1991-2009 - ‘divergence period’

Year	Type of constitutional change	Date it was sanctioned	Purpose of the reform	Summary	Typology (3 criteria)	Effects on democracy	Pro-democratic (0)/ Non-democratic (1)
				committed crimes against humanity or drug trafficking in Colombia or abroad.			
2009	Amendment 5	No. 1 of July 14, 2009	To eliminate the possibility of substitution for temporary absence, of members of the public corporations of popular election and allow it only in cases of absolute absence. To prevent that a member of a public corporation of popular election is replaced from the moment a warrant is issued, within a criminal process for offenses related with links to illegal armed groups and drug trafficking activities or crimes against humanity. The condemnatory sentence has the effect of permanent loss of the seat to the party to which the public corporation member belongs to.	Article 134 of the PC was modified, which stipulated that only the absolute or temporary absences of public corporations’ members would be filled by the candidates who, in the order of registration, successively and downward, correspond to the same list.	Power Distribution	This amendment strengthened democracy because it established the parties’ political responsibility regarding their members’ activities (the empty chair was implemented). Anti-corruption mechanism.	0
2009	Amendment 6	No. 1 of July 14, 2009	To introduce the exercise of lobby and its regulation by law.	Article 144 of the PC was modified, which stated only that: the sessions of the chambers and their standing committees would be public, with the limitations arranged by its regulation (currently operating as well).	Electoral System	N/A	1
2009	Amendment 7	No. 1 of July 14, 2009	To grant two new powers to the National Electoral Council: review of its own motion or upon request, the ballots and electoral documents relating to any stage of the election administrative process in order to guarantee transparency in the electoral results.	By which 2 new paragraphs are added (with the content discussed above) to article 265 of the PC, which establishes the powers of the National Electoral Council.	Electoral System	This amendment ensured transparency in electoral matters.	0

Table A.2 (c) - Constitutional reforms and amendments in Venezuela, 1983-1989 - ‘transitional period’

Year	Type of constitutional change	Date and publication No. in the official gazette	Purpose of the reform	Summary	Modification of constitutional precepts	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1983	Amendment 1	March 16, 1983 / Official Gazette No. 3.224 extraordinary of 7/24/1983.	To allow the implementation of a special electoral system for the election of members of the city councils and legislative assemblies, different from the electoral system disposed for the election of senators and deputies.	Article No. 113 of the Constitution was modified, in which the principle of minorities’ proportional representation was devoted to the electoral system.	N/A	Electoral System	This amendment had concrete political will to introduce the single vote of the members of the city councils and the state’s legislative assemblies, differing from the electoral system of proportional representation that existed for the national representative figures (Senate and chamber of deputies).	0
1983	Amendment 2	March 16, 1983 / Official Gazette No. 3.224 extraordinary of 7/24/1983	To introduce the participation of Congress in designing the Economic and Social Development Plan of the Nation (ESDP).	It modified articles 227, 228 and 231 of the Political Constitution (PC). Article 227 stipulated that no expenditure would be made from the National Treasury that had not been foreseen by the annual budget law; article 228 devoted that expenses which exceed the amount of the estimates of the respective budget law would not be authorized; article 231 specified that public credit operations require a special law which granted the authorisation and validity. In none of the articles, Congress participation was available.	N/A	Policy Making	This amendment introduced the requirement to the Executive, to submit to Congress the ESDP for approval. Thus, it tried to correct the lack of dialogue and coordination between the Executive and the Legislative, urging Congress to link its activity according to the ESDP, and the Executive to submit to the guidelines of the budget plan approved by Congress.	0
1989	Amendment 1	Official Gazette No. 4.086 extraordinary of 4/14/1989	To introduce the political autonomy of the counties, by allowing direct election of governors, based on article 22 of the PC, which gave Congress the power to establish the system of election and removal of governors.	Law on election and removal of state’s governors, which deprived the President of the Republic the power to elect them.	Numeral 17 of article 190 was amended, which provided the following authority to the President: "Appoint and remove the governors of the federal district and the federal territories".	Electoral System	This amendment allowed the election of governors by direct secret popular vote (Art. 2). At the same time, it allowed the nomination of the governor by the national political parties, regional parties, groups of voters and 10 citizens registered in the electoral registry. That is, as the President completely lost the power to appoint governors, citizens were empowered and won the opportunity	0

Table A.2 (c) - Constitutional reforms and amendments in Venezuela, 1983-1989 - 'transitional period'

Year	Type of constitutional change	Date and publication No. in the official gazette	Purpose of the reform	Summary	Modification of constitutional precepts	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
							to participate in this process through the faculty of nominating their state's governors.	
1989	Amendment 2	Official Gazette No. 4.153 extraordinary of 12/28/1989	To introduce the principles for administrative decentralisation of the federation based on article 137 of the PC, according to which Congress could transfer to the states and municipalities matters of national power, in order to promote administrative decentralisation.	Organic law on decentralisation, delimitation and transfer of powers of government; whereby a set of national powers exclusively to the states, and another set of concurrent powers assumed by the national bodies are transferred.	N/A	Policy Making	This amendment, by conveying a wide range of powers exclusively to the states, granted them a genuine autonomy to make decisions about public policy and execute them, as it was given complete freedom to: plan, coordinate and promote their own integral development, manage their property and invest the budget and other income, and use of public credit. All this, without more limitations than those imposed by the PC and the law.	0

Table A.2. (d) Constitutional reforms and amendments in Venezuela, 1999-2009 - ‘divergence period’

Year	Type of constitutional change	Date and publication No. in the official gazette	Purpose of the reform	Summary	Modification of constitutional precepts	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
1999	Creation of the National Constituent Assembly	Public Power Transition Decree / Official Gazette No. 36859 of 12/29/1999	To create the transitional regime of public power in order to dissolve the legitimate bodies of government and in its place establish another new bodies lacking legitimacy.	The National Constituent Assembly (NCA) decreed the transitional regime of public power by which it decided the dissolution of Congress and the cessation of functions of the senators and deputies who had been elected a year earlier, leaving the country without a legislature until new elections were made. It also definitively dissolved the Legislative Assembly of the States and the municipalities, declaring the cessation of functions of deputies and councillors that formed it. Instead, the ANC appointed unilaterally the members of the new state legislative committees for this transition period. The Supreme Court with all its rooms and dependencies was eliminated, and instead the Supreme Tribunal of Justice was created with the following rooms: constitutional, social and electoral, expected in the new PC. In the absence of a Legislative Assembly, the ANC appointed unilaterally all members of the oversight bodies: Comptroller General's Office, Ombudsman, and Prosecutor General.	N/A	Power Distribution	With the appointment of the ANC, two parallel constitutional regimes coexisted in Venezuela: one contained in the 1990 PC, approved by the people; and another subsequently dictated by the ANC, not approved by the people, with an indefinite period until the legislation that had arranged the 1999 PC was approved, which in 2009 had not yet occurred. With this, the democratic principle that preaches that municipal authorities should be popularly elected was violated, as well as the guarantee of municipal autonomy. Additionally, the ANC appointed the magistrates of the Supreme Tribunal, without being subject to the requirements provided in the new PC for the election of such charges.	1
1999	Reform 1	Referendum performed on	This constitutional reform substantially amended the Venezuela's PC repealing the	Decentralisation is set as a public policy that contributes to deepening democracy (Art. 158).	N/A	Power Distribution	Establishing decentralisation as a necessary public policy to deepen democracy is a major advance in	1

Table A.2. (d) Constitutional reforms and amendments in Venezuela, 1999-2009 - ‘divergence period’

Year	Type of constitutional change	Date and publication No. in the official gazette	Purpose of the reform	Summary	Modification of constitutional precepts	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
		December 15, 1999	1961 PC and creating the new 1999 PC. This database will only be considered changes compared with the three typologies in which this research focuses on: A) Power Distribution, B) Electoral System and C) Policy making.	The states and municipalities’ autonomy is enshrined (Art. 159 and 168). Along with the three classic branches of public power, two institutions are created: citizen power consisting of the Ombudsman, the Public Ministry (Prosecutor General’s Office), the Comptroller General’s Office of the Republic (Art. 273) and the Electoral Power (Art. 292). Also, immediate re-election of the President was established, only once and for an extended period of 6 years (Art. 230). The President acquires the power to dissolve Congress and create a unicameral National Assembly (Art. 236). The 1999 PC formally establishes a framework that distributes power and participation mechanisms to citizenship, strengthening participatory democracy by encouraging states and municipalities to participate in public affairs, as well as to monitor and control public administration. Article 70 establishes the following mechanisms of participation: election of public officials, referendum, popular suffrages, mandate revocation, legislative initiatives, constitutional and constituent, open councils and			relation to the 1961 PC. However, decentralisation in practice does not work because the distribution of fiscal resources is defined at the central level, which prevents states and municipalities to acquire real autonomy and fiscal sovereignty. Therefore, we can affirm that the decentralisation project fails because autonomy and decentralisation are only achieved if there are sufficient resources to adopt public policy decisions at the micro level. Regarding the presidential system, a concentration of power in the Executive becomes clear with the extension of the President’s term to 6 years and his re-election. The principle of separation of powers and the system of checks and balances is affected by eliminating the bicameral system, since it affects democracy adversely. Strengthening the principle of participatory democracy, which extends the range of democratic participation rights by distributing power to citizens to mend relations between the state and society, has not been fulfilled in practice because participation mechanisms, such as the revocation of mandates, involve highly complex requirements to	

Table A.2. (d) Constitutional reforms and amendments in Venezuela, 1999-2009 - ‘divergence period’

Year	Type of constitutional change	Date and publication No. in the official gazette	Purpose of the reform	Summary	Modification of constitutional precepts	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
				citizens’ assembly. Article 67 gives political parties and citizens the right to participate in elections through nomination of candidates, supervision, monitoring and control of the electoral process. Innovatively, it enshrines the right to revolt, allowing the citizen to "disown any regime, legislation or authority that violates the principles, values and democratic guarantees or violates human rights" (Art. 350).			meet, which makes its implementation impossible.	
1999	Reform 2	Referendum performed on December 15, 1999	This constitutional reform substantially amended the Venezuela’s PC repealing the 1961 PC and creating the new 1999 PC. This database will only be considered changes compared with the three typologies in which this research focuses on power distribution, electoral System and policy making.	The state has political pluralism as its highest principle (Art. 2), the essential purpose of it is the democratic exercise of the popular will (Art. 3); the exercise of sovereignty resides in the people (Art. 5) and the government is self-conceived "forever as democratic, participatory, elective, decentralised, alternative, responsible and pluralist" (Art. 6). According to article 63, voting is a right exercised through free, universal direct and secret polls. Also, it provides that the electoral law must guarantee the principle of personalisation of suffrage and proportional representation. Article 228 established a simple majority to elect the President. The public financing of political	N/A	Electoral System	The 1999 PC included the principles of personalisation of suffrage and proportional representation with the aim of consolidating a more plural and participatory electoral system. However, the electoral statute that regulated them did not manage to materialize them for the following reasons: It included a majority vote, which opposes the proportional system of representation. Also, it arranged closed and blocked lists, which prevents a true personalisation. Importantly, the 1961 PC established the principle of proportional representation of minorities through D’Hont’s formula for converting votes into seats. The new constitution changed the electoral formula to	1

Table A.2. (d) Constitutional reforms and amendments in Venezuela, 1999-2009 - ‘divergence period’

Year	Type of constitutional change	Date and publication No. in the official gazette	Purpose of the reform	Summary	Modification of constitutional precepts	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
				parties, organisations and associations with political purposes is prohibited (Art. 67). The National Electoral Council (NEC) which directs electoral power (Art. 292) is created, and its main function is to organize, manage and administer the electoral process and calls for mandates (Art. 293).			one with more majoritarian characteristics.	
1999	Reform 3	Referendum performed on December 15, 1999	This constitutional reform substantially amended the Venezuela’s PC repealing the 1961 PC and creating the new 1999 PC. This database will only be considered changes compared with the three typologies in which this research focuses on: A) Power Distribution, B) Electoral System and C) Policy making.	It gives the Central Bank autonomy to formulate and implement budgetary policies within its power (Art. 318) and it demands accountability to the National Assembly (Art. 319). The Federal Council of Government is created, and it is responsible for planning and coordinating the process of decentralisation and transfer of responsibilities of national power to the states and municipalities (Art. 185). A comptrollership in every government agency is also established, who is responsible for controlling, monitoring and supervising revenues, expenditures and state property (Art. 163). Taxing power is established in the three levels of public power exercise (national, state and municipal – Art. 156, 162, 180), but national power may limit revenue to be allocated and distributed to states or	N/A	Policy Making	Although the 1999 PC formally introduced the principles of decentralisation and citizen participation, to strengthen democracy, it is seen that in real terms the tax decentralisation is restricted. This happens because the national power and the Executive hold the tax power and the faculty to set the participable income without limitation. Articles in the 1999 PC, regarding public policy, do not really give the tax authority to the states and municipalities. In that sense, it is possible to affirm that the PC fails in its attempt to consolidate the states and municipalities as autonomous territorial entities. This is because autonomy and decentralisation are only possible if there are enough resources to take policy decisions. In relation to the power given to the President to negotiate national loans without the approval of the	1

Table A.2. (d) Constitutional reforms and amendments in Venezuela, 1999-2009 - ‘divergence period’

Year	Type of constitutional change	Date and publication No. in the official gazette	Purpose of the reform	Summary	Modification of constitutional precepts	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
				municipalities (Art. 156), which implies that the national power reserves the tax power, separating itself from collection, control and administration. The Executive acquires the authority to determine the percentage of income co-participable in the National Budget Law, without setting limits as to the maximum or minimum participable percentages. The National Assembly acquires the power to set policy guidelines on public debt (paragraph 6, Art. 187). It is recognized as a faculty of the President the ability to "negotiate national loans" (paragraph 12, Art. 236), without the contracted operation being subject to legislative approval.			National Assembly, we can say that this contradicts the following constitutional precepts: article 150 states that any national celebration of contracts of public interest must be approved by the National Assembly, and paragraph 3 of article 187 determines that the legislature should control the government and the public administration.	
2006	Amendment	Official Gazette No. 5.806 extraordinary of 4/10/2006	To replace the municipality as the primary political unit in the national organisation, for the community, linked to a system of entities without any political autonomy called the Popular Power (Community Councils - CC), directly linked and dependent on a centralized power structure, directed from the executive branch by the President through a Presidential Commission of Popular Power.	This law created the CC, integrating them into a centralized state structure, with the peak in a National Presidential Commission of Popular Power appointed and chaired by the President, which designates in each state the Regional Presidential Commissions of Popular Power, and the local commissions, without any governors and mayors' participation. At the same time, this law, calling for a "greater popular participation", ended	The following articles were modified: article 168, which established the municipality as the primary political unit within the national public organisation; And article 136, according to which the municipality is assumed as the lower territorial level within the vertical distribution system of	Power Distribution	This law ended the representative democracy at the local level, as the CC members are not elected by suffrage, but appointed by citizen assemblies controlled by the executive power itself. Also, it finished with territorial autonomy, which is the essence of decentralisation and local self-government, emptying their state powers through direct budgetary transfer to the CC.	1

Table A.2. (d) Constitutional reforms and amendments in Venezuela, 1999-2009 - ‘divergence period’

Year	Type of constitutional change	Date and publication No. in the official gazette	Purpose of the reform	Summary	Modification of constitutional precepts	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
				with the popular representation, derived from suffrage in political entities such as municipal, by organizing CC that have no representative electoral origin.	government, and as a political entity in charge of enforcing citizen participation.			
2007	Amendment by enabling law: introduced legislation that authorizes the President to issue decrees with rank, value and force of law in delegated matters. ¹	Official Gazette No. 38.617 of 2/1/2007	To allow the President to issue decrees concerning the following subjects: Transformation of state institutions, popular participation, essential values of the exercise of public functions, economic and social, financial and Tax, citizen and legal security, science and technology, spatial planning, security and defence, infrastructure, and transportation and services, for 18 months (1 year and a half).	This law was enacted simultaneously with the presidential announcement to initiate a referendum process to reform the 2007 PC. As the referendum was rejected by the people, the Law of Legislative Delegation was the instrument used to implement many of the rejected reforms.	N/A	Power Distribution	This law is completely undemocratic and unconstitutional for the following reasons: the power to legislate on matters of national power, moved from the legislature (National Assembly) to the executive branch, even though it already completely controlled the first one without encountering any opposition in the National Assembly. Also, by giving the power to the President to legislate on matters that affect the other branches of government, both in its horizontal division (legislative, executive, judicial, citizens and electoral) and in its territorial distribution (states and municipalities), it was removed by full every sense of the separation of powers. Finally, it completely attacked the principle by which, within a state, laws must emanate from the people's behalf under a formation procedure specified in the Constitution surrounded by transparency and popular consultation.	1

Table A.2. (d) Constitutional reforms and amendments in Venezuela, 1999-2009 - ‘divergence period’

Year	Type of constitutional change	Date and publication No. in the official gazette	Purpose of the reform	Summary	Modification of constitutional precepts	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
2007	Amendment 2	Official Gazette No. 5.841 extraordinary of 6/22/2007	To structure a centralized socialist state particularly in the economic and social area. To centralize national planning establishing itself as a system under which the adopted plans are mandatory on all organisations and agencies of the government. With the above, the aim is to eliminate organisational and administrative autonomy and administrative-financial planning.	This law created the Central Planning Commission as a permanent figure of public administration. It also empowered the commission to develop, coordinate, monitor and evaluate the guidelines, policies and plans, considering the provisions of the ESDP. These policies and plans include the political, social, economic, political-territorial, security and defence, scientific-technological, cultural, educational and international fields. In that sense, states and municipalities, as well as the actors of private sector, must follow all those plans. The commission is responsible for monitoring and coordinating public administration which results on all decentralized attached entities losing complete autonomy. Finally, all the policies and plans should be subject to President’s approval.	The following was modified: article 4, which stated that Venezuela was a decentralized federal state; article 16, which declared that the territorial political division should guarantee municipal autonomy and political-administrative decentralisation; article 300, which gave the legislator the power to establish the conditions for the creation of functionally decentralized entities to perform social or business activities; and article 185, which provided that the Federal Council of Government must plan and coordinate policies for decentralisation and transfer of National Power’s responsibilities to States and Municipalities.	Policy Making	This law was the first formal state act that began the construction of a socialist State. It is unconstitutional and undemocratic for the following reasons: it created a centralized and obligatory planning mounted on the power concentration of the head of state, and it was based on an unconstitutional enabling law. Also, it was issued without guarantying the citizen’s right to participation through public consultation, required by the bill, which was mandatory under article 70 of the PC. It was issued without consultation with the state authority entities, since it was legislating on a matter that directly affected that obligation emanated from article 206 of the PC. Finally, it attacked the Constitution by avoiding the mandate to implement public policy in a decentralized manner and it ended with some of the achievements of the transition period, backing on decentralisation and political autonomy.	1

Table A.2. (d) Constitutional reforms and amendments in Venezuela, 1999-2009 - ‘divergence period’

Year	Type of constitutional change	Date and publication No. in the official gazette	Purpose of the reform	Summary	Modification of constitutional precepts	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
2008	Amendment 1	Decree Law No. 6.217 of July 15, 2008.	To fully centralize public administration in the 3 levels of vertical distribution of public power, eliminating the decentralisation principle.	This law centralized public administration into only one, nationalizing the regime itself, by having its rules apply to the public administration that includes all 3 levels of public power distribution (National, states and municipalities), without mayors and governors having any autonomy in their public administrations. Likewise, it submitted the 3 levels of power to whatever the National Executive defines, through the Central Planning Commission and it attributed to the President of the Republic, the power to appoint regional authorities who would have the function of planning, implementation and territory development, approved under central planning.	N/A	Policy Making	This modification dismantled completely the decentralisation principle, making the Venezuelan "Federal" state one fully centralized, directed from the apex of national power, by the President of the Republic.	1
2008	Amendment 2	Sentence of the Constitutional Chamber of the Supreme Tribunal No. 565 of April 15, 2008	To change the system of territorial distribution of powers between national power and the states of the federation, by taking the sole responsibility from the states on "The conservation, management and exploitation of national expressways and highways, as well as ports and airports of commercial use, in coordination with the national power".	The Constitutional Chamber of the Supreme Tribunal as ultimate interpreter of the Constitution, decided on a request for interpretation of article 164, 10 of the PC, brought by the Attorney General's Office. In this regard, the Supreme Tribunal changed the content of this constitutional norm, providing a binding interpretation, that it was not a matter exclusive to the States of the federation, but a concurrent responsibility with national	It modified the article 164, 10 of the PC, which provided the exclusive jurisdiction of the federation's states on "Conservation, management and exploitation of national expressways and highways, as well as ports and airports in commercial use, in	Policy Making	This adjustment done by the Supreme Tribunal of Justice, usurped the popular will and the constituent power that belongs to the people, by illegally changing the Constitution in territorial distribution of powers, trying to achieve what failed in the popular consultation of 2007. Consequently, Brewer-Carias (2008) argues that "again, with this ruling, the Constitutional Chamber of Venezuela highlights the danger to the Rule of Law and	1

Table A.2. (d) Constitutional reforms and amendments in Venezuela, 1999-2009 - ‘divergence period’

Year	Type of constitutional change	Date and publication No. in the official gazette	Purpose of the reform	Summary	Modification of constitutional precepts	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
				power. In addition, it decided that even the national power could reverse all decentralised powers eliminating.	coordination with the national power"		the legitimacy of constitutional justice that the figure responsible of exercising it, is under the power, instrument of authoritarianism. In cases like this, citizens are helpless, as their Constitution is modified without their participation, and without the procedure prescribed in the PC, and they do not have ways to demand control of unlawful acts contrary to it".	
2009	Amendment 1	Official Gazette No. 39.140 of March 17, 2009	To remove several exclusive powers of the states of the federation and expand the jurisdiction and faculties of the Executive in relation to the system of territorial division of powers.	This law eliminated the exclusive power of the states. And added two new norms authorising the National Executive, to reverse the transfer of powers to the states and to decree the intervention of public goods and services transferred to the states in this matter.	It modified Article 164 of the PC, which gave 11 exclusive powers to the states.	Power distribution	This law, by taking away the exclusive powers to the states, snatched the autonomy to make decisions and execute public policy. One can say that it was a setback in the conquest achieved with the 1989 amendment, which modified the Constitution through the Organic Law on Decentralisation, Delimitation and Transfer of responsibilities of Public Power, to decentralize the federation by providing a wide range of responsibilities to the states.	1
2009	Amendment 2	February 15, 2009 by approving referendum	To allow continuous and indefinite re-election of the President of the Republic, state governors, municipal mayors, members of the legislative councils of the states and members of the National Assembly.	Articles 160, 162, 174, 192 and 230 of the PC were modified which respectively stated that governors, members of the legislative councils, mayors, members of the National Assembly and the President of the Republic could be re-elected	N/A	Power Distribution	The principle of alternation of power in relation to all the popular election positions established in article 6 of the PC, fundamental in any democratic state, was eliminated. It is pertinent to emphasize that the referendum that approved the amendment	1

Table A.2. (d) Constitutional reforms and amendments in Venezuela, 1999-2009 - ‘divergence period’

Year	Type of constitutional change	Date and publication No. in the official gazette	Purpose of the reform	Summary	Modification of constitutional precepts	Typology (3 criteria)	Effects on democracy	Pro-democratic (0), non-democratic (1)
				immediately and only once, for a new period.			project violated the constitutional ban on a referendum on amendments to the Constitution already rejected by the people in the same constitutional period, indicated in article 345 of the Constitution.	
2009	Amendment 3	Official Gazette No. 39.156 of April 13, 2009	To remove the Capital District (where national powers are based) as a political territorial entity within the federal form of government, to establish the missing figure of the Federal District as totally dependent on the national power without self-government.	This law created the Federal District, as a dependency of the national power with territory scope and it established that the Federal District has no government authority, but is governed by the national power. Also, it stated that the legislative function of the Federal District oversees the National Assembly and that the executive branch is exercised by a head of government, who is appointed and removed by the President.	N/A	Power Distribution	This law demonstrates the centralist orientation given throughout the period of divergence. Capital District’s autonomy was eliminated. Importantly, in the 1999 Constitution, the Capital District existed. In that sense, the political regime of the capital city (Caracas) was a decentralized and democratic local government system, which should guarantee municipal autonomy and political participation of the many entities constituting the city. Under the above, there was a metropolitan government on 2 levels, to ensure global city government and local government. So in 1999, the figure of the Federal District was eliminated, as it was considered a vestige of the traditional past of the world federations.	1

Appendix 3

Methodological approach to operationalize political culture in Colombia and Venezuela from 1957 until 2010

This appendix aims to explain the way by which this project managed to operationalize the variable *PC* as a continuous one to estimate democratic divergence in the multivariate regression models. To do so, this appendix departs from the results obtained in the last column from the tables A.2 (a, b, c and d). That is, having assessed if the amendment or constitutional reform was pro-democratic or non-democratic, and with the objective of preventing subjectivity bias in the construction of the scores, I asked two external examiners to weight the effect of each amendment over democracy in the country. For a detail explanation on how the examiners weighted the amendments and reforms into scores, please referred to section 7.3.1. Thus, the tables depicted below (A.3(a); A.3(b); A.3(c); and A.3(d)) show the results of the operationalisation of variable *PC*.

This appendix will be organised according to the following structure. The first section will enumerate and explain the different categories that make up the columns of the tables that summarised the construction of the database. And finally, the second section will depict the four tables that summarise the values taken by the variable *PC* in Colombia and Venezuela during the ‘transitional period’ and the ‘divergence period’, and used to regress the models.

1. Categories used for the construction of the database

As mentioned above, the first three categories of this appendix correspond to the categories named as ‘year’, ‘type of constitutional change’, and ‘Pro-democratic (0), non-democratic (1)’ in appendix 2. The first two categories were used to identify both the timeframe and the type of each amendment and constitutional reform conducted over the period of analysis. The third category, is the one that the consulted examiners started the analysis to weight the extent to which each amendment or constitutional reform can be regarded as high/low pro-democratic or non-democratic.

The other categories to systematise the information are:

Examiner 1: This category contains the score that the first examiner gave to each of the constitutional reform and amendment as explained in section 7.3.1.

Examiner 2: This category contains the score that the second examiner gave to each of the constitutional reform and amendment as explained in section 7.3.1.

Average score: This category contains the average between the scores from examiner 1 and 2. As mentioned in Chapter 7, averaging examiners' scores allow us to prevent subjectivity bias measuring variable *PC*.

1st. Stage: Given that in some years were conducted several amendments or reforms, this category aims to establish only one value by year and country. It is calculated as the average of the scores presented in the column "Average Score" by year and country, as explained in section 7.3.1. Additionally, this category established a value of 0 for those years in which amendments or reforms were not enacted.

2nd. Stage: This category, as explained in Chapter 7, is the result of adding together the values contained in column "1st. Stage" for both the current and the previous years of a specific country. It aims to show the cumulative effect of political culture over time.

Please see tables A.3 in the next page.

2. Tables summarising the operationalisation of *PC* in Colombia and Venezuela over the ‘transitional and divergence periods.’

Table A.3 (a) Operationalising *PC* in Colombia, 1957-1990 - ‘Transitional Period’

Year	Type of constitutional change	Pro-democratic (0), non-democratic (1)	Examiner 1	Examiner 2	Average score	1 st . Stage	2 nd . Stage
1957	Amendment by Plebiscite	0	2	2	2	2	2
1958	NA				0	0	2
1959	Amendment 1	0	1	2	1,5	1.75	3.75
	Amendment 2	0	2	2	2		
1960	Amendment	0	2	2	2	2	5.75
1961	NA					0	5.75
1962	NA					0	5.75
1963	NA					0	5.75
1964	NA					0	5.75
1965	NA					0	5.75
1966	NA					0	5.75
1967	NA					0	5.75
1968	Amendment 1	0	1	2	1,5	1.39	7.14
	Amendment 2	0	1	1	1		
	Amendment 3	0	1	2	1,5		
	Amendment 4	0	1	2	1,5		
	Amendment 5	0	2	2	2		
	Amendment 6	0	2	2	2		
	Amendment 7	0	2	2	2		
	Amendment 8	0	1	2	1,5		
	Amendment 9	0	1	2	1,5		
	Amendment 10	1	-2	-2	-2		
	Amendment 11	0	1	2	1,5		
	Amendment 12	0	2	2	2		
	Amendment 13	0	1	1	1		
	Amendment 14	0	1	1	1		
	Amendment 15	0	2	2	2		
	Amendment 16	0	2	2	2		
	Amendment 17	0	1	1	1		
	Amendment 18	0	1	2	1,5		
	Amendment 19	0	2	2	2		
1969	NA					0	7.14
1970	NA					0	7.14
1971	NA					0	7.14
1972	NA					0	7.14
1973	NA					0	7.14
1974	NA					0	7.14
1975	Amendment	0	2	1	1,5	1.5	8.64
1976	NA					0	8.64
1977	NA					0	8.64
1978	NA					0	8.64
1979	Amendment 1	0	1	1	1	1.54	10.19
	Amendment 2	0	1	2	1,5		
	Amendment 3	0	1	2	1,5		
	Amendment 4	0	1	2	1,5		
	Amendment 5	0	1	1	1		
	Amendment 6	0	2	2	2		
	Amendment 7	0	1	2	1,5		
	Amendment 8	0	1	1	1		
	Amendment 9	0	2	2	2		
	Amendment 10	0	1	2	1,5		
	Amendment 11	0	2	1	1,5		
	Amendment 12	0	2	2	2		
	Amendment 13	0	1	1	1		
	Amendment 14	0	1	2	1,5		

Table A.3 (a) Operationalising PC in Colombia, 1957-1990 - ‘Transitional Period’

Year	Type of constitutional change	Pro-democratic (0), non-democratic (1)	Examiner 1	Examiner 2	Average score	1 st . Stage	2 nd . Stage
	Amendment 15	0	2	2	2		
	Amendment 16	0	1	2	1,5		
	Amendment 17	0	2	2	2		
	Amendment 18	0	2	2	2		
	Amendment 19	0	1	1	1		
	Amendment 20	0	2	2	2		
	Amendment 21	0	1	2	1,5		
	Amendment 22	0	1	2	1,5		
Amendment 23	0	1	2	1,5			
1980	NA					0	10.19
1981	NA					0	10.19
1982	NA					0	10.19
1983	NA					0	10.19
1984	NA					0	10.19
1985	NA					0	10.19
1986	Amendment	0	2	2	2	2	12.19
1987	NA					0	12.19
1988	NA					0	12.19
1989	NA					0	12.19
1990	NA					0	12.19

Table A.3 (b) Operationalising PC in Colombia, 1991-2010 - ‘divergence period’

Year	Type of constitutional change	Pro-democratic (0), non-democratic (1)	Examiner 1	Examiner 2	Average score	1 st . Stage	2 nd . Stage
1991	1991 Constitutional Reform 1	0	2	2	2	1,67	1,67
	1991 Constitutional Reform 2	0	1	2	1,5		
	1991 Constitutional Reform 3	0	1	2	1,5		
1992	NA					0	1,67
1993	Amendment 1	0	1	1	1	1	2,67
	Amendment 2	0	1	1	1		
1994	NA					0	2,67
1995	Amendment	0	1	2	1,5	1,5	4,17
1996	Amendment 1	0	2	2	2	1,75	5,92
	Amendment 2	0	1	2	1,5		
1997	NA					0	5,92
1998	NA					0	5,92
1999	NA					0	5,92
2000	NA					0	5,92
2001	Amendment 1	0	2	1	1,5	1,75	7,67
	Amendment 2	0	2	2	2		
2002	Amendment 1	0	1	1	1	1,5	9,17
	Amendment 2	0	2	2	2		
2003	Amendment 1	0	2	2	2	1,77	10,94
	Amendment 2	0	2	2	2		
	Amendment 3	0	2	2	2		
	Amendment 4	0	2	2	2		
	Amendment 5	0	1	2	1,5		
	Amendment 6	0	2	2	2		
	Amendment 7	0	2	2	2		
	Amendment 8	0	1	2	1,5		
	Amendment 9	0	2	2	2		
	Amendment 10	0	1	1	1		

Table A.3 (b) Operationalising PC in Colombia, 1991-2010 - ‘divergence period’

Year	Type of constitutional change	Pro-democratic (0), non-democratic (1)	Examiner 1	Examiner 2	Average score	1st. Stage	2nd. Stage
2004	Amendment 11	0	1	2	1,5	0	10,94
	Amendment 1	0	1	1	1		
	Amendment 2	1	-2	-2	-2		
	Amendment 3	0	1	1	1		
2005	Amendment	0	1	1	1	1	11,94
2006	NA					0	11,94
2007	Amendment 1	0	1	2	1,5	1,31	13,25
	Amendment 2	0	1	2	1,5		
	Amendment 3	0	1	2	1,5		
	Amendment 4	0	1	2	1,5		
	Amendment 5	0	1	1	1		
	Amendment 6	0	1	2	1,5		
	Amendment 7	0	1	1	1		
2008	NA					0	13,25
2009	Amendment 1	0	2	2	2	1,29	14,54
	Amendment 2	0	2	2	2		
	Amendment 3	0	1	2	1,5		
	Amendment 4	0	2	2	2		
	Amendment 5	0	1	2	1,5		
	Amendment 6	1	-1	-2	-1,5		
	Amendment 7	0	1	2	1,5		
2010	NA					0	14,54

Table A.3 (c) Operationalising PC in Venezuela, 1983-1998 - ‘Transitional Period’

Year	Type of constitutional change	Pro-democratic (0), non-democratic (1)	Examiner 1	Examiner 2	Average score	1st. Stage	2nd. Stage
1983	Amendment 1	0	2	1	1,5	1,5	1,5
	Amendment 2	0	1	2	1,5		
1984	NA					0	1,5
1985	NA					0	1,5
1986	NA					0	1,5
1987	NA					0	1,5
1988	NA					0	1,5
1989	Amendment 1	0	2	2	2	2	3,5
	Amendment 2	0	2	2	2		
1990	NA					0	3,5
1991	NA					0	3,5
1992	NA					0	3,5
1993	NA					0	3,5
1994	NA					0	3,5
1995	NA					0	3,5
1996	NA					0	3,5
1997	NA					0	3,5
1998	NA					0	3,5

Table A.3 (d) Operationalising PC in Venezuela, 1999-2010 - ‘divergence period’

Year	Type of constitutional change	Pro-democratic (0), non-democratic (1)	Examiner 1	Examiner 2	Average score	1 st . Stage	2 nd . Stage
1999	Appointment of the National Constituent Assembly	1	-2	-2	-2	-1,75	-1,75
	Reform 1	1	-2	-2	-2		
	Reform 2	1	-2	-1	-1,5		
	Reform 3	1	-1	-2	-1,5		
2000	NA					0	-1,75
2001	NA					0	-1,75
2002	NA					0	-1,75
2003	NA					0	-1,75
2004	NA					0	-1,75
2005	NA					0	-1,75
2006	Amendment	1	-2	-2	-2	-2	-3,75
2007	Amendment 1	1	-2	-2	-2	1,75	-5,5
	Amendment 2	1	-1	-2	-1,5		
2008	Amendment 1	1	-1	-2	-1,5	-1,5	-7
	Amendment 2	1	-2	-1	-1,5		
2009	Amendment 1	1	-1	-1	-1	-1,67	-8,67
	Amendment 2	1	-2	-2	-2		
	Amendment 3	1	-2	-2	-2		
2010	NA					0	-8,67

Appendix 4

Checking for robustness: estimation of the model with different dependent variables

In chapter 8 this project estimated seven multivariate regression models (i.e., models I to VII in table 8.2) to assess democratic divergence in Colombia and Venezuela with data from Freedom House democracy index as a dependent variable. Since there are many ways to understand and measure democracy this project considers necessary to assess divergence using a different dataset well known in political science to measure democracy: The Polity IV democracy index.

In this sense, this appendix aims to show the robustness of five additional models regressed using data from Polity IV, and compare them with the models that were regressed with data from Freedom House (models I to V). As discussed above, the Polity IV democracy index has a different scale than the Freedom House one. That is, the closer the index is to 10 the better the quality of the democracy is, but if the index is closer to -10 then the democratic performance is deteriorating. For this reason, if the estimation is consistent between the two indexes of democracy, it is expected that they have opposite signs in the regression.

Table A.4 shows that the regression models conducted with Polity IV data are consistent with the Freedom House regressions. To be sure, the testing hypothesis variables regressed in Model I to V for Freedom House are consistent with the estimations using Polity IV data in table A.4.

Please see estimation in the following page.

Table A.4
Checking for robustness: estimation of the model with
Polity IV

Independent variables	Model I	Model II	Model III	Model IV	Model V
NC_{it}	0.348 (1.124)			-0.220 (1.429)	0.673 (5.705)
$NC_{it} * Country_{it}$	-4.370*** (1.224)				-1.419 (4.101)
$HHI_{i(t-1)}$		-1.563 (2.560)		8.052*** (2.726)	6.219** (2.467)
$HHI_{i(t-1)} * NC_{it}$				-10.09** (4.994)	-10.73** (4.825)
$PC_{i(t-1)}$			0.255 (0.163)	-0.183** (0.0810)	-0.249 (0.358)
$PC_{i(t-1)} * NC_{it}$				0.413*** (0.107)	0.336 (0.441)
$GDP\ growth_{it}$	2.975 (5.463)	1.661 (6.073)	0.928 (4.724)	7.396 (5.538)	5.753 (5.938)
$Inflation_{it}$	0.717 (2.458)	2.916 (2.256)	2.048 (2.042)	1.392 (2.605)	1.218 (2.673)
$Oil\ rents_{it}$	0.0583 (0.0457)	0.0465 (0.0545)	0.0461 (0.0460)	-0.00780 (0.0335)	0.0378 (0.0356)
$Enrolment_{it}$	-0.0511 (0.0316)	0.0204 (0.0390)	0.0282 (0.0386)	-0.0421 (0.0295)	-0.0944** (0.0429)
PTS_{it}	-0.432 (0.531)	-1.042** (0.424)	-0.664** (0.295)	0.385 (0.566)	0.138 (0.910)
$Country_{it}$	-1.057 (0.927)	-2.759 (1.758)	0.0383 (1.366)		-2.180 (2.570)
Constant	14.51*** (4.355)	9.306** (3.978)	4.228 (5.533)	8.903** (3.484)	17.04*** (5.284)
N	70	68	68	68	68
R^2	0.545	0.203	0.340	0.572	0.610
adj. R^2	0.486	0.110	0.263	0.497	0.525
AIC	264.5	295.0	282.2	258.8	256.4
F	11.74	2.615	2.632	10.91	8.727

Heteroscedasticity consistent standard errors in parentheses

* p<0.10, ** p<0.05, *** p<0.01

Source: Own calculations.

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