

Regional organizations and the politics of sanctions against undemocratic behaviour in the Americas

International Political Science Review

1–15

© The Author(s) 2020

Article reuse guidelines:

sagepub.com/journals-permissions

DOI: 10.1177/0192512120911700

journals.sagepub.com/home/ips**Stefano Palestini** 

Universidad Católica de Chile, Chile

Abstract

Under which conditions do regional organizations in the Americas impose sanctions on member states that violate democracy? To address this question, the article combines a qualitative comparative analysis applied to 55 presumed threats to democracy brought to the attention of regional organizations (ROs), and a process tracing analysis of two cases of the imposition of sanctions. The analysis reveals that ROs impose sanctions despite lack of support or even obstruction by the US, when the threats are committed *against* the incumbent in relatively weak member states. The unique case in which an RO suspended a relatively powerful state because of threats by the incumbent required the convergence of interests between ROs' most powerful member states, and the support of the US. The article demonstrates that under specific conditions, ROs in the Americas can become relatively autonomous enforcers of democracy-protection norms.

Keywords

Democracy promotion, democratization, international sanctions, regional organizations, the Americas

Introduction

In a 1947 letter to the US ambassador, the Uruguayan Foreign Minister Eduardo Rodríguez Larreta vehemently advocated for a multilateral mechanism to defend democracy and human rights in the region. With General Perón ruling Argentina and the Cold War around the corner, the time was not ripe for such a proposal. Despite the support received in Washington, a majority of Latin American foreign ministers slammed the door on Larreta's doctrine, which was interpreted as an open invitation for unilateral interventions by the regional hegemon (Long and Friedman, 2019). However, the end of the Cold War and the transition to democracy in the Southern Cone and Central America made possible a revival of Larreta's ideas. Thus, Organization of American

Corresponding author:

Stefano Palestini, Instituto de Ciencia Política, Universidad Católica de Chile, Avenida Vicuña Mackenna 4860, Santiago Metropolitan 7820436, Chile.

Email: stefano.palestini@uc.cl

States (OAS) Resolution 1080, adopted in 1991, institutionalized the collective defence of democracy, placing sanctions at the core of this approach. By then, Latin American states were governed by like-minded liberal governments, who happily embraced the ‘right to democracy’ – including its punitive features.

Taking stock of three decades of democracy protection in the region, this article asks under which conditions regional organizations (ROs) in the Americas impose sanctions to punish alleged breaches of democracy. While the majority of existing studies on the democracy-protection regime in the Americas focus on the hemispheric organization – this article is an attempt to unpack the politics of sanctions across all ROs in the Americas, including the Caribbean Community (CARICOM) and South American ROs such as the Common Market of the South (MERCOSUR). This follows the notion that the democracy-protection regime in the Americas has evolved as a governance complex made up of partially overlapping regional policies (Legler and Garelli-Ríos, 2018; Nolte, 2014).

To address the question, I combine a qualitative comparative analysis (QCA) applied to the 55 episodes that have been brought to the attention of ROs in the Americas as potential threats to democracy, with a process tracing analysis (PTA) conducted on two case studies. The article both confirms existing studies, and departs from them in important ways. The QCA shows that ROs impose sanctions in cases that fulfill three conditions: first, the threat is against the incumbent government (not *by* the incumbent); second, it happens in relatively weaker states; and third, with absence of support of the United States for ROs’ actions. While the first two conditions – threat against the incumbent in a weak state – are in line with the existing literature, the third condition contradicts realist accounts that expect regional sanctions to be aligned with the regional hegemon’s interests.

I further explore these findings through a PTA in two cases. The case of Haiti (2004) shows how CARICOM and to a lesser extent the OAS managed to navigate power politics and impose punitive actions against the Haitian interim government after the removal of President Aristide, despite the US’s strong preference for Aristide’s departure. The case of Venezuela (2017), in turn, constituted a hard case for the QCA as MERCOSUR sanctioned a relatively powerful state in which the incumbent government was undermining democratic institutions. The PTA shows that the MERCOSUR suspension came about only when the preferences of MERCOSUR’s two largest states – Brazil and Argentina – were aligned with those of the US.

The first section of this article provides background information on the democracy protection regime in the Americas, and the place that sanctions have in it. Next, I provide an overview of the existing theoretical accounts that attempt to explain the imposition of regional sanctions. The third section describes the article’s methodology, and the fourth section presents the analysis. I conclude with some final considerations.

The place of sanctions in the democracy-protection regime in the Americas

The first sanction imposed by an American RO was the suspension of Cuba from the OAS in 1962. No provision in the OAS legal framework allowed for the suspension, which was justified on the grounds of Castro’s regime being Marxist-Leninist.¹ Regional sanctions became institutionalized three decades later with the adoption by the OAS General Assembly Resolution 1080 in 1991. This resolution allowed the OAS to adopt ‘any decision deemed appropriate’ in the event of ‘a sudden or irregular interruption of either the democratic political institutional process or the legitimate exercise of power by the democratically elected government in any OAS member state’.² One year later, in 1992, a suspension clause was added to the OAS Charter (Art.9) through the adoption of the Washington Protocol.

Sub-regional organizations in South America – the Andean Community (CAN), MERCOSUR and the Union of South American Nations (UNASUR) – also introduced democracy clauses including provisions for sanctions. These organizations formalized democracy clauses in a process that resulted partly from policy diffusion from the OAS, and even more from the emergence of critical threats in some member states (Closa and Palestini, 2018). MERCOSUR suspended Paraguay in 2012 and Venezuela in 2017, and UNASUR suspended Paraguay in 2012. CAN has never enacted its democracy clause.

The Central American Integration System (SICA) and the CARICOM have not adopted formal democracy clauses. However, they both have informal commitments to democratic governance, as enshrined in SICA's Framework Treaty on Democratic Security and CARICOM's Charter of Civil Society. It was on these bases that CARICOM suspended Haiti in 2004, and SICA suspended Honduras in 2009 (Closa et al., 2016).

Underlying these clauses was an understanding of democracy in its minimal sense of electoral democracy and, correspondingly, military coups were perceived as the main, if not the only, threat to democracy that an RO could legitimately punish. This was partially modified by the adoption of the Inter-American Democratic Charter (IADC) in September 2001 by the OAS General Assembly.³ By introducing the notion of 'unconstitutional alterations of the constitutional regime', the IADC (Art.19 and 20) widened the scope of enforcement to cases in which the elected government is not the victim but the perpetrator of breaches of democratic institutions (Arrighi, 2015; Heine and Weiffen, 2014; Perina, 2015; Ribeiro-Hoffmann, 2019). In this regard, the IADC pushed the boundaries of what constitutes a threat to democracy in the Americas – at least on paper.

Table 1 summarizes the characteristics of sanctions in ROs in the Americas. It is interesting to note that all ROs – with the sole exception of the OAS – require unanimity on the part of the national governments (excepting the concerned government) in order to impose sanctions. In the case of the OAS (Art.9 and IADC), a two-thirds majority of affirmative votes is needed to enforce the suspension of a member state.

Explaining the imposition of sanctions in the Americas

Under what conditions do ROs in the Americas impose sanctions? The answer that immediately springs to mind is that they do so when a member state does one of the things listed in the fourth column of Table 1. This would correspond to the baseline expectation that an organization punishes a member that does not fulfil its contract (see introductory article, this issue). However, definitions contained in the relevant protocols and clauses as to what constitute a democratic breach are broad and rather imprecise. In fact, of the 55 episodes of political unrest that have been brought to the attention of ROs since 1991, only six episodes have been tackled through sanctions by one or more ROs. Furthermore, ROs have been inconsistent in their responses to similar events: the OAS suspended Honduras, but not Haiti after a similar forced removal of the executive. MERCOSUR suspended Paraguay, but not Brazil after similar impeachment procedures. Anecdotal evidence suggests that between the 'black letter' of a democracy clause and its enforcement, there is wide room for politics.

The literature offers some conditions that can explain the imposition (or non-imposition) of sanctions. A first condition is that of *relative power*, namely the differences in material capabilities among states in a region. From a power-politics perspective, there is an expectation that sanctions are unlikely to be imposed against powerful states (Donno, 2010). Von Borzyskowski and Vabulas (2019) have demonstrated that backsliders that are rich in oil resources are less likely to face punishment. Closa and Palestini (2018), in turn, have put forward the concept of tutelage to explain how South American decision-makers have expected sanctions to be enforceable only against small and unstable states.

Table 1. Regional organisations/organizations (ROs) and sanction.

RO	Legal provision (year of adoption)	Sanctions	Scope	Decision-making procedure
OAS	Resolution 1080 (1991)	Open to the discretion of member states.	Removal by force of a democratically constituted government.	
	OAS Charter Art.9 (1992)	Suspension clause.	Removal by force of a democratically constituted government.	2/3 affirmative vote at the General Assembly.
	IADC (2001)	Suspension clause; other measures at the discretion of the member states.	Unconstitutional interruption of the constitutional order or unconstitutional alteration that severely impairs the constitutional order.	2/3 affirmative vote at the General Assembly.
MERCOSUR (Common Market of the South)	Protocol of Ushuaia (1998)	Suspension clause.	Rupture of the democratic order.	Unanimity of the heads of state.
	Protocol of Montevideo (2011, not in force ^a)	Suspension clause; closing of borders; economic blockade; other sanctions at the discretion of the member states.	Rupture or threat of rupture of the democratic order.	Unanimity of the heads of state.
UNASUR (Union of South American Nations)	Protocol of Georgetown (2010)	Suspension clause; closing of borders; economic blockade; other sanctions at the discretion of the member states.	Rupture or threat of rupture of the democratic order.	Unanimity of the heads of state or Council of Foreign Ministers.
CAN (the Andean Community)	Andean Community Commitment to Democracy (2000)	Suspension clause; other measures and actions deemed pertinent under international law.	Disruption of the democratic order.	Unanimity of the Andean Council of Foreign Ministers.
SICA (The Central American Integration System)	Framework Treaty on Democratic Security (1995)	None	Threats to security	None
CARICOM (Caribbean Community)	Charter of Civil Society (1997)	None	None	None

Author's Author's own compilation.

^aThe Protocol has not been ratified by Paraguay's parliament.

Condition 1: To be a powerful member state is sufficient for ROs not to impose sanctions against said state.

A second condition, also based on power politics arguments, is that relating to the *role of regional hegemons*. If one starts from the realist assumption that ROs are instruments of the most powerful states, it follows that sanctions will be imposed only in those cases in which the interests of the regional hegemon(s) are at stake (Van Vleuten and Hoffmann, 2010; Boniface, 2002; Donno, 2010). These were precisely the apprehensions of Latin American governments when Rodríguez Larreta first proposed the adoption of regional sanctions back in 1947. In the background to this lies the Monroe Doctrine of the early 19th century; ever since, Washington has explicitly incorporated Latin America and the Caribbean within its immediate sphere of influence.

From a more rational institutionalist perspective, regional hegemons are fundamental to the solving of cooperation problems that is necessary for adopting collective measures such as sanctions (Boniface, 2002). In a comparative study of the EU, MERCOSUR and SADC, Van der Vleuten and Hoffmann (2010) argue that ROs intervene in democracy crises only if the intervention serves the geopolitical, material and ideational interests of the regional hegemon(s).

Condition 2: The support of the regional hegemon for ROs' actions is sufficient and necessary for ROs to impose sanctions.

A third condition also put forward by students of the democracy-protection regime in the Americas focuses on the type of democracy threat at issue (Arceneaux and Pion Berlin, 2007; Boniface, 2002, 2007; Levitt, 2006; McCoy, 2006). Originally, the democracy clauses of ROs in the Americas were designed to embody anti-coup norms. This means that in practice, heads of state in the Americas would respond almost automatically when a fellow government was challenged by a coup, but that the same governments would run into interpretative loops, and eventually deadlock, when coping with more ambiguous threats such as legislative procedures to impeach presidents, or the violation of constitutional procedures or electoral rules by the incumbent (Levitt, 2006; Boniface, 2007). Since all democracy clauses are enforced by incumbents (and in most cases by unanimity) they are biased by design to protect incumbents rather than to defend democracy (Closa and Palestini, 2015).

These insights can be summarized as follows:

Condition 3: A threat against the incumbent is sufficient for ROs to impose sanctions.

Methodology

The conditions introduced in the previous section do not need to be independent explanations of the imposition of regional sanctions. They may act in combination. Thus, I conduct a QCA, which is a set-theory-based method developed to identify a configuration of factors that together can account for a certain outcome (Ragin, 2008; Schneider and Wagemann, 2013). The method is well suited to dealing with outcomes that can be explained by more than one combination of conditions, which are not mutually independent as assumed by multivariate statistical analysis. QCA is furthermore the appropriate method for identifying configurations in a small population of cases. In this study, the total population is composed of 55 episodes of presumed 'threats to democracy' that were brought to the attention of at least one RO in the Americas between 1991 and 2018. The population, therefore, includes not only cases in which ROs took measures, but all events that were addressed in some way by at least one body of the organization. For instance, the data set includes the impeachment of Dilma Rousseff in 2016 in which the OAS ultimately did not take any

measure, but which was still addressed via official statements on the part of the OAS Secretary General. In eight episodes (14.5% of population) ROs imposed sanctions, and in 11 (20% of population) ROs engaged in naming and shaming through condemnatory declarations. In the remaining 36 episodes (65.5% of population), ROs did not take any punitive action.

The outcome for the QCA is ‘imposition of sanctions’, and was calibrated as a fuzzy set that could take five different values. I assumed that the cases in which economic restrictions, diplomatic actions, and suspensions were imposed ‘fully belong’ to the set, receiving a 1. Following the definition provided by the introductory article in this volume (X and X, this issue), these cases entail simultaneously a certain level of material deprivation plus moral shaming. Cases in which ROs issued declarations of condemnation are calibrated as ‘more in than out’ of the set, and have received a value of 0.7. In these cases, ROs do not impose direct material costs, but they still shame targeted states, signalling that democracy has been threatened, or that a threat is in the making. Cases in which some action was taken, but that action was weak – such as declarations of support or concern, or sending of fact-finding or mediation missions – are considered ‘more out than in’ the set, and have been allocated a value of 0.3. Finally, cases in which no action was taken are considered ‘fully out’ of the set, and receive a 0 value.

In addition, I included in the analysis the three causal conditions presented in the previous section. *Relative power* was calibrated as a fuzzy set based on a ranking of ROs member states going from the weakest to the strongest state. The ranking was constructed with data from the World Bank GDP series. The condition took the value 0 for weak states, 0.3 for moderately weak states, 0.5 for neither weak nor strong, 0.7 for moderately strong states and 1 for strong states. The condition *support of the regional hegemon* was calibrated as a crisp set, in which 1 means that the US supported ROs to take action, and 0 that the US did not support ROs to take action. Finally, *type of threat* was calibrated as a crisp set, in which 1 means ‘threat against the incumbent’ and 0 ‘threat not against the incumbent’. For more details about the calibration of the conditions see the Appendix. All analyses (sufficiency, necessity, logic minimization, etc.) were carried out through the QCA package of R (Dusa, 2019).

QCA is an excellent method to identify configuration of causes. However, its main limit is that it is not sensitive to time. For this reason, I complemented QCA with a PTA (Beach, 2018). PTA is a method oriented toward reconstructing the process that led to the occurrence of a particular outcome, and therefore is eminently a time-sensitive method (Bennett and Checkel, 2015). The outcome of interest is the same as in the QCA: imposition of sanctions. Data on the selected cases were obtained from official documents retrieved from ROs’ archives and websites, secondary literature, press, and interviews with decision-makers.

Qualitative comparative analysis (QCA)

In this section I use QCA to identify configurations of conditions that explain both the imposition and non-imposition of regional sanctions by ROs in the Americas. Let us start with the analysis of the positive outcome.

A first important finding of this analysis is that none of the three hypothetical conditions discussed above (the regional hegemon’s interests, the relative power of the concerned state and the type of threat) can independently account for the imposition of sanctions. To use Boolean language: none of the three conditions is – on its own – either necessary or sufficient to explain the imposition of sanctions (see Appendix).

Thus, the QCA produces the following combination of conditions:⁴

Threat against the incumbent * Weak state * Absence of support of regional hegemon for RO actions => Imposition of regional sanctions

Table 2. Configurational analysis.

Configuration	Cases	Threat	Actions
Threat against the incumbent * Weak State * Absence of support of the US for regional organization (RO)RO actions.	OAS-Haiti 2004	Forced removal of President Aristide	Declaration of condemnation.
	OAS-Honduras 2009	Coup against President Zelaya	Suspension; economic sanctions.
	MERCOSUR-Paraguay 2012	Impeachment of President Lugo	Suspension
	UNASUR-Paraguay 2012	Impeachment of President Lugo	Suspension

According to this configuration, ROs impose sanctions in episodes where there is a threat to the incumbent in a weak state, with absence of US support for such actions.

The configuration combines two conditions that are in line with theoretical expectations, together with a third one that is unexpected. The first condition – threat against the incumbent – is consistent with the expectation that the type of threat matters when explaining ROs’ actions, or lack thereof. Whereas this claim has usually been made in the case of the OAS (Boniface, 2002 and 2007; González and Liendo, 2017; Schnably, 2000; Smith, 2018), here we see that it also holds for an integrated analysis of the OAS and the sub-ROs. In the analysis, I have introduced this condition as dichotomous (threat against the incumbent/threat not against the incumbent), under the assumption that, regardless of the type of threat, a threat *against* the incumbent would be enough for ROs to impose sanctions (Closa and Palestini, 2015). This sort of ‘automatic-response-assumption’ was not supported by the analysis of sufficiency, which shows that ‘A threat against the incumbent’ is not sufficient for ‘imposing sanctions’. This conjunction falls under the consistency threshold, and thus cannot be meaningfully interpreted as a sufficient condition.⁵ The condition has, therefore, to act in conjunction with ‘a weak targeted state’ and ‘absence of support of the US’ to account for the outcome.

The fact that ROs would target a ‘weak state’ is in line with theoretical expectations. It supports the argument that ROs’ democracy clauses operate as a tutelage mechanism, through which larger states and more stable democracies protect smaller and less stable ones (Closa and Palestini, 2018).

However, the third condition in this configuration – the condition of ‘absence of support by the US’ – contradicts realist accounts that would expect ROs’ actions to be in line with the regional hegemon’s interests (Van der Vleuten and Hoffmann, 2010). In three cases depicted in Table 2 (OAS-Haiti 2004; MERCOSUR-Paraguay 2012; UNASUR-Paraguay 2012), the ROs imposed sanctions despite the fact that the regional hegemon was not supporting or was even obstructing the actions of the organizations. A fifth case (OAS-Honduras 2009, in grey in Table 2) could also fall under this configuration, depending on how we interpret the position of the US. In fact, the US’s position during this crisis was inconsistent. The Obama administration supported the suspension of Honduras by the OAS in the aftermath of the coup against President Zelaya, but later on the US took a negative position regarding Zelaya’s return to the country, undermining the actions taken by the OAS in the wake of Honduras’ suspension (Legler, 2012).

In making an overall interpretation of this configuration, one can conclude that ROs are working along the lines of tutelage mechanisms, and that they are prone to responding with sanctions when incumbents are under threat – despite lack of support from the regional hegemon. The case of MERCOSUR-Venezuela 2017 stands out as an exception to this configuration that begs an explanation. This represents a hard case in three ways: this time the threat to democracy was posed by the incumbent; the threat unfolded in a powerful state (in relation to the other MERCOSUR

Table 3. Configuration 'negative outcome'.

Configuration	Cases	Threat	Actions
Threat by the incumbent * Weak state	OAS-Haiti 2000	State violence and violation of political rights.	Fact-finding mission; mediations.
	OAS-Nicaragua 2008	Municipal electoral fraud.	Declaration of concern.
	OAS-Nicaragua 2010	Attacks from the executive to the judiciary.	Statement of concern by the Secretary General.
	OAS-Nicaragua 2011	National elections fraud.	No action.
	OAS-Nicaragua 2018	State violence.	Declaration of condemnation; fact-finding mission.
Threat by the incumbent * Absence of US support for regional organization (RO) actions.	OAS-Dominican Republic 1994	Presidential electoral fraud.	No action
	OAS-Ecuador 2005a	Attacks by the executive on the judiciary.	No action.

members); and MERCOSUR had the support of the US against the incumbent. This hard case will be addressed through the process tracing analysis in the next section.

What about the negative outcome? QCA also allows us to explain under what conditions ROs refrain from sanctioning member states. The analysis yields the following configuration:⁶

Threat by the incumbent * Weak State + Threat by the incumbent * Absence of support of the US for RO actions => No imposition of sanctions.

We obtain two configurations separated by a disjunction which in Boolean logic is represented by the symbol (+). The first configuration has two conditions and is composed of cases in which the threat was not against the incumbent, and was in a weak state. The second configuration, also with two conditions, is composed of cases in which the threat was not against the incumbent, and where there was no support of the USA for RO actions. If a case falls under either or both of these configurations, we can expect the outcome: 'no imposition of regional sanctions'. Table 3 shows the cases covered by these two configurations.

Both configurations have a common condition – namely that the threat is not posed *to* the incumbent, but *by* the incumbent. This is in line with the theoretical expectation that ROs in the Americas rarely take action against incumbents even in weak states. The threats to democracy by incumbents are of three types: attacks by the executive on the judiciary, electoral fraud and state violence against citizens. In all these events, the incumbent government is not the victim but the perpetrator of the alleged breach of democracy, and ROs have refrained from imposing sanctions. Once again, MERCOSUR's suspension of Venezuela 2017 is the sole exception.

Process tracing analysis (PTA)

Through QCA we have identified the configuration of conditions linked to the imposition and non-imposition of regional sanctions. However, regional sanctions are better understood as a political process rather than as a one-shot event. In order to gain insight as to how conditions were concatenated over time until regional sanctions were imposed, I turn to PTA.

I trace the imposition of regional sanctions in a typical case (Haiti, 2004) and in a deviant case unexplained by the QCA (Venezuela, 2017). Despite the differences in terms of the size of the

concerned states and the possible consequences of a democratic breakdown in Haiti vis-à-vis a democratic breakdown in Venezuela, both cases are informative and complement the results of the QCA. The case of Haiti allows us to shed light on the unexpected finding that ROs impose sanctions despite the lack of support from (or even obstruction by) the regional hegemon. The case of Venezuela, in turn, gives us insight on an exceptional case in which an RO imposes sanctions against an incumbent in a relatively powerful state.

Punishing states without the support of the hegemon

Haiti 2004. On 29 February 2004, Haitian President Jean-Bertrand Aristide was flown on a US military plane to the Central African Republic, and an interim government supported by the US assumed power in Haiti. As a reaction to the event, CARICOM suspended the interim government from participating in CARICOM's bodies. The OAS, in a less strong reaction, condemned the events in Haiti and 'the abrupt departure of the democratically elected President of Haiti'.⁷ CARICOM suspension and OAS condemnation were adopted against the preferences of the Bush administration, which in fact had played a crucial role in the process that led to Aristide's ousting.

Let us start by tracing the role of the US in this crisis, and then reconstruct how CARICOM and the OAS took positions in relation to US actions. The negative perceptions of President Aristide held by US Republican administrations are well documented (Dupuy, 2005, 2006; Goldberg, 2007; Smith, 2005). Aristide's political platform entailed a strong anti-imperialist rhetoric, as well as liberation theology ideas – two aspects that put him in an uneasy relationship with the US, and in particular with US Republican administrations (Boniface, 2002; Schnably, 2000).

In May 2000, Aristide's party Fanmi Lavalas won the legislative elections and Aristide came to office for the second time. The results were disputed by a new coalition of opposition parties, Democratic Convergence, triggering a period of political crisis that spanned from May 2000 until the coup against Aristide in February 2004. During this period of crisis, the US adopted a twofold policy that comprised, on the one hand, a foreign aid embargo that seriously impaired the Haitian economy,⁸ and on the other, financial and strategic support for Democratic Convergence (Dupuy, 2006). To be sure, Aristide undermined his own political support and social legitimacy by resorting to the use of violent gangs (the *chimès*) to harass the opposition. Yet these decisions were taken against the backdrop of a seditious opposition financed by foreign powers, and under heavy economic constraints also imposed by foreign powers.

How did ROs react to the US's policy toward the Haitian President? Both the OAS and CARICOM managed in different degrees to circumvent the pressure of the regional hegemon for regime change. During the crisis period of 2000 to 2004, both organizations undertook a series of initiatives oriented toward establishing a power-sharing arrangement between the government and the opposition, and bringing about a peaceful solution to the conflict. Thus in 2002, the OAS presented a document called 'Elements of a Compromise Proposal'. Similarly, in 2003, CARICOM set out the so-called 'CARICOM Initiative', which incorporated previous CARICOM mediation mechanisms as implemented in Guyana and in St. Vincent and the Grenadines. It is interesting to note that in most actions adopted during the crisis period, OAS and CARICOM acted in coordination. For instance, both ROs requested that multilateral financial institutions restore financial assistance to Haiti, which had been frozen as part of the US-backed foreign aid embargo.⁹ Mediation initiatives by both the OAS and CARICOM were dismissed by Democratic Convergence. An electoral solution to the crisis was not Democratic Convergence's preferred option, since they feared a new electoral victory by Aristide, who remained until the end of his mandate the most popular public figure from the Haitian political class (Dupuy, 2006). The preference for removing Aristide was also shared by the US, and this was apparent after September 2003 when the *chimès* changed

sides, acting against the government and fostering political unrest across the country. The US (as well as France and Canada) refused to authorize the deployment of peacekeeping forces to stop the armed insurgency, which, together with the US assistance to Democratic Convergence, can be seen as smoking-gun evidence of the US preference for an early departure of Aristide (Goldberg, 2007: 189). Furthermore, the US ambassador in Haiti had officially informed Aristide that the US would not protect him from rebel forces, and that he was on his own (Dupuy, 2005: 187). In contrast, the OAS issued Resolution 861, which condemned ‘criminal elements and activities that defy the rule of law and established government institutions’, and expressed ‘its firm support for the Government of the President of Haiti, Jean-Bertrand Aristide, in its efforts to restore public order by constitutional means’. It also called upon the government ‘to fulfil all commitments and adhere to the timeframes outlined in the CARICOM Initiative, including commitments arising from relevant resolutions of the OAS’.¹⁰

The OAS Assistant Secretary General attempted a last-ditch effort to sit the government and Democratic Convergence down to seal a peaceful agreement, but the meeting was unilaterally cancelled by the US State Department (Dupuy, 2006: 174). On 26 February, Bush’s foreign policy executive met and worked out a statement blaming Aristide for the crisis. Three days later, Aristide was ousted and put on a plane to the Central African Republic.

Although the reactions of CARICOM and OAS to the coup both entailed punitive elements, the approaches of the two organizations cannot be conflated. At the immediate Caribbean regional level, CARICOM took a clear position in sanctioning the new regime in Haiti. It avoided recognizing the transitional government, and de facto suspended Haiti from the organization. The suspension was adopted on the grounds of a violation of the Charter of Civil Society that Haiti had committed to respect when it became a CARICOM member state in 2002 (Berry, 2005; Granderson, 2004). CARICOM now stood as the only international actor not recognizing the de facto government of Haiti, and requested a fact-finding mission to investigate the unclear circumstances of Aristide’s removal. Caribbean states made this final demand at both the OAS and the UN, but was opposed by the US in both forums, and no official fact-finding mission was ever dispatched to the country (Dupuy, 2005; Goldberg, 2007; Granderson, 2004).

The immediate reaction of the OAS was in line with the official US position. A statement by the Secretary-General issued right after the coup recognized the transitional government as ‘the new constitutional government [. . .] following the resignation of President Jean Bertrand Aristide’.¹¹ A condemnatory resolution by the OAS General Assembly came in June 2004, three months after the coup against Aristide.¹² This OAS resolution was deemed the ‘first clear sign of concern from a major international organization that the democratically elected president was overthrown in Haiti with the possible complicity of the United States’ (Kramer, 2004).

Punishing incumbents in powerful states

MERCOSUR-Venezuela 2017. On 1 December 2016, Venezuela was suspended by MERCOSUR for failing to incorporate the normative *acquis* of the customs union into domestic law. Nine months later, in August 2017, MERCOSUR enacted a new suspension against Venezuela, this time on the grounds of having violated MERCOSUR’s democracy clause. Thus, in a double first, an RO in the Americas not only sanctioned a relatively powerful state,¹³ but did so on account of actions taken by the democratically elected head of government. In the following, I reconstruct the process that led MERCOSUR to punish an incumbent.

From the contested election victory of Maduro in April 2013 to 2016, MERCOSUR did not take action in relation to an increasingly authoritarian Venezuela, in spite of its democracy clause (Closa and Palestini, 2015). So what happened in 2016? Why did MERCOSUR change its policy from that

of a bystander to that of actually suspending Venezuela? Two main factors explain this change. First, Maduro's government crossed several red lines that no other incumbent had crossed before, since the adoption of democracy clauses by ROs in the Americas. Second, a change of government in the two most powerful states of MERCOSUR – reinforced by a change of government in the US – paved the way for a more assertive and ultimately punitive action against Maduro's government.

Let us start by tracing Maduro's crossed red lines. Until 2016, events in Venezuela were serious but were similar to other situations in the region, in which different branches of the state struggled against each other, within a context of increasing violence and state repression on the street. Yet the basic democratic institution – electoral competition – was still standing. In the parliamentary elections of December 2015, the opposition won two thirds of the seats, gaining a supermajority in the National Assembly and fuelling the expectation of a change of government through a recall referendum. However, the Supreme Court – controlled by the executive – nullified the election of three opposition congressmen, preventing the supermajority necessary for the opposition to invoke the referendum. From this moment on, the Supreme Court nullified every piece of legislation passed by the National Assembly.

It was in this context that MERCOSUR took its first action. In August 2016, the Paraguayan government called for a legal revision of Venezuela's accession protocol, claiming that Venezuela was overdue in its incorporation of MERCOSUR's normative *acquis* into domestic law.¹⁴ The presidents of Brazil, Argentina, and Paraguay met during the Olympic Games in Rio de Janeiro to discuss the possibility of suspending Venezuela. On 13 September, MERCOSUR member states decided to give a three-month deadline to Venezuela to incorporate an estimated 400 norms and 50 agreements.¹⁵ The task was impossible to fulfil for a state facing political and economic turmoil, and Venezuela was duly suspended on 1 December. It is important to note that even though the grounds for the first suspension were technical, the undemocratic behaviour of Maduro was also part of the justification for this sanction.¹⁶

In 2017, Maduro's government crossed new red lines that definitively put the government in the category of an authoritarian regime. On 29 March, a court ruling authorized the Supreme Court to take over the functions of the National Assembly, and limit the immunity of members of parliament. This action amounted to what has been called a 'self-coup', although a more precise term would be an incumbent takeover (Svolik, 2014), in which the executive – in this case by means of a captive judiciary – attacks the ability of the parliament to function. In the past, similar incumbent takeovers such as Fujimori's in Peru or Serrano's in Guatemala had met with strong reactions from ROs, albeit not reaching the imposition of sanctions (Closa et al., 2016). In this case, MERCOSUR member states invoked the Protocol of Ushuaia, claiming that Venezuela was undergoing a rupture of the democratic order. Maduro's actions against the National Assembly were hard to justify for the Uruguayan government, which was the only country opposing Venezuela's suspension. Right after the decision to invoke the Ushuaia Protocol, the Uruguayan foreign minister stated that 'the fact that a branch of the state arrogates to itself the competences of another, is a complex signal from the point of view of democracy [. . .] a rupture of the democratic order means a *rupture of the democratic order*'.¹⁷ Maduro's government crossed a third red line on 30 July, with the election of a Constituent Assembly with the authority to change the Constitution, and with self-arrogated legislative competences. The Constituent Assembly became *de facto* a parallel parliament, exclusively composed of pro-government members. Following this event, MERCOSUR foreign ministers requested information from Caracas, in accordance with the Protocol of Ushuaia. On 5 August, Venezuela was suspended for rupture of the democratic order.¹⁸

The suspension of Venezuela can be explained on the grounds of the authoritarian escalation of Maduro's behaviour vis-à-vis the National Assembly. Yet a second factor also paved the way for MERCOSUR's sanctions: that of the changes of government in the two largest member states,

Argentina and Brazil. Until 2015, the governments of Cristina Fernández de Kirchner and Dilma Rousseff had been reluctant to adopt a punitive approach toward Maduro, and instead supported mediation initiatives carried out through UNASUR (Closa and Palestini, 2015). Fernandez's party, the left-wing Peronist Partido Justicialista supported Venezuela's membership on ideological and also geopolitical grounds. Similarly, Rousseff's left-wing Workers' Party considered Chávez's and then Maduro's government an ally in the region (Timmermann, 2018). However, in December 2015 Mauricio Macri took office in Argentina and in August 2016, Michel Temer was appointed President of Brazil after the impeachment of Rousseff. Back in 2006, when Macri was a member of the parliament, he had opposed the accession of Venezuela to MERCOSUR for being undemocratic (Timmermann, 2018). Thus, it was not a surprise that right after his proclamation, President Macri called for the suspension of Venezuela based on its non-compliance with MERCOSUR's democracy clause. Michel Temer also became president with the support of a right-wing coalition that had been against Venezuela's accession, and had since striven for its suspension. Macri's and Temer's positions regarding Maduro's government were in line with those of the new Republican administration in the US ushered in by Trump's presidential victory in November 2016.

The alignment of preferences between the two largest MERCOSUR states and the regional hegemon made it impossible for Uruguay's left-wing government to continue opposing a punitive approach to Maduro, and opened room for the double MERCOSUR suspension of Venezuela.¹⁹

Conclusions

This article has found that a combination of three conditions account for the imposition of sanctions by ROs in the Americas: (a) the existence of a threat against the incumbent in (b) a relatively weak state, amid (c) the lack of support for ROs actions from the regional hegemon. Whereas the first two conditions are consistent with the received knowledge emanating from the literature on the democracy-protection regime in the Americas, the third condition contradicts power-based expectations: ROs have morally shamed and suspended member states after the non-democratic removal of heads of government, even when this was not the preferred option of the US. Conversely, ROs have opted not to impose sanctions in cases in which the US did advocate for a punitive approach.

The case of CARICOM's suspension and OAS' condemnation of Haiti in the wake of Jean-Bertrand Aristide's removal as president of that country is exemplary, and indicates that ROs have carved out certain degrees of autonomy from the regional hegemon. This may have to do with the relative importance (or lack thereof) that US foreign policy attributes to the Americas (hemispheric affairs) at a certain period, and with the US interests at stake in a particular state facing a democracy crisis²⁰. In the case of Haiti 2004 the two ROs were able to set up mediation mechanisms to preserve a democratically elected government, despite the strong US preference for a coercive approach aimed at regime change. Furthermore, CARICOM suspended the interim government that had been appointed and supported by the US. These findings are consistent with those of Carolyn Shaw's study of security crises in the Americas. Notwithstanding differences in focus and period of analysis, Shaw's argument also demonstrates that in spite of US hegemony, less than a third of the security crises addressed by the OAS resulted in what she calls US dominance (Shaw, 2004). ROs' capacity to contest US preferences is, however, conditioned by the fact that the state concerned must be relatively weak (as Haiti was), and that the threat be against the incumbent (as in the case of Aristide's removal) and not *by* the incumbent.

The recent suspension of Venezuela by MERCOSUR is the only exception to this pattern. It could be suggested that ROs are gradually moving away from the strong bias in favour of incumbents, toward the imposition of sanctions when other democratic institutions are attacked by a head

of government, as in the case of Maduro's executive takeover on the National Assembly. Our findings only partially support this conjecture. It is true that MERCOSUR suspension was a response to Maduro's crossing of red lines; but the suspension would have been unlikely if the preferences of the two leading MERCOSUR member states and of the US had not been aligned. This alignment of 'the powerful' and the restricted membership of MERCOSUR (four members) explains why MERCOSUR suspended Venezuela, while the OAS did not.

In conclusion, ROs and regional sanctions have opened opportunities for Latin American and Caribbean states to punish wrongdoings and signal norm-commitment in ways that depart from the preferences of the regional and global hegemon. Yet these opportunities are hitherto limited to the tutelage of incumbents in less powerful states in the region.

Author's note

An early version of this article was presented at the workshop 'Regional Sanctions and the Struggle for Democracy' funded by the Riksbankens Jubileumsfond, of the Swedish Foundation for the Humanities and Social Sciences in Stockholm, April 2019.

Funding

The author disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: Research for this article was funded by the National Agency of Research and Development (ANID) of Chile, and its National Fund for Scientific and Technological Development (FONDECYT), Project n° 11190134. The author conducted part of the research at the Kolleg-Forschergruppe (KFG) 'The Transformative Power of Europe', hosted by the Free University Berlin.

ORCID iD

Stefano Palestini  <https://orcid.org/0000-0002-1711-2805>

Supplemental material

Supplemental material for this article is available online.

Notes

1. The suspension was lifted in June 2009 by Resolution AG/2438.
2. AG/RES. 1080 (XXI-O/91).
3. AG/RES. 1 (XXVIII-E/01)
4. The expression corresponds to the conservative solution, in which no decision has been taken regarding counterfactuals (see Appendix).
5. The consistency score for this relation is 0.529. According to QCA best practices, consistency scores below 0.75 should not be meaningfully interpreted as relations of sufficiency (Ragin, 2008).
6. The expression corresponds to the parsimonious solution, in which counterfactuals have been included in the minimization process. See Appendix.
7. OAS General Assembly, Resolution 2058.
8. Public Law 106-429, Nov. 6, 2000. Sec. 558.
9. AG/RES. 1831 (XXXI-O/01)
10. CP/RES. 861 (1400/04)
11. Statement of OAS Secretary General on Developments in Haiti. 29 February 2004.
12. AG/RES. 2058 (XXXIV-O/2004) 'Situation in Haiti: Strengthening of Democracy'.
13. Venezuela is an oil-rich country. According to the Composite Index of National Capabilities, Venezuela is located in the first quintile of countries in the Americas in terms of material capabilities (Correlates of War Project, 2017).

14. Mercosur: Paraguay solicita revisión de protocolo de adhesión, *Voz de América*, 13.08.2016. Venezuela had become the fifth MERCOSUR member state in 2012
15. Retrieved from <http://cancilleria.gob.ar/comunicado-de-prensa-de-los-estados-partes-signatarios-del-tratado-de-asuncion-sobre-la-situacion>
16. Venezuela convoca reunión del Mercosur en Montevideo. *El Nuevo Herald*. 24.08. 2016. Retrieved from <http://www.elnuevoherald.com/ultimas-noticias/article97547257.html>
17. Mercosur: pese a dar marcha atrás, Venezuela mantiene ruptura del orden democrático. *El Observador*. 01.04.2017. Retrieved from <https://www.elobservador.com.uy/mercosur-pese-dar-marcha-atras-venezuela-mantiene-ruptura-del-orden-democratico-n1052546>
18. Mercosur. (2017a). Decisión sobre la suspensión de la República Bolivariana de Venezuela en el MERCOSUR.
19. Uruguay: Insensatez llevó a suspensión indefinida de Venezuela del Mercosur, *El Nacional*, 07.08.2017
20. I thank one of the anonymous reviewers for this observation.

References

- Arceneaux, Craig and David Pion-berlin (2007) Issues, Threats, and Institutions: Explaining OAS responses to democratic dilemmas in Latin America. *Latin American Politics and Society* 41(1): 1–31.
- Arrighi, Jean-Michel (2015) *La OEA y El Derecho Internacional*, Vol. 24. Mexico City: Editorial Porrúa.
- Beach, Derek (2018) Achieving Methodological Alignment When Combining QCA and Process Tracing in Practice. *Sociological Methods & Research* 47(1): 64–99.
- Bennett, Andrew and Jeffrey T Checkel (2015) *Process Tracing: From Metaphor to Analytical Tool*. Cambridge, MA: Cambridge University Press.
- Berry, David S (2005) Non-Democratic Transitions: Reactions of the OAS and CARICOM to Aristide's Departure. *Journal of International Law & Com* 33: 249–262.
- Boniface, Dexter (2007) The OAS's Mixed Record. In Thomas Legler, Sharon Lean and Dexter Boniface (eds) *Promoting Democracy in the Americas*. Baltimore, MD: John Hopkins University Press, 40–62.
- Boniface, Dexter (2002) Is There a Democratic Norm in the Americas? An analysis of the organization of American states. *Global Governance* 3: 365–381.
- Closa, Carlos and Stefano Palestini (2018) Tutelage and Regime Survival in Democracy Protection in Regional Organizations. The case of MERCOSUR and UNASUR. *World Politics* 70(3): 443–476.
- Closa, Carlos, Stefano Palestini and Pablo Castillo (2016) Regional Organisations and Mechanisms for Democracy Protection in Latin America, the Caribbean, and the European Union. Hamburg: EU-LAC Foundation.
- Closa, Carlos and Stefano Palestini (2015) Between Democratic Protection and Self-Defense : The Case of Unasur and Venezuela. *Florence: EUI Working Papers RSCAS 2015/93*.
- Dupuy, Alex (2006) The Prophet and Power. *Jean-Bertrand Aristide, the International Community, and Haiti*. Lanham: Rowman & Littlefield.
- Dupuy, Alex (2005) From Jean-Bertrand Aristide to Gerard Latortue: The Unending Crisis of Democratization in Haiti. *Journal of Latin American Anthropology* 10(1): 186–205.
- Dusa, Adrian (2019) QCA with R. *A Comprehensive Resource*. Cham: Springer.
- Donno, Daniela (2010) Who Is Punished? Regional intergovernmental organizations and the enforcement of democratic norms. *International Organization* 64(4): 593–625.
- Goldberg, David (2007) Haiti 2004. CARICOM's Democracy Promotion Efforts. In Thomas Legler, Sharon Lean and Dexter Boniface (eds) *Promoting Democracy in the Americas*. Baltimore, MD: The John Hopkins University Press.
- González, Manuel Camilo and Nicolás Alejandro Liendo (2017) La Defensa Colectiva de La Democracia En América Latina: ¿Por Qué? ¿Cómo? ¿Cuándo? *Análisis Político* 91: 3–17.
- Granderson, Colin (2004) The CARICOM Initiative towards Haiti. A case of small states diplomacy. *Focal Point* 3(6): 1–4.
- Heine, Jorge and B Weiffen (2014) 21st Century Democracy Promotion in the Americas. *Standing up for the Polity*. Abingdon: Routledge.

- Kramer, Kirstin (2004) Keeping the Peace in Haiti. *Washington Report on the Hemisphere*. Washington, DC: The Council for Hemispheric Affairs.
- Legler, Thomas (2012) The Democratic Charter in Action: Reflections on the Honduran crisis. *Latin American Policy* 3(1): 74–87.
- Legler, Thomas and Ornela Garelli-Ríos (2018) La Protección de La Democracia Ante La Crisis Venezolana : Los Límites Del Nexo Hemisférico-Regional de Gobernanza En Las Américas. *Pensamiento Propio* 23: 159–188.
- Levitt, Barry Steven (2006) A Desultory Defense of Democracy: OAS resolution 1080 and the inter-American democratic charter. *Latin American Politics & Society* 48(3): 93–123.
- Long, Tom and Max Paul Friedman (2019) The Promise of Precommitment in Democracy and Human Rights: The Hopeful, Forgotten Failure of the Larreta Doctrine. *Perspectives on Politics*. doi:10.1017/S1537592719002676
- McCoy, Jennifer L (2006) International Response to Democratic Crisis in the Americas, 1990–2005. *Democratization* 13(5): 756–775.
- Nolte, Detlef (2014) Latin America's New Regional Architecture: A Cooperative or Segmented Regional Governance Complex? 2014/89. RCAS EUI Working Papers, Florence.
- Ribeiro Hoffmann, Andrea (2019) Negotiating Normative Premises in Democracy Promotion: Venezuela and the inter-American democratic charter. *Democratization* 26(5): 815–831.
- Perina, Rubén M (2015) *The Organization of American States as the Advocate and Guardian of Democracy*. Lanham: University Press of America.
- Ragin, Charles (2008) Redesigning Social Inquiry. *Fuzzy Sets and Beyond*. Chicago, IL: University of Chicago Press.
- Schnably, Stephen J (2000) American System. In Gregory Fox and Brad Roth (eds) *Democratic Governance and International Law*. Cambridge: Cambridge University Press, 155–198.
- Shaw, Carolyn (2004) *Cooperation, Conflict and Consensus in the Organization of American States*. Basingstoke: Palgrave Macmillan.
- Schneider, Carsten Q and Claudius Wagemann (2013) Set-Theoretic Methods for the Social Sciences. *A Guide to Qualitative Comparative Analysis*. Cambridge: Cambridge University Press.
- Smith, Betsy (2018) Killing Democracy Softly: Executive privilege and the defense of democracy in the Americas. *Latin American Policy* 9(2): 208–237.
- Smith, Matthew (2005). An Island among Islands: Haiti's Strange Relationship with the Caribbean Community. *Social and Economic Studies* 54(54): 176–1953.
- Svolik, Milan W (2014) Which Democracies Will Last? Coups, incumbent takeovers, and the dynamic of democratic consolidation. *British Journal of Political Science* 45(4): 715–738.
- Timmermann, Sophia (2018) Venezuelan Membership in MERCOSUR: A case for the significance of party politics? Paper presented at the International Congress of the Latin American Studies Association, 23–26 May, Barcelona, Spain.
- Van der Vleuten, Anna and Andrea Ribeiro Hoffmann (2010) Explaining the Enforcement of Democracy by Regional Organizations: Comparing EU, Mercosur and SADC. *Journal of Common Market Studies* 48(3): 737–758.
- von Borzyskowski, Inken and Felicity Vabulas (2019) Credible Commitments? Explaining IGO suspensions to sanction political backsliding. *International Studies Quarterly* 63(1): 139–152.

Author biography

Stefano Palestini is Assistant Professor at the Institute of Political Science, Pontificia Universidad Católica de Chile. His current research focuses on the role of international organizations in crises of democracy in member states.