

MILITARY INTERVENTION AND PROSPECTS

FOR DEMOCRATIZATION

(Forthcoming in *International Journal for Peace Studies*)

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Abstract

Even before the Iraq war of 2003, a body of literature was developing concerning the possibility of implanting democracy in developing states. Recent works by Mark Peceny (1999a and 1999b) suggest that those U.S. military interventions that specifically promote "free and fair elections" have frequently resulted in remarkably resilient new democracies. We empirically evaluate the track record of liberalizing interventions, focusing on countries Peceny deems to be cases of successfully imposed democracy. We find that when factors such as human, political, and civil rights, as well as judicial independence are used as measures of democratic success, the "forcing them to be free" strategy does not clearly emerge as an agent for democratic transformation.

Introduction

The idea of external imposition of democracy goes back to the origins of liberal theory in international politics, and has been especially prevalent in U.S. foreign policy making. Examples include Woodrow Wilson's attempts to draw "self determination" maps for Eastern Europe following World War I, the Kennedy-Johnson forceful "nation-building" strategies in Vietnam, and, more recently, George W. Bush's apparent belief that Iraq and Afghanistan can be remade in a Western democratic image. This is not to say, of course, that U.S. action has always matched its rhetoric or that there has been consistent support for democracies over autocracies. In U.S. policy, lip service is frequently paid to democratization, as in Kennedy-Johnson's Alliance for Progress in Latin America and Clinton Administration preferences for "big emerging markets," but when put to the test it is not always clear that democracy is the top U.S. priority. How sincerely would Washington abide by democratic principles if free elections brought a confirmed or alleged "leftist" to power (e.g., Chile and Dominican Republic during past

decades), or an Islamic theocracy (e.g., Algeria), or even an assertive nationalist (e.g., Iran in 1953, Haiti)? It has been argued that American preference for democrats gives way to acceptance of autocrats before acceptance of radicals (Barnet, 1968).

Even taking U.S. policy at face value, however, determining the effectiveness of democratic implantation is complicated by a number of factors, including uncertainty over what causes political changes in developing states, definitions of what constitutes “democracy,” and confusion about the underlying goals of the intervening power. The growth of democracy has always been a complicated historical process, with periods of advancement and retrenchment, of war and peace (witness America's own civil war), and the development of key social and economic underpinnings such as the rise of middle classes.¹

Challenging this complex evolutionary view of democratization, Marc Peceny (1999) and others (Hermann and Kegley, 1996; Meernik, 1996; Peceny and Pickering, 2002) argue that certain types of intervention can hasten the process. Specifically, Peceny believes that U.S. military interventions, through direct use of force, indirect military support, appear to have substantially improved the democratic standing of the states receiving the interventions. A number of these studies measure democracy along the dimensions of the Polity III or IV data set devised by Gurr and colleagues (see Jagers and Gurr, 1995), which gauges general political openness through the institutionalization of free elections or executive change mechanisms, functional checks on executive power, and competitive political parties. For instance, using Polity data Hermann and Kegley 1996 find that intervention *increases* liberalization in states receiving the intervention. However, while the authors detect a move toward democratization, the mean Polity IV scores for these target states on a combined democracy-autocracy scale remain on the *autocratic* side, indicating that democratic improvement does not necessarily translate to a high level of democracy.

Peceny goes a step further by dichotomizing intervention outcomes as being either democratic or non-democratic. Peceny's (1999b) analysis suggests that U.S. military intervention tends to bring improvement in the target states at a level *above* what would be considered minimum for democratic standing. Indeed, Peceny even argues that the democratic changes wrought by military intervention have been long-lived and persistent over a 60-year period. Further weight is lent to the forced democracy argument by the case studies presented by Peceny's book (1999a). He argues that in some cases (e.g., Cuba 1899-1902), U.S. reformist pressure was applied and effective while in others it either was not applied or failed (e.g., Philippines where counter insurgency was employed instead of liberalization and South Vietnam where liberalization was aborted in a series of U.S. sponsored coups).² The implication, then, is that the type of strategy used after intervention makes a difference in the long-term prospects for democratization in a particular country.

The message one can take from Peceny's findings, taken as a whole, is that a powerful country (in this case, the United States) can, through military intervention, “force” states to be “free,” or at least “freer.” This would appear to open policy relevant

options for powers purportedly seeking to promote democracy abroad, such as in the recent cases of Iraq or Afghanistan. However, while US interventions that push for democracy may be likely to result in movements toward democracy in certain countries, we note several potential shortcomings of the liberalizing intervention prescription for successful democratization. First, Peceny's study bases democratic success on the Polity democracy measure, which employs a narrow, procedural definition of democracy focused on the relative openness of a country's political institutions. Second, in a previous study, we find many problems with the statistical analyses that form the basis of Peceny's "forcing them to be free" hypothesis (Pearson, Walker, and Stern 2003). Third, we believe that some of the cases that are deemed to entail "successful" democratization are not really so successful after all.

Thus, our paper will progress in the following manner. First, we explicate and evaluate Peceny's "forcing them to be free" argument. Second, we summarize our own assessment of Peceny's statistical models, which purportedly demonstrate the contributions of imposed "free and fair election" measures on long-term democratization in target countries. We find support for some but by no means all of Peceny's major conclusions. These two parts of the paper lead to the third and most central part of this paper: a closer look at the actual democratic status of several countries that Peceny deems to be successful combinations of U.S. intervention and forced free and fair elections. These case studies suggest that in many cases the intervention targets have not as yet transitioned into thorough or stable democracies.

2. Peceny's "Forcing Them To Be Free" Thesis: A Closer Look

Peceny's findings purportedly show that it was mainly those U.S. military interventions that pressed for "free and fair" elections that enhanced democracy. In other words, American interventions do not necessarily liberalize, and might even uphold repression. It is the cases where Washington decidedly seeks liberalization where the door has been opened to successful and lasting democratization.³ To quote the essence of his findings (1999b: 577):

Recent literature on international relations is overwhelmed by studies of conflict behavior on democracies. Much less attention has been paid, however, to the impact of international conflict on democracy. This paper argues that a specific type of conflict behavior, U.S. military intervention, can have a positive impact on democracy in target states, but only if the U.S. promotes free and fair elections during its interventions.

Even with this proviso, however, the link between military intervention and democratic outcomes in target states remains an open question both methodologically and conceptually. First, Peceny's benchmark for successful democratization is the Polity III democracy score, which concentrates on institutional aspects of democracy, such as the role of the legislature, executive, and elections.⁴ While these are adequate measures of procedural democracy, such scores underemphasize performance in other constitutional

areas, including the rule of law and status of the judiciary, as well as observance of human rights and civil liberties (e.g., the free press).

Further, the countries showing democratic improvement after forced "free and fair" elections are relatively few in number, and are concentrated in Central America and Southeast Asia. Aside from questions regarding the extent of democratic change there is also uncertainty about whether it was really U.S. pressure that accounted for the noted improvements, or whether democratization occurred due to other events or reasons such as economic growth, the impact of intergovernmental organizations, regional political trends or patterns, generational change in leadership, or the effects of regional and local wars.

Further, the fact that direct American pressure and involvement in these states are supposedly required for the democratization effect to take hold may in some circumstances violate international legal obligations and norms concerning non-interference in states' internal affairs. To posit that the U.S. might have to arrange for elections as an occupying power can build in certain neo-colonial assumptions, which some would argue is inherently undemocratic. It is one thing for small states, neutrals, Inter-Governmental Organizations (IGOs), or Non-Governmental Organizations (NGOs) to supervise and design elections; it is another matter politically for a dominant power to oversee the process. The degree of local volition in such arrangements, as in modifying the procedures culturally or including all factions of the political spectrum, would appear to be limited. Therefore, the idea that the United States can "force" countries to be democratic is not one that is consistent with the principal of non-intervention that has dominated international relations for the past several hundred years.

Despite our concerns about the viability of the concept of militarily imposed democratization, Peceny's care and willingness to test counter-arguments raise interest in his findings and impel us to further investigate the validity of the "forcing them to be free" thesis. He notes that, "While U.S.-sponsored electoral processes at times lead to a hollow formalism void of democratic content, they often help strengthen centrist political parties and moderate reformist interest groups and encourage autocratic elites to accept more democratic rules of the political game." (1999b, 550-551) Such changes supposedly produce regimes that have "surpassed the procedural minimum to be considered democracies." (550) We must, therefore, look more carefully to see whether the resulting regimes indeed more closely resemble "hollow formalism," or whether they rise above the threshold of full democracy. To accomplish this, we will reexamine Peceny's findings, as well as discover whether his "successful" cases of democratization can stand up to a variety of alternate benchmarks for what constitutes a successful democratic polity.

The controversy over what exactly constitutes full-blown democracy continues to make its imprint on the literature, but one must agree that liberal or pluralistic democracy is extremely complex and multi-faceted, including such questions as granting of minority rights and the limits to state intrusion on individual liberties.⁵ We do not wish to set the bar of democratic status unreasonably high, or to overlook important progress especially

for fledgling democracies; but we also do not believe it would be wise to ignore severe abuses in formalistically or nominally democratic states.

The primary thrust of this paper, then, will be to provide a series of brief case studies of the status of democratic development in some of the countries deemed to be successful targets of liberalizing interventions. The next section discusses our reexamination of Peceny's "large-N" analysis of the effects of intervention and forced free and fair elections on successful democratization.

Reevaluating Peceny's Analysis

In an earlier examination of Peceny's work (Pearson, Walker, and Stern 2003), we identified two major problems with the author's analyses. First, we argued that his empirical findings regarding the effectiveness of imposed democratization rest on shaky empirical ground. Second, we found that if a variety of alternative measures of democratization are used as the benchmark for successful democratization, "forcing them to be free" does not appear to be nearly as successful a strategy as one might be led to believe if only the Polity measure is used as a standard for democratic success. The following is a summary of our findings.

A. Empirical analysis of Peceny's model

In our empirical analyses, we first questioned the robustness of Peceny's claim that 14 of the 20 countries (70 percent) experiencing "liberalizing" interventions by the United States in the postwar period could be coded as "successful" cases of imposed democracy as of 1993. Of these 20 countries, Peceny thus finds that only six are not "successes" (Angola, China, Iraq, Laos, Libya, and Vietnam), while admitting the possibility that four additional countries that were deemed to be successful transitions perhaps should not be included-- namely the defeated Axis states (Austria, Germany, Italy, and Japan). The profound nature of the wartime interventions in these countries would appear to constitute a separate category of "forced democracy," in which completely defeated, essentially prostrate foes were provided with a full constitutional "make over" in the context of multinational occupation in some cases

Table 1. Targets of U.S. "Democratic" Interventions, 1945-1993

Successes	Failures
Austria ^a	Angola
Cambodia ^b	China
Dom. Republic	Iraq
El Salvador	Laos
Germany ^a	Libya
Greece	Vietnam
Grenada ^c	
Honduras	
Italy ^a	
Japan ^a	
Korea	
Nicaragua	
Panama	
Philippines	

^a Former Axis country occupied after WWII

^b Originally coded as democratic by Polity III, but later recoded as non-democratic for 1993.

^c Does not appear in the Polity III data set. Peceny nevertheless includes Grenada in his list of target countries.

and nearly no effective opposition, and with a full array of financial, military, civil, bureaucratic, and political assistance and tutelage. This appears to be far different from the context of interventions during and after the Cold War, in which both international and domestic opposition still existed, constitutions may or may not have been fully rewritten, and aid was sporadic. If one accepts this exclusion of the Axis powers, then, only 10 of the 16 countries (63 percent) that experienced U.S. intervention with a push for free and fair elections during the 1944-1993 period remained democratic in 1993, according to the Polity measure.

In fact, a revised version of the Polity data set, Polity IV, determined that another of the "successful" cases, Cambodia, had previously been miscoded as a democracy by Polity III and, despite progress from its genocidal past, was actually rated an autocracy in 1993. Therefore, when we re-examined which cases of "forcing them to be free" interventions were successful, we found *only 9 of 16* countries (56 percent) experiencing "democratizing" interventions could be deemed to be successes as of 1993. This diminishing ratio turns out to be not much better than one could expect from a coin flip, which is clearly not a particularly high success rate. Combined with the small 'n' involved in this finding, we do not think the data necessarily bear out the conclusion that intervention combined with democratization is a particularly successful strategy. Indeed, among the nine cases that remain successes with this recalculation of success criteria (Dominican Republic, El Salvador, Greece, Grenada, Honduras, Korea, Nicaragua, Panama, and the Philippines) are several countries that do not on their faces appear to be consolidated democracies. We will discuss the situation in many of these countries in the case study section below.

Peceny also creates a statistical model of democratization for a global sample of countries. His analysis includes those countries that experienced U.S. intervention, whether there was a push for "free and fair" elections or not (during the 1944-1993 era) as well as those that did not experience intervention. The study includes a total of 160 countries. The model includes U.S. intervention and forced "free and fair elections" in a model along with other factors commonly attributed as agents of democratic change, including previous history of democracy, history of civil and international war, and whether the U.S. supported or opposed the previous regime. The dependent variable in this logit model had only two possible outcomes--democratic and non-democratic--as determined by the country's Polity III democracy score in 1993. Any score with a score of six or above in 1993 was deemed to constitute a successful case of democratization.

For a U.S. intervention to include support for free and fair elections according to Peceny's classification, it must involve all *or some* of the following: supervising of election processes, financing the elections, designing the electoral system, mediating among contending parties over conditions for elections, and observing and evaluating elections (Peceny 1999b, 566). Peceny finds that his conception of forced free and fair elections exhibits a significant positive impact on the development of democracy in the context of other key influences in the post-World War II setting.⁶ However, U.S. interventions in general (i.e., including cases where elections were not promoted during the occupation period) either worked against democracy or had no discernable impact in the various

statistical models presented. Somehow, the combination of intervention and democratic pressure appears to increase the likelihood that countries in the sample will be democratic in 1993.

While Peceny's model of democratization does indeed reveal a statistically significant effect for the "free and fair elections" variable, we argued that two factors weaken this supposedly "robust" finding. First, the model's best predictor of democracy in 1993 is whether a country was democratic in 1944 (59 percent of cases correctly predicted in logit). Adding the forced democratization variables (intervention and pressure for "free and fair" elections) into this model improves the success rate only 2.5 percent, from just over 59 percent to a little less than 62 percent—thus, the democratic status of four additional countries can be predicted with the inclusion of these two variables.

Second, while the "free and fair elections" variable has a statistically significant effect in Peceny's full model, it fails to achieve statistical significance in an alternate model in which the presence of democracy in 1944 is the *only other* explanatory (independent) variable. Only when the dummy variable for the presence of civil war is included do "free and fair elections" achieve statistical significance. This suggests that rather than having some direct effect, there is some more complex relationship among the variables that cannot be captured in a linear model. Moreover, in our previous work (Pearson, Walker, and Stern 2003), we found that the presence of the intervention and forced democratization variables does not add much to our ability to predict which countries were democratic in 1993. Therefore, we must conclude that Peceny's model does not indeed statistically justify the validity of the "forcing them to be free" variables (military intervention and a push for free and fair elections) as highly salient factors contributing directly to a higher probability for democratization, at least as compared to a country's previous democratic status.⁷

To summarize, while Peceny's results suggest that the impact of US interventions on behalf of free and fair elections has a lasting positive impact on democratization, upon closer inspection we have found reasons to qualify these effects. Apparently, regime type in the period immediately preceding the years included in Peceny's study is the factor that drives this model of democratization—not simply whether a country experienced a liberalizing U.S. intervention. It does appear, however, that some combination of civil war and U.S. intervention may interact in a complex way with forced free and fair elections to predict democratic success with slightly more accuracy.

B. Reconceptualizing Democratization

We also believe that Peceny's criteria for democratic success is somewhat one-dimensional, since the only requirement for a country to be considered "successfully" democratized was to have a Polity III score of 6 (out of a best possible score of 10) or higher in 1993. Pearson, Walker, and Stern (2003, discussed above), subsequently decided to re-estimate Peceny's model using two alternative indicators for successful governance. The first indicator, the Freedom House measure, is designed to capture a

broad range of political rights and civil liberties. Freedom House classifies countries as either "free," "partially free," or "not free." In order to make this variable resemble Peceny's dichotomous "democracy" variable, we recoded the "partially free" cases as "not free," since Peceny suggests that countries must have surpassed the "procedural minimum" to be considered democracies.⁸ The second measure we used to tap an alternate conception of successful political development consistent with a high level of democracy was the Political Terror Scale, a five-point measure of human rights violations (or more specifically, state terror) created from human coding of Amnesty International annual country reports.⁹ We recoded this measure into a dichotomous variable, with scores of one and two (consistent with democratic development) coded as "1" (democratic) while scores of three, four, and five are coded as "0" (not consistent with democratic development). Given the strong link between democracy and human rights,¹⁰ we believe that this measure is a useful alternative for measuring the level of political development in a given society.

The results of these alternative models show mixed support for the thesis that democratic-minded military interventions lead to democratic governance. When 1993 is used as the cutoff year for the study, we found the "free and fair elections" variable does not have a statistically significant effect on Freedom House scores, although its sign is positive. However, when 2001 was treated as the cutoff year (to bring the findings somewhat more up to date), "free and fair elections" do have a positive and statistically significant effect on political rights. Moving to the effects on the human rights measure, we found that military intervention and a push for democratic elections does not lead to improved Political Terror Scale scores, regardless of whether 1993 or 2001 is treated as the cutoff year. Although the sign is in the direction that Peceny would expect (i.e., a positive relationship between support for free and fair elections and better human rights), the "free and fair election" variable is not statistically significant for either cutoff year. Thus, by re-estimating Peceny's models using alternative measures for successful democratic transition, we did not find evidence that U.S. interventions combined with pressure for free and fair elections increases the likelihood that countries will observe the full array of constitutional rights assumed in many definitions of democracy.

Although statistical analyses can be useful to offer a general picture of how successful policies are, one can gain further important insight into the substantive impact of such policies through the use of case studies. In the next section, we examine in detail the political situation in several of the countries that Peceny deems to be successful targets of U.S.-imposed democracy in the post-war period.

Case Studies

In the previous section, we scrutinized Peceny's analyses of the effects of liberalizing U.S. interventions, and found that such a policy is not as likely to lead to successful democratic transition as the author holds them to be--particularly if one chooses to use alternative criteria for what constitutes successful democratization.

However, we decided to look more carefully at some of the states Peceny purports to have made a successful transition under U.S. pressure to see whether they have in recent years experienced sustained, stable, and high levels of democratization, as Peceny

indicate they would. In these brief case studies to follow we focus on six countries in which the interventions and the push for democratization were more recent, due to the better availability of information during the last few decades. The six countries are El Salvador, Nicaragua, Honduras, Panama, Grenada, and Philippines. For comparison, we also briefly mention some cases where democracy seems to have emerged in the developing world *without* U.S. interventions.

El Salvador

The U.S. intervention in question (i.e., the one that involved pressure for free and fair elections) occurred in El Salvador from 1981-1991. Only toward the end of this period was there significant pressure for relatively free elections. The civil war between the FMLN rebels and the government ended in a peace agreement in 1992. El Salvador subsequently became a democratic republic governed by a president and an 84-member unicameral Legislative Assembly. There was improvement in Political Rights (from 4 to 3) and Civil Liberties (also 4 to 3) in El Salvador's Freedom House scores between 1992 and 2001, but according to these measures the country was still designated as only partially free at the end of this period (The Freedom House Political Rights and Civil Liberties measures are based on 7-point scales, with "1" representing the best score and "7" representing the worst). The Amnesty International Political Terror Scale score improved from 4 to 3 during the same time period. [The Political Terror scale is based on a five-point scale, with "1" representing the best level of respect for human rights (e.g., little or no presence of extra judicial imprisonments and killings, and stable rule of law and "5" representing the worst level of respect (e.g., the presence of mass killings, widespread torture, and so forth)]. However, the Polity IV scores remained at 7 during the 1993-2001 time period. Thus, though the Polity measure places El Salvador as being democratic, and though its political rights scores improved, the depth of the country's democratic development is questionable.¹¹

The human rights and civil liberties situation in El Salvador during the post-1992 period also was characterized by a discouraging reported increase in military intimidation of opposition politicians and members of church and grassroots organizations representing peasants, women, and repatriated refugees. Repeated human rights violations included death squad killings, murder, disappearance, assassinations, kidnappings, illegal detentions, torture, violations of the laws of war, attacks on the civilian population, forced recruitment, and restrictions on freedom of movement. This resulted in continuing setbacks in investigations of major human rights assaults and rape by the civil defense units, army, security forces and so-called death squads associated with them.¹² Indeed, opposition leader Francisco Velis Castellanos was murdered prior to the 1994 elections.

Throughout much of the period of the 1990s the Salvadoran judicial system remained fraught with problems of incompetence and corruption. The judiciary's inefficiency resulted in lengthy pretrial detentions and long delays in trials. El Salvador's judiciary failed to prosecute those responsible for human rights crimes, most notably the soldiers in the Jesuit murder case in which six priests and two women who were slain

during the country's 12-year civil war. The Supreme Court made some progress in cleaning up the judiciary, but did not move quickly to discipline or dismiss corrupt or incompetent judges (Keesing's Archives 1991-93). Both the Truth Commission and an ad hoc commission established by the peace accords to evaluate the human rights record of the ESAF officer corps identified weaknesses in the judiciary and recommended solutions, the most dramatic being the replacement of all Supreme Court magistrates. This recommendation was fulfilled in 1994 when an entirely new court was elected, but weaknesses reportedly persisted. The country thus has an independent judiciary and Supreme Court, but clearly was still in the process of evolving toward democratic norms at the end of the time period covered by Peceny's (1999b) study.¹³

Honduras

The relevant U.S. Military intervention occurred from 1982-1990, again with only belated liberalization pressure reported. Honduras' Polity score was 6 in 1993 and 7 in 2001, meaning it stood only at the threshold of democratic status. Under the new 1982 constitution, Honduras was declared to be a constitutional democracy. Freedom House ratings both remained at 3 in 2003, meaning that the country was still designated as only "partially free." There was some improvement in the Amnesty Political Terror Scale ratings between 1990 and 2001.

Within the period of study both presidential and legislative elections were held in 1990, 1993 and 1997, and were accepted by all parties as having been free and fair. Rafael Leonardo Callejas won the post peace accords presidential election, taking office in January 1990. However, governmental corruption led voters to support the opposition center-right Liberal Party of Honduras (PLH), which convincingly defeated the ruling right-wing National Party of Honduras (PNH) in the November 28 balloting. The election of noted human rights defender, Carlos Roberto Reina, in November 1993, reaffirmed the stability of Honduran democratic processes. The new administration made several efforts to guarantee constitutional rights and establish civilian authority over the security forces (Keesing's 1993, 1997).

As with El Salvador, despite considerable procedural democratic improvement, Hondurans continued to suffer human rights violations at the hands of the police and military, including: murder, torture, illegal detention, threats and harassment, violence, extra-judicial execution, disappearance, societal discrimination against women, abuse of street children, and discrimination against indigenous people perpetuated by the security forces following the transition to democracy. In Honduras abuse of authority, excessive use of force, and torture in custody were still common practices by the armed forces and the military-controlled police (FUSEP). Structural problems in the administration of justice and the vast economic and political power of the armed forces shielded most military violators of human rights from prosecution. Military actions were designed to convince the populace that a civilian body could not function as well as one controlled by the armed forces. Security forces evidently committed gross human rights violations with impunity, especially in rural areas, with reports of torture and mistreatment while in police custody. Forced recruitment by the army was often a discriminatory practice, which disproportionately affected the poor in rural areas.¹⁴

Przeworski (2000: 35) states that in countries such as Honduras and Thailand, civilian rule is but a thin veneer over military power exercised by defrocked generals; indeed Honduras has experienced four historical “transitions” between democracy and dictatorship. The judiciary is generally independent, but often ineffective and subject to outside influence.¹⁵ As with El Salvador, the weakness, inefficiency, and corruption inherent in the criminal justice system remained perhaps the largest obstacles to establishing the rule of law. The absence of prosecution of perpetrators among the security forces and members of the economic and official elite, exacerbated by a weak, under funded, and often corrupt judicial system, contributed to human rights problems. The judicial system continued to deny swift and impartial justice to prisoners awaiting trial. Judicial reform was attempted, including the replacement of incompetent, untrained judges (*jueces de paz*) with those educated in the law (*jueces de letras*), the removal of corrupt judges, and the de-politicization of the judiciary. Little progress was reported through the mid-nineties (see Keesing’s Archives 1991, 1994).

Nicaragua

The U.S. military intervened in Nicaragua between 1981 and 1990. Throughout most of the 1980s Washington funded a massive paramilitary *contra* campaign to unseat the leftist *Sandinista* government, hardly an innocuous lead-in to subsequent U.S. pressure for free and fair elections. The war finally ended in agreements for both sides to compete electorally, and the *Sandinistas* slipped from power. Nicaragua’s Polity score was 8 in 2001, a relatively high level. Freedom House ratings remained “partly free,” as both the Political Rights and Civil Liberties measures were at 3 in 2001, and there was a greatly improved Amnesty score by 2001.

The October 20, 1996 presidential, legislative, and mayoral elections were judged free and fair by international observers and by the groundbreaking national electoral observer group *Etica y Transparencia* (Ethics and Transparency) despite a number of irregularities due largely to logistical difficulties and a baroquely complicated electoral law. The first transfer of power in recent Nicaraguan history from one democratically elected president to another took place on January 10, 1997, when the Aleman government was inaugurated. In November 2000, Nicaragua held municipal elections--the country's third free and fair election since 1990.

Polarization between *ex-contras* and former *Sandinistas* affected political competition and also led to acts of violence such as hostage taking early in the 1990s. A weak central government, including a feeble judicial system, could not fully contain the situation. The Popular Sandinista Army (EPS) and police engaged in an excessive and disproportionate use of force in several instances when responding to rearmed groups, striking workers, and peaceful protesters. The general reign of impunity and the inability of the Nicaraguan state to administer justice continued to be the greatest impediments to an improved human rights situation. The Sandinistas as well as the former *contras* and anti-Sandinista forces claimed that the other side had systematically killed hundreds of

their supporters. Criminal and political violence continued to plague the Nicaraguan countryside.¹⁶

The highly polarized political environment has shaped the human rights situation in Nicaragua since the civil war. Members of the security forces reportedly committed extra-judicial killings, abuse of detainees, torture, arbitrary arrests and excessive and disproportionate use of force against peaceful protesters. Prison and police holding cell conditions remained harsh, although they improved somewhat across the decade of the 1990s. Security forces arrested and detained citizens at an increased rate during the decade. Lengthy pretrial detention and long delays in trials remained problems along with violence against children and discrimination against women and indigenous people. Though there were no reports of political prisoners (due to a lack of administrative coordination between judges and the penal system), many prisoners remained in prison after their scheduled release. The general reign of impunity and the inability of the Nicaraguan state to administer justice continued to be the greatest obstacles to an improved human rights situation and rule of law.¹⁷

In an ongoing campaign to reduce incompetence and corruption in the judiciary, the Supreme Court removed an additional 10 judges during the first half of 1999, bringing the total removed since the campaign began in 1997 to 104--more than one-third of the 300 judges in the system. The Judicial Inspector's office received 238 official complaints against lawyers, judges, and judicial functionaries (Department of State Human Rights Reports for 2000. <http://www.humanrights-usa.net/reports.nicaragua.htm>). On the whole, though, in addition to its relatively solid electoral record, Nicaragua seemed to be taking many effective steps to improve the administration of justice and the rule of law.

Panama

U.S. military interventions occurred in Panama in 1959, 1964 and 1989-1992. The final intervention included the ouster of the then-leader Manuel Noriega. Panama's 1993 Polity score, the year after the intervention, was 8. The 2001 Polity score rose to 9. The Freedom House measures both improved between 1988 and 2003, as Political Rights improved from 5 to 1, and Civil Liberties improved from 5 to 2. However, in terms of popular democracy, Panama and Guatemala shared the lowest level of electoral participation in Latin America in the 1990's with fewer than 45 percent of registered voters exercising their right to vote (Payne et al. 2002).

The constitution was amended in 1994 and Ernesto Perez Balladares was sworn in as President on September 1, 1994 after an internationally monitored election accepted as free and fair. Soon, however, there were reports that his government was tainted by Colombian drug money.¹⁸ On May 2, 1999, Mireya Moscoso, the widow of former President Arnulfo Arias Madrid, defeated PRD candidate Martin Torrijos, son of the late dictator Omar Torrijos. These elections also were considered to be free and fair (<http://www.state.gov/r/pa/ei/bgn/2030.htm>). As in other parts of Latin America, though, Panama has undergone several (five) transitions between democracy and dictatorship

since the country's inception, indicating continued high potential for political and social instability (Przeworski et al., 2000).

The Panamanian government generally appeared to respect the human rights of its citizens during the 1990s. However, serious problems remained in several areas, including the administration of justice. The Panamanian media reportedly remained subject to political pressure, libel suits, and punitive action by the government. There were no reports of political or other extra-judicial killings, politically motivated disappearances, torture and other cruel, inhuman, or degrading treatment.¹⁹

According to the Panamanian government's own figures, at least eighty percent of the more than 3,500 prisoners in jail have not been convicted or even, in many cases, formally charged; the government's strategy of identifying and processing the cases of those held longest in prison without trial had no discernible impact.²⁰

In general the government was beset with mismanagement, political cronyism, corruption and a lack of institutional efficiency. The Panamanian government's poor performance in improving the administration of justice is frequently explained by the lack of funds available in a country with pressing social-welfare needs and continuing economic dislocation caused by the U.S. boycott prior to the invasion/intervention.

As in the other cases discussed so far, the judicial system remains largely unreformed. The judiciary appears subject to political manipulation. The police frequently failed to follow legal requirements in the conduct of their duties and judges appeared susceptible particularly to favoring the affluent. The most common manifestations of judicial misconduct involved shelving of politically charged cases or ruling in favor of the politically connected party and the willingness of several judges to sentence defendants without a public defender.²¹ Resistance also persisted against prosecuting the most serious human rights violations committed by members of the former Noriega regime (Keesing's Archive, 1999).

The picture in Panama reflects the situation in Central America in that while many of the formal trappings of democracy are present, it is much less clear to what degree it has been institutionalized. Although considerable electoral and procedural progress was evident in many of the Central American cases during the 1990s, less encouraging was the disillusionment with democracy as evidenced by regional public opinion surveys. Over the course of the 1990s, support for democracy dropped from 63.6 to 42.7 percent in Nicaragua, 69.9 to 34.3 percent in Panama, and 62 to 27.3 percent in El Salvador. In 2001, the portion of respondents who expressed confidence in democratic political institutions stood at 31 percent (Payne et al., 2002).

In addition, civil liberties abuses, sporadic violence, and the unresolved problem of judicial integrity have persisted in the region. Thus it is fair to say that although progress has been made with regard to the level of democratic development in Central America, the democratic regimes there are nonetheless flawed and have not yet proven to

be stable. Furthermore, many would argue that the price paid for these developments was high due to the military and militia involvement, high in human lives lost.

Grenada

U.S. military intervention in Grenada occurred in 1983. No Polity scores exist for Grenada (although Peceny codes it as “democratic” for the year 1993). Freedom House indicated an improvement of 5 points in the Political Rights measure and 3 points in the Civil Liberties measure, which means the country moved from the “not free” to the “free” category between 1982 and 2001. Amnesty scores indicated minimal violations by 2001.

Grenada has not suffered a formal civil war, although it did experience political disruption in the early 1980s. Grenadians enjoyed a wide range of civil and political rights during the late 1980s and 1990s. Freedom of speech and press, peaceful assembly and association, religion, respect for the integrity of the person, right of citizens to change their government and to organize independent labor unions were constitutionally guaranteed and respected. There were no reports of politically motivated or other extra-judicial killings, politically motivated disappearances or abductions, torture and other cruel, inhuman, or degrading treatment or punishment, arbitrary arrest, detention, or exile. There also was no evidence of official discrimination in health care, employment, or education. Women frequently earn less than men performing the same work, but such wage differences were less marked for the more highly paid jobs. There were occasional allegations of abuse by the police.²²

Grenada’s judiciary, a part of the Eastern Caribbean legal system, is highly regarded and independent. Final appeal may be made to the Privy Council in the United Kingdom. There are no military or political courts. The right to a fair public trial is provided for by law and is observed in practice. The attorney has the right to be present during interrogation and may advise the accused. An accused person has the right to confront his/her accuser. In criminal cases the court will appoint attorneys for indigents only in cases of murder or other capital crimes. In other criminal cases that reach the appellate stage, the court will similarly appoint a lawyer to represent the accused if (s)he was not previously represented or reappoint the defendant's earlier counsel if the appellant can no longer afford the lawyer's services.²³ Hence in general it appears that Grenada’s democratic status is relatively secure, while many impediments to civil rights and social democracy still threaten Central American nations.

Philippines

Post World War II U.S. military intervention in the Philippines occurred in the 1949-1952 and 1985-1988 time periods. Philippine ratings in Polity data have remained at a respectable 8 in recent years. Freedom House scores improved by one point in political rights and two points in civil liberties, moving the country from “not free” to “free” between 1984 and 2001, in the wake of the Ferdinand Marcos regime, which of course had been heavily supported for many years by the U.S. Meanwhile, Amnesty scores floated between 3 and 4 during the late 1980s and 1990s.

The Philippines has a long and checkered history of democratic development. Certainly the forms of democracy, while sometimes breached, have for the most part held reasonably well. Yet the country also has experienced autocracy and numerous and long-lasting insurgencies which have tested the limits of democracy. In 1990, for example, Human Rights Watch reported that the Philippine military, together with the official paramilitary force, CAFGU (Citizens Armed Forces -- Geographical Unit), engaged in summary executions and the disappearance of suspected supporters of the New People's Army (NPA) and the Muslim insurgency, the Moro National Liberation Front (MNLF). Suspected rebels were frequently arrested without warrant, held for long periods in solitary confinement or *incommunicado* detention, and occasionally tortured.

Developments on the legal front also were not wholly encouraging. The infamous Presidential Decree 1850 (left over from the Marcos years), which gave military courts jurisdiction over all military personnel including those accused of human rights offenses against civilians, remained in effect despite congressional efforts to repeal it. For the most part, prosecutions of human rights offenders went nowhere, although 16 officers were finally convicted of the 1983 murder of Senator Benigno Aquino, Jr. In 1990 the right to be protected against arbitrary arrest, guaranteed by the 1987 Constitution, was eroded when the Supreme Court ruled that suspected Communists could be arrested without warrant. Also in 1990, regular forces were responsible for one particularly brutal massacre. On August 3 in New Passi, Tacurong, Sultan Kudarat, 19 civilians ranging in age from one to 72 were executed by members of the 38th Infantry Battalion based in Esperanza, Sultan Kudarat, apparently in revenge for the MNLF killing of two soldiers some weeks earlier. Human rights monitors and lawyers continued to receive death threats, apparently from military-linked groups.

The Philippine government's human rights record during and after 1991 was mixed. Legal and legislative developments in 1991 were for the most part encouraging. The government enacted several reforms reflecting the recommendations of numerous national and international human rights groups, particularly those of the U.N. Working Group on Enforced or Involuntary Disappearances, which issued its report on the Philippines in January. Still, military impunity remained a problem. In a widely publicized case fifteen soldiers were acquitted of having massacred nineteen civilians in November 1990, despite eyewitnesses and physical evidence that strongly linked the unit to the massacre.

According to both the government's Commission on Human Rights (CHR) and nongovernmental human rights groups, violations declined on all fronts. However, reports of abuses including disappearances, extra-judicial killings, *incommunicado* detention and warrant-less arrests continued. Government forces were not alone in committing abuses, as over a dozen disappearances of persons associated with community organizations suspected of rebel connections were reported.

The Presidential Human Rights Committee, a cabinet-level consultative body created by President Corazon Aquino in December 1988 as a response to the problem of

involuntary disappearances, eclipsed the CHR in 1991 by launching several high-profile probes to investigate human rights abuses.

The Philippines, therefore, though classed as “free” by Freedom House and ranked comparatively highly on many democracy scales, has recurrent democratic challenges and continuing insurgency concerns.

5. Summary and Conclusion

The overall pattern of these findings appears again to show mixed but not definitive support for the forced democracy thesis. While substantial progress was noted in several Central American, Caribbean, and Southeast Asian states, significant lingering deficiencies (particularly in the rule of law) were troubling, and an erosion of popular support for democracy was noted. All of these outcomes seem to call for caution in interpreting the interventions discussed here as clear democratic success stories. Further, one might note the obvious possibility that states can progress significantly toward democracy by these same criteria without having undergone great power intervention, as evidenced by the following states during the period 1973-2003: Benin, Botswana, Brazil, Cape Verde, Chile, Guyana, Indonesia, Lesotho, Mali, Mongolia, Peru, Thailand, Uruguay, South Korea, Mexico, Namibia, New Guinea, Portugal, Senegal, and Sri Lanka. Add to these Albania, Argentina, Central African Republic, Ethiopia, Gabon, Hungary, Guinea Bissau, Ghana, Jordan, Malawi, Mozambique, Nigeria, Niger, Togo, Tanzania, and Uganda as states achieving “partially free” status during this time period.²⁴

Some of these states overcame considerable internal strife (e.g., Sri Lanka, Indonesia) and economic hardship (e.g., Guyana, Mali) to reach these levels, and some of course have teetered on the margin of maintaining their new status. In general, however, it is not at all clear that U.S. intervention is necessary for such democratic advances, or that these advances are necessarily precluded by indigenous violence or hardship.

In assessing the argument that democratically motivated interventions can lead to long-term democratic development in target countries, we note several important findings:

- First, upon further review, Peceny's empirical finding that U.S. military intervention combined with an effort to promote free and fair elections leads to successful democratization would appear to be partially valid. Using Peceny's own model and methodology, we found that the statistical significance of the "free and fair elections" variable is highly contextual and dependent upon the cases that are selected. By Peceny's own standards, only 9 out of 16 non-Axis countries that have been targets of U.S. democratic interventions since World War II were democratic at the end of 1993. It cannot therefore be said with confidence that liberalizing interventions are more likely to lead to successful democratization than could be predicted by a random flip of a coin. It is possible, as much of Peceny's work suggests, that forced liberalization may in some cases lead to democratization. However, other variables

such as prior democratic history and the overall effect of civil wars appear to be determinative. Our paper demonstrates that we must be conscious of the difference between movement in a democratic direction and actual achievement of sustained democratic practices in a given polity.

- Second, when employing alternative measures of successful democratization, such as human rights, political rights and civil liberties, forced democratization does not have a consistent beneficial long-term effect. This finding leads us to the proposition that "forcing them to be free" may not be conducive to non-procedural democratic development. Democracy is a complicated system, one consisting of a diverse array of features and resting particularly on strength of judicial independence. Traditional empirical analyses of democratic development and transitions appear to neglect these important constitutional features dwelling heavily on electoral and procedural outcomes. It appears that forced intervention, even on behalf of democracy, often fails to go far enough in establishing the full array of democratic norms and outcomes.

Third, practically speaking, policy makers should not interpret Peceny's findings as a justification or call for interventions around the world with the purpose of imposing free and fair elections. To advocate such a strategy would be neither warranted on the basis of sound theoretical reasoning, nor consistent with empirical and historical research, nor indeed even necessarily congruent with international laws of sovereignty. We note that while impressive and substantial progress toward democracy has occurred in many states undergoing intervention, other factors inside the states can be instrumental, and democratic development can occur outside of or even as a negative reaction to the context of intervention. Even in those cases in which Peceny identifies U.S. military interventions plus forced free and fair elections as having led to democracy, many are not as successful as might be indicated by narrow procedural indicators such as the Polity Index.

The forced democracy thesis obviously, then, requires further analysis. For example, the question remains as to whether pressure for free and fair elections is more effective and a better predictor of democracy if undertaken unilaterally by major powers or multilaterally by intergovernmental organizations—or by combinations of both in certain sequences of prolonged or abbreviated intervention. Peceny has explored issues of unilateral vs. multilateral intervention in some of his analyses, but it is necessary to distinguish more clearly, for example, between IGOs of a global vs. a regional nature.

Arguably, democratizing pressure can be enhanced by ethnically related regional interventions (for example by the Arab League or Gulf Cooperation Council in the Middle East) as compared to global organizations or great powers. Nor do we as yet know whether some combination of traditional local (e.g., the inter-tribal councils of Afghanistan) and Western democratic forms produce better outcomes than others. Certainly there are many electoral options to explore, in forms of federalism, consociational power sharing, majoritarian, proportional or weighted voting schemes. We do not know yet if one form of free electoral pressure produces more democratic staying power than others, or what is required for the reforms to be accepted as authentic and indigenous. These are all worthy questions for further research.

Notes

¹ See Barrington Moore (1993) and Rueschemeyer, Stephens, and Stephens (1993) for two examples of works that discuss the complicated nature of democratization.

² One might argue, however, historical interpretation here is tenuous, since Cuba itself was hardly allowed to be fully independent in the subsequent years (repeated U.S. interventions and growing economic domination and corruption). The fact of prolonged military occupation interacted with whatever liberalization attempts existed in the former Spanish colonies to promote distrust of the electoral outcomes.

³ Distinguishing this outcome from a mere tautology, Peceny (1999b:558) argues that free and fair elections are but one aspect of Polity III democratic measures-- scores between 6 and 10, the range adopted for a score of "democracy"-- but by no means the only aspect. Other factors in the scoring include a reasonably powerful legislature and political (party) competition.

⁴ The analyses use Polity III rather than the updated Polity IV because at the time Peceny's article was published the updated data set was not yet available.

⁵ See, for instance, Linz and Stepan (1996) or Diamond (1999), for descriptions of the difficult process of democratization.

⁶ Peceny excludes years before 1944 from his analysis (1999b: 569), presumably because prior to World War II U.S. interventions and support for elections had a no discernable effect on developing democracies (even though one could argue, of course, that a prominent target like Mexico in the Wilson era subsequently underwent the trappings of a democratic revolution). This pre-1944 analysis is therefore excluded from the presentation, although few reasons are given for the finding. Perhaps the era of U.S. power dominance after 1945 is thought to equip American policy with the impact needed to bring about democracy when Washington puts its "mind" to it. Perhaps this capability was not fully developed prior to 1945, or perhaps it only emerged in the context of competition with the USSR for influence in the rapidly expanding "Third World" of newly independent states. If so, in the post cold war era it will be interesting to see if the relationship of election support and democracy holds up, given the lack of Soviet competition, though perhaps terrorism or global market interests will provide the needed impetus to Washington's efforts.

⁷ Essentially, in reevaluating Peceny's statistical findings, we "peeled away the onion skin" of factors in his model predicting democratic status a year after interventions, and we found that the factor "democratic status in 1944" alone was the strongest predictor. Especially when interacting with the presence of a civil war. Thus, while U.S. interventionist pressure for elections was statistically associated with democratic outcomes, it added relatively little to what *prior* democratic status alone would have predicted. In other words, there is little improvement in predictive power gained in these models by adding the free and fair elections variable.

⁸ The Freedom House measure is actually a combination of two three-point measures, the Political Rights measure and the Civil Liberties measure. Specific criteria for coding decisions have not been made available by Freedom House, although these measures are widely cited.

⁹ For more details about the coding of Amnesty International reports and the Political Terror Scale, see Poe, Tate and Keith (1999). For more information about the reports themselves, see www.amnesty.org.

¹⁰ See, for example, Poe and Tate (1994), Poe, Milner, and Leblang (1999).

¹¹ Interestingly by way of comparison, Guatemala, a country with a very troubled past that received two non-liberalizing U.S. interventions in 1954 and 1987 (Peceny 1999b: 549, Table 2), emerged with strong electoral participation in 2003 in a vote which defeated the party associated with the prior U.S. backed

political strongman. Thus a U.S. free and fair electoral push is by no means a necessary condition for electoral democracy in Central America.

¹² Human Rights Watch reports: http://www.hrw.org/reports/1990/WR90/AMER.BOU-07.htm#P415_104868; http://www.hrw.org/reports/1992/WR92/AMW-08.htm#P559_200165, www.hrw.org/reports/1993/WR93/Amw-05.htm#P285_147071; www.hrw.org/reports/1994/WR94/Americas_04.htm#P228_119468; http://www.hrw.org/reports/1995/WR95/AMERICAS-05.htm#P271_100914; www.hrw.org/reports/1996/WR96/Americas-05.htm#P451_111820; <http://www.whrnet.org/docs/issue-righttowork.html> 17/07/03, 27148 bytes.

In addition, discrimination against women, the disabled, and the indigenous remained serious problems in El Salvador. The government took action to investigate, prosecute, and in some cases jail prominent citizens. Institutions such as the "Commission on Truth" and the Office of the Ombudsman for the Defense of Human Rights (PDDH), were established in the 1992 Constitution and peace accords to investigate major human rights cases. However, their investigative capacity remained limited due to resource constraints.

¹³ The process of replacing incompetent judges in the lower courts, and of strengthening the attorney general and public defender's offices, moved more slowly. Action on peace accord-driven constitutional reforms designed to improve the administration of justice was largely completed in 1996 with legislative approval of several amendments and the revision of the Criminal Procedure Code. (<http://www.state.gov/r/pa/ei/bgn/2033.htm>).

¹⁴ The government denied charges against the security forces but investigated allegations against neighborhood "vigilante" groups.

http://www.hrw.org/reports/1992/WR92/AMW2.01.htm#P95_37305;
http://www.hrw.org/reports/1994/WR94/Americas-07.htm#P383_185911;
<http://www.hrw.org/reports/1995/WR95/AMERICAS1996>
www.hrw.org/reports/1997/WR97/AMERICAS-06.htm#P320_132782;
www.humanrights-usa.net/reports/honduras.html.

¹⁵ www.humanrights-usa.net/reports/honduras.html.

¹⁶ CENIDH (Centro Nicaraguense de Derechos Humanos) reported that the police had used excessive force in evicting striking workers from the central customs installations in Managua June of 1992, had beaten several workers in jail, and had lodged trumped-up charges against them to justify its behavior. In an earlier episode in September 1992, students and ex-EPS officers demonstrating peacefully during Independence Day celebrations (at which President Chamorro was present) were beaten by the police without provocation. The U.S. State Department announced that it was releasing \$50 million in economic aid to Nicaragua as of 1991.

¹⁷ <http://www.humanrights-usa.net/reports/nicaragua.html>.

¹⁸ Allegations published in the local newspaper *La Prensa* and in the UK weekly *Economist* of May 25 prompted Pérez Balladares on June 21 to admit that he had "unwittingly" received two cheques totaling US\$51,000 from a company headed by José Castrillon Henao, a Colombian who was arrested in Panama in April on charges that he headed the Cali cartel's sea-going cocaine export operation to the USA. Keesings report, vol. 42 1996.

¹⁹ Abuse by guards was a recurrent problem of the penal system. Overall prison conditions remained harsh, with occasional outbreaks of internal prison violence. Arbitrary detention and prolonged pretrial detention, overcrowded prisons, severe and systematic abuse of prisoners by their jailers remained endemic. www.humanrights-usa.net/reports/panama.html. See also, www.humanrights-usa.net/reports/panama.html; <http://www.state.gov/r/pa/ei/bgn/2030.htm>.

²⁰ 1991 http://www.hrw.org/reports/1992/WR92/AMW2-04.htm#P309_115377 Americas Watch.

²¹ (http://www.hrw.org/reports/1992/WR92/AMW2-04.htm#P309_115377).

²² Bureau of Democracy, Human Rights, and Labor, U.S. Department of State country reports: http://dosfan.lib.uic.edu/ERC/democracy/1993_hrp_report/93hrp_report_ara/Grenada.html; http://dosfan.lib.uic.edu/ERC/democracy/1994_hrp_report/94hrp_report_ara/Grenada.html; <http://www.usis.usemb.se/human/1996/west/grenada.html>; http://dosfan.lib.uic.edu/ERC/democracy/1995_hrp_report/95hrp_report_ara/Grenada.html; <http://www.humanrights-usa.net/reports/grenada.html>.

²³ <http://www.usis.usemb.se/human/1996/west/grenada.html>;

<http://www.state.gov/r/pa/ei/bgn/2335.htm>;

http://dosfan.lib.uic.edu/ERC/democracy/1994_hrp_report/94hrp_report_ara/Grenada.html.

²⁴ We have selected cases of conspicuously democratizing countries, i.e., those that have markedly improved in Freedom House rankings from 1973 to 2003, but did not experience U.S. military interventions. We selected states that were classified as “partially free” or “not free” in 1973 but attained a “free” ranking by the turn of the century and also improved in terms of both the Freedom House Political Rights and Civil liberties scores. We also looked at those cases that moved from “not free” in 1973 to “partially free” in 2003.

Acknowledgments

The authors wish to thank M. Jagiro Alandu and Kofi Nsia-Pepira for their astute assistance in data collection and interpretation. We also appreciate the sound advice afforded by Marie Olson-Lounsbery and Errol Henderson.

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