

# **Democracy, Agency, and the Classification of Political Regimes**

For inclusion in the volume on  
*Reflections on Uneven Democracies: The Legacy of Guillermo O'Donnell*,  
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## **Fifth Version**

July 29, 2013

Acknowledgments: This chapter was much improved by the comments of Daniel Brinks, Michael Coppedge, Marcelo Leiras, Scott Mainwaring, J. Donald Moon, and Ximena Simpson.

This version of the chapter has been revised in response to the useful suggestions of the volume editors and to comments received during the outside review process at Johns Hopkins University Press. The chapter has been accepted by the editors, who informed the contributors (email 7/22/13) that the volume has been formally accepted by Johns Hopkins University Press.

### **13. Democracy, Agency, and the Classification of Political Regimes**

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Guillermo O'Donnell's ideas about democracy are used in this chapter to revisit debates about how to classify political regimes in Latin America. Recognizing that human agency is at the heart of O'Donnell's normative appreciation of democracy, it is argued that protocols for classifying political regimes should take agency more explicitly into account when moving from the conceptualization of democracy to the operationalization of criteria for characterizing a regime as democratic --that is, in formulating criteria to decide whether suffrage is inclusive, whether elections are free and fair, whether basic rights are protected, and whether elected officials can exercise their constitutional authority. In some recent classifications, certain regimes in post-1945 Argentina, Brazil, Chile, and Costa Rica have been designated democratic even though a large share of the adult population has been denied the right to vote; even though electoral competition has been unfree, unfair, or both; even though significant human rights violations have occurred; and/or even though military officers have constrained the constitutional prerogatives of elected chief executives and legislators. To assess whether a particular regime meets the operational criteria for any of these dimensions of democracy is inevitably a judgment call. Democracy is a value-laden term, however, and to bestow it too broadly is to reduce its ability to discriminate among regimes whose citizens enjoy widely differing levels of rights to participate in the making of the political decisions by which they will be bound.

Schemes for classifying political regimes would be improved, it is argued, by giving more priority to agency in deciding how far a regime can fall short on various dimensions of democracy without becoming a non-democracy; by recognizing that democracy affects social and political outcomes not just through electoral contestation, but also through the freedoms of expression and organization, as well as by altering perceptions of entitlement to state benefits; by using twenty-first century rather than past standards to characterize regimes; and by classifying regimes into more than three categories. Collier and Adcock (1999: 537) insist that "how scholars understand and operationalize a concept can and should depend in part on what they are going to do with it." By operationalizing democracy in a way more compatible with an agency-centric view of human development, regime classification would depict more validly the degree to which citizens have been empowered in the political realm to lead a thoughtfully chosen life.

#### **Democracy: Conceptualization and Operationalization**

Universal agreement on what democracy means is impossible, but that is a good thing. The safest way to improve the polity is to judge it by a variety of contested standards, rather than by a single agreed-upon standard. To communicate research findings effectively, however, a working definition is needed. Key criteria for democracy, in O'Donnell's view (2010a: 17-23), are "competitive elections for most top governmental positions"; "the positive, participatory rights of voting and eventually trying to be elected"; and "a set of freedoms that surround and are necessary supports for the likelihood of such elections and their related participatory rights."

O'Donnell further stipulates that elections, in addition to being competitive, egalitarian, inclusive, and institutionalized, should be decisive. Where elections are decisive, those who get elected actually take office, stay in office until the end of their terms (unless illness or some other uncontroversial circumstance precludes this), and while in office "can actually make the binding decisions that the legal/constitutional framework normally authorizes."

O'Donnell's criteria for a democratic political regime can be reframed as (1) free, fair, and inclusive elections; (2) basic human and civil rights; and (3) authority for those who get elected. The first criterion means that political leaders must be chosen in fair and periodic competitive elections in which almost all adult citizens have the right to vote and to run for office. The second criterion entails that citizens must be granted in principle, and not systematically denied in practice, basic rights like recognition as a person, freedom from physical abuse by agents of the state, freedom of speech and the press, freedom of association and assembly, freedom of religion, and due process of law. The third criterion implies that the decisions of elected officials should not be vetoed or undermined systematically by unelected power-holders (e.g., military leaders, local political bosses, criminal gangs, guerrilla groups, or foreign governments).

In O'Donnell's terms "authority for those who get elected" would be evidence of the decisiveness of elections (O'Donnell 2010a: 19-20), and the periodicity of elections would signify their institutionalization (O'Donnell 2004b: 15). In most respects, however, the above definition is consistent with O'Donnell's criteria, as well as with the notion of polyarchy, which Robert Dahl defined as a set of institutions that are necessary to "the highest feasible attainment of the democratic process in the government of a country" (Dahl 1989: 222). Democracy, for Dahl, is a process for making binding decisions: one that is characterized by enlightened understanding, effective participation, voting equality at the decisive stage, control of the agenda, and the inclusion of almost all adult citizens. Some of these criteria are so demanding that full democracy may be unattainable (Dahl 1989: 117). More practicable, Dahl argues (1998: 85-86), is to create a set of institutions in which (1) control of government policy decisions is constitutionally vested in elected officials; (2) officials are elected fairly and periodically; (3) citizenship (including suffrage and the right to run for office) is inclusive of practically all adult permanent residents; (4) citizens have the right to form independent associations like parties and interest groups; (5) there is freedom of expression on political matters, broadly defined; and (6) alternative sources of information exist and citizens have a right to seek them out.

Dahl uses the term polyarchy to describe a regime in which each of these six institutions is present. Two differences are worth noting between Dahl's notion of polyarchy and the shorthand three-part definition of democracy derived from O'Donnell's writings. Whereas Dahl stipulates that in a polyarchy "control of government policy decisions is constitutionally vested in elected officials," the shorthand definition requires that decision-making authority be *actually*, not just constitutionally, vested in elected officials --at least to the extent that the decisions of such officials are not vetoed or undermined systematically by unelected power-holders.<sup>1</sup> That is what O'Donnell means by the "decisiveness" of elections. Moreover, whereas Dahl singles out freedom to organize and freedom of expression and information as defining rights in a

polyarchy, the notion of "basic human and civil rights" would include rights such as recognition as a human being, freedom from abuse by agents of the state, freedom of religion, and due process of law.

The definition of democracy should be informed by its justification. Democracy may be vindicated instrumentally, by its (hypothesized) beneficial consequences for other desirable outcomes; affirmed intrinsically, as a good thing in itself (or at least as immediately necessary for the exercise of practical reason); or justified constructively, by its role in fostering discussion and interaction in which preferences are formed and modified (Sen 1999: 148). Some recent protocols for classifying political regimes, it will be argued, have focused heavily on the instrumental role of democracy, to the neglect of its intrinsic and constructive roles.

### **Democracy and Inclusive Suffrage**

In alluding to the positive, participatory right of voting O'Donnell calls attention to the importance of agency in democracy (see Vargas Cullell's chapter in this volume) and in human development more broadly. Human development may be thought of as the opportunity to lead a thoughtfully chosen life. As Sen points out (1999: 190), "not only are we well or ill, but also we act or refuse to act, and can choose to act in one way rather than another. And thus we...must take responsibility for doing things or not doing them." From this perspective, the capability to lead a thoughtfully chosen life involves the opportunity to participate in making the decisions that will bind one (or, if the polity is too large, in electing and influencing those who will make such decisions).

From a perspective that values human beings as agents as well as patients, as deliberative doers and makers as well as incarnations of states of well-being, democratic participation is intrinsically important, or at least immediately important to the exercise of practical reason. Moreover, as Sen (1999: 148) points out, democratic participation involves not only expanded opportunities to satisfy existing preferences, but also discussion and creative interaction in which we discover and rethink those preferences. Democratic participation, including by voting, is part of what O'Donnell (2004b: 39) calls "the positive freedom to decide, with reasonable autonomy, knowledge, and responsibility, the course of one's life --in my terms, to be properly an agent" (see also O'Donnell 2010a: 33, 173; and Vargas Cullell's chapter in this volume).

In a democracy, O'Donnell argues, the right to vote "should be attached to all adults in a territory, irrespective of their social condition and of ascriptive characteristics other than age and nationality." O'Donnell also stipulates that citizenship should be "assigned on the same terms to all adults who meet the nationality criterion" (O'Donnell 2004b: 16, 24). This understanding of inclusiveness parallels that of Robert Dahl, who argues that all adults should be presumed qualified, and roughly equally qualified, to make the decisions that will bind them. Accordingly, Dahl argued that "the demos should include all adults subject to the binding collective decisions of the association" (Dahl 1989: 120), and that "the demos must include all adult members of the association except transients and those proved to be mentally defective" (Dahl 1998: 37-38).

Agency for O'Donnell is not a criterion for democracy in the same sense as, say, the decisiveness of elections. It is rather an assumption or principle with which the criteria for democracy must be consistent. Analogously, Dahl (1989: 31-33, 97-101) stipulates a Strong Principle of Equality, which holds that every adult should be judged to be qualified, and roughly equally qualified, to participate in making the decisions by which he or she will be bound. Dahl justifies democracy as a process for making binding decisions that is consistent with this prior principle. From the standpoint of agency, accordingly, deprivation of the right to vote is inimical to human development both intrinsically and constructively, apart from any consequences it may have for preference satisfaction, social protest, electoral outcomes, or political analysis.

Some classification protocols, however, code regimes democratic even if the right to vote falls short of the "practically all adults" stipulated in Dahl's (1989: 221) definition of inclusive suffrage. In one such scheme, regimes in which women are disenfranchised are judged to be potentially democratic because the struggle for female suffrage never led to major political upheaval and because female enfranchisement "did not significantly change the political spectrum in any country" (Rueschemeyer, Stephens, and Stephens 1992: 48). In another, regimes that deny the vote to women or to illiterate people are coded democratic so as to "capture the considerable cross-country variation in political conditions before World War II" (Boix, Miller, and Rosato forthcoming: 7). In such protocols, the decision as to whether to classify a particular regime as democratic turns heavily on the degree to which the regime permits contested elections.

Electoral contestation may be worth explaining for its own sake, and it may well affect outcomes of interest regardless of the breadth of the suffrage. Electoral contestation, however, is a perfectly usable concept in its own right. From the perspective shared by O'Donnell and Sen, the label democratic should be reserved for regimes in which women and illiterate people have the right to vote. To designate as democratic regimes that disenfranchise such groups, from their perspective, would be to downplay the intrinsic and constructive importance of democracy and to diminish the centrality of agency in human development.

To regard suffrage as inclusive despite the exclusion of women or illiterates raises additional vexing questions that can be illustrated with reference to literacy restrictions in twentieth-century Chile and Brazil. Chile until 1970 and Brazil until 1985 required voters to pass a literacy test. Nevertheless, several of the major classification schemes code Chile from 1946 to 1969 (the last year when the literacy clause was in effect) and Brazil from 1946 to 1963 (the last year before the 1964-1985 military regime) as democratic (Boix, Miller, and Rosato 2012; Cheibub, Gandhi, and Vreeland 2009; Mainwaring, Brinks, and Pérez-Liñán 2001).<sup>2</sup> Boix, Miller, and Rosato (2012), as just noted, label suffrage-restricting regimes democratic in order to maximize variation across regimes in the pre-1945 era. Cheibub, Gandhi, and Vreeland (2010), following Alvarez et al. (1996) and Przeworski et al. (2000), label a regime democratic if its chief executive and legislature are "popularly elected," if elections are contested by more than one party, and if alternation in power has occurred. Mainwaring, Brinks, and Pérez-Liñán (2001, 2007) reject sub-minimalist definitions of democracy focused on electoral contestation in favor

of a multidimensional conceptualization similar to the ones used by Dahl and O'Donnell, but advocate using retrospective (past) rather than contemporary (twenty-first century) standards, such that the democratic character of a political regime is assessed according to what was viewed as democratic at the time each regime existed, rather than what is viewed as democratic by present-day observers.<sup>3</sup> To choose a contemporary standard, they argue, would invite anachronism, whereby no past regime could possibly live up to a characterization of democracy that includes rights that had not been institutionalized (or possibly even imagined) at the time the regime existed.

Given the normative connotations of the term, a multidimensional conceptualization of democracy seems more valid than a conceptualization focused solely on electoral contestation. Moreover, Mainwaring, Brinks, and Pérez-Liñán (2001, 2007) make an explicit and rigorous case for using past standards to classify political regimes in prior historical eras. A problem with using a past standard of democracy, however, is that it requires the classification team to make another set of (inevitably) contestable judgments. It is not self-evident in what year one should switch from a past to a twenty-first century standard, and it is debatable whether that year should be the same for all countries. To vary the operational threshold for democracy according to the times, moreover, suggests that it might also be appropriate to vary it according to the culture, such that different standards are applied in Belgium 2010 and in Yemen 2010. Another set of judgments would be needed to establish precisely what the past standard should be in a particular historical era. For example, one would have to decide in what year it became unusual rather than normal to restrict the suffrage to males or to literates. Also, to apply a past standard to the inclusiveness criterion for democracy raises the issue of whether a past standard should also be applied to the basic rights criterion. In 1845, for example, slavery existed in the United States, Native Americans were denied citizenship, and women and many free men lacked the right to vote. Nonetheless, the United States in 1845 was coded democratic by Boix, Miller, and Rosato (2012), and the widely-used Polity IV database (Marshall and Jaggers 2010) gave the United States the highest possible democracy score of "10" in 1845 (as well as in 2010). Each of these coding schemes used a "subminimalist" definition of democracy based heavily or entirely on electoral contestation, but a coding scheme that employed a multidimensional definition of democracy that included basic rights would face this issue as well.

Mainwaring, Brinks, and Pérez-Liñán (2001: 40, 46-47; 2007: 157) argue that a literacy qualification for the vote does not violate the criterion of inclusive suffrage if it (1) occurs during a historical era where similar qualifications are common in other countries; (2) fails to generate mass protest; and (3) makes little difference to electoral outcomes. In such cases, they contend, a literacy requirement is simply a cultural artifact. To the extent that suffrage restrictions can be justified in terms of their *consequences* (e.g., for protest or election outcomes), rather than in terms of their *rationales*, it might be equally worth asking (4) what share of the voting-age population is disenfranchised by a literacy test, and penalizing the regime in proportion to that share. For example, in assessing the degree of democracy in a country, Arat (1991: 25) discounts one dimension, "inclusiveness of the process," by a factor equal to one minus the proportion of the population that is disenfranchised by the exclusion. Accordingly, if a literacy requirement for

voting exists in a country in which 40 percent of voting-age people are illiterate, Arat discounts the inclusiveness component of the country's democracy score by 40 percent.

All regimes restrict suffrage. At the end of the twentieth century no country enfranchised children, and only four granted voting rights to persons adjudicated to have severe mental disabilities. Some countries also denied the vote to prisoners or to expatriates (Blais, Massicotte, and Yoshinaka 2001). Such restrictions, however, are justified by their rationales, not by their consequences. Children and those judged to be mentally incompetent are disenfranchised on the grounds that they are not autonomous agents. Likewise, military personnel are denied the right to vote in ten Latin American countries (Goodwin-Gill 2006: 128 n. 153), and Buddhist monks are denied the right to vote in Thailand (Chambers 2006: 285). The grounds for these exclusions are not always stated, but soldiers and some clergy are obliged to follow the orders of their superiors and are therefore unable, like children or the mentally ill, to act as autonomous agents. Where prisoners or expatriates are denied the vote, it is on the grounds that they have knowingly acted in ways that compromise their right to membership in the voting-entitled political community.

Let us set aside for a moment the issue of principled vs. consequentialist justifications for suffrage restrictions and review some consequences of the literacy qualification for the vote in the cases that concern us here. The literacy requirement for voting in Brazil and Chile generated no mass protest. Moreover, many poor people in pre-1958 Chile and in pre-1985 Brazil were enmeshed in clientelistic networks that predisposed them to vote for conservative candidates (Baland and Robinson 2008: 1747-48; Cohen 1989; Geddes and Zaller 1989), so the literacy requirement probably also did little to change election outcomes. On the other hand, the share of the population affected by the literacy qualification for the vote was not small in either country. As late as 1960 illiteracy in the population aged 15 and older was 39 percent in Brazil and 16 percent in Chile (McGuire 2010: 318). Turnout as a percentage of the voting-age population was only 24 percent in Brazil in 1945 (women had received the right to vote in 1932) and only 28 percent in Chile in 1952 (female suffrage had been granted in 1949). By comparison, turnout so measured was 67 percent in Argentina in 1951 (women had received the right to vote in 1947; no literacy clause had ever existed) and 50 percent in Costa Rica in 1953 (female suffrage was granted in 1949; a literacy requirement was dropped in 1913) (turnout: López Pintor and Gratschew 2002: 158-160; literacy requirements: Engerman and Sokoloff 2005b: 912-13).

Moreover, Brazil and to some extent Chile really were unusual for the length of time when a literacy qualification for the vote was in effect, and for the recency of the year in which the qualification was revoked. Brazil was the last country in Latin America not only to abolish slavery (in 1888), but also to abolish its literacy requirement for voting (in 1985), following Peru (1979), Ecuador (1978), Chile (1970), Bolivia (1952), Venezuela (1947), and Guatemala (1946). Among eighteen cases for which information is available, Brazil in 1946 was one of seven Latin American countries to have a literacy requirement for voting; as of 1964 it was one of four (Aidt and Eterovic 2011: 195; Engerman and Sokoloff 2005b: 912-13). In a broader cross-national perspective the literacy qualification was even more unusual. Reviewing the electoral laws of 187 countries, Przeworski (2009: 298) found that by 1950 only about 10 percent of countries

with any sort of suffrage had literacy, property, or income requirements for voting. Presumably, the share with a literacy qualification specifically was lower.

From the capabilities perspective introduced by Sen (1985, 1999), however, which O'Donnell in recent years came increasingly to share, the importance of agency in human development, as well as the intrinsic and constructive benefits of democratic participation, mean that the decision to describe a political regime as a democracy, as opposed to something else, should depend neither on the share of the population affected by a violation of a core democratic principle, nor on the consequences of the violation for electoral outcomes or social protest, nor on the widespreadness of the violation during a particular historical era, nor on analytical convenience. Rather, it should depend on the degree to which a political regime enables people to participate in making the decisions by which they will be bound --that is, to exercise practical reason in politics, and thereby to lead a thoughtfully chosen life.

Such enabling requires that virtually the entire adult citizenry, with very few exceptions (e.g., people who have been legally judged to have severe mental impediments), be enfranchised in a practical as well as legal sense. Discussing the United States, O'Donnell, referring to the era before the Voting Rights Act of 1965, argued that because of "the severe restrictions placed on African Americans and Native Americans, especially in the US South...the achievement of inclusive political democracy in the United States must be dated to World War II or as late as the 1960s, in the aftermath of the civil rights movement" (O'Donnell 2004b: 74 n. 35; see also O'Donnell 2010a: 32 n. 2). Even the contemporary United States arguably fails to meet a minimal standard for enfranchisement. In 2000 in ten US states, people convicted of serious crimes were denied the right to vote even after serving their sentences. In that year the voting-age population of the United States was 205 million. Among this voting-age population were 4.7 million people who had lost the right to vote owing to a criminal conviction; among them only 1.3 million were currently incarcerated. Had the other 3.4 million been enfranchised, Al Gore would have won the 2000 presidential election and the Democrats would have controlled the senate through the 1990s (Uggen and Manza 2002). These implications, however, involve the practical consequences of disenfranchisement. A separate question is whether it is just, from an agency-centric view of democracy, to deny the right to vote to people who have already served their sentences.

Among the criteria for polyarchy are not only the right to vote, but also the right to run for office (Dahl 1989: 221). It is inconsistent and arguably unjust that the United States constitution should set the minimum age for representatives at 25, senators at 30, and president at 35, while granting the right to vote at age 18 and imposing no limits at all on the minimum age of Supreme Court justices, foreign ambassadors, or members of the cabinet (Seery 2011: 148). If anything, the age limits would seem to be more important for the appointive positions than for the elective positions. The Vietnam War-era rallying cry that contributed to the 1971 constitutional amendment that lowered the voting age from 21 to 18 --"old enough to fight, old enough to vote"-- should have included "old enough to hold office."



To restrict the right to vote on the basis of race, gender, or literacy status is, from this perspective, unjust both intrinsically, because it denies agency to those in the disenfranchised groups, and constructively, because the disenfranchised people do not have the opportunity to discover or rethink their wants and needs by engaging in a core democratic practice, the right to vote. Imposing a literacy qualification for the vote means denying citizens the intrinsic and constructive benefits of democracy, even in countries in which most people are literate, even if the literacy requirement generates no mass protest, even if enfranchising illiterates would not change election outcomes, and even if many other countries have literacy qualifications. No single vote is likely to change the outcome of an election in a large community, but to exercise the right to vote has intrinsic and constructive value nonetheless. That is after all why people in large communities do vote, even when the information and activity costs of voting greatly exceed the benefits of electing one candidate rather than another, which have to be discounted by the infinitesimal probability that one's vote will tip the election result (Downs 1957: 260-74).

### **Democracy and Free and Fair Elections**

One criterion for democracy upon which virtually all political scientists agree is that elections should be free and fair. Boix, Miller, and Rosato (2013: 9) "define elections as free if voters are given multiple options on ballots and as fair if electoral fraud is absent and incumbents do not abuse government power to effectively eliminate the chance of opposition victory through peaceful contestation." Having multiple options on ballots is not a very demanding criterion for electoral freeness, however. Among other things, it does not preclude the proscription of particular political parties. Using dichotomous classifications, Boix, Miller, and Rosato (2012), as well as Cheibub, Gandhi, and Vreeland (2009), coded Argentina "democratic" from 1958 to 1961 and from 1963 to 1965, despite the proscription of orthodox Peronism, as well as of Argentina's Communist Party. The ban on orthodox Peronism gave rise to "neo-Peronist" parties, some of which competed for legislative and gubernatorial offices (McGuire 1997: 18-27, 141-145), but it prevented many Argentines from voting for a presidential candidate associated with their preferred party, and thereby (to this extent) from exercising agency in the political realm. Mainwaring, Brinks, and Pérez Liñán, using a trichotomous coding scheme (democratic vs. semi-democratic vs. authoritarian), reasonably coded Argentina "semi-democratic" from 1958 to 1961 and from 1963 to 1965, in part because "the military vetoed a few 'unacceptable' but important presidential candidates" (Mainwaring, Brinks, and Pérez Liñán 2007: 135 (quotation), 157 (rating)).

Not just in Argentina, but also in several other Latin American countries from the late 1940s onward, governments imposed bans on the electoral participation of communist parties. Such bans were in effect in Chile (1948-1958), Costa Rica (1949-1975), and Brazil (1948-1963). In these cases not only Boix, Miller, and Rosato (2012) and Cheibub, Gandhi, and Vreeland (2009), but also Mainwaring, Brinks, and Pérez Liñán (2007), coded the extant political regime democratic.<sup>4</sup> Mainwaring, Brinks, and Pérez-Liñán (2007: 135 n. 10) explicitly justify this classification. Most of the proscribed communist parties, they argue, were not electorally significant; moreover, the standards of the time permitted the banning of anti-system parties.

Munck (2009: 47) takes an intermediate position. He agrees that "the banning of the Communist Party in Chile in the late 1940s and early 1950s was different in scope than the banning of the Peronist party in Argentina," but recommends that a new regime category be established for this case and similar ones in which the banned party is of limited electoral significance.

Yedo Fiúza, the candidate of Brazil's Communist Party in the 1945 presidential election, won nearly 10 percent of the popular vote. From a conception of democracy that emphasizes agency, practical reason, and human development, however, to ban a party that is likely to win 10 percent of the vote is no more justifiable than to ban a party that is likely to win 50 percent of the vote. It is not the vote-getting capacity of the proscribed party, but the rationale behind the ban, that should be decisive in classifying the regime. Some rationales may well be compatible with the persistence of a democratic regime, such as when the banned party is judged likely -- after due deliberation by authorities appointed by elected officials and acting in accordance with constitutional guidelines-- to destroy the democratic regime itself, should its leaders ever take office (Linz 1978b: 6). This was the rationale by which the West German Constitutional Court outlawed the right-wing Nazi successor Sozialistische Reichspartei (SRP) in 1951 and the communist Kommunistische Partei Deutschlands (KPD) in 1956. The opinion in the latter case was more than 300 pages long, and turned on the argument that the KPD, were it to take power, would not give other political parties an equal chance to do so (Niesen 2002: s. 11).

Such legal decisions to proscribe "anti-system" political parties are always contestable. The bans on Latin American communist parties in the decades after World War II were arguably not justified, however, because such parties were no more "anti-system" than parties that were not proscribed. The Brazilian Communist Party rebelled in 1935, but its leaders subsequently committed themselves to the electoral road (Skidmore 1967: 61-62) --much the same as did the Communist Party of Chile, which allied with Aguirre Cerda in the late 1930s; and the Popular Vanguard Party in Costa Rica, which allied with Calderón in the early 1940s. It seems a stretch to consider most Latin American communist parties from the mid-1930s to the mid-1960s to be distinctively "antisystem parties" or "disloyal oppositions" (Linz 1978b: 28-30). If, as Linz (1978b: 30) contends, "'knocking at the barracks' for armed forces support" also counts as disloyalty, then the communist parties of Argentina, Brazil, Chile, and Costa Rica were no more disloyal than Argentina's People's Radical Civic Union, whose leaders from 1958 to 1962 sent repeated signals that they would welcome a military coup (O'Donnell 1973: 188; Smulovitz 1988: 112).

For O'Donnell, fair elections must be competitive. In each of the cases just discussed one or more political parties was proscribed. The share of the electorate that would have voted for the banned party was higher in Argentina than in Brazil, Chile, or Costa Rica, but the thoroughness of the ban was greater in these other cases than in Argentina, because Peronists had the option of voting for neo-Peronist parties in certain elections. Arguably, moreover, Peronism was more "anti-system" than the Communist parties of Brazil, Chile, or Costa Rica. Boix, Miller, and Rosato (2012) as well as Cheibub, Gandhi, and Vreeland (2009) code Argentina "authoritarian" during the entire period of Perón's first presidencies (1946-1955); Mainwaring, Brinks, and Pérez

Liñán (2007) code Argentina "semi-democratic" from 1946 to 1950 and "authoritarian" from 1951 to 1954; and Mainwaring and Pérez-Liñán (this volume) refer to "the authoritarian regime of Juan Perón (1946-1955)." If a party established an authoritarian regime the last time it was elected, it might well be expected to do so the next time.

It seems inconsistent, accordingly, that regimes in Brazil, Chile, and Costa Rica should not be penalized for imposing stringent bans on not-very-aggressively anti-system Communist parties, whereas the regime in Argentina during the proscription of Peronism should be demoted from a democracy to a semi-democracy for imposing a relatively loose ban on parties associated with the more aggressively anti-system Peronist movement. A higher share of the electorate would have voted for the Peronists in Argentina than for the Communists in Brazil, Chile, or Costa Rica, but from the standpoint of a conception of democracy that recognizes its intrinsic and constructive merits, rather than focusing mainly on its instrumental consequences, the proscription of Peronism in Argentina was arguably more, not less, compatible with a democratic regime than was the ban on the Communist parties of Brazil, Chile, or Costa Rica.

The proscription of particular political parties has to do mainly with the freeness of elections, but the fairness of elections in inaugurating some regimes characterized as democratic is also open to question. Several protocols for classifying political regimes code Brazil under José Sarney (1985-1990) as democratic (Boix, Miller, and Rosato (2012); Cheibub, Gandhi, and Vreeland (2010); Mainwaring, Brinks, and Pérez-Liñán (2007)). Sarney, however, became president in 1985 because, as vice-president, he was next in the line when the indirectly-elected president, Tancredo Neves, died before taking office. Neither the indirect character of the election nor the vice-presidential succession would raise an eyebrow had Brazil's 680-member electoral college been chosen fairly by popular vote, but it had not been. Instead, the electoral college comprised all senators and federal deputies plus six representatives appointed by each of 22 state legislatures. Each of these electors was in turn elected while the literacy qualification for the vote was still in effect, and after April 1977 electoral reforms shifted voting clout toward the Northeast and toward municipal councils, where the pro-military Partido Democrático Social exerted undue influence through patronage resources (Fleischer 1984: 20-30; Samuels and Abrucio 2000: 52-53).

In a similar fashion, General Pinochet and his allies reformed the Chilean constitution in 1980 to stipulate that, when legislative activity was restored, nine of 38 senators would be appointed rather than elected, two by the president, three by the Supreme Court, and four by a National Security Council composed of military leaders. All former presidents, moreover, would be entitled to stay on as senators-for-life. In 1988 the military regime, anticipating a transition to civilian rule, also created for the lower house a two-seat-per-district electoral system in which a minority party (presumably of the right in most districts) could capture one of the two seats with as little as 33 percent of the vote. This manipulation did not work as well as General Pinochet and his collaborators had hoped, but it did make the legislative right strong enough after the 1989 elections to block proposals to reform the constitution enacted under military rule (Constable and Valenzuela 1991: 175-76). All of the major classification schemes nevertheless designate Chile

democratic from 1990 to 2005, the year in which the constitution was finally amended to do away with the designated senators.

No country has completely fair elections. In the contemporary United States not only are ex-felons denied the vote; legislation in various states pushes the limits of voter suppression, single-member districts are gerrymandered by state legislative majorities, and openly partisan officials administer elections and vote counts. It would be useful to have a demarcation line that would tell us when a country's elections were fair enough to qualify as having met the free and fair elections criterion, but no one has yet proposed one. Several schemes for classifying Latin American political regimes seem, however, to have been unduly generous in awarding the designation "democratic" to regimes whose chief executives and legislators have won office in elections that were neither inclusive nor free nor fair.

### **Democracy and Basic Rights**

Political scientists differ on the wisdom of treating basic human and civil rights as constituent elements of democracy. As noted above, O'Donnell (2010a: 23) includes in his definition of democracy "a set of freedoms...that are necessary supports for the likelihood of...elections and their related participatory rights." Likewise, Dahl (1989: 170) argues that "Freedom of speech...is necessary both for effective participation and for enlightened understanding; so too are freedom of the press and freedom of assembly. In large democratic systems the right to form political parties and other political associations is necessary to voting equality, effective participation, enlightenment, and final control over the agenda." Mainwaring and Pérez-Liñán (this volume) state that "democracies must protect political and civil rights such as freedom of the press, freedom of speech, freedom to organize, the right to habeas corpus, etc. Even if the government is chosen in free and fair elections with a broad suffrage, in the absence of an effective guarantee of civil and political rights, it is not democratic as that word is understood in the modern world." Other basic rights that might be treated as constituent elements of democracy include freedom from physical abuse by agents of the state, recognition as a person, freedom of religion, freedom to assemble, and due process of law. In some conceptualizations such rights are viewed as necessary conditions for democracy; in others such rights are owed protection in democracies; and in still others such rights are constituent parts of democracy, without which democracy is not just impossible but inconceivable.

If basic rights are both necessary to and protected by the holding of contested elections, it is probably convenient to think of basic rights and contested elections together as constituent parts of democracy, rather than treating basic rights as causes, conditions, or consequences of contested elections. To separate basic rights conceptually from contested elections creates a chicken-and-egg problem: basic rights are necessary to have meaningfully contested elections, but meaningfully contested elections are necessary to protect basic rights. Advocates of a minimalist definition of democracy based solely on contested elections, excluding basic rights, argue that "if democracy requires civil liberties, political rights, freedom of the press, and other freedoms, then inquiries about the connection between democracy and such freedoms are...precluded" (Cheibub, Gandhi, and Vreeland 2010: 73). It is not self-evident, however, that

treating electoral contestation and basic rights as constituent elements of democracy would block off questions about the connections between them. Several sets of country-year estimates exist for both contested elections and basic rights; it would not be difficult to obtain statistical associations among these estimates. The question would be how to interpret such associations. Would a strong association mean that basic rights were causing contested elections, or that contested elections were causing basic rights, or that both were being caused by a third factor, among which a strong candidate would be a degree of functional interdependence sufficient to characterize basic rights and contested elections as parts of a single whole, democracy?

Some of the major protocols for classifying Latin American political regimes may also have been unduly generous in labeling "democratic" regimes in which widespread, severe, and apparently systematic violations of human rights take place. In Brazil from 1985 to 1990 criminal suspects were routinely tortured by police. In the state of São Paulo in 1989 more than 1,000 prisoners were beaten at a detention center and 18 prisoners suffocated to death at a police station. From 1985 onward death squads, often including police officers and operating with apparent impunity, killed hundreds of street children and other suspects. Between 1985 and 1990 some 250 peasants, rural union leaders, or lawyers involved in land disputes were killed in the state of Pará alone, without a single assassin being brought to justice. A form of slavery involving confinement and forced unpaid labor (but not commodification) persisted near the Peruvian border. In March 1991, Brazil's Supreme Court finally ruled unconstitutional a law by which men could kill spouses or lovers and win acquittal on the ground of "legitimate defense of honor." These killings were far from rare; 722 men used the "honor killing" defense over a two-year period (1980-1981) in the state of São Paulo alone. In August 1991, a local jury in Paraná ignored the Supreme Court's decision and acquitted the man whose case had led to the Supreme Court ruling (*New York Times* 15 May 1989, 19 June 1990; 1 August 1990; 6 September 1990; 13 November 1990; 29 March 1991; Amnesty International 1991: 46-49; Nelson 1993).

Basic rights violations occur in all countries. The challenge for the researcher is to ascertain how widespread, severe, and systematic they are, and to apply the same criteria to each regime. One classification scheme finds that no violation of civil liberties occurred in Brazil from 1983 to 2004, but that massive violations occurred in Argentina from 1951 to 1954, near the end of Perón's presidency (Mainwaring, Brinks, and Pérez-Liñán 2007: 157). The last few years of Perón's presidency were indeed characterized by such anti-democratic practices as the denial of media access to opposition parties, repression of non-Peronist political gatherings, and jailings of opposition candidates (McGuire 1997: 69). These violations of basic civil rights, moreover, may have mattered more directly to the conduct of contested elections than the violations of basic human rights under Sarney. The violations under Sarney, however, were much more severe in their immediate consequences for human development, of which an important prerequisite is survival. To live a thoughtfully chosen life, one has to be alive. Given an electoralist conception of democracy it might be reasonable to conclude that the waning years of Perón's presidency were more authoritarian than the five years during which Sarney held office. From a perspective in which democracy is justified in terms of its ability to encourage human flourishing, however, a quite different conclusion might be warranted.

## Democracy and the Decisiveness of Elections

By the decisiveness of elections O'Donnell means that those who get elected take office, stay in office until the end of their terms (barring some uncontroversial circumstance like a natural death), and while in office are able to make policy in accordance with their constitutional prerogatives. Elections are not decisive when, for example, elected chief executives or legislators find that their policy-making prerogatives are constrained or undermined by military leaders, local political bosses, criminal gangs, guerrilla groups, or foreign governments.

O'Donnell's conviction that the decisiveness of elections is an indispensable dimension of democracy is shared by many other scholars. Coppedge (2012: 26) calls this criterion the scope of democratic authority, and argues that "it doesn't matter how a government was chosen if it has no power to carry out its decisions." Valenzuela (1992: 62-70) refers to the absence of tutelary powers and reserved domains as a key criterion for the democracy designation. Mainwaring and Pérez-Liñán (this volume) insist that a defining criterion for democracy should be that "elected authorities must exercise real governing power, as opposed to a situation in which elected officials are overshadowed by the military or by a non-elected shadow figure."

Agreement on this criterion is not universal, however. Przeworski et al. (2000: 35) write that "as long as officeholders are elected in elections that someone else has a chance of winning, and as long as they do not use the incumbency to eliminate the opposition, the fact that the chief executive is a general or a lackey of generals does not add any relevant information." Cheibub, Gandhi, and Vreeland (2010: 73) argue that "civilian control of the military, national autonomy with respect to the international system, and bureaucratic responsiveness to executive and legislative authorities, are attributes that vary across political systems, irrespective of the rules they follow to choose who makes decisions for the country. These are attributes of political systems in general, not of a specific type of political regime."

It is true that unelected actors may constrain chief executives and legislators in authoritarian regimes as well as in democracies, but it is equally true that contested elections may take place in authoritarian regimes as well as in democracies (Levitsky and Way 2010). Neither commonality precludes our considering both contested elections and decisive elections to be constitutive elements of democracy. Birds as well as humans have two legs, but this commonality does not preclude our considering bipedalism to be a defining feature of humans.<sup>5</sup> Elections may have important consequences even if they are not decisive, but no regime in which contested elections are *not* decisive can be meaningfully classified as a democracy.

What Stepan (1988) calls military prerogatives and what Garretón (1991) calls authoritarian enclaves are divided by Valenzuela (1992: 62-70) into two types of institutions and practices that allow military leaders to hold sway over civilians elected after transitions from authoritarian rule. The first, "tutelary powers," has two main embodiments: constitutional clauses that grant the military the right to defend the fundamental interests of the nation (including at times when such "defense" sets the military at odds with the decisions of an elected government), and military-led National Security Councils that claim the right to oversee various aspects of

government policy. The second, "reserved domains," involves specific policy areas that top military officers deem out of bounds for elected officials owing to national security concerns. If one agrees that democracy requires elections that are decisive as well as contested, then the more expansive and efficacious the military's tutelary powers and reserved domains, even in a civilian regime with contested elections, the more dubious it becomes to call such a regime democratic.

In no regime are elected officials completely free to legislate and execute policy without regard to the preferences of unelected elites. Elected officials in capitalist economies are reticent to make or enact policies that undermine business confidence (Block 1977: 16-19). In some cases, however, the influence of such elites expands to the point where elections are arguably no longer decisive. This situation can be illustrated by a comparison of the immediate post-military governments in Argentina (1983-1989 under Alfonsín), Brazil (1985-1990 under Sarney), and Chile (1990-1996 under Aylwin). The military in Brazil and in Chile had both of the tutelary powers identified by Valenzuela; the military in Argentina had neither. A similar contrast exists with reserved domains. Whereas Alfonsín took control of military promotions, the military budget, and military-run industries, Brazil's president Sarney and Chile's president Aylwin were compelled to leave these matters in the hands of the armed forces. No military officer served in Alfonsín's cabinet, whereas six of Sarney's 22 ministers belonged to security forces. Using these sources of leverage, the army under Sarney exerted enormous influence over the handling of strikes, the nuclear industry, economic integration with Argentina, agrarian reform, and the development of the Amazon (Hagopian 1990: 156; Hunter 1997: 33, 55; Stepan 1988: 103-118; Valenzuela 1992: 62-70). Although military control over elected officials in Brazil and Chile never reached the height of more extreme military-fist-in-civilian-glove regimes like El Salvador's or Guatemala's (Karl 1986; Mainwaring, Brinks, and Pérez-Liñán 2007: 132), it was high enough to call into question whether either of these countries in its initial post-military period surpassed a minimal threshold of democracy. Nevertheless, the major classification schemes code Brazil 1985-1990 and Chile 1990-2005 as democratic, and Cheibub, Gandhi, and Vreeland (2009) classify even El Salvador 1984-1993 and Guatemala 1986-1988 as democratic.

### **Democracy and the Perils of Electoralism**

The preceding review has revealed only one instance --the characterization of Perón's regime from 1946 to 1955-- where existing classification protocols may have been too ready to designate a regime authoritarian. In other cases, particularly Brazil under Sarney (1985-1990), such schemes appear to have been too generous in awarding the designation democratic, at least from the standpoint of a conceptualization of democracy that emphasizes, as O'Donnell did, the importance of agency, practical reason, and human development as reasons why democracy is worth having. The preponderance of such errors of inclusion (from the standpoint of this agency-centric view) appears to be related to reasoning that applies unduly consequentialist criteria to decide whether suffrage is really inclusive, whether elections are really free and fair, whether basic rights are really being protected, and whether elected officials really exercise their constitutional authority.

The application of such consequentialist criteria (Sen 1999: 58-59, 211-213) may well be related, in turn, to a somewhat restricted view of the processes by which democratic politics affect such outcomes as economic development, macroeconomic stability, income inequality, public goods provision, famine prevention, free-market reform, involvement in trade agreements, and war avoidance or performance. "In all of these areas of research," argue Cheibub, Gandhi, and Vreeland (2010: 73), "the mechanism that links political regimes to outcomes is the presence or absence of contested elections." Even in multidimensional (as opposed to sub-minimalist) conceptualizations of democracy that explicitly reject "electoralism" from a normative point of view, restrictions on universal adult suffrage are downplayed to the extent that they appear to be inconsequential for election outcomes; the proscription of particular political parties may not count against a regime's democratic credentials if the banned parties seem likely unlikely to win elections in the foreseeable future; and violations of basic rights appear to be given more weight when they interfere with electoral contestation than when they do not.

In fact, however, the mechanisms by which political regime form is likely to affect outcomes of interest go well beyond electoral incentives. The range of such mechanisms can be illustrated by exploring the impact of political regime form on social policies conducive to reducing premature mortality, which is an outcome of particular interest from the human development perspective that O'Donnell in his later writings came increasingly to share. Several studies have concluded that more democracy, as measured by expert ratings from Polity or Freedom House, is associated with lower infant or under-5 mortality, or with higher life expectancy at birth, controlling for other factors likely to influence such outcomes (Altman and Castiglioni 2009; Klomp and de Haan 2009; Lake and Baum 2001; Przeworski et al. 2000; Zweifel and Navia 2003; but cf. Ross 2006).

Why might democracies, all else equal, have lower rates of early death than non-democracies? Electoral incentives may well be involved. In democracies, "rulers have the incentive to listen to what people want if they have to face their criticism and seek their support in elections" (Sen 1999: 152). According to the median voter hypothesis, income under majority rule should be redistributed downward to the extent that democratization (e.g., the extension of the franchise) pulls the income of the voter with the median income farther below the mean income of all of the voters (Meltzer and Richard 1981). Analogous forces may influence the provision of basic social services. As democratization enfranchises more people inadequately served by health care, water and sanitation, education, or family planning, vote-maximizing politicians should try to improve the quality, quantity, and accessibility of such services.

The electoral incentives highlighted in the median voter hypothesis are, however, only one mechanism by which democracy affects the proposal, design, approval, and effective implementation of social policies that reduce the rate of early death. The freedoms of association and assembly are another. These freedoms enable community activists, interest groups, and issue networks (informal groups of experts in a particular area of public policy) to pressure for policies that improve services conducive to lower mortality --or, on occasion, for policies that continue to restrict such services to better-off groups. Yet another channel through which democracy affects



mortality involves freedom of speech and the press, which enables journalists and others to call attention to social problems, including deficiencies in social performance.

A fourth linkage between democracy and infant mortality is the ratcheting up of legal rights, the empowerment of communities, and the evolution of expectations about who should be eligible for state services, subsidies, and social assistance. The principle that citizens have equal rights --one person, one vote-- sets in motion a gradual evolution toward a belief that the state is obliged to provide social services that are sufficient to enable every citizen, no matter how poor, to survive and to live with dignity (Marshall 1950b). The evolution of expectations about state obligations to impoverished (as well as other) citizens should encourage the utilization as well as provision of mortality-reducing social services. Accordingly, long-term democratic experience should be associated more closely than short-term democratic practice with lower premature mortality, which several recent studies suggest is the case (Gerring, Thacker, and Alfaro 2012; McGuire 2010, forthcoming; Wigley and Akkoyunlu-Wigley 2011).

### **What Is To Be Done?**

Protocols for classifying political regimes could be improved, it has been argued, by operationalizing democracy in a way that gives more priority to human agency, and thereby to the opportunity to lead a thoughtfully chosen life; by recognizing that democracy affects social and political outcomes not only through electoral contestation, but also through the freedoms of expression and organization, as well as through long-term cultural changes; by applying twenty-first century rather than past standards to decide whether a country meets the operational requisites for democracy; and by adopting less consequentialist and more agency-centric criteria for deciding to what degree of shortfall on a particular dimension is compatible with the designation "democratic." It will be argued in this concluding section that regime-classification protocols could also be improved by using more than three categories to classify regimes; by recognizing a tradeoff between the likelihood of misclassification and the misleadingness of misclassification; by identifying more explicitly the years in each country when classification judgment calls are the most vexing; and by justifying in narrative form the classification chosen for those years.

Some writers advocate doing research with a continuous measure of democracy, rather than with the dichotomous or trichotomous schemes used in many recent studies. Bollen and Jackman (1989: 618) contend that "democracy is always a matter of degree"; and Collier and Adcock (1999) argue that graded measures of democracy are appropriate for certain research purposes. Others argue that a continuous notion of democracy will lead to absurdities, compelling the analyst "to speak of positive levels of democracy in places like...Chile under Pinochet or Brazil during the military dictatorship" (Cheibub, Gandhi, and Vreeland 2010: 78). One way to sidestep this pitfall would be to establish a threshold below which the quality of democracy is zero (Alvarez et al. 1996: 21; Collier and Adcock 1999: 548-550; Sartori 1987: 184-185; Schedler 1999). The Polity IV variable called *polity2*, which ranges from -10 (most autocratic) to +10 (most democratic) (Marshall and Jaggers 2010), is consistent with this recommendation, although the Polity IV coding is open to criticism on other grounds (Bowman,

Lehoucq, and Mahoney 2005; Haggard and Kaufman 2012; McGuire 2010: 32-33; Munck and Verkuilen 2002). In Argentina, for example, the 1976-1983 military regime received a polity2 score of -9 in 1976-1980 and -8 in 1981-1982. Democracy stayed at 0 from 1976 to 1982; authoritarianism fell from 9 to 8 in 1981.

In practice, however, for the terms themselves to be meaningful, a democracy does at some point have to slip into authoritarianism, even if it experiences a slow death (O'Donnell 1992) rather than a sudden breakdown. Mainwaring, Brinks, and Pérez-Liñán (2007: 157) argue that this happened under Perón in Argentina in the early 1950s, and Mainwaring (2012: 961) argues that it happened under Chávez in Venezuela in the 2000s. According to the criteria set forth in preceding sections of this paper, Brazil became a democracy in 1990, Chile in 2005, and Costa Rica in 1975, when the National Assembly amended the constitution to permit the electoral participation of Marxist parties, which had been effectively banned since 1949 (Hernández Valle 2006: 367-368; Martz 1967: 894; Oconitrillo 1981: 210-211). It is reasonable to view such transitions as proceeding at varying paces, and advancing to varying degrees, according to the dimension of democracy analyzed --inclusive franchise, free and fair elections, preservation of basic rights, and authority to those elected. Polity IV, however, sets this zero point almost incidentally, whereas some of the most rigorous attempts to classify regimes according to categories attempt self-consciously to stipulate precisely where the cut-off points should lie, even as they recognize that "even with explicit coding rules, some cases present difficult borderline judgments" (Mainwaring, Brinks, and Pérez-Liñán 2001: 50).

The debate as to whether to characterize democracy according to discrete categories or according to a continuous function is in certain respects misconstrued. As we expand the number of categories into which regimes may be classified, what emerges is not a continuum but a more finely-divided polychotomy. Whether a continuum actually underlies this polychotomy is a question that is most prudently left to experts in the humanities. It is inevitably necessary to assign the cases discrete numbers, and thereby to divide them into categories, even if the numbers are carried out to multiple decimal places (they cease to be categories only at the asymptote). In this respect Sartori (1970: 1038) is correct to assert that human understanding requires categories divided by "cut-off points." The question is how closely to space the cut-off points between the categories. Dichotomous measures are "useful for certain purposes, such as analyzing the duration of democratic regimes. However, [a] dichotomous coding lumps together polities that exhibit quite different regime qualities" (Coppedge and Gerring et al. 2011: 249).

Because of this lumping problem, some of the most transparent and rigorous attempts to classify political regimes in a large number of Latin American countries over a long span of time have elected to place regimes in three categories: democratic, semi-democratic, or authoritarian (Bowman, Lehoucq, and Mahoney 2005; Mainwaring, Brinks, and Pérez-Liñán 2001, 2007). Mainwaring, Brinks, and Pérez-Liñán argue (2001: 37) that their "trichotomy achieves greater differentiation than dichotomous classifications and yet avoids the need for massive information that a fine-grained continuous measure would require." Later (2001: 50), they add that "we may not know whether a country should be scored as a 6 or a 7 on Freedom House's interval scale,

but we can be confident it is a semi-democracy. By constructing a trichotomous scale with a modest information demand, we can significantly reduce the number of coding errors and thus achieve greater reliability than would be possible under a more demanding classification scheme. Our scheme has enough categories to avoid forcing cases into classes that violate our common sense understanding, yet has few enough that we do not need to draw fine distinctions among regimes." They continue, however, that "of course, even with explicit coding rules, some cases present difficult borderline judgments," and note that Brazil 1946-1963, which they decide (with reservations) to code as democratic, serves as a case in point.

Reviewing a remarkable range of societies over the past two thousand years, the philologist Emory Lease concluded that "from time to time in the history of the world various numbers, chiefly those from 1 to 12, have been regarded as possessing a mystical significance, but there can be no doubt that in the extent, variety, and frequency of its use, the number 3 far surpasses all the rest" (Lease 1919: 56). The importance of the Holy Trinity in Christianity is beyond dispute. Berg and Rapaport (1954) found that college students, when asked to design multiple-choice questions with four options, had a strong bias toward placing the correct answer next to the numeral 3, even when asked to sequence the possible answers from 4 to 1 rather than from 1 to 4. For many sports fans, "the third repeat event in a sequence is pivotal to the subjective belief that a streak is occurring" (Carlson and Shu 2007: 113). Achen (2002: 446) concluded that "a statistical specification with more than three explanatory variables is meaningless." Garrison Keillor wrote that "[Ronnie's] ear for multiple-choice tests was good --in Lake Wobegon, the correct answer is usually 'c'" (quoted in Attali and Bar-Hillel 2003: 109).

Trichotomous schemes might thus be expected to have considerable intuitive appeal, and so they do. It is well worth noting that the present analysis utilizes a definition of democracy comprising (1) free, fair, and inclusive elections; (2) basic human and civil rights; and (3) effective authority to those who get elected. Trichotomous regime classifications, however, do not entirely escape the problem of lumping together regimes whose qualities differ significantly. Mainwaring, Brinks, and Pérez-Liñán (2007) coded Argentina authoritarian (the other categories being semi-democratic or democratic) not only during the harsh military dictatorship of General Videla (1976-1981), but also in the waning years of Perón's presidency (1951-1954). Also, like dichotomous categorizations, trichotomous schemes can be insensitive to major improvements or declines in the quality of democracy. Chile is coded "democratic" from 1946 to 1973 although women were denied the vote until 1949; the Communist Party was banned from elections from 1948 to 1958; no secret ballot existed in the countryside until 1958; and voting was restricted by a literacy clause until 1970. Elimination of these democratic defects enabled more Chileans to exercise agency in politics, and some of them had significant consequences for politics and policy. The introduction of the secret ballot in the countryside, for example, shifted votes away from right-wing political parties (Baland and Robinson 2008) and encouraged pro-poor reforms in education, family planning, and health service provision (McGuire 2010).

The more categories a classification scheme has, the greater the *chance* of misclassification; but the fewer categories such a scheme provides, the greater the *consequences*

of misclassification for answering research questions. In the Polity IV or Freedom House coding schemes, if a political regime were to receive a democracy score of 7 when it should have received a score of 6, some types of analyses (e.g., large-N time-series cross-sectional analyses) might not be seriously affected. If, however, regimes had to be classified as democratic, semi-democratic, or authoritarian, misclassification might be rarer, but its consequences for analysis would be greater. The fewer the categories (e.g., where classification is dichotomous or trichotomous), the more misclassification changes from a high-probability, low-distortion event to a low-probability, high-distortion event.

Alvarez et al. (1996: 31) contend that dichotomous schemes involve less measurement error than polychotomous schemes, but Elkins (2000: 298-299) shows that the calculations on which this conclusion is founded neglect to compare the error variance to the *total* variance across the observations in each case, and that if one takes the total variance into account, polychotomous schemes have less overall measurement error. Even when misclassification results from random measurement error (rather than bias) it can be seriously misleading. If regime form is used as a dependent variable, random error in measuring it will reduce the precision of the estimates but will not affect their magnitude. If, however, regime form is used as an independent variable and includes measurement error that is highly correlated with the measurement error in another independent variable, the regression can produce statistically significant estimates with the wrong signs (Achen 1985; Trier and Jackman 2008: 202).

Even a tetrachotomous scheme might therefore be preferable to a trichotomous scheme. Such a classification might involve the categories fully democratic, nearly democratic, nearly authoritarian, and authoritarian (cf. Munck 2009: 42, 45). Three of the four categories would fall below the threshold of democracy, which would be consistent with a stringent definition based on the principles of agency, practical reason, and human development. The principal challenge in applying such a scheme would be to identify qualitative shifts in the severity of authoritarianism, rather than qualitative shifts in the degree of democracy (although that could also be done). Thus we could classify Argentina 1946-1950 as nearly democratic and Argentina 1951-1954 as nearly authoritarian, without classifying the latter regime as fully authoritarian and thus making it indistinguishable from Argentina 1956-1957 or even Argentina 1976-1982. A tetrachotomous classification would also enable us to recognize that Brazil 1985-1990 went from nearly authoritarian to fully democratic, and free us from the need to classify Brazil 1946-1953 and 1956-1963 as fully democratic even though illiterates were disenfranchised, the Communist party was banned, and the decisions of elected officials were constrained by top military officers. To classify regimes into three categories has a certain undeniable appeal, but at least four and possibly more categories are needed --many of which would fall *below* the minimalist threshold of democracy-- to generate a classification scheme that would validly depict to what degree all adult citizens have been empowered in the political realm to lead a thoughtfully chosen life.

The foregoing review of political regimes in Argentina, Brazil, Chile, and Costa Rica in the second half of the twentieth century highlights the complexity of classifying even well-studied regimes. It also underscores, as Mainwaring, Brinks, and Pérez-Liñán (2001: 45) argue,

the importance of producing "explicit and sound coding and aggregation rules.... [that] make it easier for other scholars to assess criteria and actual classifications." Producing and applying rules for classifying political regimes is necessarily a collective enterprise (Coppedge and Gerring et al. 2011: 257-260). One useful expedient might be for each researcher classifying political regimes to indicate which country-years are most vexing to code, and produce a narrative justification for the decisions reached (cf. Haggard, Kaufman, and Teo (2012) for democratic transitions and reversions from 1980 to 2000). To create a valid classification of political regimes, the scholar must inventory a vast range of scholarship, apply contestable coding rules, make precarious judgments about borderline cases, and justify normatively the operationalization as well as the conceptualization of democracy. Guillermo O'Donnell welcomed such challenges and we are richer for his having done so.

## References

- Achen, Christopher H. (2002). "Toward a New Political Methodology: Microfoundations and ART." *Annual Review of Political Science* 5, 423-450.
- Achen, Christopher (1985). "Proxy Variables and Incorrect Signs on Regression Coefficients." *Political Methodology* 11 No. 3/4, 299-316.
- Aidt, Toke, and Dilibor S. Eterovic (2011). "Political Competition, Electoral Participation and Public Finance in 20th Century Latin America." *European Journal of Political Economy* 27 No. 1 (March), 181-200.
- Altman, David, and Rossana Castiglioni (2009). "Democratic Quality and Human Development in Latin America: 1972-2001." *Canadian Journal of Political Science* 42 No. 2 (June), 297-319.
- Alvarez, Michael, José Antonio Cheibub, Fernando Limongi, and Adam Przeworski (1996). "Classifying Political Regimes." *Studies in Comparative International Development* 31 No. 2 (Summer), 3-36.
- Amnesty International (1991). *Amnesty International Report 1991*. New York: Amnesty International Publications.
- Arat, Zehra (1991). *Democracy and Human Rights in Developing Countries*. Boulder, CO: Lynne Rienner.
- Attali, Yigal, and Maya Bar-Hillel (2003). "Guess Where: The Position of Correct Answers in Multiple-Choice Test Items as a Psychometric Variable." *Journal of Educational Measurement* 40 No. 2 (summer), 109-128.
- Baland, Jean-Marie, and James A. Robinson (2008). "Land and Power: Theory and Evidence from Chile." *American Economic Review* 98 No. 5 (December), 1737-1765.
- Berg, Irwin A., and Gerald M. Rapaport (1954). "Response Bias in an Unstructured Questionnaire." *Journal of Psychology* 38 No. 2, 475-481.
- Blais, André, Louis Massicotte, and Antoine Yoshinaka (2001). "Deciding Who Has the Right to Vote: A Comparative Analysis of Election Laws." *Electoral Studies* 20 No. 1 (March), 41-62.
- Block, Fred (1977). "The Ruling Class Does Not Rule: Notes on the Marxist Theory of the State." *Socialist Revolution* 33 (May-June), 6-28.
- Boix, Carles, Michael Miller, and Sebastian Rosato (2012). *A Complete Data Set of Political Regimes, 1800-2007*. Dataset. Accessed December 27, 2012, at <https://sites.google.com/site/mkmtwo/data>
- Boix, Carles, Michael Miller, and Sebastian Rosato (2013). "A Complete Data Set of Political Regimes, 1800-2007." *Comparative Political Studies*, forthcoming. Published online 26 November 2012. DOI: 10.1177/0010414012463905.

- Bollen, Kenneth A., and Robert W. Jackman (1989). "Democracy, Stability, and Dichotomies." *American Sociological Review* 54 No. 4 (August), 612-621.
- Bowman, Kirk, Fabrice Lehoucq, and James Mahoney (2005). "Measuring Political Democracy: Case Expertise, Data Adequacy, and Central America." *Comparative Political Studies* 38 No. 8 (October), 939-970.
- Carlson, Kurt A., and Suzanne B. Shu (2007). "The Rule of Three: How the Third Event Signals the Emergence of a Streak." *Organizational Behavior and Human Decision Processes* 104 No. 1 (September), 113-121.
- Chambers, Paul (2006). "Consolidation of Thaksinocracy and Crisis of Democracy: Thailand's 2005 Election." In Aurel Croissant and Beate Martin, eds., *Between Consolidation and Crisis: Elections and Democracy in Five Nations in Southeast Asia*. Berlin: Lit Verlag, 277-329.
- Cheibub, José Antonio, Jennifer Gandhi, and James R. Vreeland (2009). *Democracy and Dictatorship Revisited*. Dataset. Accessed July 23, 2012, at <https://netfiles.uiuc.edu/cheibub/www/datasets.html>
- Cheibub, José Antonio, Jennifer Gandhi, and James R. Vreeland (2010). "Democracy and Dictatorship Revisited." *Public Choice* 143 No. 1-2 (April), 67-101.
- Cohen, Youssef (1989). *The Manipulation of Consent: The State and Working-Class Consciousness in Brazil*. Pittsburgh, PA: University of Pittsburgh Press.
- Collier, David, and Robert Adcock (1999). "Democracy and Dichotomies: A Pragmatic Approach to Choices About Concepts." *Annual Review of Political Science* 2, 537-565.
- Constable, Pamela, and Arturo Valenzuela (1991). *A Nation of Enemies: Chile Under Pinochet*. New York: W. W. Norton.
- Coppedge, Michael (2012). *Democratization and Research Methods*. New York: Cambridge University Press.
- Coppedge, Michael, and John Gerring, et al. (2011). "Conceptualizing and Measuring Democracy: A New Approach." *Perspectives on Politics* 9 No. 2 (June), 247-267.
- Dahl, Robert (1971). *Polyarchy: Participation and Opposition*. New Haven, CT: Yale University Press.
- Dahl, Robert (1989). *Democracy and Its Critics*. New Haven, CT: Yale University Press.
- Dahl, Robert (1998). *On Democracy*. New Haven, CT: Yale University Press.
- Downs, Anthony (1957). *An Economic Theory of Democracy*. New York: Harper and Row.
- Elkins, Zachary (2000). "Gradations of Democracy? Empirical Tests of Alternative Conceptualizations." *American Journal of Political Science* 44 No. 2 (April), 287-294.

- Engerman, Stanley L., and Kenneth L. Sokoloff (2005). "The Evolution of Suffrage Institutions in the New World." *The Journal of Economic History* 65 No. 4 (December), 891-921.
- Fleischer, David V. (1984). "Constitutional and Electoral Engineering in Brazil: A Double-Edged Sword 1964-1982." *Journal of Interamerican Economic Affairs* 37 No. 4 (Spring), 3-36.
- Garretón, Manuel Antonio (1991). "La transición chilena: Una evaluación provisoria." Documento de Trabajo, FLACSO - Programa Chile, Serie Estudios Políticos No. 8, Santiago.
- Geddes, Barbara, and John Zaller (1989). "Sources of Popular Support for Authoritarian Regimes." *American Journal of Political Science* 33 No. 2 (May), 319-347.
- Gerring, John, Strom C. Thacker, and Rodrigo Alfaro (2012). "Democracy and Human Development." *Journal of Politics* 74 No. 1 (January), 1-17.
- Goodwin-Gill, Guy (2006). *Free and Fair Elections: New Expanded Edition*. Geneva: Inter-Parliamentary Union.
- Haggard, Stephan, and Robert R. Kaufman (2012). "Inequality and Regime Change: Democratic Transitions and the Stability of Democratic Rule." *American Political Science Review* 106 No. 3 (August), 495-516.
- Haggard, Stephan, Robert R. Kaufman, and Terence K. Teo (2012). *Distributive Conflict and Regime Change: A Qualitative Dataset*. Dataset. Accessed December 28, 2012, at [fas-polisci.rutgers.edu/kaufman/HKT\\_Dataset\\_v1.1.pdf](http://fas-polisci.rutgers.edu/kaufman/HKT_Dataset_v1.1.pdf)
- Hagopian, Frances (1990). "'Democracy by Undemocratic Means'? Elites, Political Pacts, and Regime Transition in Brazil." *Comparative Political Studies* 23 No. 2 (July), 147-170.
- Hernández Valle, Rubén (2006). "Regulación jurídica de los partidos políticos en Costa Rica." In Daniel Zovatto, ed., *Regulación jurídica de los partidos políticos en América Latina*. Mexico, DF: Instituto de Investigaciones Jurídicas de la Universidad Nacional Autónoma de México, 367-411.
- Hunter, Wendy A. (1997). *Eroding Military Influence in Brazil: Politicians Against Soldiers*. Chapel Hill, NC: University of North Carolina Press.
- Karl, Terry L. (1996). "Imposing Consent? Electoralism vs. Democratization in El Salvador." In Paul Drake and Eduardo Silva, eds., *Elections and Democratization in Latin America, 1980-1985*. La Jolla: Center for Iberian and Latin American Studies, University of California, San Diego.
- Klomp, Jeroen, and Jakob de Haan (2009). "Is the Political System Really Related to Health?" *Social Science & Medicine* 69 No. 1 (July), 36-46.
- Lake, David A., and Matthew A. Baum (2001). "The Invisible Hand of Democracy: Political Control and the Provision of Public Services." *Comparative Political Studies* 34 No. 6 (August), 587-621.



Lease, Emory B. (1919). "The Number Three, Mysterious, Mystic, Magic." *Classical Philology* 14 No. 1 (January), 56-73.

Levitsky, Steven, and Lucan A. Way (2010). *Competitive Authoritarianism: Hybrid Regimes After the Cold War*. New York: Cambridge University Press.

Linz, Juan J. (1978). *The Breakdown of Democratic Regimes: Crisis, Breakdown, and Reequilibration*. Baltimore, MD: Johns Hopkins University Press.

López Pintor, Rafael, and Maria Gratschew (2002). *Voter Turnout since 1945: A Global Report*. Stockholm: International Institute for Democracy and Electoral Assistance.

Mainwaring, Scott (2012). "From Representative Democracy to Participatory Competitive Authoritarianism: Hugo Chávez and Venezuelan Politics." *Perspectives on Politics* 10 No. 4 (December 2012), 955-967.

Mainwaring, Scott, Daniel Brinks, and Aníbal Pérez-Liñán (2001). "Classifying Political Regimes in Latin America, 1945-1999." *Studies in Comparative International Development* 36 No. 1 (Spring), 37-65.

Mainwaring, Scott, Daniel Brinks, and Aníbal Pérez-Liñán (2007). "Classifying Political Regimes in Latin America, 1945-2004." In Gerardo L. Munck, ed., *Regimes and Democracy in Latin America: Theories and Methods*. New York: Oxford University Press.

Mainwaring, Scott, and Aníbal Pérez-Liñán (2013). "Democratic Breakdown and Survival in Latin America." This volume.

Marshall, Monty G., and Keith Jagers (2010). "Polity IV Project: Political Regime Characteristics and Transitions, 1800-2009." Dataset and associated codebook. Accessed February, 2011, at <http://www.systemicpeace.org/inscr/inscr.htm>

Marshall, T. H. (1950). "Citizenship and Social Class." In Marshall, T. H., *Citizenship and Social Class and Other Essays*. Cambridge, UK: Cambridge University Press, 1-85

Martz, John D. (1967). "Costa Rican Electoral Trends, 1953-1966." *The Western Political Quarterly* 20 No. 4 (December), 888-909.

McGuire, James W. (1997). *Peronism without Perón: Unions, Parties, and Democracy in Argentina*. Stanford, CA: Stanford University Press.

McGuire, James W. (2010). *Wealth, Health, and Democracy in East Asia and Latin America*. New York: Cambridge University Press.

McGuire, James W. (2013). "Political Regime and Social Performance." *Contemporary Politics*, forthcoming.

Meltzer, Allan H., and Scott F. Richard (1981). "A Rational Theory of the Size of Government." *Journal of Political Economy* 89 No. 5 (October), 914-927.

Munck, Gerardo L. (2009). *Measuring Democracy: A Bridge Between Scholarship and Politics*. Baltimore: Johns Hopkins University Press.

Munck, Gerardo L., and Jay Verkuilen (2002). "Conceptualizing and Measuring Democracy: Evaluating Alternative Indices." *Comparative Political Studies* 35 No. 1 (February), 5-34.

Nelson, Laura Sue (1993). "The Defense of Honor: Is It Still Honored in Brazil?" *Wisconsin International Law Journal* 11 (Spring), 531-556.

Niesen, Peter (2002). "Anti-Extremism, Negative Republicanism, Civic Society: Three Paradigms for Banning Political Parties. Part 1." *German Law Journal*. Accessed January 2, 2013, at <http://www.germanlawjournal.com/index.php?pageID=11&artID=164>

O'Donnell, Guillermo (1973). *Modernization and Bureaucratic-Authoritarianism*. Berkeley, CA: Institute for International Studies.

O'Donnell, Guillermo (1992). "Transitions, Continuities, and Paradoxes." In Scott Mainwaring, Guillermo O'Donnell, and J. Samuel Valenzuela, eds., *Issues in Democratic Consolidation: The New South American Democracies in Comparative Perspective*. Notre Dame, IN: University of Notre Dame Press, 17-56.

O'Donnell, Guillermo (2004). "Human Development, Human Rights, and Democracy." In Guillermo O'Donnell, Jorge Vargas Cullel, and Osvaldo M. Iazzetta, eds., *The Quality of Democracy: Theory and Applications*. Notre Dame, IN: University of Notre Dame Press.

O'Donnell, Guillermo (2010). *Democracy, Agency, and the State: Theory with Comparative Intent*. New York: Oxford University Press.

Oconitrillo, Eduardo (1981). *Un siglo de política costarricense: Crónica de 23 campañas presidenciales*. San José, CR: Editorial Universidad Estatal a Distancia.

Przeworski, Adam (2009). "Conquered or Granted? A History of Suffrage Extensions." *British Journal of Political Science* 39 No. 2 (April), 291-321.

Przeworski, Adam, Michael E. Alvarez, José Antonio Cheibub, and Fernando Limongi (2000). *Democracy and Development: Political Institutions and Well-Being in the World, 1950-1990*. New York, NY: Cambridge University Press.

Ross, Michael L. (2006). "Is Democracy Good for the Poor?" *American Journal of Political Science* 50 No. 4 (October), 860-874.

Rueschemeyer, Dieterich, Evelyn Huber Stephens, and John D. Stephens (2002). *Capitalist Development and Democracy*. Chicago: University of Chicago Press.

Samuels, David, and Fernando Luiz Abrucio (2000). "Federalism and Democratic Transitions: The 'New' Politics of the Governors in Brazil." *Publius: The Journal of Federalism* 30 No. 2 (Spring), 43-61.

- Sartori, Giovanni (1970). "Concept Misformation in Comparative Politics." *American Political Science Review* 64 No. 4 (December), 1033-1053.
- Sartori, Giovanni (1987). *The Theory of Democracy Revisited*. Chatham, NJ: Chatham House.
- Schedler, Andreas (1999). "What is Democratic Consolidation?" *Journal of Democracy* 9 No. 2 (April), 91-107.
- Seery, John E. (2011). *Too Young to Run?: A Proposal for an Age Amendment to the U.S. Constitution*. University Park, PA: Penn State Press.
- Sen, Amartya (1985). *Commodities and Capabilities*. Amsterdam: Elsevier Science Publishers.
- Sen, Amartya. (1999). *Development as Freedom*. New York: Alfred A. Knopf.
- Skidmore, Thomas (1967). *Politics in Brazil: An Experiment in Democracy, 1930-1964*. New York: Oxford University Press.
- Smulovitz, Catalina (1988). *Oposición y gobierno: Los años de Frondizi/2*. Buenos Aires: Centro Editor de América Latina.
- Stepan, Alfred (1988). *Rethinking Military Politics: Brazil and the Southern Cone*. Princeton, NJ: Princeton University Press.
- Trier, Shawn, and Simon Jackman (2008). "Democracy as a Latent Variable." *American Journal of Political Science* 52 No. 1 (January), 201-217.
- Uggen, Christopher, and Jeff Manza. "Democratic Contraction? Political Consequences of Felon Disenfranchisement in the United States." *American Sociological Review* 67 No. 6 (December), 777-803.
- Valenzuela, J. Samuel (1992). "Democratic Consolidation in Post-Transitional Settings: Notion, Process, and Facilitating Conditions." In Scott Mainwaring, Guillermo O'Donnell, and J. Samuel Valenzuela, eds., *Issues in Democratic Consolidation*. Notre Dame, IN: University of Notre Dame Press.
- Vargas Culler, Jorge (2013). "Democracy and Democratization: O'Donnell's Critique of Procedural Democracy." This volume.
- Wigley, Simon, and Arzu Akkoyunlu-Wigley (2011). "The Impact of Regime Type on Health: Does Redistribution Explain Everything?" *World Politics* 63 No. 4 (October), 647-677.
- Zweifel, Thomas D., and Patricio Navia (2003). "Democracy, Dictatorship, and Infant Mortality Revisited." *Journal of Democracy* 14 No. 3 (July), 90-103.

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## NOTES

<sup>1</sup> As Coppedge points out (2012: 21 n. 6), Dahl in an earlier work (1971) had required instead that "government policies depend on votes and other expressions of preference." The more demanding formulation in the earlier work (control of government policy decisions should be actually, not just constitutionally, vested in elected officials) accords better with what O'Donnell intends when he stipulates that elections should be decisive.

<sup>2</sup> Mainwaring, Brinks, and Pérez-Liñán subsequently (2007) demote Brazil to "semi-democratic" in 1954 and 1955, but this demotion is due to military intervention in politics; in their disaggregated coding (2007: 157) Brazil in 1954 and 1955 continues to receive a score of "no violation" for "franchise."

<sup>3</sup> Mainwaring, Brinks, and Pérez Liñán (2001, 2007) use the term "contemporary" to refer to what is viewed as democratic by present-day observers; and "retrospective" to refer to what was viewed as democratic at the time each regime existed. Because the terms contemporary and retrospective are sometimes misinterpreted, the terms utilized here are "twenty-first century" (what Mainwaring, Brinks, and Pérez Liñán intend by "contemporary") and "past" (what Mainwaring, Brinks, and Pérez Liñán intend by "retrospective")

<sup>4</sup> On Brazil see note 2 above. The legal proscription of the Brazilian Communist Party continued through the military regime implanted in 1964 and was not lifted until 1985.

<sup>5</sup> More precisely, all humans are predisposed to be bipedal; a small fraction of people lose, or never acquire, the use of one or both legs.