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Honduras

In the aftermath of the coup d'état

*A case study on the development of the regime five years
after the coup occurred.*

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“ When the government fear the people, there is liberty. When the people fear the government, there is tyranny...”

(Thomas Jefferson, 1743-1826¹)

¹ [Biography.com/people/thomasjefferson](https://www.biography.com/people/thomasjefferson)

Abstract

In 2009, Honduras was affected by a military coup, where the former president Manuel Zelaya was deposed. The coup was supported by the National Congress and the Supreme Court, with the arguments that the action was a necessary act for defending and maintaining the democracy in the country. It is therefore interesting to see what type of regime that has emerged afterwards.

The study is analysed by Robert Dahl's theory about polyarchy and Joakim Ekman's theory about hybrid regimes since Honduras shows tendencies towards both types of regimes in the present state. The study has three different perspectives regarding the empirical data to obtain a comprehensive picture as possible of what kind of regime that Honduras is considered to be today. The material consists of the national constitution to get a glimpse of the formal aspects of the political shape in the country as well as reports provided by international organizations to get the view from the outside world but the primary material is from interviews with people determined important by the positions in the Honduran civil society.

The results display that Honduras has significant democratic elements; free elections and a constitution that recognizes the basic liberties, which according to Dahl meets up with the criteria of a democratic polyarchy. However, the lack of accountability for government institutions, corruption and violations against freedom of speech - where the most affected groups are journalists, human right defenders and indigenous people, indicates that Honduras have more similarities to that what Joakim Ekman refers to as a hybrid regime.

Keywords:

Honduras, Coup 'd'état, Hybrid regime, Polyarchy, Democracy, International organizations, Civil Society

Table of Contents

1. Introduction and background	5
1.1 Research problem/ Choice of subject	6
1.2 Objective and research questions	7
1.3 Delimitations	9
2. Theoretical framework	9
2.1 Robert Dahl and the model of a polyarchy	9
2.2 Joakim Ekman and the framework for Hybrid regimes	12
2.3 Previous research	14
2.4 Criticism against Dahl's theory on democracy	16
3. Method and material	16
3.1 Method	16
3.1.1 Case study	16
3.1.2 Minor field study	17
3.2 Material	18
3.2.1 Interviews	18
3.2.2 Choice of respondents and limitations	20
3.2.3 Methodological problems in the field	23
3.2.4 Reports	23
3.3 Method of analysing	24
3.3.1 Operationalization, validity and reliability	25
3.3.2 Content analysis	26
4. Analysis	27
4.1 Constitutional framework	27
4.2 International reports	30
4.2.1 Civil liberties	31
4.2.2 The Executive-legislative arena and the judiciary	33
4.3 Interviews	36
4.3.1 Analysing the interview through Dahl's criteria	36
4.3.2 Analysing the interview through Ekman's criteria	45
5. Discussion and results	50
6. Conclusion	53
6.1 What could have been different?	53
7. References	54

1. Introduction and background

On June 28, 2009, former incumbent president in Honduras, Manuel Zelaya, was thrown out from his presidential post in a military coup and sent on a plane to Costa Rica for exile. The reasons behind the military coup, was that Zelaya had forged ahead with a national referendum that, if passed, would have allowed him to revise the constitution and serve a second presidential term². Zelaya was insisting to conduct the referendum even though the Supreme Court, the Congress and the military considered it as illegal³. The Supreme Court supported the coup and stated that the military had acted to defend the law against “those who had publicly spoken out and acted against the Constitutions provisions”⁴. After the military removed Zelaya, they quickly confirmed the head of the National Congress as interim chief executive until the general elections were held in November 2009.

There have been arguments among scholars as well as journalists that the coup d'état in Honduras was a necessary act to defend the democracy in the country. It was claimed that Zelaya used undemocratic and illegal methods when proposing a national referendum to revise the constitution⁵.

However, recent reports by Amnesty International and Freedom house rather shows that the country is lacking of its democratic functions. The reports show that the aftermaths of the coup in 2009 have resulted in increasing violence in the country. Several cases of violations, criminalization and stigmatization of social movements have been reported but also over two dozen journalists have been murdered and human rights defenders have been prosecuted and threatened⁶.

Against this background, it is therefor interesting to see what kind of regime that has emerged after the coup in 2009.

² http://www.nytimes.com/2009/06/29/world/americas/29honduras.html?pagewanted=all&_r=0

³ <http://www.theguardian.com/world/2009/jun/28/honduras-coup-president-zelaya>

⁴ http://www.nytimes.com/2009/06/29/world/americas/29honduras.html?pagewanted=all&_r=0

⁵ http://www.svd.se/opinion/brannpunkt/statskuppen-inte-ett-hot-mot-demokratin_3167515.svd

⁶ <http://www.amnesty.org/en/library/asset/AMR37/003/2014/en/cb56b39a-f0fa-4857-b7f7-a574e8922020/amr370032014en.html>

1.1 Research problem/ Choice of subject

A coup d'état is the takeover of the effective executive authority through threat or the use of violence. The actors involved in the takeover can be the police, military, members from the governing elite or other domestic armed groups. Coups may include violence but this is not a universal criterion⁷. Powell and Thyne points out “while many coup attempts have triggered civil wars, the majority of coups are bloodless”⁸.

The official version from the Supreme Court and the National Congress was that the coup was supposed to defend democracy. Despite that the military was leading the coup, they nevertheless confirmed an interim civilian government quickly after the coup. Therefore one cannot say that the military's intentions was to take over the state power and the coup was seen as legitimate by the majority of the National Congress.

In the article *Honduras unravels*, author J. Mark Ruhl, writes about the coup and a bit about what happened directly after, which by the time for publishing the article, in April 2010, was very current. Ruhl stressed that the coup in 2009 cast a harsh light on the actual fragility of the democratic advances that has made significant achievements in Honduras since the beginning of the 1980s. The new president, Portofiro Lobo, was elected in November 2009, and the president took office in January 2010.

Ruhl stresses in the article, that even though the new president was elected by popular vote and promised some reforms, “the outlook for democracy remains uncertain”.

Further the article point out that the President Lobos right-wing political record and the conservatives whom he placed in top cabinet posts did not prognosticate so well. His conclusion, from the article in 2010, was that competing elites no longer trust democratic rules and the majority of the population in Honduras continues to be disillusioned with elected leaders that fail to address the countries largest issues such as poverty, corruption and crime⁹.

On the grounds of Ruhl's article it is thus interesting to see how the development of the regime in Honduras have taken place, in the aftermaths of the coup.

Since Honduras is a relatively recent case of a coup d'état, there is an overall lack of scientific studies on the aftermaths of the coup in Honduras and there is generally little recent research

⁷ <http://www.nikolaymarinov.com/wp-content/files/GoemansMarinovCoup.pdf>

⁸ Powell M. Jonathan & Thyne L, Clayton. Global instances of coups from 1950 to 2010. *Journal of peace reserach* 48 n.2 (2011):245-249.

⁹ Ruhl J. Marc. Honduras unravels. *Journal of democracy. Volume 21 no 2.*(2010) 93-107.

made on coup d'états, which is a bit surprising, regarding that, it is a relatively recurrent phenomena and can be considered as the single most important factor leading to a downfall of a democracy¹⁰.

This study will therefore find out what type of regime that has emerged after the coup in 2009 and enhance the knowledge about the current situation in Honduras. Due to the lack of previously research in this subject this study can be seen as a contribution to the current research debate.

1.2 Objective and research questions

The objective with this study is to find out what kind of regime that Honduras has developed to after the coup in 2009. The study will illuminate the perspective from the local level, including the constitution and civil society, as well as the perspective on the international level. To define what kind of regime Honduras is today, it is necessary to choose theories that address issues concerning different regime types. Because of that Honduras show some tendencies towards a democracy, it is essential to define democracy in this context¹¹.

The original significance of democracy derives from the Greek and could be translated to “government by the people”¹². However the meaning of the word does not have the same content today as it once had in the ancient Greece. As other social phenomena's, democracy also is in constant change. In simple terms, one can say that democracy is one way for the government to rule society, where it takes into account the common needs of the society¹³.

Professor and political scientist Robert Dahl was a renowned world-leading expert in democracy research and spent the last fifty years in the field. He argues that democracy in its purest form is a utopia and that no modern state could in reality be called a perfect democracy even today. Dahl gives a complete definition of democracy in his book “democracy and its critics”, whereby he comes up with five criteria to fulfil the requirements;

1. Effective participation
2. Equality in voting
3. Gaining enlightened understanding
4. Excessing final control over the agenda

¹⁰ <http://www.nikolaymarinov.com/wp-content/files/GoemansMarinovCoup.pdf>

¹¹ SIDA-report. 2002

¹² www.ne.se

¹³ www.forskning.se

5. Inclusion of all adults.

All of these criteria are necessary if the members are to be politically equal in determining the policies of the association. The criteria describes an ideal or perfect democracy and Dahl points out that even though there is no actual belief of attaining a perfect democracy, the criteria provides standards against which we can compare the achievements and the remaining imperfections of actual political systems and their institutions, and they can guide us towards solutions that would bring us closer to the ideal¹⁴.

He presents the term “polyarchy” instead, which can be seen as the minimum definition of a democracy. Polyarchy is also a word derived from Greek, meaning, “rule by many” and refers to the modern representative democracy with universal suffrage¹⁵. Polyarchical democracy is different from representative democracy with restricted suffrage, as it was in the nineteenth century and the beginning of the 20th century. Today’s large-scale democratic governments are widely seen as polyarchies. To be seen as a polyarchy, though, a country must fulfil certain criteria, which I will present closely in the next chapter.

In contrast, Hybrid regimes are something different from polyarchy. Joakim Ekman, professor in political science, comes up with a theoretical framework for analysing regimes that combines democratic and non-democratic characteristics¹⁶. And as reports have noted¹⁷, Honduras also shows tendencies towards a non-democratic state to the extent that human rights gets violated and that journalists gets murdered.

Thus, the objective is specified by the following research questions:

- Does Honduras comply with Robert Dahl’s criteria on polyarchy?
- Does Honduras comply with Joakim Ekman’s criteria on hybrid regimes?

This is a study on the National Constitution of Honduras, the view from the outside world and the perspective from the civil society.

¹⁴ Dahl, R. 1998:29

¹⁵ Dahl, R. 1998:90.

¹⁶ Ekman, J.2009. 1: 7-31

¹⁷ Amnesty.org –see attached report

1.3 Delimitations

Many scholars have tried to define what a coup is, and there has been a lot of research done of explaining the underlying causes of why coup d'états emerge. This essay does not intend to explain the causes of why the coup in Honduras happened. The main focus of this study is to examine what kind of regime Honduras has developed *after* the coup in 2009. Neither does this study intend to discuss the broader concept of democracy. From now on I will stick to Dahl's conception of polyarchy, which means the minimum definition of democracy.

2. Theoretical framework

In this chapter the two theoretical approaches will be presented which will be applied on the empirical study to answer the research questions and this is done by using the theory of polyarchy developed by Robert Dahl and the theory of hybrid regimes developed by Joakim Ekman. Both theories present a useful framework with explicit criteria to measure the different regime types. All of the criteria that Dahl and Ekman present will be used as measurements later in the analysis.

2.1 Robert Dahl and the model of a polyarchy

Robert Dahl viewed democracy as something that is constantly developing and changing through time¹⁸. Dahl intertwines the normative idea of how the democracy should work with those empirical hindrances and opportunities that exist, with that how democracy can function in the reality¹⁹.

According to Dahl, a complete definition of democracy follows these five criteria²⁰:

1. *Voting equality at the decisive stage*

- When a decision about a policy is made, every member in the society must have an equal and effective opportunity to vote, and all votes must be counted as equal.

2. *Effective participation*

- The association takes all the members must have equal and effective opportunities for making their opinions known to the other members as to what the policy should be before a policy.

3. *Enlightened understanding*

- Each citizen must have equal and effective opportunities for learning about the alternatives policies and their likely consequences.

4. *Control of the agenda*

- Citizens must have the exclusive opportunity to decide how, and if they choose, what matters should be placed on the agenda. Thus the democratic process required by the three previous criteria's. The policies of the association must always be open to

¹⁸ Dahl, R, 1998:7-9

¹⁹ Dahl, R. 1989: 213-231

²⁰ Dahl,R.1989:108-114

change by the members, of they so choose.

5. Inclusiveness

- -All adult permanent citizens should have the full rights of citizens that are implied by the first four criteria's. Before the 20th century this criteria was unacceptable to most advocates of democracy.

Dahl believed that political equality is a fundamental condition to democracy²¹. These criteria's are necessary if the members are to be politically equal in determining the policies of the association. The principle of political equality assumes the members are all of equally well qualified to participate in decisions provided they have adequate opportunities to learn about the matters before the association by inquiry, discussion and deliberation²². The third criterion, enlightened understanding, assures that these opportunities exist for every member²³. To respond the question why we should have democracy, Dahl points out ten different "desirable consequences" which are 1) Avoiding tyranny 2) essential rights 3) general freedom 4) self determination 5) moral autonomy 6) human development 7) protection of personal interests 8) political equality 9) peace-seeking 10) prosperity²⁴. Democracy is not only a process of governing. Rights are necessary elements in democratic political institutions; democracy is therefor a system of rights.

Effective participation is when citizens possess a right to participate and a right to express their views on political matters, so they can hear what other citizens have to say and so that they can discuss political matters with other citizens. With the other criteria's Dahl sums it up with that citizens must have the right to investigate alternatives, a right to participate in deciding how and what should go on the agenda and so on. According to him, no non-democratic system allows its citizens to fulfil all these political rights. To promise democratic rights in writing, in law, or even in a constitutional document is not enough. The rights must be effectively enforced and effectively available to citizens in practice. If they are not, then to that extent that political system is not democratic, despite what its rulers claim, and the trappings of democracy are merely a disguise for nondemocratic rule²⁵.

Democracy insures its citizen's broader ranges of freedom than any other alternative systems. One of these freedoms is freedom of expression, which has its own value because it is instrumental to moral autonomy, moral judgement and a good life.

²¹ Dahl. R. 1989: 114-115

²² Dahl, R. 1998: 38-39

²³ Dahl. R. 1998:39.

²⁴ Dahl. R. 1998:45

²⁵ Dahl. R 1998:49

Democracy protects the freedom of determining your wants; the freedom of choice, a chance to shape your life in accordance with your own goals, preferences, tastes, values, commitments and beliefs²⁶.

As mentioned earlier, Dahl argued that these criteria are a theoretical utopia on democracy, and no modern state meets this ideal to this date. However, the criteria can be used as a measurement to determine the level of democracy in different states due to its clarification of the meaning of a modern democracy. Dahl continues arguing that there is no such thing as a perfect democracy; therefore he constructed the idea of the polyarchal system, which is a democratic political system, that functions in political units with large citizen groups. The polyarchal system constitutes the meeting between Dahl's theory about the ideal democracy and the actual reality. He adjusts his normative premises to empirical circumstances²⁷.

Republics, with a modern representative democracy system should instead be referred to as "polyarchies", hence they are ruled by a political elite that is controlled by the citizens²⁸. Dahl listed *seven criteria* that a state should meet to be defined as a polyarchy²⁹:

1. Elected officials making decisions
2. Free and fair elections
3. Right to vote for practically all adults
4. The right to run for public offices
5. Freedom of expression
6. Alternative sources of information not monopolized by the government or any other single group.
7. The right to form and join autonomous organizations, such as political parties and other organizations that attempt to influence the government in election or other peaceful activities.

The mentioned seven criteria are developed from the five criteria of "*the complete democracy*". These criteria can be interpreted as vital conditions that are necessary in order for a modern state to be defined as a polyarchy. If a state fails to meet any of these seven criteria, it should not be considered as a polyarchy according to Dahl.

²⁶ Dahl. R. 1998:52

²⁷ Dahl. R. 1989: 213-224

²⁸ Dahl. R. 1989: 234

²⁹ Dahl. R. 1998: 84-85

2.2 Joakim Ekman and the framework for Hybrid regimes

Even though “democracy” is an apparent ideal, the word is nearly used universally today, so universal that even authoritarian rulers use it for justification. In authoritarian countries, in an attempt to gain legitimacy from both the outside world and within its own society, “democracy” is often redefined, as it has been in Soviet Union, Eastern Europe and in Latin America, where military regimes may justify their rule as necessary in order to purify political life so that democracy can ultimately be created or restored. But as Dahl argues, in many of these supposed “democracies”, they define government by the people to intrinsically mean, “mass mobilization under the protection of a single party”³⁰.

In his article, “Political Participation and Regime Stability: A framework for Analysing Hybrid Regimes”, Joakim Ekman seeks to increase the understanding of modern hybrid regimes by looking at the role of ordinary citizens in such societies. Ekman points out that although the incumbent politicians may manipulate election results, this can be costly and may ultimately bring them down. The public is therefore a crucial dimension when analysing hybrid regimes, thus we should take notice of the levels of public discontent and the potential for such discontent to bring about political change when analysing hybrid regimes.

Since there been an absence in the academic literature regarding identification of hybrid regimes from *all* significant dimensions, Ekman develops a framework that are useful for analysing the stability of hybrid regimes that utilizes both election data and public opinion data. Ekman point out some empirical measurements that you have to have in mind when identifying hybrid regimes³¹:

- *Competitive Elections* - Whereas in authoritarian regimes elections do not exist at all, by contrast in hybrid regimes elections exist and serve as a source of legitimacy.
- *Uneven media coverage and harassments of opponents* - Are signs of manipulation and abuse of state power during election periods.
- *Executive-legislative arena* - Parliaments may be weak but can still function as potential platforms for the opposition, whereas it's the opposite in the authoritarian regime where real legislatures do not exist at all or are in totally control by the ruling

³⁰ Dahl. R. 1989: 233

³¹ Ekman. J.2009.1: 7-31

party.

- *Weak form of rule of law* - Where the government regularly attempts to subordinate the judiciary. Happens in terms by means of bribery and extortion, and by appointing and dismissing judges and officials.
- *Combines formal judicial independence and incomplete executive control* - Institutions such as the supreme courts or constitutional courts tend to function not only as arbiters of constitutionally and legal principles but also as advocates of the current regime.
- *Elections that make a potential difference* - Are elections for the national legislature a head of government free and fair? Do opposition parties have a realistic prospect of achieving government positions?
- *Corruption* - Either in the judicial or electoral arena.
- *The actual functioning of the government* - Is there an effective system of checks and balances on the exercise of government authority? Are sufficient mechanisms and institutions in place for assuring government accountability? Is the civil service willing and capable of implementing government policy?
- *The civil liberties situation*- Is there a freedom of expression and are the citizens free to form organizations? Problematic press freedom is a typical feature of a hybrid regime where the incumbents desire to control the media³².

If a country meets up with these criteria according to Ekman, it can with good evidence, be labelled as a hybrid regime.

As one can see, Ekman and Dahl both have the criteria of *competitive and free elections* in their measurements for the different types of regimes, however their theories differ when it comes to the purpose with the criteria. Dahl stresses that the most important criteria to achieve political equality for all members in the society is to have free and fair

³² Ekman, J. 2009.

elections. Hybrid regimes on the other hand- use democratic features, e.g. free elections, as a tool for gaining both internal and external legitimacy³³.

2.3 Previous research

There is an overall lack of research in the academic literature regarding the civil societies role when analysing potential hybrid regimes. Ekman claims that most of the literature in this subject has stressed the emphasis on the electoral process and how incumbent elites manipulates the election results³⁴.

However, there exist some current research regarding hybrid regimes, one book that is worth to mention is *Competitive authoritarianism: Hybrid regimes after the cold war*, where Levitsky and Way sorts out why some competitive authoritarian regimes democratized during the post-cold war while other remain stable and authoritarian and a few experienced a total turnover without democratization³⁵. They explain competitive authoritarianism similar to how Ekman explains hybrid regimes i.e., that it is a civilian regime where formal democratic institutions exist but in which incumbents abuse the state power. The regimes are competitive in that opposition parties have the ability to use democratic institutions to contest the ruling incumbents, but the playing field is still heavily in favour for the ruling government, which makes it non-democratic. Competition is there, but it's unfair. Levinskys and Way's central argument in the book, was that in those countries where the ties to the West was high, competitive authoritarianism democratized and where the linkage was lower, the outcome of the regime was in the hands of the incumbents organizational power³⁶.

In his study, "political participation and regime stability", Ekman presents a framework for analysing these kind of regimes whereby he actually analyses the three countries; Tanzania, Russia and Venezuela to see if they fit into the framework of a hybrid regime³⁷.

In his study he focuses on the political participation and public opinion in these countries. He argues they share the some basic similarities; they are all electoral regimes with strong presidents and a recent history of increasing authoritarian tendencies and simultaneously a recent record of economic growth. The look on Tanzania's constitution provides a universal adult suffrage and oppositional parties have been legal since 1992, in

³³ Laborin. M. 2010

³⁴ Ekman, J. 2007

³⁵ Levitsky. S & Way. L. 2010: 5

³⁶ Levitsky. S & Way. L. 2010:5

³⁷ Ekman, J. 2009

reality however the oldest and dominating party CCM has continued to dominate elections and political life. Opposition parties in Tanzania are fragile and divided³⁸.

Further, there is an NGO act from 2002, which imposes serious restrictions on the activities of NGOs in the country, which makes it hard for independent organizations to operate in the country. In addition, the judiciary are heavily influenced by the CCM regime.

The study also shows that in Russia, as well as Tanzania, there exists an uneven competition in elections with opponents having little ability to affect, which is equal with ineffective political opposition. Russia has the similar development as Tanzania, moving on from an uncertain post-authoritarian regime to a full-blown hybrid regime. Ekman points out that scholars have pointed to indicators such as widespread corruption, lack of respect for human rights and significant violations of press freedom during the Putin era. Ekman further argues that in Russia, media coverage is also uneven- in favour for Putin. The “positive” effects though are that the Russian economy recovered in the Putin era mainly due to the weak ruble and the rising prices of oil and gas.

At the same time Russians have as a rule not benefited from this economic growth. The money has remained in the hands of new business elites with close ties to the political incumbents (which in turn often has a background in the security and law enforcement services)³⁹.

The results in Ekman’s study displayed that the incumbents use the state apparatus to gain control over major corporate resources. In the Putin era political power fell into fewer hands and it was more difficult for smaller parties to enter the political arena. Russian NGOs have also experienced increasing harassments in recent years. In early 2006 Putin signed into a law a bill that imposed strengthened controls on NGOs that are operating in the country. The law required all local NGOs to inform the government in advance about every project they intended to conduct. This basically means that this law negatively affected foreign NGOs such as for instance, Amnesty International. The state also strengthened its control over the media by taking over private broadcasts and harassing investigating journalists⁴⁰.

The bottom line is that he comes to the conclusion that Russia is a hybrid regime with authoritarian features, as well as Tanzania.

³⁸ Ekman. J. 2009: 14-17

³⁹ Ekman. J. 2009: 17- 21

⁴⁰ Ekman. J. 2009: 17-21

2.4 Criticism against Dahl's theory on democracy

There are very few that have criticised Robert Dahl and his lifelong work and research on democracy. In her thesis, political scientist Karin Olsson focuses on the question if there is support in democratic theory for an idea of a self-reproducing democracy. To find out, she investigates Robert Dahl's theory on democracy in a critical way. Olsson criticizes Dahl for emphasizing the individual too much when it comes to sustain and reproduce democracy. Even though democracy without individuals is unthinkable, it disregards often from whom they are and how they (the individuals) expect to act. Olsson argues that it is unreasonable to analyse how the democracy can reproduce without taking into account who the individual is whom will populate the democratic rule, what interests and incentives the individual has and if the individual is open for change. She means that empirical circumstances cannot always be knitted with normative ideals. Robert Dahl puts too much trust on the individual, that they already are fulfilled with democratic values and that they consequently will act democratically, therefor he can and dare to put the faith of democracy in the hands of the individual. Olsson problematizes further that if the individual don't believe in democracy, if he don't trust the politicians or if he, don't bother to vote in elections, the democracy will not reproduce regardless how perfect the institutions may be⁴¹.

3. Method and material

3.1 Method

This study is a single case study, which has both qualitative and quantitative characteristics.

3.1.1 Case study

Case studies are preferable when studying current events in its real context especially when the lines between the event and the context are unclear⁴². The special strength of the case study method is that it can handle many different types of empirical material – documents, interviews and observations. To be able to analyse what type of regime the Honduras has developed to after the coup, I consider it necessary to investigate if the national constitution of the country is consistent with the view of the civil society and the international community.

⁴¹ Olsson, K. 2009

⁴² Yin, K Robert. 2006: 31

Because Honduras is a current case of a coup 'd'état, it is interesting to see what kind of regime that has emerged after the coup. Given that I want to provide a correct picture as possible of the reality, I argue that case study is best suited for my study⁴³. I have chosen to do a single case study with focusing only on Honduras as my case.

Since case studies allows researchers to use multiple sources of evidence, I have chosen to gather primary information from interviews with the civil society and complementing it with secondary information consisting of the national constitution and reports made by three different international organizations; Amnesty International, UN and Freedom House. Single case studies are appropriate when the researcher has access to a unique situation, which has not earlier been available for observations⁴⁴.

The most common critique against case studies is the lack of consistency, too often has case studies been sloppy and not followed by systematic procedures, which has led to that bias affect the results. Critiques claim that lack of consistency is not as common when it comes to other strategies⁴⁵.

That is why it is important for the researcher to be as transparent as possible when doing this form of method. Other critiques against case studies are that it is more difficult to generalize from one single case, and that is true to some extent. However, its necessary to have in mind that case studies can be equated to single experiments. Science is seldom grounded on one single experiment, but they are instead grounded on experiments that has been replicated concerning the same phenomena but under different conditions⁴⁶.

3.1.2 Minor field study

I was able to conduct this case study thanks to a scholarship provided by the Swedish International development cooperation agency (SIDA). In November 2013, I had the opportunity to travel to Central America to gather information to this essay and work together with the Swedish NGO, *Latinamerikagrupperna*, whom has their regional office in Managua, Nicaragua. The organization has local partner organizations all over the region of Central America and in my case works closely with social movements in Honduras. Through them I had the ability to meet and interview people from social movements that in somehow had been affected by violations of human rights and other people that had knowledge within my

⁴³ Teorell & Svensson. 2007:13

⁴⁴ Yin.K. Robert. 2006:63.

⁴⁵ Yin.K. Robert. 2006: 59.

⁴⁶ Yin.K. Robert. 2006: 59

subject.

This Minor field study has, as mentioned in the previous chapters, the objective to investigate *what type of regime that has developed in Honduras after the coup d'état 2009*. Since I will test if my case complies with Robert Dahl's criteria on polyarchy and Joakim Ekman's criteria on hybrid regime, this study is a theory consuming case study⁴⁷.

The idea is that with the help from existing theories and explanatory factors explain what type of regime that Honduras is considered to be as today.

However, I should also note that a theory consuming and a theory testing study goes hand in hand, because the result affects our credence to the theories that are being used. What distinguishes these two methods is the way you decide to motivate your study. In my case, I use the research problem as the primary choice for the study, and the theories comes as the secondary explanatory factors. The interviews makes it possible to describe the reality from the respondents experience while the theories I've chosen to use makes it possible to explain the problem. Thus this case study aims to both explain and describe the situation in Honduras.

3.2 Material

To be able to answer the research questions I found it relevant to review the national constitution in the country, but since its really not enough to examine whether a country is democracy or a hybrid regime to just look how the country purports to be theoretically, I found it equally important to interview people from the civil society to understand how the regime functions in practice. Thus, the primary material in this study consists of five in-depth interviews with selected key persons from the civil society. To increase the validity (due to the fact that there are so few interviews) the primary material is strengthened by secondary sources, which are reports made by independent international organizations. The organizations that I have chosen to involve in this study are the UN, Amnesty International and Freedom House. These organizations are leaned for support from the worlds nations due to their expertise on the area on human rights and democracy⁴⁸.

3.2.1 Interviews

Teorell and Svensson emphasizes the importance of getting the interviewees to respond as

⁴⁷ Esaiasson and others. 2012: 41

⁴⁸ <http://www.abc.net.au/civics/rights/organ.htm>

thoroughly and reliably as possible on the questions that the researcher sets, it is therefore important that the interviewees are motivated, have confidence in the interviewer and that they are permitted to respond independently in the greatest possible extent⁴⁹. Due to the fact that I was in the region and cooperated with Latinamerikagrupperna, was I able to get access to meet their partner organizations, which resulted in an increasing confidence for me so that the interviewees could feel safe with getting interviewed by me.

Esaiasson and others, emphasizes the difference between an informant interview and a respondent interview. While an informant investigation aims to give the best possible portrayal of a course of events, and shall contribute with information of how the reality looks like in some certain manner, the researcher usually don't ask the same question to each individual. In contrary, in a respondent investigation, the respondents are the central units of study. Due to that my essay aims to get answers on what each person thinks about what the study is intended to measure, therefore the same questions are asked to all the respondents. The aim with the interviews is to find patterns in the answers that my respondents give. I've been using semi-structured questions in the interviews, where the respondents had a possibility to add information. Depth interviews is all about the researcher wanting to go in more deep and trying to understand peoples thinking when it comes to complicated phenomena, as in my case, trying to define the regime type in an empirical way.

Steinar Kvale defines the qualitative research interview as following: "An interview which aims to obtain descriptions of the interviewees life-world, which seeks to interpret the meaning of the described phenomena"⁵⁰. The interview element is thus very appropriate in my context, where my aim is to interpret the meaning of the answers that the responders describe about the situation in Honduras. By mapping the respondent's perception of the situation in Honduras, with that it is possible to develop the concepts and categorize the answers under the two theories that I have chosen to analyse from⁵¹.

⁴⁹ Teorell & Svensson. 2007: 91

⁵⁰ Esaiasson. 2012:253

⁵¹ Esaiasson.2012: 227-229

3.2.2 Choice of respondents and limitations

Honduras is today considered one of the most violent nations in the world⁵² today and during the minor field study the election was held (24/11-13) which resulted in civil unrest among the people in the nation, so for safety reasons for me the interviews was conducted over Skype with the respondents, except for two which I managed to meet face-to-face. Out of respect of the personal integrity of the respondents, pseudonyms were used instead of their real names.

The respondents:

1. Toni is a leader of the indigenous movement *Consejo Cívico de Organizaciones Populares e Indígenas de Honduras* (COPINH). COPINH is the social and political organization aiming to support the indigenous and popular movements.⁵³ Because of Toni's position in the organization his point of view was crucial. Many members of COPINH have been both victims of violence and criminalization.⁵⁴ The wrongful treatment of the indigenous people and afro-Honduran resident have experienced this first hand and in many occasions by the police itself.⁵⁵

His and the organizations experiences in regards to the study's subject, provides with the in-depth current information that is necessary and important to understand the civil society point of view. The interviews are corroborated with the international reports that are presented in the analysis. This interview was conducted away from the organizations office in a hotel in Managua and lasted for about 45 minutes.

2. Alvaro is a professor in sociology at *UCA* (Universidad Centro-Americana). He is specialized in the subject of social movements in Central America. He was the first person to be interviewed for the purpose of the study, and due to this being the first interview it turned out to be the longest, and this is because I felt every single one of my questions has to be

⁵² Reporters without borders. <http://en.rsf.org/report-honduras,182.html>

⁵³ www.copinh.org

⁵⁴ Amnesty report, 14/2- 2014.

⁵⁵ www.freedomhouse.org 2013.

answered, after this one I learned which questions was of importance and knowing which ones would most likely come natural for the respondents to answer based on the question asked before. I wanted to make room for the respondents to develop their answers and let them talk about what they thought was important since its their knowledge and experiences I wanted. Alvaro's knowledge and academic view contributed with information about the background of the oppression of social movements, which is a very recurrent, happening in more or less whole Central America. He also provided me with knowledge about the political transition processes in Honduras. His perspective is essential for the study to get a comprehensive picture apart from people from the social movements and international reports.

The interview was conducted at his house and lasted 1,5 hour.

3. Juan, one of the leaders of the peasant's movement *Movimiento Unificado Campesino Del Aguán* (MUCA). The movement is fighting for land rights in the region of Bajo Aguán, where there has been a major land conflict between peasants and wealthy landowners since the beginning of the nineties⁵⁶. It has been noted by MUCA and other local organizations of the Bajo Aguán area, that there have been over 120 killings related to the disputes over the land during the last five years⁵⁷. Juan provided me with in-depth information regarding the conflict in the Bajo Aguán area which led to an increasing understanding about how the organization have been affected with resistance from both the government and landowners. Thus, Juan's story is also strengthening by the international reports.

The Interview was conducted through Skype and it lasted one hour.

4. Luca, a Spanish citizen who lives and works in Honduras with human rights, and member of the human rights organization *Honduras accompaniment project* (PROAH). PROAH is an international human rights organization that was established in Honduras in 2010. The organization was established due to the fact that since the coup happened there was an increase in serious human rights violations in the country⁵⁸. Therefor it was a need for international accompaniment to deter violence and promote human rights in the country. In cooperation with Friendship office of the Americas (FOA), PROAH offers a continual international presence and supports the peaceful resistance of local human right organizations

⁵⁶ www.climate-connections.org/2012/01/26/the-war-against-peasant-farmers-heats-up-in-honduras/

⁵⁷ Amnesty report, 2014.

⁵⁸ Human Rights Watch, "After the coup", 2010.

in the country. PROAH 's objective is also to disseminate information about Honduras for the rest of the world, as they consider there to be an absence of reporting from the outside world about the situation in the country after the coup⁵⁹. Luca contributed with some important information regarding the situation with human rights in the country, since he works closely to a lot of social movements in Honduras and it was interesting to see if he, as an foreigner and an international human right defender, experienced the situation differently than the native people and if he was exposed to any violations.

The interview was conducted through Skype and lasted 30 minutes.

5. Gregory, a teacher for the school *The Centre of Democratic Studies (CESPAD)*. Gregory operates his study centre in Tegucigalpa, the capital of Honduras. CESPAD works with monitoring public opinion, handles citizenship surveys, they do research regarding the economic, social and political sphere in the country and they teach about democracy with primarily focus on training young men and women with the issue. The organization arose in the context of the coup and he saw a need for an organization promoting democracy and educated people on the subject. The organization works in several important areas relevant for my study, and Gustavo gave me both an historical and a contemporary image about the development of the regime in Honduras.

The interview was conducted via Skype and lasted for 40 minutes.

Since my research objective is found by looking at the national constitution in the theory with how the civil society experience the reality, I believe that these respondents can give me a reality- based picture, from five different perspectives, of the current situation of Honduras. A more comprehensive study would also have allowed for interviews to be done with representatives as well as political civil servants.

Grant McCracken gives three general advices for how to choose interviewees to respondent interviews; choose strangers, e small amount and those persons whom are not subjective experts⁶⁰. To interview strangers has to do with the fact that the researcher can keep his or her scientific distance easier than to the people that you know. And from the respondents side, it could also be more easily to open up one self for a person whom they will not hang out with and whom they have a limited relationship with.

⁵⁹ www.friendshipamericas.org/honduras

⁶⁰ Esaisson. 2012: s. 259

As some of my interviewees were victims of violations and threats, it was necessary that they would have enough confidence for me, who comes as an outsider, so they would agree on setting up an interview, this was possible because 1) I was in the region 2) corporate with their partner organizations. Besides my involvement in *Latinamerikagrupperna*, I did not have any connection to the respondents, which resulted in that I could keep the scientific distance. I've also taken away to a small number of interviewees, since I only completed five pieces of in-depth interviews.

According to McCracken, interviewees should be done until there is a "theoretical saturation" in other words until there are no more new aspects of the phenomena that stands in the centre for the investigation⁶¹.

3.2.3 Methodological problems in the field

The original idea was that I was suppose to do more interviews, but due to that I was in the region at the same time when there where elections held which led to some civil unrest⁶² in the country, it was difficult for me to get hold of the persons that I wanted to interview and to meet them face to face. Due to the elections, it was difficult to get hold of anyone from the social movements, because of their own work during the elections. It took me over one month until I was able to get hold on the first person that agreed on being interviewed.

I assess, after all, that I've got enough information from the respondents that I've interviewed to be able to analyse the problem theoretically.

I can also say that I have withholding me to McCracken's advice, to not interviewing representatives from political parties or persons that works for governmental institutions⁶³, which also could potentially answer my research question from their point of view. But since the objective was to know what type of regime that Honduras has developed to after the coup d'état from the civil societies perspective, I've chosen to get the view from how representatives from the civil society experience the reality in Honduras, according to them.

3.2.4 Reports

The second part of my empirical material consist of three different reports made by three international organizations that examines the human right situation in Honduras at various time periods after the coup. The organizations that have been chosen for this study are all

⁶¹ Esaiasson. 2012:259

⁶² <http://thevotingnews.com/international/north-america/honduras/page/2/>

⁶³ Esaiasson. 2012: s. 259

three highly recognized by the world's nations. These organizations are also characterized by their persistent and hard work for human rights and are distinguished from other organizations by that. The organizations were therefore chosen because of their expertise in these areas.

One of the organizations, the United Nations, has been re-endowed for their humanitarian work since the end of the Second World War, the organization's work extends itself to promote and advocate democracy all around the world⁶⁴.

Freedom House is an independent non-governmental organization that conducts research and advocacy on democracy, political freedom and human rights since the beginning of the forties. Their research and analysis frames the policy debate in the United States as well as abroad on the progress and decline in freedom⁶⁵. Freedom House is a widely recognized organization for leading experts in the subject of democracy.

The third organization, Amnesty International is an international non-profit non-governmental organization that has been working with human rights since the beginning of the 1960's. Their work is based on the UN universal declaration of Human rights, and Amnesty's goal is that every human should benefit from all the rights that are a part of the declaration⁶⁶.

The reports used in the study are *freedom of the world report* by Freedom House; the report assesses each nation's degree of political freedoms and civil liberties and has been published annually since 1972. The reports cover 195 countries in the world and are used by policymakers, the media, international corporations, civic activists and human rights defenders to measure trends in democracy⁶⁷. Amnesty International's reports summarize the human rights situation in Honduras dated 14/2-14, where Amnesty urges the UN human rights council for immediate action. The third report is from 13/12-2012, where special UN rapporteur for human rights defenders, Margaret Sekaggya human rights council conducts a visit to Honduras.

3.3 Method of analysing

Since the objective with my study is to establish what kind of regime Honduras has developed to after the coup, it is necessary for me to use some theoretical measuring instruments that can

⁶⁴ http://www.un.org/en/globalissues/democracy/democracy_and_un.shtml

⁶⁵ freedomhouse.org

⁶⁶ <http://www.amnesty.org/en/who-we-are/about-amnesty-international>

⁶⁷ freedomhouse.org

be helpful for defining a regime. Both Ekman and Dahl presents certain criteria for their theories on the regime form “polyarchy” and “hybrid regime”. Neither of these forms is generally discussed in the public sense, especially not “hybrid regimes,” which is also why I believe it’s important to highlight these forms of regimes.

3.3.1 Operationalization, validity and reliability

A research question must be specified, both in the theory and in the thought in order to make the research challenge viable⁶⁸. The term ” regime type” contains many different meanings, why it’s important to specify what exactly I mean with the term, and this is where my theories comes in. Does Honduras meet Dahl’s criteria on the regime type ” polyarchy” or does Honduras meet Ekman’s criteria on the term ”hybrid regime”. This is called operationalization. An operationalization is a term that indicates what specified criteria’s that should be fulfilled when the researcher ascertains whether an empirical phenomena falls under the concept⁶⁹.

Validity means more or less ”to what extent we really examine what we intend to examine”. Because of Honduras shows features of both a polyarchy and a hybrid regime, I consider that my theories will be useful to answer my research question.

To measure whether a study is valid or not, the theoretical definition has to correspond with the operational definition, which is the same thing as absence of systematic errors⁷⁰. For instance, one of the theoretical definitions on hybrid regimes is “free elections that in the reality could make a potential difference”, therefor the operational definition could thus be to look if there are several political candidates with different agendas at the date of election.

The operationalization in the study is carried out in the way that the material e.g. the constitution, the reports and the interview responses are being analysed through the different criteria that Dahl and Ekman uses as empirical measurements when determine if a country is a hybrid regime or polyarchy. Criterion validity implies that the researcher uses different operational definitions for the same theoretical term. If it turns out that results from the research will be the same regardless of the operational definitions applied, it is usually interpreted as a good sign of criterion validity. Since both Dahl and Ekman has several different operational indicators/criteria on their theoretical concepts as well as all of the operational criteria are useful to find out what type of regime that one particular country is, it

⁶⁸ Bjereld. U. 2012: 111

⁶⁹ Bjereld. Ulf. 2012: 112.

⁷⁰ Bjereld. U. 2012:111

is easy to draw a conclusion that the operational measurement tools that are applied in this study provides those valid theoretical concepts.⁷¹

Hence, because of having a very clear operationalization with the different distinct criteria's that the both theorists provide for this study, I argue that the validity is high.

Reliability means the absence of random or unsystematic errors.⁷² I would argue that my study might contain a lower level of reliability, as the interviews was conducted on Spanish and that I under certain circumstances had some difficulties to interpret what the respondents was saying, due to the language barriers.

However, what increases the reliability is that each interview was recorded, so if there was anything that was perceived as unclear during the interview, then I could listen to the tape once again just to get clear what was actually been said.

Because of that the interviews were conducted in Spanish, which is not my first language, I also took the help of a native Spanish speaking person during my visit, for getting my interviews transcribed. On this way the person could write down correctly what was said in the recorded interviews. High reliability are measured also through that the study should be reproducible, which means that it should be possible to do the same investigation with the same analysis units in a later moment⁷³.

Since my research objective handles the issue of what type of regime Honduras has developed to after the coup 2009 until today, it may well be that some researcher decides to redo the same study in the future, with the same analysis units the result may be different than what I receive today, this could depend on various reasons, due to that the political situation may change if for examples it comes up a new government.

3.3.2 Content analysis

Content analysis is characterized of a more structured process where the initial coding is based on theory or previous research⁷⁴.

I've chosen to use a content analysis on my material, which consist of the constitution, reports and the transcriptions of the interviews since this is a theory consuming study.

To code a sentence in a text in forms of categories makes it possible to quantify how often specific themes comes up in the text, and this frequency can later be compared and correlated

⁷¹ Esaiasson. 2012: 63

⁷² Esaiasson. . 2012:63

⁷³ Esaiasson. 2012:64

⁷⁴ Bergström. G. Boréus. K. 2012: 54-60

with other measurements⁷⁵.

When doing a content analysis of the material, those sentences and phrases will be highlighted that consists of information which is relevant for the research question, but the surrounding text also need to take into account so that the coherence remains⁷⁶. This form of content analysis represents a way to compare results from previous research and creates a way to discuss the results from different theoretical perspectives.

It is thus a quantitative description of the manifest content in the reports, the constitution and the qualitative interviews.

4. Analysis

The analysis will be divided into three subsidiary studies.

The first part consists of a critical examination of the national constitution of Honduras, where I will look if the constitution is consistent with Dahl's seven criteria on a polyarchy.

The second part consists of reports regarding the human rights situation made by the international organizations UN, Amnesty International and Freedom House.

Since the first part emphasizes whether the constitution is consistent with Dahl's criteria on polyarchy, the second part of the analysis the will instead look if the reports shows tendencies towards Ekman's view on hybrid regimes. I argue that Ekman's theory is more relevant to analyse from when it comes to look at the actual situation of human rights in Honduras, such as described by the different organizations. The last part of the analysis consists of the interviews, where the interview responses are guided by the criteria of both Dahl and Ekman.

4.1 Constitutional framework

The National congress and the Supreme court argued that the coup was a necessary act to defend democracy⁷⁷. According to Dahl, a constitution might help to provide stability for the basic democratic political institutions and it could insure all the necessary rights and guarantees that the basic political institutions acquire⁷⁸.

⁷⁵ Bergström och Boreus. 2012: 55

⁷⁶ Bergström & Boreus. 2012: 54-58

⁷⁷ http://www.nytimes.com/2009/06/29/world/americas/29honduras.html?pagewanted=all&_r=0

⁷⁸ Dahl. R 1998:49

To answer my research question, it is therefore necessary to first examine the national constitution of Honduras through the seven criteria by Dahl, to see if Honduras complies with the requirements of a polyarchy in the theory.

1. *Elected officials making decisions*- are recognized in article 2 in the constitution, where it says “sovereignty originates in the people, from whom stem all the powers of the State, which are exercised through representation”⁷⁹.

Here the constitution clearly says that the sovereignty derives from the people, and that the people should elect officials, which would represent the people.

2. *Free and fair elections* - means that citizens can go to the polls without fear of reprisal and that all votes must be counted as equal⁸⁰. The elections must also be frequent if citizens are to retain final control of the agenda. In article 44 it is said that suffrage is a right and a public duty and that voting shall be “universal, obligatory, egalitarian, direct, free and secret”. Further, in article 46, it says that; “the system of proportional or majority representation in those cases determined by law shall be adopted to declare elected for service those candidates chosen by popular election”. In article 236 it is said that “the President and Vice President of the Republic will be jointly and directly elected by the people by simple majority of votes”, and the frequency of elections is also constituted in article 237 where it says that the presidential term shall be four years. In other words, Dahl criterion on free and fair elections is all complied under the constitution.

3- 4. *The right to vote for practically all adults and the right to run for public offices* – This can also be read in article 36-37 in the constitution, where it comes clear that all Hondurans over eighteen years of age are considered as citizens and thus have the right to 1) vote and be elected 2) be a candidate for public offices and 3) to form political parties and join or renounce membership. Thus the criteria of voting, elected officials making decisions, the right to run for public offices are all complied nicely through the constitution.

5-6 *Freedom of expression and alternative sources of information not monopolized by the government or any other single group* – This can be read in article 72-75 where freedom of thought and freedom of expression is highly recognized, whereby the constitution also states

⁷⁹ Constitution of Honduras. https://www.constituteproject.org/constitution/Honduras_2012.pdf

⁸⁰ Dahl, R. 1998:95

that “those who by direct or indirect methods restricts or limit the communication and circulation of ideas and opinions shall be liable before the law”

(Further the constitution states, in article 123, that every child has the right to education and in article 125 that the media and communications shall cooperate in the training and education of the children). A brief look at the constitution of Honduras so far, shows that the country, at least in theory complies the criteria such as it is proposed by Dahl regarding a complete polyarchy.

7. *Freedom of association* - which means the right to form and join autonomous organizations such as political parties and other organizations that attempt to influence the government in election or other peaceful activities. Here is where it gets a bit complicated. The constitution recognizes, in article 78, the freedom of association and assembly *but* it also says that is allowed as long as it is not “contrary to the public policy or public moral”.

One can question what it is that the constitution means when saying “public policy and public moral” because there are not exactly any examples of what that can be.

And it gets even more confusing, because in the article below, nr 79, it can be read that *everyone* has the right of peaceful assembly, without arms, in a public demonstration or temporary assembly, in connection with their common interests of *whatever nature*, without the need of notice or special permission. So first it is said that freedom of association is allowed as long as not contrary to the public order and morals, then in the following article, it is said that everyone has the right of peaceful assembly in connection with their common interest of whatever nature.

Honduras does not have a specific law governing every aspect of the civil society; instead the law and regulations are outspread throughout Honduran jurisprudence. To facilitate the laws regarding the civil society, Honduras approved, in June 27, 2011, the Special Law for Non-governmental Development organizations, by legislative Decree no. 32-2011. This law conforms closely to international standards related to freedom of association and the exercise of rights by civil organizations. However the decree from 2011, also says that all civil society organizations have to present their economy, meaning that they have to present where the financing is from. All the members in the board have to be legal citizens, with Honduran citizenship and they have to register at the authorities⁸¹.

However, the aftermaths of the coup in June 2009 made the country deeply divided among different forces, and the then-president Lobo faced a growing opposition from

⁸¹ <http://www.icnl.org/research/monitor/honduras.html>

the civil society. The government considered some opposition groups to be founded by some foreign financing which was hostile against the previous president Lobo administration (the president from year 2009-2013)⁸². As a result of that, the government encouraged a legislation that would restrict the legal space for the civil society. On June 4, 2013, the Executive Accord 65-2013 was established, which contained Regulations of the Law on Non-Governmental Development Organisations. This law includes that the president has the power “to confer legal status to civil organizations in accordance with the law” (article 245:40)⁸³.

Other laws that restrict the formation of associations are the anti-terror legislation, “the financing of terror organizations”. This law intends to list the activities that non-profit organizations deals with through the mandatory reporting of donations that is higher than 200.000 dollar/year. The sanctions for this kind of crime is fines equal to 2000 minimum wages, prohibition for activities for up to 5 years or/and the resolution of an organization or movement. This decree was signed by the president in 2011 and still applies today. The above facts indicate that it’s a bit complex with the situation of non –governmental organizations operating in Honduras. The constitution recognizes *freedom of association and assembly* but there is however other laws that make it difficult to grant legal status as an organization. If an organization can’t present their financing or if anyone of the board members does not have Honduran citizenship, the organisation risks to be banned. Since it is not specified in the constitution of what it means to be “*contravene to public policies and public morality*”, there is therefore space to interpret the constitution in numerous ways. With exception for several ways of interpreting the law of freedom of association, Honduras seems to comply all of the basic requirements of a polyarchy in their constitution.

4.2 International reports

Dahl also stresses that to promise democratic rights in writing, in law or even in a constitutional document is not enough. The rights must be effectively enforced and effectively available to citizens in practice. If they are not, then to that extent that political system is not democratic, despite what its rulers claim, and the trappings of democracy are merely a disguise for non-democratic rule⁸⁴. To find out if the rights are effectively enforced in the Honduran society, it is then equal important to gather data from the reality. The international

⁸²<http://www.icnl.org/research/monitor/honduras.html>

⁸³ <http://www.icnl.org/research/monitor/honduras.html>

⁸⁴ Dahl. R. 1998: 49

perspective and the view from the outside world provides the study with objective facts about the reality. To investigate the reality and whether the constitution is actually implemented in practice, it is therefore necessary to see how the human rights situation looks like in the country.

The UN, Amnesty International and Freedom house among others are a few examples of organisations that have given out reports regarding the civil liberties in the aftermaths of the coup. Since Ekman emphasizes that the public is a crucial aspect to analyse if a regime is a hybrid regime or not, because it is the public's experiences that display the nation's true democratic character⁸⁵.

This part of the analysis aims to examine the reports made by these organizations, to see if they comply with Joakim Ekman's criteria on hybrid regimes. The public is a crucial dimension when analysing hybrid regimes according to Ekman, therefore it is relevant to look at other empirical analysing units than the national constitution to find out how it looks like in the reality.

4.2.1 Civil liberties

Since the public arena, which includes civil liberties is a crucial aspect to analyse whether a regime could be characterized as hybrid, Ekman sums up with following criteria that will be used in this study as empirical measurements:

- Is the civil service willing and capable of implementing government policy?
- Are there sufficient mechanisms and institutions in place for assuring government accountability?
- Is there a freedom of expression in Honduras?
- Are the citizens free to form organizations?

If the reports show that these criteria are not fully complied, then it's more likely that the country in question is a hybrid regime according to Ekman.

Freedom House have listed Honduras as "partly free" based on civil liberties and political rights. Their argument is that the freedom of speech and press are constitutionally protected but the killing and intimidation of journalists limited the press freedom in 2012. The on going lack of accountability since the 2009 coup d'état continues to

⁸⁵ Ekman, J. 2009.

have a negative effect on freedom of expression. Freedom House considers Honduras to be the second most dangerous country in the world for journalists. Their report from 2013 states that authorities have systematically violated the constitutions press freedom guarantees since the coup in 2009⁸⁶.

The UN -special rapporteur on the situation of human rights defenders, Margaret Sekagya, conducted a visit to Honduras in February 2012. During her visit, she met with government's officials, including the President, and a wide and diverse segment of the civil society. The UN special rapporteur received reports of serious violations of and restrictions on freedom of expression since the coup 'd'état.⁸⁷ While she noted that "an alarming number of journalists were killed in 2009 and 2010", Freedom house gives the concrete number of 26 killed journalists since the 2009 coup, including several known Zelaya supporters. The government has reacted with silence or dismissal of the cases as routine street crime⁸⁸.

Measures to restrict the media remain in place and have resulted in self-censorship among journalists. Numerous community radio stations were closed shortly after the coup and remain inoperative. According to Freedom House annual report from 2013, several radio and television stations reported to be harassed in 2012, including police surveillance, as well as assaults, threats, blocked transmissions and power outages. Freedom house also notes that media ownership is concentrated in the hands of a few powerful business interests. This affects in particular the right to access information among indigenous and Afro-Honduran communities.

Freedom house also mentions that although Honduras guarantees the freedom of assembly and association, it has not consistently been upheld. For instance there was a violent suppression of peaceful demonstrations in 2009, the police was accused of using excessive force during confrontations with striking and demonstrating teachers in August 2010 and March 2011. The 2006 citizens participation law protects the role of civil society groups and individuals in the democratic process. However, human rights defenders and political activists continued to face significant threats following the coup, including harassments, surveillance and detentions, as well as the murder of a number of coup opponents. Freedom house also emphasizes the problematic situation with indigenous and Afro-Honduran residents that have

⁸⁶ http://freedomhouse.org/report/countries-crossroads/2010/honduras#.U4MBfZR_ujA

⁸⁷ http://freedomhouse.org/report/countries-crossroads/2010/honduras#.U4MBfZR_ujA

⁸⁸ http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/AHRC2247Add.1_English.pdf

faced various abuses by property developers in recent years, including corruption and acts of violence⁸⁹

4.2.2 The Executive-legislative arena and the judiciary

Ekman stresses that hybrid regimes usually combines formal judicial independence with incomplete executive control. To analyse how the executive-legislative arena looks like in Honduras, Ekman presents the following criteria that will be analysed in reports;

- Are courts able to issue important judgements that go against the incumbents or does the government control the supreme courts and constitutional courts?
- Does corruption occur in the judicial or electoral arena?
- Are there sufficient mechanisms and institutions in place for assuring government accountability?
- Is there a weak form of rule of law?

Hybrid regimes are generally following a weak form of rule of law where governments attempts to subordinate the judiciary, in terms of bribery and extortion and by appointing and dismissing judges and officials.

The 2009 coup d'état aggravated institutional weaknesses, increased the vulnerability of human rights defenders and provoked a major polarisation in society.⁹⁰ According to the UN report from February 2012 confirms that Honduras has a constitutionally legal framework when it comes to Human Rights. However, the special rapporteur noticed significant deficiencies in the full implementation of legal instruments, which negatively affects the work and safety of human rights defenders. She also notes that there is an absence of a legal framework in Honduras when it comes to protection of human rights defenders, which contributes to their situation of vulnerability. According to her, the groups that are at particular risk in this case are; journalists, staff of the National Human Rights Commission, lawyers, prosecutors and judges, as well as defenders working on the rights of women, children, the Lesbian, gay, Bisexual, transgender, and intersex community, the indigenous and Afro-Honduran communities as well as those working on environmental and land right issues⁹¹.

In their recent report, from February 2014, Amnesty International also recognises that the Honduran authorities face a challenge to guarantee public security. They

⁸⁹ freedomhouse.org- see attached report

⁹⁰http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/AHRC2247Add.1_English.pdf

⁹¹ See attached report on UN human rights council

conform that these groups have been victims of human rights violations in recent years. Amnesty reports that these groups have been suffered killings, physical violence, kidnapping, death threats, threats of sexual violence and verbal attacks.

Despite repeated calls from the United Nations, the Organisation of American States and Honduran human rights defenders themselves, no state mechanism has been developed to protect human rights defenders. In July 2013, three human rights defenders – a judge, an LGBTI⁹² activist and an Indigenous leader were killed within the space of less than two weeks in different parts of the country⁹³. All of them were defending justice and equality.

The special rapporteur was especially concern of the valuable role of human rights organizations may be affected by the adoption of the legislation aiming at restricting the work of the civil society organizations, particularly the decree 32-2011 on the specialized law for the promotion of NGO's for development and the decree 252-2010 on the law against financing terrorism. She concluded that human rights organizations are facing difficulties to gain the legal recognition required to register with authorities and that organisations have been threatened with closure.

Freedom houses investigation on the judicial system in the country shows that it is insufficient and weak, and that there exists tensions between the national police, the prosecutor's office and the ministry of justice and human rights. Business elites exerts excessive influence over the Supreme Court and its decisions. 80 per cent of crimes committed in Honduras are never reported, according to the government and only 3,8 per cent of reported crimes are investigated by police.⁹⁴ Amnesty also points out their concerns regarding the lack of independence in the judiciary system. In December 2012, the National Congress voted to remove four of the five Supreme Court judges who comprise the Constitutional Chamber of the Supreme Court of Justice. The judges had earlier delivered a judgement that blocked a law proposed by Congress intended to facilitate a clean-up of the police force. The judges found some aspects of the law to be unconstitutional⁹⁵.

Among the dozens of cases of human rights violations and abuses committed against human rights defenders in the last five years, according to the information Amnesty International has received, in only one case were those responsible prosecuted, convicted and sentenced. Honduras had the highest murder rate in the world 2012. Most murders are attributed to organized crime, including transnational youth gangs and Mexican drug-

⁹² LGBTI stands for lesbian, gay, transgender and intersexual.

⁹³ See attached Amnesty report.

⁹⁴ See report by Freedom House

⁹⁵ Amnesty report

trafficking syndicates (FH). In April 2013, the then Attorney General explained to the National Congress that the Attorney General's Office only had the capacity to investigate 20% of the country's homicides. According to Amnesty International, the high levels of violence and crime in the country overwhelm the institution and it lacks the necessary resources to do its job effectively. In some cases even the prosecutors themselves have been afraid of taking action given the dangerous context (amnesty).

As many as 74 lawyers have been murdered in opposition to the coup, police corruption has been a major impediment to fighting crime and maintaining citizen security. In May 2012, President Porfirio Lobo appointed Juan Carlos Bonilla as police chief, whom was alleged to have participated in police death squad activities, initiated a widespread purge of corrupt officers. President Lobo and key military officials have suggested reforms that would abolish the ministry of security and place the police under the Defence Ministry, potentially exacerbating the existing overlap between police and military functions. Numerous reports indicate that the police frequently participate in human rights violations and organised criminal activities⁹⁶.

Amnesty states that the National Police should play a crucial role in criminal investigation, given that they are responsible for gathering and protecting evidence. However, they lack resources, expertise and accountability. The UN special rapporteur of human rights conclusion of the investigation was that Honduras faces serious challenges in combating violence and insecurity⁹⁷. The pervasive impunity and absence of effective investigations of human rights violations undermine the administration of justice and damages the public's trust in authorities. The country's growing crime rate has increased concerns about further limitations on civil liberties.

The three reports shows that Honduras suffers from increasing impunity when it comes to committed crimes. The aftermaths of the coup have resulted in institutional weaknesses and an increasing vulnerability of human rights defenders. Thus, there is obviously a lack of sufficient mechanisms and institutions in place for assuring government accountability. The fact that Freedom House even mentions that there is a lack of accountability from the government since the coup, directly indicates that Honduras has some features of a hybrid regime⁹⁸.

⁹⁶ Amnesty report

⁹⁷ See UN-report

⁹⁸ Freedomhouse.org, see attached report.

The special UN-rapporteur also stresses the fact there have been violations and restrictions on freedom of expression since the coup. Several journalists were killed during the period 2009-2010. Restrictions on media are to some extent still evident in the society. For instance, some community radio stations were closed shortly after the coup and still remain inoperative⁹⁹.

According to Ekman, problematic press freedom is a clear sign of a hybrid regime, where the government uses the media for controlling its citizens for instance, during election periods¹⁰⁰. Ekman's criteria on "uneven media coverage" can be noted in the report by Freedom house where it can be read that the media ownership is concentrated in the hands of a "few wealthy business elites"

The decree no. 32-2011 on the specialized law for promotion of NGO's for development, concerns the UN-special rapporteur as well, which was indicating that the law aims to restrict the work of human rights defenders, because the law implies that it becomes more difficult for NGOs to operate in the country if they can't account for their financings. The decree is very much consistent with Ekman's previous research and analysis of Russia regarding NGO's. Whereby Putin signed a law in 2006, aiming at strengthening controls over the civil societies organizations¹⁰¹.

Thus, the constitution is not upheld in practice, which is approved by these reports about the current situation in Honduras and strengthened by the criteria from Ekman's theory.

4.3 Interviews

The interviews are read thoroughly in order to gain the whole perspective but also to understand if the civil society can agree upon the rights they are entitled by the constitution, or if the respondents support what is said in the reports by the international community in term of i.e. violations of human rights, lack democracy and freedom of expression. Therefore are the interviews analysed from both Dahl's and Ekman's theories to gain the comprehensive picture of what type of regime Honduras is today, five years after the coup. The interviews are first analysed through Dahl's criteria for a polyarchy, then moving on to being analysed through the criteria Ekman presents.

4.3.1 Analysing the interview through Dahl's criteria

⁹⁹ www.ohchr.org, UN-report.

¹⁰⁰ Ekman. J. 2009.

¹⁰¹ Ekman. J. 2009.

1. The first criteria that is necessary to satisfy in a polyarchal democracy according to Dahl, is the requirement of *elected officials making decisions*.

Toni describes his view of democracy in his country:

“According to the constitution, it is participatory democracy... (but) democracy in our country is the one that is according to their interests. For example the private companies continues to grow, and that transnational corporations do everything they please in the country...”

Further he explains; *“ If there were no economic democracy in a single hand, the population who don’t take the decisions, only the national congress approves these projects that communities are struggling today, for us it is a dictatorship masked with the supposed democracy...”*¹⁰²

His people, the Lenca, are the largest indigenous group of Honduras. Their territory has been subjected to the extraction of natural resources by the government and foreign companies. Following by the 2009 coup, the government awarded 47 hydroelectric dam concessions to companies without consulting the communities that were going to be affected. In 2011, DESA (a hydroelectric dam company with foreign funding) proposed building a dam in the lands of the Lenca people¹⁰³.

Toni describes the frustration by not being consulted when business corporations suddenly establish themselves in their territory¹⁰⁴. Even though Honduras has free elections, which indirectly, in this case, means that elected officials makes the regional decisions, he feels that his people has nothing to say about the decisions affecting them. Toni stresses that it is the companies that possesses the power, together with the National Congress and that since it is a question of profit, the indigenous peoples voice doesn’t count. Which is why he says, “it’s a dictatorship masked with the supposed democracy”.

Juan said following;

¹⁰² Annex 1

¹⁰³ <http://www.coha.org/human-rights-violations-in-honduras-land-grabs-peasants-repression-and-big-companies/>

¹⁰⁴ This statement is strengthened in the attached report by Amnesty

“ We consider all the presidents of our country as puppets, because they are governed by the capitalist system that is responsible for all the problems that exist in our country ”¹⁰⁵.

Juan emphasizes the capitalist system, which you also can draw similarities with what Toni said about the transnational companies operating in the country. Juan indicates that the president doesn't really have any power to make decisions, because they are governed by a higher force, in this case the capitalist system (or private transnational companies).

2. *Free and fair elections* basically means that every citizen must have an equal and effective opportunity to vote, and all votes must be counted as equal ¹⁰⁶.

When Juan got the question about how he experiences democracy in his country, he responded:

“Hard to believe that democracy exists in Honduras, in these elections the people took the polls, but the supreme electoral tribunal is always ruled by the people who have no scruples, and the voting records are manipulated. If some democratic election were free and fair, we might have had a government truly elected by the people, (thus, they would have been committed to social development to end the criminalization, because one of the major effects of the criminalization is the levels of impunity in the world”¹⁰⁷”.

Juan argues that the voting records are manipulated, and that if the government truly were elected by the people, the government had been focusing on social development instead of doing business with multinational corporations¹⁰⁸. He indicates that there is one elite who possesses the power in the country, and they are not interested in social development, whereby there is no end to the criminalization, which the increasing impunity is a part of¹⁰⁹. Therefore, in the end of the day, it does not make any difference that the country has free and fair elections, because if the voting records are manipulated and the ruling elite have no interest in improving the situation of the criminalization, you cannot call it equal participation.

¹⁰⁵ Annex 3.

¹⁰⁶ Dahl. R. 1998: 95

¹⁰⁷ Annex 3

¹⁰⁸ The newspaper, Al Jazeera, writes about potential voting manipulation in:

<http://america.aljazeera.com/opinions/2013/11/honduras-presidential-election-fraud-intimidation.html>

¹⁰⁹ Increasing impunity in Honduras is also something that the UN special rapporteur for human rights concluded in the report.

Gregory, a teacher who works for the centre of democratic studies in Honduras (CESPAD) argues in this way instead:

“By the end of the day, we are not in a formal dictatorship. Considering that we are living accordingly to electoral democracy, at least the framework for democracy, where paradoxically the coup, instead of reinforcing concessions and undemocratic values has rather promoted the values and the imaginary democratic ones in the country to the extent that as a result of the coup d’état and the Cartagena agreement allowed the return of the president Zelaya, (and the result of that is that) the country has managed to open up the system for political parties. It can be said that there has been a democratization, because other forces have now entered the political game, which did not exist before¹¹⁰”

Gregory instead stresses that the political situations has actually become more democratic in Honduras now than before the coup.

The Cartagena agreement is a commitment from the Honduran government to allow an end to Zelaya’s exile outside the country, and to annul the legal proceedings against him. The agreement further commits the regime to adhere to the rule of law, ensure the protection of human rights, and permit popular plebiscites around political, economic and constitutional matters ¹¹¹. Gregory explains, in light of this, there is more tolerance against different political parties in the country today.

3. Dahl argues that *freedom of expression* is required in order for citizens to participate effectively in political life. Free expression means not just that you have a right to be heard, it also means that you have a right to hear what others have to say¹¹². Without freedom of expression citizens would soon loose their capacity to influence the agenda of government decisions¹¹³. When Toni got the question if he experience that he has the ability to express freely in the society, his answer was:

“In Honduras there exists no freedom of expression, there are many laws, because Honduras is a country that has laws, but these laws in practice is another matter. Freedom of

¹¹⁰ Annex 5

¹¹¹ The Cartagena agreement can also be read on: http://www.freedomhouse.org/report/freedom-world/2012/honduras#.U_UIDbx_ujA

¹¹² Dahl. R. 1998:97

¹¹³ Dahl. R. 1998:97

expression in Honduras does not work because it runs right through two things, first the accommodation of money, and second, today with the killings... ”¹¹⁴

This indicates that Toni is well aware with what it says in the constitution, but he point out that the law of freedom of expression doesn't work in reality, at least not for him and his organization. This something that the result from international reports also displayed¹¹⁵. He claims freedom of expression don't work in reality because, the free expression is only for those who have money, and when Toni mentions “the killings”, he is talking about all the indigenous leaders who have been killed during recent years when demonstrating and expressing “wrong” opinions¹¹⁶.

“They have killed many journalists in Honduras, more than 26 journalists are reported, which discloses the news, have been killed in reality.”

Later in the interview Toni also mentions this, which also has been reported in different reports made by Amnesty, Reporters without borders and Committee of protecting journalists as well as other independent NGO's. Also according to Ekman, problematic press freedom situation is a typical feature of a hybrid regime where the government desire to control the media.

Juan tells me:

“There is no freedom of expression, this reflected in the February 2013, in which they killed two colleagues in the area of the Aguán, which was reported in the media. Immediately the army made a call, threatening to blow off the denunciation, for these reasons we say that there is no freedom of expression in Honduras, there is no law in Honduras, and the existing law is the law of the rifle. After the coup the laws are not respected”¹¹⁷.

Juan describes his mistrust for the laws. Two of his colleagues were killed by the army, when “trespassing” an area in the Bajo Aguán – the place where the major land conflict has been

¹¹⁴ Annex 1

¹¹⁵ See reports in attached dokument.

¹¹⁶ In July 2012, Lenca Indigenous leader Tomás García, also prominent member of COPINH, was shot dead by the army during a protest in Río Blanco, Intibucá Department-> see Amnesty report.

¹¹⁷ Annex 3

occurring since the beginning of the 1990's. When the media gave attention to the killings, the army threatened the peasants¹¹⁸. Because of that, one cannot say that the law regarding freedom of expression is applicable when peasants are manifesting their dissatisfaction.

Luca works for the human rights organization PROAH in Honduras, which also works closely with the indigenous movement and the peasant movement. When getting the question if he feels that it is possible to express opinions freely in Honduras, he confirms both Toni's and Juan's experiences about freedom of expression and says:

“It is not appropriate, you cannot speak freely because then you are branded as subversive. And when writing an article you must be very careful because they can tell you (that) they are doing politics...we should not make it public (the article) if you know the people, not good at any levels...”¹¹⁹”

Luca indicates that there is a fear of writing certain things when working close to the indigenous movement and the peasants movements, since both of these organizations have been victims of criminalization, threats and killings, therefore PROAH have to be very careful of writing names of the victims, when investigating violations against human rights, otherwise they can risk the lives of the people they aim to help.

But Gregory, the teacher for the Centre of democratic studies, has a more pragmatic view of the situation with freedom of expression in Honduras:

“There may be greater opportunity and greater opportunities to express ideas contrary to the interests of powerful groups, in that sense that if there are spaces to express opinions and criteria, whether you realize from an independent political position or if you do it for the self-determination of a political party...According to the parameters of international organizations, this is one of the worlds most dangerous countries, its a country where there is a low respect for life and where there is also a political repression manifested in murders, not exactly that the state against the police and the army are includes, rather they are basically private guards...”

Further he adds:

¹¹⁸ See attached Amnesty report.

¹¹⁹ Annex 2

“So there is a balance which allows a state of opinion, but there also exists risks that you can pay with your life for expressing opinions. As well as you can express opinions but at the same time given that we live in a country where there are high levels of violence with much intolerance, there is a significant risk in terms of your physical integrity”¹²⁰

Gregory implies that it’s allowed to express your opinions, but it comes with a risk. There are some forces that don’t like what is being said and therefore risking your own life for expressing certain opinions according to him.

4. *The right to form and join autonomous organizations* are a source of civic education and enlightenment. Independent associations provide citizens not only with information but also with opportunities for discussion, deliberation and the acquisition of political skills¹²¹. Hence Dahl stresses that the right of freedom of association are not only necessary and desirable goals for large-scale democracies, it is inevitable.

Many social movements have had difficulties to make their voices heard in Honduras, there have been cases when they get threatened, criminalized and stigmatized¹²². When Juan explained his situation in relation to the problem with the criminalization of the social movements in Honduras he explained:

“In the case of MUCA, there exists a large media campaign to criminalize and smear against leaders, with all of the above, it is difficult to perform our work...There is a great harassment of our leaders...”¹²³

Even though the constitution widely recognizes freedom of association, Juan explains that it exists a great harassment of his movement; therefor it is difficult to perform and express their work.

Luca confirms Juan’s experience:

¹²⁰ Annex 5

¹²¹ Dahl.R.1998:12

¹²² Amnesty.org- see report

¹²³ Annex 3

“It is very difficult to belong to a social movement, because they know that they are playing with their lives thus they are very brave people...and the state they are interested in eliminating these people¹²⁴”

Luca explains that if you belong to a social movement that, for instance are critical to government policies and when you express your opinions and are involved in peaceful demonstrations, you can risk your life if the state does not like these kinds of activities. In this case the government can even justify their means through the use of the constitution, where it states how freedom of association is allowed as long as it don't contravene to public order. Leo gives an example where his colleagues, two international human rights observers, got kidnapped by security guards, when they were visiting a community where the local people have been affected by exploration on the land without consulting the community. They got accused for usurpation and were held captive at gunpoint for more than two hours¹²⁵:

“These people kidnapped our colleagues, they accused us that we had entered private property, having taking photographs of a crime, equal the government tells us the same thing, that we've committed a crime when you know that there are no testimonies, evidence, evidence that we were in the house of a lady, but the state, the government gives a false police version, and that also works for the government which accuses us of illegally entering private property”.

“And that by the state it has publicly said that foreigners come to shake the indigenous populations advantage, as if indigenous were people who have no knowledge or power of thought, why institutions of the country call them terrorist organizations which are founded by Venezuela and Cuba”¹²⁶

Luca describes how the government uses the decree 252-2010 on the law against financing of terrorism, whereby his organization gets accused for being financed by terrorists¹²⁷.

Dahl stresses the importance of freedom of association in a democratic society but it is equal important to emphasize that the civil service have to be capable of implementing government

¹²⁴ Annex 2

¹²⁵ Proah report, 2013.06.09

¹²⁶ Annex 2

¹²⁷ <http://www.icnl.org/research/monitor/honduras.html>

policy¹²⁸. If the government refuses to recognize certain organizations, it is impossible for them to implementing policies, and therefore the society cannot be considered as democratic.

Gregory explains:

“There are over three thousands complaints of violations of human rights starting in November 2009, under this same juncture coup, land conflict occurs as the strongest ever in Honduras... criminalization for these social movements has meant the death of more than 60 leaders of the peasant movement and other additional victims have been linked to the same social movement...

“...The strongest criminalization occurs with the peasants movements but it also occurs against the gay and lesbian movements which also have been killed...”¹²⁹

Gregory explains how human rights violations have increased since the coup in 2009, he also confirms Juan’s story of how the leaders of the peasant’s movements are being harassed and killed. He also mentions the LGBTI movement having difficulties to mobilize their ideas, thus also being harassed and threatened.

Alvaro, the professor, puts his point of view regarding the relation between governments and social movements in Central America, in this way:

“Societies in Central America have never represented the collective interests of social and political communities, but they have represented the interests of the elites who hold power...”¹³⁰

But he further explains that it has changed towards a more including participation of citizens:

“There is a greater openness to democracy building, and the nineties was the decade of major United Nations conventions and also the decade of arrival of large parts of Latin American NGO’s with official development assistance and all the developmental agendas put it this way to drive major change in the region, democracy, civic participation, citizenship

¹²⁸ Ekman. J. 2009

¹²⁹ Annex 5

¹³⁰ Annex 4

building etc. Agendas that have driven large so that people can access to the system politically... ”¹³¹

Alvaro provides a general historical picture of why there always have been difficulties for citizens to mobilize themselves in Central America. He also points to the fact that historically seen, there has always been one small elite that holds the power and only is interested in implementing agendas that are according to their interests. But Alvaro also stresses that since the nineties, there have been a shift towards a more democratic society thanks to international law and the United Nations conventions. Because of that the civil society are actually more capable to make their voices heard, at least in an national context, and that puts more pressure on the national government to follow the conventions and the international law.

5. Press freedom and alternative sources of information not monopolized by the government or any other single group is something that Dahl mentions as a relevant criterion for a democratic country. This is a necessary criterion for citizens so that they can acquire the information they need in order to understand the issues in society and to participate in effectively in political life¹³².

Alvaro explains his experience of freedom of expression regarding to this criterion:

“Generally the mass media in Central America are tied to their own economic interest groups or large families...”

Here he gives a general picture of the press freedom in the whole region of Central America, whereby he claims that large economic interest groups and wealthy families usually rule the mass media. It is thus problematic because if all the information that citizens could acquire is provided by one single source or interest then it is hard for citizens to participate effectively in the political life, which also leads to difficulties to influence the public agenda.

4.3.2 Analysing the interview through Ekman’s criteria

¹³¹ Annex 4.

¹³² Dahl. R. 1998:49

Moving on to Ekman's criteria on hybrid regimes. One necessary indicator to look at is the judiciary;

- Is the judiciary independent of government influences?
- Are courts able to issue important that go against the incumbents or are the Supreme Court and constitutional courts government-controlled tools?

Toni responds the question if he feel trust to the authorities in his country:

“There is no trust, for example when there is a public prosecutor, the prosecutor who wants to apply justice, and knows that there is no crime committed and is willing to absolve.. if you are in the constitutional court ,they also verifies that there is no inconvenience and must release them, then the National Congress will quickly assemble an alert for these two units to remove from their positions. Those prosecutors who wants to free us gets removed and (instead) judges are put with their interests, thus that's the way the authorities operates in Honduras. And so does the democratic system as it is called...that is not democracy, because all power under the constitution of the republic is independent.”¹³³

Toni explains a situation where members from his movement gets falsely accused for different things, for instance crimes such as incitement or usurpation, and that even though the prosecutor and the constitutional court wants to emancipate them due to lack of evidence, the National Congress will remove the prosecutor and the judge who liberates them and will thereafter put judges whom they have chosen to work in similar cases. Toni's story is thus consistent with what Ekman describes on how hybrid regimes combines formal judicial independence with incomplete executive control. To appoint and dismiss judges and officials is an attempt for the government to subordinate the judiciary¹³⁴, and thus the judiciary becomes a tool for the government to control.

When Juan answered the question if he feels any confidence to the authorities in Honduras he answered:

“Since 2009, the authorities scares rather than build trust, there are no trust (against them) because there exists victims. Since four years back, it has been a re-militarization and in the last two years there has been the militarization (in the form of) Operation Xatruch, which

¹³³ Annex 1

¹³⁴ Ekman. J. 2007: 9

*don't belong to the army nor the police, they are so called institutions that (suppose to) protect people. On the contrary social movements gets persecuted and calls are monitored, systematic persecution is given to popular activists".*¹³⁵

The operation Xatruch is a militarization project, which is trained and financed by the US government and justified by the Honduran government and the Honduran security minister. Operation Xatruch aims to provide security in the Bajo Aguán area, where there have been a long conflict regarding land rights since 1992. The security minister justified the militarization of the region by describing the peasants living there as “so-called farmers and possibly drug dealers who are wanting to settle in that area”.

Looking back at the history it shows that these “so-called farmers” were actually recruited by the State into Bajo Aguán region, which is a backwater rainforest region, in the sixties and seventies through agrarian land reforms that guaranteed collective titles to the peasant’s cooperatives. The reformist program used the “*campesino*” label to cultivate the land and grow African palm oil for export¹³⁶.

But when Honduras went towards more neoliberal policies in the beginning of the 1990’s, the country’s agriculture modernization act in 1992 ended the land reforms and opened up the region to the market. This led to that many farmers were forced to sell their lands and the land was rapidly in the concentrated hands of three powerful landowners. After that the peasant movement began to reclaim and occupy their lands¹³⁷.

In 2008, President Zelaya wanted to resolve the conflict and thus signed a new decree that would grant titles for land that had been peacefully occupied by them. The farmers were just days from receiving their lands when the coup took place and the decree were abolished. While public officials and the Honduran press have used allegations of armed guerrilla activity or drug trafficking to criminalize the peasant farmers, they have failed to report on the 55*campesino* leaders that were selectively assassinated, or the countless others who have been disappeared, captured, tortured and intimidated since January 2010¹³⁸.

This indicates that the Supreme Court and the military that overthrew Zelaya in the coup also had other intentions than just protecting the fact that the president was going to change the constitution and sit another term. It can indicate that the Supreme Court and the

¹³⁵ Annex 3

¹³⁶ Edelman. L and Leon. A. 2013

¹³⁷ Edelman. L and Leon. A. 2013

¹³⁸ <http://climate-connections.org/2012/01/26/the-war-against-peasant-farmers-heats-up-in-honduras/>

National congress also were afraid of redistributive the land to the farmers, risking to lose an income of the export of the palm oil production.

To reinstate the military, according to decree 274: 2013¹³⁹, meaning that the military now can “carry out police functions for a limited period...” is concerning Juan and many others in his organization. Juan claims that this is strategy from the government to scare the citizens.

The professor, Alvaro, explained the outcome in the Bajo Aguán conflict after the coup;

“ ...Without taking the system from a democratic point of view, there is a reaction immediately from the counterpart, which in this case was the loser, the opponent who is and has mechanisms to override the decision of the court and immediately creates a strategy to send a clear message, first coldly kill his lawyer, after that they kill the prosecutor of the rights of peasants, and the results of these two acts...is that no attorney wants to work for these causes, because the message is a message of impunity...”¹⁴⁰

Alvaro confirms the problematic situations of impunity that the three international organizations also reported. Toni described the appointing of the judiciary, and here Alvaro even takes it one step further and describes a case where the prosecutors got killed when trying to help the peasants. The killings of the prosecutors can be a sign for the National Congress to maintain their control, such as Toni described it.

Gregory explains the situation of the criminalization of social movements in Honduras:

“They (criminalization of social movements) are linked to the intolerance of those who consider themselves masters of the country of the great economic power groups that have historically driven the Honduran economy, politics and dare your appliances police, military, judiciary responding thus the demands of social sectors that conflict with their interests”¹⁴¹.

Gregory’s explanation can also be linked to the history of the land conflict in Bajo Aguán, where strong economic power forces wants to control the region at any price, even the life of the citizens:

¹³⁹ <http://www.icnl.org/research/monitor/honduras.html>

¹⁴⁰ Annex 4

¹⁴¹ Annex 5

“According to parameters of international organizations, it is one of the most violent countries (Honduras), it’s a country where there is a low respect for life and where there is also a political repression manifested in murders, not exactly there the state against the police and the army are involved, they are basically private guards...”

Gregory is aware of the fact that, according to international parameters, Honduras is considered as the most violent countries in the world. He mentions that the political repression is manifested in murders, and he also emphasizes that it is “private guards” that is responsible for many of these killings. The private guards can be linked to what Juan said about the Operation Xatruch, which aims to “stabilize” conflicted areas. The private guards are also security companies that work for the big companies that are operating in the country¹⁴².

Joakim Ekman stresses that free and fair elections are not an enough criteria for a democratic government therefore it is necessary to take into account;

- Election that makes a potential difference
- If opposition parties have a realistic prospect of achieving government positions.

Alvaro describes the political infrastructure in Honduras:

“Honduras is a very interesting phenomena from the point of view that there was a government with a political orientation, lets put it more socialistic, within a more regional context of the ALBA region, and then it happened a coup that was perpetrated by the military that plays an important role, because there are also groups with very strong economic interests, which are very important for understanding the ways Honduran politics function...”¹⁴³

Here Alvaro more or less indicates that there is a relationship between the coup and the military and the strong economic groups. Manuel Zelaya’s left wing orientation was disliked by the more right wing influenced National Congress and the Supreme Court. So the more

¹⁴² <http://www.theguardian.com/global/2014/jan/07/honduras-dirty-war-clean-energy-palm-oil-biofuels>

¹⁴³ Annex 4

left-influenced Zelaya became, the more difficult it was for the right wing politicians to accept this. Since Honduras has adopting neoliberal politics since the beginning of the nineties that's why the large economic groups opposed Zelaya's leftist reforms, thus the coup can be seen as a result from the opposing right-wing forces. Therefore it is harder for the left wing to make a potential difference because there are too many powerful economy groups that controls the politics¹⁴⁴.

5. Discussion and results

The coup was, as earlier mentioned, an act for defending democracy, at least the official version tells this¹⁴⁵. But if the coup was supposed to defend democracy, how does it come that citizens in Honduras get murdered, threatened, and that the civil society gets oppressed when manifesting their opinions?

The objective with this study was to find out what type of regime that has emerged in the aftermaths of the coup.

The result from analysing the national constitution shows that Honduras has laws that protect the basic requirements for a polyarchal democracy in accordance with Robert Dahl. In the same time, the results from the international reports rather show that Honduras complies more with Joakim Ekman's criteria for a hybrid regime.

Hybrid regimes distinguishes from pure authoritarian regimes, in the way that hybrid regimes has democratic features such as competitive elections and in the case of Honduras, even a nicely structured constitution with laws that protects human rights. But to establish whether a country is a hybrid regime or not, it is thus relevant to investigate how the laws are implemented in the reality and if the civil society have the possibility to apply their universal rights in the society. All of the three organisations, Freedom house, UN and Amnesty International, reported of numerous human rights violations in the country, where journalists and human rights defenders have difficulties to carry out their work. All of the three organizations also stressed the lack of the rule of law.

¹⁴⁴ This is also something that have been speculated and written by various journalists, for example see: <https://www.opendemocracy.net/john-perry/honduras-three-years-after-coup>

¹⁴⁵ http://www.nytimes.com/2009/06/29/world/americas/29honduras.html?pagewanted=all&_r=0

The country suffers from the highest murder rate in the world and according to freedom house it is also one of the worlds most dangerous countries for journalist, where about 26 journalists have been killed since the coup¹⁴⁶.

Freedom house also stresses that authorities have systematically violated the constitutions press freedom since the coup, and that there is rather uneven media coverage in Honduras, where the ownership is concentrated in the hands of a few powerful business elites.

Freedom houses investigation on the judicial system in the country shows that it is insufficient and weak, and that there exists tensions between the national police, the prosecutor's office and the ministry of justice and human rights. According to Freedom House, business elites exerts excessive influence over the Supreme Court and its decisions. Amnesty International also stresses their concern over the lack of the independence of the judiciary. Meanwhile the government claims that 80% of the crimes committed in Honduras are never reported, and only 3,8% of the reported crimes is investigated by the police. The attorney general explained how they only had the capacity to investigate 20% of the countries homicides, due to the resources needed to do their job effectively. Amnesty also reports of that the police frequently participate in human rights violations and criminal activities, corruption in the police force have been an obstacle for solving crimes, according to Amnesty. Impunity was pervasive in all three reports.

The interviews strengthen the picture the reports gave. The three persons that work in civil society organizations all explained their mistrust for the laws and how their organizations had been victims for threats, killings and oppression. The impunity is a substantial problem, which heavily affects the civil societies organisations. The interviews show that there is a lack of sufficient mechanisms and institutions, which leads to difficulties in assuring accountability of the government. Toni's story of how the National Congress dismisses and appoints judges and prosecutors that aims to help them, is a sign of the governments attempt to subordinate the judiciary. Violations against freedom of expression are also something that all of my interviewees can agree upon, although both of the teachers that I've interviewed, Alvaro and Gregory, drawing to historical comparisons, stated that there is greater opportunity to express ideas and there is a greater openness on democracy building now than for example in the nineties, thanks to international law and United Nations conventions. This is something that I can agree upon, it is true that there are greater platforms today for people that have been victims for human rights violations, for instance in forms of international NGO's, but the question is does it make any difference?

¹⁴⁶ See attached report on Freedom house.

Honduras already has a constitutional framework that protects human rights and international law, but still the crimes and murders are increasing, and when The UN special rapporteur visited Honduras in 2012, she actually gave some concrete advices for the government to follow if they want to improve the situation of human rights in the country. For example the Special rapporteur was concerned to the fact that there were no laws, which protected human rights defenders. If Honduras really wants to do progresses in combating violence and improving the situation regarding human rights in the country, they should consider applying that kind of law.

An interesting connection which is worth to mention from the results is the fact what both the reports and the interviewees mentions, is the relationship between the coup, the government institutions and wealthy business elites. This study indicates that Manuel Zelaya's political views was a thorn in the eye of the more right wing neo economic powers that for so long had ruled the country.

According to freedom house, business elites excerpts excessive influence over the Supreme Court. Media ownership is in the hand of a few wealthy families, and corruption has been named as one of the reasons of the lack of the judiciary. Juan stresses that the president is only a puppet, which is ruled by the capitalist system. Toni stresses that it is the companies that posses the power together with the National Congress. And Gregory and Alvaro both mention that powerful economic groups play an important role in the political infrastructure in Honduras. Alvaro point out that Zelaya's more "socialistic" orientation and the membership in the Latin-American leftist alliance ALBA, is an important factor for understanding the underlying causes of the coup.

Zelaya having a more leftist profile, wanting to do some reforms, which would benefit the poorest people in the country, was disliked by the more right-wing neo economic powers that for so long had been ruling the country. When he wanted to force ahead with a national referendum regarding changes the constitution despite the resistance from the national congress and the Supreme Court, the right wing business elites got enough¹⁴⁷. The argument of defending the democracy in Honduras with the coup is busted by the alarming reports of human rights violations and the lack of confidence of the authorities by the civil society. The information from the reports and the interviews displays that Honduras do not fulfil the criteria on a polyarchy according to Dahl, who also stresses that it is not enough to have a constitutional document which guarantees rights, is equal important to practice the rights in reality.

¹⁴⁷ <https://www.opendemocracy.net/john-perry/honduras-three-years-after-coup>

6. Conclusion

J. Mark Ruhl highlighted the case of the Honduras, in his article in 2010, regarding why the coup happened and his speculations about the future. He claimed that competing elites no longer trust democratic rules and that the majority of the population in Honduras continues to be disillusioned with the elected leaders, because of their failures of addressing the country's largest issues such as poverty, corruption and crime.

My results clearly show that Honduras is more likely to be seen as a hybrid regime according to the criteria presented by Ekman. The national constitution recognizes all the basic liberties which are promoted by Robert Dahl to be defined as a polyarchy, but the lack of accountability of government institutions, corruption and violations against freedom of speech makes it hard for the citizens to have trust for law. I can also see common features with Ekman's study on Russia and Tanzania when it comes to the case of Honduras. Similarly did president Lobo sign a law, which aimed to restrict the work for non-governmental organizations when he implemented the decree no. 32-2011¹⁴⁸, just like Putin did the same thing in 2006 in Russia and the NGO-act that was imposed in Tanzania in 2002.

Thus this study confirms with Ruhl's suspicions and I can only agree upon that "the outlooks for democracy are remaining uncertain" in Honduras¹⁴⁹. It seems like it's not enough for Honduras to have a constitution and free elections. Just like in Russia, Honduras is in some aspects ruled by powerful business elites. As long as powerful economic groups influence all the political and judicial institutions, it is impossible for the country to become more democratic. However one can also ask; if there would be a change to a democratic government in Honduras in the future, would it be enough to reproduce and sustain democracy such as according to Dahl? Because just as Olsson writes in her critique against Dahl's theory; if the individual don't believe in democracy, if he don't trust the politicians or if he, don't bother to vote in elections, the democracy will not reproduce regardless how perfect the institutions may be.

6.1 What could have been different?

It could be interesting to do the same study but in the perspective of government officials and the business elite in Honduras to see if the view on the regime and democracy would have been different. Because of the answers would be in the government officials and the elites

¹⁴⁸ <http://www.icnl.org/research/monitor/honduras.html>

¹⁴⁹ Ruhl. J. 2010

point of view, and that individuals can differ very much in their opinions depending on what status in the society you have- the study might have had a different conclusion, depending on the outcome based on the theories by Dahl and Ekman. However ,the fact remains that the outside world and the international organizations gives alarming reports regarding the freedoms in the society. That would be an interesting clue- because if three different independent organizations says the same thing; that there is violations against human rights in society- and the government officials denies it- still, which one would you believe?

7. References

Books

- Bergström, G. and Boreus, K. (2005). *Textens mening och makt*. 1st ed. Lund: Studentlitteratur.
- Bjereld, U., Demker, M. and Hinnfors, J. (2102). *Varför vetenskap?* Lund: Studentlitteratur.
- Dahl, R. (1989). *Democracy and its critics*. 1st ed. New Haven: Yale University Press.
- Dahl,R. (1998). *On democracy*. 1st ed. New Haven: Yale University Press.
- Edelman, M. and Leon, A. (2013). Cycles of Land Grabbing in Central America: an argument for history and a case study in the Bajo Aguán, Honduras. *Third World Quarterly*, 34(9), pp.1697--1722.
- Esaiasson, P. (2007). *Metodpraktikan*. 1st ed. Stockholm: Norstedts juridik.
- Levitsky, S. and Way, L. (2010). *Competitive authoritarianism*. 1st ed. New York, NY [u.a.]: Cambridge Univ. Press.
- Teorell, J. and Svensson, T. (2007). *Att fråga och att svara*. 1st ed. Stockholm: Liber.
- Yin, R. and Nilsson, B. (2007). *Fallstudier*. 1st ed. Malmö: Liber.

Articles, journals , reports and other documents

- Amnesty International, (2014). *Honduras: deteriorating human rights situation needs urgent measures*.
pp.<http://www.amnesty.org/en/library/asset/AMR37/003/2014/en/cb56b39a-f0fa-4857-b7f7-a574e8922020/amr370032014en.html>.
- Carasik, L. (2013). *Honduras' presidential election demands an investigation* | *Al Jazeera America*. [online] America.aljazeera.com. Available at: <http://america.aljazeera.com/opinions/2013/11/honduras-presidential-election-fraud-intimidation.html> [Accessed 28 Nov. 2013].
- Constitution of Honduras: https://www.constituteproject.org/constitution/Honduras_2012.pdf

- Coha.org, (2014). *Human Rights Violations in Honduras: Land Seizures, Peasants' Repression, and the Struggle for Democracy on the Ground*. [online] Available at: <http://www.coha.org/human-rights-violations-in-honduras-land-grabs-peasants-repression-and-big-companies/> [Accessed 7 Mar. 2014].
- Official site of the organization COPINH: www.copinh.org
- Ekman, J. (2009). Political participation and regime stability: A framework for analyzing hybrid regimes. *International political science review*, 30(1), pp.7--31.
- Forskning.se, (2014). *Nyheter & fakta - forskning.se*. [online] Available at: <http://www.forskning.se> [Accessed 21 Aug. 2014].
- Freedom house, (2013). *Freedom of the world*. p.http://freedomhouse.org/report/freedom-press/2013/honduras#.U_VBWrX_ujD.
- Human rights watch. Report. "After the coup". 2010 :
http://www.hrw.org/sites/default/files/reports/honduras1210webwcover_0.pdf
- Icnl.org, (2014). *Honduras - NGO Law Monitor - Research Center - ICNL*. [online] Available at: <http://www.icnl.org/research/monitor/honduras.html> [Accessed 21 Aug. 2014].
- Laborin, M. (2010). *Mock democracies: Authoritarian Cover-ups*. 1st ed. [ebook] Cambridge university press. Available at: <http://Mock Democracies: Authoritarian Cover-ups> [Accessed 21 Aug. 2014].
- Malkin, E. (2009). *Honduras president ousted in coup- The New York Times*. [online] Nytimes.com. Available at: http://www.nytimes.com/2009/06/29/world/americas/29honduras.html?pagewanted=all&_r=0 [Accessed 28 Jun. 2014].
- Marinov, N. and Goemans, H. (2013). *Coups and democracy*. 1st ed. [ebook] Cambridge University. Available at: <http://www.nikolaymarinov.com/wp-content/files/GoemansMarinovCoup.pdf> [Accessed 21 Aug. 2014].
- Ne.se, (2014). *Nationalencyklopedin – Uppslagsverk | Svensk ordbok | Engelskt lexikon*. [online] Available at: <http://www.ne.se> [Accessed 21 Aug. 2014].
- Ohchr.org, (2012). *Mission to Honduras-Report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya*. [online] Available at: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/AHRC2247Add.1_English.pdf [Accessed 13 Dec. 2012]
- Olsson, K. (2009). *Den (över)levande demokratin*. Ph.D. Växjö Universitet.
- Powell, J. and Thyne, C. (2011). Global instances of coups from 1950 to 2010 A new dataset. *Journal of Peace Research*, 48(2), pp.249--259.

Perry, J. (2012). *Honduras - three years after the coup*. [online] openDemocracy. Available at:
<https://www.opendemocracy.net/john-perry/honduras-three-years-after-coup> [Accessed 27 Jun. 2012].

PROAH- annual report from 2013 :

<http://www.friendshipamericas.org/sites/default/files/annual%20report%202013%20FINAL.pdf>

The Guardian, (2009). *Honduras president arrested in military coup*. [online] Available at:

<http://www.theguardian.com/world/2009/jun/28/honduras-coup-president-zelaya>

Ruhl¹⁵⁰, J. (2010). Honduras unravels. *Journal of Democracy*, 21(2), pp.93--107.

Reporters without borders 08/2011: <http://en.rsf.org/report-honduras,182.html>

Sandgren, G. (2009). "Statskuppen inte ett hot mot demokratin". [online] SvD.se. Available at:

http://www.svd.se/opinion/brannpunkt/statskuppen-inte-ett-hot-mot-demokratin_3167515.svd .

Shell, A. (2012). *The War Against Peasant Farmers Heats Up in Honduras*. [online] Climate Connections.

Available at: <http://climate-connections.org/2012/01/26/the-war-against-peasant-farmers-heats-up-in-honduras/> [Accessed 26 Jan. 2012].

Sida report. *Democracia y paz, 2002*. [http://www.sida.se/Svenska/Publikationer-och-](http://www.sida.se/Svenska/Publikationer-och-bilder/publikationer1/2002/september/demokrati-och-fred1/)

[bilder/publikationer1/2002/september/demokrati-och-fred1/](http://www.sida.se/Svenska/Publikationer-och-bilder/publikationer1/2002/september/demokrati-och-fred1/)

