

# **Democratic theory, representation and participatory institutions in Bolivia, Ecuador and Venezuela**

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## **Abstract:**

The constitutions of Bolivia, Ecuador and Venezuela, all enacted within the last ten years, include besides traditional political representation institutions participatory mechanisms that broaden the scope for intervention on the decision making process beyond electoral mechanisms and the dispute for representative offices. In light of the theoretical debate between representative democracy and direct or participatory democracy, the aim of this work is to identify the challenges for the opening of the decision making process to deeper levels of popular participation and the dilemmas faced by the three countries for the effective implementation of those new institutions brought by their inherent complexity. Are the critics to participatory models right about the impracticability of such experiments or does the empirical evidence from the three countries point new paths for democratic theory?

**Keywords:** Democratic Theory, Participative Democracy, Bolivia, Ecuador, Venezuela

Recent experiences of institutional re-foundation in Latin America have strongly introduced the idea that the political systems must open more channels for the citizens' participation through constitutional mechanisms. The Andean region in South America, in particular, experienced the promulgation of new Constitutions in Venezuela, Ecuador and Bolivia within a decade from 1999 to 2009 that incorporated a broad set of participatory mechanisms that tend to move the monopoly over the decision making process away from the elected representatives. They are certainly not the only, nor the first countries to formally recognize some of these mechanisms in the region<sup>1</sup>, but they have become the center of attention for such experiences lately due to their perceived radicalness<sup>2</sup> and the emphasis given by their governments and allies over the necessity to build a new kind of democracy.

In a previous work (Pérez Flores, Cunha Filho, e Coelho 2010), we have shown that these countries' new constitutional order effectively proposes an institutional design that incorporates important participatory mechanisms that go beyond the mere election of representatives. These new mechanisms, summarized in Table 1 can be divided in five big groups that allow for: a) the possibility of revoking the mandates of all elected representatives; b) the possibility of revoking or ratifying laws and international treaties; c) the participation of civil society organizations in the composition of control and accountability institutions; d) legislative initiative; and e) co-government in local instances<sup>3</sup>. At the same time, however, we found that despite the inflamed critical rhetoric towards representative democracy held by them, none of the three cases considered have actually abandoned the essential traits of such model<sup>4</sup>. This way, the adopted participatory institutions coexist and eventually complement the traditional representative mechanisms.

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<sup>1</sup> See the interesting mapping of constitutional recognition of participatory democracy mechanisms in South American countries done by Alicia Lissidini (2008).

<sup>2</sup> Which led some to label them as "document-driven revolutions" (Partlow 2009).

<sup>3</sup> In that work we actually divided the mechanisms in 8 groups: amplified representation, revocation of mandates, revocation/ratification of laws, foreign policy, popular accountability mechanisms, legislative initiative, co-government mechanisms and indigenous autonomy. We have since reconsidered and decided to regroup them into these five groups because the amplified representation through gender and ethnic quotas and the indigenous autonomy are not really participatory mechanisms in the same sense as the others and the foreign policy mechanisms were the exact same mechanisms for the revocation/ratification of laws applied to the external treaties, thus being of the same nature and considered here under the same group.

<sup>4</sup> Bernard Manin (1995), for example, lists four elements or institutions that characterize representative democracy: a) the designation of governments through periodic elections; b) the relative independence of rulers from the governed; c) the possibility that the governed may express opinions and preferences without coercion from the rulers; and d) the possibility of submitting governmental decisions to the public debate. All of these elements are present on the constitutions from these three countries.

**Table 1**

<b>Participation Mechanisms</b>	<b>Bolivia</b>	<b>Ecuador</b>	<b>Venezuela</b>
<b>Revocation of Mandates</b>	All elected offices are revocable (Art. 240)	All elected offices are revocable (Art. 105)	All elected offices are revocable (Art. 72).
<b>Revocation / ratification of laws and international treaties</b>	<p>Any amendment to the Constitution must be submitted to a referendum (Art. 411).</p> <p>The citizens may summon a referendum over treaties and international conventions (Art. 259).</p> <p>Treaties over border issues, monetary and structural economic integration and cession of competence to supranational entities must be submitted to referendum (Art. 257).</p>	<p>All citizens may summon a referendum to revoke laws and presidential decrees (Art. 103 and 104).</p> <p>Constitution must be submitted to a referendum (Art. 441 and 443).</p> <p>The citizens may summon a referendum over treaties and international conventions (Art. 420).</p>	<p>All citizens may summon a referendum to revoke laws and presidential decrees (Art. 73 and 74).</p> <p>Constitution must be submitted to a referendum (Art. 341 and 344).</p> <p>The citizens may summon a referendum over treaties and international conventions (Art. 73).</p>
<b>Popular Accountability</b>	<p>Exercised through the State and Society's Control and Defense Function [Public Ministry, Ombudsman and Controller General] (Art. 213 to 231).</p> <p>Organized civil society participates in the oversight and control of public management in all state levels and of any company that receives public funds (Art. 241 and 242).</p>	<p>Exercised through the Fifth Branch [Citizen's Participation and Social Control Council, Ombudsman and Controller General] (Art. 204 and 205).</p> <p>The citizens and social organizations select members for the Citizen's Participation and Social Control Council to oversight all levels of government (Art. 207, 209 and 210).</p>	<p>Exercised through the Fifth Branch [Public Ministry, Ombudsman and Controller General] (Art. 273 to 291).</p> <p>Organized society presents candidates to direct the Branch; the National Assembly performs the nominations (Art. 279).</p> <p>Members of the Fifth Branch are designated by popular suffrage only when a majority cannot be reached in the Assembly (Art. 279).</p>
<b>Legislative Initiative</b>	Citizens may propose legislation, constitutional amendments and summon a Constitutional Assembly (Art. 162 and 411).	<p>Citizens may propose legislation, constitutional amendments and summon a Constitutional Assembly (Art. 103, 104, 135 and 444).</p> <p>Ecuadorians abroad have the same prerogatives (Art. 102).</p>	Citizens may propose legislation, constitutional amendments and summon a Constitutional Assembly (Art. 204, 341, 342 and 348).

<b>Co-management mechanisms</b>	Civil society participates in the design and management of public policies, but refers to a still non-existent infra-constitutional regulation (Art. 241 and 242).	<p>Citizen's participation in all levels of government (Art. 85 and 95).</p> <p>Guarantees the participation of representatives from civil society in the discussions and deliberations of sub-national governments (Art. 101).</p> <p>Citizens may participate in the National Planning Council, responsible for the National Development Plan (Art. 279 and 280).</p>	<p>Community organizations participate in the execution, control and planning of public works, social programs and provision of public services (Art. 70 and 184).</p> <p>Workers participate in the administration of public companies (Art. 184).</p> <p>A Communal Council's Law of 2006 regulates the mechanisms for community participation.</p>
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*Sources:* Own elaboration from (República del Ecuador 2008; Estado Plurinacional de Bolivia 2009; República Bolivariana de Venezuela 1999).

In that previous work, besides describing the particular form these countries incorporated each of these mechanisms, we pointed to the fact that their effective implementation involved distinct degrees of complexity that vary according to the citizen's involvement intensity presupposed by each mechanism. Thus, it would be possible to reclassify the mechanisms from the point of view of their inherent complexity and the challenges they bring for an effective implementation. The main criterion for this reclassification would be to identify in which measure the ballot loses relevance as an essential dispositive for that mechanism to come true. To the extent that other apparatuses and pre-conditions for participation become more relevant, the complexity for their effective implementation increases and the theoretical discussion of this complexity brought about by the participatory mechanisms is the precise subject of this paper. We initiate the discussion dealing with the general challenges existent with the implementation of democratic political ideals in large scale polities and follow it with a more direct consideration of the relevant questions raised by the theoretical debate for the implementation of these five participatory mechanisms.

**1. The double problem of really existing democracies**

Many scholars agree that an important requirement for democratic regimes is the need for the biggest possible convergence between the interests of rulers and ruled. The intrinsic diversity of the big human conglomerates and the difficulties to reach perfectly

unanimous agreements are insurmountable elements of human sociability that make necessary the existence of institutionalized forms of representation to temporarily install a reduced group of citizens in the function of government. The analysis conducted by Hanna Pitkin (1972) over representation's dilemmas is exemplary of the difficulties for the implementation of democratic ideals through the indirect exercise of government.

Even if representation mechanisms solved the question of deciding who governs in complex mass societies, the issue around the loyalty from the rulers to the ruled persists. Independently of how legitimate the procedure that installs the representatives might be, there is no guarantee that the group of rulers will not betray the interests and needs of the polity they represent and start to act on their own benefit. In such case, we find what Enrique Dussel (2007) calls the *fetichization of power*, the exercise of power delegated by the political community perverts itself and becomes a mechanism of domination.

This problem's double face is latent in every democratic essay and expresses itself as follows: big and diverse political communities cannot be directly self-governed and need representative institutions to conform a temporary a ruling class. However, these rulers remain eternally suspicious of deviation. History is full of attempts carried by polities from distinct places and times to face, with bigger or lesser degrees of success, this double problem.

To face the selection of representatives' issue, modern political systems have established the ballot as the quintessential mechanism of legitimacy for the ruling elites' choice. A trajectory of more than 200 years illustrates the transformations around this essential institution for representative democracies. The existence of this right in many countries, however, does not fulfill completely the democratic aspirations of those conscious about the separation between the small and powerful world of the rules from that of the common citizens. Hence the momentum that has been building up in some Latin American countries for the idea that the democratic systems must be reformed towards a bigger participation from citizens in the decision making processes beyond the ballot.

Throughout the last thirty years, the region's countries endured a broad set of structural reforms that aimed at switching the import substitutions model for the neoliberal one. For that, one of the most commonly used strategies was the strengthening of the Executive over the Legislative, expressed in the dilemma of more governability and less representativeness. In many countries, however, the

consequences of this new logic were perverse, with repeated cases of policy switches<sup>5</sup> that generally implied the increase of political instability, popular mobilizations and presidential break-downs. It is possible to state that one of the motivations for this series of constitutional reforms in the Andean countries towards more representativeness and participation was to respond to recent cases of the phenomenon. But the design of participative institutions opens, on its turn, a new set of challenges for the fulfilling of the democratic ideal.

## **2. Participative institutions and their challenges**

The bigger the intensity of the citizen's involvement demanded by an institutional mechanism of democratic participation, the more complex and challenging its implementation becomes in the context of modern political systems. This is the thesis that leads us to identify an incremental complexity dynamic between the mandates' revocation mechanism, the *simplest*, and the co-government, the *most complex*. A dialogue with several authors who have dedicated their attention to the reflection over the functioning of democratic systems, their ideals and hindrances allows us to better identify the dynamics of this incremental complexity.

The ballot, on itself, is already a participation mechanism that demands from the citizen only taking care of his inscription on a list and his periodical presence to an electoral district in order to choose his preferred option among the offered candidates. It is clear that for that to be possible in a large scale, it is necessary to mobilize many more human and material resources so that the citizens may come forward and cast their vote. But from the citizen's point of view, participation at this level is relatively simple. It is true that, for a better use of this right, it is desirable that the citizen is sufficiently informed about the presented options in order for him to elect the better option from the point of view of his notions of self-identity and interests. But as Sartori (1994) points out, it is not crucial for the functioning of a democracy. The final ballot count does not distinguish among the votes cast by more informed citizens and the legitimacy of the elected comes only from the fact that they possess a clear majority of preferences. It is not demanded from the citizen to be competent or informed about all the relevant

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<sup>5</sup> Stokes (2001) analyzed the implementation of neoliberal reforms in the region and called attention to the occurrence of the policy switch phenomenon, a strategic action taken by the representatives that hide their real intentions and promise attractive policies during the electoral campaign but, once elected, switch to opposing propositions implementing conservative unpopular measures.

questions, since in this context he doesn't have any meaningful room for intervention over the subsequent decision making process.

When the considered constitutions open up the possibility for revoking mandates, legislation and international treaties, it is inherently an extension of the ballot mechanism beyond the selection of leaders. Thereby, people vote as well to sanction some of the decisions taken by the rulers over matters deemed to be crucial by an expressive part of the citizenship. Given the historical experience available for the various voting exercises, we may say that the implementation of such mechanisms is at hand. In fact, that is an institution that has already been practiced with relative normality in many countries.

Francisco Gutiérrez and Fabián Acuña (2009) examined 20 national referenda occurred between 1985 and 2009 in Bolivia, Colombia, Ecuador, Peru and Venezuela. The themes submitted to that mechanism were frequently linked to efforts of broad institutional reconfiguration, such as the territorial State design, Executive-Legislative relations, modes of access and permanence in elected offices, constitutional ratification etc. Some distortions, however, were pointed by the authors when evaluating these experiences: asymmetries in the agenda power between decision-making agents, the public agents' structural advantages for promoting their preferences and the tendency for dismantling other checks-and-balances mechanisms. On her turn, Alicia Lissidini (2008) on her study about referendum mechanisms argues that this process can promote two contradictory tendencies: on one hand, the effective inclusion of citizens into big public interest decisions and, on the other, the expansion of the constituted powers' influence, most notably the Executive's, thus stimulating the logics of delegation. Taken together, the kinds of distortion pointed out by the authors are not so different than the ones possibly present from ordinary electoral processes or concern only the equilibrium among the constituted powers inside the representative system itself.

We now turn to the analysis of other kinds of difficulties, distortions and challenges arisen by the demand of the citizen's participation beyond the ballot.

### *2.1 Collective Action problems*

Mancur Olson's classic work (1999) about collective action is interesting to analyze the participative democracy initiatives in the considered countries. The author rejects the classic idea that groups will act united to reach their objectives when imbued with rational behavior and centered on their own interests. According to Olson,

*Unless the group of individuals is really small, ... there is coercion or another special dispositive to make individuals act in self benefit, rational and self-centered individuals will not act to promote their common or group interests.*

Applying that logic to the cases under study, popular participation would be extremely harmed, once these individuals would not have incentives to participate in the co-government and popular accountability institutions and in the legislative initiative. Reflecting upon this logic in what concerns the big organized groups in the considered countries, however, we see in the Bolivian and Ecuadorian indigenous organizations some examples that contradict the argument's fatality. The Indigenous Nationalities' Confederation of Ecuador (Conaie) and the National Council of Ayllus and Marqas from Qollasuyu (Conamaq) and the Indigenous Peoples' Confederation of the Bolivian East (Cidob) are examples of groups formed in the opposition to the State. Not only they did not receive public incentives, but they also had to face severe constraints and coercion and still managed to maintain a notable degree of mobilization capacity. Certainly, once that they now count with governments that are more favorable to their interests, the issue may transform itself and bring risks of cooptation and autonomy loss, which could come to be a threat to democracy and contradict the participatory ideal<sup>6</sup>. In the Venezuelan case, the creation of communal councils (see Pérez Flores, Cunha Filho, e Coelho 2010) as local instances of direct participation all over the country's territory is a strong example of the risks of cooptation by the central government through conditionalities over resource transfers.

Certainly, economic incentives are not the only ones of possible consideration by the individuals, since aspirations of prestige, respect, friendship and other objectives of social and psychological nature could also be important. Therefore, we must also consider the possible existence of situations where there is no economic incentive, but rather a social one. It may be these incentives very promoted by the ongoing governments of the three countries such as patriotism, ideology, mobilization against a common enemy etc. that could lead individuals to engage in participatory institutions. In our specific cases, where participatory mechanisms were created as an answer to demands for a radical re-foundation of the State and its participatory instances and that, therefore, possessed a high degree of pre-existing popular mobilization, this could give

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<sup>6</sup> It should be noted, however, that in May 2010 the Pachakutik Party, political arm of Conaie, joined the opposition to Rafael Correa due to disagreements over his environmental policies.



the necessary incentives for participation.<sup>7</sup> Surely, this could be a sort of incentive that works well at a first moment and later lose its efficacy with the passing of time, thus putting back the question.

### *2.2 Apathy, extremism and intensity of preferences*

The participatory ideal in institutional designs presupposes, from the citizens, a demand for a more decisive participation at the decision-making process with attributions that go beyond the mere selection of representatives. The potentially participative subjects are not, however, homogeneous concerning their interest for politics and participatory venues. There is a part of the citizenship that simply doesn't care about it while at the same time there might exist, on the other extreme, a population which demonstrates great interest for the same matters and that orient towards it a great deal of time and effort. In between, there will be those who manifest a moderate interest. What consequences could this heterogeneity bring for the implementation of participative democracy mechanisms?

There is no participatory system without participants. Therefore, the greater the number of apathetic citizens, the less viable the effective implementation of such system. However, it would also be excessive to consider that any experimentation towards that direction would require the total disposition of the citizenship. Just as the representative system is viable despite the high levels of abstention in several places and times, there is no reason to suppose that mechanisms for increased participation can only exist if this participation is to be total. Carole Pateman (1992) comments that many times the criticism against those who advocate higher levels of participation take the form of considering them unrealistic for demanding high levels of rationality and political involvement from all the citizens. But having recognized the impossibility of fulfilling this ideal in absolute terms, it is worth questioning up to what point the relative apathy towards politics may hinder the functioning of increased participation institutions. Especially if this phenomenon interacts with its logical opposite, the existence of coalitions around very intense and extreme preferences.

The issue of intensity leads Sartori (1994) to affirm that direct democracy ends up being a heaven come true for active minorities with very intense preferences.

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<sup>7</sup> We lack the data for the Bolivian and Ecuadorian cases, but in Venezuela participation has been quite high, amounting to 35.5% of the adult population in the Communal Councils according to a study conducted by Kirk Hawkins (2010, 41), remarkable for an institution that is not capable of providing much direct personal material incentives as compared to the amounts of time and effort it demands.

Majority preferences that are weak at the intensity level can be defeated by minority preferences that are strong. Intense groups are active; those active prevail over the apathetic and only small groups can be durably intense. Intense minorities are real groups capable of linking preferences over a series of issues; intense majorities, however, are ephemeral aggregates. The bigger the group, the harder the complex linking of preferences becomes.

For institutions such as co-management in local governments, public accountability instances and legislative initiative, the coexistence of extremists and the apathetic could pose some negative consequences. It represents, after all, the capture of collective action by minorities that, because they have a more intense activism, are able to impose preferences that may contradict the will of the majority. When it comes to promoting a legislative initiative or organizing the participation in accountability organs, this possibility is diluted since other institutions, such as congress and referenda, may intervene in the process. The more severe consequences in Sartori's terms would be in local governments. If, as he fears, an intense and extremist minority takes over the decision-making process in a community that decides through assembly meetings, there is indeed an open possibility for apathetic majorities to be crushed by decided minorities. In such a case, other institutional guarantees could be necessary as checks and balances so that this situation does not become an authoritarian imposition practice.

Because a main motivator for participation is ideology, it is true that participants tend to show a partisan bias. Because participatory democracy is currently being promoted by left-wing governments in Latin America as a sort of revolutionary experiment, some sort of self-screening by the part of participants tends to be in action causing participation to cluster around partisan militants and hindering diversity inside the mechanisms. Hawkins (2010) documented it for the Venezuelan case, but it is likely that a similar dynamics operates in the others as well since they share with Venezuela the acute political polarization and the promoted rationale for the participatory deepening. But still, these new institutions in Venezuela – but also likely in the other two countries as well – have lived up to the ideal of empowering “groups that are often absent from traditional civil society, especially women and the poor” (Hawkins 2010, 60) and because none of the countries have abandoned representative mechanisms, but rather implemented the participatory ones as complementary, Sartori's theoretical fears seem quite exaggerated.

### *2.3 Life's hyper-politicization / costs for other activities*

An inherent consequence of participative mechanisms is the increase in the frequency of political intervention for an expressive part of the citizenship. It is not anymore only an eventual presence at the ballot booth, since now the citizen would be summoned to join supervisory committees for the selection of oversight organs, to intervene in the debates of a popular initiative legislative project or to deliberate in a neighbors' assembly over the better way to invest resources. If these mechanisms really encompass populations that do not have in politics their main activity, as the participatory ideal demands, then we are authentically broadening the scope of this activity and a bigger citizen's involvement with everyday public power issues would be demanded. Hence, the question: wouldn't an excessive politicization of life derive in high costs for the fulfillment of other socially necessary activities?

Sartori (1994), for example, affirms that when everyone is busy with politics, other activities may be emptied. It would be the case with the economic functions needful for the sustainment of life in common and that could end up atrophied as a consequence. That is why he says it is desirable for politics to occupy only a handful.

As already mentioned, however, the existence of mechanisms that broaden the participatory scope would hardly motivate all the citizenship and we don't have reasons to suppose this involvement would take up *all* of their times. Especially if we accept that these institutions are complementary to the representative gear and that is not a pure direct democracy what is being proposed. The question of up to what point it is reasonable to demand an intense involvement in politics from the common citizens without hindering other equally relevant activities or of up to what point the citizens, even the more politically prone, can dedicate enough time and effort to participate in a sufficient way in the political sphere is, nevertheless, relevant.

### *2.4 Technical competences*

The opening of new venues of participation beyond the ballot brings the issue of technical competences. In a world of technological changes, social division of labor and delegation of functions to specialized bureaucracies, the question of if the citizens possess enough capacity to take over those functions has always been raised by critics of direct democracy as one of their main objections to the extension of popular power beyond suffrage. In the three countries there are, however, at least three mechanisms where there is a possibility of a more or less direct intervention in fields where some

kind of technical knowledge is expected: legislative initiative, accountability mechanisms and co-government.

By legislative initiative we refer to the power granted to the citizens of presenting legislative projects or constitutional amendment proposals. Although the parliament has a final word at the decision of whether to approve or reject the proposals with varying degrees and deadlines of obligatory consideration (see Pérez Flores, Cunha Filho, e Coelho 2010), the elaboration by the citizens of a legislative project presupposes a technical knowledge of the proper language to be used in it, as well as the capacity of anticipating the effects it will provoke on its specific field once it is enacted into law. The main point here is not so much the possibility of non-anticipated adverse effects coming from a popular initiative law, since it is equally present in legislative projects presented by representatives, but the fact that the granted power is broad enough to encompass both laws of a very general character and a very specific one, such as social security policies, hydrocarbon laws etc. In these cases, the degree of technical knowledge potentially required really puts into question how much the common citizen could in fact use that power and the risks of its appropriation by specific interest groups already previously organized that could use it on their own benefit.

However, although it would be unrealistic to imagine a massive utilization of this instrument by common citizens, being more likely that legislative projects would be submitted by previously mobilized groups that hold some degree of specific technical knowledge such as NGOs, professional associations, trade unions etc., the obligatory filter of parliament voting reduces any serious risk of power usurpation by radicalized minorities as feared by Sartori (1994). In these countries there is even a second possible filter through which any legislation may be reverted (legislative revoking mechanisms), thus showing enough checks and balances for the preserving of minority's rights (see Pérez Flores, Cunha Filho, e Coelho 2010). And concerning the possibility that it would be vanguards and elites who would profit the most from the mechanism, although it is plausible, we ought not to forget that the introduction of legislation by lobbies shielded behind a representative is an already existing situation in many places and times. In that sense, even if the costs from technical knowledge and mobilization cause this mechanism to be more frequently used by specific interest groups, if it serves only to give more transparency to already existing lobbies it would already have performed an important role for democracy.

As with the accountability mechanisms, the issue of competencies becomes more complex and important. In Venezuela and Ecuador there is an independent State power that possesses among its attributions the oversight of public administration through specific organs that include national councils of popular participation with control and surveillance attributions. In Bolivia, although it is not constitutionalized as an independent power, the constitutional text points to equally important functions and with a wording that suggests an even more direct form of control, although it later remits it to an infra-constitutional legislation yet to be enacted. To the extent that it deals with themes such as budget execution, the acting of complex state-owned enterprises and specific public policies, it is necessary that the citizens acting inside such control mechanisms have specific knowledge according to the cases under analysis in order to carry these functions in a productive way.

In the case of control through councils with appointed members, the issue becomes softer with the possibility that some qualification pre-requisites are demanded, but in more direct intervention cases such as the one suggested by the Bolivian constitution it remains an important challenge to be tackled with.

And the challenge becomes even greater in the co-management mechanisms, where citizens must not only verify the good execution of policies, but rather formulate and execute them themselves. Once more, Bolivia draws a more ambitious proposal where civil society would have direct participation prerogatives at the design of public policies, but again submits it to a still non-existing regulatory law. In the other cases, there are more details given in the constitutional text, although they also present some vagueness over specific regulations. In Ecuador, for example, the constitution establishes the citizen's participation in the National Planning Council, although it is not clear how many citizens would participate and how will they be chosen. Anyway, it is taken for granted that the citizens participating in such co-management instances will possess a very specialized level of technical knowledge in different areas, which may encompass from the very broad Ecuadorian planning council to specific public enterprises in the fields of oil and gas, mining etc.

In the Venezuelan case, since the enactment of the Communal Councils Law in 2006 sub-municipal political unities were created with their own budgetary resources and which must decide in open assemblies their destination, the execution of public works and communal management. Among the three countries, this is probably the most radical experiment in direct democracy and self-government being executed and

according to a study conducted by the *Fundación Centro Gumilla* (Machado 2009), there were more than 25 thousand communal councils already functioning and 10 thousand being formed in 2008, showing, however, ambiguous results so far. On one hand, it highlights the increase in local empowerment, the definition of priorities by the communities themselves and the experience of direct participation afforded to many citizens that were very politically passive before, confirming the viability of such experiment. On the other, the lack of administrative experience of many councilors has in fact impaired the quality of the decisions adopted by some of the councils, confirming the issue of technical competences (see Ellner 2009).

### *2.5 Pseudo-participation*

A frequent worry from participative democracy theorists is the possibility that the institutional mechanisms for participation end up being in practice just instruments for the legitimation of decisions taken by a ruling clique. Carole Pateman (1992), for example, alerts for this possibility by recognizing three kinds of participation. The first one being full participation, an ideal, where each isolated member has an equal power in the achievement of final decisions. The second would be a partial participation, in which there are leaders and subordinates in the deliberative body, with the latter having a certain power for influencing the decisions, but with the final decision up to the leaders. And finally, there would be a pseudo-participation where a clique makes a decision and, instead of just communicating it to the subordinate for execution, it is submitted to discussion in order to create a participative rapport. In this case, it is more an element of persuasion than a true decision-making mechanism.

Armando Chaguaceda (2008), in the analysis of participatory experiences in Cuba, suggests that there are distinct ways for citizens' participation to take form, understanding it as self-conscious activity of involvement in constitutional socio-political processes. In the context of Cuban State socialism, he observes that the ruling elites are interested in a kind of participation understood only as a mobilization where it is expected from the masses to execute the policies designed by a centralized command. He identifies there the existence of an associative space that groups relatively autonomous collectives self-identified with a leftist democratic tradition that are, nevertheless, constantly in tension with the state bureaucracy for not submitting to the vertical model of official participation. Although speaking about a different country with a totally different constitutional model, the study is interesting nevertheless

because in showing this pseudo-participation dynamic and the tensions brought about by more autonomous modes of participation it highlights some of the tensions already shown in incipient forms in the three countries we analyze, most specially in Venezuela.

### **3. Final reflections**

Throughout this essay we showed the adoption of participatory institutions in the frame of contemporary Latin American political systems signals for the opening up of the decision-making process for new actors with demands for broadened participation. But, at the same time, we highlight issues from the theoretical debate around democratic institutions that announce the challenge implied by the full implementation of these new mechanisms. We believe that a reflection about the problems and eventual distortions of these new mechanisms contributes both for the improvement of empirical analyses of their practice and for alerting the actors genuinely interested in their success of their possible shortcomings.

As part of the analytic effort, we presented arguments about the reasons participative institutions face more complex challenges when taken into practice. This way, we understand the ballot's centrality as a fundamental mechanism for institutions such as the revocation of mandates or laws make them more accessible for short-term implementation. Suffrage is already a common practice in many countries and the citizenship is used to exerting it. In a revocation referendum, for example, the vote for the candidates is substituted for the decision about a question frequently made in dichotomic terms: are you in favor or against the revocation of your representative from the office to which she was elected? Are you in favor or against the enactment of this law or treaty?

Other mechanisms, such as legislative initiative, popular accountability and co-management in local governments are premised in a more active citizen who is also informed and competent in various matters. Hence, authors such as Lissidini (2008) suggestion of differentiating between reactive and pro-active mechanisms. The referenda are among the first, while the other mechanisms are the pro-active ones. The attempt to implement such mechanisms needs citizens ready to share responsibilities and accept a coherent effort to the size of their leadership. Therefore, interventions in spheres other than the purely institutional are necessary, thus suggesting a long term process.

The more skeptical approaches towards the viability of these mechanisms recommend, in the name of the danger of finding as a real result the opposite of what was intended as an ideal, that the most prudent would be not to try their implementation at all. The classic representative institutions, however, are not immune to this opposite danger themselves, as already mentioned in the case of policy switches. Also, many of the authors cited here, from the more sympathetic to participative institutions, such as Enrique Dussel (2007), to the more critical such as Sartori (1994), agree, each on their own terms, that all forms of actually existing democracies are imperfect and that we are not to expect from them a fulfillment in all their ideal purity. Therefore, we highlight the relevance of an institutional experimentalism that points towards a more dynamic and less delegative interaction between rulers and ruled, but taking into account the eventual shortcomings and deformities along the way.

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