

The Difficult Art of Classifying Regimes:

The Case of Paraguay

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This article deals with the difficult art of classifying political regimes. Such classifications are important since they lay the ground for a central field of research in political science, namely the causes and consequences of regime changes. The article focuses on Paraguay, which has experienced a process of transition from authoritarian to democratic rule over the past five years. Four criteria of democracy are used to evaluate the state of democracy in this country in early 1994: competitive elections and universal suffrage, broad and autonomous political participation, political freedoms and accountability of elected organs. The investigation of the Paraguayan case highlights the problems involved in using a dichotomous regime variable in empirical research. Paraguay is a democracy when it comes to freedom of speech, but hardly in terms of the political situation in the countryside. It also demonstrates that the widely used Schumpeterian definition of democracy is risky in the sense that it may conceal more than it reveals about the regime under study. Finally, the article sheds light on the need for in-depth case studies for the classification of political regimes.

Introduction

Classifying political regimes in general, and transitional regimes in particular, is a difficult, though important, task of political science. Such classifications lay the ground for investigations of the causes of regime change and the political, economic and social consequences of the various types of regimes. Questions such as: What are the requisites of democracy? Why does democracy break down? What are the consequences of democratic rule? cannot be answered without appropriate classification of the regimes under study. Regardless of whether a specific regime type, for example democracy, is treated as a dichotomous or a continuous variable, the scholar must come to a conclusion on each regime. This is particularly difficult for the investigator using a dichotomous variable simply because only two categories are at hand. How do we go about classifying the many regimes in transition to or from democracy? And where do we locate those regimes that meet some criteria of democracy but not others?

All classifications of political regimes are, to some extent, based on qualitative judgements on various aspects of the polities under study.¹

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All classifications of political regimes are, to some extent, based on qualitative judgements on various aspects of the polities under study.¹

Studies of a large number of regimes, such as the recent studies by Vanhanen (1990, 147 regimes), Huntington (1991, 71 regimes) and Hadenius (1992, 132 regimes) run the risk of being too superficial or even misleading, since, for practical reasons, deep qualitative investigations of all regimes cannot be made. Thus, studies of this type may conceal the great variation in several significant aspects of the regimes; for example, the extent of corruption, the degree of popular participation, the respect for human rights and the degree of military involvement in politics. This is problematic, since good empirical studies of the causes and consequences of political regimes must be based on as exact a measurement as possible of the dependent variable.

This article will shed light on the difficult art of classifying political regimes. It focuses on one single case, the case of Paraguay, which has been going through a five-year process of transition from authoritarian to democratic rule. The problems of classifying this specific case are obvious: Huntington (1991) does not include it in his group of democracies despite his very modest definition of democracy; Snyder (1992) even categorizes it as a military dictatorship, whereas Sondrol (1992, 150) calls it a liberal autocracy or dictablanda. All these classifications refer to the early Rodríguez regime, which replaced the Stroessner dictatorship in 1989. The evaluation of the Paraguayan regime made here, however, refers to the situation as of early 1994.

The structure of the article is simple: first, the criteria of democracy, out of which political regimes can be qualitatively analysed, will be outlined; secondly, each criterion is applied to the Paraguayan case; and, thirdly, the state of the Paraguayan "democracy" as of early 1994 will be evaluated. The article will not give any clear answers as to whether Paraguay is a democracy or not. Rather, by highlighting the combination of democratic practices and authoritarian structures present in Paraguay it will show the necessity, for empirical research of regime change, of in-depth investigations into individual cases.

Definitions of Democracy

There are two types of definitions of democracy: the substantive type and what has been called the Schumpeterian (Karl 1990, 1) definition. According to the former type, democracy is not only specific political institutions, but also specific social goals promoted by the government (Huntington 1989). Such definitions lead to two major problems for the empirical analyst. First, the inclusion of social goals, or the purposes of democratic rule, makes the definition meaningless since the goals, such as

welfare, equality, justice, social rights, human dignity and self-realization are so far away from what most countries can reach that it is almost impossible to find real cases to study (Karl 1990, 2). Secondly, such definitions make investigations of the relationship between democratic rule and social and economic change impossible since the latter factors are included in the definition (Huntington 1989, 12; Karl 1990, 2).

According to the strict Schumpeterian definition, democracy is just a "type of institutional arrangement for choosing rulers" (Huntington 1989, 11), the key institution being competitive, free, and fair elections. Whereas this definition overcomes the empirical problems of the substantive definition, it runs the risk of being too narrow. One case in point is Huntington's classification of political regimes which underlies his analysis of the "third wave" of democratization (Huntington 1991). In this study, Uruguay and Costa Rica together with Guatemala and El Salvador all count as "democracies", although, for instance, left-wing party members in the latter countries, but not in the former, risk their lives only by being members. Thus, classifications based on such a definition (and including such a large number of countries) may conceal more than they reveal about the political regimes under study.

In this article a kind of middle-way definition between these two types will be used. It has the advantage of not including so much that no actual cases can be found and of not being so narrow that too many different kinds of regimes are included. It consists of four criteria which will be used to evaluate the Paraguayan regime: (1) Government leaders are chosen in competitive elections in which all adults have the right to vote; (2) citizen participation in government is broad and autonomous (Huntington 1989, 16); (3) the political freedoms of the citizens are guaranteed by the state (Hadenius 1992, 51); (4) elected organs are not figureheads: they are accountable to the ruled – through mechanisms of representation and the rule of law – not to the military, the bureaucracy or to an oligarchy (Weiner 1987, 4; Karl 1990, 2; Hadenius 1992, 49).

It is the last criterion that distinguishes this definition from the strict Schumpeterian type. To be accountable not to the military, the bureaucracy or to an oligarchy means that the government must pursue a policy of civilian control over the military and the bureaucracy favouring government autonomy from private economic interests. According to Berntzen (1993, 590–591), this last criterion is what distinguishes the present regimes in Costa Rica and Nicaragua from those in El Salvador, Guatemala and Honduras. The latter are "sham democracies" due to the lack of accountability to the larger public, the seizure of the state by the economically powerful, and the permanency of formal or informal military power. These basic structures of economic and political power are the main impediments to the consolidation of democracy in these three cases.

The State of Democracy in Paraguay: Competitive Elections and Universal Suffrage

Since the end of the Stroessner dictatorship in a military coup d'état in the night between 2 and 3 February 1989, elections have been held twice for the presidency and the national parliament, once for a constituent assembly and once for municipal bodies. All these elections have been held under universal suffrage, a fundamental feature of democracy. No citizens have been formally excluded from voting by any other reason than age and mental status. Women suffrage was introduced in 1961 and restrictions regarding literacy, property and race were eliminated as early as 1870 (Abente 1989a, 533).

The competitiveness of these elections will be evaluated by using Hadenius' indicators of open and correct elections (Hadenius 1992, 42–48). To be competitive, in the real sense of the word, all political parties or other organizations must have equal and unlimited right to propose candidates and take part in the electoral process. In other words, the elections must be totally open and without any restrictions due to political opinions. However, in order to be competitive elections must also be correct. If the election campaign and voting procedures are manipulated and not correctly organized nothing is gained in terms of democracy by holding open elections.

The Presidential and Parliamentary Elections on 1 May 1989

In the national elections which took place only three months after the coup against Stroessner all political parties were allowed to participate except the tiny communist party (PCP), which was barred due to a constitutional ban on "anti-democratic" parties. Thus, almost all the parties which had not participated in the regularly held elections under Stroessner, either because they were "legally" excluded (Partido Liberal Radical Auténtico, PLRA, and Partido Demócrata Cristiano, PDC) or chose to boycott them (Partido Revolucionario Febrerista, PRF), now presented candidates to the executive and legislative offices.

Without doubt, the presidential and congressional elections of 1989 meant an improvement in terms of election campaign and voting procedures. Nevertheless, the elections were far from totally correct. Apart from what has been called "environmental fraud" (Americas Watch 1989)² – the extent of which is extremely hard to assess – the most severe irregularities were the following:

1. The timing of the elections

The time from the declaration that elections would be held to the election

day was less than three months, and from the date when the final decisions on the election were made less than two months. This period was too short for political parties and candidates, who had been persecuted, exiled and repressed for decades, to organize themselves, build a national structure, secure financial resources and canvass the electorate. Thus, the tight electoral timetable favoured the ruling Asociación Nacional Republicana, commonly known as the Colorado Party, to an extremely large extent and made competition on equal footing impossible (Americas Watch 1989, 4; LASA 1989, 41).

2. Voter registration and voter lists

No new voter registers were made for the elections which meant that the lists probably contained up to 600,000 more names than they should, and, consequently, included deceased and not eligible persons (Americas Watch 1989, 5; *Análisis del Mes*, suplemento especial, April 1989, 3; LASA 1989, 44). Moreover, the registration procedure did not function satisfactorily. The most conspicuous mismanagement was that large numbers of duplicates of registration certificates were issued, given to the Colorado Party, and handed out by Colorado officers, making possible double voting by many Colorado supporters (LASA 1989, 43–44).

3. The control of the electoral procedure

Hadenius (1992, 47) emphasizes that correct elections require that there be institutions for control of the procedure, that these be neutral and effective in the sense that reported irregularities are corrected. The controlling organ in the Paraguayan elections – the Junta Electoral Central – was by no means neither neutral nor effective but, instead, an organ out of which the ruling party could control the election. It was, for example, the Electoral Council which appointed all local electoral boards having, among other things, the authority to issue duplicates of registration certificates (Americas Watch 1989, 4; LASA 1989, 44).

4. The procedure on election day

It has already been noted that the duplication of registration papers made it possible for many Colorado Party supporters to vote although they were not registered, to vote twice, and to vote in some other person's place. Irregularities concerning the polling stations and the use of indelible ink were also reported. In many cases, the so-called "dark rooms" designed to protect the secret ballot simply did not exist, or were crowded with "irrelevant" people. (Análisis del Mes, suplemento especial, April 1989, 3; LASA 1989, 43-45).

For the Colorado Party the irregularities mentioned above seem to have been sufficient and, therefore, pure miscounting of votes or "ballot-box stuffing" was not widely used. Though affecting the outcome, the irregularities did not cause the landslide victory for the leader of the coup, General Andrés Rodríguez, and his Colorado Party. Comparing the preelection polls with the actual results, the LASA commission argues that the congressional results were more biased than the results of the presidential elections (LASA 1989, 45).

The Municipal Elections on 26 May 1991

Two years after the congressional and presidential elections, on 26 May 1991, municipal elections were held for the first time in the history of Paraguay.³ This was an important step towards political democracy. It was even called an "auténtica revolución democrática" by one analyst (Simón 1991, 7) as, for the first time since the Colorado Party had monopolized political power, opposition parties and movements were allowed to defeat the ruling party in competitive elections.

The most spectacular result was the victory in Asunción of the independent, left-leaning, Movimiento Ciudadano Asunción para Todos (APT). Thus, a novelty in these elections was that independent movements were allowed to put up candidates. Other novelties were that no parties were banned and that parties could form coalitions. However, despite all these developments in a democratic direction, the municipal elections were far from correct.

1. The timing of the elections and voter registration

Again the time period from the final declaration that elections would be held to the election day was short – from 20 November 1990 to 26 May 1991. This time, the limited time frame caused problems concerning the organization of the elections rather than the party campaigns (ABC Color, 27 May 1991): the voter lists were, again, based on an old, defective, census (LAWR 91-07); there was, again, a shortage of registration forms (WOLA 1990, 8); and there were, again, charges against Colorado officials for obstructing registration of opposition sympathizers (WOLA 1990, 8). The proportion of eligible voters not registered was 36 percent, mainly due to difficulties in organizing the registration of voters in the rural areas, but also by the "environmental fraud" mentioned above (Análisis del Mes, suplemento especial, June 1991, 3).

2. The procedure on election day

According to the observers of the Organization of the American States (OAS), the principles of the free and secret vote were respected during the election day (ABC Color, 27 May 1991). However, this and other sources report severe administrative deficiencies making voting difficult. Some

general problems seem to have been, for example, extremely bad information on where to vote as well as voter lists with the registration numbers of several registered voters omitted (ABC Color, 27 May 1991; Análisis del Mes, suplemento especial, April 1991, 3).

The conclusion drawn from this is that the municipal elections must be regarded as a big step forward in the democratization process in Paraguay, not least since the results marked an end to the total Colorado predominance in Paraguayan politics. Technical and administrative mismanagement, however, excluded a large proportion of the voters from voting and, thus, raises questions about the correctness of the elections. Out of 2.1 million eligible voters 1.35 million registered to vote and 952,000 voted (ABC Color, 6 December 1991). This means that 57 percent of the eligible voters did not vote, a fairly large proportion of whom wanted to, but could not, use their citizen right.

The Elections for a Constituent Assembly on 1 December 1991

Only six months after the municipal elections it was time for the Paraguayan citizens to go to the polls again, this time in order to elect a 198-member constituent assembly, set up to draft a new constitution. All political parties and independent movements succeeding in getting a certain number of signatures (0.5 percent of the valid votes cast in the municipal elections) were allowed to present candidates (*Análisis del Mes*, September 1991, 4). Eight parties and movements participated in the electoral competition, among them the Movimiento Independiente Constitución para Todos, an expansion of the successful APT.

These elections seem to have been carried out more correctly than the municipal elections. The observation group from the OAS concluded that there were very few cases of irregularities and technical-administrative errors (ABC Color, 3 December 1991). Moreover, the opposition members (PLRA and PRF) in the Junta Electoral Central reported no irregularities with the exception of some technical errors, and the independent count of votes by the opposition parties revealed no signs of official miscounting (ABC Color, 3 December 1991).

The structural or environmental fraud, of course, affected these elections as well. There were also, as usual, allegations by the opposition parties (PLRA) to the effect that the military had intervened in the electoral process on the side of the Colorado Party by, for example, displaying their tanks openly and transporting Colorado supporters on the election day (ABC Color, 5 December 1991).

In absolute numbers all parties lost ground in comparison with the municipal elections. Nevertheless, the elections resulted in a revival of the Colorado Party, which gained 55.1 percent of the votes cast and an absolute

majority of seats in the Assembly (122 out of 198). The independents (CPT) could not repeat the success story from the municipal elections and suffered a setback from 19.4 to 11.0 percent of the vote which meant 19 seats in the Constituent Assembly (ABC Color, 5 and 6 December 1991; Análisis del Mes, separata III, November 1991, 2–3). Thus, the party representing "continuismo" in Paraguayan politics could control the drafting of the new constitution (June 1992). But contrary to the Stroessner era, the method of gaining control was competitive elections.

The Presidential and Parliamentary Elections on 9 May 1993

The new Constitution took effect on 22 June 1992, after President Rodríguez had sworn allegiance to it. It may be seen as an adaptation to the standard Latin American format. Presidential re-election is now banned and proportional representation in Congress has now replaced the old electoral formula which guaranteed the majority party (always the Colorado Party) two-thirds of the seats.

Rumours of impending military coups were being spread on many occasions before the presidential and congressional elections on 9 May 1993, not least in connection with the bitter dispute, within the Colorado Party, on the nomination of its presidential candidate. Moreover, during this fight more or less serious attempts at postponing the elections were presented by Colorado congressmen (Análisis del Mes, January 1993, 5; LARR 93-03, 1). However, the presidential and congressional elections were held on the fixed date, resulting in the Colorado candidate Juan Carlos Wasmosy being elected president, though his party lost its majority in the two-chamber Congress (see Appendix). This last result is a breakthrough of pluralism in Paraguay. Now, the Colorado Party cannot continue dictating the rules of the transition but, rather, has to negotiate with the opposition for "each and every one of (its) initiatives" (LAWR 93-25, 290).

In spite of the half success of the opposition the elections were not entirely free from fraud and irregularities. The most alarming irregularities were: the closing of the borders on election day preventing thousands of Paraguayans living abroad, particularly in Argentina, from voting; the repeated cutting of the telephone lines of Saká, an independent organization recounting the votes; the display of Colorado propaganda inside polling stations; and the alleged transporting of urns via Colorado head-quarters (LAWR 93-19). The opposition parties, as usual, claimed more cases of irregularities and pure fraud, even calling for annulment in two departments. Observation teams from OAS, however, denied such extensive fraud, emphasizing instead that in 90 percent of the supervised polling stations there were no irregularities at all (LAWR 93-21). Another observer, the US ex-President Jimmy Carter, expressed more doubt about

the correctness of the elections, emphasizing the above-mentioned attempts at impeding Saká's recounting of votes (*Liberación*, 21 May 1993, 23).

Thus, neither these nor the previous elections under Rodríguez were totally honest and correct. It is obvious that also this time the ruling Colorado Party used, or tried to use, some fraudulent methods to guarantee its victory. Such methods were probably unnecessary in order to win the presidential elections (LAWR 93-19). In the congressional elections, however, where a one-seat Colorado majority in the Chamber of Deputies seemed to be the likely outcome, the use of fraud was the factor making the difference, according to the opposition (LAWR 93-20, 229). Since the final results gave a clear majority to the opposition, these allegations may have been premature. In any case, a reasonable conclusion must be that the extent of irregularities and fraud has decreased in Paraguayan politics. If it had not, the Colorado Party would simply have won more than half of the seats in Congress.

Broad and Autonomous Participation

Huntington (1989, 16) argues that political participation is the one factor that sets democracies apart from totalitarian and authoritarian regimes. In democracies participation is broad and autonomous; in totalitarian regimes it is broad and mobilized and in authoritarian regimes limited or even non-existent. With regard to this factor Paraguay under Stroessner fits into the totalitarian rather than the authoritarian mould.

Participation was limited in the sense that all opposition was strictly controlled, either formally through the extensive use of the state of siege and other legal mechanisms, or informally through a system of intimidation including a totally dominant party penetrating all sectors of the society (Miranda 1990, 76–88). Thus, although loyal and some "disloyal" opposition groups (PRF) were permitted to operate, the bulk of the political activities was concentrated to the Colorado Party. A nation-wide opinion poll carried out in the mid-1980s illustrated this totalitarian feature of the Stroessner dictatorship. As much as 60.5 percent of the respondents were party affiliates and 89.7 percent of these were affiliated to the Colorado Party (Morínigo & Silvero 1986, 211).

In many respects, the role and structure of the Colorado Party were similar to those of the ruling parties of communist regimes. Grass-roots party organizations functioned, for example, as crucial channels of information for the government, helping it control the opposition (Miranda 1990, 87). The non-autonomous character of political participation was obvious. Membership in the Colorado Party was as important for any kind of career as was membership in the Communist Party in pre-1989 Eastern

Europe. Miranda, who accurately calls this type of regime a "movementregime" writes:

The party was run from the top down with a clear bias toward the more privileged classes but with wide and strong support from popular sectors as well. (...) Membership in the Colorado party became a prerequisite of political favors, government jobs, access to the judiciary. Each member of the party who worked for the government contributed 5 percent of his or her salary to the party (Miranda 1990, 87–88).

The important questions here are to what extent political participation remains "mobilized" in Paraguay and whether the political participation should be regarded as broad. Since the overthrow of Stroessner, splits within the Colorado Party as well as the challenge from the opposition have weakened the old mechanisms of the "movement-regime". However, the fine network of the Colorado Party organization still exists, and since the party still occupies all central and most municipal executive posts, and dominates the legislative bodies, it can mobilize large sectors of the people through patronage.

The question of the scope of participation as an indicator of democracy is controversial. On the one hand, it is the right to participate, not the degree of participation, which is crucial for democracy. On the other hand, limited participation, perhaps even to a minority of the adult population, undermines the essential meaning of democracy, which is rule by the people. According to Hadenius (1992, 41), widespread participation belongs to the optimal, rather than the basic, criteria of democracy. Therefore, comparisons of, for example, voter turnout should only be made among full and consolidated democracies. However, widespread participation in elections should also be seen as a significant aspect of the transition to democracy. Since the introduction of competitive elections is seen as one of the crucial events in the transition, voter participation must be regarded as a "litmus test" of the legitimacy of the whole process. Furthermore, in order to have a chance to win, and thus to change the society in a democratic direction, the opposition parties need to mobilize

Table 1. Number of Voters in the Paraguayan Elections 1983-93.

		_
Presidential elections, February 1983	1,021,597	
Presidential elections, February 1988	approx. 1,340,000	
Presidential elections, May 1989	1,189,573	
Congressional elections, May 1989	1,145,106	
Municipal elections, May 1991	952,256	
Constituent Assembly elections, December 1991	743,543	
Presidential elections, May 1993	1,115,365	

Note: Source for 1983: Ochoa (1987, 892); source for 1988: Análisis del Mes (February 1988, 5); for sources for the other elections, see Appendix. Votes for "others", invalid votes and blank votes are not included in the data on the Municipal elections.

a large number of people who, because of fear, apathy or protest, usually do not vote.

It is difficult to estimate the electoral participation in Paraguay because of the lack of valid information. Since reliable data on the number of eligible voters simply do not exist, the most valid figure to compare is the total number of people who actually voted in the various elections (Table 1).

The elections of the Stroessner era were of the "ritual" variety and clearly include large numbers of "non-autonomous" votes. But it is also readily apparent that the liberalization in the wake of the demise of the Stroessner regime has not been accompanied by an increase in voter participation. Taking the number of eligible voters (2,226,000) in 1989 as a baseline, roughly 50 percent voted in the presidential and congressional elections of 1989 and 1993; in the municipal elections 43 percent voted, and in the Constituent Assembly elections only 33 percent of the eligible voters actually voted.

As already mentioned, administrative mismanagement, pure fraud and intimidation may go towards accounting for the non-voting, especially in the 1989 elections. Electoral fatigue and the fact that people, who are used to voting for individuals, had difficulties in choosing between lists of fairly anonymous candidates are additional explanations concerning the elections to the Constituent Assembly (*Análisis del Mes*, separata II, October 1991, 1). Nevertheless, the low degree of voter participation does not bode well for the democratization. The majority of the Paraguayan citizens, simply, does not take part in some of the most significant events of this process. Thus, it must be concluded that hundreds of thousands of Paraguayans feel that life is just the same as under Stroessner and that open and correct elections make no difference.

Political Freedoms

Political freedoms are the basis of democracy. Without the freedom to speak your mind publicly, to publish political opinions, to organize political parties, to demonstrate and engage in all kinds of political activities there cannot be open and fair competition. Furthermore, in order for all people to be able to exercise these freedoms, the society must be free from political violence and oppression engineered by the state or other organizations. In an attempt to assess the degree of political freedom in Paraguay, Hadenius's three indicators will be used: organizational freedom, freedom of opinion, and political violence and oppression (Hadenius 1992, 51–60).

Organizational Freedom: Political Parties

Organizational freedom is here operationalized as the right to form and maintain political associations and freedoms of action, such as demonstrations and strikes (Hadenius 1992, 52). Three central types of associations will be dealt with in this section: political parties, trade unions and peasant movements. Organizational freedoms for all these groups were continuously violated under the Stroessner regime, particularly by the almost permanent state of siege, lifted in 1987 because of international pressure.

Party activity was further restricted through laws (nos. 209 and 294) which made legal recognition of many parties impossible and outlawed communism and other ideologies calling for changing the political structure (Americas Watch 1986, 25; Miranda 1990, 79). As already mentioned, four parties were declared legal by the regime: the ruling ANR, the Partido Liberal, the Partido Liberal Radical and the Febrerista Party. Among the illegal parties were the PDC, the PLRA, the dissident Colorado faction MOPOCO, and the PCP.

The laws 209 and 294 were repealed by the Congress in August 1989 (Análisis del Mes, August 1989, 25). Thus, since then no formal restrictions on party activity exist. Organizational freedom with regard to political parties has, as touched upon above, altered the political life in Paraguay: the legalized PLRA has become the major opposition party, even challenging the ANR as the country's largest political force; new political movements (APT, CPT, EN), unthinkable during the Stroessner years, have gained broad popular support; new left-wing parties have been formed and recognized, among them the Partido Democrático Popular (PDP) and the Partido de los Trabajadores (PT); and the old PCP has returned from exile and been able to resume its activities (Análisis del Mes, December 1989, 9).

Organizational Freedom: The Trade Unions

Organizational freedom has also been widened for interest organizations. Independent trade unions, which were constantly harassed by the Stroessner regime, have been legalized and now dominate the trade union movement in Paraguay. Two broad union federations were formed almost immediately after the coup in 1989, the Central Nacional de Trabajadores (CNT) and the Central Unitaria de Trabajadores (CUT). The latter federation has some links with left-wing parties and organizations, while the CNT is linked to Christian social ideology (Céspedes 1991, 10–11). The old government and Colorado sponsored federation, Confederación Paraguaya de Trabajadores (CPT), which lost two-thirds of its members

after the fall of Stroessner, constitutes yet another alternative (Céspedes 1991, 8).

The new Constitution spelled further improvements in terms of organizational freedoms. Most importantly, it gave public workers (excluding members of the armed forces and the police) the right to form unions, to negotiate collective bargains and to strike (LARR 92-04, 7). However, these formal improvements as well as the increase in independent unionization have not wiped out all the "informal" obstacles to free organization and free political action. With the backing of the government, employers constantly try to repress union actions, such as strikes, although the repression is not as harsh as under Stroessner. According to Céspedes (1993, 4-5), the nature of the repression under Stroessner was: first, the threat of police action, then the economic threat of dismissal, and, finally, the actual use of brutal police force. Today it is: first, the economic threat and then, if the conflict becomes more drawn out than expected, less brutal, police intervention. These measures can always find judicial support since the government continues to perceive strikes as illegal activities. During the first three years under Rodríguez only one out of 120 strikes was declared legal by the government authorities (Céspedes 1993, 8).

The most severe interference in strikes by security forces occurred at the Itaipú hydroelectric dam in December 1989, where two of the striking workers were killed and fourteen wounded. Moreover, the obvious "government-military-business alliance" against trade unionism became even more accentuated a few months later with the promotion of the commanding officer in charge of the shootings (WOLA 1990, 25). Other severe abuses against the freedom of action, continuing under Rodríguez, were arbitrary detentions of unionists and retaliatory firings of workers in relation to union-related activities (WOLA 1990, 25–28; Americas Watch 1991, 14). Some improvements have been noticed during recent years, however, the most important of which is the return to their work places of a large number of illegally dismissed workers (*Análisis del Mes*, February 1993, 27).

Organizational Freedom: The Peasant Movements

Harsh repression in the countryside and suppression of all attempts at organization by the peasants were some of the most salient characteristics of the Stroessner dictatorship (Americas Watch 1988). Unfortunately, these features seem to have carried over into the new regime. Agriculture still being the most important economic activity, speculation in land is lucrative and the isolation of the peasants is, therefore, in the interest of the economic elite, intimately linked to the government, the military and the Colorado Party.

In the countryside, the fall of Stroessner meant a considerable increase in peasant organizations and a dramatic increase in land invasions and occupations by landless peasant families. Landlessness is a "never-ending" problem in Paraguay and has been one of the most conflict-ridden issues throughout the transition from authoritarian rule (WOLA 1990, 16). The distribution of land is extremely skewed and occupation of uncultivated areas is often the peasants' only way of getting land to till. Such actions may gain legal protection if they are peacefully conducted by a large number of inhabitants in bad need of land (Americas Watch 1991, 2). Peaceful occupations led by local peasant organizations, however, are almost always illegally and violently crushed by the landowners supported by the local police and military forces.

Two US-based organizations monitoring human rights practices in Latin America, the Washington Office on Latin America (WOLA 1990) and Americas Watch (1991), published alarming reports in late 1990 and early 1991. The types of violence in land disputes they reported were: extrajudicial executions of, and death threats against, peasant leaders, carried out by the police or "civilian gunmen"; arbitrary detentions often on a mass scale; intimidation and abuse against peasants, on some occasions carried out by civilian "death squads" organized by landowners; and destruction of the occupants' property.

Two years later the situation had not improved. In early 1993 Análisis del Mes reported numerous cases of violent evictions of hundreds of peasant families from occupied areas, including illegal destruction of the peasants' homes and plots. Furthermore, organization of peasant interests continued to be suppressed and discredited by the authorities which were suggesting that the local groups were encouraging illegal activities in collusion with "Marxists" (Análisis del Mes, February 1993, 25–26; March, 1993, 29–30). In early 1994 new protests were met by state violence. Manifestations against evictions of peasants from land owned by the former president of the Colorado Party, Blas Riquelme, were rolled up by the police, using tear gas and rubber bullets (LAWR 94-08, 85).

Freedom of Opinion

The most conspicuous change in the Paraguayan society after the fall of Stroessner was the flourishing of free mass media. Newspapers and radio stations, such as ABC Color and Radio Nandutí, closed down under Stroessner, were resuming their right to operate, books on the "real nature" of the Stroessner regime were released, and, perhaps most salient of all, even Marxist literature was suddenly available in the bookshops. This liberalization of the media led to a public debate never experienced before in the history of Paraguay, restricted only by the remnants of a self-

censorship, which was well entrenched after years of repression and persecution.⁵

Thus, as of early 1994 Paraguay meets the criteria of free opinion formulated by Hadenius (1992, 36): "the actual right to carry on a many-sided, uninhibited mediation of ideas and news". The new Constitution establishes this principle *de jure* by: guaranteeing free access to public sources of information; banning laws and regulations restricting the free-doms of information and the press; guaranteeing the journalists' right to refuse to write on grounds of conscience; and guaranteeing the journalists' right not to reveal their sources (*Análisis del Mes*, June 1992, separata V; LARR 92-02, 7).

The article which guarantees information pluralism, by prohibiting the concentration of media ownership, and the article giving columnists the right to publish signed opinions without censorship are among the most disputed clauses of the Constitution. Interestingly enough, however, both of these "liberal" articles were proposed by Colorado representatives but criticized mainly by media owners and the liberal party, PLRA (LARR 92-04, 7). This may be seen as a sign of Paraguay approaching "normal" democratic politics, breaking out of the traditional coalition of the ruling Colorado Party with the economic elite against the forces of radical democratic change.

Political Violence and Repression

Political freedoms exist on paper but are of little significance if political violence and repression engineered by government, para-military and/or private forces are extensive. In Latin America there are several countries where formal political freedoms are curtailed by extreme political violence, the most well known of which are Guatemala, El Salvador, Peru and Colombia. But what about Paraguay? Are the Paraguayan citizens hindered in the exercise of their political rights by state-controlled or other types of political violence?

The Stroessner regime was one of Latin America's most brutal dictatorships. Americas Watch reports of January 1985 and August 1986 document, among other things, the systematic use of torture of political prisoners, several cases of disappearances, 120 arbitrary arrests within one year (between early 1985 and March 1986) mostly of political activists and politicians, as well as expulsion and forced exile, also of political activists and politicians (Americas Watch 1985 and 1986).

The extent and brutality of the political violence during the Stroessner regime are now being uncovered in the "archivo de horror" which was found in the headquarters of the secret police in December 1992. These files also provide the first conclusive proof of the existence of the "Operativo

Cóndor": the co-operation of the secret forces of the Southern Cone military regimes (Argentina, Chile, Uruguay and Paraguay) not only with respect to information on "subversives", but also with respect to torture, disappearances and assassinations. Moreover, the documents show that Paraguay was the epicentre of this "dirty war" (*Análisis del Mes*, January, February and March 1993; LARR 93-03, 4).

The independence of the judiciary and, to some degree, the fledgling Paraguayan "democracy" itself, is put to the test by the legal proceedings against these past human rights abuses committed by the police and the military. For the purpose of this study, however, it is important to note that these proceedings as well as some sentences to prison of police officers and a retired army general in 1992 as such are improvements regarding the respect for political freedoms.

This does not mean that the days of political violence and repression are over in Paraguay. As already mentioned, neither the Rodríguez nor the Wasmosy regime has put an end to the repression in the countryside. Though slightly modified, the repression continues and has even increased. It is government-sponsored, government-tolerated and/or government-initiated repression of peasants and their organizations. As long as this kind of violence is not stopped, as long as "few cases of abuse (are) denounced because of the population's fear of reprisals" and as long as "few of those which have been denounced (are) resolved, because judges are afraid to confront the armed forces' (Americas Watch cited in LARR 92-09) Paraguay's "democracy" will not be consolidated.

Elected Organs Are Not Figureheads

In a democracy the elected bodies are accountable to those who have elected them, i.e. the people. If the decision-making of these organs is limited by non-elected groups, such as the military or the economic elite, the elections are not effective (Hadenius 1992, 49), and, thus, no real democracy exists (Huntington 1991, 10). In the case of Paraguay the condition which first of all raises doubts about the power of the democratically elected bodies is the status of the armed forces. The limitations on decision-making set by the economic elite are, as in most political regimes, more diffuse and, therefore, more difficult to assess. It should be noted, however, that military and economic power often coincide in Paraguay, the high-ranking military officers frequently being involved in lucrative business enterprises.

The issue of military autonomy and power is fairly complicated and it is not always made clear by scholars dealing with this issue what degree of autonomy is acceptable in a democracy. 10 Stepan's (1988, 93-127) analysis

of the military prerogatives in the democratizing regimes of Brazil and the Southern Cone (excluding Paraguay) avoids this ambiguity. He lists eleven military prerogatives, each of which can be given the values of "low", "moderate" and "high". When the military is classified as having a "low" prerogative "it is because *de jure* and *de facto* effective control over the prerogative is exercised by the officials, procedures and institutions sanctioned by the democratic regime" (Stepan 1988, 93). Consequently, although Stepan does not state it explicitly, in a fully consolidated democracy the military has "low" prerogatives. An in-depth investigation along the lines suggested by Stepan requires more space than is available here. Therefore, only a few of the military prerogatives will be discussed in relation to the case of Paraguay.

1. The constitutional role of the military in the political system Doubtless, the Constitution of 1992 reduces the political role of the military to some extent, not least through the ban on members of the armed forces in active-duty service to become party members and to take part in political activities (*Análisis del Mes*, separata V, June, 1992). Furthermore, a bill passed by the Senate in October 1993 "transitorily" suspended party membership of military servicemen in active duty (LAWR 93-42, 491).

This clause in the Constitution must be seen in the light of the intimate relationship established between the military and the Colorado Party during the Stroessner dictatorship, as symbolized by the compulsory affiliation of military officers to the party. Several political events as well as statements by Colorado officials and military officers have indicated that this close relationship will not be broken. One of the clearest warnings that this is the case was issued in a speech shortly before the elections of 9 May 1993, delivered by the commander of the first army corps, General Lino Oviedo. In this speech he expressed a conviction that the ties between the military and the Colorado Party would last forever, saying that "the legal power and the real power is a marriage that must stick together, such as the Colorado party is now doing with the armed forces" (LAWR 93-18, 213). Thus, the persistence of the tight link between the ANR and the high officers lends substance to the doubt, expressed by *Análisis del Mes* (separata V, June 1992, 9), as to the "national" character of the armed forces. 11

With regard to the functions of the armed forces the Constitution no longer allocates primary responsibility for internal law and order to the military. However, referring to the "National Security Doctrine", the Law on the Armed Forces of November 1991 states that the armed forces must "cooperate in civil defence and in the restoration of internal order at the request of the Head of State" (LARR 91-10, 7). Moreover, the military is given great decisional latitude in determining when and how to carry out its responsibilities, since the authority of the Ministry of Defence is limited

to administrative and judicial issues related to the armed forces (Lewis 1986, 236; Lezcano 1990, 25).

2. Military relationship to the chief executive

In a full democracy *de jure* and *de facto* control of the armed forces is exercised by the chief executive, not by uniformed active-duty service commanders. In Paraguay under Rodríguez the chief executive remained a uniformed commander, a condition which, consequently, is not in accordance with democratic practices.

It is obvious that the shift in August 1993 of presidential power from military (Rodríguez) to civilian (Wasmosy) hands frightened the Paraguayan military establishment, which does not seem to accept civilian control of its institutions. The Law on the Armed Forces of November 1991 was an attempt at ensuring military autonomy, as it allows the President to delegate his *de facto* powers as Commander-in-Chief to a serving officer. This was also done by Rodríguez immediately after the law had been approved by Congress (LARR 91-10, 7). However, the new congress repealed this law in September 1993 and, thus, brought back the post as Commander-in-Chief to the President, who is now a civilian (LAWR 93-37, 432).

3. Active-duty military participation in the Cabinet

A Cabinet of a full democracy normally includes no active-duty serving military officers (Stepan 1988, 95). The Cabinet of Rodríguez did not meet this requirement since the military presence was extensive. Rodríguez's first Cabinet included four serving officers (General Rodríguez himself excluded) – the Minister of the Interior (General Machuca Vargas) plus three members of the Council of State, a consultant body to the President. Furthermore, two of the ministers (defence and public works) were retired generals.

General Machuca Vargas resigned as Minister of the Interior in November 1992 and was replaced by a civilian, whereas the post as Minister of Defence went from a retired to an active-duty officer in December the same year. All this indicates that, under Rodríguez, the military had a direct influence in day-to-day politics, which is not acceptable in a fully consolidated democracy. In order to show his full support of the democratization process Wasmosy needed to reduce the military participation in the Cabinet. Consequently, Wasmosy's first Cabinet included no activeduty military officers.

4. The role within the police force

The influence of the Paraguayan military in matters regarding internal law and order is further strengthened through its control of the police force.

In full democracies the police force is normally under the control of a nonmilitary ministry and local civil bodies. In Paraguay this has not been the case. Formally the police force falls under the authority of the Ministry of the Interior, which until recently was led by a military officer. Moreover, from the beginning of the Stroessner dictatorship until late 1992, the police force has been under the direct command of military officers (Lewis 1986, 237; Lezcano 1990, 25).

Rodríguez's appointment of a civilian as Minister of the Interior and, more importantly, the surprising replacement of a military officer by a senior police officer as Chief of Police in October 1992 may indicate a "civilianization" of the police. If not, this prerogative will continue to give great autonomy and political power to the military, blur the important separation of functions between the two organs having the right to use physical force, and, thus, hinder the effective exercise of the rule of law in the Paraguayan society.

5. The role in the legal system

In a full democracy the military (and the police) is subject to civil laws and civil courts and has no legal jurisdiction outside of narrowly defined internal matters (Stepan 1988, 97). This civil-military relationship is usually put to the test in democratizing countries each time the new government must decide how to handle the security forces' past abuses against human rights. In the case of Paraguay this "test" also includes cases of military and police involvement in corruption and smuggling.

The totally non-independent judiciary under Stroessner was slightly reformed by Rodríguez immediately after the 1989 coup, allowing appointments of non-Colorado members and independents to the courts (WOLA 1990, 12). Further guarantees regarding the independence of the judiciary were introduced by the new Constitution. Now an independent "Consejo de la Magistratura" will propose members of the Supreme Court as well as lower level courts. Given the intimate relationship between the armed forces and the Colorado Party these changes have been prerequisites of the initiation of legal proceedings against cases of human rights violation, corruption and smuggling (Americas Watch 1992, 7).

Some recent events show that the domain where the military and police cannot be tried in civil courts is decreasing. In May 1992, after more than two years of deliberately delayed proceedings on the part of the authorities, four top police officers were sentenced to 25 years in prison, convicted of torturing and killing an arrested teacher. Moreover, a former head of the police, a retired general, was sentenced to a five-year prison term for covering up the crime (Análisis del Mes, Anuario 1992, 6; LARR 92-09).

Even more illuminating is the case of military involvement in car smuggling. In September 1992 a colonel in possession of evidence that high officers were involved in car smuggling from Brazil was removed from his post and placed under military arrest. The top brass then refused to accept a judge's order to release the colonel, expressing their "firm determination to maintain discipline" in the armed forces (LARR 92-08, 3).

After civil judges had refused to be intimidated by the military officers, however, the colonel was released; 12 proceedings were instituted against four top officers, and, in October 1992, the commander of the army, General Garcete, was granted leave by President Rodríguez so that he could be taken to a civil court. This top officer was accused, not only of car smuggling, but also of planning to murder a leading member of the PLRA (LARR 92-08, 3; LARR 92-09, 3). Thus, this is a clear case of defeat for the armed forces and victory for democratic practices, the officers, trying to uphold their impunity, in the end having to accept a "civil order" and to go to civil courts.

The third event narrowing the legal autonomy of the armed forces is the discovery of the "terror files" mentioned above. This has led to legal proceedings against 12 generals, the former Minister of the Interior (Sabino Montanaro), and the former Chief of Investigations (LARR 93-03, 4). It has also provided grounds for extradition proceedings against Stroessner, who still lives in exile in Brazil. According to the Attorney General, the documents testify to the direct participation of Stroessner in cases of torture, assassinations and disappearances (Análisis del Mes, January 1993, 3).

In sum, the brief outline of recent changes in the civil-military relations indicates that the domain over which the military has control is decreasing, which is a prerequisite of successful democratization. What makes the Paraguayan case particularly complex, however, is the ties between the ruling party and the military. The Stroessner dictatorship was not a traditional military dictatorship since the military was fully "partisanized" (Abente 1989b, 2), creating a situation where the military could not rule without the Colorado Party, and the Colorado Party could not rule without the military. Therefore, the conclusion must be that the question of whether or not the elected bodies are pure figureheads is not a relevant one as long as the Colorado Party rules and the Colorado-military tie is not broken. Nevertheless, the Paraguayan military still has great prerogatives over the management of violence, and thus "an intrinsic dimension of the modern (democratic) state is outside the control and scope of democratic politics" (Stepan 1988, 127).

Conclusions

An uncontroversial conclusion of this study is that, since February 1989, Paraguay is experiencing a transition from authoritarian rule. The question addressed in the introductory part, however, was which label to put on the current Paraguayan regime. How far have the liberalization and democratization taken the country? Is it a "true democracy", a "sham democracy", or still some kind of dictatorship? The answers to these questions are, simply, that this investigation offers no clear answers.

The first criterion of democracy (competitive elections) is met only if "competitive elections" refer to elections, not without, but with a fairly low and decreasing degree of, fraud. Similarly, the second criterion (broad and autonomous participation) is met only if 30 to 50 percent voter participation and a certain, fairly high, though decreasing, degree of patronage on the part of the Colorado Party are regarded as acceptable deficiencies. With regard to the third criterion (political freedoms) the threshold must be lowered even more in order for the regime to be considered as democratic: informal restriction of, and state-sponsored violence against the right (particularly the peasants') to organize and engage in political activities must be tolerated.

The fourth criterion (elected organs are not figureheads) is difficult to apply to the case of Paraguay because of the historical pact between the military and the Colorado Party. However, it was concluded that the military prerogatives remain high, although the post as Chief Executive, for the first time in almost 40 years, is in the hands of a civilian. Consequently, great military control over internal security and the management of violence must be tolerated should Paraguay be characterized as a democracy.

In sum, only a generous assessment of Paraguay along the four criteria of democracy used in this article would lead to a classification of the country as a full democracy. It must be noted, however, that this conclusion is based on a less "modest" definition than the widely used institutional, or Schumpeterian, definition (see Huntington 1989). An investigation based on such a definition would probably conclude that Paraguay is currently a democracy.

That this is the case is indicated by the "third-wave study" of Huntington (1991), which is a good representative of studies based on the Schumpeterian definition. In his study notorious human rights violating regimes, such as those of Colombia, El Salvador and Guatemala, are included in the group of democracies, regimes which, reasonably, cannot be considered as more democratic than Paraguay under Rodríguez/Wasmosy.

Has this study of the Paraguayan political regime demonstrated anything apart from the fact that classifying regimes is a matter of judgement? Yes, it has illustrated that the application of a dichotomous regime variable is extremely difficult in empirical research: Paraguay is a democracy, at least as far as freedom of speech and, possibly, elections are concerned, but at the same time a dictatorship, at least as far as the situation in the countryside

is concerned. It has also shown that the widely used Schumpeterian definition of democracy is risky in the sense that it may conceal more than it reveals about the regimes under study. Finally, this study has shed light on the need, in political science, of in-depth case studies for the classification of political regimes.

NOTES

- Vanhanen's index of democracy may be an exception, although he must conclude on each regime (from 1850) whether or not there have been real presidential and congressional elections (see Vanhanen 1990).
- 2. The term "environmental fraud" refers to inhibition and fears with respect to political participation, caused by 35 years of harsh dictatorship. Americas Watch writes: "But what will remain a fact of life in Paraguay is that the small and stable populations of most communities and urban neighborhoods makes all activity transparent. That fact can insinuate itself right into the voting booths. ... If there is a vote-collection box or urn at each table, officials will be able to determine the voting tendencies of every neighborhood. Environmental features working to inhibit participation appear strongest in rural areas where ... much of the population lives with the threat of eviction from land and the memory of ruthless persecution by or with the connivance of local authorities" (Americas Watch 1989, 3).
- In more than 30 municipalities the elections were suspended until 23 June (LARR 91-05, 7).
- 4. One example is the lessening of Colorado control over the trade union movement. The government and Colorado controlled CPT (Confereración Paraguaya de Trabajadores) which had 90 percent of organized labour membership now organizes only a quarter of a much larger (and more independent) organized labour force (Céspedes 1993, 7).
- The author of this article witnessed this aspect of the transition during a visit to Asunción a few months after the coup.
- The most prominent of the exiled were the leader of PLRA, Domingo Laino, and Paraguay's most famous writer, Augusto Roa Bastos.
- Proceedings against the former Minister of the Interior, the former chief of investigations, several generals and two congressmen have begun (LARR 93-03, 4).
- 8. Owing to this limitation of the decision-making of the elected organs, Huntington (1991, 10) raises questions about the democratic status of Guatemala. In his classification of regimes, however, competitive elections, obviously, are the crucial criterion and, thus, Guatemala is included in the group of democracies.
- The former president, Andrés Rodríguez, is a general, a businessman and a large landowner.
- 10. A case in point is Pion-Berlin's analysis of military autonomy in five South American countries. He states that: "If the armed forces have left office but not abandoned their centers of power, then the transfer of authority from military to civilian hands is more superficial than real" (1992, 83). What is not made clear by Pion-Berlin, however, is which "centers of power" the military has to abandon and which ones it can retain in a democratic society.
- Analysts in Asunción, however, now talk about a possible dissociation of the armed forces from the Colorado party, with sections of the armed forces even planning to form a "military party" (LAWR 93-30, 351).
- In January 1993, however, he was sentenced to more than 100 days in military prison for violating military discipline (Análisis del Mes, January 1993).

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Appendix: Election Results

Presidential Elections, 1 May 1989

	Votes	%	
Andrés Rodríguez (ANR)	882,957	74.2	
Domingo Laíno (PLRA)	241,829	20.3	
Others	40,612	3.6	
Blank and null	24,175	1.9	
Total	1,189,573	100.0	

Registered voters: 2,226,061

Turnout: 53.44%

Source: LASA Forum (1989 Vol. XX, No. 3, p. 45).

Presidential Elections, 9 May 1993

	Votes	%	
Juan Carlos Wasmosy (ANR)	449,505	40.29	
Domingo Laíno (PLRA)	357,164	31.99	
Guillermo Caballero Vargas (EN)	262,407	23.56	
Others	5,810	0.62	
Blank and null	40,479	3.54	
Total	1,115,365	100.0	

Sources: LARR 93-04 (p. 3) (votes); LAWR 93-20 (p. 240) (percentage).

Congressional Elections, 1 May 1989 and 9 May 1993

		19	989				1993	
	Votes	%	Senate	Deputies	Votes	%	Senate	Deputies
ANR	833,224	72.7	24	48	n.a	43.0	20	38
PLRA	230,596	20.1	11	21	n.a	35.1	17	38
EN					n.a	17.1	8	9
PRF	25,151	2.2	1	2		-		
PLR	12,781	1.1	0	1				
PDC	11,820	1.0	0	0				
Others	9,486	0.8	0	0	n.a	4.8	0	0
Blank/null	12,048	1.8	0	n.a				
Total	1,145,106	100	36	72	n.a	100.0	45	80

Registered voters*: 2,226,061 Registered voters: n.a Turnout: 51.44% Turnout: n.a

Sources: LASA Forum 1989 Vol. XX, No. 3 (p. 45); LAWR 93-20 (p. 240); LAWR 93-25 (p. 290). * See note above.

^{*} The number of registered voters corresponds to the number of eligible voters.

Municipal Elections, 26 May 1991 (and 23 June 1991)

	Votes	%	"Intendentes"	
ANR	412,529	43.31	156	
PLRA	316,842	33.40	42	
Independents	182,941	19.42	6	
PRF [*]	32,966		0	
PDC	6,978	3.88	0	
Others	n.a.			
Blank and null:	n.a			
Registered voters	1,350,000			
Voters	952,256			

Sources: Análisis del Mes, June 1991, (suplemento especial) pp. 6-7 (percentage); ABC Color, 6 December 1991 (votes).

Constituent Assembly Elections, 1 December 1991

	Votes	%	Seats
ANR	409,730	55.11	122
PLRA	201,040	27.04	55
CPT (independ.)	81,860	11.01	19
PRF	8,140	1.23	1
PDC	6,316	0.85	1
Others	9,281	1.25	0
Blank and null	26,176	3.52	
Total	743,543		

Registered voters: 1,438,543

Turnout: 51.69%

Source: Análisis del Mes (separata III), December 1991, pp. 2-3.