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International Law and the Concept of Western Civilization

Direito internacional e o conceito de civilização ocidental

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RESUMO

Este artigo enfoca o impacto específico do direito internacional na construção do conceito de civilização ocidental. Seu principal argumento é que a Guerra Fria deu ao conceito de Western um escopo mais restrito do que costumava ter e que o fez cortando sua herança coletivista e limitando o conceito a seus cortes individualistas. O artigo está dividido em três partes. Primeiro, mostra a origem moderna e o desenvolvimento ulterior do individualismo e do coletivismo como as duas partes de uma única tradição intelectual ocidental. Em segundo lugar, descreve como a Guerra Fria quebrou definitivamente essa única tradição intelectual ocidental em dois mundos intelectuais e políticos opostos e irreconciliáveis até o ponto do banimento do coletivismo como parte das fronteiras conceituais do Ocidente. Em terceiro lugar, apresenta as implicações atuais da limitação do conceito de ocidental à América Latina, como um caso de Direito Internacional Ocidentalizado.

Palavras-chave: Guerra Fria. Civilização ocidental. Ocidentalização. Individualismo. Coletivismo. Lei internacional.

ABSTRACT

This article focuses on the specific impact of International law on the construction of the concept of Western Civilization. Its main argument is that Cold War gave the concept of Western a scope more restrict than it did use to have and that it did so by cutting out its collectivist inheritance and limiting the concept to its individualist cuts. The article is divided into three parts. First, it shows the modern origin and further development of individualism and collectivism as the two parts of a single Western intellectual tradition. Second, it describes how Cold War definitely broke this single Western intellectual tradition into two opposite and irreconcilable intellectual and political worlds up to the point of the banishing of collectivism as part of the Western conceptual boundaries. Third, it presents the today's implications of the limitation of the concept of Western to Latin America, as a case of Westernized International Law.

Keywords: Cold War. Western Civilization. Westernization. Individualism. Collectivism. International Law.

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1. Introduction

As any other social concept is a product of history. Assuming this assumption as true, this article focuses on the specific impact of Cold War on the construction of the concept of Western. Its main argument is that Cold War gave the concept of Western a scope more restrict than it did use to have and that it did so by cutting out its collectivist inheritance and limiting the concept to its individualist cuts. The work is divided into three parts. First, it shows the modern origin and further development of individualism and collectivism as the two parts of a single Western intellectual tradition. Second, it describes how Cold War definitely broke this single Western intellectual tradition into two opposite and irreconcilable intellectual and political worlds up to the point of the banishing of collectivism as part of the Western conceptual boundaries. Third, it presents the today's implications of the limitation of the concept of Western to Latin America, as a case of Westernized international region.

2. Two Irreconcilable Western Traditions

Individualism

Individualism has empiricist roots. In its modern development, it began in Great Britain with John Locke, besides Bernard Mandeville and David Hume. According to Hayek (1948), individualism reached full stature for the first time in the studies of Adam Smith, Josiah Tucker, Edmund Burk, and Adam Ferguson. This tradition continued in the 19th century mainly by the works of Alexis de Tocqueville and Lord Acton. In continuation, it would be reasonable to state that in the 20th century, Friedrich Hayek and Milton Friedman were among the leading exponents of the Western individualistic intellectual tradition.

Individualism has at least six essential parts. First and above all, it believes that is not possible to access any valid knowledge about society as a whole if we ignore the nature and interests of the individuals, which are what society is primarily made of (Locke, 1978, Mandeville, 1755, Smith, 2012/1759, Hayek, 1948). It assumes that just by understanding the parts (individuals) and their nature and interests we would accomplish the task of making intelligible the functioning of the whole (society).

A hasty approach of this first essential of individualism could lead to the assumption that it is based primarily on the defense of the existence of isolated or independent individuals (Hayek, 1948, p. 14). However, the term individualism is used to simply designate a social theory that has the individual (the part) as a starting point in its analysis of society (the whole). This empiricist social theory does not dissociate the part of the whole and therefore neither does it see the individual separate from society. Instead, it establishes a close and depending connection between individual and society. In fact, as a social theory, individualism does depart from individuals but these individuals are men of which "their full nature and character are determined by the existence in society" (p.15). Hayek insists on the argument that there is "no other way to understand social phenomena except through our understanding

of the actions of an individual before others" and that these individual actions "are guided by the expectation on what is other's behavior in response to them "(p.16).

Second, individualism defends that reason has a diminished role in human affairs. Ferguson (1995), Burke (2012), and Lord Acton (1904) dedicated much of his social theory to the defense of man reaching what achieved not by being driven by rationality, but despite the fact that he is only partially driven by reason. Hayek (1948, p.18) is explicit on this point, claiming that individual reason "is quite limited and imperfect" and that we should consider that "man not as a highly rational and intelligent, but unlike it, as a being largely irrational and fallible" (p.21).

Third, the individualistic intellectual tradition constructed the principle that the achievements of societies anchor not in the pursuit of a pre-established plan or design, but resulting from actions of free individuals seeking their own interest. Ferguson (1995, p. 15) sees that "nations face before achievements are indeed the result of human action but not the result of human design", and that "the spontaneous collaboration of free men generally creates things which are larger than the individual minds of these men could never fully understand (p.19). Hayek considers this essential of individualism as an attitude of humility and recognition of reason's incapacity to understand and control all the forces that determine the complex processes of social life:

By tracking the combined effects of individual actions, we discovered that many of the institutions on which the achievements of humanity have emerged and are working without planning mind. This point of view is a product of an unpleasant and intense awareness of the limitations of the individual mind, which induces an attitude of humility toward the impersonal and anonymous nature of social processes by which individuals help to create things greater than they know (Hayek, 1948, p. 21).

Fourth, individualism discharges society from the difficult — and often dangerous — task of seeking for a perfect and ideal leader to guide it toward the path of success. It proposes a social system that does not depend on the existence of a wise and good leadership of any specific individual or group. In this sense, individualism differs largely from the classic idealism, since it does not pursue a social order that reflects anything similar to Plato's universal and perfect *world of ideas*. By contrast, it converges with Machiavelli's modern realism, once it tries to understand individuals and society as they historically have shown to be and not like someone or some ideology believes they should be or become.

It is a social system which (sic) does not depend for its functioning on our finding good men for running it, or on all men becoming better than they now are. But which makes use of men in all their given variety and complexity, sometimes good and sometimes bad, sometimes intelligent and more often stupid" (Hayek, 1948, p. 26).

At this point of the explanation, one could fairly ask: once the main concern of individualistic social theory is not finding good and wise men to design the way individuals should improve their lives, but how to ensure that the common good will be achieved. Somewhat discouraging, the individualistic answer is short and simple: it is *not* possible to obtain such guarantee. At least not a perfect and absolute one. Furthermore, individualism argues that, despite of the absence of such guarantee, humankind has many achievements indeed. However, these achievements have rather historically derived from “a set of institutions by which man could be inducted, by his own choice and from the motives which determined his ordinary conduct, to contribute as much as possible to the need of all other”.(Hayek, 1948, p. 27).

Fifth, individualistic tradition defends the critical importance of the maintenance and protection of free institutions. By free institutions, it refers to those that embrace the individual rights, which are the main bastion of the transition to and for the constitution of what Locke (1978) named civil society. Thinkers of this intellectual tradition believe that without free institutions, there are no free individuals, and without free individuals, there is neither civil society nor citizenship (Tocqueville, 1945, Lord Acton, 1904, Bobbio, 1986).

From the assumption that free institutions plays a vital role in the functioning of social processes, another relevant question arises: how to balance the enforcing nature of institutions and individual freedom. Representatives of the individualistic intellectual tradition answer this question by insisting on clarifying that institution differs from norms. The first are founded on general long-running principals while the second are based on specific short-running rules (Mandeville, 1755, Locke, 1978, Smith, 2012, Tocqueville, 1945). On one hand, for its open nature, institutions still leaving room for individual diversity and free initiatives. On the other hand, for its specific nature, rules tend to restrain individual free initiative and chase individual diversity (Locke, 1978, Smith, 2012, Hayek, 1948, Bobbio, 1986). As the raw material of institutions, principles should be limited to what is central to the social order, being left to individuals the greatest possible and almost unlimited space for human creativity and originality (Locke, 1978, Lord Acton, 2004, Hayek, 1948).

Finally, as a logical implication of the defense of the centrality of the institutions, individualism makes a clear distinction between two types of governments: one based on general principles and other based on specific rules. These two kinds governments are actually two antagonistic responses to the same question, namely: what is and what is not under government's responsibility. The response of the individualistic intellectual tradition to this question is that a government based on general principles only is preferred as a means for generating an institutional framework capable of embracing the diversity of social affairs (Tocqueville, 1942, Acton, 1904, Hayek, 1948).

Lord Acton (1904) highlighted the serious risk of trying to submit all social issues to the government by establishing a single purpose or goal before which all other issues and concerns should submitted. For him, regardless the nature of the subject elected as the sublime interests of the government, it will end up in an authoritarian regime:

Whenever a single definite object is made the supreme end of the State, be it the advantage of a class, the safety or the power of the country, the greatest happiness of the greatest number or the support of any speculative idea, the State becomes for the time inevitably absolute” (Lord Acton, 1904, p. 138).

Although individualism has obviously many other features not mentioned in this work, the ones showed in this section can be considered a minimal set of its essentials. Nevertheless, a better understanding of the foundations of the individualistic intellectual tradition can be reached when they are seen vis-à-vis the essential of collectivism, which is individualism opposite and irreconcilable opponent (Hayek, 1948, p.27)

Collectivism

Having rationalistic roots and originality was also called individualism. Collectivism is the other strong Western intellectual tradition, according to both Tocqueville (ANO) and Hayek (1948). Actually, collectivism is “the opposite of individualism” (Hayek, 19948, p. 16) and has its modern origins in the mainland Europe, especially in France, with René Descartes. Its 18th century main representatives were Francois Quesnay, Anne Robert Jacques Turgot, and the Encyclopedists and, notably, Jean-Jacques Rousseau (Tocqueville, 1945) In the 19th century, this tradition, now with clearly collectivist cuts, had in Karl Marx its greatest exponent (Hayek, 1948). It seems to be reasonable to assume that Vladimir Lenin and Antonio Gramsci might be considered the 20th century’s most prominent representatives of collectivist tradition.

Once we check on collectivist tradition vis-à-vis the essentials of individualism, it is possible to point out also six of its fundamentals.

First, collectivism addresses society as if it were a totality that, unlike all other totalities, can be understood independently on the parties that comprise it. Thus, it is as if society existed by itself and therefore had an abstract existence, hovering unscathed over the individuals who constitute it. In a certain way, the collectivist approach continues the platonic notion of world of ideas. Furthermore, it is deeply linked to Descartes’ rationalism scientific methodology. Conversely, once it gives society an existence that is independent of men and their individual interests and motivations, it differs largely from individualism and its empiricist methodological foundation.

Second, collectivism perceives Reason with a capital R. This Reason is presented, direct or indirectly, in its attributes of universality and perfection — what once again linking collectivism with the classical Platonic tradition. From this Reason all of society's achievements derive from. Descartes expresses his belief in the superiority of individual actions coordinated by a single Reason. For him, "there is seldom so much perfection in the compound work of many separate parts, upon which different hands were employed, as there is in those completed by a single master" (Descartes, 2003, p. 185).

The French mathematician applied his view on the advantage of the existence of a single master to his social theory by making effort to show the superiority of a society built from the design of a single wise mind over other built from the no designed actions of many non-coordinated minds:

Those nations, which begin from semi-barbarous state and advance to civilization in slow steps, have had their laws progressively determined, and, as it were, forced upon them simply by experience of the hurtfulness of particular crimes and disputes, would by this process come to be possessed of less perfect institutions than those which, from the very beginning of their association as communities, have followed the appointment of some wise legislator. (...) [T]he former prominence of Sparta was not due to the prominence of its laws in particular, but due to the fact that, originated by a single individual, they all converged to a single end" (Descartes, 2003 p. 184).

Third, since collectivism believes that the achievements of humanity are anchored in a designed society, it therefore assumes that knowledge of this ideal design is available to specific individuals or groups. This knowledge can be expressed in the form of works done "by a single master", of "notes wrote by some wise legislator" as well as through laws "originated by a single individual", which converge to a "sole purpose" (Descartes, 2003, p. 184-185).

Fourth, with Rousseau collectivism marched briskly toward one of its most critical essentials: the popular sovereignty's principle.

I argue then that Sovereignty, being that nothing less than the exercise of the general will, can never be alienated, and that Sovereign, which is nothing less than a collective being, cannot be represented except by itself: the power of might indeed be transferred, but not the will (Rousseau, 1762, p. 233).

Implicit in the popular sovereignty's principle is the superposition of people as a social category that holds the knowledge of what is best for society as a whole. Rousseau's Sovereignty, with capital S, is quite the same the Descartes' Reason, with capital R. Nevertheless, with Rousseau this trace of the collectivist tradition goes even further, once after him — as the gospel *Divine Verb* — the Reason was made by people, and dwelt among much of the modern social theories since so. People become the incarnation of Descartes' *single master* and *wise legislator*.

Fifth, collectivism emphasizes the non-transferable character of popular sovereignty. While power can be transferred to the government, Sovereignty itself has to be strictly kept in the hands of people only, since it is "nothing less than a collective being, it cannot be represented except by itself" (Rousseau, 1762, p.233).

Rousseau's *general will* needs to be manifested in order to allow government to use its transferred power to enforce it. However, there is the fact that will is often more vulnerable to time than institutions. Then, what if popular will shifts in such a direction in which it collides

with society's longstanding principles and institutions? In this case, the logic of rationalistic tradition leads to a simple answer: popular will can never be alienated, not even on behalf of institutions. Therefore, Rousseau's thought can lead to tyranny of the will over general principles. In the collectivist French Enlightenment, institutions come out weakened while masses results strengthened.

Last, the collectivist tradition leads to a social order grounded and based on some kinds of government which, in order to represent the changing general will, fight for enforcing not only general principles, but specific norms as well. Thus, the response of collectivism to the question on what is in and what is out of the government's agenda is as much inclusive as possible. It is understood that, when it comes to issues to be included in the government's authority and agenda, the more the better. In sharp contrast to the response of consistent individualism, this in fact collectivist intellectual tradition argues that the establishment of general principles only is not sufficient or even effective and, therefore, it is necessary and also possible that the government set specific rules for specific situations.

Hence, specific rules are considered not only necessary but also possible. Necessary since they come up as a function of the failure and ineffectiveness of a State that settles general principles only. Possible, since they arise as a function of the rationalistic belief that there is an ideal knowledge on social processes and that this knowledge is accessible to certain individuals or groups. Following this belief, such individual or group should go beyond general principles and establish particular rules on a vast and almost limitless scope of social issues and processes.

2. Participatory democracy and its Western intellectual correspondences

The Latin-American New Left uses a vast arsenal of political terms that indeed are part of the fundamental components of the individualistic tradition. For instance, Latin-American leftist political leaders and scholars connect ALBA's governments to notion such as democracy, citizenship, constitution, and human rights. However, despite of the usage of all these nomenclature, this convergence is merely apparent. In fact, a tricky appearance, which can be uncovered by the answer to some specific enquires regarding the how participatory democracy responds to the essentials of individualism vis-à-vis those of collectivism.

First specific inquiry — Does Latin-American participatory democracy take individuals as the departing point of its understanding on the functioning of social process? This question can be directly answered, and the answer is negative. The Latin-American New Left does *not* take individuals as the central element of their view on the way social relations work out. Instead, its central element is the citizen. Initially, two important things need to be said about this answer. First, it is necessary to distinguish the citizen from the individual. For the individualistic tradition, individuals are a multifaceted entity. They are political beings and, in this dimension, they are indeed citizens. However, they are far more than this. The individualistic individual is also a full social being, considered in the whole variety of his social dimensions

and of his private interests and roles such as father and child, entrepreneur and employee, teacher and student, active worker and retired, medical doctor and patient, producer and consumer, author and reader, priest and believer, etc. (Locke, 1978, p. 107, Bobbio, 1986, p. 67). The citizen is just one part of what an individual is.

Furthermore, it is necessary to point out the Latin-American New Left's citizen is not that of the Western individualistic tradition. The participatory democracy's citizen is rather closer to "the total citizen" in the way that Rousseau's "total man" had become (Dahrendorf, 1977, p. 56). As *Emile* was demanded to spend day and night in playing his duties as citizen (Rousseau, 1972), the ALBA organization also pleads citizens to "take the political action as fact, as routine, as a life style" and emphasizes that "the call is to the urgent, radical and absolute organization of our aspirations as political subjects" (Vielma, 2015). ALBA sees citizenship not as an aspect of individual's life but as his life style. The participatory democracy's organization of citizen's aspiration as political subject is radical and absolute. Altogether, the Latin-American New Left's citizen overestimate the political dimension of the individualistic citizen. Hugo Chavez's full-time citizen is not John Locke's citizen as much as Evo Morales's democracy is Tocqueville's democracy.

Second specific enquire — Does participatory democracy accept or refuse the existence of knowledge available on human design? The answer is clear: like Descartes, the advocates of participatory democracy assume to exist as a "sole purpose" (Descartes, 2003, p. 185) for men and that specific individual or group can access it. In his seminal speech at the *Isla del Sol*, Bolivian president Evo Morales put it in a very clear way, by exposing his belief in a kind of transcendent consensus, which would be brought by Bolivarian governments in Latin America. President Morales defends his thesis that leftist regimes,

(...) go beyond representative democracy, in which power is at the service of the interests of the elites and minorities, to communal democracy in which there are neither majorities nor minorities, but instead decisions are taken by consensus, and it is reason that prevails, not votes (Morales, 2013).

Another point on this aspect of Latin-American participatory democracy is how it recognizes both an extraordinary political leader and the will of majority as the main channels through which society can have access to human design.

Leaders such as Hugo Chaves, Evo Morales, Rafael Correa, and Daniel Ortega play a primary role in participatory democracy's speech and political institutions. Each one of them seems to see themselves and are seen by their followers and intellectual supporters as holding a moral capital that is useful to call people to assume an active and central position in daily-based political activities. In this way, the role of the leader is *primary* in the sense that although the role of people is indeed central, the role of the political leader comes *first*.

Actually, the case of Venezuela shows that even when the extraordinary leader is dead his moral capital is still a precious political asset. It can be seen during 2015 crisis involving President Maduro's administration, when ALBA releases an eloquent appeal to the people to save the Bolivarian revolution. The organization makes it clear that "the revolution is what is at stake" and that if people miss this time, history will pass them by and "with it, the shame of having had the opportunity to do so and to have delegated it to others". Finally, as the last resource to constrain people to action, ALBA serves itself from the corpus of its founding leader and his moral capital by presenting a compelling interrogation: "Will Chavez have to rise from his grave in the headquarters of the Mountain to remind our political obligation?" (Vielma, 2015).

It is indeed interesting how this aspect of participatory democracy once again has close correspondence with Descartes' collectivist social theory. As previously said here, the French thinker highlighted that human design (that is, the Reason, with capital *R*) makes its path in history in the form of works done "by a single master" as well as through laws "originating from a single individual" (Descartes, 2003, p. 184-185).

Beside the extraordinary leader, the will of the majority is the second channel by which society can access human design. A further development on how participatory democracy conceives the will of majority is considered in the answer to the next specific enquiry.

Third specific enquiry — Does participatory democracy consider individual reason as imperfect and limited or as good and wise? In order to answer this question we first have to go through a relevant point regarding the Latin-American New Left: its plebiscitary nature. As said before, the Latin-American New Left defends the urgent need for "democratizing democracy" (Santos, 2006) and pushing democracy onto become more "participatory", (Ellner, 2012) is frequently said to be an effective way to strengthen the new democracies in the region (Parker, 2001). The term plebiscitary is used merely to refer to the emphasis that the Latin-American New Left gives to citizen direct participation in the decision-making processes — via referendums, plebiscites and the creation of community's councils — as the foundation of democracy (Dagnino, 2005).

The leftist defense of democracy as a *plebiscitarization* of social processes is evident in some relevant document, *The Charter in Defense of Brazil, Democracy and Labor*, for instance, received special attention out of the borders of Brazil. The manifest was published on the Bolivarian Alternative for the Americas (ALBA)'s registered website, which referred to it as an "important 'core' of Brazilian intellectuals and left-wing organizations" (Karg, 2015).

In fact, the manifesto has a significant group of supporters. It is signed by 20 social organizations such as the Unified Workers Union (CUT), the Landless Rural Workers Movement (MST) and the Students National Union (UNE), dozens of intellectuals from some of the best ranked universities of the country as well as by relevant leaders from the political and diplomatic bodies (Brazil, 2015). In its section entitled "Direct participation of citizens in public policy decisions," the Charter categorically states its plebiscitary view of democracy:

The Brazilian Constitution leaves open the possibility of citizen direct participation (art. 14) and the Fiscal Responsibility Law (LC 101/1999) recommends that governments undertake public discussions on the Budget (...). Public consultations, plebiscites and referendums should not be rare events in an enlarged democracy. It is necessary to build mechanisms to give effect to the direct participation and develop democracy in the definition of public policy, budget priorities and ways to finance them in a form that increasing social justice (Brasil, 2015).

In Venezuela, quite more often than in Brazil, the plebiscitary nature of participatory democracy can be seen in the concrete world, by means of the leftist reforms by which the South-American country has passed. The existence and activities of the *consejos comunales* (community councils), created by Chavez in 2006, are indicated and defended as the clear manifestation of the eminently participatory nature of the Bolivarian regime:

In practice, participatory democracy is manifested, for example in the communal councils. The communal councils were driven by the Chavez' government after the promulgation of the Law of Communal Councils in 2006 with the injection of a large amount of money allocated mostly to the advice in the popular sectors. The communal councils not only design projects and propose for approval at meetings of the community, but also apply for funding for their implementation. (Ellner, 2012, p.123)

Advocates of the Bolivarian regime also highlight the fact that direct participation goes beyond the decision-making process. It is shown as extended to the implementation stage as well. In some cases, the participatory character can even mean the volunteer work of citizens in public works:

It is not only that a community makes a request for a communal house or houses, but also the government or the ministry that gives money directly to the community council that performs the work on his own. Therefore, participation is direct. In some cases, construction workers are members of the same community and work is voluntary. Some amount of money is paid to the workers. That is a very important role when construction workers are from the community, and the community council does the work directly and not a contractor (Ellner, 2012, p.127-218).

In Bolivia, under the influence of President Evo Morales, Article 11 of the current Constitution shows the regime's strong commitment to direct democracy by establishing five mechanisms by which popular participation can occur (Bolivia, ANO). In Ecuador, the existing Constitution designs a complex institutional machinery supposedly responsible for channeling citizen direct participation in political affairs. This machinery is led by the Council for Civil Participation and Social accountability (CPCCS) and supported by the Ley Orgánica de Participación Ciudadana (Organic Law of Civil Participation) and the Ley Orgánica del

CPCCS (Organic Law of the CPCCS). With these elements, Article 95 of the Constitution claims to have established a system of participatory democracy (Ecuador, 2008).

The plebiscitarization process is also a remarkable characteristic of Nicaragua. Daniel Ortega's New Left administration created popularly elected neighborhood and local councils called Citizen Power Council (*Consejo del Poder Ciudadano*) as a form of improve daily citizen direct participation (Bay-Meyer, 2013). ALBA supports all plebiscitary practices, calling for "a fight for a popular democracy in its economic, social and political expressions; a fight in which the key role of people is imposed" (Parker, 2001, p.22).

Fourth specific enquire — Do institutions play the central role in participatory democracy's view on the functioning of society? No, they do not. They surely play some role but not the dominant one. This position is left to the general will. However, once again the fact arises in which will is frequently more susceptible to time than institutions. At that juncture, when popular will takes a direction in which it collides frontally with the already established institutions and longstanding principals of society, Latin-American participatory democracy stands by the former. At the extreme, are fundamental rights exempt from kneeling before their Sovereign (people's will)? Participatory democracy has a simple arithmetic answer:

The radical democracy, which is what Hugo Chavez proposed and what is built into the approved Chavist constitution in a referendum in December 1999, is the majority's democracy, in which the majority must have the last word. If the majority proposes to expropriate a business firm, it will be the majority who will decide. (Ellner, 2012, p.132).

Hence, institutions play a secondary role. This aspect of the participatory democracy gets itself in a close correspondence with the collectivist emphasis on the non-transferable character of popular sovereignty. While power can be relocated to State, Sovereignty itself, it is said to be strictly retained in the hands of people only. It is in full tune with Rousseau's already mentioned proposition that "Sovereignty, being that nothing less than the exercise of the general will, can never be alienated, and that Sovereign, which is nothing less than a collective being, cannot be represented except by itself" (Rousseau, 1762, p. 233).

Moreover, the Latin-American New Left's simplistic arithmetic view on democracy reduces its essence to a mere matter of numbers. According to this view, the will that has the greater number of supporters hangs mostly untouched over the defeated and insignificant will of the minority. What counts is the account. Even fundamental rights — as to private property and to free thought and speech — can be embraced by this reductionist mathematical notion of democracy.

Fifth specific enquire — which sphere of responsibility does participatory democracy believe to be prevail: the private or the public one? Contrasting with individualism, participatory democracy claims an extension of the public sphere of social process. ALBA — playing its role as the Latin-American New Left's more representative international arrangement —

stresses the importance of an “urgent, radical and absolute” settlement of the public dimension of men’s “political aspirations” (Vielma, 2015). A survey of ALBA’s complete on-line publications finds little — actually, almost nothing — about men’s private aspirations, as they also could be a step further in humankind’s pursuit of happiness. There is no room for a private sphere in the Bolivarian advocates’ minds.

In fact, ALBA’s call for direct and daily citizen participation in political decision-making processes necessarily brings the side effect (or desirable effect, if the Bolivarian vision is considered) of shrinking the scope of private issues. It works in cost-opportunity bases. One more step and one more minute inside the realms of public concerns corresponds to one less step and one less minute inside the field of private issues.

The ultimate consequence of this process is a society that — even on behalf of the majority and acting under a mandate given by the general will — drastically reduces the scope of issues to be decided freely by individuals. Thus, on one hand, State looms large. On the other, individual — as an entity linked, but distinct from the collective — is progressively diminished.

This system of shrinking the private dimension of human affairs confirms the previous assumption that individuals are not the departing point of participatory democracy’s attempt to understand the functioning of social process. As said before, the participatory democracy’s point of view focuses not on the individual, but on building up the total of citizens. Regarding individualism and collectivism, the Latin-American New Left processes something similar to a theoretical political alchemy. It metamorphoses a civil society of free, diverse, multifaceted and self-oriented individuals into a group of politically engaged, consensus-oriented and very similar total citizens. The latter need to be educated by the pedagogy of the public to become a participatory democracy’s citizen, which is anything but an individual. It is something else, even just a brick in the (political) wall.

3. Practical Implications

The leftist Latin-American participatory democracy constructed a set of political ideas that induces to a false dilemma. In this set, the big question proposed to “the peoples of the Americas” (ALBA, 2015) is the choice between two variations of democracy, being one the liberal and the other participatory. The latter would refer to that proposed by political leaders as Morales, Correa, Ortega and, mainly, by Chavez. This participatory democracy is shown as being broader, more inclusive and, therefore, better. A wider citizenship is seen as a natural result of the participatory nature of such kind of democracy. The direct and daily citizen participation in political decision-making process is presented as being the main evidence of citizenship expansion.

However, by submitting the so-called participatory democracy to scrutiny of two of the strongest Western intellectual traditions, this study finds that, at the beginning of the 21st century, the true dilemma faced by Latin America is not the choice between two variations of

democracy. It is rather, a matter of choosing between individualism and collectivism. In this sense, there is indeed nothing new about the so-called Latin-American New Left, as it is a new version of the old and cold fight between two Western intellectual traditions. The participatory democracy is the subtle post-cold war continuation of the previous flagrant struggle between an individualist capitalist arrangement and a collectivist socialist scheme.

Tracking the intellectual tradition to which the Latin-American New Left's participatory democracy is affiliated to or converged with, leads us to the assumption that it has no convergence at all with the essentials of individualism. Conversely, it deeply converges with collectivism and, among other threats; it undermines and perverts the democratic understanding on modern and contemporary citizenship.

A strong role attributed to plebiscites, the tyranny of arithmetic in politic affairs, the enlargement of the public agenda, and the prevalence of political leaders over institutions are some of the features of participatory democracy that reveal elements of deep convergence with collectivism. At the same time, far beyond mere abstract correspondences with collectivist ideas, participatory democracy brings critical practical implications to Latin America's politics, economy and culture.

First, in the political field, it has generated a perverse citizenship. Here is the mechanism by which it has occurred: the Latin-American New Left claims that inclusion is one of its strongest points, nevertheless, what indeed happens is not the inclusion of individuals (as free and endowed with inalienable rights), but the inclusion of new themes and issues in the public sphere and in the government's agenda. Consequently, the bigger the number of issues included in the public sphere of responsibility is, the smaller the number of issues left in the individual sphere of responsibility. The wider the scope of Latin-American leftist governments' authority the narrower is the scope of individual's freedom. In the same way, the greater the range of topics submitted to the public sphere is which depends on public decision, the smaller the space left for decisions made by real free citizens.

Once we consider the essentials of individualism as true, we are pushed to agree that the inclusive citizenship claimed by the Latin-American New Left is, indeed, an invasive citizenship — if it is any kind of citizenship at all. Truthfully, it is a vast invasion. Sometimes it is an invasion of the individual right to free thought, free expression and free press, sometimes to the individual right to free association and most of times an invasion of individual rights to free economic initiatives. This invasive nature of the Latin-American New Left's citizenship fully converges with the rationalistic-collectivist assumption that social groups' majorities (or someone acting in its behalf) holds the privilege of knowing what is best for society as whole as well as for individuals in particular.

As thought by the individualistic tradition, inclusion means the addition of the bigger number of free individuals into the social process. As thought by the so-called Latin-

American New-Left, inclusion means the addition of a bigger number of issues into the public sphere of responsibility.

ALBA's call for "taking the political action as fact, as routine, as a life style" is quite convergent with Rousseau's "total man" (Rousseau, 1973, p.15). However, as noted by Bobbio (1986, p. 55), "the Rousseauian individual called to participate from morning to night to exercise his citizen's duties is not the total man but the total citizen". This leftist Latin-American total citizen holds a perverse citizenship, which expropriates men from their individuality and diversity to submit them to a process of integral politicization:

The total citizen and the total state are two sides of the same coin: considered either from the point of view of the people or from the point of view of the prince. They have the same principle in common: that everything is politics, that is, the reduction of all human interests to the interests of the polis, the integral politicization of men, the conversion of man into the citizen, the complete elimination of the private sphere on behalf of the public sphere, and so on. (Bobbio, 1986, p. 55).

Participatory democracy's total citizens and its perverse citizenship collide frontally with individualistic tradition defense of the critical importance of the maintenance and protection of free institutions. Once these free institutions refer to those that embrace individual rights, as the main citadel of what Locke (1978) baptized as civil society. The Latin-American perverse citizenship contrasts completely with the intellectual tradition that supports the assumption that without free institutions, there are no free individuals, and without free individuals, there is neither civil society nor citizenship (Tocqueville, 1945, Lord Acton, 1904, Bobbio, 1986).

Second, in the economic field, participatory democracy undermines the already fragile Latin-American countries' institutional support for innovation and creativeness. An invasive democratic atmosphere might lead society to de-stimulate innovation (Schumpeter, 2012) as much as a genuine democratic atmosphere is important to reinforce it.

This further weakening of Latin America innovative atmosphere in part derives from the fact that participatory democracy's mindset underestimates the individualistic tradition's proposition that an individual using his own knowledge about himself and pursuing his own interests can create and do things that result in the provision of the greater good to a greater number. It also arises as a practical implications of participatory democracy disagreement with individualistic assumption that the lower the individual's sphere of responsibility, the lower is the incentive towards knowledge, creativeness and innovation. History has already shown that the fewer these stimuli are, the lower the diversity of human activities and actions (whether in politics, economics, technology, the arts or ideas). The fewer innovations and diversity in Latin-American nations, the greater would remain in their dependence upon a single decision-making center, a single economic activity or a single set of ideas.

In simple international political economy's language, leftist measures and speeches that contribute to undermine free institutions affect the vital role that they play in the functioning of civil society's process, as a way of balancing the enforcing nature of State and individual freedom. While institutions, due to their general and abstract nature, still leave room for individual diversity and free initiatives (Mandeville, 1755, Locke, 1978, Smith, 2012, Tocqueville, 1945), the large array of participatory democracy's norms and rules, for its specific nature, tends to restrain individual free initiative and chase individual diversity (Locke, 1978, Smith, 2012, Hayek, 1944, Bobbio, 1986). If the State role is pushed too much as well as collective decisions instead of stimulating individuals to explore and maximize their almost unlimited space for human creativity and originality (Locke, 1978, Lord Acton, 2004, Hayek, 1948).

Last but definitively not least, in the cultural field, a continuation or even development of participatory democracy can both strengthen even more Latin-American paternalistic State's culture and weaken even further the already insubstantial individualistic culture of civil society's autonomy (Locke, 1978, Tocqueville, 1945). The evolution of individualistic tradition more recently concluded that "culture matters" (Harrison; Huntington, 2000) even when it comes to economic development. With Latin America reaching the level of citizens' direct engagement in government agenda as dreamed by Latin-Americans, it will subtract little of their time, energy and creativeness to focus on individual agendas as well as individual free association in non-political groups and adventures.

When individualism moves past an intellectual tradition and becomes a cultural commonwealth, citizens are stimulated to count less on decisions made in the public sphere and more on themselves, that is, on self-discovery, self-discipline, self-development, and self-denial (Evans, 1942). The Latin-American New Left almost ignores these liberal arts as valid cultural paths towards both democracy and development. In a fully participatory democracy, there will not be enough room for citizens to proclaim that neither society is a baby nor government is a babysitter.

At the political dimension, they pervert the historical individualistic tradition of inclusive democracy by establishing invasive regimes, which widen not the scope of individual liberties but the scope of government's authority. At the economic dimension, they weaken even more the historically fragile Latin-American institutional support for innovation and creativeness. At the cultural dimension, they undermine the Enlightenment values related to the creation of an emancipated civil society and feed the continuation of a prevailing paternalistic relation among society and the state.

In its individualist foundation, democracy is not measured neither by how many times a month citizens are called to take part in public decision-making nor by how many new issues are brought into the public sphere of responsibility (Tocqueville, 1945, Bobbio, 1986). What really matters is how free citizens are to either participate or not in matters as to how

wide the room still is for those issues to be left to be decided upon privately by individuals themselves.

In short, trespassing or drastically bringing back the edges of individualism and of individual rights — whether by diktats or by plebiscites — comes not to a better but to total citizens, not to a wider but to a perverse citizenship.

4. Conclusion

Since the Cold War gave the concept of Western a scope more restrict than it did use to have and that it did so by cutting out its collectivist inheritance and limiting the concept to its individualist cuts, the yet strong presence of collectivism in Latin America is a way of refrain the region of advancing its process of Westernization. It does not make the region part of any other civilization. However, it pushes the region onto a position even more distant from the historical evolution of the concept of Western Civilization.

Morse (1988) had shown us that Latin America is part of the Western but did not followed up neither filled up the changes that by which the Western had passed during the 18th century Enlightenment. What we show here is that during the Cold War time the dynamic concept of Western civilization has once again step forward and that Latin America one more time resists to properly fit this new conceptual move.

We do not argue that it is good or bad *per si*. We just point out that it is a reality and what are some of the potential practical implications of this Latin American historical choice regarding law, economics, politics, and culture. Lafer (2004), referring to the largest country of region, calls it as the other Western. Taking into account the historical dimension, we rather would call it the old Western.

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