Civil Society and Democracy in Latin America: Some Comparative Observations

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Concern with the nature and characteristics of civil society has increased greatly of late, in line with the growing tendency towards democratisation in many parts of the world — in Latin America, Asia, Taiwan, and Korea — and, above all, with the collapse of the Communist regimes in Eastern Europe. It has been widely assumed that the successful institutionalisation of a constitutional democratic regime is dependent on the existence and development of civil society, or that the existence of certain such nuclei is a prerequisite for the democratisation of authoritarian and totalitarian regimes. Such an assumption, the validity of which, of course, must be critically assessed, demands a more thorough examination of the concept of civil society, or rather, of the reality which this concept purports to describe and its bearing on transitions to democracy and on the possible institutionalisation of constitutional democratic regimes.

The most common definition of civil society found in the literature emphasises the existence of a relatively wide range of social sectors — such as family, segments and groups, voluntary associations and the like — which are independent of the State, or autonomous with respect to the State.[1]

A closer examination of the "original" civil society associated with the development of constitutional regimes — namely the Western, and in particular the Western European one — reveals that some additional dimensions, beyond autonomy *from* the State, are of great importance. The first, implicit already in the initial definition of civil society, refers to the existence of seemingly "private", yet potentially autonomous public arenas, distinct from the State. The second dimension is the existence, within such sectors, of various associations that regulate many of their activities and prevent it from becoming a shapeless mass society. Thirdly, there is the openness of these sectors, i.e. their not being embedded in more or less closed, ascriptive or corporate settings. Fourth is the existence of a multiplicity or plurality of such sectors. The fifth dimension of civil society is that of autonomous access to the central political arena, and a certain degree of commitment to a common setting.

The crux of these conditions is that no social group, category or institution should effectively monopolise the bases of power and resources of the society so as to exclude the possibility of other groups having access to power. Yet this is precisely what has happened in many oligarchic societies — in Latin America, for instance-, which adopted seemingly democratic constitutions, but where access to power was continuously limited to very small oligarchic groups.

Thus, the basic condition necessary for the viability of constitutional democratic regimes is the existence of many social arenas or sectors, which are autonomous from the political arena — from the State-, but whose representatives have access to the major political arenas, with a clear understanding of the basic rules of the political game and a certain degree of commitment to it. However, this in itself is not enough to ensure the conformation and continuous functioning of constitutional democratic institutions; essentially, what is required is the combination of this multiplicity of social sectors and independent centers of power with the existence of institutional and ideological links between these sectors and the State, and the extent of their autonomy. In other words, what is of crucial importance here is the development of a public arena which is related to the State but remains autonomous from it at the same time.

The most important of these links, or interconnecting institutions, are the major constitutional frameworks of political representation, the main juridical institutions and arenas, and the modes of communication, controlling the flow of politically relevant information, or arenas of communication and discourse. To what extent these interrelated public arenas remain outside ascriptive or corporate arrangements and autonomous of the State; to what degree they allow major social sectors access to the political arena; how successful they are at demanding accountability of the rulers; all of these shall determine the conformation and continuous functioning of constitutional democratic institutions.

The effectiveness of these regimes will also be dependent on two further conditions: in the first place, the existence of a common political community with which the different sectors of society can identify to some extent, and, secondly, the acceptance by most of these sectors of the rules of the game to be played in the various interconnecting arenas between the sectors of civil society and the State.

The concrete structure of the different dimensions of civil society, of these interconnecting arenas, and the various ways in which access of different sectors of society to the political arena is effected, vary greatly between different societies, and also within the same society at different periods in its history. They may differ according to a specific constellation of social and economic forces, or the predominant type of division of labor, as well as according to some of the major cultural orientations and premises prevalent in a society; of special importance among these are:

(a) the major symbols of collective identity, especially the relative importance of religious, ideological, and historical components;
(b) the conception of the political arena, of the State and of statehood, and of the relations between State and society;
(c) conceptions of authority and its accountability;
(d) the place of the law, of the legal arena, and symbolism in political discourse and activity;
(e) the conception and practice of citizenship;
(f) closely connected to the above, on an institutional level, different modes of center-periphery relations;
(g) the modes of structuring social hierarchies, and class structure in general; the development of class-consciousness, and its political expression in particular;
(h) the basic characteristics of protest movements and ideologies, and their relations to the political arena.

How these conceptions are perceived by the major élites and implemented in a society underscores one of the major problems attendant upon the development of an autonomous and politically active civil society: namely, the relations between the exponents of the various discreet interests within the different sections of civil society, with their own conceptions of the common good, and the centre, or, in Rousseau's terms, between the will of all and the general will.

The first fully-fledged civil society that developed in Europe during the 17th and 18th centuries was built upon several basic institutional and cultural premises, characteristic of European civilisation. The most important among them were:

(a) multiplicity of centres;
(b) a high degree of permeation of the peripheries by the centres and of infringement on the centres by the peripheries;
(c) a relatively small degree of overlapping between boundaries of class, ethnic, religious, and political entities, and their continuous restructuring;
(d) a comparatively high degree of autonomy of groups and strata, and of their access to the centres of society;
(e) a high degree of overlapping between different status units, combined with a high level of countrywide status ("class") consciousness and political activity;
(f) multiplicity of cultural and "functional" (economic or professional) élites, a high degree of crosscutting between them, and a close relationship between these élite groups and broader, more ascriptive strata;
(g) a high degree of autonomy of the legal system;
(h) highly autonomous cities as centres of social and structural creativity and the formation of collective civic identity.

These same features also had great influence on the development of the initial forms of civil society in modern Europe, especially the continuous interrelation and confrontation between the construction of centres and the processes of institution building, and the continuous competition between different groups or strata and élites over access to the construction of these centers.[2]

In Western and Central Europe, some very important differences emerged in the concrete structure of civil society and the interrelationship between civil society and the State — and the different conceptions of the relations between the general will and the will of all. These variations were influenced by several historical and structural conditions, as well as by the relative emphasis on equality or hierarchy, by the nature of conceptions of the political arenas — whether as a distinct entity as "State," "Staat," "Estado", or as "Crown in Parliament" — and by the relative importance of primordial ideological and civil components in the construction of their respective collective identities. They were further influenced by the extent to which there existed in different societies a common political community, or, conversely, to the extent that the struggle for access to the centre was interwoven with the constitution of collective boundaries and identities, and with struggles around such constitutions.

Even more far-reaching transformations of the structure of civil society were effected in the Americas, especially in the United States and in Latin America. The differences between the two Americas were much more radical than the variations found in European societies and can be explained by the ways in which the symbolic and institutional tensions between equality and hierarchy, between autonomous and controlled access to the centre, were worked out.

In North America, more accurately, in the U.S., a civilisation has developed characterised by very strong emphasis on equality and a weakness of the conception of the State within it, where a collective identity based above all on religious-ideological components, and not on primordial-historical ones, with strong moralistic conceptions of the accountability of rulers, has given rise to a distinctly "Western" format of civil society, with a clear conception of the relations between the general will and the will of all.[3]

A rather different civilisation, with a distinct conception of State and society — and of civil society — has also developed in Latin America, witness to a far-reaching transformation of the hierarchical components prevalent in European societies, including Spain and Portugal.[4]

In contrast to these European societies, where even the Counter-Reformation failed to erase all egalitarian elements from the political arena, Latin America — albeit to various degrees in different places — has experienced an overall totalisation of the hierarchical principle, with at least an initial transposition of the egalitarian orientations above all to other-worldly religious spheres. In many ways, in Latin America, Thomist hierarchical conceptions became fully institutionalised, not only in the curricula of universities — far beyond practices

in Spain or Portugal — but also in the general conception of the social order and in the political realm.[5]

Later, after the wars of independence and the promulgation of constitutions based on formal equality, a special relationship did arise between the hierarchical and the egalitarian principles. But even then, the processes that developed in Latin America were rooted in a different historical experience than in the United States. In the words of Octavio Paz:[6]

> "... The relationship between the Spanish American colonies and metropolitan Spain was completely different. The principles on which our countries were originally founded were those of the Counter-Reformation: absolute monarchy, neo-Thomism and, after the mid-eighteenth century, Charles III's "enlightened despotism." The Spanish American independence movement was not merely a break from, but a denial of, Spain --not a real revolution and therefore, like the French Revolution, an attempt to substitute one system for another and to replace the Spanish, Catholic, absolutist system of monarchy by a democratic, liberal and republican one. This comparison with the French Revolution is also misleading... The same is true of the United States, in both cases the men who were fighting for modern ideas were modern men. In Spanish America these same ideas were a facade put up by the direct heirs of Spanish hierarchical society — the ranch-owners, businessmen, military, clergy and civil servants. In other words, the land-owning and business oligarchies allied with the three traditional bureaucracies of church, state and army. Our Revolution was an act of self-deception as well as of self-negation. The true name for our democracy is *caudillismo* — rule by local political bosses — and our "liberalism" was authoritarian. Our modernity has been and still is a masquerade. In the second half of the nineteenth century our intelligentsia dropped its liberal mask and put on the positivist one. In the second half of this century they changed that for Marxist-Leninism. ... Looked at this way, our Revolution should be seen not at the beginning of the modern age but as the point at which the Spanish empire broke into fragments. The first chapter of our history was a dismembering, not a birth. Our beginning was negation, breakdown, disintegration. From the eighteenth century onwards our history and the history of Spain is a history of decadence; of a single entity in disintegration (perhaps because it was never single) and drifting apart. Here too the difference from the Anglo-Saxon world is remarkable, for British imperial power continued on course after the American Revolution to reach its zenith later, in the second half of

> the nineteenth century, and its decline was followed in turn by the rise of the imperial republic of the United States."

Latin America underwent further important changes, in comparison with Spain and Portugal, concerning the nature of the major institutional arenas. These were almost mirror images of those that took place in North America. The first such transformation was the development of the patrimonial state, characterised by very great administrative centralisation. At the same time, however, given the wide geographic distance between the Empires and the lack of autonomous access of the active sectors of the population to the centres of power and resources, a paradoxically high degree of de facto local autonomy developed within this centralised patrimonial state.

Furthermore, the major European institutions of political representation were replaced by a combination of royal *audiencias* and various local arrangements, giving rise to a highly legalistic culture, in which the legal institutions were embedded in the hierarchical patrimonial structure and conceptions. Legal, cultural and educational institutions, such as the universities, were brought under much tighter royal control in the Spanish Empire than in Spain itself, becoming the most important promoters of absolutist doctrines.[7]

At the same time, the strong hierarchical statist orientation was not connected, significantly enough, with a parallel commitment to the political realm as a major focus of collective consciousness.

Closely related to these far-reaching institutional changes, radical transformations also took place within the internal structure of the major élites and groups in Latin America, especially with respect to their symbolic and institutional autonomy. While few fully autonomous political or professional and cultural élites arose, the "deautonomization" of major élites prevailed; in place of an aristocracy (or even some inferior groups) with some autonomous rights of access to the centre, different oligarchies existed, dependent, in principle, on the State, not only for access to "material" resources, but also for prestige and access to the centres of power. This was confounded by a low level of solidarity within the major élites.

These transformations of the major institutions and élites reflect the main processes whereby different themes from the European cultural tradition were selected by the élites, the premises of European civilisation transformed, and the conformation of new civilisational premises, and of their institutional implications, arrived at in Latin America, and, in a mirror image, in North America too. The combination of the structural transformations of the major social institutions and élites and their autonomy with respect to cultural orientations explains why the United States and the Latin American countries became not just "fragments of Europe", to quote Louis Hartz, as was the case, to some extent, with Canada, Australia, or some Caribbean countries, but indeed new civilisations, which differed greatly from their European origins.[8]

The radical transformations of the basic components of European civilisation in the two Americas and the conformation of the two American civilisations were defined, in each case, by constellations of social relations and boundaries of social spaces which had far-reaching implications for institution-building, while State-society relationships were characterised by a certain inflexibility and compenetration, which, at the time, however, paradoxically also served to balance the relative autonomy of both State and civil society. The egalitarian ethos, deeply rooted in religious convictions in the United States, was closely related to a strong linear conception of social spaces, akin to the more rationalistic approach of the Enlightenment to ontological and social reality, and to a relatively clear demarcation between private and public spheres. The hierarchical ethos of Latin America, on the other hand, was based on a combination of all-encompassing hierarchical principles, with strong tendencies to what may be called topological, as against purely linear, ways of constructing social spaces. This led to much overlapping between these spaces and to blurring the boundaries between them; to relational as opposed to formal, legal definitions of the social nexus.[9]

Formal legal definitions were embedded in interpersonal relations; formal relations, while disembedded from, for instance, citizenship, had a markedly negative connotation, as in the Brazilian saying, "Everything for friends, for my enemies — the law", and "Do you know to whom you are talking?" Between formal and informal definitions, between the "relational" hierarchical criteria and the egalitarian and individualistic ones formally espoused in the constitution and in the legal system, there existed, as Roberto da Matta has pointed out, continuous unresolved tension:[10]

> "We may observe the *institutionalization of the intermediary,* of the mulatto, the *cafuso,* and the Mameluke in the racial classificaton; of the *despachante* in the bureaucratic system; of the cousin, lover and boy/girlfriend in the amorous system, of saints and purgatory in the religious system; of the prayers, popular music, serenades, empty discourse, and staring *olhar* in the mediation that permeates daily life; of the *jeitinho,* the 'Do you know to whom you're talking?' and well-placed connections *(pistolao)* in confronting impersonal laws; of *feijoada, peixada,* and *cozido,* food that is squarely between solid and liquid in the culinary system; of *sacanagem* as a mode of sexual manifestation — all these as fundamental modes of sociability. Here the intermediate and ambiguous cannot be reduced to a purely negative position, nor can its existence be denied."

Also closely connected were the conceptions of collective identity that developed in Latin America.[11] Although in the beginning the Spanish and Portuguese Empires aspired to establish a unified, homogeneous Hispanic (or

Portuguese) collective identity focused on the motherland, in reality, a much more diversified situation arose, almost from the start, as multiple components of collective consciousness and identity stood out: the overall Spanish one, the overall Catholic one, different local Creole and "native" ones.

Thus, alongside formal hierarchical principles, we find multiple, continuously changing social spaces being structured according to different principles and identities, with relatively shifting boundaries, and the possibility of incorporating many of these identities into the central arena. This was so because such a construction of collective identity entailed a broad inclusiveness, which made it possible, as Merquior has indicated, not only to incorporate wide sectors of the Indian population into the overall Catholic and local identities, but also to develop, at least in countries like Mexico, Brazil and, to a lesser extent, Bolivia and Colombia, after the traumatic experiences of the conquest, a rather special cultural resurgence and even reintegration into the centre.

Furthermore, since no revolutionary ideological breakthrough resulted from the wars of independence in Latin America, it would appear that new ideological and institutional forms could easily be accommodated into the central arenas, without affecting their basic premises. This manifested itself, albeit with great local variations, in a continuous volatility which preempted the creation of strong, viable, institutional infrastructures or clear guidelines for institution-building; as Howard Wiarda put it, all social systems that have ever governed the affairs of man continue to coexist: liberalism, patrimonialism, or anarchism.[12]

As a result, according to Merquior:

> "Most of Latin America as the other West has suffered consistently from what Samuel Huntington calls 'practorian politics'; political systems presenting a low level of institutionalisation coupled with high rates of participation, and thereby often experiencing political decay, violent interludes and a chronic legitimacy deficit, even if the days of tenuous hold on sovereignty seem now safely in the past. The unevenness of development in time and space — a stop-go pattern of growth and sharp regional imbalances — will suggest to many the temptation of radical solutions. The majority Left in our countries has yet to undergo its own *perestroika*. As it is, the dominant attitude, though more among intellectuals than (fortunately) among the political Left, is still to entertain *de rigueur* revolutionism out of an ethic of conviction often innocent of every ethic of responsibility."[13]

These modes of structuration of social spaces were connected with several distinct characteristics of social hierarchies, which represented extensive intensification of trends found in southern Europe. According to Louis Roniger, these were:[14]

> "a. strong inequalities in the distribution and control of resources;
> b. complex strata categories and manifold (cross-cutting) layers of stratification;
> c. great value placed on prestige as a focus for evaluation of strata and conversion of resources;
> d. plurality of occupational commitments led by the same social actors;
> e. weakness of commitments to social class and other broad social categories;
> f. a tendency to narrow strata segregation both among upper and lower strata;
> g. conflicts both between strata and within strata.
> Accordingly, social strata have tended to segregate from similar occupational and social groups, either from other regions or from one another in the same region. Hence, a tendency has emerged whereby the boundaries of significant social groups tended to be defined in the relatively narrow terms of their own symbols of prestige and claims to social precedence."

These tendencies in the structuring of social hierarchies were, as Louis Roniger further pointed out, closely connected to the

> "restrictive character of political participation granted to social forces by the central élites which stood in contrast to the perception of such participation, ideally conceived as open to all members of the collectivity, and to the fact that the central political forces were found to be prone to be responsive to demands of social strata mainly in particularised (individualised and, later, collective) clientelistic terms. ... The centres often closed themselves thereby to the demands and tensions found in the social structure and failed to build institutionalised channels of access to loci of power and decision-making. In turn, the regulative policies of such centres could therefore have been seen as 'predatory' and 'alien,' with two interconnected consequences.
> A basic indeterminacy in the structuring of social hierarchies could 'under certain conditions' compel social actors to conduct their contest for valued resources through parallel clusters of patron-client, unwritten agreements between partners commanding unequal resources and belonging to different social categories."

One of the most important outcomes of this combination of strong power inequalities and a flexible mode of structuration of spaces was that only very weak autonomous public spheres developed in which civil society could act in an

autonomous way towards the State. This also explains the special role of the military, who could often present themselves as the only true representatives of the common good, the only "real" public sphere.

In view of the weakness of such autonomous public arenas, a marked trend developed, on the one hand, towards the permeation of the political arena by strong social movements — of which the populist movements are the best illustration — and towards withdrawal from the State, often connected with the development of authoritarian regimes, on the other. It is these specific civilisational premises and institutional patterns — with the great variations in different countries — that constitute the background for the processes of democratisation which have been taking place in Latin America. Therefore, it is important to take these factors into consideration in the study of the processes of democratisation in Latin America.

NOTES

1. For greater detail, see S.N. Eisenstadt (ed.), *Democracy and Modernity,* Leiden: E. J. Brill, 1992.
2. See S.N. Eisenstadt, *European Civilisation in Comparative Perspective,* Oslo: Norwegian University Press, 1987; A.D. Lindsay, *The Modern Democratic State,* Oxford: Oxford University Press, 1962.
3. A. Heimart, *Religion and the American Mind,* Cambridge: Harvard University Press, 1966. See also A. Seligman, "The Failure of Socialism in the United States, A Reconsideration," in S.N. Eisenstadt, A. Seligman and L. Roniger, *Culture Formation, Protest Movements and Class Structure in Europe and the United States,* London: Frances Pinter, 1982, pp. 24-56.
4. B. Ackerman, *We The People,* Cambridge, Mass.: Harvard University Press, 1992.
5. See, for instance, O. Paz, *Life and Thought in Mexico,* New York: Grove Press, 1961; R. M. Morse, "Toward a Theory of Spanish American Government," *Journal of the History of Ideas,* No. 15, pp. 71-93; idem , "The Heritage of Latin America," in H.J. Wiarda (ed.), *Politics and Social Change in Latin America: The Distinct Tradition,* Amherst: University of Massachusetts Press, 1974, pp. 25-69; idem, *El espejo de Próspero: un estudio de la dialéctica del Nuevo Mundo,* trans. Stella Mastrangelo, Mexico: Siglo XXI, 1982; H. Wiarda, *Politics and Social Change in Latin America: The Distinct Tradition,* Amherst: University of Massachusetts, 1974; O. Paz, "A Literature without Criticism," *The Times Literary Supplement,* August 1976, pp. 979-80; R. da Matta, *Carnivals, Rogues, and Heroes — An Interpretation of the Brazilian Dilemma,* University of Notre Dame, Notre Dame Press, 1991.
6. O. Paz, 1976, *loc. cit.*
7. S.A. Zavala, 1971, op. cit.; M. Góngora, *Studies in the Colonial History of Spanish America,* Cambridge: Cambridge University Press (trans. by R. Southern), 1981.
8. L. Hartz, *The Founding of New Societies,* New York: Harcourt Brace, 1964.
9. R. da Matta, *For an Anthropology of the Brazilian Tradition. A virfunde esta nomeian,* The Wilson Center, Latin American Program, Working Paper, Washington, D.C., 1990; idem, *Carnivals, Rogues and Heroes, op. cit.*
10. R. da Matta, *For an Anthropology, op. cit;* see also S.N. Eisenstadt, A. Seligman and B. Siebzehner, *The Classic Tradition in the Americas. The Reception of Natural Law Theory and the Establishment of New Societies in the New World,* in B. Haase (ed.), *The Heritage of the Classical World,* Berlin: de Gruyter, 1992 (forthcoming).
11. J.H. Elliot, "Introduction: Colonial Identity in the Atlantic World," pp. 3-15; S.B. Schwartz, "The Formation of Colonial Identity in Brazil," pp. 15-51; A. Pagden, "Identity Formation in Spanish America," pp. 51-95, in N. Canny and A. Padgen (eds.), *Colonial Identity in the Atlantic World,* Princeton University Press, 1987.

12. Da Matta, *For an Anthropology, op. cit.*
13. J.G. Merquior, "On the Historical Position of Latin America," *International Sociology,* Vol. 6, Number 2, July 1991, pp. 153-4; idem, "Patterns of State Building in Brazil and Argentina," in J.A. Hall (ed.), *States and History,* Oxford: Blackwell, 1986, pp. 264-88.
14. L. Roniger, "Social Stratification in Southern Europe," in S.N. Eisenstadt, A. Seligman and L. Roniger, *Centre Formation, Protest Movements and Structure in Europe and the United States,* London: Frances Pinter, 1987.