

DEMOCRATIC BACKSLIDING IN PERU AND VENEZUELA: AN ANALYSIS OF THE
FREE PRESS

by

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Submitted in partial fulfillment of the
requirements for Departmental Honors in
the Department of Political Science
Texas Christian University
Fort Worth, Texas

May 8, 2023

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Introduction

The expansion of democracy between 1975 and 1990 involved at least 30 countries from all regions of the world, but since 2005 many of those countries that moved towards democracy have struggled to maintain momentum and have failed to sustain a democratic system. Among the features that contribute to the health of democracy is the role of a free press. Serving as a watchdog of the government and of potential human rights abuses, the free press is one of the most pivotal mechanisms in which democratic governments are sustained. Existing scholarship demonstrates the significant role a free press plays in contributing to democratization. I seek to investigate the role of the free press in countries that are backsliding democratically. I aim to accomplish this by answering the following research question: Does a decline in the level of press freedom lead to democratic backsliding in countries that transitioned to democracy since 1975? Specifically, how does a decline in the free press lead to a decline in democratic institutions in Venezuela and Peru? I plan to study the reduction in democratic governance through qualitatively analyzing the role of the press in Venezuela and Peru.

Theoretically, this research question holds weight in being proactive in preventing crimes committed against journalists and preventing attacks on the freedom of press in existing democracies. This specific research can introduce new ways to be proactive against crimes against freedom of press. Further, it is theoretically significant to prevent potential crimes against humanity and other human rights abuses that can go undetected by the greater global community without media exposure in democratically backsliding countries. The conclusions of this research paper also have practical implications in policy suggestions for institutions like the United Nations regarding the free press. The conclusions of this research also have implications for

democratic countries to look to the health of the free press as a reliable indicator of the respective country's democratic outlook.

Literature Review

Overall, literature features two main schools of thought in the scholarship of the role of the free press in democratization. The first school of thought argues that there is a positive relationship between press freedom and democracy. The second school of thought argues for a narrower lens of the school in which there is a negative relationship between press freedom and corruption.

The literature regarding the role of the free press and democratization contains a widely held stance that freedom of the press is associated with the process of democratization. Many scholars have found this trend which has bolstered the school's credibility. However, the authors employ a variety of methodologies and tactics to each individually prove this point. For example, Besley and Burgess studied the media's role in being responsive to their citizens' needs. Based on a theoretical example from asymmetric information and from Indian state government data, their study concluded that states with greater newspaper circulation, literacy, and electoral turnout have the most responsive governments. However, the study may lack content validity, as they use the same variable for newspaper circulation, literacy, and electoral turnout (Besley and Burgess 2000).

To make up for this flaw, other scholars are more specific in the operationalization of their variables. In another study, the authors hypothesize that accountability mechanisms, like the free press, can prevent full democratic backsliding in places where there already has been

democratic erosion. To study this, they use the V-Dem Electoral Democracy Index to identify recent cases in Benin, Ecuador, and South Korea where democratic erosion has taken place. Through studying the cases in depth, they identify the free press to have played an essential role in the prevention of full democratic backsliding (Laebens and Luhrmann). Other scholars opted for a more specific approach of case studies of specific countries. In one example, authors studied the role of the Spanish press in their transition to democracy between 1975 and 1978. They also produce the same results (Montero et al). Further, Norris used a research approach of using a large-N cross-sectional comparison to identify press freedom's effect on multiple indicators of democracy and good governance. She also produced the same results and confirmed that the free press is important for many indicators of good governance and democratization (Norris 2006). Although everyone has specific pitfalls, they all make a compelling case in this school of thought, and they produce reliable results. However, the first school of thought conceptualizes free press and democracy in too broad of terms. As such, the research is limited in misattributing democracy to free press when they should be looking at specifically defined variables of good governance.

Scholarship on the relationship between the freedom of the press and democratization also includes a school of thought that focuses on one indicator of undemocratic governance: corruption. This school of thought argues there is a negative relationship between levels of freedom of press and levels of corruption (Brunetti and Weder 2001, Ahrend 2004). This narrow angle of the previous ideology has an increased reliance on data analysis than the previous theoretical lens. The second school of thought mends the issue that arose in the first school of thought by studying the relationship between free press and corruption. This research

operationalizes democratic backsliding with corruption. This methodology is more specific and avoids a cluster of ill-defined variables of democratic backsliding.

Brunetti and Weder used a large cross-section of countries with multiple alternative sources of data. They find that there is a significant negative relationship between the variables (Brunetti and Weder 2001). Ahrend builds off research discovered by previous scholars and reaches a more in-depth conclusion about the relationship between the variables. Ahrend uses a theoretical model and empirical evidence through databases, and he concludes that there is no evidence to prove corruption negatively affects press freedom. However, he finds considerable evidence to suggest a lack of press freedom is associated with higher levels of corruption. (Ahrend 2004).

Some researchers use theoretical lenses from both previously mentioned schools of thought. These authors reach the same conclusions of both a negative relationship between freedom of press and corruption and a positive correlation between press freedom and democracy more generally. One study accomplishes this by researching media ownership in 97 countries. They study if government ownership of media undermines political and economic freedom. In their conclusions, they find that poorer countries with greater state ownership of the media associate directly with low political and economic freedom including higher levels of corruption. They mention the results are not causal and only demonstrate a relationship (Djankov et al). Researchers also reach the same conclusions by just using a case study of one country. Using a unique form of case study, McMillan and Zoido show how bribery and corruption became exposed to the public through visual journalism. They explain how this led to a Peruvian uprising against former Peruvian president Fujimori (McMillan and Zoido 2004). Some scholars

build on previously acknowledged correlations and argue that measures of freedom can predict levels of future democracy (Sachs 2007). Using mixed methods of two case studies in Indonesia and Israel and analyzing cross-national data from several sources, this study also reaches the same conclusions (Sachs 2007).

Discrepancies in operationalizing democracy between the first and second school of thought can be traced to different understandings of how to view and define democracy. Beyond the concept that democracy is governance by the people, there is no scholastic consensus on what democracy is. (Gallie 1956; Held 2006; Shapiro 2003: 10-34). Rather, scholars have subscribed to different interpretations of democracy in their research by using different measures. Some scholars have utilized Freedom House's index of liberal democracy, but this is not usable in this paper as Freedom House uses press freedom as a core component of the index. Other authors use the Polity IV project's measure of constitutional democracy or Vanhanen's indicator of participatory democracy (Norris 2006). These sources are frequently cited in comparative research. Varieties of Democracy offers an alternative measure of democracy that reconciles the many perspectives on democracy researchers subscribe to. The V-Dem Dataset describes seven key principles that inform various scholars' frameworks on democracy as electoral, liberal, majoritarian, consensual, participatory, deliberative, and egalitarian. For this research, I will use the V-Dem's measure of liberal democracy. Scholars in this field also vary in their operationalization of press freedom. One notable technique is utilizing data from Freedom House in gathering data on press freedom. Both Norris and Sachs utilized Freedom House' press freedom index of "Free," "Not Free," and "Partially Free," to code their data in an aggregate research project. However, for a case study research project involving process tracing, a more

descriptive score of press freedom is necessary. For these reasons, I utilize the V-Dem dataset for Freedom of Expression Index.

Additionally, there are some pieces of scholarship that are inconclusive in the body of literature. Although there are a plethora of articles identifying a correlation between an increase in press freedom and an increase of democratic governance, there are very few articles detailing a reduction in press freedom and a reduction in democratic governance. This research will contribute to filling this gap in literature.

Theoretical Framework

In my research, I agree with the predominant school of thought that the free and independent media have a positive relationship with democratic governance. Scholarship emphasizes the integral link between the free media and democratization. The presence of the free media is a hallmark of democracy and is necessary for a functional democracy. The free and independent media serves as an accountability checkpoint of bad governance. When the media is free to report independently and critically on government actions, corruption and state abuses of power can be uncovered to the public that would otherwise go unnoticed by the electorate. It follows that when the media is not free to report independently and critically on government actions, corruption and abuses of power can go unchecked, leading to a decline in democratic institutions. In other words, a decline in press freedom signifies a decline in democratic institutions. This paper builds on this school by hypothesizing that a reduction in press freedom leads to reductions in democratic governance. Specifically, I hypothesize the following:

Hypothesis 1: As authoritarian governments consolidate power, governments will restrict press freedoms.

Hypothesis 2: As the level of press freedom declines, levels of democracy will also decline in each respective country.

Methods:

This thesis utilizes a historic process tracing methodology, analyzing two case studies of Venezuela and Peru to test my hypothesis. The case studies look at two periods of time in both Venezuela and Peru in which an authoritarian leader took power and a period of democratic backsliding followed in each respective country. In both cases, I will be analyzing the selected points in history to identify specific causal mechanisms that connect the government's actions toward the press with a fall in democratization scores. To do this task, I will be examining policies passed in each country and other forms of intimidation toward the independent press. In Venezuela, I will be assessing interactions between the authoritarian regimes of Hugo Chavez and Nicholas Maduro and the free press. In Peru, I will be assessing interactions between the authoritarian leader Alberto Fujimori and the free press.

The inference, based on prior scholarship, is that the level of press freedom is correlated with democratic backsliding. Therefore, as the level of press freedom declines, levels of democracy will also fall. For this research, I will subscribe to the liberal understanding of democracy which V-Dem defines as protecting individual and minority rights against state repression. The principle is accomplished by constitutionally upheld civil liberties, strong rule of

law, and effective checks and balances that limit the use of executive power. V-Dem's Liberal Democracy Index was created using three subcomponents of the Equality before the law and individual liberty index; the Judicial constraints on the executive index; and the Legislative constraints on the executive index. I will be utilizing V-Dem's Liberal Democracy Index measurement in measuring liberal democratization scores in both Peru and Venezuela.

In defining press freedom, I will be using the the V-Dem dataset for Freedom of Expression Index, as it is beneficial in this study through its ability to trace scores of press freedom over an extended period of time. The Freedom of Expression Index seeks to measure "To what extent does the government respect press and media freedom, the freedom of ordinary people to discuss political matters at home and in the public sphere, as well as the freedom of academic and cultural expression?" The index is aggregated from many state restrictions on the press. The restrictions of the press included in this index are media censorship imposed by the state, harassment of journalists, media bias, media self-censorship, print/broadcast media critical of the government, and various print/broadcast media perspectives, freedom of discussion for men and women, and freedom of academic and cultural expression (V-dem [Varieties of Democracy], n.d.).

I track both variables using the Varieties of Democracy Indexes, as the widely used database provides graphing tools to track the variables alongside one another in each respective country. I will utilize graphs of the variables' relationships after analyzing the histories of the countries through process tracing methods to illustrate the relationship quantitatively.

Venezuela Introduction

This study uses process tracing to examine the causal relationship between media policy in Venezuela and the decline in democratization. Venezuela's political history is characterized by political instability, generated by their government's dependence on fossil fuel income, in the model of a petrostate regime. The country's reliance on oil income is also associated with a highly concentrated amount of economic and political power in the minority. The significant power concentration in the hands of the minority has led to weak and unaccountable political institutions where corruption is widespread. These conditions led to Venezuela's Chavez Era in which military officer Hugo Chavez attempted coups and successfully assumed the presidency of the country. At the death of Hugo Chavez, Nicolas Maduro was elected to continue Chavez's regime. Both Chavez and Maduro conducted crackdowns on the free media (Cheatham and Labrador 2021).

Economic turmoil, both in the high levels of social inequality and Venezuela's oil reliance, fed into the conditions that were perfect for Populist politics and the presidency of Hugo Chavez (Dodson and Dorraj 2009). Venezuela's economic position as a petrostate led to economic turmoil. Thus, Chavez was able to take advantage of the poor conditions and existence of great social inequality in Venezuela to gain power in 1999, where he remained president until 2013. Chavez set out to mobilize the lower classes, promising an end to corruption and social inequality. From these promises, Chavez gained incredible support from this poor sector of society which is "society's marginalized sector." However, Chavez's policies only led to more pronounced tension and isolation between the upper and lower classes than existing prior. This is due to his policy emphasis on social welfare programs that only assisted the poor. These consequences led to increased political polarization. The increased political polarization had economic consequences that served as an obstacle to democratization. Due to Chavez's portrayal

of businesses being the cause of the plight of the poor, Venezuelan businesses began to not want to invest in the country due to high risks of instability. This set off several drastic economic consequences where foreign investors and wealthy Venezuelan investors decided to invest and begin businesses in other places with political stability and a government that promotes entrepreneurship (Buxton 2018).

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Before Chavez took power, journalists in Venezuela held a position of influence and an ability to expose corruption in Venezuela's political system. The press was able to wield more power than any branch of the Venezuelan government in this period (Gardner and Stevenson 1988; Samet 2017). The news media filled a void left by political parties unable to represent the people (Stelling 2012). However, Hugo Chavez's assumption of power altered the presence of the press. Although the regime's newly implemented constitution provided statutory protections for freedom of expression, Chavez used his power to restrict the freedom of press.

Article 147 of the VCC

The Chavez regime expanded the scope of legislation in the penal code that bars criticism of government officials in 2005. Article 147 of the Venezuelan Criminal Code (VCC) says that:

“Whoever offends in word or in writing, or otherwise disrespects the President of the Republic or whoever is in possession of the Presidency, will be punished with imprisonment from six to thirty months if the offense was serious, and with half [of that penalty] if the offense was slight. The penalty shall be increased by one-third if the offense was committed publicly (“Attacks on the Press in 2015: South America,” 2016).”

When the actions described in Article 147 are perpetuated against any of the following officials, the penalty would be reduced in half: Executive Vice-President of the Republic, a Justice of the Supreme Tribunal of Justice, a Minister of the Cabinet, a State Governor, a Deputy of the National Assembly, the Metropolitan Mayor, a rector of the National Electoral Council, the Ombudsperson, the Solicitor General, the Attorney General or the General Comptroller or a member of the Military High Command.

The Inter-American Commission on Human Rights (IACHR) recommended the abolition of these laws in 1994. Argentina, Paraguay, Guatemala, and Honduras followed the suggestions. However, the Venezuelan Supreme Court strengthened the constitutionality of the 1963 laws in July of 2003. The Court held that global calls to overrule the 1963 law are inapplicable, as they “act as a barrier to the abuse and disrespect of freedom of expression and those situations that endanger the State itself...which could affect the independence of the country,” (Atwood 2006). The Venezuelan Congress followed suit and strengthened the “insult laws” in 2005 through extending protections against insults to other government officials including members of Congress, the military command, and the national elections board. Thus, most public officials can seek redress for any comments deemed offensive, regardless of the truth of the comment.

The legislation punishes comments made at the expense of government officials and makes criminally harsher punishments for criminal defamation and libel. This departs from the suggestions of human rights advocates where they argue libelous or slanderous words should not be criminalized. The restriction of criticism limited Venezuela’s political communications space. The Criminal Chamber of Venezuela’s Supreme Tribunal of Justice has held that there is a subjective element of intent contained within defamatory actions called *animus difamandi*. *Animus Difamandi* is defined as the intention to discredit the victim, which is aggravated when

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the statement or message is spread through public documents, graphics, writings, or other public means (Atwood 2006).

Venezuelan Journalists Under Article 147

The following are the most notable criminal defamation cases in Venezuela. Guillermo Zuloaga, the President of the only independent Venezuelan TV news station Globovision, spoke on the political situation in Venezuela to the General Assembly of the Inter-American Society of Press in 2010. Zuloaga is one of the few remaining media outlets taking a strong anti-chavista stance before the government. As a result, Chavez's interactions with the network have drawn scrutiny and criticism from international organizations such as Human Rights Watch, Amnesty International, and the Roman Catholic Church. However, government proponents argue that accusations levied against officials are accurate and that the regime needs to give itself the tools to defend itself. (Durand 2011). The National Assembly considered this statement to be false and a warrant for Zuloaga's arrest on charges of "false information" and "offenses against the Head of Government," as provided by Articles 297-A and 147 of the Criminal Code was ordered ("Attacks on the Press in 2015: South America," 2016). On March 25, 2010, the Attorney General ordered the arrest of Zuloaga, and he was detained for questioning. On March 26, 2010, the Attorney General stated that Mr. Zuloaga would be tried in liberty. Zuloaga was living in exile and now lives in Miami. The status of the criminal proceedings against Zuloaga are unknown ("Attacks on the Press in 2015: South America," 2016).

Career journalist Francisco "Pancho" Pérez was also accused by the state for "aggravated defamation and libel." His accusation followed the publication of an opinion in his weekly column in the newspaper *El Carabobeño*, where he associated the public official with a fire generated in the landfill of Guásima on January 1, 2013. On June 18, 2013, it was reported that

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Perez Flores agreed before the trial Court that he would withdraw his statements. No penalties were imposed. On another earlier occasion, Francisco Perez was jailed in 2010 for accusing a local mayor of nepotism. A federal court sentenced Perez, based on insult laws, to three years and nine months in prison and fined over \$18,000 (USD). Yet, this demonstrates a commonality in intimidation threats against the media for freedom of expression (“Attacks on the Press in 2015: South America,” 2016).

Restrictions on the media under Chavez did not only precede violations, but the regime also created new snap laws to intimidate the media after the press had reported on something that painted the regime in a negative lens. The front page of the Venezuelan newspaper, *El Nacional* on August 10, 2013 displayed a photograph of piled-up bloody corpses at an overcrowded morgue in Caracas. The photo was graphic, featuring unclothed bodies lying on stretchers and on the floor. Venezuelan officials acted swiftly, claiming the photo was obscene and was too inappropriate to be shown on the front page of a newspaper (“Latin American Journalism Review” 2016). Venezuelan police officers looked through the newspaper office of *El Nacional*. They claimed to search the office for more information as to when the photo was taken. President Hugo Chávez called the photo “journalistic pornography,” and a Caracas court proceeded to ban all photographs from publishing violent photographs for the next thirty days. The Court asserted that a ban on violent photography was a necessary measure to protect the nation’s children from harm and to protect the nation’s safety. However, *El Nacional* is a known opposing voice to President Chávez. Chávez argued that the cover was a political and fallacious scare tactic from the opposition party for election season. Western news outlets discussed the Chavez regime’s ban as not only a political move to silence them before the elections, but also as an infringement of free expression. *El Nacional* reacted to the ban by publishing a large cover

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with only the word “CENSURADO” (“CENSORED”), with the headline, “[t]hey’re prohibiting publishing images and news about violence.” (Carney 2013). The text underneath the headline discussed that the paper planned to publish a photo of a father crying for his murdered son but are unable to do so with the recent censorship.

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Media Crimes Law

In 2004, Chavez passed the Law of Social Responsibility in Radio, Television, and Electronic Media, also known as the Media Crimes Law, into legislation. The law continued to be enforced into Maduro's presidency when he took over the presidency in 2019. This law set strict guidelines on the content of radio, television, and electronic media into motion and removed barriers guaranteeing independence to the media (Freedom House 2014).

The law consists of restrictions on the following:

- Incite or promote hatred and intolerance for religious, political, and gender difference
- Racism or xenophobia
- Incite or promote and / or justify crime constitute war propaganda promote anxiety in the public or disturb public order promote the overthrow of legitimately constituted authorities
- Induce killing and incite or promote the violation of the existing legal framework.

The provisions set out in the Media Crimes Law harm press freedom scores and are problematic for the existence of an independent and free media in the country, as it imposes harsh content-based restrictions on the independent media. The set of rules for the press enables the Venezuelan government to have stronger authority to remove content that hurts their political

advances. The content-based restrictions pose unnecessary limitations on the ability of the independent media to practice their role as an accountability checkpoint on the Venezuelan state. The law violates international standards protecting free expression (Reporters Without Borders n.d). Specifically, it does not comply with international standards on free expression set forth by the United Nations which urges lawmakers to recognize that every citizen is entitled to freedom of expression through “freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one’s choice (UNESCO 2021).”

It further violates the three-part test set in action by international standards for broadcasting freedom. According to the three-part test, interferences with freedom of expression are legitimate only if they (a) are prescribed by law; (b) pursue a legitimate aim; and (c) are “necessary in a democratic society. (The Carter Center n.d.)” The law is vaguely worded specifically on incitement of breaches of public order which penalized broadcasters’ expression of political views. If the broadcasters were found guilty of inciting public order, they would be ordered to suspend transmissions for up to 72 hours. A second offense would result in a revoked broadcasting license. Like the Chavez regime, the Maduro regime used a guise of protecting children from obscene and crude language and scenes to justify government-imposed censorship on the free press.

Maduro’s Regime

Maduro enacted the Law on the Promotion and Guarantee of the Right to Freedom of Expression and Information enacted in 2019. The law restricts freedom of expression by enabling the

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government to block websites and social media accounts that are deemed to spread hate speech or fake news. The “law against hate” is a straightforward way for the regime to punish dissenting political speech especially when it is online. The anti-hate law was enforced for the first time on January 30, 2018 when the editor of an independent newspaper was called into question. Yndira Lugo, the editor of *Diario Región* was investigated for violating the legislation. Lugo’s article, published on January 11th, warns that an economic collapse in the county made conditions that would culminate in a social explosion. The Venezuelan regime also used the law as a tool to restrict the expression of political ideas on the web. “The web used to be an area that the government could not control. But now, with the anti-hate law, it can,” Joseph Poliszuk, a founder and editor of the Caracas-based investigative news site *Armando* said. The anti-hate law mandates prison time of up to 20 years for anyone who is found guilty of instigating hatred or violence through traditional forms of press or on social media (Committee to Protect Journalists 2018). The law also enables the regime to revoke broadcasting licenses or block web pages that share pages that the government finds hateful or intolerant. Further, social media platforms would face fines for failing to remove hate messages if they are not taken down within six hours. The Maduro regime has been additionally documented several times of blocking internet content from its citizens during politically sensitive periods, particularly elections. During the regional November 2021 elections, the regime enacted restrictions on at least 56 domains belonging to 49 websites. The majority of the domains were independent media outlets. Most domains were blocked by at least five ISPs, and more than half were blocked by all providers (Freedom House 2019). CANTV and at least five private ISPs also blocked the VPNs Psiphon and TunnelBear. The European Union Electoral Observation Mission reported from their research that government-aligned news websites were consistently available in all states through ISP during

this time, while independent online media websites such as *El Pitazo* or *Armando.info* were exceedingly difficult or impossible to stream in 16 out of the 23 states. In addition to only making regime-aligned news media available to its citizens, the Maduro government attempted to alter public opinion through the usage of state-initiated social media hashtags promoting the government during this time. Karim Khan, a prosecutor of the International Criminal Court, traveled to Venezuela that month to investigate crimes perpetrated by the Maduro government against Venezuelans. During his visit, the Maduro Ministry of Information promoted four hashtags that attempted to portray the country's justice system as fair with a fully cooperative government. The ministry used hashtags such as #VenezuelaGarantizaJusticia (Venezuela Guarantees Justice). Analytics on the tweets show that a whopping majority of 75% activity under the hashtag derived from inauthentic activity, suggesting the government used bots to promote the tweet, aiding in their propaganda. Another tweet the regime used to promote a fair and just image of the state was #VenezuelaJusticiaSoberana (Venezuela Sovereign Justice), which has an inactivity rate of 69% in all the cases (Freedom House, 2019).

It is important to note that the independent news media sources that were blocked during this period have also been targeted for blocking during non-politically sensitive times. El Pitazo has also been blocked on most networks during a non-election coverage period. Additionally, Armando.info had also been previously targeted with blocks and resulted in distributing content through social media and email networks instead. In this election coverage period, the Maduro regime did not block social media platforms or restrict fixed-line or mobile internet connectivity.

Empirical Analysis

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The Venezuelan government's expansion of penal code legislation that restricts criticism of government figures in Article 147 and 148 led to an erosion of democratic institutions in the country. (See Figure 2 for illustration.) V-Dem measures the country's liberal democracy score at a 0.24 in 2003 after the legislation's enactment. The score dipped just .02 from 2002 but following a larger decrease in democracy scores since 1998, an election year culminating in Hugo Chavez's rise to power. In the case of restrictive media law legislation expansion, the causal mechanism is specifically Article 147. By reducing transparency, the regime stifles democracy in Venezuela. The censorship of privatized media outlets created an environment of fear and intimidation for journalists, and it resulted in targeted attacks on media outlets and journalists that express criticism about the government. The media restriction in and of itself serves as a facilitating factor to assist the legislation expansion, as the law would make it illegal to criticize that respective law. Further, Maduro's anti-hate legislation in 2019 caused a dip in the country's liberal democracy scores of about .01 from 2018 to 2019. However, the dip in 2019 is also following the exponential decrease in democracy scores from 1998.

Peru Introduction

Peru's media landscape has a varied and complex history that can be traced along the country's transitions in governance. Before Peru transitioned to democratic governance, censorship was prevalent. Preceding the country's democratic transition was a period of military rule that lasted from 1968 through 1980. This period is marked by heavy censorship in which the free press was removed through significant media restructuring (McClintock and Lowenthal 1983). From the beginning of Velasco's rule in Peru, the military government restricted the role of the press through enactments of censorship laws. After the Peruvian period of military rule, the Fujimori decade brought back significant restrictions in the country's media freedom.

President Alberto Fujimori rose to power in 1990 through winning the Peruvian general election. Campaigning as a political outsider, Fujimori gained political support through the widespread discontent on the state of the Peruvian economy and instability. To gain the support of the electorate, he promised to address Peru's inflation and unemployment problems. Fujimori was elected when the newspapers established themselves as market leaders. *El Comercio* had the greatest circulation with a readership of 100,000 readers and reported to a center-right audience. *La Republica*, another prominent paper, filled the niche for a left-wing readership. Additionally, *Caretas* and *Oiga* were independent papers with no connection to explicit political parties. Their respective owners, Enrique Zileri and Francisco Igartua have a long history of exposing political corruption and serving as a check on the Peruvian government. From the beginning of his term, Fujimori showed signs of authoritarian tendencies through political actions to consolidate power. In November of 1991, Fujimori proposed 126 presidential decrees to Congress. This package included attempts to centralize the economy and to give far greater power to the Servicio Nacional de Inteligencia (SIN- the Intelligence Service) This package included a decree related to the press that made the press liable for a minimum of five years' imprisonment if they published any information that was considered secret by the SIN or the military. This decree also included that any Peruvian who publishes any article critical to the government's counter-insurgency campaign in a foreign paper to be committing treason under the law. Congress was unable to reach a decision on the presidential decrees before they recessed for the summer. This contributed to larger political tension within Peruvian politics (Wood 2000).

Being unable to control the press through legislation during the first year of the Fujimori regime, Fujimori utilized the Peruvian secret service (the SIN) to intimidate, harass, and control the press. One of the most notable cases of press intimidation was the murder of journalist

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Melissa Alfaro. Alfaro was a 23-year-old journalist who was working full-time at the left-leaning and opposition newspaper *Cambio*. After Alfaro covered congressional meetings on October 10, 1991, she went to pick up the mail for the newsroom. Upon opening an envelope, her *Cambio* colleagues heard an explosion. When the *Cambio* workers went to check on Alfaro, she was dead from opening a letter bomb that had exploded in her face. After an investigation was done on the explosives in the envelope, it was revealed that the gel in the letter was used exclusively by the military. The explosive gel found in the bomb also matched the same gel used by the state to attack leftwing figures accused of promoting political instability in the country (IPYS 2021). The murder of a journalist restricts freedom of the press, as it sends a clear signal to other journalists that reporting on the affairs of the government will end your life. In November of 1997, UNESCO of the United Nations adopted a resolution in which “assassination and any physical violence against journalists [is] a crime against society, since this curtails freedom of expression.” (UNESCO 2021).

Suppression of the press worsened significantly in 1992 when the regime conducted a self-coup in which Fujimori suspended Peru’s constitution and suspended the Peruvian congress. Six minutes before the self-coup, troops were sent to all privately owned newspapers and radio stations at 10:30pm on April 5, 1992. The troops were mandated to stay in place at every newsroom for 40 hours. When the self-coup was announced, the Peruvian state mandated that all television stations broadcast his address to the nation. In addition to the placement of troops at all the country’s newsrooms, Peruvian journalist Gustavo Gorriti was taken into arrest by armed members of the state and held in prison for two days. According to an interview with Gustavo Gorriti, the journalist was arrested at 3:30 in the morning when one hundred soldiers closed four

blocks around his residence as a means of intimidation. According to an interview with Gorriti, the soldiers required that he go back to their headquarters for questioning.

“They were all carrying Heckler & Koch 9mm. submachine guns equipped with silencers. They climbed over the outside wall of my garden and stood with their fingers on the trigger. The whole thing was, let us say, extremely tense.” The journalist’s notes and computer were confiscated alongside his arrest (Gorriti 1992).

The placement of the troops was instructed directly from the president who had noted in his broadcast the night of the self-coup that he had “instructed these organizations to immediately take the actions necessary to guarantee the measures announced and to protect order and public security.” Fujimori also noted that the reason behind the troops’ presence at newsrooms was to “guarantee the security of the media.” The journalists published articles on the morning after the self-coup, however, they were under persistent surveillance by the Peruvian military. The media was mandated by military officials to not include the word *golpe* or “coup” in their reporting the following day. Rather, daily newspapers like *La Republica* and *El Comercio* downplayed the events of the previous nights by including phrases such as “reorganized congress” and “closed congress.” *La Republica* journalists interviewed years after the coup revealed that military officials had instructed the editors to not publish certain articles to protect national security. Fujimori also took other measures to manipulate public opinion over the dissolution of congress, according to Enrique Zilieri, a well-known opposition journalist. During the self-coup, Opinion y Mercado surveyed opinions on the Fujimori regime's actions. They reported that 71% of the tested population approved of the dissolution of congress that Fujimori enacted. They also reported that 89% of the population approved of the dissolution of the judiciary. Original articles show that the language of the polls followed the downplayed

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language of the press. The positive results were published in *Expreso* during the period troops were stationed at the paper. Meanwhile, known opposition papers were barred from publishing articles until later in the month. *Caretas*, a paper critical of the Fujimori regime, did not reappear until April 10. The publication of the opinion was manipulated by the government to swap public opinion in favor of their actions, as it is no mistake that it was published during the troops' presence in the newsrooms. The military intimidation effectively removed separation between the state and the press, influencing the type of coverage the press put out on governmental affairs (Wood 2000).

Empirical Analysis:

In 1990, Peru's freedom of expression score was 0.75. Peru's liberal democracy score was ranked at 0.39. (See Figure 1 for illustration.) However, the murder and harassment of journalists in 1991 brought Peru's freedom of expression score down by 0.03 points, which is a part of the larger negative trend in Fujimori's leadership. In 1991, Peru ranked at 0.72. Its liberal democracy score remained stagnant at 0.39. The stagnant score reflects successful blocks of authoritarian packages by the Peruvian congress. The decline in freedom of expression scores is reflective of the press harassment that suffered under the Fujimori regime. The harassment halted the abilities of the press to serve as a watchdog of Peruvian governmental affairs, as Melissa Alfaro's murder served as a warning to journalists who oppose the actions of the state. Peruvian scores in liberal democracy and freedom of expression continued to worsen in 1992 when Fujimori successfully dissolved the Congress and judiciary. Fujimori's removal of the barrier between the news media and the government erased the role of the press as a watchdog against government corruption and authoritarian tendencies. The Freedom of Expression Score tanked as

a result of the restrictions on the press' ability to publish freely. The score dipped to 0.45 in 1992- a .27 drop. The score of liberal democracy notably dropped the same amount of points from a ranking of 0.39 to a score 0.12 in 1992.

Discussion and Conclusions

This paper presents an analysis of two case studies of episodes of democratic breakdown (Peru 1990-2000, Venezuela 1990-2019). The Chavez regime expanded legislation through passing Article 147 and the Media Crimes Law which significantly curtailed the freedom of the press in Venezuela. Consequences for journalists who disobeyed these press freedom laws were dire, including cases of Guillermo Zuloaga and Francisco "Pancho" Pérez. The Maduro regime, continuing a similar style of leadership as his predecessor, enacted the Law on the Promotion and Guarantee of the Right to Freedom of Expression and Information. This legislation continued to enact restrictions on the ability of the press to report freely. The Venezuelan case study of the Chavez and Maduro regimes provides strength to the hypothesis that as authoritarian governments consolidate power, the state will limit press freedoms. The prosecution and imprisonment of journalists that followed the passage of these laws showed a clear threat the legislation posed to journalists and media outlets that aim to shed light on governmental wrongdoings. The Venezuelan case study also supports Hypothesis 2 in which the level of press freedom will decline as levels of democracy will decline. The laws passed pertaining to the Venezuelan media reduced the political communications arena to include only ideas that support the regime, aiding great power to the state. In such, the public can remain ignorant of accurate information about the government and political affairs in the country. The lack of politically

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aware citizens enables an expanding authoritarian government to continue to spiral farther from well-performing democracy.

During Fujimori's authoritarian regime, the ability of the press to serve as a watchdog on governmental affairs was significantly restricted by the press intimidation taken by the state. Limitations on press freedom began with an attempt to pass censorship laws which led to the SIN harassing journalists in a means to control the content they would publish that was critical of the government. One of the most well-known instances of the SIN's harassment of journalists was the state-led murder of journalist Melissa Alfaro. It is important to note that there were many other journalists who were harassed, murdered, and disappeared, yet the documentation on this is sparse due to the low freedom of expression. The Peruvian state continued to crack down on the state of the free press through a self-coup that removed democratic practices and institutions. The arrest of journalist Gustavo Gorriti sent a signal to other journalists that reporting truthfully and accurately on the political state of affairs would also lead to their arrest or disappearance. The military's presence in newsrooms restricted the content that the media could publish to hold the Peruvian government responsible for the anti-democratic actions that had taken place. The Peruvian case study gives great strength to the hypothesis that as authoritarian governments consolidate power, press freedom is restricted. The governmental crackdown on the press, through attempts at passing non-press freedom friendly legislation led to further harassment of journalists and troops' placement at newsrooms. The decline of scores reflected through the V-Dem database in measuring the relationship between Freedom of Expression and liberal democracy also supports the second hypothesis that as the level of press freedom decreases, levels of democracy will decline alongside. This phenomenon can be understood by the press' role in swaying the opinion of the public. As a government cracks down on the role of the free

press and restricts and controls its content output, their anti-democratic actions will be enforced and allowed to continue.

The case studies of Venezuela and Peru in this research demonstrate that minor restrictions on the liberty of the press lead to the state enacting more restrictions that are far graver. As the governments make increased restrictions upon the press, democracy further deteriorates in a spiral model. This heralds back to the literature emphasizing the positive relationship between press freedom and democratization. This research demonstrates that the opposite effect is true in these countries: as press freedom declines, democratization also declines. This study is limited in its focus on qualitative research in two time periods in Venezuela and Peru. However, this research fills a gap in literature that lacks detailed accounts of democratic backsliding and limitations of press freedom. The findings of this research confirm the importance of maintaining and protecting a free and independent media to sustain democracy. It is necessary that the state of the free press be monitored, as the affairs of the free press as a reliable indicator of the respective country's democratic outlook. Watching the state of the free press in other countries that have transitioned to democracy since 1975 can help prevent instances of democratic backsliding and human rights violations that occurred in both Venezuela and Peru.

However, this approach is not only limited to the Southern American region, as looking at the state of the free press in other places can also be a preventative measure against democratic backsliding. This approach can be included in an analysis of established democracies like the United States. Seen recently in March 2023, Florida Senator Jason Brodeur suggested a bill requiring bloggers who receive compensation for their work to register with a state agency depending on the blog. Senator Brodeur suggested that bloggers either register with the Office of

Legislative Services or the Commission on Ethics. The bloggers would be required to submit monthly reports disclosing posts they wrote about Florida political officials. They would also be mandated to report what compensation they received for each respective post and the donor of the compensation. Failure to comply with the law would result in a fine of up to \$2,500 for every report. The bill failed to pass but is a haunting reminder that anti-press freedom bills can exist in developed democracies as well (Goldin 2021).

Unique to Venezuela and Peru was the government's removal of the independence of the media. Just as it is encouraged by political theorists and democracy scholars to have a wall in place between the freedom of religion and the operations of the state, it is essential for there to be a wall between a media and political communications space and the state to maintain a healthy democracy.

Appendix One: Democracy and Freedom of the Press Scores in Venezuela and Peru

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Figure 1

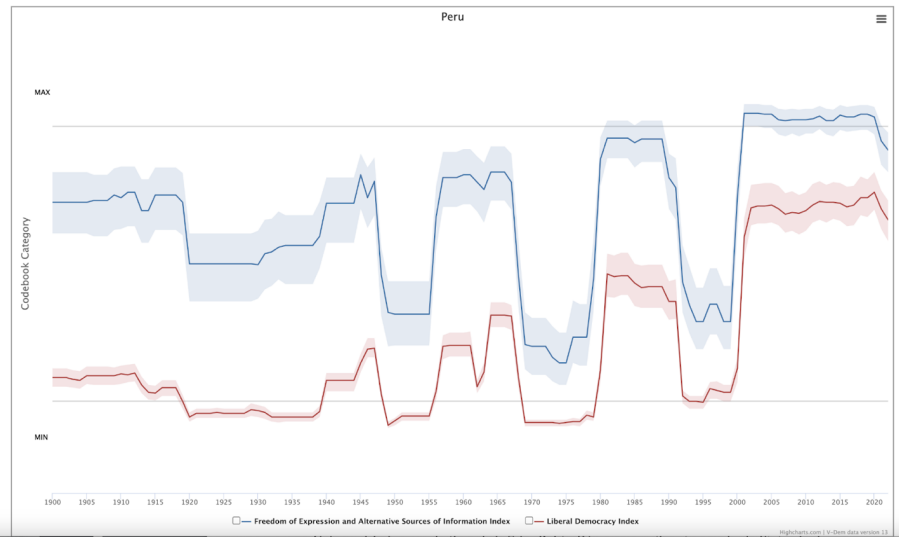
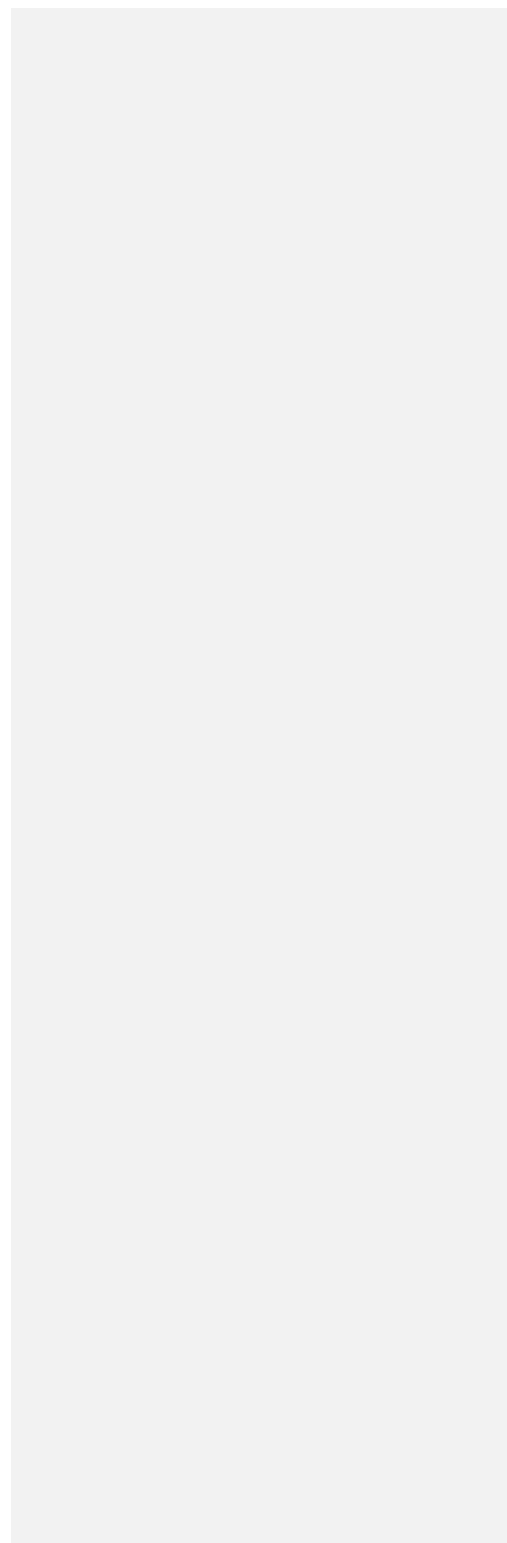
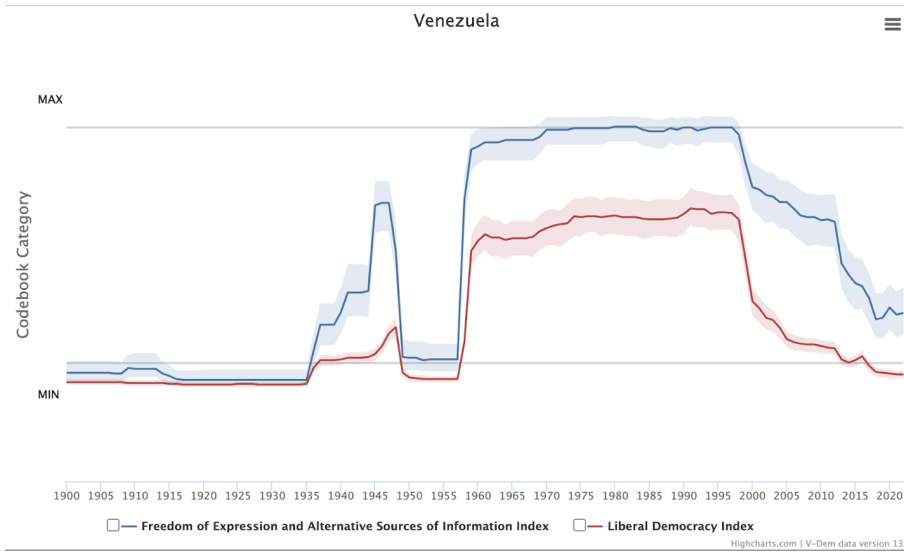


Figure 2



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