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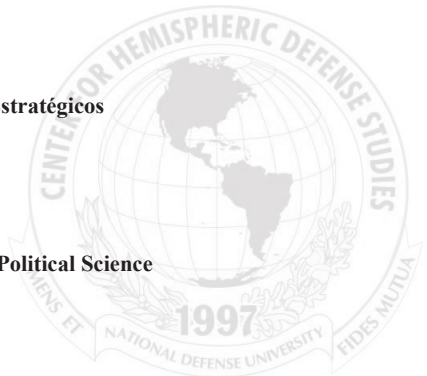
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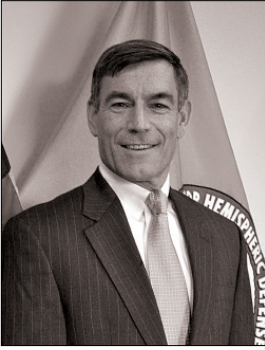
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Message from the Director



In the Fall–Winter 2011 volume, the Center for Hemispheric Defense Studies is pleased to offer the research and writing of several CHDS scholars as well as the contributions of a number of our alumni, friends, and collaborators. We think it is a rich and thought-provoking issue and we hope it stirs your interest. We are pleased to report that the *Review* continues to attract growing reader interest in both North and Latin America and that the previous issue on “Women in Defense and Security” has been our most popular issue and attracted a great deal of attention.

We are grateful that Prof. Howard J. Wiarda, one of the country’s leading scholars of Latin America, agreed to step in in emergency circumstances to serve as Guest Editor of this issue. His assistant, Ms. Patricia Kehoe of Georgetown University, did unselfish and yeoman service in helping get this issue out in a timely fashion. We are also pleased to announce the addition of Ms. Yamile Kahn, formerly of the Woodrow Wilson International Center for Scholars, as the new Managing Editor of the *Review*.

We begin this issue with three policy statements. Former Ambassador Cresencio Arcos, Political Advisor at CHDS, offers a provocative statement about U.S. policy in Latin America as well as his own policy recommendations. Prof. María Luisa Parraguez Kobek provides an analysis of the Council of Defense Ministers of the Americas meeting in Santa Cruz de la Sierra, Bolivia, in 2010, as well as the emergence of such new and perhaps rival defense and security institutions as ALBA and UNASUR. CHDS Scholar R. Evan Ellis then updates his highly regarded book on the same subject with his analysis of the possibilities for cooperation as well as competition between the United States and China in Latin America.

Next comes a section of detailed country and regional studies. Prof. Ivelaw Griffith of York College of the City University of New York is a longtime Caribbean expert and a longtime friend of CHDS; he contributes an insightful article on Désiré Bouterse and the little-known but deeply troubled country of Suriname. Then CHDS’s own David Spencer, former Professor of International Security Studies, adds a penetrating analysis of Colombia’s revolutionary guerrilla group, the FARC. Spencer’s analysis is part of a larger study on Colombia carried out by CHDS that includes a recently published monograph, “Colombia’s Road to Recovery: Security and Governance 1982-2010,” as well as a book and several articles and occasional papers in process. Finally in this section we include Sérgio Luis Cruz Aguilar’s fascinating study of South American participation in UN peace operations since 1947.

There follow four articles on security and strategic issues. Prof. Jaime García of CHDS deals with the complex issue of strategic leadership in national defense. Then comes an article by W. Alejandro Sánchez of the Council on Hemispheric Affairs with the intriguing title, “*Sangre Joven*.” Dr. Vicente Torrijos next weighs in with an article on “legitimate defense” in which he assesses the laws of war on preventive or preemptive action. Dr. Juan Gómez then deals with the complex issue of using the armed forces, as distinct from the police, to combat domestic violence, crime, and gangs.

Our next section is designed to raise questions and discussion about military coups.

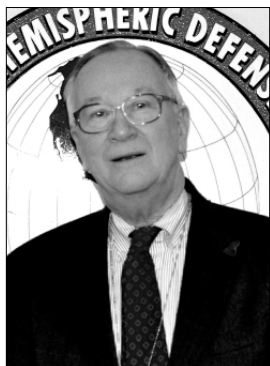
First, CHDS Professor Kevin Newmeyer offers a critique of the Honduran coup of 2009 and proceeds to the strong inter-American condemnation of it. Next, CHDS analyst Howard J. Wiarda and his collaborator Hilary Collins reveal that 12 of the 20 Latin American countries (60%) include articles in their constitutions that could be used to justify military intervention in the political process. We end with two articles, one on Venezuela by Dr. Hernán Castillo and the other on Ecuador by Dr. Luis Hernández, that illustrate the complexity of these issues. Every country is different and the history, sociology, and politics of civil-military relations are different in each.

We include five book reviews here, all by CHDS scholars and associates: Matthew Finger's on Jodi Vittori's *Terrorist Financing and Resourcing*; Joanna Gillia on Cristina Marcano and Alberto Barrera Tyszka's *Hugo Chávez*; Patricia Kehoe's review of Hal Brands' *Latin America's Cold War*; Celina Realuyo on Joseph Nye's *The Future of Power*; and Robert Taylor's review of Jorge Castañeda's *Mañana Forever*.

We invite our friends, readers, officials, and scholars throughout the Hemisphere, North and South, to explore the ideas and themes presented in this issue of *SDSR* and to consider the possibility of contributing to our journal.

With best regards,
Richard D. Downie, Ph.D.
Director, CHDS

Introduction



I was honored when Dr. Richard Downie, Director of the Center for Hemispheric Defense Studies, asked me to serve as Guest Editor of this issue of the *Review*. CHDS has been seeking to elevate its research, publications, and scholarly research efforts, and I was pleased to be able to assist in this process. In putting together this issue on short notice, I was happy to have the outstanding assistance of Ms. Patricia Kehoe, a student at Georgetown University who has provided heroic work and good judgment. Thanks Trish; we wish you all the best in your future career.

We begin this issue with an important and intriguing policy statement by Ambassador (Ret.) Cresencio Arcos, who also holds the position of Political Advisor to the Director at CHDS. Amb. Arcos's article began as a speech at London's Royal College of Defence Studies, and has been refined into the article we publish here. Amb. Arcos begins with a brief history of U.S.–Latin American relations, then analyzes with first-hand and high-level insight the time period and countries he knows best, Mexico and Central America in the 1980s. Amb. Arcos argues intriguingly that U.S. defense policy has not been retooled after the Cold War, nor has foreign policy paid much attention to Latin America. He concludes by analyzing the lack of a skillful and powerful lobby to elevate Latin American interests in the United States and urges a mature, long-term consistent policy toward the region.

Next comes a policy paper by Prof. María Luisa Parraguez Kobek of the Technical University of Monterey in Mexico City. Prof. Parraguez Kobek, who holds a Ph.D. in international relations, provides an analysis of the regional concerns and challenges presented in the Declaration of Santa Cruz de la Sierra as a result of the IX Conference of Defense Ministers of the Americas (CDMA) held in Bolivia in 2010. The paper focuses on the importance of cooperation in defense and security matters in the region, specifically on the advancement and the implementation of measures of confidence promotion and security recently approved by the South American Defense Council (SDC) of the Union of South American Nations (UNASUR). Intriguingly, Prof. Parraguez Kobek also analyzes the emergence within both UNASUR and ALBA of security studies programs intended to compete with CHDS.

Adding to the policy commentary, Prof. R. Evan Ellis provides us with an overview of both the cooperation *and* the competition in U.S.-China relations in Latin America. Ellis is Professor of National Security Studies at CHDS; his book on U.S.-China relations in Latin America is recognized as the best volume on the subject. Here, Prof. Ellis updates his earlier analysis in the light of recent developments. He notes that while both the departments of State and Defense have expressed concern about rising Chinese investment in Latin America, they have refrained from calling it a threat. He looks at the areas of cooperation between the U.S. and China in Latin America but warns that competition between the two powers may also lead to misunderstandings. Overall, he hopes for a win-win situation in which both the U.S. and China forge new and constructive relationships with the region.

Turning to country and regional studies, we begin with Prof. Ivelaw Griffith of York College of the City University of New York and his study of the reemergence of Désiré

Bouterse as political leader of Suriname. Not many people study the former Dutch colony or its neighbors, English-speaking Guyana and French-speaking Guiana. Though geographically a part of South America, culturally, sociologically, and politically they are not; nor are they treated in many textbooks on Latin America, and few of us know much about them.

Griffith, a longtime student of the Caribbean, to which the three former Guianas are often closer than they are to their Portuguese- and Spanish-speaking neighbors, concentrates on Suriname and the emerging threat there. Suriname is a troubled country politically, racially, and economically; it is one of the main sources of drugs for Europe and North America. It also has disputes with its neighbors over borders and could become—maybe already is—a failed state. Now it is under the control of Bouterse, an elected leader but usually thought of as a thug, a murderer, a coup-maker, a convicted (in the Netherlands) felon, and a narco-trafficker. Griffith helps us understand Suriname and wrestles with the hard questions of what to do about Bouterse.

Next, Prof. David Spencer, formerly of CHDS and now serving as Colombia Country Director at OSD, provides a detailed—and disturbing—history of FARC strategy in Colombia. The Revolutionary Armed Forces of Colombia (FARC) is one of the oldest and longest-lasting revolutionary guerilla armies in Latin America. Even after the end of the Cold War, which doomed a number of other revolutionary groups, FARC continued to grow. Largely cornered, defeated, and destroyed by President Álvaro Uribe and Plan Colombia, FARC still hangs on, a shadow of its former self but still lethal. Based on FARC's own captured internal documents to which he has been given access, Prof. Spencer traces FARC's history from the 1980s to today and suggests that it has the capacity not to win, but nevertheless to survive indefinitely.

Expanding our analysis from country case studies to regionwide analysis, we now have Prof. Sérgio Luis Cruz Aguilar's study of South American participation in United Nations peacekeeping operations. Between 1948 and 1988 the UN engaged in 13 peacekeeping operations; since 1988 the number has increased to 67, involving more than a million police, military, and civilian officials. The South American countries, especially Argentina, Brazil, Chile, and Uruguay have been a significant presence in these operations. The author presents a balance sheet of the South American countries in peacekeeping and the legal requirements that regulate their participation. In his conclusion he offers some considerations about this accumulated experience and explores the rationale for the South American countries' participation in peacekeeping.

We now turn to a series of four articles dealing with general strategic and security issues. Our leadoff article in this section is by Dr. Jaime García, Professor of National Security at CHDS. Prof. García's focus is the role of strategic leadership in defense. He argues that whether you are leading a small or large country, the importance of implementing a system of strategic leadership in governance is the same. The components of an effective system of strategic leadership are: the definition of a strategic political model, planning and direction (both strategic and administrative), execution, and strategic communication. The article includes examples and explanations of how to carry out these components to greatest effect. Strategic leadership, Prof. García argues, occurs at all levels of government and in the military, from a country's president down to lower-level leaders, and good strategic leaders exploit the channels of communication among different levels. Ultimately, the best strategic leader should be able to influence the conduct of the organizations under his or her

command through understanding and proper exploitation of the components of a system of strategic leadership.

The next article in this section is by W. Alejandro Sánchez, Research Fellow at the Council on Hemispheric Affairs (COHA). Sánchez's title, "*Sangre Joven*," is intriguing; by that he means the new revolutionary groups in Latin America that have replaced, joined forces with, or grown up alongside the older guerilla groups. In general, Sánchez finds Latin America to still be a violent area, and he provides an overview of the security situation in the region. Though the Cold War is over and Latin America is more developed and democratic than before, he posits that new revolutionary groups may emerge again. He then examines the trajectory of the long-established groups as well as the ideology of the newer ones, such as the Mexican EPR or the Paraguayan EPP. He provides a useful classification ranging from terrorist organizations to insurgencies to criminal organizations. In the same vein as Prof. Spencer's article above, Sánchez concludes that, despite recent defeats, violence and violent groups in Latin America may be with us for a long time to come.

Prof. Vicente Torrijos, of the University of Rosario in Bogotá, Colombia, explores the concept of "legitimate defense" in a context where the European Union, the United Nations, and many nations have increasingly, except in exceptional circumstances, sought to rule out the use of force in solving either domestic or international conflicts. Dr. Torrijos begins with a historical treatment of the classical concept of self-defense. He explores its main features and requirements. But the heart of his analysis is the evolution of this legal institution in recent times, particularly in response to the newer doctrines of preventive or preemptive self-defense. Writing from the perspective of international law, Dr. Torrijos sets forth the concept and argues for a newer strategy of "preventive self-defense."

The final article in this section, by Dr. Juan Gómez, recently named Director of the Colombian Air Force Post-Graduate School and a former CHDS visiting fellow, deals with the increasing use of the armed forces, as distinct from the police, to fight not classical war and in the defense of national borders and security, but to combat domestic criminal activity. Gómez is aware of the pressures pushing governments to employ the armed forces in opposition to domestic criminal activity, rising violence, and armed gang activity. In countries such as Colombia and Mexico, the regular armed forces have been deployed in the wars against drugs and revolutionary armed groups when the police, with their smaller weapons, proved inadequate. Dr. Gómez recognizes the dangers of using the armed forces for domestic missions but he believes such use to be viable and necessary. What is important, he says, is to know when and how to employ them.

We include a special section in this issue entitled "Cooperation and Controversy." We begin in this part of the *Review* with an article by CHDS Professor of National Security Kevin Newmeyer on the Honduran coup d'état of 2009 and the inter-American response to it. Prof. Newmeyer is strongly critical of the coup and supportive of both the inter-American Charter of Democracy, which condemns such military takeovers, and the Organization of American States (OAS), which imposed sanctions on Honduras.

More controversial is the article by Hilary Collins and this author, reprinted in revised form from a Center for Strategic and International Studies (CSIS) publication, entitled "Constitutional Coups?" The authors begin with a comment by one of the giants of Latin American studies in the United States, the late Kalman Silvert, that coups and revolutions are a normal, recurrent, and regular part of the political process. Instead of being approving or disapproving, the authors go back to the original language of their constitutions, discov-

ering that 12 of the 20 countries have articles that allow the armed forces to play a political role as almost a fourth branch of government. Depending on your point of view, you can interpret these articles as (1) providing a constitutional justification for military takeovers; (2) contradicting the inter-American democracy charter; (3) providing a realistic picture of Latin American civil-military relations; or (4) all of these.

But the issue is more complicated than that. Every country is different. The countries differ in terms of their economies, sociologies, politics, level of development, as well as civil-military relations. Generalizations that purport to cover all the countries are often inaccurate. Every situation is nuanced and the context of civil-military relations changes over time. What may have been more or less “acceptable” behavior (staging a coup) in an earlier period may no longer be so in the present circumstances.

For that reason we include two articles here on two different countries that illustrate these points. First, Dr. Hernán Castillo of Simón Bolívar University in Caracas analyzes “Cultura Política y Fuerzas Armadas en Venezuela.” Then, Luis Hernández, an independent political-military analyst and former Ecuadorean *constituyente* assembly member discusses, “El Control Civil de las Fuerzas Armadas en el Ecuador.” Both authors are thoroughly familiar with their own countries’ history and politics. Both discuss civil-military relations within the dynamics of these two very different countries. And both come to complementary but very different conclusions. The same could likely be said about civil-military relations in every country: every country is different—there are no hard rules that apply to all of them. We are left with the age-old dilemma: Can we generalize about all of Latin America or must every country be treated differently? One clear generalization emerges out of these four articles: the less developed the country, the less institutionalized it is, and the weaker the civil society, the more likely it is that the armed forces will or will be called upon to step into domestic politics.

We conclude this issue with a section of book reviews: Matthew Finger’s review of Jodi Vittori’s *Terrorist Financing and Resourcing*; Joanna Gillia on Cristina Marcano and Alberto Barrera Tyszka’s *Hugo Chávez*; Patricia Kehoe’s review of Hal Brands’ *Latin America’s Cold War*; Celina Realuyo on Joseph Nye’s *The Future of Power*; and Robert Taylor’s review of Jorge Castañeda’s *Mañana Forever*.

We think this is an exciting, readable, and stimulating issue of the *Review*; we invite our readers, scholars, and practitioners in Latin America, the United States, and worldwide to offer their comments or to submit a contribution of their own.

Howard J. Wiarda
Guest Editor

POLICY STATEMENTS

U.S.–Latin American Security Ties: Episodic Relationships*

Ambassador (R.) Cresencio Arcos

Anyone who attempts to address the current state of U.S.–Latin American security relations first encounters the “existential” conundrum: Does the United States truly have a defined strategic interest in the region and does it place it as a priority? Another challenge is the difficulty in explaining U.S. stated policy and its historical underpinnings. It is necessary first to review the somewhat “muddled” relations in their historical context.

In the aftermath of the Louisiana Purchase (1803) and the declaration of the Monroe Doctrine, Latin America moved toward independence. The United States shortly after began showing expansionist interest in Texas, California, and Florida. By the start of the U.S.-Mexican war (second of five constitutionally declared wars) in 1846, both Texas and California had already been admitted into the Union. The peace treaty with Mexico (Guadalupe-Hidalgo, 1848) ratified this acquisition along with the New Mexico Territory. During the United States Civil War, President Lincoln, who had previously decried (while in Congress) the Mexican War (1846–48) as “unjust,” provided political and logistical support to President Benito Juarez to repel the French-supported incursion. In the 1898 war with Spain (third declared war) the United States acquired Cuba, Puerto Rico, and the Philippines, along with the Chamorro Islands (Guam) and the Mariana Islands. This added significantly to the U.S. Pacific presence. Almost immediately after, the U.S. role in helping Panama “break away” from Colombia became evident. Subsequently the Panama Canal became the avowed strategic interest of the United States

Plainly, as the 20th century began, the United States had demonstrated a predominant position in the Western Hemisphere over its southern neighbors and continued a series of intermittent interventions in the region (Nicaragua, Venezuela, Panama, Mexico, Haiti, and others). During the Mexican Revolution (1910–20) the United States became alarmed about German interest (Zimmerman letter) in recruiting Mexico as an ally in the event of a world war. Moreover, a U.S. envoy (Lane Wilson) purportedly was involved in the removal (assassination) of Mexican President Madero. Hence, the American ambassador became the poster child for U.S. meddling in Mexico. Later, President Franklin Roosevelt, in his inaugural address, introduced the Good Neighbor Policy as the first conciliatory and considerate overall treatment of Latin America. The result was that Mexico, Colombia, and Brazil actively sided with the Allies during World War II by sending combat units to the Pacific and Europe.

In the wake of the Allied victory, the U.S. retooled its defensive capabilities as it anticipated the Cold War. This included the 1947 National Security Act, which created the CIA, the National Security Council, and the Defense Department, which includes the Joint Chiefs of Staff. In Latin America, the United States led the Pan-American Union in becoming a redefined and politically strengthened Organization of American States (OAS). Additionally, the Rio Treaty was forged as a hemispheric collective defense commitment

*This policy statement has been adapted from a presentation given at The Royal College of Defence Studies London, UK, on April 14, 2011.

to the Western Bloc in the Cold War. In 1952, in a policy recommendation memorandum to Secretary of State Dean Acheson, George Kennan (father of the Containment Policy) identified the Latin American military establishment as the only institution in the region capable of an effective role in the Cold War. The Guatemalan episode (1954), with U.S. participation, resulted in the toppling of leftist President Arbenz. Additionally, the 1954 U.S. Military Assistance Act evolved from this period. This policy arrangement provided the ideal vehicle for U.S. military support in the region. The second Cold War event in Latin America to cause U.S. direct involvement was Fidel Castro's ascendancy in Cuba (1959). It resulted in the Bay of Pigs fiasco for the United States (1961) and culminated with the most serious U.S.-Soviet direct confrontation of the entire Cold War: the Cuban Missile Crisis (1962). This denouement brought the superpowers to the brink of a thermo-nuclear exchange. In addition, it should be noted that the Alliance for Progress, a massive economic infusion of U.S. aid, was created by President Kennedy out of the perceived Soviet-Cuban threat to the region. With the increasingly costly U.S. involvement in Vietnam, however, the Alliance sputtered and had lost its way by the late 1960s.

The third and final U.S. Cold War direct engagement in the Hemisphere was again in Central America (1979–91). The Soviet Union had opportunistically supported the successful Sandinista Revolution (1979). At the same time, the Cubans encouraged and supported the Farabundo Martí National Liberation insurgency (FMLN) in El Salvador. This involvement in the Central American region included U.S. support of the Nicaraguan Resistance (Contras), who had a stated goal of arms interdiction but informally sought to undermine the Sandinista Regime. This decade-long support of the Contras (circa 20,000 strong) helped nudge the Sandinistas to ultimately seek an electoral process, which they lost. The United States opted to support a “political” solution (elections) in Nicaragua. The GHW Bush administration recognized that the Reagan administration policy with regard to Nicaragua was one of “insufficiency.” A defeat or weakening of the Sandinista Regime by the Contras was not feasible with the inadequate and inconsistent congressionally approved military assistance. The situation was further exacerbated by the lack of any meaningful effort to attain a political or diplomatic solution. However, the notable feature of U.S. policy in this final Cold War encounter was “rollback.” The Reagan administration exceeded a “containment” policy effort. It sought to roll back the Soviet Bloc out of the Central American isthmus. It was a parallel policy to U.S. efforts in rolling back the Soviets in Afghanistan. Unlike in Afghanistan, the declining Soviet power welcomed the electoral defeat of the Sandinistas (1990) as a face-saving way out. Subsequently, the Cuban-backed FMLN (1992) agreed to a cessation of hostilities in El Salvador. The Soviet Union's impending demise doubtlessly influenced both Soviet and Cuban support for liberation movements. Eventually, Moscow central resources effectively disappeared, whereas the United States was able to extricate itself with satisfactory results in the region.

The post-Cold War period (1991–2001) revealed a “non-retooling” of U.S. military capabilities corresponding to the emerging “asymmetrical” threats: organized crime, international terrorism, and illicit drug trafficking. This last challenge has helped to underwrite and replace formerly Soviet-Cuban financed insurgencies. Moreover, the 9/11 terrorist attack refocused U.S. policy and engagement in the world.

Meanwhile, in Latin America this horrific event coincided with the rise of Hugo Chávez in Venezuela and its subsequent Bolivarian and ALBA initiatives. Chávez's political behavior and foreign policy objectives became suffused with anti-Americanism. His

windfall petroleum earnings have enabled him to defiantly oppose U.S. policy and have increased his potential for political and security mischief in the region. This has resulted in a challenge to the hegemony of the United States, which has lessened its commitment of resources to the region significantly. Both the second Bush and the Obama administrations have seen U.S. influence diminished in the hemisphere. In the early days of these challenges it could be heard as “In Latin America the Left no longer fears the Americans, and the Right has lost its respect for the United States. Both ideological camps have incorrectly assumed that the United States would readily smash the Left, and when nothing occurred this sentiment became pervasive. Chávez’s oil billions greatly enabled him to win friends and keep his enemies in check owing to their dependence on oil (12 percent of U.S. oil imports). Chávez is perceived as a threat by many security analysts, but currently it is the insidious nature of illicit drug cartels that has gathered momentum and become the greater immediate challenge for the entire region.

As for Colombia, together with the United States it has achieved great success in quelling and weakening the FARC insurgency, but has not eliminated the cultivation, production, and trafficking of cocaine. The narcotics criminal enterprise continues to expand throughout the region. Nonetheless, Colombia under former President Uribe is generally thought to have achieved great success restoring stability to the country. This success could well be a Pyrrhic victory, however.

Recently, Mexico’s drug cartels have caused a great deal of insecurity and violence. There is no recognized insurgency in Mexico. Organized crime, which engenders violence and widespread corruption, persists. Ironically, the criminal threat to the Mexican state is further aggravated by its proximity to the United States, which is the largest narcotics market in world, and the easy access to sophisticated firearms along the U.S.-Mexico border. In sum, the cartels, with enormous capacity for corrupting institutions and generating widespread violence, have weakened Mexico’s fledgling democracy.

Additionally, Central America, suffering from endemic official corruption, is today a narcotics transit area increasingly becoming a criminal zone of contention. Some political observers are predicting that Mexico and Central America may become candidates for failed-state status. This has compelled the United States to seek a Colombia-like solution for these countries to overcome these asymmetrical criminal threats. But unlike Colombia, this northern part of Latin America has not produced an effective leader along the lines of Álvaro Uribe. Furthermore, Mexico’s national will has not yet effectively manifested a robust demand for successful government control of the violence. Clearly, the post-Cold War security challenge in Latin America has become fundamentally a law enforcement issue that is further magnified by endemic corruption and in some cases by incipient insurgencies.

Lastly, the strategic threat for the United States in the region that looms in a more traditional fashion is China. Its economic development needs require enormous quantities of basic commodities, such as oil, bauxite, lithium, and uranium, which are present in Latin America in sizable amounts ready to be extracted. In fact, the Western Hemisphere is second only to Asia in terms of Chinese investment in these resources. One difficulty afflicting the United States is its lack of clarity in its policy toward China. The U.S. ambiguity has not allowed a clear definition of China’s position, which oscillates from being regarded as a *competitor*, a *rival*, or an *enemy*. Furthermore, the role of China as a significant U.S. creditor further vexes U.S. policy-makers. The Chinese challenge may become strategic in

nature as it threatens U.S. traditional influence in Latin America. Hence, the United States' focus should be in seeking a mature and equal partnership with the countries of the Western Hemisphere. The United States should further encourage its southern neighbors to promote civil-military engagement in developing sound national security strategies.

Another element to consider is the Iranian presence in the region, which, though limited, serves as a reminder of its potential capacity to carry out terrorist activities. This will undoubtedly require not only strategic consideration but a pragmatic approach to counter the possibility. Iran may seem to be interested in the Hemisphere, but currently the nature of its efforts suggests they are purposely limited. Currently, it appears Teheran may be seeking a position in the region to merely rattle the United States.

In conclusion, a U.S. perceived retreat or abdication from Latin America along with a lack of an adequate security/defense retooling to address the looming asymmetrical and conventional threats is counterproductive. It should be noted that in Washington, Latin America has not attracted powerful and influential domestic constituencies as has Europe, the Middle East, the Asia-Pacific, and even Africa with numerous and effective U.S. NGOs. As a result, Latin America lacks the influential presence of a powerful and skillful "lobby" to ensure that U.S. policy makers stay consistently focused on the region.

Securing Defense and Cooperation in South America: Geopolitical Changes, UNASUR, and the SDC

María Luisa Parraguez Kobek

ABSTRACT

This academic paper provides an analysis of the regional concerns and challenges presented in the Declaration of Santa Cruz de la Sierra, as a result of the IX Conference of Defense Ministers of the Americas (CDMA) held in Bolivia in 2010. It focuses on the importance of cooperation in defense and security matters in the region, specifically in the advancement of the implementation of measures of confidence promotion and security recently approved by the South American Defense Council (SDC) of the Union of South American Nations (UNASUR).

The South American Region in Perspective

Hemispheric integration is not a new idea. Its inspiration dates back to Simón Bolívar at the Congress of Panama in 1826, where he first proposed joining the region's nations against external imperial domination. This initiative was followed up at the First International Conference of American States in 1889-1890 in Washington, D.C., which gave birth to what in 1948 became a regional organization under the Charter of the Organization of American States, thus making the OAS the oldest regional organization in the world. Article 1 of the OAS Charter states that the goal of the member nations in creating the OAS is: "to achieve an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity, and their independence."¹ Currently, the Organization is composed of 35 independent states of the Western Hemisphere, and its current agenda includes: strengthening democracy; working for peace; defending human rights; fostering free trade; fighting the drug trade; and promoting sustainable development.²

Following the attacks on Pearl Harbor during World War II, the Inter-American Defense Board (IADB) was established in 1942 as a regional organization for the protection of and collective defense against extra regional threats in the Western Hemisphere. It is considered the oldest permanent organ for military cooperation in continuous operation in the world. Its chairmanship has only been held by two nations: the United States of America (1942-2006) and Brazil (2006-present).

Since the terrorist attacks on September 11, 2001, there have been attempts to modernize and to expand its original perspectives on territorial integrity. In 2006, with elected governments in the region holding sway, the IADB was officially recognized as part of the OAS, making it subject to its statutes: "The Board and the Organization of American States share common objectives under the OAS Charter and respect for the principle of civilian oversight of the armed forces within the context of representative democracy."³ Made up of the Council of Delegates, the Secretariat, and the Inter-American Defense College for advanced academic training of its members, the IADB is an advisory body with headquarters in Washington, D.C., that provides technical advice and services to the OAS.

After the fall of the Berlin Wall and a change in the international system, the 1991 Santiago Commitment to Democracy⁴ became a cornerstone of the renewal of the Inter-American System, initiating a process of consultation on hemispheric security. It was followed up by the First Summit of the Americas⁵ in Miami, Florida, in 1994. There the member nations instructed the OAS to:

...follow up on and expand topics relating to confidence and security building measures; analyze the meaning, scope, and implications of international security concepts in the Hemisphere, with a view to developing the most appropriate common approaches by which to manage their various aspects, including disarmament and arms control; and pinpoint ways to revitalize and strengthen the institutions of the inter-American system related to the various aspects of Hemispheric Security.⁶

As a result of this process, in 1995 the OAS institutionalized the Committee on Hemispheric Security (CHS) as a Committee of the Permanent Council of the OAS.

In addition, and as a response to the post 9/11 challenges, the new security agenda for the hemisphere assumed a multidimensional approach with regard to security. This was discussed and adopted at the Special Conference on Security held in Mexico City in 2003, which stated that the security of states of the Hemisphere is affected by traditional and new threats including: terrorism, transnational organized crime, the global drug problem, corruption, asset laundering, and illicit trafficking in weapons. It also mentions that extreme poverty erodes social cohesion and undermines the security, stability and democracy of states. Other challenges and threats include natural and man-made disasters, HIV/AIDS and other diseases, other health risks, environmental degradation, trafficking in persons, attacks to cyber security, the potential for damage to arise in the event of an accident or incident during the maritime transport of potentially hazardous materials, including petroleum and radioactive materials and toxic waste, and the possibility of access, possession, and use of weapons of mass destruction and their means of delivery by terrorists.⁷

The Secretariat for Multidimensional Security of the OAS was established in 2005 with the mandate to coordinate the cooperation of the member States to fight against threats and secure the protection of human beings. It is composed of the Executive Secretariat of the Inter-American Drug Abuse Control Commission (CICAD) established in 1986; the Secretariat of the Inter-American Committee Against Terrorism (CICTE) established in 1999; the Department of Public Security (DPS) established in 2006, and the Department of Defense and Hemispheric Security (DDHS) established in 2011. All of these agencies were designed to promote cooperation and coordination of the member countries in their respective areas.

The Conference of Defense Ministers of the Americas (CDMA)

The DDHS also provides support to the Conference of Defense Ministers of the Americas, which is to be convened next in Uruguay in 2012. Following the 1994 Summit of the Americas held in Miami, the U.S. Secretary of Defense, William J. Perry, invited the Defense Ministers of the Americas to meet in Williamsburg, Virginia, to discuss post-Cold War cooperation in the region. In the closing statement of the Conference, Secretary Perry declared that “by dedicating our countries to democratic values, active support for confidence building measures, and greater bilateral and regional cooperation in defense, we

will establish a solid foundation to meet the Hemisphere's security challenges of the 21st century."⁸ Its focus on democracy, cooperation, transparency, and security-building measures, and the establishment of its guiding values have been referred to thereafter as the "Williamsburg Principles."

The Conference of Defense Ministers of the Americas was set up "to provide a valuable forum of debate for the countries of the Hemisphere with the purpose of increasing cooperation in the areas of Defense and Security."⁹ Its guiding foundation has been the Williamsburg Principles:

1. To uphold the promise of the Santiago Agreement, that the preservation of democracy is the basis for ensuring our mutual security;
2. To acknowledge that military and security forces play a critical role in supporting and defending the legitimate interests of sovereign democratic states;
3. To affirm the commitments of our countries in Miami, and again at the Conference of Defense Ministers held in Managua in 2006, that our Armed Forces should be subordinate to democratically controlled authority, act within the bounds of national Constitutions, and respect human rights through training and practice;
4. To increase transparency in defense matters through exchanges of information, through reporting on defense expenditures, and by greater civilian-military dialogue;
5. To set as a goal for our hemisphere the resolution of outstanding disputes by negotiated settlement and widespread adoption of confidence building measures, all of this in a time-frame consistent with the pace of hemispheric economic integration, and to recognize that the development of our economic security profoundly affects our defense security, and vice versa; and
6. To promote greater defense cooperation in support of voluntary participation in UN-sanctioned peacekeeping operations, and to cooperate in a supportive role in the fight against narco-terrorism.¹⁰

The three central themes throughout the history of the CDMA have been democracy, civilian/military dialogue, and transparency.

The preservation of democracy is the basis for ensuring our mutual security. Acknowledge that military and security forces play a critical role in supporting and defending the legitimate interests of sovereign democratic states. Increase transparency in defense matters through exchanges of information, through reporting on defense expenditures, and by greater civilian-military dialogue.¹¹

The CDMA has dealt with various issues including disaster relief, peace support operations, civil-military relations, and emerging threats such as transnational organized crime and terrorism. These were the agenda items discussed at the Conference of Defense Ministers of the Americas in Banff, Canada, in 2008 and in Santa Cruz, Bolivia, in 2010.

The Conference of Defense Ministers of the Americas—Banff, Canada, 2008

The main focus of the Banff, Canada, Conference of Defense Ministers of the Americas was terrorism. The crux of the declaration expressed the ministers' most vehement con-

demnation of terrorism, in all its forms and manifestations, as they considered it criminal and unjustifiable under any circumstances, regardless of where and by whom it is committed, and because it constituted a serious threat to international peace and security and to democracy, stability, and prosperity of the countries of the region.¹² The participants also rejected the presence or action of illegal armed groups that carry out or promote violence, regardless of their origin or motivation.

Finally, the declaration stated that there was a commitment to fight transnational organized crime, including illicit trafficking in weapons, trafficking in drugs and their precursor chemicals, trafficking in human beings, human smuggling, corruption, money laundering, and other related crimes. It underscored that these affect human rights and constitute a threat to international peace and security, to institutions and democratic values, and to the determination of the member States to confront them in a cooperative, decisive, and comprehensive manner. The struggle against these threats, it added, must furthermore ensure the full respect for international law, human rights, and due process standards, in accordance with each member State’s constitutional order and national legislation.

The Conference of Defense Ministers of the Americas—Santa Cruz de la Sierra, Bolivia, 2010

The Defense Ministers Conference in Santa Cruz de la Sierra, Bolivia, included a few additional points that were at its focus (Table 1). First, the ministers agreed to support a system of tracking expenditures on conventional arms in both the United Nations and the Organization of American States. Second, they settled on developing cooperative mechanisms to speed military aid to civil authorities in disaster response. Finally, they decided to strengthen civilian competency in managing defense ministries. There were also matters of importance to the United States, such as: “counternarcotics, curbing unnecessary weapons purchases, boosting cooperation in disaster response, and strengthening the competency of civilians now working in most of the hemisphere’s defense ministries.”¹³ In addition, disaster response made up the bulk of the substantive articles of the Declaration.

Table 1—The Main Principles of the Santa Cruz Declaration

Democracy	The recognition of civil contributions, including those of the academic sector on defense and security; in compliance with the OAS Charter and the UN Charter
Peace	The promotion of peace under UN principles for the countries of the Americas
Security	The strengthening of abilities for humanitarian assistance; the adoption of International Human Rights
Solidarity	Support provided to nations affected by natural and anthropogenic disasters
Cooperation	Support provided to nations in addition to prevention, preparation, and recuperation
The Environment	A commitment to sustainable activities

Source: Elaborated with information obtained from *La Declaración de Santa Cruz*, retrieved on April 20, 2011, from http://www.flasco.org/uploads/media/Declaracion_de_Santa_Cruz.pdf.

Despite mutual confidence-promotion efforts in the region, a perception of weak and inefficient institutions in facing transnational threats has become an important issue in South America. Both the OAS and the IADB are considered by some countries to be ineffective in preventing regional crises and dealing with them once they have occurred.¹⁴ The

Union of South American Nations (UNASUR) and the South American Defense Council (CDS) were born, in part, due to this perception and as an attempt to facilitate strategic and operational regional cooperation.

The Union of South American Nations (UNASUR)

Rich and unique in many different ways, the South American region holds important geographical, economic, and social potential (Table 2). It is spread out over a large land mass with a population of some 400 million inhabitants and holds one of the largest fresh water reserves on the planet, as well as the Amazon as a regulating force of global ecological equilibrium, oil and gas reserves for the next 100 years, an amazing biodiversity, and what many claim is a backdrop of ethnic encounters that represent a culture and a cosmovision.¹⁵

Table 2 — The Potential of the South American Region (UNASUR)

Geographical	Economic	Social
<ul style="list-style-type: none"> • Land mass more than 17 million km² • 27% of the fresh water reserves in the world • 8 million km² of forests and 2 oceans • Hydrocarbons for 100 years 	<ul style="list-style-type: none"> • GDP of US\$973,613 million placing it as the fifth largest power in the world • Its exports reach US\$181,856 million • Produces and exports the most amount of food in the world 	<ul style="list-style-type: none"> • Population of 361 million inhabitants, 4th in the world • 95% of its inhabitants practice a single religion • Its inhabitants speak two similar languages • A common history and shared values

Source: Elaborated with information obtained from the Unión de Naciones Suramericanas (UNASUR), retrieved on April 22, 2011, from <http://www.comunidadandina.org/sudamerica.htm>.

The region has undergone several important processes. The initial stage of an economic and political integration occurred from the 1960s to the 1990s with the Latin American Integration Association (*Asociación Latinoamericana de Integración*, ALADI), the Andean Community of Nations (*Comunidad Andina de Naciones*, CAN), and the South American Common Market (*Mercado Común Suramericano*, MERCOSUR). In 2000, the region entered into a new model of regional integration, and in 2004 the Union of South American Nations (*Unión de Naciones Suramericanas*, UNASUR) was created following the example of the European Union (Map 1, Diagram 1). Its Constitutive Treaty, signed on May 23, 2008, at the Third Summit of Heads of State in Brasilia, Brazil, entered into force on March 11, 2011.

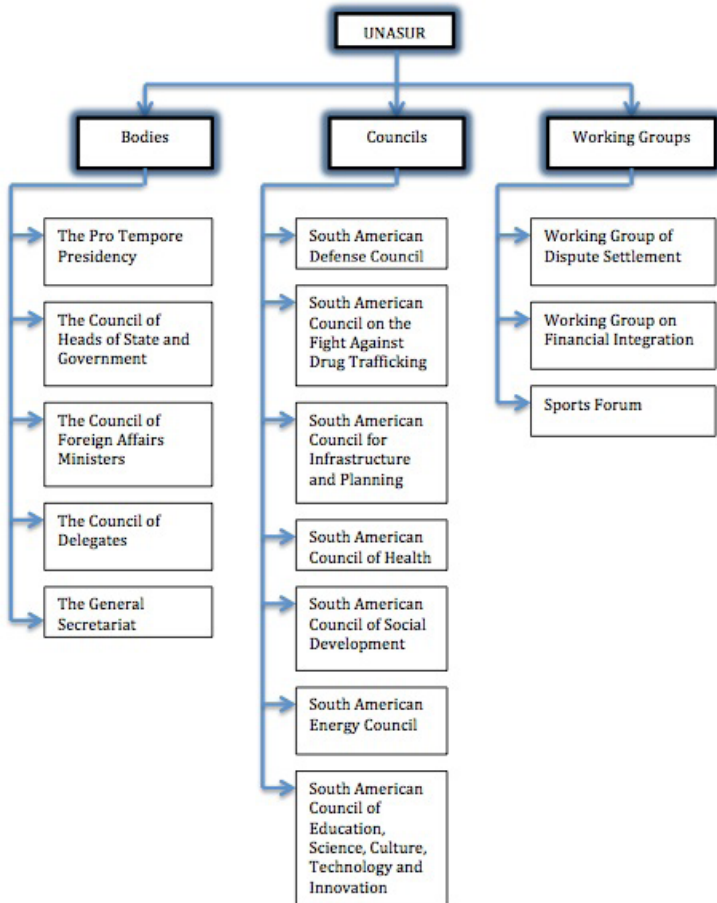
UNASUR was in part the result of the integration of two existing customs unions: the MERCOSUR and the Andean Community of Nations (CAN) (Table 3), but it was also created to address the perception that hemispheric and regional institutions were not meeting the demands of South American states. UNASUR seeks to build upon the existing sub-regional processes and promotes political and financial, infrastructure, security, and the resolution of conflicts. All the significant cooperation efforts in the region focus on democracy, human rights promotion, security, and development, and they all converge in the most recent integration efforts, the UNASUR.

Map 1— Member Countries of UNASUR



Source: Information obtained from the Unión de Naciones Suramericanas, retrieved on April 22, 2011.

Diagram 1 — Organogram of UNASUR



Source: UNASUR Constitutive Treaty, Retrieved on June 15, 2011, from <http://www.pptunasir.com/inicio.php>.

Table 3 — South American Integration

	1960 – 1980	1983 – 1994	1996 – 1999	2000 – 2011
	Initial Stage of Integration	South American Economic Integration	South American Political Integration	New Model of South American Integration
Latin American Integration Association (ALADI)	<p>Latin American Free Trade Association (LAFTA) (TM60) (1960)</p> <p>Caracas Protocol (1969)</p> <p>Montevideo Treaty Latin American Integration Association (TM80) (1980)</p>			Economic Complementation Agreement CAN-MERCOSUR (2003)
Andean Community of Nations (CAN)	<p>Cartagena Agreement (1969)</p> <p>Venezuela joins the Treaty (1973)</p> <p>Chile withdraws from the Treaty (1976)</p> <p>Andean Court of Justice, Andean Parliament, and the Andean Council of Foreign Affairs Ministries (1979)</p>	<p>Principle of applicability of communitarian rules (1983)</p> <p>Andean nations adopt an open model of integration (1983)</p> <p>Free Trade Area (Peru abstains (1993)</p> <p>Customs Union (1994)</p>	<p>Political direction to the integration process (1997)</p> <p>Peru starts its gradual incorporation to the Free Trade Area (1997)</p> <p>Framework Agreement for the creation of a Free Trade Area between the Andean Community and MERCOSUR (1998)</p> <p>Andean-American Council on Commerce and Investment (1998)</p>	<p>Andean Charter for Peace and Security (2000)</p> <p>Economic Complementation Agreement signed between the Andean Community and MERCOSUR to the establishment of a Free Trade Area (2002)</p> <p>Economic Complementation Agreement CAN-MERCOSUR (2003)</p> <p>Integral Plan of Social Development (2003)</p> <p>South American Community of Nations (2004)</p> <p>Guidelines for the Common Foreign Security Policy (2004)</p> <p>Andean Strategy for Disaster Prevention and Attention (2004)</p> <p>Venezuela’s withdraw (2006)</p> <p>Chile’s incorporation/Mixed Commission Andean Community-Chile (2006)</p> <p>The Andean Community activates the Satellite Network “Simón Bolívar” (2010)</p> <p>Andean Passport (2010)</p>

<p>South American Common Market (MERCOSUR)</p>		<p>Declaración de Foz de Iguazú (Argentina-Brazil) (1985)</p> <p>Asunción Treaty (The creation of MERCOSUR) (1991)</p> <p>Formalization of the Common Market Ouro Preto Protocol (1994)</p>	<p>Declaration on Democratic Commitment in MERCOSUR (Bolivia and Chile join) (1996)</p> <p>Customs Union (1999)</p> <p>Framework Agreement for the creation of a Free Trade Area between the Andean Community and MERCOSUR (1998)</p> <p>Labor and Social Declaration (1998)</p> <p>Ushuaia Protocol on Democratic Commitment (1998)</p> <p>Political Declaration of MERCOSUR, Bolivia y Chile as a Peace Region (1998)</p>	<p>Economic Complementa-tion Agreement signed between the Andean Community and MERCOSUR for the establishment of a Free Trade Area (2002)</p> <p>Agreement on Residence for Nationals of States Parties of MERCOSUR, Bolivia and Chile (2002)</p> <p>Olivos Protocol for the settlement of Disputes (2002)</p> <p>Economic Complementa-tion Agreement ACN-MERCOSUR (2003)</p> <p>South American Commu-nity of Nations (2004)</p> <p>Fund for Structural Con-vergence of MERCOSUR (FOCEM) (2004)</p> <p>Constitutive Protocol of the MERCOSUR Parliament (2005)</p> <p>Protocol of Accession of Venezuela (2006)</p> <p>Democracy Observatory of MERCOSUR (MDGs) (2007)</p> <p>MERCOSUR Action Plan for Cooperation on Biofuels (2007)</p> <p>MERCOSUR Social Insti-tute (ISM) (2007)</p>
<p>Union of South American Nations (UNASUR)</p>				<p>South American Community of Nations (2004)</p> <p>Margarita Declaration (2007)</p> <p>Signature of the Treaty Establishing UNASUR (2008)</p> <p>South American Defense Council (2009)</p> <p>UNASUR acquires legal status (2011)</p>

Source: Elaborated with information obtained from the *Comunidad Andina de Naciones*, May 16, 2011; *¿Quiénes Somos?: Cronología por fechas*, Comunidad Andina de Naciones, retrieved on May 16, 2011, from <http://www.comunidadandina.org/quienes/crono.htm>; A. Martínez, *Noticias: Ratifican Tratado Constitutivo del UNASUR*, from *El Nuevo Herald*, retrieved on May 16, 2011, from <http://www.elnuevoherald.com/2011/03/12/901940/ratifican-tratado-constitutivo.html>; Mercado Común Suramericano, *Acerca del Mercosur*. Secretaría General del Mercosur, retrieved on May 16, 2011, from http://www.mercosur.int/t_generic.jsp?contentid=655&site=1&channel=secretaria&seccion=2#antecedentes; Unión de Naciones Suramericanas, May 16, 2011. *Sobre UNASUR*, retrieved on May 16, 2011, from <http://www.pptunasur.com/contenidos.php?menu=1&submenu=1&idiom=1>.

UNASUR Gains Legitimacy

One of the first significant actions shortly after the creation of UNASUR was its involvement in the aftermath of events of Pando, Bolivia, in 2008. It engaged in the resolution process following the peasant protests and encounters with mercenary forces of the prefectures in the wealthiest part of Bolivia, Santa Cruz, Tarija, Beni, Chuquisaca, and Pando. According to the UNASUR Commission Report, there were 18 casualties.¹⁶ The rapid response and execution of the Moneda Declaration in support for the Government of President Evo Morales was a key element in avoiding an escalation of the conflict. The active role of UNASUR as an external figure of authority through its Pando Events Commission assisted in legitimizing the process and in reducing the tension on both sides. Considered a success, UNASUR consolidated itself with how it engaged in this event and gained the approval of the member nations as a useful and necessary organization in the region.

The Moneda Declaration of September 15, 2008, brought together the heads of State in the region only four days after the Pando events. It declared that: (1) They expressed their full backing to the Constitutional Government of the President of the Republic of Bolivia, Evo Morales, whose mandate was ratified by a large majority in a recent referendum; (2) They warned that their respective governments rejected any attempt of a civil coup, the disruption of the institutional order, or that any group should compromise the territorial integrity of the Republic of Bolivia; (3) The ministers condemned the attack on the government installations and public security forces by groups that sought to destabilize Bolivian democracy, requesting for a prompt return of the installations as a condition to begin the dialogue process.¹⁷

In addition, they recommended a call to all the political and social actors involved to take the necessary measures to immediately cease violent actions, intimidation, and disregard of institutional democracy, and established the rule of law. In this context, they expressed their firm condemnation for the massacre at Pando and supported the call made by the Bolivian government for a UNASUR Commission to be created for an impartial investigation that would shed light on this regrettable event and provide recommendations to guarantee that it would not be left unpunished. They asked for all the members of the Bolivian society to preserve the national unity and the territorial integrity of the country, the basic principles of the State, and to reject any attempt to undermine them. They called for dialogue to establish the conditions that would allow for the situation to improve and to search for a sustainable solution within the framework of respect for the law. The presidents of the member states of UNASUR agreed to create a commission open to all its members, coordinated by the pro-tempore presidency, to carry out the work of a round-table dialogue led by the government of Bolivia. They created a commission to support the Bolivian government in its operations, including a specialized human resource staff. Engaging in Pando gave UNASUR regional legitimacy.

The South American Defense Council (SDC)

The South American Defense Council (SDC) was created within UNASUR and is made up of 12 member nations and two observers.¹⁸ It was established in 2009 under the Declaration of Santiago de Chile and is founded on the principles of respect for sovereignty and self-determination, the territorial integrity of the States, and nonintervention in internal affairs. Its objectives are: (a) to consolidate South America as a zone of peace, which is the base

for democratic stability and development, and to contribute to world peace; (b) to build a South American identity in matters of defense that takes into account the sub-regional and national characteristics, and that contributes to the strengthening of the unity of Latin America and the Caribbean; and (c) to generate consensus to strengthen regional cooperation in matters of defense.

The Defense Minister of Brazil, Nelson Jobim, announced in 2008 to the United States Secretary of State, Condoleezza Rice, and the Secretary of Defense, Robert Gates, and then to the Inter-American Defense Board the initiative to form a South American Defense Council. Minister Jobim presented the alliance as a continental security organization that, unlike the North Atlantic Treaty Organization (NATO), did not anticipate the creation of combat units and would be based on the principle of “non-intervention, sovereignty and territoriality.”¹⁹ Minister Jobim undertook the task of traveling across South America to promote the idea of military integration. His mission was to meet with the president of each country in the Southern Cone, as well as the defense ministers of each nation, thus promoting the initiative to adopt it. Although this was a challenging undertaking, the defense ministers had been meeting regularly since 1995 at the Conference of Defense Ministers of the Americas and on a bilateral basis, and he managed to convene the nations of the UNASUR.

The SDC in principle is not designed as a Latin American NATO. One of the main elements that stands out between the two is the concept of security (Table 4). NATO considers security maintenance from the perspective of active growth in military strength, unilaterally or with all of the member states. The SDC observed security as a means of peace promotion where there is no need for an increase in military capacity.

Table 4 — Comparative Graph of the North Atlantic Treaty Organization (NATO) and the South American Defense Council (SDC)

	NATO	SDC
Key Action Document	Strategic Concept 2010 (in force for one decade)	Plan of Action 2009
Fundamental Principles	Individual liberty, democracy, human rights, and the rule of law	Peace promotion, democracy, cooperation, military training, and complementarity
Central Activities	Collective defense, multinational crisis management operations, cooperative security	Military cooperation, humanitarian action, and peace operations
Leadership	Clear United States leadership, important though secondary role of European nations	Brazil is deemed as the most probable leader; not officially declared as such by the rest of the members
Military Vision	It was conceived through a common enemy	It was conceived with a common objective

Source: Elaborated with information obtained from the North Atlantic Treaty Organization (2010). Strategic Concept. NATO's official Web site, retrieved on June 15, 2011, from http://www.nato.int/cps/en/natolive/topics_56626.htm?#1; North Atlantic Treaty Organization (2010). Collective Defence. NATO's official Web site, retrieved on June 15, 2011, from http://www.nato.int/cps/en/natolive/official_texts_17120.htm; North Atlantic Treaty Organization (2010); The North Atlantic Treaty. NATO's official Web site, retrieved on June 15, 2011 from http://www.nato.int/cps/en/natolive/topics_59378.htm?; Plan de Acción 2009, Consejo de Defensa Suramericano (CDS) de la UNASUR, January 2009.

The difference between cooperative security maintained by the SDC is what points toward the standard of military practices and protocols. For example, points d and g in the Plan of Action 2009²⁰ of the SDC provide an interesting analysis. While NATO maintains

a unified command, it does not seek for its member states the sharing of its military forces to maintain a collective process in matters such as communication protocols. Points h and i of the Plan of Action 2009 establish a framework for sharing experience with regards to strategic sources of information for humanitarian action and natural disasters.

While NATO has been a collective security force since 1949, made up of multiple military apparatus but different in shape and substance, the SDC seeks to bring into line its strategic objectives; that is, multiple military forces with different processes. Although it is still too soon to consider, this maintains a favorable position for the possible creation of a unified military force. NATO has observed conventional security means and focuses on conflict. The SDC maintains a different vision of security; for example, the protection of the environment as a security exercise.

Conclusions

Sovereignty and intervention are the center of the current debate in international affairs, especially when it comes to the discussion of the “justified use of force” in dealing with human rights and international humanitarian assistance. Thus far there appear to be more questions than answers regarding the most recent trend in regional integration on security and defense matters in South America.

The question of defining sovereignty, whether on traditional terms or newly defined terms, will be an interesting challenge for SDC member nations. The SDC is a defense council, not a security council. Taking into account the marked historical and ideological differences between the South American nations, it will be interesting to follow the type of military exercises and activities carried out by the SDC. Considering the level of success of previously established institutions in the region, the SDC has an enormous task of bringing forward the impetus of the council. Its relations with other regional security councils, such as the IADC or Southern Command, will make future developments in the region even more interesting. These are some of the issues that still need to be addressed as the integration process develops over time.

In addition, one must consider the latest development of the ALBA nations²¹ to create a Defense Academy near Santa Cruz, Bolivia, announced in May 2011. Its stated objective is to promote the peace and cooperation processes of the region and to design strategies to respond to the threat of foreign intervention on the continent.²² This is in reference primarily to the role of the United States and its allied nations in the region. The ALBA Academy’s activities include military training on security and defense for both military and civilians of member nations. Based on the ideology of President Hugo Chávez’s socialism of the 21st century, it challenges in particular the former School of the Americas, but also the schools, centers and institutes of hemispheric security studies that are currently providing “imperialist training.”²³ There is also a perception by the ALBA nations that drug trafficking in the region is a problem of the United States and not necessarily an issue that South American nations need to address. The larger geopolitical scenario was also displayed in the relation between Venezuela and Iran, as one of the invited guests to the inauguration of the ALBA Defense Academy was the Defense Minister of Iran.²⁴

The Closure Act of Santa Cruz (*Acta de Clausura y Declaración de Santa Cruz de la Sierra*, 2010) states that the mutual trust and security measures recently approved within the South American Defense Council of UNASUR with its corresponding application, guarantees and verification mechanisms and procedures are: (1) the exchange of informa-

tion on the organization of national defense systems; (2) military expenditures; (3) military activities within and outside the region; and (4) the reporting of maneuvers, deployment, and exercises in the border zones, among others. It recognizes the importance of generating consensus for defense and security in the region. Likewise, the SDC promotes the idea of a South American vision and identity in defense matters. It proposes to share experiences and to approve humanitarian actions; for example, demining, prevention, mitigation, and assistance to victims of natural disasters in the region. This was the case as it declared solidarity with the people of Haiti and Chile after the earthquakes that occurred in those countries in 2010.

The Conference of Defense Ministers of the Americas—respecting the Charter of the Organization of American States (1948), Williamsburg Agreements (1995), the Inter-American Democratic Charter (2001)—recognizes that the military and security forces take on a critical role in supporting and defending the legitimate sovereign interests of democratic states. These must be subordinated to the authority of democratic control, act within the limits of national constitutions, and display respect for human rights through training and practice. Likewise, it seeks to increase the level of transparency in defense matters through the exchange of information through reports of defense spending and a greater civil-military dialogue.

The idea of regional integration began with Simón Bolívar and continues in the 21st century. The most recent attempt is called UNASUR. In South America there is a marked difference between security and defense, even at the constitutional level. The South American Defense Council (SDC) has several important challenges of origin and design that need to be addressed. First, the world in the 21st century has taken on new challenges, with contemporary international relations theory today taking into consideration a series of factors not conventionally included in an analysis. South American nations have not traditionally applied these new concepts specifically with regard to the classic definition of state and sovereignty. In addition, one must analyze the purpose of establishing a South American Defense Council in an age in which international affairs has more to do with security matters than with defense—drug trafficking, organized crime, illegal immigration, for example. Likewise, there is a long and deep history of confidence-building measures linked to sovereignty issues that may present important challenges to this integration.

Notes

¹ The Organization of American States, Article 1, retrieved on March 1, 2011, from http://www.tjsl.edu/slomansonb/3.5_OASChart.pdf.

² The Organization of American States has 35 independent member states and 66 permanent observer countries. Certain countries have been excluded or suspended, for example: Cuba was excluded in 1962 and the suspension was lifted in 2009 with conditions attached for readmission; and Honduras was suspended after the coup d'état that expelled President Manuel Zelaya in 2009.

³ The Organization of American States, Committee on Hemispheric Security, retrieved on March 1, 2011, from www.oas.org/consejo.

⁴ Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas, retrieved on March 15, 2011, from http://www.oas.org/xxxiiiiga/english/docs/agdoc4224_03rev3.pdf.

⁵ The First Summit of the Americas was held in Miami, Florida, USA, in 1994, followed by the Second Summit in Santiago, Chile, in 1998; the Third Summit in Quebec City, Quebec, Canada, in 2001; the Fourth Summit in Mar del Plata, Argentina, in 2005; the Fifth Summit in Port of Spain, Trinidad and Tobago, in 2009; and the Sixth is scheduled to be held in Cartagena, Colombia, in 2012.

⁶ Organization of American States, Special Conference on Security, Mexico City, Mexico, October 27-28, 2003. Retrieved on July 31, 2011, from <http://www.oas.org/en/sms/docs/DECLARATION%20SECURITY%20AMERICAS%20REV%201%20-%2028%20OCT%202003%20CE00339.pdf>.

⁷ *Ibid.*, p.4.

⁸ U.S. Department of State, retrieved on March 15, 2011, from <http://www.state.gov/p/wha/rls/71001.htm>.

⁹ Conference of Defense Ministers of the Americas, retrieved on March 20, 2011, from <http://www.cdamericas.org>.

¹⁰ *Ibid.*

¹¹ Defense Ministerial of the Americas, retrieved on April 5, 2011, from http://www.summit_americas.org.

¹² U.S. Department of State, Declaration of Banff, September 2008, retrieved on April 8, 2011, from <http://www.state.gov/p/wha/rls/109304.htm>.

¹³ America's Forum, "Shouts and Whispers at the Defense Ministerial of the Americas," retrieved on March 26, 2011, from <http://americasforum.com/content/shouts-and-whispers-defense-ministerial-americas>.

¹⁴ Nil Nikandrov, "The Organization of American States (OAS) without the US: An Alternative," Global Research, Center for Research on Globalization, retrieved on March 26, 2011, from <http://www.globalresearch.ca/index.php?context=va&aid=18275>.

¹⁵ E. Velit Granda, "Los desafíos de la unión sudamericana," 29 de mayo 2008, El Comercio de Perú, Comunidad Andina, Secretaría General, retrieved on March 31, 2011, from <http://www.comunidadandina.org/prensa/articulos/elcomercio29-5-08.htm>.

¹⁶ Pando, Bolivia is considered one of the first significant actions of UNASUR. Retrieved on May 24, 2011, http://www.comunidadandina.org/unasur/15-9-08com_bolivia.htm; <http://eju.tv/2008/10/unasur-entregar-a-fines-de-noviembre-informe-final-sobre-masacre-en-pando/>.

¹⁷ The Moneda Declaration, retrieved on April 15, 2011, from http://news.bbc.co.uk/hi/spanish/latin_america/newsid_7618000/7618033.stm.

¹⁸ The members of the South American Defense Council are: Argentina, Bolivia, Brazil, Colombia, Chile, Ecuador, Guyana, Paraguay, Peru, Suriname, Uruguay, and Venezuela. The two Member States with Observer Status are: Mexico and Panama. UNASUR, retrieved on June 5, 2011, from <http://www.pptunasur.com-contenidos.php>.

¹⁹ Consejo de Defensa Suramericano de la UNASUR, retrieved on June 26, 2011, from

<http://www.cdsunasur.org/>.

²⁰ Consejo de Defensa Suramericano, Action Plan, Defense Policies, retrieved on June 30, 2011, from <http://www.cdsunasur.org/>.

²¹ The countries that make up the Alianza Bolivariana para los Pueblos de Nuestra América (Alba) are: Venezuela, Cuba, Bolivia, Ecuador, Nicaragua, Dominica, Antigua & Barbuda, and St. Vincent and the Grenadines.

²² Escuela del Alba es una respuesta a los riesgos para la soberanía de los pueblos, retrieved on July 31, 2011, from <http://laradiodelsur.com/?p=28073>.

²³ Rompiendo Fronteras Correo del Alba, June 2011, pp. 12 and 13, retrieved on July 31, 2011, from https://mailattachment.googleusercontent.com/attachment?ui=2&ik=b54e070c29&view=att&th=132019694950a4cc&attid=0.1&disp=inline&safe=1&zw&sadue=AG9B_P9Wmc1R6_jNyaa0f-Ecddv&sadet=1314592978921&sads=gTjfUolmVgKSwBezL8mgJM52Qho&sadssc=1.

²⁴ Ibid.

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The United States and China in Latin America: Cooperation and Competition*

R. Evan Ellis

Introduction

The expanded presence of the People's Republic of China (PRC) in Latin America has attracted the attention not only of a generation of political leaders, businessmen, and students in the region, but also of their counterparts in the United States, long accustomed to a dominant and relatively exclusive political and economic position in the Americas. With respect to China, both the U.S. State and Defense Departments have registered concern over the expansion of PRC engagement in the hemisphere, but have refrained from interpreting such engagement as a threat.

Following his first trip to China, former Assistant Secretary of State Arturo Valenzuela expressed his belief that PRC trade with and investment in Latin America could contribute to the prosperity of the region, consistent with U.S. interests and objectives,¹ although he also expressed concerns over the ability of the region to take advantage of the opportunities afforded by that trade and investment to generate economic diversity and sustainable growth. Similarly, the Department of Defense official responsible for the Western Hemisphere, Dr. Frank Mora, noted that economic engagement between the PRC and Latin America could generate benefits for Latin America, such as infrastructure improvements and increased revenues to the state, both of which could help governments of the region to address the challenge of "ungoverned spaces." Secretary Mora also acknowledged that Chinese arms sales to Latin America were not inherently a problem, insofar as they could help states of the region address legitimate security challenges, often in an economical fashion. Nonetheless, like Secretary Valenzuela, Secretary Mora also tempered such positivism by expressing concern over the lack of transparency with regard to certain PRC activities in, and intentions toward, the region.

U.S. Policy toward Latin America

Under the administration of President Barack Obama, the United States has generally tried to forge a new partnership with Latin America, as reflected by the President's speech in Trinidad in April 2009. President Obama has visited the region three times. Secretary of State Hillary Clinton has traveled there several times and regularly meets with Latin ambassadors in Washington.²

Despite sincere intentions, however, there continue to be complaints of Washington's neglect throughout the region. The demands of U.S. military involvement in Iraq and Afghanistan, the global financial crisis, and, most recently, challenges associated with the Arab Spring have limited the amount of time and resources devoted to the region. In general, under the Obama administration, the United States has attempted to improve its

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relationship with the region, engaging it as a partner rather than as a superior.³ It has focused on working together to build capability in areas such as institutions of democratic governance and economic management. In working with regional partners like Mexico on transnational issues such as drug trafficking and gun violence, the United States has accepted shared responsibility for the problems and sought to work more collaboratively with institutions such as the Mexican federal police, the Ministry of Defense, and the Ministry of the Navy. Notably, the United States has also refrained from intervening in the face of regimes that have openly challenged U.S. interests, and, arguably, regional norms of democratic practices and nonintervention in the affairs of neighboring states, such as Venezuela, and to a lesser extent, Nicaragua, Ecuador, and Bolivia, preferring instead to allow the region to evaluate and react to such behaviors on its own.

At the official level, the authoritative statement of U.S. interests in Latin America comes from the U.S. Secretary of State,⁴ with elaboration from the State Department Bureau of Western Hemisphere Affairs.⁵ The website of the Director for Western Hemisphere Affairs refers to four areas: *democracy, trade, sustainable economic development, and fostering cooperation*.⁶ Within this broad framework, however, it is possible to identify multiple overlapping perspectives from different U.S. government organizations, businesses, and other relevant actors framing those interests.

Although the United States has many sincerely stated objectives with respect to Latin America, such as democracy, development, and respect for human rights, the core U.S. interests in the region may be understood in terms of three imperatives, in roughly the following order of importance:

1. The region does not present a security threat to the United States.
2. The region supports commercial interactions consistent with the health of the U.S. economy.
3. Conditions in the region are consistent with U.S. values concerning democracy, respect for human rights, and a decent standard of living for all.

Through its advocacy and programs, the United States seeks to nurture in the region countries that share an outlook with the United States on important issues such as democracy, human rights, or the fight against terrorism, and can serve as trusted partners for the United States throughout the world. This includes not only support within the international community, but regimes with mature institutions, who are able to cooperate with the United States and uphold international norms on a range of issues, from the fight against terrorists, transnational criminal organizations, and money laundering, to respect for intellectual property rights and contract law.

While some U.S. leaders in both the executive branch and Congress have expressed their discomfort with PRC advances in the region, by contrast to the orientation toward the Soviet Union during the Cold War, they have consistently refrained from casting the PRC as an “opponent” in the hemisphere. Indeed, the continuation of the “Latin America” segment of the U.S.-China strategic dialogue by Assistant Secretary of State Arturo Valenzuela under the presidential administration of Barack Obama illustrates the consistent desire under both Republican and Democratic presidents to eliminate sources of misunderstanding and conflict arising from China’s expanding engagement with Latin America, and to work together with respect to policies and initiatives toward the region in areas

where interests shared by the United States, the PRC, and the nations of the region permit outcomes beneficial to all.

While both the Bush and Obama administrations have noted that the United States is not intrinsically concerned about the Chinese presence in the region, senior Department of State and Department of Defense officials from both administrations have indicated that the United States is monitoring these activities very closely for signs of emerging threats to U.S. national security interests in the region.⁷

No Security Threat to the United States from Latin America

The primary interest of the United States with respect to Latin America is that the region does not present a security threat to the United States or its citizens. The September 11, 2001, attacks against the United States and the subsequent “war against terrorism” arguably broadened the nation’s focus with respect to national security threats, shifting attention from state actors seeking to challenge the United States globally, to harm emanating from nonstate actors and natural disasters. While the United States does not face a traditional security threat from an opposing state in the region, it *does* face a variety of pressing nontraditional security threats. In this context, and in the absence of a declared global opponent, the United States began to give new attention to longstanding problems in the region with respect to poverty, inequality, and badly functioning institutions, which could nurture phenomena that could ultimately damage the United States, including the activities of narcotraffickers and other transnational criminal organizations (TCOs), refugees, or terrorists operating from the region’s weakly governed spaces.

There are three principal concerns with respect to the countries that form the land and maritime “southern approaches” to the United States: (1) that violent criminal activity currently destroying these societies, including violence associated with Mexican cartels and Central American violence, will spill over into the United States; (2) that violence and state failures associated with these regions will produce a flood of refugees with accompanying economic and public health impacts on the United States; and (3) that the flow of migrants and contraband goods to the United States, in the context of weak states, could provide the opportunity for smuggling terrorists and associated devices into the United States.

In general, U.S. security concerns in Latin America have primarily focused on three areas: (1) the populist states of the Andean region, including Venezuela, Ecuador, and Bolivia; (2) weakly governed spaces such as the “Tri-Border Area” between Paraguay, Brazil, and Argentina; and (3) the land and maritime “southern approaches” to the United States, including the states of Mexico, Central America, and the Caribbean.

Commercial Interactions Consistent with the Health of the U.S. Economy

Beyond its direct national security concerns, the United States seeks to maintain a legal, political, and economic environment in the region that supports commercial interactions in support of the health and stability of the U.S. economy. Such an environment includes the ability of U.S. producers to sell their goods to the region. This includes a functional banking system and a legal framework that afford predictability and that equally protect the rights of entities entering into contracts or making investments in the region. The openness and efficiency of the trade infrastructure of Latin America is important, including government regulations, tax policies, and currency exchange rates that are not prejudicial to U.S.

companies seeking to sell their goods to the region. While the displacement U.S. products by those of China raises concerns, the U.S. culture of “fair play” and “equal rules for all” leads to a distinction in the U.S. discourse between that which may be “undesirable” (e.g., being beaten out by other competitors), and that which is “unjust” (e.g., losing market share because the playing field is biased against U.S. sellers, or because non-U.S. firms have achieved a monopoly position blocking access by others). In this regard, the stability and prosperity of the region is also important to the United States, both because of U.S. interest in the welfare of the people of the region, and also because such a prosperous Latin America is also a good market.

In addition to sales of its goods, the United States has a stake in the continuing ability of its companies to purchase goods from the region, including both commodities such as petroleum, metals, and agricultural goods, as well as intermediate goods that form a part of U.S. production chains. The U.S. culture of *laissez faire* capitalism puts significant faith in the ability to supply fungible goods at a price that reflects the balance between supply and demand. Nonetheless, there is recognition that the ownership of supply chains and government policies influences who gets priority to a stable supply of goods, and at what price. The efforts of regimes openly hostile to U.S. interests, such as that of Hugo Chávez in Venezuela, who is willing to incur higher costs and less advantageous conditions to explicitly avoid selling products to the United States, are thus a long-run concern, as are countries whose national companies purchase assets in tightening commodity markets such as petroleum, decreasing the pool available for purchase on the spot market and creating the risk of high or volatile prices that could be disruptive to U.S. and global consumers depending on those goods.

Such concerns are heightened where there are relatively limited sources of supply for the goods, and they play a key role in production chains in strategic industries, such as rare earth elements. Other elements of the supply chain are also important, such as efficient and functional infrastructure, as well as stability in the legal framework and economic conditions. Political crises, economic downturns, and nationalizations are each of concern because of their ability to cause supply disruptions that adversely impact production chains, and ultimately the U.S. economy, in the modern globalized economy.

Democracy, Human Rights, and a Decent Standard of Living in the Region

While a Latin America characterized by free trade and respect for property rights is beneficial to U.S. economic performance, the U.S. interest in democracy, respect for human rights, and a decent standard of living reflects a more generalized human compassion for the people of the region by the United States, reflecting an important dimension of the culture of the people of the United States and not just its government. Although such compassion is occasionally viewed cynically in other parts of the world, and may benefit U.S. interests, it is also genuine. The current U.S. administration sees Latin America making significant progress on issues of democracy and human rights, although it has expressed concern regarding the usurpation of legislative powers by the Executive in Venezuela as “circumscribing the popular will” in violation of the Inter-American Democratic Charter.⁸ Similarly, the U.S. views Latin America’s strong economic growth as a key vehicle for improving the conditions of its people, and views crime and violence, particularly that tied to transnational criminal organizations in Mexico and Central America, as undermining those conditions.

Areas of Potential Competition

China's rapid emergence on the Caribbean and Latin American stage can potentially threaten U.S. interests in three areas: national security, commerce, and political values. The competition in the political realm, on its face, appears less directly conflictual, yet if not carefully managed it has a greater capacity in the short term to damage the relationship between the United States and the PRC.

With respect to national security, the United States is particularly sensitive to PRC military relationships with the region. Arms sales, such as K-8 aircraft, JYL-1 radars, and command and control equipment to Venezuela; K-8s and MA-60s, small caliber arms, buses, trucks, and motorboats to Bolivia; YLC-2V-3D radars and MA-60s to Ecuador; and WMZ-551 armored vehicles to Argentina, are closely monitored. While acknowledging that arms may contribute to the legitimate security needs of governments, the U.S. administration is concerned that arms sales to regimes such as Venezuela could contribute to the destabilization of the region, including the diversion of arms to terrorists and transnational criminal organizations. Similarly, training of Latin American personnel in the Defense Studies Institute in Changping, the PLA Army Command College and Navy Command School near Nanjing, in PLA facilities in Shijiazhuang, and other locations, in the absence of transparency, raises questions about the nature of the military relationships being forged. With respect to Cuba, while the United States is not concerned by China's commercial relationship with the Castro regime, reports that PRC personnel are operating in Soviet-era facilities in Bejucal, Lourdes, and Santiago de Cuba raise concern, given the proximity to the U.S. mainland and the absence of information about such activities. Given emerging competitions in space and cyberspace, China's role in constructing the space and telecommunications architectures of regimes hostile to the United States, such as Venezuela and Bolivia, also raise concerns.

On the commercial side, the competition with China comes in three forms. First, the advances of Chinese companies in selling products to the region have come partly at the expense of U.S. companies. This is particularly the case with respect to higher value-added items such as consumer appliances, cars, heavy machinery, and electronics, although European and Latin American manufacturers such as Brazil have also lost market share to China. Although the loss of market share by U.S. companies to Chinese competitors is a politically charged issue in the United States, which has received significant media and Congressional attention in recent years, the globalization of production chains in recent years to some extent blurs who is being helped or hurt by this phenomenon. It is not necessarily unfair that an increasing portion of the value generated by economic activity is flowing to Chinese companies, rather than Western ones, and to a great extent it reflects U.S. mismanagement of its own economic house. Nonetheless, it is a world that the United States is not accustomed to, and an emerging reality for which the implications are only beginning to be understood.

A second dimension of the U.S.-China commercial competition involves access to energy resources, minerals, and raw material commodities. In recent years, Chinese companies have purchased and/or built significant positions in Latin American upstream petroleum assets and mineral deposits, including a \$40 billion commitment to develop the Junin 1, 4, and 8 blocks in the Orinoco belt; the Andes Petroleum and Petroriental positions in Ecuador; the acquisitions of Bridas (\$3.1 billion), Oxy (\$2.4 billion), and Pan American (\$7.1 billion) in Argentina; the Brazilian holdings of Statoil (\$3.1 billion) and Repsol YPF

(\$7.1 billion); and commitments of almost \$11 billion to develop five mines in Peru (Marcona, Toromocho, Rio Blanco, Galleno, and Pampa de Pongo). In addition, loans such as the copper advance purchase agreement with the Chilean state mining company, Codelco, the two \$1 billion loans to Petroecuador, the recent \$20 billion loan to Venezuela, and the offer to loan the Bolivian government \$15 billion to develop the El Mutun iron field each involve repayment in petroleum or minerals. Even in Colombia, the initially modest investment by CNPC to form Mansrovar Energy has expanded to account for almost 24 percent of the country's oil production.

Although traditional trade theory suggests that in perfect markets all commodities are available at some price, markets are not, in reality, perfect, and in tightening commodity markets, the entities with ownership stakes in those resources have a significant advantage, while the price and reliability with which those commodities are available to the rest may not be consistent with their continuing economic health.

Similarly, in the domain of free trade, the proliferation of bilateral agreements between China and Latin American trading partners, such as those with Chile, Peru, and Costa Rica, do not preclude U.S. access to those markets, but clearly privileges Chinese companies and purchasers, and thus accelerates the ongoing shift of global value added from the West, toward China.

Turning to the political dimension, while there is no overt "ideological competition" between the PRC and the United States, China's role as an alternative market and source of loans and investment, coupled with its policy of "non-interference" in the affairs of other states, indirectly undercuts the ability of the United States to advance its beliefs regarding "democratic practices" and "human rights in the region," as well as contributing to the survival of regimes such as Venezuela, which actively work against U.S. interests in the region.

Shared Interests and Possibilities for Collaboration

Despite the inherent competition between Chinese and U.S. interests in Latin America and various possibilities for conflict, China and the United States also have multiple shared interests in the region, which creates the basis for the two countries to cooperate for the benefit of all parties. These shared interests fall into three areas:

1. Strengthening of the rule of law and administrative efficiency in countries of the region;
2. Creating a secure and stable security environment for all; and
3. Achieving an efficient and effective commercial infrastructure.

Strengthening of the Rule of Law and Administrative Efficiency

As companies from the PRC, the United States, and other states invest in and operate on the ground in Latin America, all benefit from contractual relationships that are clear and predictable, judicial mechanisms that can resolve disputes in a fair and timely fashion, and efficient processes that allow investors to move quickly from signing agreements to initiating work that generates value. Indeed, the desire for such an environment for doing business has been an important factor behind the signing of reciprocal investment protection agreements between the PRC and various countries of the region. By extension, it is also in the

interest of both the PRC and the United States, as well as other actors, to uphold free trade and property rights. While the tendency of certain regimes such as Venezuela, Ecuador, and Bolivia to revise legal and constitutional structures has created short-term opportunities for previously excluded actors, such as Chinese companies, to enter new markets, the administrative and legal unpredictability of such regimes ultimately works against Chinese goals of achieving markets and securing sources of supply.

Stable Security Environment for All

Both Chinese and U.S. companies benefit from a Latin American security environment in which competent military and police institutions can provide protection to foreign workers and immigrants of all nationalities living in the country. Both also benefit from an environment in which their facilities in the country can operate without threat of extortion, terrorist attacks, and other risks to their operations, including professional, appropriately trained, and adequately equipped security forces who can respond effectively to the challenges that inevitably arise. There are areas, such as economically priced security equipment, in which China may be able to make a particular contribution, while in other areas, such as training, the United States may be particularly effective in leveraging its knowledge of, and special relationships with, the region. Working together to strengthen the security environment and the capability of partner institutions in the region is likely to generate unexpected synergies for all sides.

Achieving an Efficient and Effective Commercial Infrastructure

As the volume of trade between Latin America and all countries of the world expands, efficient and secure ports, airports, and road and rail infrastructures serve to lower transport cost, achieve greater security of supply, and increase customer responsiveness. Such infrastructure also supports development of the region, including remote mountain and jungle regions of the countries involved, by providing them with improved access to the rest of the national economy and opportunities to participate in supporting industries. Both the United States and China have important resources to bring to the table to help Latin America develop its commercial infrastructure, including both financial resources, capable companies, and knowledge of the region. Working together, potentially through the establishment of a joint projects fund, could serve to increase collective resources and likelihood of success with respect to infrastructure projects, while helping to overcome concerns over issues such as transparency and the use of financial leverage to gain work for one's own companies.

Conclusions

China's expansion into Latin America can be understood in terms of the pursuit of legitimate national security goals such as diversification of markets and the pursuit of secure sources of supply. At the same time, despite an inherent dimension of commercial and political "competition" between the PRC and the United States in the region, the United States is open to identifying ways to collaborate with China in Latin America for the benefit of all sides, and in the interest of preventing the inherent competition between the United States and China in the region from evolving into a new "Cold War" style conflict. Nonetheless, the expansion of PRC interests in the region and the imperative to defend

them in the context of a fluid Latin American political and security environment will create numerous opportunities for misunderstanding. If those risks can be overcome, however, there are more than sufficient shared interests between the United States and China in the region to forge a win-win partnership, and, in the process, allow both the United States and China to forge new and constructive relationships with the region.

Notes

¹ “China ‘Not a Threat’ in L. America,” *People’s Daily Online* (Beijing, China), <http://english.peopledaily.com.cn>, August 19, 2010.

² See Ginger Thompson and Simon Romero, “Clinton Seeks to Improve Ties with Latin America,” *New York Times*, May 18, 2011.

³ In the words of former Assistant Secretary of State for the Western Hemisphere Arturo Valenzuela, “The best framework for engaging with the Americas is one based on mutual partnership and co-responsibility...there is no senior partner and junior partner in our relations; there is simply engagement based on mutual respect and common interest and shared values.” Arturo Valenzuela, “Testimony of Arturo A. Valenzuela, Assistant Secretary of State, Bureau of Western Hemisphere Affairs (WHA), Department of State, before the Subcommittee on the Western Hemisphere, Committee on Foreign Affairs, United States House of Representatives, February 15, 2011. Assistant Secretary Valenzuela resigned his position in May 2011 and has not yet been replaced.

⁴ Hon. Hillary Rodham Clinton. “Our Opportunity in the Americas,” remarks to the Center for Strategic and International Studies, Washington DC, March 18, 2011.

⁵ See, for example, Valenzuela, “Testimony,” February 15, 2011.

⁶ “Bureau of Western Hemisphere Affairs.” U.S. Department of State. Official Website. <http://www.state.gov/p/wha/>, accessed April 13, 2011.

⁷ This includes statements by Roger Noriega and Thomas Shannon, each of whom served as assistant secretaries of state under the George W. Bush administration, and most recently, by Deputy Assistant Secretary of Defense Frank Mora of the Obama administration.

⁸ Valenzuela, “Testimony,” February 15, 2011.

COUNTRY AND REGIONAL ISSUES

Political Acumen and Geopolitical Anxiety in Suriname

Ivelaw Lloyd Griffith

Introduction

Although Roberto Espíndola's analysis of Latin America's contemporary political dynamics does not include Suriname, his simple but prescient observation resonates powerfully with that country: "Elections in Latin America [and the Caribbean] keep showing that the region retains its capacity to surprise observers, as well as a potential to generate expectations" (Espíndola 2009, 141). Suriname's 2010 elections surely had surprising outcomes, the most significant of which was the re-emergence of Désiré Delano (Desi) Bouterse as national leader, this time through democratic means.

Bouterse's re-emergence has both local and foreign implications. Internally, it has generated hopes about political unity and improved quality of life, among other things. Externally, it has raised geopolitical anxieties because of his colorful history and unenviable profile: a two-times coup-maker and authoritarian ruler (1980-1987; 1990-1991); the only world leader with the dubious distinction of an 11-year prison sentence for drug trafficking, issued *in absentia* by a Dutch court, with extradition foreclosed because Suriname and Holland lack mutual extradition treaties; and a defendant (along with others) in a domestic trial for ordering the murder of 15 political opponents in 1982.

Thus, more than any other Caribbean nation except Haiti (and a few Latin American ones) that held elections within the last decade, Suriname's electoral outcomes situate it at a noteworthy historical juncture. This juncture has fascinating internal and external aspects, reflecting, in theoretical terms, Political Adaptation and Intermestic—nexus between domestic and international—dynamics.¹ In order to appreciate some of the adaptation and dynamics, it is important to examine a few contestation issues and some of the anxieties that have surfaced because of the results of the contestation.

Political Contestation and Interest Aggregation

In 1996 the late Gary Brana-Shute, cultural anthropologist and Suriname expert, noted the following in the penultimate paragraph of a study on Suriname's civil-military relations: "Can we expect any more coups in Suriname? No, I am absolutely sure of that. Will Bouterse and his allies go away? No, I am very certain of that too, now that they have well-funded political machine—the NDP—that has surprisingly wide support" (Brana-Shute 1996, 482). Brana-Shute was eerily prophetic. Not only did Bouterse not go away, but he returned in 2010 to the pinnacle of political power, and this time legitimated through a key democracy factor: elections.² I attribute a significant aspect of this outcome to his political acumen in (a) exploiting the country's political vicissitudes, especially the ethnic plurality and the shortcomings of the ruling group; and (b) aggregating various political interests to deliver *De Mega Combinatie* (Mega Combination) as a coalition force. And, by political acumen I mean the use of a mixture of shrewdness, charisma, and organizational skills to gain political outcomes both for him and the individuals and groups whose interests he aggregates and represents.

In terms of political system, Suriname is a constitutional republic, with an executive branch headed by a president, a 51-member unicameral legislature called the National Assembly that is popularly elected for five-year terms on the basis of proportional representation, and a judiciary. The president is elected by a two-thirds majority of the National Assembly or, failing that, by a majority of the People's Assembly, for a five-year term.

If at least two-thirds of the National Assembly cannot agree to vote for one presidential candidate, a People's Assembly is formed from all National Assembly delegates and regional and municipal representatives who were elected by popular vote in the most recent national elections. A vice president, normally elected at the same time as the president, needs a simple majority in the National Assembly or People's Assembly to be elected for a five-year term. The president serves as head of state and head of government, and is supreme commander of the armed forces. As well, he presides over the Council of State, which oversees the execution of government policy, and the National Security Council.³

The May 25, 2010, elections were contested by seven political parties:

- AC A Combinatie (A Combination)
- BVD Basispartij voor Vernieuwing en Democratie (Basic Party for Renewal and Democracy)
- MC Mega Combinatie (Mega Combination)
- NDP Nationale Democratische Partij (National Democratic Party)
- NFDO Nieuwe Front voor Democratie en Ontwikkeling (New Front for Democracy and Development)
- PDOE Partij voor Democratie en Ontwikkeling door Eenheid (Party for Democracy and Development through Unity)
- VVV Volksalliantie voor Vooruitgang (People's Alliance for Progress).

As with most elections in the Americas—and elsewhere—over the last few decades, the Suriname elections were monitored by international observers. The observers found no evidence of fraud. Indeed, they offered commendations for the conduct in some areas. Although the Organization of American States (OAS) team did offer six specific recommendations for future improvement, their report noted: “The electoral process and the election event itself took place in a peaceful and proper environment and complied with all international election standards, without any irregularities being reported” (OAS 2010, 4).

Moreover, said the report: “Congratulating the Government and the peoples of Suriname for an excellent electoral process and recognizing the many positive attributes of the Surinamese electoral system, the OAS Electoral Observation Mission, in the spirit of constructive engagement, would like to make some preliminary recommendations, which could serve to improve on this already strong electoral process” (OAS 2010, 5). The CARICOM monitors indicated: “The team is of the view that the people of Suriname must be commended for their maturity throughout their General Election. . . . Based on our observations, the CARICOM Electoral Observer Mission is of the view that all was in place, and the authorities conducted the business of the day freely, fairly and transparently” (CARICOM 2010).

As often happens in plural societies where race and ethnicity are just as important as—and sometimes more important than—substantive issues when it comes to interest articulation and voting, race and ethnicity featured in Suriname. The results were widely

mixed, with no single majority winner. Seventy three percent of the 324,490 eligible voters cast their votes. The A Combination group won 4.7 percent of the votes and seven parliamentary seats; BVD, 5.1 percent and no seats; Mega Combination, 40.2 percent and 23 seats; NFD, 31.7 percent and 14 seats; PDOE, 5.1 percent and one seat; and VVV, 13 percent and six seats.⁴ In political science vernacular that was a plurality outcome and not a majority one.

Thus, since no political party won a decisive mandate, coalition-building became necessary. After almost two months of political negotiations, on July 19, 2010, Dési Bouterse emerged as head of the Mega Combination slate and the Ninth President of the Republic, having fashioned a multi-ethnic coalition that delivered 36 votes. Robert Ameerali, an independent and former head of the Chamber of Commerce and Industry, was elected as vice president. Ameerali's nomination itself demonstrated Bouterse's acumen; it resulted from a deal struck with a political nemesis, Ronnie Brunswijk, former head of the guerrilla group called the Jungle Commandos that battled Bouterse's military government in the 1980s and later became the leader of the A Combination group (Republic of Suriname 2010, Carroll 2010, West Indian News 2010, and Kock 2010).

Even before the final deal was consummated, one sensed a mixture of muted admiration of Bouterse's political acumen and anxiety about what his victory might portend. One June 2010 editorial in Guyana's *Stabroek News* captured this mixture thus:

Bouterse is still perceived as a charismatic and pragmatic man of action and his alliance appealed to the young and poor with sugary promises for easy jobs and cheap housing.

Memories are short. The young have no recollection of Bouterse's blotchy record of governance. He seized power in a coup d'état in 1980 and left office only under intense international pressure in 1987 but seized power again in another coup d'état in 1990. He still faces criminal charges for his role in the extra-judicial execution of political opponents in 1982. He was convicted in a court in the Netherlands for trafficking cocaine from Suriname to the Netherlands in 1999, but avoided serving a sentence because both countries prohibit extradition of each others' citizens.

Bouterse's party was also part of President Jules Wijdenbosch's 1996 coalition administration. Wijdenbosch embarked on internal policies which practically bankrupted the country and on external policies which provoked aggression against Guyana and defied the Caribbean Community.

It was no surprise, therefore, that the election results have generated uneasiness and despondency. Outgoing President Ronald Venetiaan who leads the minority New Front for Democracy and Development alliance confirmed that his group would not work with the Combinatie as long as Bouterse remained in control. Dutch Foreign Minister Maxime Verhagen said that the Netherlands respected the will of the electorate but added that "the past cannot be forgotten... Mr. Bouterse has been sentenced to an 11-year prison term in the Netherlands for drug dealing and, in Suriname, a case about the murders of December 1982 is still proceeding. We cannot brush all that away" (Stabroek News 2010a).⁵

Of course, Bouterse's political victory did not just happen; it derived from a combina-

tion of shrewdness, charisma, and organizational skills. The point was made in *The Economist* that “Mr. Bouterse proved a surprisingly adept campaigner. Despite his 64 years, he wisely courted voters too young to ‘remember 1982,’ as Mr. Venetiaan’s advertisements suggested. ‘Bouta,’ as his supporters call him, set his rallies to Bob Marley tracks, breezily delivered jokes in a mix of official Dutch and the widely spoken Sranan Tongo language, and boasted of the factories built under his rule (most of which later went bust). He managed to convince many under-35s that he was a candidate of change, in contrast to the stodgy Mr. Venetiaan” (*Economist* 2010).

Anxiety and Geopolitics

Expectedly, this mixture of awe of Bouterse’s political acumen and anxiety about some implications of his triumph has both internal and external aspects. As one writer put it, Bouterse’s victory “indicates not just how shallow the pool of political leadership is in Suriname; it’s also left many inside and outside the country wondering if an addiction to the iron fist still lingers in Latin America” (Padgett 2010). Moreover, there is curiosity in some quarters about the likely outcome of Bouterse’s trial, including speculation that his presidential quest was partly intended to foreclose facing justice ultimately.

The concern in this section is not with the internal aspects, but with some external ones. Of course, internal and external dynamics are never entirely divorced, especially when geopolitics is involved. The concept of *geopolitics* is defined here as the relationship between physical and political geography on the one hand and national power on the other, with key factors being the possession of strategic materials, ownership of or access to strategic lanes of communication, and the possession or location of military bases and other security installations. Geopolitics provides the context in which threats and vulnerabilities may develop or be heightened, or national power enhanced directly or indirectly.⁶

Free and fair elections, which are essential to democracy, sometimes result in outcomes that lead to both awkwardness and anxiety. Such is the case with Dési Bouterse’s re-emergence. The international manifestation of this awkwardness and anxiety was first evident at the August 12, 2010, presidential inauguration, which was not attended by a single foreign head of state. Initially, two foreign leaders accepted the inauguration invitation: Presidents Bharat Jagdeo of Guyana and Hugo Chávez of Venezuela, two key neighbors. However, they both skipped the event. Jagdeo sent Prime Minister Samuel Hinds, and Chávez sent Foreign Minister Nicolás Maduro. The United States was represented by its ambassador in Paramaribo, John Nay. Understandably, Holland was not invited to the event, and they made it known that they would not attend even if invited. Indeed, said one report, “When Bouterse was elected last month Dutch Foreign Minister Maxime Verhagen said in a statement he would only be welcome in the Netherlands to serve his 11 year sentence” (*Daily Herald* 2010, Fox 2010).

Albert Ramdin, the Suriname-born Assistant Secretary General of the OAS, who headed the OAS delegation at the inauguration, captured the awkwardness and anxiety well: “... the leaders’ absence was understandable because ... it was not every day that a soldier who has led a coup is later democratically elected as president.” Further, “In the Americas some people are still hesitant about Bouterse. They still do not know how to deal with the situation in Suriname. Latin American and Caribbean countries will be looking to see how the policies of President Bouterse’s government unfold over the next six months” (Stabroek News 2010c).

While it is not feasible to examine all the possible international-level anxieties with security ramifications, it is necessary to pay some attention to at least three matters: relations with Guyana, notably in relation to the territorial disputes; illegal drug operations; and foreign policy engagement with Venezuela.

On Suriname's Western Front

Although the political elites in Guyana will not openly acknowledge this, Guyana likely is the nation with the most significant geopolitical anxieties deriving from Bouterse's election, and for several reasons: the existence of a territorial dispute over the New River Triangle; a recently settled dispute over maritime boundaries, which at one point in June 2000 saw the use of military power by Suriname in ejecting a Canadian oil rig that had been granted exploration license by Guyana in its maritime space; and longstanding immigration tensions, among other things. In addition, all of this is in the context of weakening defense and diplomatic establishments in Guyana over the last decade and a half.

However, it also is true that precisely because of his profile, the anxiety his elections has generated, and Suriname's national security interests related to the territorial and other issues mentioned above, Dési Bouterse regards Guyana as vital to his foreign policy engagement. Thus, it was not entirely surprising that his first international presidential trip was to Guyana: a one-day working visit on September 6, 2010,⁷ that touched on several matters, including climate change, information technology, mining, infrastructure development, energy, agriculture, fisheries, and tertiary education.

The wealth of topics and paucity of concrete deliverables make for credible conjecture that the summit was more about symbolism than substance. In referring to the Communiqué issued as the end of the visit, one observer noted that it amounted to "a literary masterpiece of verbal acuity" which "succeeded in skimming ever so lightly atop every conceivable topic that officials could think about—with the obvious exception of the territorial question—without leaving a trace of the slightest solution to any matter of substance" (Stabroek News 2010d).⁸ Further, it was noted that "the Jagdeo-Bouterse encounter... was not the first time that Guyana threw a lifeline to Suriname which was swimming in a sea of international opprobrium" (Stabroek News 2010d).⁹

During the visit Bouterse declared, "Suriname is at a crossroads now and we want to share new ideas with Guyana. We have a special movement and aspiration towards South America and the Caribbean" (West Indian News 2010). (See also Stabroek News 2010d about the visit overall.) President Bouterse visited again two months later, on November 20, 2010, this time to Berbice, which borders Suriname, rather than the capital, Georgetown. Jagdeo reciprocated on November 20, 2010, to Nickerie and not the capital, Paramaribo (Demerarawaves 2010).¹⁰ Bouterse visited Guyana again on February 26, 2011, on the way back home after attending the CARICOM Summit in Grenada.¹¹

The matter of lifeline—and an aspect of the anxiety over Bouterse's election given his profile—surfaced again in January 2011 when President Jagdeo dropped a bombshell during the Guyana Defense Force annual officers' conference. In response to a question following his speech, he declared: "A foreign mission asked us if we will arrest the president of Suriname when he comes here because he is wanted some where else, and I said to them 'No'." (Demerarawaves 2011) Jagdeo declined to name the nation involved, but his revelation generated understandable speculation about what country had made the request. This led the United States to issue a statement through its embassy in Georgetown indicat-

ing that it had not been the nation involved.

At the end of the day, any “life-lining” in Guyana’s dealings with Suriname and the geopolitical anxiety occasioned by Bouterse’s election are driven by what in essence is the elephant in the room for both nations—the territorial issues and the attendant political heat they generate domestically. There are two sets of issues: one is about land—the unresolved New River Triangle; the other pertains to the maritime dispute that was resolved in 2007 but still has some residual aspects. Figure 1 shows the two areas.

Figure 1: Guyana-Suriname Disputed Areas

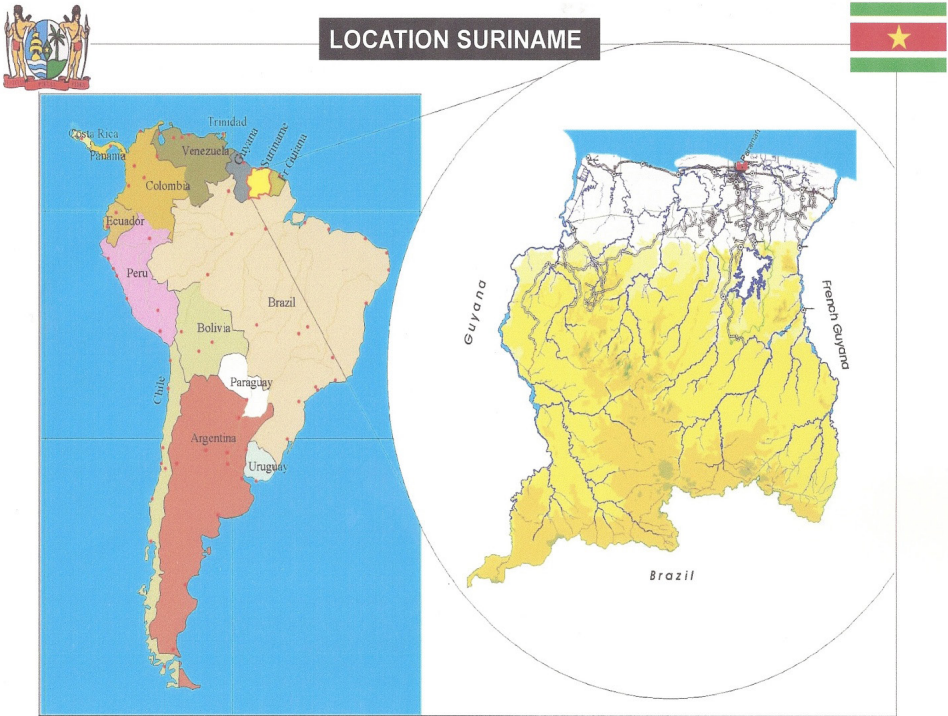


The New River Triangle dispute, which involves 15,540 km² (6,000 square miles) of territory, dates to the 19th century. The area is resource-rich, with timber and minerals and indications of the presence of bauxite and aluminum. The Border Mixed Commission, established in 1989 as a framework for rapprochement and to move the parties progressively toward resolution, has been dormant for several years. Meanwhile, over the last few decades there have been many diplomatic and security twists and turns in the territorial saga.¹² Perhaps the most significant—and daring for Suriname—development was Suriname’s action in presenting to the world what it had long done within Suriname: cartographically portraying the area as part of its territory. The occasion was the World Bank Low Carbon Development Strategy Forum, held in October 2009 in Washington, D.C. Suriname upped the ante by including in its submission the map shown in Figure 2.13. (See <http://www.forestcarbonpartnership.org/fcp/Node/175>.)

Guyana’s feeble protest of this audacious move and its inability to secure a retraction of the map reflect its relative diplomatic (and military) ineffectiveness.¹⁴ More sig-

nificantly, Suriname's bold chess move has set the stage for eventual de facto acceptance internationally of its cartographic definition of the nation, irrespective of the status of the dispute or the de jure ownership of Triangle. My prediction is this: now that Suriname's redefinition of itself has had an international debut, especially having been presented at a World Bank forum, this new map will be reproduced and used by others and, by default, slowly will become the geographic definition of Suriname in the eyes of the world. This is all the more so since Suriname also recently began to depict itself as inclusive of the New River Triangle on the web site of its embassy in Washington, D.C.¹⁵

Figure 2: Suriname Redefined by Suriname



Source: Suriname's Presentation to the World Bank Low Carbon Development Forum, October 2009.

The maritime zone's geopolitical value in terms of resources is perhaps greater than the New River Triangle's given the hydrocarbons there. One study notes that:

The disputed maritime area between Guyana and Suriname, called the Guyana Basin, is an under-explored area on the continental shelf of South America extending from present day Venezuela to Suriname. The Guyana Basin is geographically next to Trinidad and Venezuela, both important oil producers on the Caribbean plateau and the Venezuelan extension, which are two large and productive oil fields. Throughout this area, large commercial petroleum consortiums such as Exxon, Agip, and Burlington have successfully drilled for petroleum.

Limited exploration in the Guyana Basin has been carried out to date. However in June 2000, the United States Geological Survey's *World Petroleum Assessment 2000* estimated that the resource potential for the Guyana Basin is 15.2 billion barrels of oil. This estimate indicates that the Guyana Basin is the second most important unexplored region in the world in terms of oil potential. If the potential is reached, it would be the twelfth most productive site in the world (Donovan 2003, 48).

The zone in question was 31,600 km² (5,251 square miles) in size. The dispute over it also witnessed several dramatic high points, perhaps the most notable of which was the ejection in June 2000 by Suriname Defense Force naval vessels of the oil platforms of a Canadian-owned company, CGX, which had been licensed by Guyana to drill in the Guyana Basin. The episode witnessed the humiliation of the Guyana Defense Force—once larger and better trained than the Suriname Defense Force. One report also noted: “To add insult to injury, Paramaribo had deployed its naval vessels in the area in a show of strength, declared itself ‘the power in the river’ and led Georgetown on a meaningless diplomatic waltz which ended on 18 June, with the then–Foreign Minister Clement Rohee conceding failure in his quest to restore the status quo ante. The next year, Mr. Rohee was removed from the ministry” (Stabroek News 2008).

Interestingly, Suriname's use of force was itself a manifestation of Interestic dynamics. Up until early May 2000, about a year after CGX began its exploration in the area, Surinamese authorities voiced no concern about the presence or purpose of CGX in the Basin. Things began to change later that month as the campaign for the impending elections—set for May 25—heated up. Opposition figures began accusing the ruling coalition of condoning Guyana's intrusion into “Surinamese territory” and plundering its oil wealth. As Shridath Ramphal put it, “political machoism was stirring the nationalist plot; and the Government was not going to be outdone” (Ramphal 2008, 146). On May 11, Suriname delivered a *Note Verbale*¹⁶ to Guyana through Guyana's ambassador in Paramaribo, demanding that Guyana cease operations in what it deemed its territory.

Guyana replied six days later asserting that the exploration was being undertaken within its maritime space. Suriname ignored Guyana's response and found it politically expedient not to acknowledge having received it. The May 25, 2000, elections resulted in a loss of power for the ruling coalition and a victory for the New Front coalition, although it was some time before the new National Assembly elected a president. Then on May 31, with the new president not yet agreed on, Suriname's foreign minister—whose president had just lost power—issued a new *Note Verbale* to Guyana's ambassador. It reasserted its allegation about Guyana's illegal actions, demanded immediate cessation of activities, and promised to use “all avenues” if Guyana did not comply with its demands.

Simultaneously, Suriname ordered CGX to cease operations or face appropriate sanctions. Guyana replied to the May 31 *Note Verbale* on June 2, offering to host high-level talks within 24 hours. That same day Guyana Defense Force Coast Guard patrolling the Guyana Basin near the rigs reported Surinamese military aircraft flying threateningly over the rig and Coast Guard vessels. Guyana protested the airspace intrusion and renewed the offer to hold talks, to no avail. Just after midnight on June 3 the Surinamese navy arrived in the CGX concession area, circled the rig, trained spotlights on the platform, and repeatedly issued orders to “leave the area within 12 hours, or the consequences will be yours” (Ramphal 2008, 149). Understandably fearful for their physical safety and destruc-

tion of their equipment, the CGX operators detached the rigs and departed the area under Surinamese naval escort. Suriname also forced oil companies Esso and Maxus to end their operations in the Basin.

Incidentally, the affair also highlighted CARICOM's limitations as a dispute-resolution mechanism. CARICOM tried but failed to resolve the disagreement between two of its members. Guyana then took the matter to arbitration under the United Nations Convention of the Law of the Seas (UNCLOS) in February 2004. The case took three years, with the composition of the five-member Tribunal alone taking nine months. Both sides mounted formidable teams of international lawyers, geographers, and diplomats. Guyana had a 21-member team, and Suriname a 25-member team.¹⁷ (For details of the two teams, see Ramphal 2008, 341-342.) Suriname challenged the jurisdiction of the Tribunal and the validity of the established international legal principle of equidistance in fixing boundaries, and it attempted to justify the June 3, 2000, use of force.

Not only did that strategy fail in the extant case but it facilitated the strengthening of "the Constitution of the Oceans" in relation to future cases. Says Ramphal: "In all three areas, the UNCLOS Tribunal in this case made decisions of major significance not only to the outcome of the Arbitration, but also to the development of international law generally. The Guyana-Suriname Maritime Award is likely to be an arbitral precedent much drawn upon in international jurisprudence in years ahead"¹⁸ (Ramphal 2008, 17; my emphasis). The Tribunal announced the award on September 20, 2007, finding that Guyana was entitled to two-thirds of the disputed zone and Suriname one-third. Beyond this, Guyana felt vindicated in relation to the June 3, 2000, use of force with the Tribunal's declaration: "As a result of this Award, Guyana now has undisputed title to the area where the incident occurred"¹⁹ (Ramphal 2008, 17).

As with other dispute settlement cases, the Tribunal's decision did not remove all frictions. One source indicated, "With the ink barely dry on the historic maritime jurisdiction ruling by the United Nations Conference on the Law of the Sea (UNCLOS) Guyana and Suriname are at it again, this time, following the October 14, 2008, seizure by Suriname navel vessels of the *Lady Chanrda*, a privately owned Guyanese boat on the Corentyne River" (Stabroek News 2008). Nevertheless, the settlement enabled resumption of oil exploration by CGX. Joining later was Tullow Oil, a Britain company, in a joint venture with REPSOL of Spain. Indications are that production could begin as early as 2014. (See Caribbean News Now 2010 and World Countries News 2011.)

Given the sensitivity in the Americas to how territorial disputes are dealt with—partly because of wars caused by them and because of the large number of existing disputes—it is not just Guyana that would be concerned about Bouterse's conduct in relation to territorial matters. But it also is true that Bouterse's election has created international anxiety about other matters. One such matter relates to illegal drug operations, to which we turn attention next.

On the Geonarcotics Front

This writer originated the concept of geonarcotics in the early 1990s as a way to examine the drug phenomenon holistically. I first outlined it in 1993 in *International Journal*, Canada's premier international affairs scholarly periodical and later applied it empirically in a study on the Caribbean (See Griffith 1993-1994 and Griffith 1997). The concept suggests the dynamic interaction of four factors: drugs, geography, power, and politics; that

the narcotics phenomenon is multidimensional, with four main problem areas (drug production, consumption-abuse, trafficking, and money laundering); that these problem areas give rise to actual and potential threats to the security of states; and that drug operations and the activities they spawn precipitate both conflict and cooperation among various state and non-state actors. The geonarcotics approach does not view the “war on drugs” purely as a military matter.

Apart from Bouterse’s conviction, over time his son and several senior military officials have been implicated in narcotics smuggling. For instance, in 1986 Etienne Boerenven, then the Suriname Defense Force’s second-in-command, was arrested in Miami, convicted of drug trafficking, and sentenced there. He was deported from Florida in May 1991 after serving five years of a 12-year prison sentence. In March 1998, Ronnie Brunswijk, a former Bouterse bodyguard who later became his nemesis, was convicted of drug trafficking in Holland and sentenced *in absentia* to eight years in prison.²⁰

In April 1999, Brazil’s TV Globo reported allegations that Rupert Christopher, Suriname’s ambassador in Brazil and a former defense minister under Bouterse, was implicated in the drug trade with Bouterse. Earlier that year, Bouterse’s son, Dino, reportedly was recalled from Suriname’s embassy in Brazil after authorities found evidence that he had been using his diplomatic immunity to smuggle drugs. In August 1999 Interpol issued an international arrest warrant on Belgium’s behalf for Ruben Peiter, commander of the Suriname police mobile unit. Belgium suspected that Peiter was shipping cocaine in timber consignments. In August 2005 Dino Bouterse was convicted in Paramaribo and sentenced to eight years in prison for trafficking in drugs and weapons. He secured an early release. (See Griffith 1997, Bohning 1999, Brana-Shute 2000, and Kuipers 2010.)

This profile suggests that as regards the matter of drugs, the international spotlight likely will be more on trafficking and less on production, consumption-abuse, and money laundering, although these three other aspects are important. In relation to money laundering, for example, a director of the Suriname Central Bank once was indicted (*in absentia* in Holland) for money laundering. (See Brana-Shute 2000, 107.)

Marijuana is cultivated in Suriname, although mostly for domestic consumption. But Suriname produces no cocaine, heroin, or methamphetamines, which feature prominently in trafficking there, as shown in Table 1, a small portrait for the last five years. Like any such portrait, Table 1 is subject to the reality everywhere—including in the United States—that what is seized is a mere fraction of what is trafficked. Thus, an understandable question in terms of geonarcotics is: what explains Suriname’s deep involvement in trafficking? As with any nation so involved, there is no single-factor explanation. Corruption, economic deprivation, and law enforcement resource constraints are relevant factors. Nevertheless, geography is a major factor, and in several respects.

Table 1—Drug Trafficking Portrait of Suriname 2006-2010

Year	Seizures and Arrests
2006	577 kilograms (kg) of cocaine and 42 kg of cannabis; 571 persons were arrested for drug-related offenses. While seizures and arrests decreased compared to 2005, this is due to the government's focus on targeting major traffickers. Within the last five years authorities have rounded up eight of the ten known major criminal organizations. Through September authorities arrested 112 people carrying cocaine in their stomachs. Many who evade detection in Suriname were arrested at the airport in Amsterdam, which since 2004 has implemented a 100 percent inspection of all passengers and baggage arriving from Suriname. In a major success Guyanese Shaheed "Roger" Khan, suspected of drug trafficking, was arrested on false documents charges. He was set to return to Guyana via Trinidad and Tobago, but was deported, instead, to the United States. [Khan was later convicted in New York and sentenced in October 2009 to 40 years for drug smuggling and illegal arms possession. Two months later his attorney, Robert Simels, was given 14 years for trying to kill witnesses. See Griffith 2009, 16.]
2007	206 kg of cocaine, 131 kg of cannabis, 3,154 ecstasy tablets, and 81 grams of ecstasy powder. A total of 667 people were arrested for drug-related offenses and 462 cases were sent to the Office of the Attorney General for prosecution. While the cocaine seizures are far below 2006's, the decrease is attributed to the establishment of the Airport Narcotics Team and anti-narcotics training provided for customs and police officers, which forced traffickers to develop alternatives to getting drugs through the airport.
2008	228.1 kg of cocaine, 123 kg of cannabis, 785 ecstasy tablets, and 3,346.4 grams of heroin. While 2008 seizures were on par with previous year, authorities continued targeting large trafficking rings (with direct links to South American and European rings). United States intelligence shows that traffickers have changed their routes and methods of operations in response to the efforts of Surinamese authorities. Drug trafficking organizations have moved their landing strips further into the interior and changed trafficking tactics, such as using one landing strip for a very short period of time and then moving to another strip. A total of 582 people were arrested on drug-related offenses. The authorities also noted a slight decrease in the number of drug mules arrested, from 99 in 2007 to 66 in 2008. Traffickers continued the use of postal services to mail packages containing household items or foodstuff (ginger roots, noodles, and syrup) containing drugs. There was a notable increase of African nationals arrested at Suriname's Johan Adolf Pengel airport carrying drugs intended for Africa, through Holland. The most significant arrest trend in 2008 was the arrest of several members of different Surinamese entertainment groups.
2009	238.2 kilograms of cocaine, 158.5 kilograms of cannabis, 4,711.2 grams of hash, and 5.8 grams of heroin. In the second half of 2009 Suriname launched Operation Koetai, which focused interdiction on the border with Guyana. This operation resulted in 94.1 kilos of cocaine seized and eight arrests as of October 30. People who attempted to bypass Operation Koetai by landing their boats in the district of Saramacca also were apprehended, resulting in seven additional arrests and the seizure of 77.5 kilos of cocaine. Operation Koetai forced an increase in the market price of cocaine from \$3,500 to \$7,000 per kilo in the area. During the year, Suriname installed a urine testing machine at the airport to identify suspected drug mules and introduced three Dutch-trained dogs to detect drugs on Amsterdam-bound flights. This enhanced effort may have contributed to the downward trend in the number of drug mules arrested—from 99 in 2007, to 66 in 2008, to 49 in 2009. One Surinamese drug mule was arrested at the airport in Holland after having swallowed 182 cocaine capsules, weighing nearly 2.2 kilos. Although the majority of the trafficking out of Suriname via the airport occurs mainly on Netherlands-bound flights, drugs also were intercepted on the US-bound flights in Trinidad and Tobago, Jamaica, and the United States. For example, drugs were discovered on a US-bound Suriname Airways flight by US Customs in Aruba. Nationalities arrested in Suriname in 2009 for drug-related offenses included Filipinos, Spaniards, Dutch, Guyanese, Belgians, British, Brazilians, Ghanaians, Columbians, Venezuelans, and Nigerians. As of October 30 that year 454 people were arrested for drug-related offenses of which 323 cases were sent for prosecution. As of November 5 of the year, 293 people had been prosecuted for drug-related offenses.

342.7 kg of cocaine, 32.5 liters of liquid cocaine, 146 kg of marijuana, 4.5 grams of hashish, and 2 grams of heroin. During 2010, 542 people were arrested for drug-related offenses, compared to 454 arrests in 2009. Suriname authorities focused significant interdiction resources on the western border with Guyana, a key route for cocaine trafficking by land, air, and water. In 2010 this effort yielded limited success, with fewer interdictions than in 2009. One officer posted at this checkpoint was arrested on corruption charges and this investigation is ongoing. A downward trend continued in the number of drug mules arrested—from 99 in 2007, to 66 in 2008, to 49 in 2009, to 34 in 2010. The use of foodstuff to move drugs out of Suriname continued in 2010, with cocaine discovered in prunes, dried fish, souvenirs, and syrup bottles. The bulk of the cocaine movement out of Suriname to Europe and Africa is via commercial sea cargo, including both larger boats and smaller fishing vessels that carry drugs out to sea and transfer them to larger freight vessels in international waters. There were several drug seizures in 2010 of cocaine found in sea cargo originating from Suriname, including: 166 kilos from a container at the port of Tilbury in the United Kingdom, where the drugs were concealed within industrial machinery parts; 266 kilos discovered by Pakistani Customs at the port of Karachi in the shipping container of plywood; and 147 kilos of liquid cocaine discovered by Dutch Customs officials, concealed within a cargo container of syrup.

Source: U.S. Department of State, International Narcotics Control Strategy Report; various years.

The world of real estate has the mantra “Location! Location! Location!” That mantra has some applicability here. Suriname is just a “stone’s throw” away from Colombia, a major cocaine and heroin production (and marijuana cultivation) center. It also is close to Venezuela, a major drug conduit, and it shares a 600 km-border with Guyana and a 593 km-border with Brazil, both of which feature prominently in drug trans-shipment from South America to the United States, Europe, and Africa, often for re-routing to Europe and the United States. Also, Suriname is less than 3,000 miles away from most places in the United States, a key demand country. For instance, Paramaribo is just 2,154 miles from Miami and 2,655 miles from Washington, D.C. Although it is further away from key drug demand countries in Europe—4,659 miles from Amsterdam, and 4,437 miles from London, for instance—there are commercial and social networks in those countries that make the trafficking journeys worthwhile for the illegal operators.²¹

Yet, is not merely a matter of physical geography; social geography also is a factor. Suriname has fewer than 500,000 people in its 163,270 square kilometers of territory. It is about the same size of the state of Georgia in the United States, which has a little fewer than 10 million people. Thus, Suriname has a very low population density. In addition, as with French Guiana to its east and Guyana to its west, Suriname’s population lives mostly along the coast. Consequently—and this is true of Guyana and French Guiana, as well—most of the nation’s territory is both under-peopled and under-policed. This combination provides vulnerability to drug trafficking (and other illegal activities) as well as opportunity for traffickers and other illegal operators.

Thus, a second understandable geonarcotics question is this: In light of the factors described above, is Boutserse likely to establish a narco-state?²² This salience of this question increased for some individuals with the January 2011 WikiLeaks cable revelation. It was alleged that United States embassy officials in Suriname had filed reports to headquarters that Boutserse had continued his drug dealings even after his 1999 conviction, supposedly until 2006, when he still was a member of parliament, and that some of his ventures involved links with Guyanese Roger Khan (Daily Herald 2011). As noted in Table 1, in October 2009 Khan was sentenced to 40 years in prison in New York having been convicted on drug trafficking and related charges.

Clearly, with unemployment almost 10 percent, per capita GDP being under

US\$10,000, and three-quarters of the population engaged in the low-wage service sector, economic deprivation is still a major challenge for Suriname. Indeed, as noted earlier, Bouterse won partly because of a pledge to improve the economic and social conditions of Surinamese. It is true that the International Monetary Fund (IMF) predicts a 5 percent economic growth this year. (See RJRnews online 2011.) But, corruption still exists, and the conditions that conduce to it are unlikely to be eliminated in the near future. Moreover, the economic, political, and geographic conditions of proximate countries such as Guyana, Venezuela, and Brazil are not such as to reduce their contribution to Suriname's vulnerability to trafficking.

For all this, I do not envisage the creation of a narco-state in Suriname, and for several reasons. First, the very political acumen that helped Bouterse reemerge legitimately should enable him to appreciate the inexpediency of such a pursuit. Such would hurt both his political self-interest as a world leader and the national interests of his nation. Second, Bouterse must know of the special spotlight both he and Suriname are now under. Thus, he is more likely to try to compensate for his history and negative image by being aggressive against trafficking than to become complicit (again) in it. Perhaps we already are seeing the makings of this with the quest for international assistance from Britain, the Netherlands, Bulgaria, Pakistan, and elsewhere. (See Stabroek News 2011.) Finally, although Bouterse is in good health, he is in a chronological zone—age 65—when leaders begin to ponder both their mortality and their legacy.²³ He must know that enabling the development of a narco-state would damage his legacy.

Consider, though, that even if President Bouterse were to compensate for his drug trafficking history and image by being aggressive against traffickers, he might well want to establish a legacy outside the geonarcotics arena. The foreign policy arena can plausibly be that desired legacy area. In such a case, for understandable reasons, his primary zone of engagement would have to be the Caribbean, Brazil, and Venezuela, although Europe and the United States will continue to be important for trade, aid, and immigration.²⁴ As was noted earlier, in his first international trip—to Guyana in September 2010—Bouterse declared having “a special movement and aspiration towards South America and the Caribbean.”²⁵ Indeed, as part of its South American engagement, Suriname joined UNASUR (*Unión de Naciones Suramericanas* or Union of South American Nations) in January 2011.²⁶ It is in that context that we turn next to some dynamics related to a possible Venezuelan embrace.

On the Venezuelan Front

A Venezuelan embrace of Suriname now that Bouterse is president is under way. This is explained by a few secondary factors and one primary one. One secondary factor is the fact that both Dési Bouterse and Hugo Chávez are political mavericks, and perhaps bond at that level. Moreover, there is ostensibly an ideological affinity, as they both are left of the ideological spectrum. However, clearly Bouterse no longer has the strident left orientation he had during the 1980s and 1990s, when the overall ideological climate in the hemisphere and beyond was different. It is true that Suriname recognized the State of Palestine in February 2011, and hosted Chen Fengxiang, vice head of the Communist Party of China a month later (Suriname.net 2011 and DevSur 2011). It also is true that Suriname is facilitating the deepening of China's presence and positioning in the Caribbean (and Latin America) but that deepening began long before Bouterse's presidency began.

For instance, the Suriname embassy in Beijing is reported to have issued almost

3,300 visas for Chinese nationals to enter Suriname between 2007 and 2010. This is apart from the thousands of Chinese who allegedly were smuggled into the country illegally (Stabroek News 2011d). Consider also that not only does China now have an embassy in Paramaribo that “dwarfs the aging United States embassy,” but that “the Foreign Ministry’s elegant new headquarters here is a gift from the Chinese government.” In addition, “Chinese signs on hundreds of businesses, from casinos to grocery shops and furniture stores, beckon the residents of this capital. Chinese work crews are paving roads cutting through the jungle” (Romero 2011). Moreover, writes Simon Romero, “While the economic aid has certainly been welcome in Suriname, formerly known as Dutch Guiana, the growing political and demographic profile of the Chinese here has created concerns, ranging from xenophobic calls from some political leaders here to investigate what they call ‘a Chinese Invasion’ to more tempered efforts to decipher what effect China’s rising influence will have on a country that is already distant linguistically and culturally from the rest of South America” (Romeo 2011).²⁷

However, Bouterse seems not be interested in ideological posturing, but in pragmatism. For example, in outlining his five-year policy projections in the National Assembly in October 2010, he declared: “Our foreign policy will be aimed at Suriname agricultural produce gaining access to Caribbean markets. We will pursue a more intensive cooperation with Cuba in educating doctors, in order to bring health care within reach of each Surinamese. We will work more closely with Venezuela as regards the further development of our oil sector, with Japan and Korea on the fisheries sector, with the USA and Canada in the mining sector, and with India in the area of ICT” (Bouterse 2010b, 6). Interestingly, Cuba and Suriname established diplomatic relations in 1979, but after the United States invasion of Grenada in 1983 those relations were frozen until 1995. Cuba reopened an embassy in Paramaribo in 2006, and Suriname reopened one in Havana in January 2010, several months before Bouterse assumed the presidency.

Understandably, Suriname’s pragmatism does not mean that Chávez might not wish for or push ideological stridency—perhaps, over time and as he tightens the embrace, he hopes. Neither is it being argued that Bouterse can totally escape the embrace having accepted Chávez’s largesse during the 2010 elections campaign. Moreover, anxiety in some quarters within Suriname about Venezuelan influence led one group, called “No Murderers for President,” to begin protesting alleged interference by Venezuela in Suriname’s domestic politics. They even wrote to all UNASUR members, except Venezuela, of course, about this (Stabroek News 2011b).

What, then, is the primary factor involved in the Venezuelan embrace of Suriname under Dési Bouterse? That factor is national interest. Suriname finds it in its national interest to enhance its relationship with Venezuela as part of its South American thrust, which was noted earlier, and because of aid and oil. The latter relates to getting it on concessionary terms and securing technical assistance for Suriname’s own small oil operations. For its part, Venezuela considers it in its national interest to expand its zone of influence by using oil, part of its Bolivarian strategy. The instrument for using oil as part of this strategy is PetroCaribe. Chávez announced Suriname’s inclusion in PetroCaribe while on a five-hour visit to Suriname on November 26, 2010, after leaving a UNASUR conference in Guyana. He also signed agreements on agriculture and housing. Venezuela also will supply fertilizers for Suriname’s rice sector and the two nations will pursue a joint venture on rice farming. In addition, Venezuela also will provide an undisclosed number of prefabricated

houses to Suriname. Later the houses will be built in Suriname with Venezuelan assistance (Caribbean 360 2010).

PetroCaribe itself was established in 2005 under Venezuela's PetroCaribe Energy Agreement. It finances a portion of the value of imports of Venezuelan crude oil on a sliding scale: above \$30 per barrel, 25 percent; above \$40, 30 percent; above 50, 40 percent; and above \$100, 50 percent. Participating countries pay the balance over 25 years at a 2 percent interest rate, which reduces to 1 percent at prices above \$40 per barrel along with a two-year repayment grace period (Girvan 2011, 122). PetroCaribe has six key terms of engagement:

1. Oil sold at concessionary terms.
2. Only part of the payment is paid in cash up front. The rest is converted into a loan, used for development purposes, to be repaid in 25 years at 1 or 2 percent interest.
3. No conditions are attached to the loans.
4. Portions of the loan can be repaid in the form of goods or services.
5. No private entities are permitted; all transactions are done on a state-to-state basis.
6. Transportation, docking facilities, and upgrades to refining and storage capabilities are included (Maingot 2011, 104).

As of September 2011, the following 17 countries were PetroCaribe participants: Antigua and Barbuda, the Bahamas, Belize, Cuba, Dominica, the Dominican Republic, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Nicaragua, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, and Suriname. They receive about 145,000 barrels daily, down from the 300,000 barrels initially envisaged, with some 95,000 barrels going to Cuba alone. This leadership of this list of nations is not all leftist in orientation. Indeed, only the leaders of Cuba and Nicaragua are left of the political spectrum, although Prime Minister Ralph Gonsalves of St. Vincent and the Grenadines, President Dési Bouterse of Suriname, and a few others were solidly so at an earlier time.

Thus, even though PetroCaribe is manifestly a part of Hugo Chávez's Bolivarian strategy, the participating nations are drawn to it not because of ideological affinity with Chávez but for pragmatic national interest reasons.²⁸ Anthony Maingot's assessment is, therefore, fully supportable: "This is the main lesson learned from Venezuela's efforts in the region: countries will seldom turn down economic assistance when they need it, but how they respond politically to that assistance will depend on their own political culture and realities" (Maingot 2011, 114).

However, there are risks, especially for those Eastern Caribbean nations with mono-cultural economies and, therefore, significant economic vulnerability. This vulnerability is accentuated in 2011 by developments in the Middle East, which have driven the price of oil up considerably. In April 2011 the world price of crude was US\$121 per barrel, up from US\$84 a year earlier, and it likely will rise further if the turbulence in the Middle East does not end soon.²⁹ As such, reliance on PetroCaribe likely will increase—so, too, will possibly Venezuela's influence. At least Suriname has a more diversified economy, including some oil production, and can resist diplomatic or ideological pressures if it feels such are not consonant with its national interests. Dominica, St. Lucia, and other Eastern Caribbean states are less able to do. Further, Suriname is not—yet, at least—part of ALBA.

I support Maingot's view that fundamentally Hugo Chávez's strategy is about creat-

ing alternatives “to U.S. imperialism, capitalism (in its neoliberal, free trade, and privatization dimensions), and traditional oligarchies (often defined in racial terms)” (Maingot 2011, 112). My worry, then, is that as middle-power Venezuela pursues its “great game” against hyper-power United States, small Caribbean nations might become unwitting victims. Geopolitically, ALBA and the Bolivarian strategy highlight several political and economic vulnerabilities of Caribbean countries, in relation to CARICOM and the United States, which is Venezuela’s nemesis. It is in this context that the re-emergence of Bouterse and the strengthening of relations with Venezuela have raised some geopolitical anxieties.

Nevertheless, so far all indications are that Suriname’s pursuits are guided by pragmatism and national interest rather than left ideological affinity. In this respect, Bouterse’s articulation of his Development Diplomacy approach in Suriname’s National Assembly in October 2010 bears noting:

The realization of the national development goals will be central in our interactions with other countries and international organizations, mindful of the policy principle that foreign policy must contribute to national development. The foreign policy will serve to support sectors that are central to the national development, such as agriculture and mining, education, health care, rural development, poverty alleviation and environmental protection. With regard to Suriname this implies a reorientation of the regular diplomacy to a development-oriented diplomacy, with more attention being paid to new subjects such as poverty alleviation, food security, the protection of upcoming business and industries, and the impact of climate change. In this concept the contribution of recognized NGOs and Surinamese will be of great value in the Diaspora. This development diplomacy will be aimed at optimizing effectiveness and productivity of international cooperation on behalf of national development³⁰ (Bouterse 2010b, 6).

Conclusion

Suriname is clearly at a crossroads partly because the major outcome of the 2010 elections has caused some geopolitical anxieties—in Guyana with which there is a territorial dispute, regarding drug trafficking, and vis-à-vis relations with Venezuela. This is essentially because of the triumph of erstwhile authoritarian ruler and convicted drug trafficker Dési Bouterse, who made good use of his political acumen to re-emerge as the nation’s chief political helmsman, this time legitimately.

Yet, it is important to bear in mind the broader context of political adaptation and democracy in the extant case. Samuel Huntington reminds us that: “Elections, open, free, and fair, are the essence of democracy, the inescapable *sine qua non*. Governments produced by elections may be inefficient, corrupt, shortsighted, irresponsible, dominated by special interests, and incapable of adopting policies demanded by the public good. These qualities may make such governments undesirable but they do not make them undemocratic” (Huntington 1991, 9-10). There is every reason to hope that not only will Suriname sustain its democratic trajectory, but that the government of President Dési Bouterse will pursue such domestic and international policies and programs as to make his government desirable within the country and embraced as a valuable member of the regional and global comity of nations.

Notes

¹ See Huntington 1968 regarding Political Adaptation. See Manning 1977 for the initial use of Interethnic, and Lowenthal 1992 for the first application in relation to Latin America and the Caribbean.

² It is widely agreed that elections are necessary but not sufficient for democracy. Elsewhere, I have argued that democracy requires not only free and fair elections but also the unencumbered exercise of civil and political rights, the right of parties and interest groups to operate, access to decision-makers and institutions of government and responsiveness by them, functional judiciaries, and uncensored media. See Griffith and Sedoc-Dahlberg 1997.

³ For a full discussion of the structure and operation of Suriname's political system and some contemporary political aspects, see Dew 1994, Sedoc-Dahlberg 1997, Singh 2007, and Inter Parliamentary Union at <http://webcache.googleusercontent.com/search?q=cache:Rki69QfL7zgJ:www.ipu.org/parline/reports/2299.htm+mega+combination+composition&cd=10&hl=en&ct=clnk&gl=us&source=www.google.com>.

⁴ Understandably, the results also reflected the plural society nature of the nation. The National Assembly comprises 17 Hindustani, 11 Creole, 10 Maroon, 9 Javanese, 2 Amerindian, and 2 Chinese. Interestingly as well, 31 of the 51 new parliamentarians were elected for the first time.

⁵ For more expressions of admiration and anxiety, see Fox 2010, Padgett 2010, and Associated Press 2010.

⁶ For more on the subject, see Ronfeldt 1983, Serbín 1990, Griffith 1993, Ch. 7, and Griffith 2004, 26-30.

⁷ Bouterse fell ill with dengue fever a few weeks before the planned visit but he insisted on making the trip even though he had not fully recovered.

⁸ This writer wonders whether some of the symbolism and the flurry of activities are influenced by the fact that Jagdeo, who is term-limited, is in the final year of his presidency and perhaps hopes to compensate for the unremarkable dealings with Suriname as he thinks about his legacy. One survey of Guyana-Suriname relations offers the credible view that "By any measure, the nadir of Guyana-Suriname relations occurred during President Bharrat Jagdeo's tenure of office" (Stabroek News 2008).

⁹ As evidence, it was noted "President Desmond Hoyte had agreed to a similar 'working visit' by President Johannes Kraag in January 1991 at Plantation Skeldon on the Corentyne. Mr. Kraag has recently been installed by Suriname's National Army's Acting Commander Colonel Ivan Graanoogst—then Colonel Bouterse's trusted deputy—after the 24th December 1990 'Telephone Coup.' Two days after Bouterse's resignation as Army Commander, the Army telephoned President Ramsewak Shankar to inform him that he and his cabinet had been removed from office" (Stabroek News 2010d).

¹⁰ Jagdeo's November visit generated criticism because of the composition of his team. Foreign Minister Carolyn Rodrigues-Birkett was conspicuously absent, although Suriname's Foreign Minister, Winston Lackin, was part of Bouterse's delegation. Included in Jagdeo's team was Donald Ramotar, government parliamentarian and General Secretary of the ruling People's Progressive Party (PPP). Criticism came both from opposition parties

and from within the PPP, as Ramotar was a contender for the PPP's presidential nomination for the elections, due by the end of 2011. Jagdeo had taken Ramotar on other foreign trips, using government funds. Other PPP presidential contenders saw his inclusion in such trips as competitively advantaging him, both in signaling "anointment" as successor and in providing him with practical foreign policy experience. As anticipated, the PPP Central Committee eventually chose the 61-year-old Ramotar (born October 22, 1950) as the presidential candidate, on April 4, 2011. Noteworthy, too, is that after press and opposition party protests that followed the announcement that Jagdeo and Ramotar were to make a campaign fund-raising visit to New York later that month (using state funds), Jagdeo legitimated the use of the funds by simply appointing Ramotar as one of his political advisors. See Guyana Chronicle 2011.

¹¹ Bouterse and Jagdeo reportedly discussed the bridging of the Corentyne River, crime, and immigration. On immigration, they agreed to regularize the river-boat system whereby Guyanese land in Suriname and Surinamese touchdown in Guyana through the unregulated speed boat system (Newspress 2011).

¹² For a discussion of the historical antecedents and legal and political dynamics of this dispute, see Donovan 2003, Ferguson 2007, Pollard 2007, and Stabroek News 2010c.

¹³ It is worth noting that Jagdeo allowed himself to be humiliated in January 2002 when, as part of an official visit to Suriname, he was invited to address the National Assembly and he spoke from a position in the Assembly where the map of Suriname with the New River Triangle as part of Suriname was part of the backdrop. See Guyana Chronicle 2002.

¹⁴ I mention military effectiveness not to suggest that military measures should have been used but because in the international arena—whether for big, medium, or small states—the possession of military assets and sometimes just the perception of that possession—even without the use of gunboat diplomacy—can influence outcomes as national interests are pursued, especially when such fundamental interests as territorial possession (or the definition of it) are involved.

¹⁵ See <http://www.surinameembassy.org/>. This is a variation of Venezuela's approach where it portrays Essequibo, the five-eighth of Guyana it claims, as part of its territory but as *Zona en reclamación*. See, for example, <http://www.venezuelatuya.com/geografia/mapavenezuela.htm>. Noteworthy, too, is the fact that in June 2011 President Bouterse reasserted the claim to the New River Triangle.

¹⁶ This is a form of communication used in the diplomatic community that is unsigned and written in the third person. It is less formal than a *Note* but more formal than an *Aide-Mémoire*.

¹⁷ Interestingly, CGX footed most of Guyana's legal bill. According to one report, "Toronto-based CGX Energy Inc. paid \$8.9 million in fees--the majority of Guyana's legal bill--incurred in a maritime border dispute with Suriname over rights to the undersea basin, President Bharrat Jagdeo said late Monday. 'This is no secret,' Jagdeo told reporters outside his offices Georgetown. 'I'm very grateful to CGX for footing the bill, because it didn't come from the treasury. But that doesn't mean that they have any preferences'" (Associated Press 2007).

¹⁸ Suriname also pursued a "denial of access" strategy. Although Guyana and Britain allowed Suriname unlimited access to all historical archives, Suriname sought to deny access by Guyana to Dutch archives for the period June 1937 to March 1959, leading the Tribunal

to declare in its first Procedural Order that: “The Tribunal shall not consider any document taken from a file in the archives of the Netherlands to which Guyana had been denied access” (Ramphal 2008, 222).

¹⁹ For the case’s historical, political, and legal dynamics, see Ramphal 2008. Shridath Ramphal is an international lawyer with a distinguished career: former Attorney General and then Foreign Minister of Guyana under Forbes Burnham (founder of the People’s National Congress that is now the main opposition party), former Commonwealth Secretary General, and former Chancellor of both the University of the West Indies and the University of Guyana. He led Guyana’s team. Suriname’s team was led by then Minister of Foreign Affairs, Lygia Kraag-Keteldijk.

²⁰ As noted earlier, Brunswijk now heads the A Combination group. He is a member of the National Assembly, representing Marowijne district, in north-east Suriname, near French Guiana.

²¹ See Griffith 1997, 57-62 for data on the distances between and among source, transit, and destination countries in the Caribbean, South America, North America, and Europe.

²² The term refers to situations where (a) the political elites of a country either act in complicity with drug barons or are so fearful of them that they turn a blind eye to their pursuits, or (b) drug dealers exercise effective control over parts of the nation, thereby undermining the governability of the nation by the elites who reputedly rule it. An example of the first case is Afghanistan under Taliban rule. An example of the second case is Colombia for much of the 1960s-1990s and contemporary Mexico in several states.

²³ He was born on October 13, 1945, in Paramaribo, the capital of Suriname.

²⁴ Suriname announced in February 2011 that it was changing its gateway to Europe from the Netherlands to France. See Stabroek News 2011c.

²⁵ Suriname assumes the six-month Chairmanship of CARICOM in January 2012.

²⁶ The other members of UNASUR are: Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Guyana, Paraguay, Peru, Uruguay, and Venezuela.

²⁷ In the same article Simon Romero quotes Yuan Nansheng, the Chinese Ambassador in Suriname, as saying, that China has no problem with President Bouterse’s past in relation to drug trafficking or with the trial for the murder of political opponents, and would like to have him visit China.

²⁸ Central to the Bolivarian strategy is ALBA—Alianza Bolivariana para los Pueblos de Nuestra América (The Bolivarian Alliance for the Peoples of Our America, also called the Bolivarian Alternative for the Americas)—which was formed in 2004 and of which Antigua and Barbuda, Bolivia, Cuba, Dominica, Ecuador, Nicaragua, and St. Vincent and the Grenadines are members, along with Venezuela. See Clem and Maingot 2011 for an examination of ALBA and of the Bolivarian strategy.

²⁹ See United States Energy Administration, Petroleum and Other Liquids, available at <http://www.eia.doe.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=WTOTWORLD&f=W>. Accessed May 14, 2011.

³⁰ Some of his key diplomatic selections can be viewed as furthering this approach. In January 2011, Subhas Mungra was appointed as ambassador to the United States. Mungra is an economist who once served as Permanent Representative to the United Nations, as

Foreign Minister, and as Finance Minister. Marlon Mohammedoessein, a career diplomat with over 20 years of service and who was trained in Brazil's Rio Branco Institute, also was appointed as ambassador to Brazil (Caribbean News Now 2011).

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The Evolution and Implementation of FARC Strategy: Insights from Its Internal Documents*

David Spencer

FARC (the Revolutionary Armed Forces of Colombia) is one of the most remarkable, yet opaque, Marxist guerrilla organizations in existence today. For nearly half a century, it has maintained an insurgency against the Colombian government that has defied trends elsewhere in the region. For example, its greatest period of growth and power was during the 1990s, after the end of the Cold War, when most Marxist insurgencies in the region were dwindling and after Colombia adopted a much more inclusionary democracy. Its power has been derived from significant economic assets through drug trafficking and kidnapping, rather than through popular support, of which it enjoys very little. In fact, FARC is probably one of the least popular guerrilla groups in Colombian history and deliberately carries out terrorist attacks against the population to cow them into submission. Yet it continues to survive and defy efforts to destroy it. Military defeats, which have greatly reduced its power, and the loss of principle leaders, which have crippled and caused the collapse of past guerrilla organizations, seem to have barely dented FARC's will to continue the struggle. As will be seen, although acknowledging its setbacks, it has developed a strategy to recover its former power and is doing everything it can to carry out its plan. What keeps it going is a mystery to many. Some claim that its members are no longer insurgents, but drug traffickers. Others claim that it fights for local power and has lost interest in national power. Most of this is based on speculation, not what FARC says to itself about its intentions.

This paper will attempt to provide some insight into this fascinating yet formidable group by examining its strategic decisions since 1982 and then comparing them to its ensuing actions. FARC develops its strategic guidelines through a series of conferences and plenums. The conclusions of these meetings are carefully recorded and distributed to the dispersed fronts to provide strategic guidance. Fortunately, many copies of these documents have been captured from FARC by the Colombian security forces. The author was given generous access to these documents by the Colombian authorities.

Why 1982? FARC developed its strategy to take power in its Seventh Conference, held in 1982. This has been its guiding document since that date, and continues to shape how and why FARC does what it does. While strategic decisions were made before 1982, the first six FARC conferences will not be covered for two reasons: One, because the organization was then more focused on ensuring the survival of the group, rather than taking power, and, two, because this time period has been adequately covered by others. Between 1964 and 1982 FARC was essentially in survival mode; it lived mostly on extortion and some kidnapping. Some sources indicate that the initial relationship with drug trafficking began as early as 1980, when drug traffickers offered to pay FARC to provide security to its drug processing laboratories.¹ Over these 16 years FARC grew slowly to 1,200 combatants organized in 16 fronts.²

* This article is the product of a broader study on Colombia conducted by CHDS, looking at the government's success at restoring security and governance to a significant degree between 2002 and 2010.

1982–1994

In May 1982 during its Seventh Conference, FARC developed a strategy for taking power. It had been inspired by international events. The Soviets seemed to have the United States on the defensive. The Sandinistas had overthrown Somoza in Nicaragua. The FMLN in El Salvador was advancing rapidly and seemed close to victory. In Guatemala, the revolution was growing strongly. Cuba was again actively supporting and encouraging groups to organize and attack.

FARC reasoned: “In our case, directly or indirectly, we benefit from the change of correlation of forces that are facing each other in conflict at this moment in Latin America.”³ Before it could advance its own revolution, however, it needed to have a correct strategy first. As Marulanda stated, “We can make tactical mistakes, we can even make operational mistakes, but we can never make strategic mistakes that will lead any military force to defeat.”⁴ It needed to create a revolutionary army and new tactics it designated the “new mode of operations.” The latter was the equivalent of what Mao called “mobile warfare.” It would go on the offensive, seek out, isolate, surround, and destroy enemy forces.⁵ To demonstrate the qualitative change, the FARC decided to add the term *Ejército del Pueblo* (People’s Army) to its name, becoming FARC-EP. It was hoping to gain international support to fund the army, and having a serious strategy was a way to convince international donors. However, until the FARC could build that international support, it had to resort to other methods. Drug trafficking was flourishing in the territories in which FARC operated, and they offered too tempting a target. Taxing the “evil capitalists” was the solution. The drug trafficking industry also offered a pool of migrants in search of work from which to recruit a guerrilla army.⁶

Finally, FARC discussed the incoming Betancur government, which was making overtures to FARC to participate in peace talks. FARC saw it as a plot: “As everything indicates, the incoming government will carry out gestures and maneuvers [for the purpose of]—if not destroying the guerrilla movement—then destabilizing and weakening it.”⁷ FARC then outlined what its response would be within the strategic plan: “FARC-EP can attend conversations and will carry out diplomatic and political struggles in the sense that the guerrilla problem cannot be solved except linked to the resolution of the fundamental problems of the Colombian people.”⁸ It did not see negotiations as an alternative to its war strategy, but rather as a complementary area of struggle that could supplement battlefield gains. It also developed a military plan known as the National Eight-Year Plan, which was supposed to culminate with the building of a vast army and the creation of a provisional government.⁹ For several years only the members of the secretariat knew its contents.¹⁰

The eight-year plan was divided into four two-year phases. During the first phase FARC was to grow more than 10 times to 60 fronts with 300 combatants each, for a total of 18,000 combatants. During the second phase it was to grow to 80 fronts with 400 combatants each, for a total of 32,000 guerrillas. Phase 3 was to be a general offensive. Half of FARC was to carry out guerrilla warfare in the front areas, while the other half was to be organized into mobile companies and columns to attack along what FARC called the Center of Strategic Deployment, the Eastern Cordillera, which connected the Sierra of Macarena in southeastern Colombia to Bogotá. The purpose of dividing the force this way was so that the first would carry out intensive guerrilla warfare locally to force the government to stretch its resources to defend everything. Then the other half, the mobile companies and columns, would concentrate to develop local superiority against the spread out forces in

the direction of its final objective. Finally, as the FARC conquered territory it was to form militias to defend its conquests from “dirty war.” If this failed to provoke insurrection in the cities, FARC was to withdraw to favorable positions and organize a second general offensive. This was Phase 4.¹¹

Soon after the Seventh Conference, FARC began an aggressive expansion into the eastern plains and southern jungle. In particular, it began to encroach on these drug trafficking zones both to recruit and to acquire more money from the drug traffickers in accordance to its plan. Its advance was marked by a rash of murders and kidnappings as it imposed its will to gain territorial control.¹²

At the same time it began discussions with the Betancur government. In May 1984, FARC and the government signed the La Uribe Accords, in which both parties agreed to a ceasefire and to begin the search for a political solution to the conflict. FARC was to cease all “terrorist” operations, including kidnapping. In return FARC received very generous terms. This included being allowed to form a political party, amnesty for guerrillas who chose to rejoin normal society, government promises to seek agrarian reform and to strengthen rights for labor unions, and so forth.¹³ In addition, the government allowed FARC leadership to live and work unmolested at a camp in La Uribe known as Casa Verde. Here, the peace commission, journalists, and others could visit and consult with them without fear of military or police operations.

During the ceasefire, FARC continued pushing forward its strategic plan, working on two tracks. On the one hand, it began to expand its recruiting of new guerrillas and creating new fronts. When FARC signed the ceasefire it had 27 fronts. By the end of the process, FARC would nearly double to 48 fronts. On the other hand, FARC created its new political party, the Union Patriótica (Patriotic Union), known by the acronym UP. The UP was an end run around the Communist Party, which essentially forced the Communists to participate without having been consulted.¹⁴ In this way, the party became subsumed by FARC rather than the other way around. Despite some harassment and a couple of murders, the UP initially prospered.

Although the Colombian Communist Party (PCC) was part of the UP, from the beginning there were clear differences in how FARC and the PCC conceived of the UP. The Communist Party XIV Congress had concluded that “it was evident that we do not find ourselves in a revolutionary situation for the struggle of the Colombian people” and that the opening offered by the Betancur government meant that the struggle for power must become purely political.¹⁵ Jacobo Arenas vehemently disagreed, characterizing the new political opening as not freedom but a “caricature of freedom.” Furthermore, while admitting that things had changed, he asserted that it was a tactical, rather than a strategic, change. He discussed two forms of power: “formal power” and “real power.” Formal power consisted of the institutional structures of the state, which were democratic, but the “real power” was economic-military interests and the United States in the shadows. Arenas admitted that while formal power was opening up, this was essentially a trick to disarm the revolutionaries and make them vulnerable and that real power had unleashed and intensified a dirty war.¹⁶ He was referring to the new paramilitary organizations that were beginning to cause havoc for FARC in the Middle Magdalena and eastern Antioquia.

How FARC conceived of the party was made clear in the October 1983 Broadened Plenum. This was not a party to substitute for armed revolution, but rather a party to create the revolution: “Nobody should be fooled into believing that here in Colombia an open-

ing can be created toward bourgeois democracy.”¹⁷ To the FARC, to demobilize and become a party within the government system was to fall into the trap of being boxed into “restricted democracy made in USA,” where the rich and the military would keep the revolutionary party subordinated through a combination of terror and political and economic submission. Instead, creating the UP was vital for developing the mass struggle to build the insurrectionary situation necessary for revolution.¹⁸ This required temporarily ceasing military action.

However, many of the commanders had difficulty understanding this new focus because of the prolonged inactivity due to the ceasefire. Many seemed to think that the ceasefire and the focus on building the UP meant that the prospect of demobilization and conversion to a political party was a reality. The Secretariat had to remind its forces continually that this was not the case. “For many people the Ceasefire is the beginning of Peace.”¹⁹ “We should be clear that the ceasefire plan for each one of the fronts is not part of the Eight-Year Strategic Plan, but is the basis to create all of the conditions for its execution which will start in case of the breaking of the Ceasefire.”²⁰ Arenas was very explicit that participating in politics was not an alternative to violent revolution: “So it is clear that political space is the conceptual foundation for the military strategy that we propose.”²¹ In FARC’s thinking, the UP was not an alternative to violent revolution, but rather a catalyst for its ultimate political-military triumph.

Initially the ceasefire was supposed to last from May 1984 to December 1, 1985, after which the eight-year plan would go into effect, but the FARC and the government decided to extend the ceasefire. UP was growing. In the elections of May 1986, the UP did very well, winning 350,000-plus votes: 5 out of 114 senate seats, 23 out of 199 congressmen, 23 mayors, and 351 aldermen. Some within FARC began to believe that electoral politics could replace violent revolution. The Secretariat had to set them straight. It wrote, “In our case we are surely clear that the Ceasefire is a form of war and not a form of peace,”²² to “prepare the instruments of war that have been damaged in the confrontation, introduce new combat elements, improve in every sense the force so that when the ceasefire has ended to begin again in better conditions for war.”²³

At about this time FARC stole cocaine from the Medellín drug cartel’s Gonzalo Rodríguez Gacha. Despite the admonitions of the drug lord, war began between FARC and the Medellín cartel, who took revenge on FARC by murdering leaders of the UP. Sometimes it was assisted by individuals in the military, police, and government.

The dirty war against the UP propelled FARC to join the Simon Bolívar Guerrilla Coordinator (*Coordinadora Guerrillera Simon Bolívar*) or CGSB²⁴ and resume fighting: “From now on we will carry out a tenacious fight.”²⁵ The purpose of joining the CGSB was to unify the guerrilla movement, and in this way contribute to unifying the Colombian people for revolution.²⁶ Despite its efforts, the FARC was not ready to implement the eight-year plan. It needed time. Instead it implemented what it called the “Emergency Plan.” First, all of the fronts had to mobilize. The Secretariat oversaw the creation of mobile companies. Preparations for urban plans were made. Experiments were conducted of grouping fronts together into blocs, particularly in the southeast.²⁷ The Secretariat began to abandon the UP and ordered the fronts to create instead clandestine political and support structures known as the solidarity nuclei and the popular militias. This new clandestine political project was given the name “Bolivarian Meeting of the People.”²⁸ In addition, FARC raised the stakes by ordering each front to form at a minimum one special group to “elimi-

nate the guiders, financiers and the executioners of the ‘dirty war.’”²⁹ While the FARC had employed death squads before, the formalization of this type of unit within FARC caused civilian deaths in Colombia to spiral.

Between 1987 and 1989 FARC implemented its emergency military plan. Toward the end of 1988 several army convoys were ambushed, and an attack was made on the defense minister General Manuel Jaime Guerrero Paz. Despite its return to military operations, President Virgilio Barco refused to attack FARC headquarters at Casa Verde in La Uribe in the hopes of restarting peace talks, despite urgings from future president César Gaviria to do so.

The emergency military plan produced mixed results. Besides killing many members of the UP, the paramilitaries had been very successful against FARC in Middle Magdalena, Antioquia, and parts of the eastern plains where the Medellín cartel was strong. Furthermore, the peace negotiations between the M-19 and the government were threatening to disrupt the CGSB, not only because of the loss of the M-19 but also because it was taking with them several of the smaller organizations, such as the Quintin Lame indigenous movement and a large portion of the EPL. FARC considered this a huge betrayal.³⁰

Despite the mixed results, in 1989 the FARC decided to implement the national eight-year military plan. Renamed the Bolivarian Campaign for the New Colombia, it was supposed to run between 1989 and 1997. Many analysts made the mistake of thinking that this was a rigid plan with a rigid schedule. FARC has never approached its plans this way. As the Secretariat wrote: “Revolutionary processes never occur in a straight line to the pace of the flow of popular action. Always, such processes occur in a succession of ebbs and flows. For example: In Colombia the ‘dirty war,’ the generalized violence and terror, are forcing the popular masses to retreat.”³¹ The dates then were no more than general goals.

Politically FARC began to focus on the formation of solidarity unions³² over support of the UP, although the party was not totally abandoned. Unlike the UP’s, the solidarity union’s activities were to be clandestine. In addition, orders were given to intensify the formation of Bolivarian militias whose mission it was to defend the masses from the “dirty war.”³³ Militarily, the fronts were to apply the new mode of operations against the government forces. In this sense FARC began efforts to accumulate the forces capable of carrying out these types of operations. It aggressively recruited new guerrillas. In part this was facilitated by the dirty war against the UP. Party members and idealistic youth who felt that there was no other option joined FARC in large numbers.³⁴ In addition, it began to seek large-scale arms purchases and as importantly set up a sort of command and general staff school where it trained the leaders capable of executing the plan.

In August 1990, shortly after the election and inauguration of César Gaviria as President of Colombia, Jacobo Arenas, FARC political theorist and its informal co-leader died. In addition, the international repercussions of the fall of the Berlin Wall in 1989 and the disintegration of the Soviet Union and the Communist bloc between 1990 and 1991 severely weakened the Colombian Communist Party and socialist political development. FARC’s political thinking essentially froze after the loss of Arenas and the fall of the Soviet Union and took on a much more military character under the sole leadership of Manuel Marulanda. FARC and ELN under the CGSB carried out a series of increasingly violent attacks, culminating with the attack on the military base of Taraza in November 1990. This provoked President Gaviria to take a harder line towards FARC, and he ordered the military to take Casa Verde in December 1990. While the military did take the camp, it was not

successful in killing or capturing any of the FARC leadership.

In response, the CGSB (FARC, EPL, and ELN) launched a series of offensives in the first half of 1991. While the vast majority of the actions were small-scale guerrilla and terrorist actions, a couple of things distinguished them from previous guerrilla actions. First, its scale: The CGSB was able to launch up to two dozen simultaneous attacks across multiple departments of the country.³⁵ It was able to sustain this effort for several months. Attacks against the infrastructure increased, particularly the electrical grid and the oil pipeline. Finally, kidnapping became a common feature. A few more spectacular attacks were attempted, such as the taking of the Girasoles base in March 1991. The increased intensity of the fighting was evident because of the increase of government casualties. In 1991 the guerrillas carried out 425 attacks on the security forces, versus 169 in 1990. This included 61 attacks against installations, 195 harassment attacks, 100 ambushes, and 69 urban attacks. Members of the military killed were 461, versus 339 in 1990, and 276 members of the security forces were captured.³⁶

In the midst of this offensive, the government attempted to renew peace negotiations. In February 1991, the CGSB sent a letter to the government indicating that it was willing to negotiate. In May 1991, the government met with representatives of the CGSB in Cravo Norte, Arauca. Because of the combat operations, it was agreed that talks would be held in Caracas, Venezuela, where the dialogue was renewed in June of the same year. The government's objective was for the guerrillas to demobilize, as the M-19 did. The guerrillas were interested in negotiating profound changes in the Colombian political system. FARC developed what it called the Agenda of 10 Points. While the government offered guarantees for demobilization and reintegration into society, the CGSB rejected them because it said that only by negotiating the 10 points would the causes of the insurgency be eliminated. Since there was no agreement, discussions revolved around the mechanics of a ceasefire and around zones of concentration for guerrilla demobilization. The major sticking point was the ceasefire, which neither side could agree on. Meanwhile, offensive operations by both sides in Colombia continued. In February 1992, the coup attempt in Venezuela caused the parties to move the discussions to Tlaxcala, Mexico. Here the talks lingered on through May 1992. After it was discovered that ex-minister Argelino Durán Quintero, kidnapped by the EPL, had died in captivity,³⁷ the government suspended the talks in May 1992. The demise of the peace talks also signaled the demise of the CGSB, with each of the organizations gradually going its separate ways.

At the end of March through early April 1993, FARC held its Eighth Conference, significant because it was there that FARC really operationalized its strategy developed 11 years earlier. This is why it was called the conference "Jacobo Arenas, we are fulfilling."³⁸ In addition to planning the insurrections, it developed a concrete proposal for a replacement government it called a New Government of Reconciliation and National Reconstruction.

FARC analyzed its political situation. The demise of the UP was blamed mostly on the dirty war, what it called the alliance of the military, paramilitaries, and drug traffickers. However, there was also a second problem: the differences between FARC and the UP directly related to the discrepancies between FARC and the Communist Party, which formed much of the leadership of the UP. Much of the discrepancy was over the continued utility of the armed struggle. The party's position was heavily influenced by events in the Soviet Union and Eastern Europe. FARC vehemently defended the armed struggle, accusing Gorbachev of treachery and claiming that no matter what was going on in Europe, it

didn't apply in Colombia because deep social problems still existed that were not going to be solved by the current political system.³⁹ Essentially this conference signaled FARC's definitive break with the UP and the PCC. It would now focus its political efforts on the creation of a clandestine political apparatus and the recovery of whatever legal political apparatus that it could.⁴⁰

The conference analyzed organizational achievements. Since the end of the ceasefire it had grown from 48 to 60 fronts, but very few if any had achieved the desired strength of 300 combatants. Reaching this number was the first priority, so that half could operate locally and the other half attack in the direction of Bogota via the Eastern Cordillera or Center of Strategic Deployment. Its strategy had called for the creation of the urban networks, particularly in Bogotá, Medellín, Cali, and Barranquilla. While this had been done, the networks were still very weak. This was a critical priority that needed to be addressed because the capability to direct the insurrection of the masses lay with the urban networks.⁴¹

The militias were to play the critical role of protecting the clandestine political organization and to control the terrain conquered by the regular guerrillas. FARC admitted that it was weak in this area and that more needed to be done to strengthen the militias.⁴²

Developing international relations, particularly to gain material support had been one of the priorities of the Strategic Plan. The Eighth Conference created FARC's international commission. FARC had experienced many difficulties in this area. It had only been able to formalize relations with three countries: Cuba, Nicaragua, and Vietnam. Cuba had provided limited military training and agreed to treat FARC casualties. Nicaragua had allowed FARC to use its territory for administrative purposes, and Vietnam had held discussions to compare experiences and teach about its successes. FARC was especially appreciative of the Vietnamese assistance.⁴³ It had not been able to acquire any material support from any country, however.

In addition to developing international relations with countries, FARC had also advanced a policy of solidarity with revolutionary parties and movements. FARC had given military training to Venezuelans, Ecuadoreans, Brazilians, and Peruvians. The Chilean Communist Party sent members of the FPMR to Colombia to provide training, but FARC found them intolerably arrogant. FARC had carried out financial operations in Venezuela and Panama and in a mistaken application of its border policy military operations in Brazil, Ecuador, and Peru. It warned that it needed to be careful to prevent these countries from unifying against them.⁴⁴

Militarily, FARC emphasized several points. First, while the organization of blocs had been ordered as early as 1987, it apparently had only been implemented first in the east and later in the south. Blocs allowed FARC to coordinate multiple tactical efforts at the operational level, such as in military divisions. The experience of these two blocs had been very positive, so FARC ordered that the rest of the organization be arranged in similar blocs. In total five blocs were created: the José María Córdoba Bloc, also known as the Northeastern Bloc; the Caribbean Bloc; the Middle Magdalena Bloc; the Eastern Bloc; and the Southern Bloc. In addition, two organizations similar to blocs were created, the Western Joint Command and the Central Joint Command.⁴⁵ The Southern Bloc's objective was essentially to liberate Caquetá and Putumayo for FARC. This was a strategic area for economic resources and logistics. The Eastern Bloc was to focus its efforts on advancing up the Eastern Cordillera or Center of Strategic Deployment to attack Bogotá. The rest of the blocs were to stretch Colombian government resources by attacking and isolating the

major regional cities. The immediate task for all the blocs was to attack and clear mobility corridors for the maneuver of the mobile companies. To make sure that the blocs were run correctly and were carrying out the strategic plan, a member of the secretariat was to be assigned to each.⁴⁶ To carry out the strategic plan, FARC pushed for the creation of 600 mobile companies. These companies were to operate in the direction of the final strategic objective, Bogotá, while the fronts operated locally. The blocs and fronts were to carry out its first major offensive on August 7, 1994 (probably to welcome in the new president).⁴⁷

The creation and operation of FARC's army required large amounts of resources. FARC contemplated that each of the phases of the eight-year plan would cost an additional \$52 million each or a total of \$208 million. Acquiring this additional money was a major concern to the FARC leadership. Fronts were encouraged to gain more resources from the oil, mining, and electrical industries. Essentially, they were to do this through extortion and kidnapping. "All of the fronts and blocs should examine carefully the different places where there is mining, etc., so we can send units to begin controlling the area and in this way see how we can begin to force them to pay taxes for our sustainment." They were also told to generate their own economy by investing in local businesses such as gold mining and the cattle market. Drug trafficking was mentioned, but euphemistically referred to as an "unpopular" method of financing.⁴⁸ It was understood that it delegitimized the organization. FARC had been conflicted from the very beginning over the immorality of the business and constantly encouraged the fronts to attempt to lower their dependence on this method. However, nothing else provided as much money, and, rather than decreasing, FARC's dependence on this method of financing continually increased.

1994–1998

During the Samper administration FARC began to systematically increase the tempo of its operations. In keeping with the Conclusions of the Eighth Conference, the blocs began to carry out operations. They were unable to carry out the contemplated 7th of August offensive, but did begin to systematically clear mobility corridors. While they did not implement the new mode of operations, they began repeated attacks on police stations in small towns in the rural areas. While few police stations were actually taken, the repeated attacks damaged the stations and attrited the garrisons to the point that many towns were abandoned either because they were no longer tenable or because it was more important to reinforce more critical locations. In this way, large swaths of the countryside were abandoned to guerrilla control or influence.

Politically, FARC developed the concept of co-government. Either directly or through its clandestine party, it influenced local politics and government spending. In this way it controlled politics by endorsing different candidates, by forcing a variety of policies to be adopted, and by controlling who could practice politics. In some cases it insinuated its own people into the local political parties. FARC interpreted this as exercising real political power and popular support. It reasoned that because of this it didn't need a formal political party. What it failed to realize is that this influence was largely resented and only tolerated because the locals had no choice.

At the end of August 1996, FARC finally launched its first big offensive. On the night of August 30th the seven blocs launched 22 simultaneous attacks across the country. Most were relatively small-scale ambush and harassment attacks, but two, La Carpa in Eastern Bloc and Las Delicias in Southern Bloc, were meant to overrun military bases. The assault

against BRIM 2 at La Carpa failed. The attack at Las Delicias succeeded, the first time that FARC was able to isolate and overrun a company-size base. During the operation, 26 soldiers were killed and 60 captured. This was the beginning of what the guerrillas themselves called “the war of movement.” While most of the action continued to be traditional guerrilla warfare, ambushes, and assaults on police stations in small towns, what was new was the intensity. There were actions on nearly a daily basis in multiple locations across the country. These were punctuated by truly mobile warfare actions, such as San Juanito in February 1997 and the assault on Patascoy Hill in December of the same year. The military had been incapable of liberating the 60 prisoners captured at Las Delicias, so the government made a deal with FARC to demilitarize Cartagena del Chaira and Remolinos del Caguan in June 1997 and send representatives to receive the soldiers. In addition to the 60 from Las Delicias, another 20 were flown in who had been captured in Antioquia. These actions sent a message to the Colombian people that the military were incapable of fighting the guerrillas and that things could be accomplished through demilitarizing special zones and negotiations.

At the end of 1997, the FARC High Command held a plenum during which it affirmed its strategy (referring to the eight-year plan), but now referred to it as a prolonged strategy. While the phases were ratified, they were now described as having no time limit, versus occurring in two-year increments.⁴⁹ FARC admitted that it was far short of its goal, having created only 200 mobile companies (approximately 10,000 combatants) out of the 600 (30,000 combatants) contemplated, and that it was having problems getting the fronts to implement the New Mode of Operations. However, it continued its plans and discussed the formation of mobile blocs, essentially groupings of 10 or more mobile companies to act in strategic directions. It had discovered that the simultaneous offensives against objectives across the country achieved the best strategic results. This was to be the model for upcoming operations. In addition, it added an objective to the strategic plan, which was to liberate the departments of Caquetá and Putumayo, where it would set up a provisional government and attain the status of belligerence and international recognition. From this moment forward the subject of belligerence became a FARC obsession.

Financially it had fallen short as well. It had only been able to raise a third of the reserve money for the first phase of its strategic plan. In addition, it was having trouble getting weapons because the government had detected all the routes. Finally, it was well aware that it was weak politically. It had totally failed with the legal party, the Communist Party, which was experiencing an ideological crisis. It had to look for alternative ways to build a political mass base.⁵⁰ Despite these serious shortfalls and setbacks, FARC decided to forge ahead with mobile warfare.

In 1998 the intensity of the FARC offensives increased. In March it introduced a new and terrifying weapon known to the FARC as the “rampla” but which the press immediately dubbed the “gas cylinder bomb.”⁵¹ It consisted of small tanks filled with up to 20 kilos of explosives and scrap metal for shrapnel to make the bombs that were fired from larger tanks, cut off at the top to make a convenient barrel. Propelled by a black powder charge, the bombs could fly up to 450 meters, although with a very large margin of error for accuracy. However, when fired in numbers and in battery, they could sweep anything in their paths and could penetrate the government fortifications of the day. As a consequence, they were terrifying weapons to both security forces and civilians. The raw materials to make the ramplas existed in quantity all over Colombia and could be acquired on short notice.

Furthermore, since they were disposable, they could be abandoned once surprise was lost during the retreat, the most vulnerable part of any guerrilla action.

Using these new weapons, FARC shocked the nation in March 1998, shortly before the elections. This was considered an even greater disaster than the defeat at Las Delicias, with, at 65, twice as many dead; but more importantly, it had been against one of the army's elite units. This loss combined with a photographed meeting between Victor G. Ricardo, future peace counselor to Andres Pastrana, led voters to believe that the military was incapable of stopping FARC and that a negotiated settlement was the best option for ending the conflict.

On August 4, 1998, FARC launched its biggest offensive of the war, more than 30 attacks in 17 departments. While most failed to overrun their objectives, much damage was caused with the ramplas and the new mobile warfare tactics. However, the Miraflores counternarcotics base in Guaviare department as well as a base in Pavorando, Antioquia, were overrun. Dozens of soldiers and policemen were killed, wounded, or taken captive by FARC. Many FARC operations were a deliberately aimed at taking army and police prisoners. FARC was obsessed with the idea of official status as a belligerent force. In particular, belligerent status allowed it to establish formal relations with foreign countries and purchase weapons as if it was an official government. One of the conditions for belligerent status was the ability to take and exchange prisoners. FARC hoped to capture enough soldiers to force the government into a prisoner exchange. In addition, FARC continued to be weak in numbers of cadre necessary for its 32,000-combatant army. Many guerrillas in jail were eligible for those cadre positions, and getting them out was part of the obsession.⁵²

1998–2002

As President Pastrana took office, the military continued to reel. Only days after he took office, an operation to rescue the soldiers captured at Pavorando stepped into a prepared kill zone. Several dozen soldiers were killed or wounded, and a Blackhawk helicopter was damaged. FARC made agreements with the Pastrana administration to begin a peace process. Like previous processes, it called for a demilitarized zone (DMZ) where the guerrillas could maintain its negotiators without fear of government attack. FARC requested and was granted an area of 42,000 square kilometers, just under twice the size of the El Salvador. The military did not in concept have a problem with this, but it did with the location. The zone asked for by the FARC straddled the Eastern Cordillera, the Center for Strategic Deployment of FARC's strategy, just across the mountains from Bogotá. This was especially dangerous because FARC insisted that outside of the DMZ there be no ceasefire. In other words, the government was ceding a secure platform to FARC from which it could launch military operations toward its strategic objective. In addition, the southeastern side of the DMZ bordered with the Yari Plains.⁵³ This was considered a strategic drug trafficking area for FARC; thus, the government had given FARC a military-free area that was perfect for concentrating and projecting force toward its strategic objective. The military's fears would prove to be completely valid.

On November 1, days before the DMZ was inaugurated, FARC launched a demonstration of strength offensive, attacking Mitu, capital of the department of Vaupes. Mitu was no more than a small town, but it was a department capital nonetheless. Located in extreme southeastern Colombia, it was surrounded by a drug trafficking zone. More importantly, the air force couldn't reach it without refueling, and there was no intermediate

base available. Initially the attack went well for FARC; it was able to take the town fairly quickly, subduing the police garrison and taking 61 captive. What it didn't count on was that 28 hours later the first rescue forces landed and began advancing on Mitu. Some quick negotiations with the Brazilian military had acquired a temporary intermediate landing strip just across the border.⁵⁴ The military was able to send a large rescue force supported by close air support. While FARC drew the advanced units into a kill zone, killing 24, it could not resist the following waves, and soon the town was recovered.

This proved to be the beginning of a series of setbacks, the most important of which occurred in July 1999. The FARC was able to solve its logistics problems by cutting a deal with representatives of Peru's corrupt intelligence chief, Vladimir Montesinos, to purchase 60,000 Soviet-designed weapons from Jordan, most manufactured in East Germany. More than 10,000 of the weapons were parachuted into the jungles of Guainía and were collected by the 16th Front and shipped to the DMZ. Here, amassed FARC forces were refitted and re-trained. They attacked from the DMZ north toward Bogotá, initially massacring 36 soldiers at Gutierrez, Cundinamarca. They also attacked in Casanare, Huila, Meta, Caquetá, and Putumayo. In Meta at Puerto Lleras and Puerto Rico, FARC had taken the towns to attract government reinforcements. The plan was to draw them into huge ambush zones and shoot down the helicopters filled with troops. The military detected the maneuver and landed several kilometers outside the kill zones, rolling up the ambushes from the flank, and forcing the guerrillas to withdraw in the open. This made them vulnerable to aviation, and approximately 200 were killed—the largest number of guerrillas killed during any single battle of the war. In addition, in Casanare FARC took Hato Corozal. As the FARC withdrew from the town, the Colombian air force caught a large column in the open and inflicted several dozen casualties. For the first time, the government had something to celebrate.

Meanwhile, the government attempted to negotiate peace with FARC in the DMZ. When President Pastrana showed up to install the negotiating table on January 7, 1999, Manuel Marulanda refused to appear, alleging a paramilitary plot to assassinate him.⁵⁵ He left President Pastrana to sit by himself next to an empty chair. The empty chair became symbolic of the whole process. Initially the DMZ was supposed to last only 90 days, but the government repeatedly prolonged it, trying to salvage the peace process. However, with things not going on in the battlefield the way that FARC wanted them to, its negotiating position became weaker. It suspended the talks, claiming that the government wasn't doing enough against the paramilitaries. In response, the government carried out several measures, including putting Vice President Gustavo Bell at the head of an anti-paramilitary task force and dismissing several hundred officers, including three generals suspected of supporting paramilitary activity. FARC suspended the talks, because it didn't agree with an international verification committee, and in this way successively, demurring every time the two sides seemed close to an agreement.

FARC continued to attempt to improve its military position. It launched several additional multi-objective offensives throughout 1999 and 2000. All of them saw significant forces concentrate and attack from the refuge of the DMZ. In November 1999 it attacked targets in Cundinamarca, Tolima, Arauca, and Huila y Norte de Santander, with its main attack at Puerto Inirida. During December, its main effort was toward blocking the Bogotá-Villavicencio highway. The only success was against a remote marine base in Chocó known as Juarado. In January, February, and March, it launched renewed multi-pronged offensives in the general direction of Bogotá, along the Bogotá-Villavicencio Highway.

Finally, it launched an offensive in Tolima and Huila. This offensive, one of the largest, was designed like the July 1999 offensive to draw in the helicopter reaction forces in an ambush. The problem for FARC was that it kept on repeating the same tactics, so while the combat was intense, the army adapted and became increasingly successful at defeating FARC attacks.

In the midst of this offensive, FARC held a plenum of the high command in March 2000. It congratulated itself on the qualitative leap it had made in terms of combat experience and skill. In addition, it noted that almost all of the mobility corridors necessary for the action of the mobile companies were ready in each one of the blocs, facilitating its military action. It noted that it had solved its weapons problem. However, it was short on recruits, cadre, and money. The plenum considered the results of the talks to be positive. Its importance lay “in the accomplishment of the Strategic Plan and its role in opening up new spaces for struggle for the blocs and fronts across national territory.”⁵⁶ It toyed with the idea of a ceasefire with the government, but only if it allowed them to locate its forces closer to the major cities and achieve its goal of belligerent status.⁵⁷

Politically, FARC developed three courses of action. First, in the areas where it was active it would ensure the election of candidates favorable to them and block the campaigns of unfavorable or “paramilitary” candidates. Second, it would continue to foment the building of the clandestine party. It formally gave it a name, “Clandestine Communist Party of Colombia,” known by the acronym PCCC, and developed statutes for it. Finally, it announced the creation of a front movement known as the Bolivarian Movement. The Bolivarian movement was to be composed of the PCCC and all those who sympathized with the FARC but who were not necessarily part of the organization or the party.⁵⁸ This movement was officially inaugurated with great fanfare in the DMZ on April 29, 2000.

A topic that would have important future consequences was the development of a more serious international front. The Colombian government-sponsored tour of Europe by the negotiating team had been meant to expose FARC to the world to convince them of the futility of revolution and instead expose them to the possibilities that the world had to offer. The first step was a meeting with members of the regional Communist parties. FARC would pay for them to come to Colombia. The idea was to revitalize the continental revolutionary movement and broaden space for FARC.⁵⁹

As FARC failed to gain traction with its mobile warfare offensives, it turned increasingly to terrorism. On September 18, a member of FARC kidnapped a plane and forced it to land in the DMZ. FARC claimed that this was a rogue action but refused to turn over the perpetrator. In addition, FARC began carrying out a number of attacks with ramplas. In October 2000, FARC declared an armed transportation blockade on the department of Putumayo in protest of Plan Colombia. When food and fuel began to run out, the military carried out three separate successful operations to penetrate the blockade and escort commercial convoys through to the people. The blockade finally collapsed in December. The same month, FARC intercepted the vehicle of Congressman Diego Turbay Cote and assassinated him, his mother, and five others.

In 2001 the FARC announced that it would unilaterally release several hundred enlisted soldiers it had taken prisoner. This marked a shift in the kidnapping strategy. Where previously it had tried to pressure the government for a prisoner exchange by taking large numbers of troops, now it would try to pressure an exchange through the taking of “political” hostages—members of elite families and societies. The numbers of FARC actions

increased—terrorist actions such as the kidnapping of Alan Jara, ex-governor of Meta, and the kidnapping and murder of ex-culture minister Consuelo Araujo. The international connections of FARC became evident when three members of the IRA were captured in Bogotá. Eventually legal technicalities secured their release. How the IRA advisers fit into FARC plans became clear when shortly after, FARC released 360 enlisted members of the armed forces and the police who had been captured between 1997 and 2000. At one of the release ceremonies presided over by Mono Jojoy in June 2001, he told them that he would see them in the cities, alluding to an attempt to intensify urban terrorist operations.⁶⁰ Some of the most notable in 2001 were the attack on the La Picota National Penitentiary, freeing 98 inmates, and the kidnapping of 15 people from an apartment building in Neiva, Huila.

The problem was that most of those attacks had been launched from the sanctuary of the DMZ. The military was ordered to tighten the controls over the entrances and exits from the zone. This caused FARC to suspend peace talks. Meanwhile, FARC launched a final mobile warfare campaign. In June 2001, a column of about 500 guerrillas left the DMZ and made their way to Coreguaje, Putumayo, where it overran an under-strength army company that was setting up a training base. Thirty soldiers were killed.⁶¹ This attack was shocking because an attack of this magnitude had not occurred for some time. In early August the same column, reinforced by an additional 800-plus guerrillas, marched east from the DMZ towards Vichada. In February 2001 the military had carried out Operation Gato Negro to retake the area controlled by FARC's 16th Front, its main logistics group. This operation revealed the deep connection of FARC with drug trafficking, when the military captured Fernandinho Beira Mar, the major Brazilian drug trafficker who traded weapons for drugs with FARC. FARC's campaign was intent on recapturing this terrain for the organization. However, FARC showed little imagination and employed the same maneuver and combat tactics from previous years. When the military detected the column, it launched a counter operation known as "7 de Agosto" that in the course of several intensive clashes, decimated, decapitated, and disorganized the column.⁶² Its mobile warfare tactics defeated, FARC definitively returned to guerrilla warfare and terrorism.

In January 2002 FARC held an extraordinary plenum, during which it confirmed its peace talk's objective as part of the strategic plan to "take power by using the dialogue for the proposal and implementation of mechanisms to facilitate that goal."⁶³ To force this issue, it ordered its forces to carry out sustained operations against business and the infrastructure of the oligarchy. This was to include the big city electrical grid. It ordered the attack of army bases and police stations with bombs disguised in all kinds of implements: bicycles, produce, bags, garbage, gunny sacks, milk cans, and so forth. It was to infiltrate elements into the cities, but be careful to avoid civilian casualties.⁶⁴ Soon after, FARC began carrying out its directives. However, contrary to the directive, many civilians were injured. Frustrated by the intransigent attitudes of FARC in the negotiations and the continual acts of terrorism, the public hardened its attitude toward FARC to unprecedented levels.

Finally in February 2002, a FARC commando hijacked a small commercial plane, diverted it to a road near the DMZ, and kidnapped some of the passengers, including Senator Jorge Eduardo Gechem. This proved to be the breaking point, and the military was ordered to recover the DMZ on February 21 after giving FARC a 48-hour warning. Operation Thanatos, later called TH, was met with harassment and mines. FARC chose to withdraw in the face of this overwhelming force and retreat back into the jungles. During the lull between the President's announcement and the beginning of military operations, presiden-

tial candidate Ingrid Betancur was kidnapped as she attempted to make solidarity with the people of the former DMZ and accompany them during their time of danger. She naively believed that because she had held discussions with FARC, she would not be kidnapped.

FARC's response to the termination of the peace process was twofold. On the one hand, it was to make governance difficult, if not impossible. It notified mayors, councilmen, and aldermen not to exercise their offices or face kidnapping and death.⁶⁵ The other response was increased terrorism in the urban areas. It gave orders in particular to carry out a campaign against the roads and infrastructure connecting Bogotá to the rest of the country.⁶⁶ In addition, a variety of types of bombs were set off, damaging infrastructure and killing some people. Operations to kidnap high-level hostages increased. In April 2002, a commando of the Teofilo Forero column made a daring incursion into Cali and kidnapped 12 department legislators. It also kidnapped Governor of Antioquia Guillermo Gaviria and former Defense Minister Gilberto Echeverri.

Finally, it tried to influence the outcome of the presidential 2001–2002 elections. Recognizing the danger of candidate Alvaro Uribe, FARC attempted to assassinate him with a bomb in Barranquilla in April 2002. The bomb failed, and Uribe was elected in a rare first-round victory with 56 percent of the vote.

2002–2010

FARC greeted President Uribe at his inauguration with terror. It attempted to launch approximately 180 much-improved ramplas from two different locations at the inauguration ceremony and the military academy. Fortunately, the weapons misfired, and only around 20 bombs were launched. Instead of killing or injuring Uribe or his guests, they missed and killed a number of poor homeless people. However, FARC was now on the defensive. Although the time was past due for a Ninth Conference, the situation was such that the FARC high command could not even move safely enough around the country to hold a plenum. Instead, Manuel Marulanda sent a letter stating what FARC should do to confront Uribe. Marulanda tried to analyze why FARC was suffering so many setbacks: “What is happening at the fronts that they are hitting us with such frequency, which allows the enemy to say that it is invincible, that causes panic to those that are thinking about joining, as well as is bad for the masses and the rapid growth of all the fronts?”⁶⁷ He admitted that perhaps it had lost much of the masses and that it needed to change its behavior. He chided his commanders about having forgotten the basic fundamentals of irregular warfare. He scolded them for not understanding the strategic plan, for having underestimated the enemy, and for having gone soft. However, he essentially dismissed Uribe's new policies, viewing the growth of the armed forces as nothing new or overly difficult to handle.

The response had to be to show the “warmongers” that to attain peace by fighting without negotiating was a mistake. It had to systematically strike at the enemy with everything it had in the cities and fields and on the roads. This would be largely done with small units employing guerrilla warfare, and when conditions were right an occasional mobile warfare operation, but carried out quickly to avoid an aviation response. He also directed them to continue their policy of controlling local politics by blocking the operation of local government and by killing or kidnapping mayors and councilmen who dared do business against FARC's will.⁶⁸ As Mono Jojoy put it in a subsequent document: “Increase carrying out the order against the institutions. Whoever doesn't resign, give him lead (pistola), but do something so they believe us.”⁶⁹ Subsequently Mono Jojoy issued an operational

plan based on Marulanda's guidance. FARC was to completely cease mobile operations unless expressly authorized. It was to avoid casualties and losses. To do this, it was to use mines and explosives massively. Additionally, each front was to form groups of snipers that would attrit the army by killing one soldier a day. However, FARC leadership failed to understand the fundamental difference between the Uribe strategy and previous government operations. The new strategy was not just an increase of troops or an increase of operations, but a fundamentally different way of thinking about security. Instead of focusing only on combating the enemy, it focused on protecting the population and, by providing security, mobilizing political support. It was known as the Democratic Security Policy. While FARC did change its mode of operations and occasionally scored minor tactical successes, strategically it lost ground. It viewed troop increases as being aimed at physical elimination of the insurgents, not on occupation of terrain and prevention of violence. In many cases, FARC even ceded ground without a fight, thinking that it would be able to return as it had before. Instead, it found itself increasingly isolated both physically and politically from the people and less able to move from one place to another without danger.

In February 2003 it tried a different tack, bombing a high society social club, El Nogal. The bomb killed 36 people and wounded more than 200. This act was meant to terrorize affluent Colombians and distance them from government policies—as Mono Jojoy said, “So the rich feel the bombs in their own houses.”⁷⁰ Instead, the bombing galvanized them and consolidated their support for Uribe's policy against FARC. To make things worse, FARC kidnapped three American contractors, adding them to their other high-value political hostages. The events of September 11, 2001, were already changing the way the United States viewed FARC. However, Plan Colombia was a counterdrug plan, and it was only with some reluctance that Plan Colombia aid was allowed to be used against FARC. With the kidnapping of the three Americans, all of the restrictions were removed. Combatting FARC became a top priority within United States counterdrug aid to Colombia. Without political support and with the United States firmly against them, and unable to respond adequately to the Democratic Security Policy, FARC was increasingly swept from around the major cities and populated centers of the country.

However, FARC's ability to project strategic force remained essentially intact. With base areas in the southern and eastern jungles, FARC could recover. The next objective of the Colombian military was to destroy this capability. The plan was to reverse FARC's strategic plan, destroy FARC's ability to project force into Bogotá by clearing the high plain on the border between Meta and Cundinamarca and then following the Eastern Cordillera down into the strategic base area of FARC. This was executed in two phases. The first, known as Operation Libertad I, began in May 2003. By October, Aurelio Buendia, the FARC area commander, was cornered and killed. In its own after-action review, FARC revealed what had happened. Because of the many previous operations, FARC thought it would be just like before. The army would come in, patrol for a while, and then leave. FARC left behind a covering force and withdrew to more remote camps. However, this time the military didn't leave and didn't stop patrolling, leaving FARC no choice but to fight or withdraw. All of the state worked together—army, police, fiscalia, and others. It patrolled in groups no more than 8–10 minutes apart.⁷¹ FARC tried to break up into small groups and fight back with mines, ambushes, and harassment to attrit the enemy. However, it was FARC that suffered. One by one, the small groups were annihilated or deserted. In the end the army was able to keep FARC separated from the population either by arresting

known militias and collaborators or by co-opting them. Overall, 70 percent of the FARC forces were lost, as well as most of its equipment. Those that were not lost were forced to displace, escaping from the area of operations in civilian clothes after burying their weapons.⁷²

In March 2004, the second phase of the offensive was launched, this time against the FARC base area in the borders of Meta and Caquetá known as “the Secretariat.”⁷³ This operation was named Operation JM after Jorge Mora, the former Colombian Army Chief of Staff, and carried out by a special task force known as Task Force Omega. Although the armed forces tried to keep it secret, FARC was not totally in the dark as there were too many people involved to guarantee secrecy, and the military began carrying out a number of preparatory operations to secure the jumping off points for the offensive. FARC was confident that the Colombian military could not sustain operations for a prolonged period of time in this part of the country. It developed what it called “Resistance Operation Urias Rondon.” The plan called for FARC to wear down and attrit the advancing government forces through snipers, mortar fire, and mine fields. The intent was to draw them into kill zones where heavy casualties could be inflicted. For the latter, Mono Jojoy organized more than two dozen companies to maneuver for such an eventuality. The guerrillas were ordered not to stand and fight unless conditions were extremely favorable. Initially the military did have problems with disease, particularly leishmaniasis,⁷⁴ but over time it adapted. FARC, however, suffered heavy attrition. After the first six months it held a commander’s conference in which it admitted that it had lost over 500 guerrillas between those dead, captured, or deserted, as well as a large amount of materiel.⁷⁵ FARC responded through continual attempts to carry out urban terrorism and to draw the military into kill zones. While generally unsuccessful in the JTF Omega area, FARC was able to mass and overrun some isolated platoons in Antioquia and Putumayo. However, these were minor tactical gains. As the military increasingly occupied the strategic base area of FARC and went after intermediate base areas in the regions, maneuver and communications between the various components became dangerous and precarious. This set up the conditions for the military to successfully attack so called high-value targets. The military had created special forces for this task in 2003, but it was not until 2005 that these forces began to experience success, first against mid-level leadership and eventually against increasingly important leadership. The military’s capability was greatly enhanced when the Colombian Air Force acquired a precision bombing system for their Tucano close support aircraft. On September 1, 2007, Negro Acacia, head of the FARC’s most important logistics front, the 16th, was killed by precision bombing. In October, Martín Caballero, an important leader in the Caribbean Bloc was killed. Over time other similarly important mid-level commanders were killed or captured.

FARC’s geographical center of gravity also shifted. Where it had been centered in Caquetá and Western Meta, it now shifted further southwest to Putumayo, Nariño, Cauca, and Chocó along the Pacific coast. This area is partly mountainous and contiguous to a maze of rivers, inlets, mangrove swamps, and jungle. It is also sparsely populated, which has made it extremely difficult to control. It allowed FARC to export drugs and import weapons with little fear of interference by authorities. Other FARC concentrations continued to exist in the Sierra of La Macarena, Catatumbo, and Arauca.

In the interim, FARC held its Ninth Conference. Unlike previous conferences, this one was virtual, due to the impossibility of all of the delegates travelling safely to a sin-

gle meeting place. Internet connections and satellite uplinks made the meeting possible. Manuel Marulanda wrote that “finances were the motor for the accomplishment of all of the plans.”⁷⁶ FARC needed a reserve of \$230 million. To do this it needed to rebuild its economic structures over the next four years. Marulanda acknowledged that despite substantial attempts to turn plans into reality, FARC had fallen short, and that therefore the revolution would take longer. He acknowledged indirectly that it had been severely affected by President Uribe’s Democratic Security Policy because, as Marulanda noted, it would take four years of work for the organization to recover its pre-Plan Patriota levels. It admitted that the new tactics of the mobile brigades operating in a large number of small patrols had caused them a lot of damage, because the small patrols were very hard to locate and predict, unlike the mobile brigades, which had operated in concentrated formations. In particular, Operation JM had done them damage. The guerrillas couldn’t replace its casualties, physically it was getting worn down, food and medicine were increasingly scarce, and every day maneuver space was increasingly reduced, making it more probable that the government could carry out a significant strike against them on unfavorable terrain. Marulanda had no new answers except for the same tired speech about remembering the good old days, guerrilla warfare, and terrorism.⁷⁷

Politically, Marulanda wrote that FARC needed to work hard on strengthening the Bolivarian Movement over the next four years. It needed to mobilize all of the opposition to President Uribe. It needed to develop relations at the highest levels with countries such as Venezuela, Vietnam, North Korea, China, Nicaragua, Bolivia, and other countries on their borders, in particular Venezuela, Panama, and Ecuador.⁷⁸

On March 1, 2008, the Colombian armed forces and police bombed a camp just across the border with Ecuador killing Raúl Reyes, a member of the FARC Secretariat. This was the first time the military was able to deliberately kill a member of this leadership body. In quick succession, a bodyguard killed Iván Ríos after he began to threaten members of his entourage when his unit began to experience severe pressure from advancing army troops. Shortly thereafter, Manuel Marulanda died of a heart attack at the age of 77. Although some began to predict the imminent collapse or fragmentation of FARC, this did not happen. Within days all three members were replaced. Alfonso Cano became the new head of the Secretariat. The degree of weakness of FARC owing to its loss of leadership became evident, however, when intelligence units were able to infiltrate FARC communications and carry out “Operation Jaque,” a spectacular rescue operation. Soldiers impersonating members of an NGO ordered that the political prisoners be turned over to them to be transported to a different location, closer to Alfonso Cano. Among them were Ingrid Betancur and all three Americans.⁷⁹

When the Colombian special forces recovered Raúl Reyes’s body, it also recovered several computers, hard drives, and thumb drives containing a treasure trove of documents revealing strategic plans and relationships. While it had long been known that FARC had developed relationships with foreign governments and terrorist organizations, the depth and breadth of these relationships had been underestimated. In the Eighth Conference, FARC had ordered the creation of an international commission. In the March 2000 plenum the importance of international work had been reemphasized. Raúl Reyes’s computers revealed the degree to which FARC had accomplished this directive. Essentially it revealed three levels of international relationships: foreign governments, foreign political parties/individuals, and foreign terrorist organizations. Particularly damaging were the relation-

ships it revealed between the Venezuelan Chávez government and the Ecuadorean Correa government. FARC had donated up to \$100,000 to Correa's electoral campaign, and had campaigned for him along the northern border. Several emails on Reyes's computers indicated that Correa maintained a relationship through his minister of internal security, Gustavo Larrea. Larrea was requesting FARC's assistance to maintain security on Ecuador's Colombian border. In addition it was keeping FARC informed of official U.S. government activity and promised to shut down the counternarcotics base at Manta. In general, it offered FARC diplomatic and political support, including recognition as a belligerent. Correa, however, was careful to keep FARC at arm's length.

Hugo Chávez was not as careful. He was grateful to FARC for having provided him 100 million pesos during his time in jail in the 1990s after his coup attempt against Carlos Andrés Pérez. He proposed meeting with Marulanda and a delegation from the Secretariat, adding that all of the guarantees and security would be provided by the Venezuelan military. He was willing to work for recognition of FARC belligerence and to lead an effort to press for another peace process, together with several regional countries as well as some European nations. Finally, Venezuela offered FARC material aid. Most significantly, the Venezuelans offered to give FARC crude oil that it could sell on the international market—about \$300 million worth. If the oil was sold on the international market and FARC received the proceeds directly, there would be no traceable link to Venezuela. It is no coincidence that this amount coincided nearly exactly with the strategic reserve identified by Manuel Marulanda in the Ninth Conference. Venezuela donated some weapons to FARC from its own arsenals, specifically anti-tank rockets, and finally offered to help FARC purchase weapons from Russia by camouflaging their shipments in the large purchases of weapons being made by Venezuela.⁸⁰

In 2010 Colombia presented significant evidence to the OAS general assembly, demonstrating that there was significant FARC presence in Venezuela that was known, tolerated, and even encouraged by the Venezuelan government. As Colombia became more effective at recovering terrain from the guerrillas, this foreign sanctuary became increasingly important.

At the political party level, since 2004, FARC had promoted the creation of the Bolivarian Continental Coordinator (*Coordinadora Continental Bolivariana*). This was composed of several radical leftist parties and groups from all over Latin America. There were representatives of several Communist parties and Communist youth organizations from Argentina, Brazil, Bolivia, Chile, Venezuela, El Salvador, Mexican radical student groups, Dominican Republic, Haiti, Puerto Rico, Cuba, Panama, Paraguay, Uruguay, the MRTA from Peru, and radical Mapuches from Chile. It also included representatives from what it called the "international brigades" from Spain, France, Italy, and Denmark. Its major function seems to have been to develop solidarity and foment propaganda activity against the government. Some members traveled to Colombia to attend student forums and workshops. Much of their work was done among university student groups. They carried out campaigns against US counternarcotics policy and the presence of US military personnel in the region.⁸¹ However, several of these organizations dispatched their members to Colombia to receive guerrilla training for up to two months. In early 2008, the Ecuadoreans allowed FARC to hold a conference among the members, which included a march in front of the US Embassy.⁸² Some of the individuals were considered trusted agents of FARC and were entrusted with money in places such as Costa Rica, Spain, and Italy.

The third level of relationship was with other regional terrorist organizations. As mentioned, FARC had a relationship with the Peruvian MRTA and with Venezuelan guerrilla groups, both historical and those created under the Chávez government. It enjoyed a relationship with the Spanish ETA and, bizarrely, the Paraguayan EPP. FARC sent advisers to Paraguay to help the EPP carry out kidnappings, for which it was paid a percentage of the ransom money. In addition, EPP members travelled to Colombia to attend FARC training schools. The efforts FARC made to develop an international network now meant that FARC enjoyed a strategic depth guaranteeing its survival in some form, even if it was completely defeated inside Colombia.

In August 2008, Alfonso Cano produced a document that became known as “Renacer Revolucionario de Masas” (Revolutionary Masses Rebirth). While some called this a new strategy, in fact the document confirmed that FARC continued to implement the existing strategy. The main shift was that it called for the organization to return to basics. Where Marulanda had advocated a return to guerrilla warfare as a temporary tactical measure, Cano insisted that the organization return to guerrilla warfare as a strategic phase. The document acknowledged that FARC had suffered greatly under Democratic Security and from Plan Patriota, losing physical space to the enemy. The organization was to emphasize a combination of special operations snipers and mines to limit government mobility. The latter were particularly important, acknowledged as the only weapon that “stopped and intimidated” government forces.⁸³ Finally, FARC was to swiftly acquire man portable anti-aircraft missiles, or MANPADS. FARC was to immediately go back on the offensive, carrying out attacks to “save the prestige of the organization,” and it was to again attempt to take the war to the cities.⁸⁴

Politically, Cano acknowledged that the organization had “misused our social resources and lost social-political space.”⁸⁵ FARC was to emphasize the growth of the Bolivarian Movement, PCCC, and the militias. In particular Cano called on the organization to strengthen this effort in the urban areas and among the more educated segments, high school graduates and university students. Above all, he called for the organization to work with Senator Piedad Córdoba to create a legal political organization called “the People’s Party” that would develop an alliance with the Bolivarian Movement. He asked that Ms. Córdoba be shown a copy of Plan Renacer and that her advice be solicited.⁸⁶ Finally, the important role of Venezuela was made clear when it was suggested that the Plan be revealed to Chávez and his representative Ramón Rodríguez Chacín, presumably for consulting and advice.⁸⁷

The impact of Cano’s plan was soon evident. FARC began operating in subtly different ways. Rather than using uniformed guerrillas, it began operating increasingly through militias in civilian clothing in urban settings. Mines, bombs, and hit squads became the most common tactics. While FARC appeared to get weaker, after the 2010 election of Juan Manuel Santos, it began conducting a series of offensive actions to show that it was still a viable force. It carried out numerous attacks, particularly against rural police patrols, producing a number of casualties.

This was part of a campaign under Plan Renacer known to FARC as the Raul Reyes Campaign. Under this campaign, the main objective was to create a feeling of doubt within the population about the success of Democratic Security. It was to carry out several simultaneous small-scale attacks that would produce 50–60 government deaths. Not the whole organization was to be involved, however. Thirty columns or companies were to keep

government forces distracted while the rest of the organization rebuilt its forces. Another important shift was that the military leadership of the campaign was to be carried out by the leader of Southern Bloc and Secretariat member, Joaquín Gómez, instead of Eastern Bloc Secretariat member, Mono Jojoy. Eastern Bloc was to provide logistical support, a reversal of roles since 1998, when it had become the military fulcrum of the organization. Finally, as part of the campaign, Secretariat member Iván Márquez, head of Caribbean Bloc, was to take over the efforts previously led by Raúl Reyes and develop a concerted international propaganda campaign. He was to be assigned an organization of roughly 130 people to carry out work in 50 countries, 35 of which were identified in the document.⁸⁸

In September 2010, the Colombian Air Force and Special Operations carried out Operation Sodoma, which resulted in the killing of FARC secretariat member, Jorge Briceño Suarez, or Mono Jojoy. This was a huge blow politically because Jojoy had been FARC's primary military commander since 1996. Jojoy's death certainly signaled an end to an era. However, as previously mentioned, the military fulcrum had passed to Southern Bloc, so Jojoy's death did not disrupt FARC's military plans. Furthermore, FARC was mentally prepared for the attack; the discipline and organization of FARC was made evident when in the aftermath of the operation no deserters emerged from those who had been with Jojoy in the Sierra de la Macarena. Furthermore, the FARC units in the area withdrew from the area of operations in good order, taking with them all their heavy and vital equipment. This was not the attitude of a defeated force. While FARC was certainly beat up, it was not defeated, and the war goes on.

FARC is a remarkable insurgency. First, it has kept together an armed irregular organization with a single-minded purpose for more than 50 years through a series of ups and downs. For 30 of those 50 years, it has systematically worked toward the fulfillment of a concrete strategy. Despite the ebbs and flows of society, politics, and the battlefield, it has never lost sight of that strategy or made the mistake of attempting to force the environment to fit into the model—which would have jeopardized the existence of the organization—versus adapting to the environment to advance the strategy. This constant adaptation has caused analysts and reporters to frequently report changes in FARC strategy, when in fact what it observed was an adjustment of tactics that the leadership had judged to be temporally better suited—in accordance to the environment—to accomplish the strategy. If one understands the basic concept, found in the writings on prolonged war of Mao Tse-tung and Truong Chinh, these adjustments or shifts are not random or wild, but very logical and predictable and based on assessments of the strategic correlation of forces.

This adherence to strategy over such a prolonged period requires a remarkably structured and disciplined organization, something that makes FARC different from just about any other insurgency in Latin America. While FARC has leaders, the individuals are less important than the structure and methodology, a characteristic that guarantees FARC's survival over a prolonged time. Strategic direction is provided to a decentralized organization through the conferences and plenums. The decisions are made by consensus, ensuring a great deal of harmony at the highest levels, as well as preventing exaggerated *protagonism* or the emergence of any one personality at the top, which would make the organization dependent on the fate of that individual. There is always built-in redundancy and deliberate dispersion so that if several leaders are killed, the organization can still carry on. Furthermore, each of these redundant leaders has designated replacements so that when individuals disappear, they are immediately replaced, and business goes on as usual. FARC has

been designed to survive as an organization.

FARC often comes across as inefficient, insensitive, ponderous, and bureaucratic, but it is very consistent and never given to wild behavioral swings. FARC almost always experiments with a concept on a limited scale for several years before implementing the concept on an organization-wide scale. Compliance is assured through a system of central oversight, periodic reporting, and self-analysis, which guarantees that every element of FARC stays on program. Discipline for deviance is harsh and swift. The myth of rogue units or elements has been used to avoid taking responsibility for unpopular acts, but there are no rogue FARC units. When they do exist, they are dealt with immediately. The combination of these elements—consensus, redundancy, strategy, communication, oversight, self-evaluation, and discipline—gives the organization coherence.

Not even the recent succession of significant defeats has been able to break the cohesion of the organization and its stubborn adherence to its strategy. While Alfonso Cano has implemented significant changes with his new directive, the purpose is not to change direction, but to recover what was lost. Theoretically, there is no time limit to this effort, and so the organization soldiers on into the indefinite future. This means that FARC, despite its reversal of fortunes, will continue to be a security headache for the Colombian government for some time to come.

Despite its strengths, FARC also has some significant weaknesses. FARC's failures lie in two interrelated areas: first, an inability to "see the trees for the forest," and second, a confusion of methods with its strategic goal. The deliberate flipping of an old American cliché illustrates that while FARC has developed an extraordinary far-sighted and disciplined adherence to its strategy, which guarantees its survival; this has also infused the organization with a degree of rigidity that makes it incapable of flexibly responding to short-term situations that have strategic impact. It has forgotten that strategic victories are an accumulation of tactical successes, and as a result is often its own worst enemy, particularly where tactical political victories are concerned. An outstanding example of this is the case of the son of a captured policeman who was diagnosed with terminal leukemia. The public and the press clamored for FARC to release the man to be with his son on humanitarian grounds. The FARC refused. It is not clear why it refused, but it was unable to respond because it didn't fit into the strategic plans and guidelines that had been developed. It was unable to deal with this situation that was outside the norm. The boy died without seeing his father, and, to make matters worse, FARC killed the father when he attempted to escape captivity after hearing of his son's death.⁸⁹ Objectively, the FARC had little to lose by releasing the policeman, and it would have reaped enormous political benefits, making it seem humanitarian. Instead, FARC came across as cold, callous, and indifferent to the suffering of the people—not the people's champion it claimed to be. There are hundreds, if not thousands, of similar cases, where FARC has seemed blind to opportunities to make symbolic concessions and achieve tactical political victories in pursuit of its strategic political goal. In this way, FARC seems to be out of step and out of touch with the population of Colombia.

This political estrangement is probably connected to FARC's second great failure, the confusion of methods with strategic ends. The FARC's strategic goal is to take political power. Its method is violent insurgency because it claims that a peaceful transition to socialism through democracy is not possible in Colombia. In the past it has also declared that if there was a different way to compete in the political arena it would participate in normal

politics. However, FARC suffers from a sort of organizational psychosis that prevents it from truly broadening its forms of struggle. All of its efforts are focused almost exclusively on the armed struggle, with efforts in other arenas poor at best. The stated purpose for armed struggle is to create or open maneuver space or freedom of action in the political arena—to allow the organization to take political power. FARC has turned this concept on its head, where its political efforts are directed toward supporting and promoting the armed struggle. This is due to the mostly negative experience of FARC in the political arena. FARC's experience has given it no reason to believe that it would survive, much less prosper, without arms. The communist militias that morphed into FARC were born in the midst of *La Violencia* between 1948 and 1964. The militias were formed because for over a dozen years political militias claiming affiliation with the traditional parties spread through the countryside massacring those who did not share their politics. Most of the guerrilla leaders who eventually demobilized from this period were assassinated, and their political impact dissipated. This included not only the traditional party militias of *La Violencia* that demobilized in the 1950s and 1960s, but also the Marxist guerrillas that demobilized in the late 1980s and early 1990s. In the late 1980s, drug traffickers and paramilitaries unleashed a war of terror against FARC's legal political party, the UP, and so forth. Maintaining its armed component is a nonnegotiable element of FARC's approach.

However, FARC has failed in two respects: first, to perceive how its own actions provoked violence against them, and second, to distinguish the differences between its adversaries. In the first instance, FARC has often carried out policies that have provoked a violent reaction against its most vulnerable elements. While this does not justify this violence, it explains it. For example, FARC's decision to steal drugs from the cartels in the late 1980s, and then its failure to restore the situation, provoked a war between the drug cartels and FARC. The cartels unleashed the violence against the element of FARC that was most vulnerable, the UP, which also destroyed FARC's vital mass base. And yet, FARC did little to protect the UP. It would seem that the consequences to its political wing of going to war with the drug cartels should have been evident and was totally preventable. The fact that it went ahead without warning the political organization or taking any countermeasures indicates that something was amiss. It was almost as if FARC didn't appreciate the strategic role that the UP could play. It is perhaps significant that Jacobo Arenas, the brain trust behind the UP, died around this time. Nobody else seemed to appreciate the true potential of the political party.

Furthermore, when the murders of the UP began, FARC considered the killings to be part of a grand conspiracy between government, paramilitaries, and drug cartels to destroy the organization: the legal government through negotiations and demobilization, and clandestine dirty war through the cartels and paramilitaries, of course, backed by the United States. While it is true that there were individuals who had feet in two or more of the Colombian entities, in fact the strategies were different. The government was actually trying to create the conditions for a peaceful settlement of Colombia's social conflicts. It was sincere, even if weak, and penetrated by elements of the drug traffickers and paramilitaries who were also the state's enemies. FARC was unable to distinguish this or take advantage of it to play the government against the others to create more space for its legal political activity.

This was due in large part to how FARC conceived of the role of the political organization. Rather than the armed struggle opening space for the political struggle, FARC

organized its political structures to advance and support the military struggle, thus confusing ends with means. When the UP was unwilling or unable to advance the armed struggle, FARC abandoned it, leaving it to its fate. FARC took advantage of the discontent over the assassination of UP cadre to recruit new guerrillas into the armed structures and replaced the UP with clandestine political structures linked to the militias. These political structures' main task was to create space at the local level and provide support to the advance of the armed struggle, not the reverse. This has been FARC's fatal flaw, and has resulted in FARC's inability to make significant inroads into Colombia's political scene. This flaw combined with its organizational virtue and enormous resources from drug trafficking and other illegal economies has created an organization that has the ability to survive almost indefinitely, but never win.

Notes

¹ Daniel Pecaú, *Las FARC: Una Guerrilla Sin Fin o Sin Fines* (Bogotá: Editorial Norma, 2008), p. 90.

² Ejército Nacional de Colombia, *Evolución de las FARC 1964–2005*, 2005.

³ FARC-EP, *Conclusiones de la Séptima Conferencia*, May 1982.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid. There are several slightly different versions of this document, all with the same title, that have been captured. Not all of them contain the financial conclusions. The problem is that FARC produces at least three versions of its conference conclusions: one for public consumption, one for internal consumption at low levels, and then another version for use of the front leadership. In addition, there are secret versions of the document or parts of the document that are only circulated among the High Command or even the Secretariat.

⁷ Op. cit., May 1982.

⁸ Ibid.

⁹ FARC-EP, *Informe Central al Pleno Ampliado del Estado Mayor Central de las FARC-EP*, October 1983.

¹⁰ The eight-year plan was kept secret and not documented until the May 1989 plenum, but it is referred to often in plenums between 1982 and 1989, and it is very clear from these references that the original was outlined in the Seventh Conference.

¹¹ FARC-EP, *Variantes del Planteamiento Estratégico de la Séptima Conferencia, Pleno del Estado Mayor*, May 1989.

¹² See Russell Stendall, *Rescue the Captors* (Bogotá: Ransom Press International, 1986).

¹³ Government of Colombia, *Acuerdos de la Uribe*, May 28, 1982.

¹⁴ Steven Dudley, *Walking Ghosts* (New York: Routledge, 2004), p.59.

¹⁵ Armando Solís (Jacobo Arenas), *Opiniones en Torno a las Tesis del 14 Congreso*, n.d.

- ¹⁶ Ibid. and Jacobo Arenas, *El Poder Formal y el Poder Real*, n.d.
- ¹⁷ FARC-EP, *Informe Central al Pleno Ampliado del Estado Mayor Central de las FARC-EP*, October 1983.
- ¹⁸ Ibid.
- ¹⁹ Jacobo Arenas, *La Tregua: Problemas de la Guerra y la Paz*, n.d.
- ²⁰ FARC-EP, *Conclusiones del Pleno Ampliado del Estado Mayor Central de las FARC-EP*, January 1985.
- ²¹ Op. cit.
- ²² FARC-EP, *Informe Central al Pleno del Estado Mayor de las FARC-EP*, February 1987.
- ²³ FARC-EP, *Pleno Ampliado del Estado Mayor de las FARC-EP*, December 1987.
- ²⁴ The CGSB was a loose alliance between the various Marxist guerrilla groups to work together towards socialist revolution by coordinating their military operations to produce a more strategic effect. It was inspired by the example of the amalgamation of the five groups in El Salvador known as the FMLN. While each organization retained its independence, the hope was that through working together and developing trust in each other it would eventually flourish into a full alliance. In 1986 it was composed of the M-19, ELN, EPL, FARC, PRT, and Quintin Lame.
- ²⁵ FARC-EP, *Conclusiones del Pleno Ampliado del Estado Mayor de las FARC-EP*, December 1987.
- ²⁶ Ibid.
- ²⁷ Ibid.
- ²⁸ Ibid.
- ²⁹ FARC-EP, *Plan Militar de Despegue y Empate con el de 8 Años*, December 1987.
- ³⁰ FARC-EP, *Conclusiones Generales del Pleno del Estado Mayor de las FARC*, May 1989.
- ³¹ Ibid.
- ³² Where the UP was an open, legal political organization, solidarity unions were clandestine political support groups existing in relatively small groups.
- ³³ Op. cit.
- ³⁴ Interview with Carlos Plotter, March 2005.
- ³⁵ For example, see, “Las FARC en las Goteras de Bogotá,” *El Tiempo*, February 6, 1991.
- ³⁶ “Último Parte de Guerra de 1991,” *El Tiempo*, February 9, 1992.
- ³⁷ “Regresa de México Comisión Negociadora,” *El Tiempo*, March 22, 1992.
- ³⁸ FARC-EP, *Informe de la Octava Conferencia de las FARC-EP Comandante Jacobo Arenas Estamos Cumpliendo*, April 1993.
- ³⁹ Ibid.
- ⁴⁰ Ibid.
- ⁴¹ Ibid.
- ⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ The difference was that blocs contained more than five fronts and the Joint Commands less than five. It was foreseen that the Joint Commands would become blocs, so many sources refer to FARC's seven blocs rather than parsing out the Joint Commands from the blocs. This is not incorrect.

⁴⁶ Op. cit.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ FARC-EP, *Pleno del Estado Mayor Central*, November 1997.

⁵⁰ Ibid.

⁵¹ The rampla was a crude homemade mortar originally designed by the Irish Republican Army (IRA) made from natural gas tanks. FARC made contact with IRA representatives in Cuba, who sent advisers to Colombia, where they taught FARC how to make and use them.

⁵² Edgard Tellez, Oscar Montes, and Jorge Lesmes, *Diario Íntimo de un Fracaso: Historia no Contada del Proceso de Paz con las FARC* (Bogotá: Editorial Planeta, 2002), p. 51.

⁵³ Ibid., pp. 49-50.

⁵⁴ "Así Registro El Tiempo la Toma de Mitu, Vaupes (3 de Noviembre de 1998)," *El Tiempo*, March 16, 2010.

⁵⁵ Op. cit., pp. 98-103.

⁵⁶ FARC-EP, *Pleno del Estado Mayor Central: "Con Bolívar, por la paz y la soberanía nacional,"* March 2000.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ Mono Jojoy said: "*La Guerrilla va para las ciudades. Alla nos pillamos*" (The Guerrillas are going to the cities. We'll run into you there.). See "FARC anuncia Guerra Urbana," *El Tiempo*, June 25, 2001.

⁶¹ "30 Militares Muertos en Ataque de las FARC," *El Tiempo*, June 23, 2001.

⁶² See Claudia Rocio Vásquez, "Retirada Guerrillera Hacia el Caguan," *El Tiempo*, August 22, 2001; see also "Accoraladas las FARC en Mapiripán," *El Tiempo*, August 24, 2001.

⁶³ Secretariado del Estado Mayor Central FARC-EP, *Pleno Extraordinario*, January 2002.

⁶⁴ Ibid.

⁶⁵ Manuel Marulanda, *Ponencia para el Desarrollo de la Novena Conferencia Nacional Guerrillera*, 2007.

⁶⁶ Directive from Jorge to Aurelio dated February 4, 2002.

⁶⁷ Manuel Marulanda, *Circular del Comandante Manuel*, 2002.

⁶⁸ Ibid.

- ⁶⁹ Directive from Jorge Suárez Briceño to Marco Aurelio Buendía, Hugo, Geovanny, Pablo, and Javier, July 17, 2002.
- ⁷⁰ Ibid.
- ⁷¹ FARC-EP, *Informe para Balance de los Frentes Policarpa Salvatierra y 42 del Bloque Oriental de las FARC-EP*, March 15, 2004.
- ⁷² Ibid.
- ⁷³ An area comprising a rough box in between the Sierra de la Macarena in the northwest to San José del Guaviare in the northeast, to the Serranía de Chiribiquete in the southeast to Peñas Coloradas in the southwest.
- ⁷⁴ “Plan Patriota y la Leishmaniasis,” *El Tiempo*, November 2, 2004.
- ⁷⁵ Interview with FTC, 14th Front, deserted in January 2006.
- ⁷⁶ Manuel Marulanda, *Ponencia para el Desarrollo de la Novena Conferencia Nacional Guerrillera*, 2007.
- ⁷⁷ Ibid.
- ⁷⁸ Ibid.
- ⁷⁹ The most thorough account of this operation is found in Juan Carlos Torres, *Operación Jaque: La Verdadera Historia* (Bogotá: Planeta, 2008).
- ⁸⁰ Captured Raul Reyes documents released by the Colombian government in April 2008.
- ⁸¹ José Gregorio Pérez, *Raul Reyes, El Canciller de la Montaña* (Bogotá: Grupo Editorial Norma, 2008), pp. 185-250.
- ⁸² Captured Raul Reyes documents released by the Colombian government in April 2008.
- ⁸³ Alfonso Cano, *Plan Renacer Revolucionario de las Masas*, August 16, 2008.
- ⁸⁴ Ibid.
- ⁸⁵ Ibid.
- ⁸⁶ Ibid. Due to this and other significant evidence from the Raul Reyes’s computers, Senator Piedad Córdoba lost her public office and was barred from holding political office for 18 years. See “Piedad Córdoba fue Destituida por Nexos con las FARC,” *El Tiempo*, September 28, 2010.
- ⁸⁷ Op. cit.
- ⁸⁸ FARC, *Campaña Raul Reyes*, February 1, 2010. The countries identified were Algeria, Argentina, Australia, Belgium, Belarus, Brazil, Canada, Costa Rica, Chile, China, Dominican Republic, Ecuador, Germany, Lebanon, France, Italy, Libya, Mexico, Nicaragua, North Korea, Panama, Peru, Poland, Portugal, Puerto Rico, Romania, Russia, Spain, Sweden, Switzerland, Suriname, Ukraine, the United States, Venezuela, and Vietnam.
- ⁸⁹ “El Cabo Pérez Estaba Desesperado,” *El Tiempo*, April 9, 2002.

A Participação Sul-Americana nas Operações de Paz da ONU: Algumas Considerações

Sérgio Luiz Cruz Aguilar

RESUMO

As operações de paz são respostas pragmáticas da comunidade internacional a uma situação de ameaça ou comprometimento à paz e segurança internacionais. Apesar da Carta da Organização das Nações Unidas (ONU) não fazer uma referência explícita às operações de paz elas estão amparadas nos capítulos VI, VII e VIII do referido tratado. A Organização utiliza, ainda, como base teórica para o tratamento do tema, principalmente, os documentos Uma Agenda para Paz e seu Suplemento que foram apresentados pelo então Secretário-Geral Boutros Boutros-Ghali em 1992 e 1995, respectivamente. Desde 1947, mais de um milhão de militares, policiais e civis serviram nas 67 missões de manutenção de paz realizadas. Os países sul-americanos, em especial o Brasil, a Argentina e o Uruguai, têm marcado significativa presença nessas operações. Esse trabalho apresenta um balanço descritivo da participação dos países da América do Sul em operações de manutenção da paz das Nações Unidas e os dispositivos legais que regem sua participação. Concluindo, apresenta algumas considerações sobre a experiência acumulada pelos países da região, conduzindo o raciocínio para a importância da participação conjunta nessas operações.

Introdução

A ONU iniciou suas operações de paz em 1947, ao instalar a Comissão Especial das Nações Unidas para os Bálcãs, que operou na Grécia até 1951. Desde então, foram desenvolvidas 67 missões de manutenção de paz, incluindo missões políticas e de construção da paz conduzidas pelo Departamento de Operações de Paz da ONU (DPKO).

As operações desenvolvidas pela Organização foram divididas em dois períodos. Entre 1948 e 1988, a Guerra Fria determinou características próprias ao relacionamento dos Estados no âmbito dos organismos internacionais com conseqüentes reflexos à efetivação e condução das operações de paz. Nesse período, foram denominadas como “clássicas”, nas quais predominou a manutenção da paz limitada a obter e manter acordos de cessar fogo e a separação das forças envolvidas nos conflitos. No segundo período, de meados de 1988 aos dias atuais, as mudanças no sistema internacional marcadas pelo fim da Guerra Fria, permitiram o aumento das missões chamadas de “multidisciplinares” ou de “segunda geração.” As operações passaram a envolver não só tarefas de cunho militar.¹ Houve, portanto, uma ampliação considerável das atividades que abarcaram a proteção do envio de ajuda humanitária, desminagens, atenção a vítimas e refugiados, reestruturação ou estruturação das instituições políticas, judiciárias, financeiras, etc, supervisão de eleições, reconstrução da infra-estrutura, fiscalização da observância dos direitos humanos, dentre várias outras atividades.²

Na década de 1990, os documentos Uma Agenda para Paz e seu Suplemento, apre-

sentados pelo então Secretário-Geral desta organização, Boutros Boutros-Ghali, apresentaram um marco conceitual para o tratamento das operações de paz. A partir de então, passou-se a trabalhar com os diferentes tipos de operações. A diplomacia preventiva (*preventive diplomacy*) englobam medidas que previnem o surgimento de litígios entre as partes, incluindo o desdobramento preventivo de tropas (*preventive deployment*). A Promoção da Paz (*peacemaking*) objetiva levar as partes hostis a um acordo por meio de mecanismos pacíficos. A Manutenção da Paz (*peacekeeping*) indica a presença da ONU no campo, com o desdobramento de tropas com o consentimento das partes interessadas. Essas operações se situam no marco do Capítulo VI da Carta da ONU. A Imposição da Paz (*peace enforcement*) envolve o uso de meios coercitivos aprovados pelo Conselho de Segurança, a fim de garantir que a restauração da paz e da segurança seja efetivada em localidades onde há ameaças e violações à paz. Se dá de acordo com o Capítulo VII da Carta da ONU. A Consolidação ou Construção da Paz (*peacebuilding*) visa a desenvolver uma série de ações, nos mais diversos campos, de modo a prevenir futuros atos de violência e estabelecer as bases para uma paz duradoura. É interessante salientar que, na maior parte das vezes, há uma inter-relação entre algumas dessas categorias.³

Do total de operações de manutenção da paz conduzidas pela ONU, 13 foram iniciadas entre 1948 e o início de 1988, as demais 54 missões foram iniciadas a partir de maio de 1988. Em dezembro de 2010, 98 311 militares armados, policiais e observadores militares de 115 países estavam servindo em 16 missões de paz.⁴ Nesses esforços, os países sul-americanos, em especial o Brasil, a Argentina e o Uruguai, têm marcado significativa presença.

O final do século passado foi particularmente importante para a América do Sul, pois permitiu que alguns contenciosos fossem definitivamente resolvidos, diminuindo as possibilidades do uso da força por meio das forças armadas nacionais. O retorno à democracia e o maior controle civil das forças armadas também colaboraram para o desenvolvimento de uma série de medidas de confiança mútua (MCM) e o aumento das relações de cooperação militar.

Em conseqüência, praticamente em todos os países foram estabelecidas políticas de defesa nacional que definiram o amparo legal do uso das forças armadas. Paralelamente ou em decorrência dessas políticas, uma série de diplomas legais foram aprovados, os quais estabelecem, com clareza e exatidão, quais as missões dessas forças e os mecanismos para a sua utilização. Seja nas políticas de defesa, sejam em outros dispositivos legais que disciplinam o emprego de forças militares, quase a totalidade dos países sul-americanos apresenta como objetivo da defesa nacional, a participação em operações de paz dos organismos internacionais.

O presente trabalho apresenta um balanço descritivo da participação dos países da América do Sul em operações de paz das Nações Unidas, bem como dos dispositivos legais desses países que regem sua participação e da concepção dos países do subcontinente sobre essas operações. Concluindo, apresenta algumas considerações sobre a experiência acumulada pelos países da região, conduzindo o raciocínio para a importância da participação conjunta nessas operações, que se dá por meio de entendimentos bilaterais para o desenvolvimento de medidas de confiança mútua na região.

Argentina

A Argentina iniciou sua participação nas operações de paz em 1958, na operação da ONU

no Oriente Médio (UNOGIL). Até 2010, mais de 20 mil militares haviam sido desdobrados em 32 missões da ONU.

O Livro Branco de Defesa de 2001, estabeleceu como missão complementar das forças armadas argentinas, a participação em operações de paz e/ou coalizões multinacionais sob mandato de organismos internacionais. O mesmo documento determinou que a decisão de integrar tais forças deve ser política e condicionada a fatores como: a existência de uma ameaça real à paz e à segurança internacionais; os objetivos propostos para a missão devem ser claros e devem responder a um instrumento jurídico internacional; e, as partes em conflito devem aceitar a presença da missão ou, apesar da não-aceitação, a intervenção deve ser imperativa para preservar a paz e a estabilidade da região. Dessa forma, é permitida a participação de forças argentinas em qualquer tipo de operação, inclusive a de imposição da paz, como ocorreu quando da participação do país na Guerra do Golfo, em 1991.

A Lei 25 880 sobre Ingresso e Saída de Tropas fixa os procedimentos do Poder Executivo para solicitar ao Congresso Nacional a autorização para a saída de forças do território, assim como prazos, detalhes que devem constar do pedido e exceções ao mesmo. O Decreto 727/2006 que regulamentou a Lei n. 23.554 apresentou em seu preâmbulo que o encargo básico do sistema de defesa deve integrar-se com os compromissos assumidos pela Argentina para o desenvolvimento das operações realizadas no quadro da ONU. O Decreto 1116/96 sobre planejamento militar conjunto define que a participação das Forças Armadas no quadro das Nações Unidas é elemento essencial de sua política exterior, mas que não deverá afetar as capacidades do instrumento militar para cumprir sua missão principal.

A Lei 24948 sobre reestruturação das Forças Armadas, no seu artigo 5, determina que nos cálculos estratégicos, organização, equipamento, doutrina e adestramento será dada prioridade “al accionar conjunto y a la integración operativa de las fuerzas, así como con las fuerzas de seguridad en sus funciones de apoyo y con fuerzas del ámbito regional y las de los países que integren contingentes de paz por mandato de las Naciones Unidas.” A exemplo dos demais países da região, o artigo 24 da mesma Lei, que define os programas da função de defesa, não inclui os recursos necessários para as missões de paz que devem ser determinados e destinados para cada missão em especial mediante aprovação do congresso.

Em decorrência do aumento da participação argentina, em 1995, foi criado o Centro de Treinamento Conjunto para Operações de Paz (CAECOPAZ), com o objetivo de ministrar cursos teórico-práticos de preparação de militares e civis para essas operações, inclusive com participação de estrangeiros. O Conselho Acadêmico do CAECOPAZ tem a presença do Diretor de Organismos Internacionais do Ministério de Relações Exteriores argentino. Isso atesta outra realidade presente nos países sul-americanos atualmente que é a estreita ligação entre as áreas de defesa e de relações exteriores.

Bolívia

Na Bolívia a Lei Orgânica das Forças Armadas da Nação estabeleceu os princípios da segurança e defesa e as missões das forças armadas. O artigo 22 (letra j), determinou que o Ministério da Defesa deve coordenar com o Ministério das Relações Exteriores a participação do país em tratados, de acordo com as normas internacionais. O Livro Branco de Defesa de 2004 apresentou como uma das finalidades das forças armadas cooperar para a manutenção da paz e da segurança internacional e como um aspecto da efetivação da política de defesa a contribuição para a manutenção da paz mundial.

O país não tinha um histórico de participação em operações de paz. Em maio de 1997, o governo celebrou um Memorando de Entendimento com a ONU colocando à disposição da organização efetivos militares para essas missões. A partir daí, passou a preparar um contingente de 540 militares, baseados no batalhão de Santa Cruz de La Sierra, chamado de Agrupamento Tático Bolívia.⁵ Em 3 de maio de 1999, os primeiros 70 militares foram deslocados para a Missão de Observação da ONU em Angola e observadores militares foram enviados para missões no Kosovo, Kuwait, Timor Leste e Nicarágua. Atualmente o país tem militares desdobrados em cinco missões.

Brasil

No âmbito da Liga das Nações, o Brasil teve uma importante participação na questão de Letícia, enviando um oficial para integrar a comissão da Liga que supervisionou, entre 1933 e 1934, a retirada de tropas irregulares peruanas daquela cidade. Também mediu o acordo entre o Peru e a Colômbia, assinado em maio de 1934, quando Letícia foi devolvida à Colômbia. No âmbito da ONU, iniciou sua participação em 1948, ao enviar dois militares para a Comissão Especial das Nações Unidas para os Bálcãs (UNSCOB), que operou na Grécia de 1947 a 1951. Desde então, o país participou de 33 missões de paz sob a égide da ONU, com observadores militares, policiais, peritos eleitorais e especialistas em saúde.

A presença de grandes efetivos armados aconteceu na UNEF I, com um batalhão de infantaria, totalizando vinte contingentes entre 1957 a 1967, perfazendo um total de 6 300 homens que atuaram no Oriente Médio, tendo sido o único país sul-americano a permanecer durante toda a UNEF I. Em Moçambique, uma Companhia de Infantaria Páraquedista foi desdobrada em julho de 1994 com 170 militares. Em Angola, na UNAVEM III, o Brasil, além de observadores militares e policiais, enviou um Batalhão de Infantaria (800 homens), uma Companhia de Engenharia (200 homens), dois Postos de Saúde Avançados (40 homens) e cerca de 40 militares para compor o Estado-Maior da força militar da ONU. O contingente brasileiro permaneceu naquele país de agosto de 1995 a julho de 1997 e com os revezamentos realizados, totalizou um efetivo de 4 174 militares e 48 policiais empregados. Em 1999, enviou um Pelotão de Polícia do Exército com 50 homens e um oficial superior comandante do contingente brasileiro para integrar a força da ONU que interveio no Timor Leste (INTERFET), permanecendo nas missões seguintes que foram estabelecidas naquele país. Em 2004, o Brasil enviou um Batalhão com 1200 homens para a recém instalada missão da ONU no Haiti, assumindo, inclusive, o comando do componente militar.⁶

O embasamento jurídico para participação em operações de paz tem seu início na Constituição Federal de 1988. A Política de Defesa Nacional de 2005 estabeleceu como objetivos da defesa a contribuição para a manutenção da paz e da segurança internacionais, a projeção do país no concerto das nações e sua maior inserção em processos decisórios internacionais. Para isso, uma das orientações estratégicas determinou que o país intensificasse sua participação em ações humanitárias e em missões de paz sob a égide de organismos multilaterais. Uma das diretrizes estratégicas que a política listas, apresenta que o país deve dispor de capacidade de projeção de poder, visando à eventual participação em operações estabelecidas ou autorizadas pelo Conselho de Segurança da ONU.

A Lei Complementar n. 97, de 9 de junho de 1999, que estabeleceu normas gerais para a organização, preparo e emprego das Forças Armadas, definiu ser de responsabilidade do Presidente da República a participação de tropas em operações de paz. Já a saída

de tropas armadas do país depende de autorização do legislativo de acordo com a Lei n. 2953, de 17 de novembro de 1956. O Decreto nº 3080 de 10 de junho de 1999, que estabeleceu a Estrutura Regimental do Ministério da Defesa, determina como sendo daquele Ministério a responsabilidade pelo planejamento e o acompanhamento dessas forças.

O aumento da participação em missões de paz resultou na criação, em 2001, da Divisão de Missão de Paz do Comando de Operações Terrestres (COTER) e do Centro de Preparação e Avaliação para Missões de Paz do Exército Brasileiro (CEPAEB), com a missão de orientar o preparo dos militares brasileiros. Em 2005 foi criado pelo Exército o Centro de Instrução de Operações de Paz (CIOPaz) que, em junho de 2010, passou a denominar-se Centro Conjunto de Operações de Paz do Brasil (CCOPAB), sendo encarregado da preparação de militares e civis brasileiros e de nações amigas a serem enviados em missões de paz.⁷

Tabela 1: Efetivo Atual de Militares e Policiais Brasileiros em Missões de Manutenção de Paz⁸

MISSÃO	PERITOS	CONTINGENTES	POLICIAIS	TOTAL
MINUSTAH	----	2.187	03	2.190
UNFICYP	---	01	----	01
UNFIL	----	01	----	01
UNMIN	06	---	----	06
UNMIS	20	02	02	24
UNMIT	03	----	20	23
MINURSO	11	----	----	11
UNOCI	04	03	----	07
MARMINCA	07	-----	-----	07
MARMINAS	07 (sendo	5 no Peru-Ecuador	2 na Colombia)	07
TOTAL	58	2.194	25	2.277

Chile

O Chile iniciou sua participação em missões de paz ao integrar a Comissão Militar Neutra do Chaco Boreal que, entre 1935 e 1939, supervisionou os acordos ao término da Guerra do Chaco, entre Bolívia e Paraguai. Posteriormente, em 1967, esteve presente na Supervisão da Trégua da ONU no Oriente Médio (UNTSO) e, em 1969, integrou a missão de observadores da OEA no conflito El Salvador-Honduras. A partir daí, teve pouca participação centrada em observadores militares, oficiais de ligação ou especialistas, como nas missões da ONU na Índia-Paquistão, Líbano, Oriente Médio, El Salvador, Bósnia Herzegovina, Kosovo, Guatemala, Iraque, Timor Leste, Equador-Peru, e na operação de desminagem da OEA na Nicarágua. O próprio regime militar chileno não considerava esse tipo de missão adequada aos interesses das forças armadas.

A partir da década de 1990, o país passou a integrar forças de paz com tropas armadas, mas a participação era restrita a operações de manutenção de paz com o consentimento das partes em conflito como no Camboja, fronteira Iraque-Kuwait, Iraque e Timor.

Em decorrência do aumento da presença das forças armadas do país nesse tipo de operação foi criado, em 2002, o Centro de Treinamento Conjunto para Operações de Paz (CECOPAC), subordinado ao Ministério da Defesa e destinado ao treinamento de milita-

res e civis, nacionais e estrangeiros. A idéia chilena de conjunto implica na utilização do Centro por todas as instituições envolvidas com as missões. Da mesma forma, há a idéia de participação combinada com forças de outros países, o que se materializou no Chipre, quando integrou o batalhão argentino com um pelotão e ao fazer parte da EUFOR, força da União Européia na antiga Iugoslávia, quando integrou uma força britânica com fração de igual valor.⁹

Os diplomas legais que enquadram a participação do país nas operações de paz são a Constituição Política da República de 1980, em seus artigos 24 e 32, o Livro Branco de Defesa de 2002, no seu capítulo III e a Lei N° 19.067 que rege a participação do pessoal das Forças Armadas e de Segurança Pública nas referidas operações e determina a necessidade de aprovação do legislativo para a saída de tropas do território nacional. Os Ministérios da Defesa e de Relações Exteriores avaliam cada petição e a decisão final é do Presidente. A saída de tropas do país deve ser autorizada pelo Senado. Um grupo de análise permanente foi criado no Ministério da Defesa para proporcionar assessoria especializada no processo decisório, estudando cada caso e sugerindo pela participação ou não do país. O Ministério da Defesa tem a responsabilidade de coordenar as operações, incluindo a preparação e o treinamento das forças cuja organização é encargo da instituição que fornece os meios.

Em 1999, foi promulgado o Decreto Supremo n. 68 dando amparo à participação em operações próximas ao Capítulo VII, ou seja, de imposição da paz “tales como la interrupción total o parcial de las relaciones económicas y de las comunicaciones ferroviarias, marítimas, aéreas, postales, telegráficas, radioeléctricas, ruptura de relaciones diplomáticas, demostraciones, bloqueos y otras operaciones ejecutadas por Fuerzas Aéreas, Navales o Terrestres a que se refiere la Carta de las Naciones Unidas.”¹⁰

Colômbia

Tanto a Política de Defesa e de Segurança Democrática, de 16 de junho de 2003, como a Política para a Consolidação da Segurança Democrática de 2007, priorizam o emprego das Forças Armadas no combate ao narcotráfico e ao terrorismo. Por essa razão, para o país, o foco da cooperação internacional em termos de segurança está ligado às ações conjuntas para a realização de operações coordenadas para o controle de armas, explosivos, narcóticos e pessoas, o intercâmbio de inteligência e de informação financeira e o controle das fronteiras. Em nenhum momento a Política apresenta a questão da participação do país em missões de paz, nem como uma missão complementar das Forças Armadas. O país tem um histórico de participação em apenas cinco operações da ONU e atualmente mantém 33 policiais na missão no Haiti.

Equador

O Equador participou do Grupo de Observação da ONU no Líbano (UNOGIL) em 1958, e atualmente mantém observadores militares na Libéria, Costa do Marfim e Sudão. Na MINUSTAH o país desdobrou um efetivo de 67 engenheiros militares. Partindo das concepções de defesa nacional previstas na Constituição, em 2006 o Ministério da Defesa editou seu Livro Branco de Defesa. O capítulo IV apresentou entre os objetivos estratégicos a contribuição com a comunidade internacional para a manutenção da paz e da segurança no marco da ONU. Dos objetivos da defesa resultaram as tarefas e ações das Forças Armadas,

dentre elas, participar em operações de manutenção da paz e ajuda humanitária, além de cumprir os convênios e tratados internacionais dos quais o país é signatário, respeitando as capacidades e as prioridades estratégicas nacionais. Os delineamentos estratégicos da política de defesa determinam a responsabilidade do poder executivo em aprovar a participação equatoriana assim como dos Ministérios de Relações Exteriores e da Defesa em analisar e recomendar a participação de elementos e meios militares neste tipo de ação de cooperação internacional, que é caracterizada como tarefa adicional das Forças Armadas. Em novembro de 2003 foi criada a Unidade Escola de Missões de Paz (UEMPE) para realizar a coordenação administrativa da participação do país nessas operações.

Paraguai

A Política de Defesa do país está expressa na Lei 1337 De Defesa Nacional e de Segurança Interna, promulgada em 14 de abril de 1999. A Lei permite, em seu artigo 33, a prestação de ajuda militar a outros países em decorrência de tratados celebrados e aprovados pelo Congresso. Da mesma forma, permite a formação de pactos, alianças e outros procedimentos ou instituições de defesa coletiva de natureza sub-regional até a global (art. 34). Já o artigo 35 é explícito ao permitir a participação dos meios militares nas operações de paz das organizações internacionais que o país seja membro. Tal possibilidade é regida pela Constituição Federal, artigo 143, que trata dos princípios que pautam as relações externas do Paraguai, dentre eles, a solidariedade e a cooperação internacional e a proteção dos direitos humanos.

O país mantém o Centro de Treinamento Conjunto para Operações de Paz (CE-COPAZ), responsável pela formação e aperfeiçoamento do pessoal empregado nessas missões através de cursos para observadores militares e tropas a serem desdobradas.

Peru

O Peru iniciou sua participação na Missão de Observadores da ONU no Líbano (UNOGIL) em junho de 1958. Após um longo período ausente, retomou a participação em 1973 na Força de Emergência da ONU no Oriente Médio (UNEF II) com um batalhão. A partir daí esteve presente com observadores militares no Irã-Iraque (1988 a 1989), Namíbia (1989), Sahara Ocidental (1991 a 1992), Serra Leoa e Congo (2000) e Eritreia/Etiópia (2001). Atualmente participa das missões no Haiti, Etiópia/Eritreia, Costa do Marfim, Congo, Chipre, Libéria e Sudão.

O Livro Branco de Defesa apresentou como objetivo do Estado garantir a plena operatividade das Forças Armadas orientadas para a dissuasão, defesa e prevenção de conflitos, assim como a manutenção da paz, como política de defesa que contribui para a paz mundial, hemisférica e regional. Assinalou que as políticas de Estado e aquelas estabelecidas no Acordo Nacional promovem a participação das Forças Armadas nas operações de paz convocadas pela ONU e que a participação do Peru constitui um dos objetivos da política externa e é interesse nacional. Em 11 de novembro de 2003, foi assinado um Memorando de Entendimento com as Nações Unidas, confirmando a vontade política de participar nas missões de paz que não impliquem no uso da força coercitiva.¹¹

O Comando Conjunto das Forças Armadas delega a responsabilidade de executar os programas de instrução e treinamento dos efetivos às instituições militares. Foi esta-

belecido um Sistema de Operações de Manutenção de Paz (SOMPAZ) e criado o Comitê Multisetorial de Operação de Paz com o objetivo de aumentar a participação das Forças Armadas nas missões da ONU.¹²

Uruguai

Iniciou sua participação em missões de paz em 1935 ao designar quatro militares para acompanhar a Comissão Militar formada para auxiliar no processo de paz entre a Bolívia e o Paraguai, decorrente da Guerra do Chaco. Pela ONU, em 1952, enviou observadores militares para a fronteira entre a Índia e o Paquistão (UNMOGIP). Após longo período ausente dessas operações, em 1976, participou com dois militares da missão da OEA em Honduras e El Salvador e, em 1982, da operação da ONU na península do Sinai. Foi a partir do final da década de 1980 que, seguindo a tendência regional, passou a se mostrar mais atuante. No total, o Uruguai esteve presente em 31 operações da ONU.

A participação do país se dá sob o amparo legal da Constituição através do princípio da solução pacífica de controvérsias. A Lei Marco de Defesa Nacional apresentou, em seu artigo 21, que as missões no exterior desenvolvidas pelas forças armadas deverão cumprir fins defensivos, humanitários, de estabilização ou de manutenção e preservação da paz, e no artigo 22, que a participação em missões de paz deve atender a promoção dos interesses nacionais no âmbito internacional, a prática de medidas de confiança mútua e a promoção de relações de cooperação entre os diferentes atores da comunidade internacional. É prerrogativa do Presidente da República, atuando com o Conselho de Ministros, decidir sobre a participação do país, cabendo ao Poder Legislativo aprovar a saída de força armada do país de acordo com o artigo 85, inciso 11 da Constituição Nacional. A Missão Permanente do Uruguai na ONU retransmite os convites da organização para a chancelaria uruguaia e acompanha o desenrolar das operações. O MRE estabelece os contatos internos e levanta dados sobre a área em questão. O Ministério de Economia e Finanças decide sobre os recursos necessários e o Ministério da Defesa Nacional avalia e determina os contingentes disponíveis.

O Exército criou o Centro Coordenador de Operações de Paz (CECOMAPA) subordinado ao Chefe do Estado Maior do Exército que, desde 1982, foi responsável por reunir as informações necessárias para o processo decisório, além de capacitar pessoal e difundir planos e diretrizes.

O Decreto 560/994, de 21 de dezembro de 1994, criou o Sistema Nacional de Apoio às Operações de Manutenção de Paz (SINOMAPA), ligado ao Ministério da Defesa, sob direção do Chefe do Estado Maior do Exército e integrada por diversos ministérios e órgãos civis e militares com as missões de coordenar os esforços dos organismos do Estado, assessorar os ministérios correspondentes, planejar e avaliar as participações, avaliar convênios e acordos, informar sobre recursos, necessidades e limitações e auxiliar no planejamento do desdobramento rápido. Em 1999, foi criada a Escola de Operações de Paz do Exército (EOPE) que passou a realizar vários cursos de preparação para militares nacionais e estrangeiros.¹³

O país, tradicionalmente desdobra suas tropas em missões de manutenção da paz. No entanto, em julho de 2003, quando a ONU dotou a Missão no Congo de um mandato impositivo, regido pelo capítulo VII de sua Carta, o governo uruguaio decidiu manter as tropas na operação. A decisão gerou um debate político no país uma vez que não havia sido solicitada uma nova autorização do legislativo para manutenção das forças sob uma

Tabela 2: Participação dos Países Sul-Americanos nas Missões de Paz da ONU^a

Missão	Argentina	Bolívia	Brasil	Chile	Colômbia	Equador	Guiana	Paraguai	Peru	Uruguai	Venezuela
UNEF I			X		X						
UNEF II									X		
UNOGIL	X			X		X			X		
UNIMOG		X							X	X	
UNIKOM	X			X						X	X
UNPREDEP	X		X								
UNSPG	X										
UNTAES	X		X								
UNSF			X								
UNMOT										X	
UNIPOM			X	X							X
UNTAET	X	X	X	X						X	
UNTAC	X		X	X						X	
UNAMIC	X									X	
UNMISSET		X	X								
UNMIBH	X			X							
UNMOP	X		X								
ONUCA	X		X		X	X					X
DOMREP			X			X				X	X
ONUSAL	X		X	X	X	X				X	X
MINUGUA	X		X			X				X	X
UNMIH	X						X				X
UNTMIH	X										
MIPONUH	X										
UNAVEM I	X		X								
UNAVEM II	X		X		X						
UNAVEM III			X							X	
MONUA	X	X	X							X	
ONUC	X		X								
UNOMIL			X							X	
UNPROFOR	X		X								
ONUMOZ	X	X	X				X			X	
UNTAG							X		X		
UNAMIR	X		X				X			X	
UNOMUR			X								
UNOMSIL		X								X	
MINURSO	X							X		X	
UNAMSIL		X								X	
UNMEE								X	X	X	
MONUC	X	X						X	X	X	
UNMIL	X	X	X			X		X	X	X	
UNOCI	X	X	X			X		X	X	X	
ONUB		X						X	X	X	
UNTSO	X			X						X	
UNOMIG										X	
UNFICYP	X	X	X	X				X	X	X	
UNMOGIP				X						X	
MINUSTAH	X	X	X	X	X	X		X	X	X	
UNMIT			X							X	
UNMIK	X	X	X	X							
UNMIS	X	X	X			X		X	X		
UNOTIL			X								
UNAMA										X	
UNMIN ^b			X					X		X	
MINURCAT		X	X								
MONUSCO		X							X	X	
TOTAL	32	17	33	12	05	09	04	10	13	31	07

^a Dados obtidos no DPKO/ONU e em Ministérios da Defesa de diversos países, atualizados até dezembro de 2010. O Suriname se fez presente na UNMIH.

^b UNAMA E UNMIN são missões políticas estabelecidas em 2007 e conduzidas pelo DPKO. Foram inseridas na tabela por contarem com participação de países sul-americanos.

operação de imposição da paz.

Venezuela

A Lei Orgânica de Segurança da Nação, de 2002, em seu artigo 19, que trata da política exterior, apresenta que a projeção da república ante a comunidade internacional está baseada fundamentalmente na autodeterminação, solidariedade e cooperação entre os povos. A Lei Orgânica da Força Armada Nacional, sancionada pelo legislativo em 6 de setembro de 2005, apresenta, em seu artigo 3, como umas das funções da Força Armada Nacional, “formar parte de misiones de paz constituidas dentro del marco de las disposiciones de la Carta de la Organización de las Naciones Unidas, previa decisión del Jefe del Estado y la aprobación de la Asamblea Nacional”. O artigo 5, que trata da tradição das forças armadas, afirma que a Venezuela “cooperará con las organizaciones mundiales en sus esfuerzos para el mantenimiento de la paz.”

Em 1957, a Venezuela participou com dois oficiais do Comitê de Assessores Militares para supervisionar o cessar fogo entre Honduras e Nicarágua. Entre setembro de 1965 e março de 1966, 12 oficiais participaram da Missão de Observação da ONU na Índia e Paquistão. O diplomata José Antonio Moyobre foi o representante pessoal do Secretário Geral da ONU na operação de paz na República Dominicana em 1965. Posteriormente, veio a participar do Grupo de Assistência da Transição para a Namíbia (ONTAG) com doze observadores militares. Em 1991, a Venezuela enviou sete observadores militares para a Missão de Observação da ONU no Iraque-Kuwait (UNICOM) e 15 oficiais para a Missão da ONU para o Referendo no Saara Ocidental (MINURSO). A maior participação do país se deu na América Central, na década de 1990, na ONUCA e na ONUSAL com um batalhão de infantaria.

Considerações sobre a Participação Sul-Americana

Argentina, Brasil e Uruguai são os países sul-americanos com maior tradição de participação em operações de paz. Chile, Paraguai, Peru e Equador incrementaram suas presenças a partir da década de 1990 e demonstram a intenção de permanecerem mais atuantes nesses empreendimentos. A Colômbia esteve presente nas missões clássicas, mas, em decorrência do grave problema de segurança interna teve uma tímida presença nas últimas décadas. A Venezuela não participa de nenhuma operação atualmente, uma vez que suas políticas externas e de defesa não priorizam as missões de paz.

Todos os países sul-americanos têm dispositivos legais que embasam suas presenças em operações de paz e, na maioria deles, a participação é considerada como uma missão complementar ou subsidiária das forças armadas.

A decisão de integrar forças de paz é governamental, é vontade política, motivada por diversas razões que vão desde a ajuda humanitária, desprovida de qualquer outra intenção, até a utilização dessas missões como forma de aumentar sua inserção no meio internacional. Pode ocorrer, também, por interesses particulares em relação às organizações, como no caso do pleito do Brasil por um assento permanente no Conselho de Segurança da ONU, por necessidade de utilizar as operações para adestramento de tropas nacionais, ou ainda, em decorrência de cumprimento de obrigações geradas por tratados, como no caso do Grupo Garante em relação ao conflito Equador-Peru.

Afinidades com o país ou países em conflito também são importantes fatores que

pesam na decisão, como nos casos do Brasil em Angola, Moçambique e Timor Leste em decorrência da língua portuguesa e do passado comum de colônias portuguesas. Pode-se entender, ainda, que haja um interesse brasileiro de projetar poder no âmbito da Comunidade dos Países de Língua Portuguesa (CPLP).

Há, ainda, a questão da solidariedade com países da região. A Venezuela só enviou tropa armada para operações na América Central e a presença dos países sul-americanos na MINUSTAH foi justificada, principalmente, por se tratar de um problema de segurança hemisférica.

As chamadas parcerias estratégicas também são fatores que pesam na decisão. A Argentina participou da operação de imposição da paz no Golfo Pérsico, em 1991, num momento em que sua política exterior privilegiava as relações com os EUA, diferente da postura dos demais países sul-americanos naquela ocasião. O Chile negociava um tratado de livre comércio com os EUA quando decidiu participar da Força Multinacional Provisória no Haiti liderada pelos norte-americanos, em março de 2004, com um efetivo de 331 militares do Exército.

Sendo os membros do CS os reais responsáveis pelo reconhecimento que determinados conflitos colocam em risco a paz e a segurança internacional e pelo estabelecimento de uma operação de paz, a presença como membro do CS atua como fator de pressão para que o país integre operações de paz sobre a qual participou das decisões e ajudou a aprovar.

Um possível aumento de prestígio, de projeção do país no sistema internacional ou a busca da liderança regional, como no exemplo do Brasil no Haiti comandando a operação militar, podem balizar uma maior ou menor presença nessas missões. Por exemplo, a política de defesa brasileira estabeleceu diretriz estratégica nesse sentido, de aumentar a participação em “processos internacionais relevantes de tomada de decisão, aprimorando e aumentando a capacidade de negociação” do país.

Assim, a decisão tem relação com a política externa do país. O Chile, depois da redemocratização, priorizou a re-inserção internacional seguido da ênfase na economia e no regionalismo aberto. Tendo atingido o objetivo inicial na área econômica, conseguindo estabelecer 14 tratados de livre comércio com 47 países, o país pôde modificar o foco central para um papel de mais destaque nas organizações internacionais e na manutenção da paz, materializadas pela presença no Haiti e pela campanha que elegeu José Insulza como Secretário Geral da OEA.¹⁴ A volta dos governos civis permitiu que a própria diplomacia dos países sul-americanos se tornasse mais pró-ativa nas organizações internacionais.

A decisão tem relação também com a política interna do Estado. O Chile, por exemplo, manteve-se isolado politicamente do sistema internacional durante o regime militar. O retorno da democracia permitiu que os governos seguintes assumissem papel de maior destaque no sistema. O governo militar brasileiro se manteve distante do Conselho de Segurança da ONU por vinte anos, como opção, face às constantes pressões que sofria em relação às violações dos direitos humanos no país.

No geral, os países com maior tradição em participação nessas operações acompanharam a tendência mundial, intensificando a presença, não apenas em número de missões, mas também em relação ao efetivo empregado, a partir do final da década de 1980, coincidindo com o início das operações de segunda geração. Logicamente, o aumento da presença tem relação com o próprio aumento das missões estabelecidas na década de 1990.

A diminuição ou quase ausência da possibilidade de conflitos interestatais com a resolução pacífica da maior parte dos problemas de limites na América do Sul tornou-se um

argumento poderoso por meio do qual as organizações internacionais direcionam esforços pela maior contribuição dos países da região. Tornou-se, também, um argumento utilizado pelos próprios militares para justificarem uma maior participação de suas forças, tanto em cumprimento de uma das missões legais previstas para as forças armadas, como pela possibilidade de manter parte de seus efetivos adestrados em condições que dificilmente manteriam no interior do próprio país, ou ainda a possibilidade de renovação do equipamento por meio das aquisições necessárias e do reembolso da ONU pelo desgaste do material empregado.

Há ainda a questão dos vencimentos. Para os militares de países onde os salários se encontram defasados, o fato de integrar uma operação de paz significa um aporte financeiro, pois, normalmente, os valores pagos quando em missão oficial no exterior superam os vencimentos pagos no país.

O aumento da presença de forças sul-americanas nas missões de paz determinou a criação de uma série de organismos específicos destinados ao planejamento, preparação de efetivos, apoio logístico, acompanhamento, desmobilização, avaliação, pesquisa de doutrina, etc. São exemplos os centros de treinamento na Argentina (CAECOPAZ), no Chile (CECOPAC) e no Brasil (CCOPAB), dentre outros, além de diversas seções em departamentos das instituições militares e de defesa voltados para as operações de paz. Nos centros de treinamento já se estabeleceu uma tradição de intercâmbio de instrutores e alunos entre os países do sub-continente.

Uma preocupação que apareceu com a redemocratização no subcontinente foi a de embasar legalmente as participações em missões de paz. Diversos dispositivos são encontrados em leis ou nas políticas de defesa dos países da região e servem, também, para justificar perante o público interno, a maior ou menor presença nas operações.

Com relação ao tipo de operação, há diferenças nas posturas de alguns países sul-americanos. Pode-se dizer que para a Argentina independe se as operações são de manutenção ou de imposição da paz. Caso as avaliações indiquem que a presença do país é importante para seus interesses, será decidida pela participação, como aconteceu em 1991, ao integrar a força de coalizão que invadiu o Kuwait. O Chile, através de seus dispositivos legais, permite a participação nas operações de *peace-enforcement*.

No caso brasileiro, não há impedimento legal para a participação em operações de imposição da paz, mas há uma tendência de se fazer presente apenas nas missões de manutenção da paz. No entanto, o Brasil participou com tropa armada da INTERFET, desdobrada no Timor Leste, em setembro de 1999, considerada uma força de imposição da paz pela característica do mandato que permitia o uso da força para manter a segurança o que gerou alguns debates sobre uma possível mudança de atitude do governo brasileiro. Nesse caso é interessante destacar três pontos. Primeiro, que o desdobramento da força só foi realizado após entendimentos da ONU com os governos de Portugal e, principalmente, da Indonésia, então detentora *de facto* daquele território. Segundo que, por suas características, uma mesma missão pode ser lida de maneira diferente por governos e acadêmicos, algumas inclusive sendo referenciadas como estando sob o marco do “capítulo VI e meio” da Carta da ONU. Terceiro que, não havendo impedimento em relação ao tipo de missão, essa dissonância cognitiva é mais importante para o governo e seu ministério de relações exteriores que para as próprias os militares que executarão a missão e pautarão sua conduta por conta das regras de engajamento estabelecidas pela ONU para a operação.

Mas, independente do tipo de mandato que se estabeleça, nota-se um consenso entre

os países da região em só participar de operações sob o estrito critério da legalidade outorgado pela aprovação das mesmas nos organismos internacionais. Ou seja, missões que respondam a um instrumento jurídico referendado pela sociedade internacional.

Outra característica importante é que, dentre os critérios de avaliação que os países sul-americanos utilizam para balizar a decisão política, avultam de importância o fato do conflito realmente ameaçar a paz e a segurança internacionais e a clareza dos objetivos e mandatos. Além disso, são avessos a arranjos pré-estabelecidos, preferindo decidir caso a caso, em quais missões, e, como participar, num exercício de decisão soberana de acordo com seus interesses.

Há uma tendência em privilegiar ou até priorizar a América Latina. Assim, casos que afetem a segurança de países da região, em que seja necessária a ativação de uma missão de manutenção da paz, provavelmente, contarão com a participação de boa parte dos países do continente. Na operação da ONU no Haiti, dos 11.984 militares e policiais pertencentes a 57 países que a compõem, 5.385 pertencem a nove países sul-americanos, o que corresponde a 45% do efetivo total da missão.¹⁵

Os países justificam, também, a presença nas missões de paz pelo fator cooperação, o que contribui para a geração de confiança. Cooperação e confiança devem contribuir para a estabilidade de regiões em conflito e, conseqüentemente, para a paz e a segurança. Por essa razão, é normal encontrar uma priorização da presença em missões relacionadas com a segurança sub-regional e regional sobre as de caráter global.

Essa tendência pode auxiliar a própria OEA a ser mais pró-ativa em suas atribuições de preservar a paz e a segurança no continente, uma vez que, provavelmente haverá uma maior predisposição dos seus membros em se envolver nos problemas de segurança de países americanos.

No caso da crise no Haiti, aconteceram várias reuniões entre os governos do Brasil, Chile, Argentina e Uruguai, que levaram à decisão de obter maior peso na operação, dando uma forma de concertação sub-regional ao esforço para resolver um problema num país do continente. Posteriormente, os governos desses quatro países estabeleceram um foro de discussões, materializado em reuniões realizadas com a presença de diplomatas e funcionários dos respectivos ministérios da defesa, com o objetivo de coordenar suas atividades no Haiti.¹⁶

O alto grau de entendimento alcançado pelos países sul-americanos, especialmente os do Cone Sul, resultou em alguns acordos bilaterais, através de memorandos de entendimentos, que definiram a presença conjunta de militares em contingentes de paz. Em 1995, Brasil e Argentina firmaram acordo que permitiu a participação de dois militares brasileiros no contingente argentino em Chipre. Em contra-partida, militares argentinos fizeram parte das tropas brasileiras em Angola e no Timor Leste. Ainda em Chipre, militares do Chile, Peru, Bolívia e Paraguai integraram o Batalhão Argentino. Na MINUSTAH, militares paraguaios e bolivianos atuaram com o contingente brasileiro e militares equatorianos integraram a companhia de engenharia chilena.¹⁷

Na realidade, a ONU não estimula e tem colocado dificuldades para a implementação de tal cooperação, pois pode haver problemas de comando e controle que, logicamente, serão resolvidos pelos próprios contingentes, mas que podem prejudicar o andamento da operação em algumas situações.

O Brasil incentiva tal procedimento, argumentando que a presença conjunta de militares em contingentes de paz ajuda a atrair novos *troop-contributing countries* para as

operações de paz. Utiliza como exemplo o caso da Bolívia que, através de um acordo bilateral, participou do Estado Maior da tropa brasileira com dois oficiais. Posteriormente, isso permitiu o desdobramento de uma companhia boliviana com 218 homens sob sua própria “bandeira”. O argumento de atrair novos contribuintes não deixa de ser um forte e importante perante a ONU que, por vezes, tem dificuldade de compor o efetivo de suas operações.

Da mesma forma, Equador e Chile assinaram, em 17 de outubro de 2004, um memorando de entendimentos pelo qual o Equador se comprometeu a participar da companhia de engenharia chilena que opera no Haiti, com um efetivo de 66 engenheiros, mais os equipamentos necessários. A partir desse entendimento, o Equador preparou uma companhia própria que foi desdobrada naquela operação.

Na prática, a ONU toma conhecimento do acordo bilateral para reconhecer a presença de militares de outro país num determinado contingente até mesmo para fins de amparo em caso de acidentes.

Em junho de 2005, os chefes dos Estados Maiores de Defesa da Argentina e do Chile concordaram sobre a criação de uma força combinada para operações de paz. Em agosto daquele ano, foi assinado um Protocolo de Entendimento que resultou, em 27 de dezembro seguinte, na assinatura da Ata do Acordo Bilateral entre os Ministérios de Defesa para a Criação de uma Força de Paz Combinada.¹⁸

Os países sul-americanos marcaram presença em 56 operações de paz desenvolvidas pelas Nações Unidas e das 16 operações atualmente em curso, 12 contam com a presença dos países do sub-continente. A experiência acumulada pelas forças armadas e policiais, o intercâmbio de conhecimento e de pessoal, os exercícios conjuntos direcionados para esse tipo de operação realizados pelos exércitos, especialmente os do Cone Sul, e as iniciativas de coordenação entre governos são importantes para a consecução e o sucesso das iniciativas voltadas para a resolução de conflitos. São importantes, sobretudo, para o fomento da confiança mútua com reflexos na manutenção da paz e da segurança regional.

Tabela 3: Participação Atual dos Países Sul-Americanos nas Missões de Paz^a

MISSÃO	TIPO	Argentina	Bolívia	Chile	Colômbia	Equador	Paraguai	Peru	Uruguai
MINUSTAH	POLICIAIS	21		15	33				04
	TROPA	715	207	501		67	131	371	1130
MINURSO	EXPERTS	03					05		01
UNMIT	POLICIAIS								03
UNFICYP	TROPA	263		15			14		
	EXPERTS		02			02	02	02	
UNMIL	POLICIAIS	12							01
	TROPA		01			01	01	02	
UNOCI	EXPERTS		03			02	07	03	02
	POLICIAIS	03							03
	TROPA						02		
UNMIS	EXPERTS		15			07	06	11	
	POLICIAIS	04							
UNTSO	EXPERTS	03		03					
UNAMA	EXPERTS								01
UNMIN	EXPERTS						06		02
UNMOGIP	EXPERTS			02					02
MONUSCO	EXPERTS		10				10	07	46
	TROPA								1258
TOTAL		1024	238	536	33	79	184	396	2453

^a Preparada com base em dados do DPKO/ONU, atualizada em 31 de dezembro de 2010.

Notas

¹ Ver Fontoura, Paulo R. C. Tarrisse da. *O Brasil e as Operações de Manutenção da Paz das Nações Unidas*. Brasília, Instituto Rio Branco/FUNAG, 1999, p. 100.

² Alguns autores apresentam três gerações das operações de paz. As de primeira geração tratavam dos conflitos durante a Guerra Fria que eram em sua maioria interestatais e tinham funções de monitoramento das fronteiras e o estabelecimento de zonas-tampão após acordos de cessar-fogo. As de segunda geração aconteceram no período pós-Guerra Fria e trataram principalmente de conflitos intraestatais e com características multidimensionais, apresentando três vias de atuação, a promoção da paz (peacemaking), manutenção da paz (peacekeeping) e construção da paz (peacebuilding). As de terceira geração envolvem principalmente o uso da força para o cumprimento de suas atividades no âmbito da imposição da paz (peace enforcement). Ver Doyle, Michael W. Sambanis, Nicholas. *Making War and building peace: United Nations peace operations*. Princeton: Princeton University Press, 2006.

³ ONU. A/47/277 – S/24111, An Agenda for Peace. United Nations General Assembly, 17 June 1992. Disponível em <http://www.un.org/docs/SG/agpeace.html>. Acesso em 10 jul. 2001. ONU. A/50/60 – S/1995/1, Supplement to an Agenda for Peace. United Nations General Assembly, 3 January 1995. Disponível em <http://www.un.org/Docs/SG/agsupp.html>. Acesso em 10 jul. 2001.

⁴ ONU. UN Peacekeeping Operations Fact Sheet. Nova Iorque, Janeiro de 2011.

⁵ Richter, Daen Carol Dick. La experiencia boliviana en las Operaciones de Mantenimiento de Paz. Exposição no Club de Graduados Argentinos del Centro de Estudios Hemisféricos de Defensa. Buenos Aire, 2-5 de abril de 2001. Disponível em <http://www.pdgs.org.ar/chds/ponencias/richter-3-e.htm>. Acesso em 25 de abril de 2007.

⁶ Para um balanço completo da participação brasileira ver Aguilar, Sergio (Org). *Brasil em Missões de Paz*. São Paulo: Usina do Livro, 2005. O efetivo do contingente no Haiti foi aumentado em 2010 para 2190 militares e policiais.

⁷ Ministério da Defesa. Portaria nº 952-MD de 15 de junho de 2010. Alterou a denominação de Centro de Instrução de Operações de Paz (CIOPaz) para Centro Conjunto de Operações de Paz do Brasil (CCOPAB). A mudança colocou o Centro vinculado diretamente ao Ministério da Defesa, apesar de permanecer subordinado ao Exército Brasileiro, com a idéia de que nele se concentrasse o apoiar a preparação de militares, policiais e civis brasileiros e de nações amigas para missões de paz e desminagem humanitária. Essa função está sendo assumida paulatinamente. No segundo semestre de 2011, o Centro recebeu pela primeira vez, o Comandante do Grupamento Operativo, seu Estado-Maior e os comandantes de companhia e pelotão do Corpo de Fuzileiros Navais da Marinha. No entanto, o exercício final de preparação dessa tropa continuava a cargo da Força de Fuzileiros da Esquadra.

⁸ Fonte: Estado Maior do Exército. 5ª Sub-Chefia e ONU/DPKO. Atualizado em dezembro de 2010.

⁹ A tropa do Chile na EUFOR foi desdobrada em outubro de 2003. Brondi, Marcelo Pêndola. Chile y las operaciones de paz: de la participación individual a Haiti. *Fuerzas Armadas y Sociedad*, a. 19, n. 1. Santiago, 2005, p. 73-84.

¹⁰ Chile. Ministerio de Defensa Nacional. Subsecretaria de Guerra. Decreto Supremo n. 68 de 14 oct. 1999. Diário Oficial n.36510 de 10 nov. 1999.

¹¹ Peru. Ministério de Defesa. Libro Blanco de Defensa, p. 113.

¹² Peru. Comando Conjunto das Forças Armadas. Disponível em <http://www.ccefaa.mil.pe/cecopaz/misiones.htm>. Acesso em 20 mar. 2007.

¹³ Zurbruggen, Cristina. Política exterior, defensa y las operaciones de paz: ¿una estrategia coherente? El caso de Uruguay. Fuerzas Armadas y Sociedad, a. 19, n. 1. Santiago, 2005, p. 85-109.

¹⁴ Walker, Ignácio. Palestra do Ministro de Relações Exteriores no Seminário de Política Externa. FLACSO. Santiago do Chile, 23 jun. 2005.

¹⁵ Cálculo feito com base no documento *UN Mission's Contributions by Country*. Disponível em <http://www.un.org/en/peacekeeping/contributors/2010/missioncountry.zip>. Acesso em 02 fev. 2011.

¹⁶ Posteriormente, Equador, Guatemala e Peru aderiram ao foro. O envolvimento regional é uma tendência. Casos semelhantes aconteceram recentemente na África com a presença maciça de tropas do ECOWAS na Libéria, de países da Oceania durante a crise no Timor Leste em 2006 e da União Africana em Darfur.

¹⁷ A iniciativa não é inédita. Em 1998, os ministros de defesa dos países nórdicos decidiram aumentar a cooperação entre eles em relação às operações de paz estabelecendo formalmente o *Nordic Coordinated Arrangement for Military Peace Support (NORDCAPS)* que possibilitou a participação de unidades militares multinacionais inicialmente constituída por tropas desses países e, posteriormente, em parceria com outros países não nórdicos. É um instrumento de coordenação que não substitui o processo de decisão nacional dos países integrantes.

¹⁸ PINO, Gonzalo García. Palestra do Subsecretário de Guerra do Ministério de Defesa do Chile. IV Conferência de Segurança Internacional do Forte Copacabana. Rio de Janeiro, 15 nov. 2007.

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STRATEGIC AND SECURITY ISSUES

Liderazgo Estratégico en Defensa

Jaime García Covarrubias

RESUMEN

El tema del liderazgo estratégico ha tenido un desarrollo espectacular en el mundo de la dirección empresarial, donde se ha publicado mucha literatura tendiente a explicar sus alcances, formas de operación y su relación con la planificación estratégica y el proceso de toma de decisiones. Toda esta información, que aseguraría el éxito de una empresa, ha sido una referencia sumamente útil para el ámbito de la defensa y seguridad, aun cuando todo lo escrito no es exactamente aplicable en el escenario estratégico en que nosotros actuamos. En efecto, las especificidades del cargo político, de las FFAA y del tipo de conflicto al que se aboca este sector, hacen que sea necesaria una redefinición de cuáles son los aspectos esenciales de un liderazgo estratégico en el ámbito que nos preocupa.

“La mejor manera para llegar a ser un buen tomador de decisiones, es mediante el aprendizaje que se obtiene al estar presente cuando otros las toman.”

—Dwight D. Eisenhower

Introducción

Cuando se habla de liderazgo, lo primero que aparece en nuestra mente, es la figura del líder encarnada en un hombre o mujer que es capaz de encabezar la dirección de personas en pos de obtener determinados objetivos en forma eficiente y eficaz. Ese líder que nos estamos imaginando también posee un conjunto de cualidades personales que lo hacen normalmente muy singular y que son atributos de suma importancia en el comandante militar. De allí que relacionemos el liderazgo con la carrera de las armas ya que se considera a éste, incluso, como algo inherente a la carrera militar. Con el político ocurre algo similar ya que el liderazgo debe ser, sin ninguna duda, un atributo de quien aspira a ostentar cargos de dirección nacional.

En este artículo, aun cuando también me refiero al liderazgo individual, mi foco principal está orientado a la estructura que dirige la defensa y seguridad en el país. Desde este punto de vista liderazgo estratégico, conformaría un “sistema” tendiente a articular la toma de decisiones desde el más alto escalón político hasta el comandante militar. Para este artículo, he recogido los aspectos que yo considero esenciales, algunos ya publicados por otros autores, con la intención de aprovechar todo ese conocimiento en la propuesta que estoy haciendo aunque en general estos autores tienen una interpretación algo diferente

ya que no identifican al liderazgo estratégico como sistema. Esta es, entender el liderazgo estratégico como un “sistema de liderazgo” que va más allá del liderazgo individual de un jefe de estado o ministro de defensa o de la suma de liderazgos individuales. Lo anterior, debido a que la dinámica política en los tiempos actuales exige la integración, coordinación y convergencia de los liderazgos. Asimismo, las orgánicas propias de la burocracia moderna requieren que la toma de decisiones sea conocida, coherente, integrada y muy racional.

No es mi deseo complicar este artículo con aspectos de cibernética, sino recordar que sistema es un conjunto organizado de elementos que interactúan entre sí o son interdependientes, formando un todo complejo, identificable y distinto. A su vez, por elementos de un sistema se entienden no solo sus componentes físicos sino las funciones que estos realizan. A su vez alguna parte del sistema puede ser considerado un subsistema si los elementos mantienen una relación entre sí que los hace también un conjunto identificable y distinto. Yo diría que trabajando con estas simples categorías ya podemos comenzar a entender a este “sistema de liderazgo” que estamos proponiendo.

Mi idea está basada en la experiencia de varios años de ejercicio de la carrera militar tanto en academias, estado mayor, tropas como también ministerio de defensa y en la observación e investigación de este problema en la región. Por lo tanto, mis opiniones son personales y no comprometen el pensamiento del país, universidad y el centro en el que cumplo mis funciones profesionales.

La Interacción entre Democracia, Estrategia y Liderazgo

El primer punto que nos tenemos que plantear, es porque algunos seres humanos mandan o dirigen a otros. En tal sentido, la explicación la encontramos en la historia misma al observar que siempre hubo hombres que mandaron a otros. Es asimismo, Max Weber quien nos explica la dominación como la probabilidad de encontrar obediencia en un grupo determinado para mandatos específicos. Es la capacidad de ejercer poder o influjo sobre otros hombres. Para Weber, va desde la habituación inconsciente hasta lo que son puramente racionales, como los con arreglos a fines. La voluntad de obediencia, o sea el interés de obedecer es esencial en toda relación auténtica de autoridad. Aquí es donde Weber nos encamina al concepto de autoridad que es la dominación legítima. Esta es voluntaria ya que es una creencia que en el caso de las democracias es la autoridad racional legal o un conjunto de preceptos por sobre los grupos de dominio. En la teoría del pensador alemán, vemos que los tipos de dominación que el tipifica, han evolucionado desde la carismática o las más primaria, en la que se sigue la santidad, heroísmo o ejemplo de una persona, pasando por la tradicional, que sería en la afirmación en la tradiciones o en las familias herederas de líderes carismáticos y culminando en la forma moderna que descansa en la creencia de la legalidad de la autoridad racional legal.¹

En esta apretada síntesis observamos la evolución de la legitimidad, en la cual se basa la democracia y muy particularmente su forma moderna. No es posible entender a la democracia si es que carece de legitimidad e instituciones. En efecto son las instituciones las que en definitiva plasman la autoridad racional legal ya que las formas legales deben ser encarnadas en instituciones. Las democracias más estables son precisamente las que poseen instituciones sólidas y estables tales como las que conforman los tres poderes y los partidos políticos. En este contexto, se inscribe el liderazgo, ya que debe estructurarse en un adecuado escenario institucional ya que no puede y no debe basarse en representaciones individuales que están por sobre las instituciones y más aun que pareciera que les molesta

la estructura jurídica. En nuestra región observamos frecuentemente este tipo de líderes que si no estuvieran en democracia serían “insignes” dictadores ya que hacen uso del populismo y la arbitrariedad, siendo con frecuencia la reelección su gran aspiración.

Como sabemos la estrategia nace con la política y la democracia, y por tanto evoluciona con ella. La historia nos enseña, que en Grecia, la estrategia era la forma en que se dirigía en términos políticos y militares la guerra. La diferencia estribaba que quienes ejercían la política eran seleccionados por sorteos en cambio quien (o quienes) dirigían la estrategia (llamados *strategoí*) era elegido por sus virtudes. Este último dato histórico es muy relevante porque insinúa que los griegos pensaban que la política podía estar en manos de cualquier ciudadano en cambio la estrategia solamente entre los ciudadanos que tuvieran capacidades para ello. Además este cargo era por lejos el más prestigioso del estado, lo que se observa desde inicios del Siglo V a.c. y podía ser reelegido interminablemente. En Roma, al contrario, estos cargos estaban restringidos a solo un año. Es importante tener en cuenta que en Grecia no existía división de poderes, como lo posee la democracia y en el mismo sentido los ejércitos no eran permanentes, sino que las milicias se organizaban para la guerra, salvo la armada que era permanente. En cambio, en Roma, había una mayor tendencia al profesionalismo militar. Los jefes militares griegos eran civiles de alta graduación. O más bien, ostentaban esta doble condición tanto civil como militar. Sin embargo, ya en el siglo IV a.c. comienza a observarse una separación entre el liderazgo político y el militar.²

La estrategia del siglo XX, conocida hoy como “estrategia total”, es propia de la sociedad moderna y por consecuencia de la democracia en la cual existe una integración de las actividades del estado las que funcionan dentro de un sistema de *check and balance*, a diferencia de la Grecia clásica. En tal sentido, la estrategia moderna exige un tratamiento distinto y acorde con los códigos del modelo político, en este caso el democrático, que es donde está inserta. El concepto de “estrategia total” fue creado por el General André Beaufre (1902-1975) y estrenado en su libro “Introducción a la Estrategia”, donde el general francés, señala que la estrategia está en un ámbito más amplio que el puramente militar y la redefine como “el arte de hacer que la fuerza concurra para alcanzar las metas de la política.”³

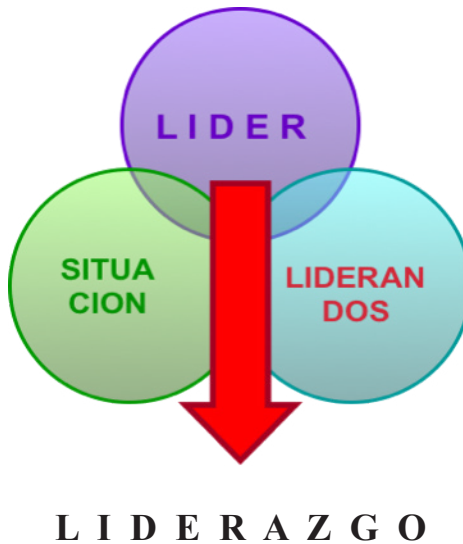
Es relevante la postura de Beaufre, quien a través de su propuesta se hace cargo de la ampliación del fenómeno bélico al considerarlo, como ya no eminentemente militar, sino que una circunstancia donde concurren todos desde tiempo de paz. Hoy, con el tipo de guerra que hemos conocido, ya nadie duda de esta particular interpenetración, o yo diría fusión, entre política y estrategia y tiempo de guerra y de paz. Precisamente el Almirante Michael G. Mullen, en un artículo sobre comunicación estratégica, advierte que, en la actualidad, la distinción entre los clásicos niveles de la guerra, está desdibujada o borrosa. El General David W. Barno lo explica muy bien en un artículo en la Revista *Prism*, cuando muestra el triángulo de los niveles de la guerra (Político-Estratégico y Táctico), en un conflicto convencional, donde en la base ancha esta la táctica, que es el escenario donde se desarrollan las acciones más importantes para alcanzar los objetivos políticos, cuyo sitio está en la cúspide del triángulo y es de menor dimensión. A su vez, Barno contrapone el triángulo correspondiente al conflicto actual, invirtiéndole, quedando entonces la táctica representada en su base, pero con menor dimensión y el nivel político en la parte superior como la parte ancha o sea la base invertida del triángulo. Barno explica, que las acciones más importantes en la guerra del terrorismo se dan en el ámbito político-estratégico, y en el

táctico solo acciones muy localizadas, que buscan el impacto estratégico y político.⁴ El planteamiento de Beaufre criticado en algún momento, hoy es de amplia comprensión y aceptación.

Para mayor claridad me parece que el hecho de cambiar la denominación, niveles de la guerra, por ámbitos; lleva a que se visualice más claramente la interpenetración natural entre política, estrategia y táctica, ya que como hemos visto, la genealogía de la política y estrategia nos indica que son como hermanos siameses.

Los autores Richard Hughes, Robert Ginnett, y Gordon Curphy, en su magnífico libro sobre *Liderazgo*, marcan una diferencia entre líder y liderazgo. Para ellos, liderazgo es la resultante de la acción del líder, en una situación determinada y ante un grupo de liderandos.⁵ Esto significa que el liderazgo no es acción sola del líder y que un líder en determinada situación o ante un determinado tipo de personas a conducir puede fracasar. En tal sentido, se me viene a la memoria el caso del General George S. Patton, notable comandante durante la IIGM pero que muy probablemente de no adaptarse a la situación y normas jurídicas del conflicto actual terminaría fracasando y siendo removido.

FIGURA 1



Source: Hughes, Ginnett and Curphy

Para ellos, el liderazgo no es una simple posición sino que es un proceso y en éste intervienen diferentes agentes. Concluyen que esta es ciencia y arte así como razón y emoción. Otro aspecto interesante es cuando los autores distinguen entre líder y gerente (o administrador). Al líder se le vincula con toma de riesgos, dinamismo, creatividad, cambio y visión en cambio el gerente es vinculado a eficiencia, plan, procedimiento, regulaciones, control y consistencia.⁶

Muy relevante resultan los valores para el líder, ya que son éstos los que diferencian a un Dalai Lama, Martin Luther King o un Gandhi, de un Hitler o un Stalin. Esto es que el propósito de su ejercicio e inspiración valórica, marcan la diferencia entre la

gestión de uno y otro. El líder intentara alinear a los liderandos en sus valores, creencias, motivaciones y expectativas. El ideal es que estos valores también sean conjugados por los seguidores, ya que de lo contrario, se dificultará la interacción líder con situación.

Definición, Contenidos y Alcances

Los especialistas coinciden, en que el peor enemigo del Liderazgo Estratégico, serán las circunstancias que rodean al mundo actual y que se resumen en la gran Volatilidad, Incertidumbre, Complejidad y Ambigüedad. Todas ellas perjudican notablemente las definiciones en defensa. Los problemas aparecen, desaparecen o convergen en un clima, donde si algo falta es la certeza, y la multiplicidad de factores tienden a hacer que la situación más simple se vuelva compleja. La ambigüedad, por su lado, tiene un impacto muy negativo en el sector defensa, por cuanto en el metalenguaje moderno los hechos van tomando verdaderos “nombres de fantasía”, lo que dificulta enormemente la definición de tareas y de misiones para las FFAA. Imagínese, amable lector, si no será perjudicial en este ámbito el lenguaje ambiguo, cuando precisamente los planes de las FFAA, deben ser claros, precisos y concisos. Será entonces un adecuado sistema de liderazgo estratégico integrado, coherente y muy coordinado, quien tendrá que dar cuenta de todas estas dificultades que dificultan el escenario de la defensa.

En esta escala de liderazgo, que conformará el sistema, seguramente se combinarán líderes y administradores, lo que es parte de la realidad y es más bien positivo, por cuanto el administrador complementa muy bien al líder clásico. La experiencia nos dice, que los liderazgos fuertes normalmente son desprolijos en los ámbitos en que los administradores son fuertes. Por ello, yo diría que para una autoridad racional legal moderna es más cómodo un administrador que un líder clásico. Obviamente, estas categorías no son extremas y normalmente encontraremos en todos los individuos una mezcla entre administrador y líder ya que la primera característica se obtiene por educación y la segunda es más un atributo. Por esta razón no nos complicaremos con mayores disquisiciones entre estas dos tipologías.

Entenderemos por Liderazgo Estratégico al “sistema” de liderazgo que involucra al Jefe de Estado, Ministro de Defensa y Mandos Militares, y que se orienta a la conducción y administración del sector Defensa. Comprende el Entorno y horizonte estratégico debiendo tener en consideración que le afectara la volatilidad, incertidumbre, complejidad y ambigüedad de los escenarios actuales. La comunicación estratégica será la herramienta que le servirá para comunicar e influir.

El ideal es que el sector defensa y la política exterior sean “hermanos siameses” y estén absolutamente actuando de consuno. Esto es que el ideal es que este ‘sistema’ de liderazgo abarque los dos campos. De no ser este el caso, al menos deberá existir una muy buena coordinación entre el sector defensa y la política exterior del país.

Este sistema de liderazgo, se organiza para resolver lo que estoy llamando contenidos del liderazgo estratégico. Esto corresponde a cuatro actividades cardinales, cuales son: Definición del Modelo Político Estratégico, Planeamiento y Dirección (estratégica y administrativa), Ejecución y finalmente Comunicación Estratégica. La primera tarea y pilar de todo lo que vendrá después, será la determinación del modelo político-estratégico a asumir. Por ejemplo, en los últimos años en la región latinoamericana, ha sido la disuasión convencional la modalidad preferida.

Sin embargo, el papel que juegan hoy los organismos internacionales en el control de

los conflictos, va restando las posibilidades de ejercer algún tipo de disuasión a países de bajo o incluso mediano poder nacional. La precitada elección de la modalidad, será posterior a la jerarquización de misiones que todo gobierno debe realizar para el sector defensa. Estas misiones están ordenadas en misiones tradicionales (normalmente hipótesis vecinales), no tradicionales (Lucha contra las llamadas nuevas amenazas), compromisos internacionales (operaciones de mantenimiento de la paz y otros) y rol en el desarrollo nacional o apoyo social a la comunidad. Es imposible para un país, asumir estas cuatro tareas con el mismo énfasis, por lo que se deberá fijar un orden de prioridad para determinar los presupuestos. Una vez que se tiene la definición del modelo político-estratégico se comienza la planificación la que tendrá que hacerse de acuerdo con la experiencia de cada país.

Esta planificación tendrá que abordar las definiciones estratégicas acorde con la modalidad elegida y todo lo que tiene que ver con la conducción administrativa del sector. La planificación corresponderá a los usos de cada país pero deberá tener en cuenta que deberá ser flexible, dinámica y realista manejando distintas alternativas y coordinaciones. El plan en cada uno de los ámbitos (llamados antes niveles) debe ser muy prolijo ya que será éste el que en definitiva facilite la identificación de los ámbitos de la conducción, tales como político, estratégico, operacional y táctico. Asimismo, el plan debe dar cuenta de las actividades de paz (administración del sector) como las etapas de crisis, conflicto y guerra si es del caso. Ya con las actividades planificadas, comienza la acción de dirigir y administrar el sector. Esta fase obliga al manejo de la contingencia política la que normalmente afecta a las actividades planeadas. Ahora, si los hechos contingentes que se producen fueron previstos en el plan, quiere decir que éste último es magistral.

Finalmente, deberá ejecutarse la comunicación estratégica que consiste en el apoyo mediático o comunicacional a la toma de decisiones del sector.⁷ Los requisitos fundamentales deben ser:

- Los mensajes deben ser integrados por los distintos sectores con proyección hacia el exterior del país;
- Comunicada por una autoridad pertinente con oportunidad y absolutamente ajustada a los hechos;
- Reflejar valores de la sociedad;
- No debiera ser empleada como un instrumento para la lucha política interna.

Uno de los aspectos más relevantes sobre la comunicación estratégica, es si estará orientada a informar, influir o persuadir. El “deber ser” es orientar la comunicación estratégica a informar lo mas objetivamente posible, desestimando influir o persuadir. Sin embargo, esa será una definición propia de cada estado acorde con sus intereses, valores ciudadanos y necesidades estratégicas.

En tanto, la mayor dificultad en la comunicación estratégica de defensa, es que para las FFAA la noticia termina cuando aparece el comunicado oficial. No obstante, para los periodistas cuando aparece el comunicado, la noticia recién comienza. Esa desavenencia genera frecuentemente la incomunicación entre estos dos sectores esenciales para el vínculo comunicacional.

Los integrantes de la cadena del sistema de liderazgo, para una mejor toma de decisiones, deberán tener conocimiento compartido sobre el entorno estratégico y el horizonte estratégico. La diferencia entre ellos es que mientras el primero da cuenta del corto plazo

el segundo se orientara al largo plazo. El entorno estratégico se compone de Asuntos de Seguridad Nacional, el Escenario Internacional, el Ambiente Militar, la Política Contingente y los Aspectos Económicos. Los Asuntos de Seguridad Nacional, se refieren al conocimiento, manejo y dominio de todo lo que tenga que ver con la seguridad global del país, esto es la definición de las amenazas y problemas que afectan a la seguridad del estado. En esta parte, se debe tener un conocimiento muy exacto del potencial estratégico del país. Complementario a lo anterior, está el conocimiento del Escenario Internacional, sus cambios y como están influyendo en la situación interna. El Ambiente Militar es la información que se debe tener acerca de los usos, costumbres y códigos de las FFAA así como su actual situación, necesidades y aspiraciones.

La Política Contingente será de particular relevancia, ya que no es posible dirigir o administrar la defensa haciendo caso omiso de la coyuntura política. La defensa es problema de todos y como tal debe tender a involucrar a todos los sectores políticos en el tema, para lo cual el dialogo con todos los sectores partidistas resulta fundamental. El Ministro de Defensa tendrá que concurrir a las comisiones de defensa en el parlamento y para ello se requiere que este tenga “espaldas políticas” para poder soportar las críticas y tensiones. En tal sentido, siempre un ministro político será más adecuado que un militar en el cargo. Por su parte, los aspectos económicos son de vital importancia ya que esto, en lenguaje simple, equivale a colocarle precio al plan. Siempre los recursos terminarán siendo menores que los que se necesitan realmente.

A su vez, el Horizonte Estratégico que es la proyección del entorno en el tiempo, está integrado por el Desafío Político Estratégico, las Amenazas Potenciales, la Proyección Presupuestaria, la Evolución de los preceptos legales tanto nacionales como internacionales e Integraciones, ciclo político electoral y otros que pudieren considerarse oportuno considerar. Todos estos aspectos hablan por sí solos. Lo importante es tener presente que todos ellos hay que observarlos en perspectiva y con visión prospectiva. Por ejemplo, el ciclo político electoral significa tener claridad en el tiempo que se gobernara.

El Coronel (USAF) Michael Guillot, estructura en forma diferente lo precedente.⁸ El coloca las decisiones estratégicas en el medio de cuatro cuadros que son el Ambiente de Seguridad Nacional, el Ambiente Nacional, el Entorno internacional y el Entorno Militar.

Para desempeñarse en el sistema de liderazgo estratégico, es fundamental conocer

FIGURA 2

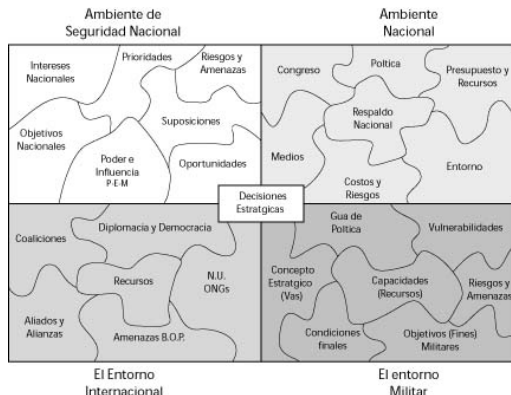


Gráfico de Michael Guillot.

los ámbitos de la conducción, o como se le llama en EE.UU., los niveles de la guerra. Más allá de los nombres, estos ámbitos representan los espacios donde se desarrolla el liderazgo estratégico, constituyéndose en espacios abstractos, pero que en algunos aspectos tienen una innegable tangibilidad. Estos espacios no se conocen por el simple estudio, sino que también hay que tener una dosis de ubicación abstracta. Hay autoridades políticas que nunca entienden el ámbito en que están. Estos ámbitos, dimensiones o niveles de la guerra, permiten apreciar, analizar, planificar, resolver, dirigir, coordinar y supervisar. Se inicia con el nivel político en la cúspide siguiendo del estratégico. Entre ambos existe una interpenetración que se denomina ámbito político estratégico.

En ese espacio se inserta la política de defensa y ocurren un sinnúmero de actividades de la mayor importancia y que normalmente en nuestros países no están planificadas. La coyuntura política, por ejemplo, impacta muy fuertemente. Hay que tener conciencia de que esta interpenetración tiene una dimensión más política en la medida de que se acerca hacia lo político y más propia del sector defensa cuando se acerca a la dimensión estratégica. En el medio está el ámbito estratégico (sector defensa), que articula los objetivos políticos con la ejecución táctica. Hay que tener presente que el ámbito estratégico permea a hacia lo político y hacia lo táctico. Esto es que se hace estrategia hacia arriba y hacia abajo hasta llegar a lo táctico. A ese ámbito intermedio entre estratégico y táctico en algunos países se le llama operativo u operacional.

Otro conocimiento que no puede obviarse en el liderazgo estratégico, es lo relativo a política de defensa. Cuando se publicaron los libros blancos en la región, hubo cierta confusión porque aparecieron distintas interpretaciones de que era la política de defensa. En el caso de Chile, el libro jamás fue de política de defensa ya que su título era *Libro de la Defensa Nacional*. Lo mismo sucedió en Argentina y en otros países. Sin embargo, en el lenguaje colectivo se les mencionaba como los libros de política de defensa. Para otros, la política de defensa eran todo el conjunto de leyes que permitían administrar la defensa. Por lo que no requería ser explícita. Estaba allí desde siempre. Con la política militar sucedió un hecho algo más dramático, ya que esta se desvaneció y no se volvió a hablar de ella. Lo concreto es que el liderazgo estratégico debe definir el criterio nacional que se tendrá respecto a estos conceptos y estar todos muy conectados en la convicción frente a estas. En tal sentido, hay que acordar que en el tema de la política de defensa hay que tener consenso en lo siguiente: Es una Política Pública, pero “especial,” ya que requiere de ciertos grados de reserva que no es una exigencia para otras políticas públicas, como por ejemplo salud que debe ser conocida por todos.

- Considerar que es necesario trabajar los consensos políticos ya que ellos determinarán que se pueda alcanzar los quórum.
- Debe ser una Política de Estado. La única forma de elevar una política pública a política de estado es elevar los quórum de reforma. De manera que se requiera amplios consensos para su reforma. Sin embargo, habrá que tener cuidado con esto ya que no se trata tampoco de convertir una política de defensa en una estatua de sal y que pierda toda flexibilidad.
- La Política de Defensa debe interpretar los escenarios estratégicos correctamente, con el objeto de que ayude a definir un modelo estratégico adecuado y realista, que tenga en el diseño de fuerza un instrumento racional y eficiente.⁹
- La Política de Defensa y la Política exterior deben actuar de consuno.

- La Política de Defensa es global. La parte militar de la Política de Defensa se define como Política Militar.

Los Circuitos del Liderazgo Estratégico

Le he llamado “circuitos” de liderazgo, a los canales de relacionamiento que deberán usar las autoridades que conforman este sistema. De no existir un circuito que asegure la transmisión continua de información, coordinación y órdenes, no podrá construirse un sistema de liderazgo. Para que esto ocurra, deberá delinearse un procedimiento de canalización del relacionamiento que asegure la continuidad del circuito, ajustado al conducto regular, que todos conozcan, que sea permanente y que este por sobre los personalismos y caprichos de autoridad.

Como lo señaláramos anteriormente lo ideal, y a lo que hay que tender, es que la política de defensa y la política exterior conforme una sola unidad. En ese caso, el sistema de liderazgo deberá proveer, no solo los circuitos verticales, sino que también, deberá desarrollar los circuitos horizontales para poder enlazar dos instituciones que están en el mismo nivel pero que normalmente les corresponde actuar en distintos momentos. Esto es la política exterior que acciona en primer lugar y la defensa a continuación. Lamentablemente, en la región no se ha desarrollado esta unión y convergencia entre la política y gestión de exterior y defensa.¹⁰

Como lo hemos dicho en la cadena del sistema de liderazgo están el Presidente, que por razones obvias estará en un nivel en que su función primordial es dictar los grandes criterios, orientaciones y hacer las correcciones. Su estilo personal tendrá mucha repercusión en el sistema. Sin embargo, la experiencia dice que en general, los primeros mandatarios se terminan sometiendo a la burocracia que maneja el sistema, ya que la gran cantidad de materias que tienen que analizar y resolver no les permite evadirse del sistema. Inmediatamente, bajo el Presidente se encuentra el Ministro de Defensa (se incluye viceministerio), quien deberá estar en la cadena de mando para mejor el funcionamiento del sistema.¹¹ Reitero que en lo personal lo prefiero civil y político. En mi opinión, esto último no impide que podría ser un militar en retiro pero que tenga reconocimiento en la clase política.

Mención especial merece el liderazgo del ministro ya que tendrá gran relevancia debido a que es quien encarna el sector defensa, pivoteando entre lo político y estratégico-operativo. Habrá distintos estilos. Por ejemplo, podemos ejemplarizar a un Ministro Nelson Jobim de Brasil que se coloca uniforme militar, opuestamente el Ministro Andres Allamand en Chile, busca resaltar su liderazgo civil, al insistir el uso de ropa civil en ejercicios militares, a diferencia de los anteriores ministros que si los usaron.¹² Similar ocurre cuando se elige un liderazgo que marque un símbolo de género. En el caso español, la Ministra de Defensa Carmen Chacón, no por mera casualidad apareció en su primera revista a las tropas con varios meses de embarazo. Esa fue una fuerte imagen y símbolo de liderazgo basado en el género. En suma, la actitud simbólica del ministro marcará mucho la relación político militar y por ende también en la forma de ejercer su autoridad. Respecto de los asesores del ministro de defensa, es conveniente formar dos equipos. Uno, destinado a asesorar sobre la coyuntura, y el otro equipo destinado a los estudios y temas de largo plazo, ojala ambos equipos bajo la misma dirección para que no se interrumpa la vinculación de las materias. Abajo del ministro, como sabemos, estarán los jefes de estado de mayor, comandantes militares o comandantes en jefe según sea el nombre que se les otorgue. Estas autoridades tendrán como responsabilidad pivotar hacia arriba con el límite inferior

del ámbito estratégico que algunos denominan “estratégico militar” y hacia abajo con lo táctico.

Un tema crucial para mantener la fluidez del liderazgo estratégico, son las buenas relaciones que debieran existir entre ministro de defensa y mandos militares. Es muy deseable que tengan una muy buena relación con el ministro de defensa, y que en ningún momento, a este último, se le niegue u oculte información, ya que en el sector defensa normalmente, toda la información va desde abajo hacia arriba. Esto ocurre, porque las FFAA tienen, en general, los mejores y más consolidados servicios de inteligencia en los países. Estos son desarrollados desde hace muchos años y con gente que tiene permanencia en la función, amén de que los que sirven en esos organismos participan en cursos en distintos momentos de su carrera, lo que les significa un buen nivel de preparación. Se suma a ellos la experiencia que se traspasa a través del tiempo. Por esta razón, los ministros están en una situación de desmedro informativo y lo normal, es que sea el mando militar, quien tenga mejor información que el ministro y sea él quien se la provea a la autoridad ministerial. Por esta razón, es que una relación basada en la confianza y credibilidad entre ministro y mando militar es fundamental. De todas maneras, el ejecutivo tiene las herramientas constitucionales para resolver una eventual desconfianza con algún mando militar, pero esto es excepcional. La experiencia nos dice que, incluso, ministros que asumieron con una predisposición muy negativa hacia las FFAA, terminan finalmente apoyándose en estas últimas.

Los circuitos serán básicamente, el canal principal o de los titulares, canal de viceministros, canal terciario y el canal de asesores. El canal principal, que es el más común y conocido, se plasma en la relación directa y vertical que va desde el Presidente, Ministro y mandos militares. Esta relación es normal y casi a diario entre los mandos militares y el ministro. El presidente en forma personal entrará intermitente en el circuito, pero su concepto y orientaciones se estarán comunicando mediante el ministro. Luego viene el canal de viceministros, que deberá funcionar regularmente y que integra a un nivel inmediatamente inferior al de ministros y jefes de estado o comandantes en jefes. Posteriormente, estará el canal terciario que integra al nivel inmediatamente inferior a los viceministros y que estará compuesto por un tercer nivel de dirección, y finalmente vendrá el canal de asesores que lo constituyen desde los asesores del nivel presidencial, ministerial y militar. De esta forma, los temas serán tratados en diferentes instancias con diferentes grados de profundidad y ópticas. Los comités o reuniones integradas con los diferentes niveles de jerarquía, no son tan útiles como esta instancia. No obstante, se pueden mantener dosificadamente. Con el tipo que se propone, creo que se mejora la asesoría, el tratamiento de las materias, la información y los temas son diseccionados en detalle. Por cierto, que estos circuitos que se proponen no son rígidos y pueden tener variaciones ya que deben ser estructurados dependiendo de cada realidad y de las orgánicas propias del país. Empero, la idea es que las materias se traten como quien va “pelando una cebolla.”

Habrán problemas, a mi juicio, que dificultan el circuito del liderazgo y estos son el factor confianza, el factor político-ideológico y el ensimismamiento militar. El factor confianza ha sido intensamente tratado en la temática de las relaciones políticos-militares, y se refiere básicamente a las divisiones que se producen entre políticos y militares, o bien solamente entre políticos por razones de luchas internas. El factor político es una división que tiene un carácter más ideológico y es bastante común que un ministro emplee como asesores a personal de confianza política y se refugie en ellos, aislándose del resto de la estructura formal. El ensimismamiento militar se produce cuando los miembros de las

instituciones armadas se aíslan de la estructura política y se retrotraen en la institución respectiva. Todos estos factores son negativos y hay que evitarlos de todas formas.

De vital importancia para el liderazgo estratégico, será la exigencia de consolidar un buen proceso de las coordinaciones y conexiones horizontales con otros ministerios. Este tipo de coordinaciones deberán cautelarse y evaluar si es que éstas están funcionando correctamente. Sin lugar a duda las mejores coordinaciones en un gobierno se dan cuando se comparten objetivos y propósitos por lo que es muy importante poner toda la inteligencia y voluntad en esta línea.

Formación del Liderazgo Estratégico

Una de las tareas que tiene particular trascendencia, es la formación de líderes para el sector y esa responsabilidad recae en los institutos de altos estudios de la defensa de los países, quienes tendrán la responsabilidad de dictar programas formativos en esta función. Como hemos visto, el liderazgo tiene dos facetas. Por un lado, es un atributo y por otro una serie de conocimientos técnicos que se pueden aprender, para que el liderazgo tenga un efecto mayor. Existen, además, medidas de coordinación y de formas de relación para establecer el sistema, que es necesario conocer.

Es sin duda Clausewitz quien nos ilumina sobre un aspecto muy importante cual es el atributo para desempeñarse en el ámbito estratégico y poder ejercer un acertado liderazgo. Cuando el prusiano se refiere al arte de la guerra relaciona arte con juicio señalando que allí donde se traza la línea que divide lo que es producto del conocimiento comienza el juicio, es decir el arte. En consecuencia, hay personas que tendrán esta condición “artística” con la estrategia y habrá otros que no la tienen. Sin embargo, el conocimiento teórico les será útil a ambos. Respecto a esta condición innata o arte, no olvidemos a los ya mencionados “strategoi” griegos, que eran elegidos y no sorteados. Este atributo especial sería el “juicio estratégico” del que nos habla Clausewitz.

Hay otra idea del autor de *De la Guerra*, que converge con la formación del juicio estratégico, y este es, el “coup d’oeil”, que no es otra cosa que “una inteligencia que aun en medio de la obscuridad más intensa, no deje de tener algunos vestigios de luz interior que conduzcan a la verdad”. Agregando, el notable pensador militar, que ese “coup d’oeil”, requiere del valor y determinación para seguir esa intuición o ese dictado de la inteligencia.¹⁴ Por ello, podemos afirmar que quien tiene el “coup de d’oeil” pero no la determinación (los franceses le llaman courage ‘desprit) es un proyecto de líder o un “líder esterilizado”. En suma, un ministro de defensa debe tener innato o poseer juicio estratégico y determinación, y además conocer el entorno estratégico que lo rodea y prever el horizonte estratégico que tendrá a futuro. (Ver Figura 3.)

El Coronel Guillot, ya citado, describe la anatomía del líder estratégico. Esto significa, que para convertirse en un líder estratégico, se deberá recorrer un camino formativo, que va conciliando aprendizaje en el aula, experiencia de campo, e incluso, reflexión y lectura. En síntesis, Guillot parte valorando una base de valores y normas éticas que constituyen los cimientos. Esta base valórica es de la máxima trascendencia, porque a partir de ellos se diferencia un líder que tienda al bien y otro que tienda al mal. En este punto se diferencia, por ejemplo, un Stalin de un Gandhi. Aquí podemos hacer otro paralelo, por ejemplo, entre Konrad Adenauer y Fidel Castro. Mientras uno, recobró y desarrolló una nación, otro la retrasó. Mientras el primero entronizó las libertades y la democracia; el segundo, la suspendió. Mientras el primero reintegró a su país al concierto internacional, el

otro lo aisló. Mientras el primero se retiró cuando lo consideró conveniente, el otro morirá ejerciendo cuotas de poder.

FIGURA 3



Luego de esta base valórica imprescindible, para el autor, se va adquiriendo experiencia y educación continua. Adicionalmente, vendrá el ejercicio de funciones de comando. A continuación vendrá la etapa de desarrollar destrezas de “reflexión estratégica”, que van en apoyo de un líder estratégico. Esto sería el trabajo de estado mayor en cuarteles generales para finalmente convertirse en líder estratégico previo mostrar su idoneidad.¹⁴

Resulta de particular importancia, identificar a los líderes desde jóvenes; tanto para la política, como para las FFAA. Las cualidades centrales o cardinales de un líder, en términos personales, serán en primer lugar, y como lo decía el Mariscal Louis Hubert Lyautey, como requisito para un comandante militar, es la alegría. Quien lidera con una sonrisa y con alegría genuina es alguien que expresa confianza en sí mismo, tranquilidad, felicidad de cumplir una tarea en la que cree. Otra cualidad, es la fortaleza o determinación ya descrita por Clausewitz, ya que sin ella no se puede pensar en dirigir. Hay otra cualidad muy relevante cual es la transparencia, virtud esencial ya que el subalterno siempre captará las emociones del que manda, quien no podrá ocultarlas todo el tiempo. Por ello, en los ámbitos militares se dice que se puede engañar a los jefes, pero jamás a los subordinados. Hay otra cualidad que va de la mano con la alegría ya citada y que es el entusiasmo. Lo menciono como una cualidad especial, porque no basta con ser alegre o de tener un “alegre pesimismo”, se trata de tener entusiasmo de verdad, el que viene naturalmente de las capacidades que el mismo líder se reconoce. En estrecha relación con este último, encontramos la seguridad en sí mismo, que significa estar seguro cuando imparte la orden y no contradecirse. Sin embargo, debe tener flexibilidad para cambiar de decisión si la situación lo amerita, por ello el equilibrio emocional para advertir las situaciones es de particular trascendencia. Recordemos el cuadro que citamos entre líder, situación y liderandos. Esa triple interacción es fundamental. La seguridad en sí mismo requiere creer en sus propios proyectos y hacer suyo el proyecto que está liderando. Sobre el conocimiento, también

Clausewitz, le dedica estudio, ya que no se puede ejercer liderazgo, sin tener conocimiento de las materias que le compete. Esto puede suceder en el sector defensa, ya que no todos los ministros de defensa civiles tendrán conocimientos previos sobre defensa.

Sin embargo, ellos deben rápidamente estudiar los temas de su ámbito y prescindir de perder tiempo en materias muy técnicas que corresponden al manejo de las propias instituciones armadas. No obstante, para elegir un ministro, aunque no tenga conocimiento, debería tener juicio estratégico y determinación. Eso es fundamental. Otra cualidad relevante, es la capacidad del líder para escuchar a la gente y darse cuenta cuáles son las diferentes sensibilidades existentes. Hay un aspecto que podría ser discutible, cual es estar apto física y mentalmente. No hay duda de que mentalmente si, pero lo físico es relativo a la capacidad mental y de proyección que tenga el líder político. Por ejemplo, el ex presidente Joaquín Antonio Balaguer de la República Dominicana, ejerció liderazgo político estando completamente ciego y frecuentemente decía “no estoy aquí para enhebrar agujas”. Sin embargo, el militar por imperativo de su función debe estar apto físicamente. Un general obeso da una primera impresión bastante negativa, ya que proyecta la imagen de estar inhabilitado para las tareas propias de su profesión. Finalmente, hay una condición que es muy difícil de explicar pero en el mundo de los seres humanos donde hay espacios donde la razón no lo explica es todo, resulta muy valorado. Esto es, estar en posesión de una buena suerte. Para mí, esta condición no es azar sino que la vinculo con cuidar los detalles. Hay una simple historia que ejemplifica esto. Se dice que Oliverio Cromwell una noche que llovía intensamente les requirió a sus tropas. “Cuiden que no se moje la pólvora esta noche, para que tengamos suerte mañana.”

Las fallas de un líder son las opuestas a las capacidades que vimos en el párrafo anterior. Para mi modo de ver, la más grave es la vanidad. Esta es particularmente grave ya que a través, o movido por ella, se pueden cometer todos los errores posibles. No en vano fue el colofón final de esa notable película llamada *El abogado diablo*, cuando el actor Al Pacino, que interpreta al demonio encarnado en un ser humano, al observar a un joven abogado con arrestos de vanidad, sentencia: “La vanidad... mi pecado favorito”. Otras fallas son, el personalismo y la poca inclinación a trabajar en equipos. Siempre el equipo será mejor que la individualidad. Asimismo, la ambición desmedida que acarrea que todos los proyectos por importantes que sean se subordinen al interés personal. También, la inflexibilidad y rigidez en la toma de decisiones son otras debilidades que merman el liderazgo. Por último, la ignorancia en las materias que se deben conocer y la visión corta respecto a los escenarios son absolutamente indeseables.

Para elaborar un programa de enseñanza de liderazgo orientado al ámbito estratégico, he elaborado este cuadro que permite colocar en consideración tres momentos para expresar óptimamente las capacidades del liderazgo estratégico. El primero se refiere a lo innato, el atributo deseable o la base del juicio estratégico como requisito básico para ser seleccionado. En segundo término lo que se requiere recibir en un programa educativo de liderazgo y en tercer término lo que se espera del líder en el sistema estratégico o sea los objetivos del curso. (Ver Figura 4.)

FIGURA 4

ATRIBUTO	DESARROLLAR	ACCIÓN
Poseer valores y conocimientos generales	Mirada prospectiva	Construir futuro
Visión o Juicio Estratégico	Conocer los conceptos sobre Estrategia	Diseñar “la” estrategia y accionar, basándose en esta
Sensible a la historia	Conocer el Marco de Referencia	Conciliar tradición y futuro
Mente abierta a complejidades de los procesos	Estudiar el escenario general y específico	Accionar teniendo en cuenta las coyunturas políticas
Liderazgo efectivo o determinación	Conceptos teóricos y Prepararse para el liderazgo	Capaz de resolver bien, contando con apoyo y adhesiones
Prudencia	Sociología de las organizaciones Conocer la cultura organizacional	Representar la organización
Capaz de contextualizar	Percibir las grandes tendencias en el mundo	Accionar basado en las situación Nacional e Internacional

La explicación a este gráfico es la siguiente:

- El primer atributo, o sea lo que se debe poseer para ser un líder apropiado, esto es valores positivos tendientes al bien. Esta es la base fundamental y a partir de ello se pueden entregar conocimientos de prospectiva y pensamiento crítico que le permitan en su gestión construir futuro. La selección del futuro líder debe hacerse no solamente porque demuestra condiciones para dirigir sino que tan importante como eso, es que sea buena persona.
- Lo innato es la capacidad de poseer buen juicio estratégico, esto es que logra distinguir lo importante de lo secundario. Ya con ello, se trata de impartirle los conocimientos de que es la estrategia, como se hace una estrategia y a moverse en los ámbitos de la política y estrategia. Esto significa estudiar ciencia política también. Se espera que a futuro el líder sea capaz de diseñar estrategias y basarse en estas para actuar.
- Ser sensible a la historia. Este es una base deseable ya que permite entender las épocas. Por ello, la sociología clásica se apoya en la historia. En el curso conocer los paradigmas donde se enmarcan los cambios sociales y la evolución de las sociedades. El objetivo es que pueda conciliar tradición con futuro. En este punto replico una frase del General Eric Shinseki (ex Jefe de Estado Mayor del Ejército de EEUU): “El principal deber de un General es saber administrar transiciones” Yo amplío la frase que para al político también.
- Mente abierta capaz de entender las complejidades de la vida humana. O sea, ser inteligente. La estrategia es para gente inteligente y esto lo decían los griegos cinco siglos antes de Jesucristo. Esto permite estudiar y reflexionar en mejor manera acerca de de los escenarios generales y específicos siendo el objetivo siempre accionar conciliando la factibilidad de lo propuesto con la coyuntura. Esto significa un grado de

pragmatismo correcto.

- Como lo exige Clausewitz, tener determinación o liderazgo efectivo. Con ello dotarlo en el curso de todos los temas modernos respecto a liderazgo, teniendo como objetivo, mejores tomas de decisiones y además que sean apoyadas por quienes las reciben.
- La virtud de la prudencia será base para una mejor interpretación de la organización, conociendo la cultura organizacional y así quedar en condiciones de asumir la representatividad organizacional que se espera del líder.
- Con innata capacidad de contextualizar. Dotarlo del conocimiento sobre las grandes tendencias internacionales. El objetivo será que su accionar siempre tome en consideración estas variables.

Palabras Finales

Al entregar esta artículo al conocimiento y escrutinio de los lectores, quisiera reafirmar algunas ideas. La primera idea es que la estrategia, como herramienta que fija una carta de navegación a los países, resulta fundamental para los estados y no hay razón para renunciar a ésta por el solo hecho de ser un país pequeño. La estrategia es un rumbo, es claridad de objetivos, es forma de lograrlos y es uso racional de los instrumentos. No es necesario ser una potencia mundial para tener una estrategia.

La segunda idea, es la necesidad de establecer la dirección o conducción estratégica como un sistema de liderazgo en que todas las partes tengan participación y que obedezca a la lógica de la autoridad racional legal propia de la democracia. Este liderazgo debe enhebrar desde la gestión del presidente a través de la cadena jerárquica del ministerio de defensa y hacia las fuerzas. La gran tarea futura es consolidar una vinculación más funcional y expedita entre los ministerios de defensa y relaciones exteriores. Los próximos libros de defensa deberían cubrir ambos ministerios.

La tercera idea es que la comunicación estratégica debe ser preparada y permanente. No es posible desarrollar un liderazgo de este carácter si no se posee el control de la comunicación estratégica. Este control no es solamente “que decir” sino “que” y “cuando” decirlo. Sin perder de vista que una misma noticia puede ser positiva si es oportuna y muy negativa si es tardía.

Al cierre, quiero traer a colación una frase muy acertada del General Martin Dempsey (US Army), quien era Comandante del Comando de Entrenamiento y Doctrina cuando expresa: “El líder debe ser capaz de influir en la conducta de las organizaciones.” Esto último significa que deberá saber en qué momento colocar los ritmos y énfasis de su gestión.

Notas

¹ Ver en Weber, Max, *Economía y Sociedad*, (Berkeley, CA): University of California Press, 1978.

² Se recomienda de Finley, M.I., *Politics in the Ancient World*, (Cambridge, UK): Cambridge University Press, 1993.

³ Beaufre, Andre, *Introducción a la Estrategia*, Madrid: Instituto de Estudios Políticos,

páginas 28 y sigtes.

⁴ Ver Admiral Michael Mullen, “Strategic communication: getting back to basics” *Joint Force Quarterly*, issue 55, 4th Quarter 2009, y David Barno, *Military Adaptation in Complex Operations*, NDU Journal *Prism*, Vol I, Num 1, 12/2009.

⁵ Hughes, R., Ginett, R., y Curphy, G., *Leadershi*, (Los Angeles) Times Mirror Higher education Group, 2 Ed, 1996.

⁶ Ibidem pag 74-75.

⁷ Se recomienda Porter, Michael, en *The Competitive Advantage of the Nations*, (New York, NY), The Free Press, 1990, y Sánchez Benítez Sergio en “La Comunicación Estratégica como Política Pública,” en *Documento de Opinión* Vol. 21; no. 011.

⁸ Guillot, Michael, “Liderazgo Estratégico,” *Air & Space Power Journal*, Trimestre, 2004.

⁹ Garcia Covarrubias, Jaime, *Documento de trabajo*, Ceppro, Asuncion (Paraguay) 1999. Documentos de clases en Estrategia y Política de Defensa (CHDS) 2003.

¹⁰ En EEUU se marca una diferencia entre Disuasión y Deterrence. La primera es cuando la política exterior actúa en primer lugar y la segunda es cuando las capacidades militares relevan a la política exterior.

¹¹ Hay países en la región como Paraguay y Nicaragua donde el ministro no está en la cadena de mando.

¹² Esto fue destacado por la prensa con motivo de una visita inspectiva del Ministro Andrés Allamand.

¹³ Clausewitz, Karl, *De la Guerra*. Ver cap III. “El Genio de la Guerra.”

¹⁴ Guillot, op. cit., pp 8-10.

Sangre Joven? Understanding the New Wave of Armed Groups in Latin America

W. Alejandro Sánchez

ABSTRACT

Latin America continues to be a breeding ground for violent groups, as exemplified by the rise of drug cartels in Mexico and narcoterrorist organizations such as the Colombian FARC and the Peruvian Shining Path. A question that has not yet been properly addressed, however, is whether there is the possibility that ideologically oriented violent groups, like the Paraguayan EPP or the Mexican EPR, will rise again. This article provides a general review of the security situation in the region, focusing on violent armed groups and discussing to what extent they may have a political ideology.

The *Ejército del Pueblo Paraguayo* (Paraguayan People's Army, or EPP), not to mention some of its most aggressive operations, has become increasingly well known in recent months, following a string of relatively high-profile kidnappings in the landlocked South American country of Paraguay. Though incidents regarding armed EPP members and declarations of the organization's mission continue to gain media coverage, it is necessary to put the EPP in the proper regional security context. Indeed, the existence of the EPP presents a fascinating case, as it is arguably one of the few ideologically oriented insurgent groups to appear in Latin America since the end of the Cold War. Other such organizations include the Mexican *Ejército Popular Revolucionario* (Popular Revolutionary Army, or EPR) and, also arguably, the *Ejército Zapatista de Liberación Nacional* (Zapatista National Liberation Army, or EZLN).

One goal of this article is to provide a general overview on the current status of different violent groups in Latin America, commonly labeled "terrorist." Besides the aforementioned groups, three violent movements, remnants from the Cold War, continue to operate: the Peruvian *Sendero Luminoso* (Shining Path, or SL); the Colombian *Fuerzas Armadas Revolucionarias de Colombia* (Revolutionary Armed Forces of Colombia, or FARC); and the *Ejército de Liberación Nacional* (National Liberation Army, ELN).

The second goal is to highlight the problems of defining an ideologically oriented violent group, as the six aforementioned groups are commonly labeled. To what degree do these armed movements remain faithful to the ideological roots they have publicly claimed to adamantly support? Furthermore, given the fact that several of these groups are criticized today for their ties to drug trafficking, can any credibility be given to the new wave of insurgent movements? In addition, should narco-insurgent groups like the FARC and Shining Path, as well as possibly the EPP, be placed in a different category from drug trafficking organizations, like the Mexican cartels, or international criminal gangs in Central America, like Mara Salvatrucha, since the former claim to have a political ideology/goals?

Latin America continues to be considered a breeding ground for violent organizations to take root, just as they did 40 years ago (more or less, depending on the country), when

the region began a period of ideologically oriented violence. Poverty, indifferent political leaders, corruption, and various other factors were major catalysts that brought about the rise of ideologically oriented organizations. Unfortunately, such factors continue to exist. Thus, the question regarding the future of internal security in Latin America, when considering the rise of violent groups like Paraguayan EPP, becomes, “Are ideologically minded insurgent groups making a comeback?”

The Problem of Defining Violent Groups

One of the initial issues we face is defining what qualifies a violent movement as “terrorist,” particularly when referring to the organizations that are currently operating in Latin America. In his April 2009 article entitled “Rethinking the Roots of Terrorism: Beyond Orthodox Terrorism Theory: A Critical Research Agenda,” in *Global Society*, Jason Franks combines the ideas of different scholars by stating that “terrorism is thus defined (relative to the legitimacy of state governance) as an illegal and illegitimate act or as a specific method of political violence against the state, such as hijacking or bombing or as acts of violence against civilians protected by the state.” Franks goes on to argue that, in some circles, the study of terrorism has become preoccupied with explaining what actually constitutes terrorism, how it functions, and how to counter it, failing to examine why it actually occurs. Finally, Franks says, “the intention of the terrorists (according to orthodox terrorism theory) is to undermine the security of the population by demonstrating that the state is unable to provide adequate protection and therefore force the population to turn to alternative sources such as the instigators of the terrorist violence to provide security and alternative governance.”

The transition from “criminal” to “terrorist” organization highlights another important issue when it comes to actually labeling such groups. Names like “guerrillas,” “subversives,” “rebels,” and “insurgents,” have also been used by the Latin American politicians, specialists, and the general media over the years to define groups like Shining Path, the FARC, and ELN, among others. It is only now, when the remaining historical aforementioned groups have become involved in drug trafficking, that the label “narcoterrorist” seems to be more commonly used. Is there a difference between a group that is a “rebel” or “insurgent” versus one that is a “terrorist”? Or are these all just similar adjectives? A key part of defining terrorism seems to be that terrorists will carry out attacks against civilians as part of their overall strategy. Meanwhile, the term “insurgent” is defined as “a person fighting against a government or invading force; a rebel or revolutionary.” The word has its origins in French from the verb *insurgere*, which means to arise (*in*-into, toward; *sur-gere*-to rise). Meanwhile, Hughes defines insurgency as “an internal conflict waged by an armed group using a combination of means—including guerrilla warfare, terrorism, civil disobedience, and political agitation—to secede from a state, to overthrow its government, or to resist foreign occupation.” Does this mean that if a violent group does not engage in terror tactics (namely, attacking civilians), but does attack state installations and military forces, it is then not classified as a terrorist group? Is this the key difference between insurgencies and terrorist groups?

How to Label Whom?

The Mexican EZLN generally does not fit the definition of a terrorist organization, since it

has not engaged in an indiscriminate murder of nonhostile targets, nor does it have as a goal to overthrow the Mexican government. Furthermore, the group is fairly popular among the Mexican population (though probably not at the level it enjoyed in the 1990s), because it is an indigenous group that stands up to the central government. This article will not deal with how popularity among the masses affects how an insurgent group is defined, though it is a topic that should be kept in mind for further studies. Another Mexican group, the EPR, has staged explosions against oil and gas facilities, but it has not specifically targeted civilians. When it comes to the Paraguayan EPP, the terms usually associated with them are of *subversivos* or criminals. Meanwhile, the Colombian FARC and ELN are usually referred to as “guerrilla” or “insurgent” groups rather than terrorists. Finally, members of Shining Path were originally referred to as criminals, and later as terrorists. At no time did the Peruvian government or security forces appear to have considered labeling Shining Path (or the *Movimiento Revolucionario Tupac Amaru*, or Tupac Amaru Revolutionary Movement [MRTA], the other Peruvian terrorist group that operated in the 1980s and most of the 1990s) as an “insurgent” or “rebel” group. Rather, the terminology used to describe these organizations morphed from “criminal” to “terrorist organizations,” which, from Lima’s point of view, meant that it afforded no legitimacy to either group.

In addition, there is the case of former Colombian paramilitaries: It has been recently reported that these former paramilitary gangs carried out more attacks than either the FARC or ELN in 2010. In addition, they control up to 50 percent of drug trafficking in the country. Such gangs include the Rastrojos, with 1,849 members, the Urabenos (1,292), and the Erpac (Colombian Popular Anti-Communist Army, with 690 members). Besides drug trafficking, such groups also carry out criminal actions such as extortion and kidnapping for ransom. Nevertheless, such groups continue to be labeled “paramilitary” since their members appear to be mostly former members of the AUC (the paramilitary *Autodefensas Unidas de Colombia*) or, at worst, criminals. Does the fact that they have not carried out attacks against the Colombian military (if anything the two are suspected of mutual cooperation against the FARC) mean that it would be incorrect to label them “terrorists,” even though they are involved in drug trafficking and have carried out attacks against the civilian population?

At the time of this writing, there are interesting ongoing developments in the U.S. government vis-à-vis Mexican drug cartels. Rep. Michael McCaul (R-Texas) has introduced legislation in the U.S. Congress that would designate several Mexican drug cartels as *foreign terrorist organizations*, including Los Zetas, La Familia Michoacana, and the Arellano Feliz Organization. A major reason for McCaul’s initiative is that if these cartels are officially labeled “terrorist,” then their members can receive up to 15 additional years of prison time if they are captured and convicted while in the United States. The American politician has explained that while these cartels are not driven by an ideology as other terrorist groups are, they are “using similar tactics to gain political and economic influence,” relying on “kidnappings, political assassinations, attacks on civilian and military targets, taking over cities, and even putting up checkpoints in order to control territory and institutions.” Nevertheless, a relabeling of what constitutes a “terrorist” organization in order to impose harsher prison terms does have implications. Senator John Cornyn (R-Texas) argues, “cartels are in it for one thing—money.... to me, we need to be clear about what is happening in Mexico. We have got to be careful about the label because sometimes those labels can create misleading impressions.” Therefore, if the Zetas are eventually labeled

“terrorists” by Washington, will the Mara Salvatruchas soon follow? What is the detriment to theoretically combining the Zetas, the Maras, and the FARC in the same “bag” of violent organizations? With the creation of the term “narcoterrorism,” it would appear that the definition of *terrorism* is a living entity that has to continue to evolve with ongoing developments.

In order to avoid some of the issues regarding what constitutes *terrorism*, I will mostly use the term “insurgent groups” to label the EPP, EZLN, and the EPR, as well as the ELN, FARC, and Shining Path. The decision for this is that the term “terrorist” cannot be applied equally to all the aforementioned organizations. In addition, using terms like “terrorist,” “narcoterrorist,” and “insurgent” as synonyms does not appear to be accurate, even though other analysts tend to do this. Key differences, at least at the theoretical level, appear to exist between them. Due to time and space constraints, not to mention that this isn’t one of the goals of this piece, I will not go into an in-depth analysis of the differences between the previously mentioned terms used for violent organizations in Latin America. Nevertheless, it is understood that other scholars, government officials, and members of security forces that have encountered such groups—not to mention sympathizers or victims (or families thereof)—may describe them very differently, most likely in harsher terms.

The Remaining Guard of the Original Terror Groups

Three violent organizations dating to Cold War–era times have continued to operate in spite of massive military operations against them. All of them have continued, at least publicly, to espouse their leftist ideology while mutating into organizations that traffic drugs to finance their existence. It is therefore debatable how loyal these organizations remain to the goals that originally brought about their creation.

Sendero Luminoso—SL (Peru). *Sendero Luminoso* is known for committing violent acts in public. For example, in 1980, in what is regarded as the unofficial start of the war, *senderistas* burned ballot boxes in the town of Chuschi, in the Ayacucho region. Despite the capture of the group’s leader, Abimael Guzmán, and major Peruvian military offensives, *Sendero* continued to operate. Upon his 1992 capture and subsequent interrogations and meetings with Vladimiro Montesinos, the intelligence czar of dictator Alberto Fujimori, Guzmán signed an agreement in which he ordered *Sendero* to lay down its weapons and cease fighting. Nevertheless, a faction of *Sendero* has refused to recognize the agreement, dubbing itself *Proseguir* (Onwards) and continuing the armed struggle against Peru’s security forces. For some time, *Sendero*’s major leader was Oscar Ramírez Durand, “*camarada* Feliciano.”

The group’s current leaders are “*camarada* Artemio” and “*camarada* Alipio,” among others. *Proseguir*’s area of operations is limited to the VRAE area (Apurimac and Ene River’s Valley) in Peru’s Amazon. However, they have managed to keep Peruvian military operatives from capturing or eliminating them. In September 2009, *senderistas* shot down an Mi-17 helicopter in the Sinaycocha area around the VRAE, killing three Peruvian Air Force personnel. The attack was carried out by troops led by *Sendero*’s Victor Quispe Palomino (“*camarada* Jose”).

Sendero’s current strength is thought to be around 200 troops. The remaining forces have aligned themselves with drug groups, or have begun producing illicit substances (particularly cocaine) on their own, as a way of financing their new operations. *Sendero*, in its

new form, is labeled a “narcoterrorist” organization. Arrests and interviews of major Shining Path members in the last couple of years seem confirm this allegation. For example, in a late 2010 interview, a captured Edgar Mejia Asencia, “*camarada* Izula,” explained that Shining Path produces at least five tons of cocaine a year in order to survive, at a rate of roughly 800 kilograms every two months. The captured insurgent said that, according to his personal knowledge, Shining Path has been involved in the drug trade since 2004. Nevertheless, Shining Path occasionally carries out attacks in order to make statements that it still is fighting an ideological war against the state. In early May 2011, a civilian was found dead in a small town in the Andean region of Huanuco. He had been tied up and shot in the head, execution style. In addition, two large pieces of paper were found on the body that portrayed the images of the hammer and sickle, as well as a message that said, “This is how snitches die, criminals that take the name of the party [Shining Path].”

Fuerzas Armadas Revolucionarias de Colombia—FARC (Colombia). The FARC is the bigger of the two guerrilla groups that remain in Colombia and, arguably, the deadliest. In February 2009, reports emerged that the FARC had killed at least 17 members of the indigenous tribe Awa in the state of Nario, including two minors. Human Rights Watch said in a statement that the FARC’s actions show “its utter disregard for the lives of civilians and refusal to respect the most basic tenets of humanitarian law.” The FARC admitted to executing eight indigenous people by stating that, “given their responsibility in the deaths of several guerrillas and their undeniable acts of participation in this conflict, they were executed.” Another nonmilitary target was Luis Francisco Cuellar, a provincial governor of Caquetá (south of Colombia), who was kidnapped and killed by FARC insurgents in January 2010. According to the FARC, he was guilty of corruption and paramilitary ties. More recently, in September 2010, FARC rebels used gas canisters stuffed with explosives to attack a police station. Eight Colombian police officers were killed as a result of the explosions in their offices in San Miguel, in the country’s southern region of Putumayo. However, the group was dealt a heavy blow in September 2010 when one of its major leaders, Víctor Julio Suárez Rojas, known as “Mono Jojoy,” was killed.

Like Shining Path, the FARC employs occasional declarations in order to try to give its actions and existence some justification. In September 2010, the Colombian insurgent group released a press release in which it justified its action to “injustice, displacement and exile, hoarding land and riches, drug gangs and paramilitary co-governing, impunity, corruption, extreme poverty, lack of guarantees to participate politically through peaceful and democratic means” in the country. Even more, the FARC argued that its governing body, the National Secretariat, has “always deplored violence and instead have advocated and proposed dialogue and peace.”

Ejército de Liberación Nacional—ELN (Colombia). In the *Manifiesto De Simacota* by the ELN July of 1965, the movement explains the reasons for their struggle and the goals they hold for Colombia. According to the manifesto, the ELN wants to seize power for the *clases populares* (popular classes) and install a democratic government that can free the country from “international monopolies and the *oligarquía criolla* (*criollo* is a term used to denote light-skinned Latinos). The manifesto also states the desire for an agrarian revolution that would redistribute the land justly to those who work the land. The manifesto goes on to describe additional goals that the ELN seeks for Colombia, including a national

health plan and education reform, among others. In a December 2010 communiqué, the ELN stated its plan to empower people to construct *el poder popular* (people's power). The ELN insists on unity for the struggle toward building socialism in Colombia, as well as the desire to work toward peace in Latin America to "multiply the Latin American dream of Bolívar, Martí, and Ché [Guevara] and many other heroes and revolutionaries who offered their life for the people." With regard to drug trafficking, the ELN has been steadfast in declaring that it is not involved in such. In fact, in a December 2009 statement, ELN Commander "Antonio García" denied any such allegation.

The group is the smaller of the two remaining guerrilla movements in Colombia, though its size has not made it any less deadly in recent years. It is currently composed of approximately 4,000 to 4,500 troops. Some recent ELN operations include such violent acts as assassinations. In December of 2008, five civilians were killed when they were fired upon in their vehicles. "We accuse ELN members of this murder, since one of the dead was a former member of this group...and we are investigating to find out the true motives of this massacre," said Luis Ortiz, police commander from Arauca province.

However, as of mid-2011, the ELN appeared to be on the losing side of the war against the government, with numerous desertions plaguing the group (18 surrendered in December 2008 alone). There have also been attempts at ELN-Bogotá peace talks (the government was represented by High Commissioner for Peace Luis Carlos Restrepo), dating back to 2005, sometimes with Venezuelan President Hugo Chávez as a mediator, but they have made little or no progress.

Nevertheless, it should be stated that despite the lack of troop numbers, the ELN has not shied away from attacking the Colombian army, as exemplified by a June 2009 ambush in Bolívar province, where two soldiers were killed and five were injured. Likewise, the Colombian police force is a normal target of the insurgents. In December 2008, police officers in Arauca province were ambushed with a remote-controlled bomb and gunfire from suspected ELN troops. Eight police officers were killed in the attack.

The New Wave?

A small number of new insurgent organizations have appeared since the early- to mid-1990s. While not as destructive as the Central American wars in the 1980s, or Shining Path or the FARC at the height of their power, these groups have carried out a number of significant operations against their local governments, targeting government officials, security forces, and infrastructure.

Ejército Popular Paraguayo—EPP (Paraguay). The *Ejército del Pueblo Paraguayo* (Paraguayan People's Army) is beginning to become a household name. For the moment, it has focused its operations on kidnapping wealthy Paraguayans and demanding ransom for their return. One of the latest victims was Fidel Zavala, who was held captive for 94 days and finally freed on January 17, 2010. Unfortunately, as the history of guerrilla movements seems to show, there is ample room for "growth" when it comes to their potential activities.

For the moment, the EPP presents itself as an obscure guerrilla movement. According to *Jane's Defense*, its origins date to 1992, when a group of trainee priests, who had been expelled from a Catholic seminary for their radical political views, established the *Movimiento Monseñor Romero* with the aim of plotting a socialist revolution. For the Paraguayan daily *ABC*, the EPP is a group composed of criminals accused of murdering police

officials and attacking police and military outposts. According to the news service, the EPP was created in 2005, after the murder of Cecilia Cubas, the daughter of a former Paraguayan president. Meanwhile, the EPP argues that it is a group made up of peasant communities armed to fight. It denies Asuncion's accusations that it is a group of criminals or has any affiliation with criminal organizations like the Colombian FARC.

Carmen Villalba, a self-declared spokeswoman of the EPP, has stated that the group's support comes from "el pueblo paraguayo, del sector popular, de gente que eternamente fue burlada, discriminada, pisoteada" ("the Paraguayan people, the people who eternally feel that they have been ridiculed, discriminated against and stepped on"). According to reports, the EPP is influenced by "Ché" Guevara and Régis Debray, as well as national heroes such as Mariscal Francisco Solano López. Other reports, particularly media declarations by former hostage Fidel Zavala, point out that the EPP also looks up to Cuba's Fidel Castro, Venezuela's Hugo Chávez, and Karl Marx.

Even though the EPP seems to follow Marxist-Leninist ideology, prominent individuals such as Luis Casabianca, leader of the Paraguayan Communist Party, have condemned the Zavala kidnapping. The Paraguayan has stated that the EPP "no es revolucionario, sino terrorista" ("is not revolutionary, rather, terrorist"). It is interesting that Casabianca, who in the 1960s was part of the guerrilla group called the *Frente Unido de Liberación Nacional* (FULNA), today stands apart from the EPP.

Discussions will continue to assess whether the EPP is a criminal band or a real guerrilla group with a concrete political ideology born out of the extreme poverty for which Paraguay is known. If it proves to be the latter, the EPP would represent a fascinating case, as it would arguably be the first ideologically oriented guerrilla movement that has emerged in the region since the end of the Cold War. On September 21, 2010, President Lugo allegedly received a threatening letter from the EPP, calling him a "walking cadaver" and calling Minister of the Interior Rafael Filizzola and his wife, Congresswoman Desire Masi, "oligarch bullies" and "money wasters." Such terminology has reminded specialists of statements made by groups like Shining Path and the FARC during their heyday in the 1980s.

The future of the EPP will depend on how President Fernando Lugo, a former Roman Catholic bishop, chooses to act. Will the president allow for a military offensive, including search-and-destroy missions, against the EPP should its activities continue? Will Lugo's religious background affect his decisions? Apparently not. In January 2010, six peasant leaders were detained by the country's security forces and accused of being EPP members and involved in the 2008 Luis Alberto Lindstrom kidnapping, despite claims from human rights activists that there was no concrete evidence against them. Then, in late April 2010, the Paraguayan leader ordered the deployment of 3,300 troops of the Paraguayan army, navy, and air force, as well as 300 police officers, to the northern provinces of Concepción, San Pedro, Amambay, Presidente Hayes, and Alto Paraguay to crack down on the insurgents. Political opposition groups, as well as civil society organizations, have since condemned these events. However, such military operations against the EPP have yet to disband the insurgent group.

Ejército Popular Revolucionario—EPR (Mexico). In June 1994, two years prior to their first public appearance, the EPR originated as a popular revolutionary army through a communiqué. The EPR described itself as representing the interests of the poor, as well

as working under one strategy to confront and destroy the power of the bourgeoisie. According to the statement, the EPR declared itself a revolutionary organization because it chooses to serve the interests and the historical goals of the proletariat. In the declaration, the EPR also ordered the “defeat of every imperialistic interventionist attempt” as part of its fundamental goals in order to obtain what the EPR refers to as the main historical objectives of the proletariat. These objectives include: seizing political power in Mexico, constructing socialism, and establishing a so-called dictatorship of the proletariat. The EPR is defined as Marxist-Leninist and advocates a Socialist uprising. As of January 24, 2011, a new statement by the EPR denies being an extreme leftist group and claims that the social, political, and economic inequalities in the country are the driving forces for their professed struggle.

The group officially announced its existence on June 28, 1996, at the one-year anniversary memorial of the Aguas Blancas Massacre, in Aguas Blancas, Guerrero. The group has carried out a relatively low number of military operations, but this does not make them any less lethal. In the summer of 1996, the EPR conducted several attacks against Mexican soldiers and police, killing or wounding several, including some civilians. In late August 1996, a coordinated multi-state attack hit army, police, and government targets in Oaxaca, Guerrero, Puebla, and the Federal District, killing 18 and wounding more than two dozen people. Guerrilla forces also blocked roads in Chiapas to distribute pamphlets, and they seized a radio station in Tabasco.

In November 2006, Joel Ortega, the Federal District’s Secretary of Public Security, said the 2004 beating and burning to death of two federal police officers by a mob of residents in the Tláhuac district may have been planned by the EPR. He also said he would not rule out the possibility that the EPR was involved in other major unsolved crimes, including a bank heist in early October 2006. The thieves made off with an estimated 231 million pesos after boring a hole into a Banamex branch in the small town of Tecamachalco.

But it was between the months of July and September of 2007 that EPR carried out its most ambitious attacks to date. During this time, the guerrilla group claimed responsibility for several blasts on PEMEX oil facilities. In September of that year, explosions occurred in oil facilities in both Veracruz and Tlaxcala. Although state oil firm *Petroleos Mexicanos* said the attacks did not result in any casualties, some 2,000 businesses in 10 states went without power at a cost of about \$100 million per day. In May 2010, the EPR was accused of being involved in the kidnapping of a prominent Mexican political figure, Diego Fernández de Ceballos, a friend of Mexican President Felipe Calderón and former leader of Mexico’s National Action Party. The EPR repeatedly denied any involvement, and de Ceballos was freed in December 2010 following the payment of a ransom by his family (estimated at around \$20 million).

Though the international media has largely focused its attention on the Mexican cartels—the EPR remains an interesting organization that has proven successful in carrying out attacks, though only sporadically.

Ejército Zapatista de Liberación Nacional—EZLN (Mexico). In the Declaration of the Lacandon Jungle of 1993, which the EZLN refers to as their declaration of war, the organization included the defeat of the Mexican Federation’s army as one of their goals. The EZLN expressed the desire—allowing the newly liberated population to elect freely and democratically their own authorities. In the declaration, the EZLN demands the termina-

tion of the looting of natural riches found in the areas controlled by the organization. The insurgent group goes on to ask the Mexican people for support in the struggle for work, land, education, justice, democracy, and respect for native rights, among other things. The EZLN, a barely armed indigenous guerrilla group, staged their armed uprising in the state of Oaxaca in January 1994. Their leader is known as Sub Comandante Marcos (bringing about the myth that there was a “commander,” a leader above Marcos) who currently continues to govern a group of villages in the southern state of Chiapas.

The goal of the Marxist-Leninist group is to bring autonomous control to the indigenous people of Chiapas, though not necessarily to overthrow the Mexican government. In a June 2005 communiqué and Sixth Declaration of the Lacandona Jungle, the EZLN stated its decision to listen to the Mexican populace, deciding to cease fire and no longer engage in attacks against the Mexican military or other opposing military movements. Despite choosing a pacifist means toward its struggle, the EZLN maintains, in that same statement, its obligation to the struggle. It also poses its desire for a new constitution that recognizes the “rights and liberties of the people and defends the weak in front of the mighty.”

The government has carried out a two-pronged approach of crackdown operations and negotiations to deal with Marcos and the EZLN. One of the bloodiest examples of operations against the EZLN was the December 1997 massacre, in which 45 members of the Tzotzil indigenous community were murdered. Mexican paramilitaries are accused of having carried out the attack, though accounts differ as to whether the government and/or military knew about or authorized the operation. Reported operations by the EZLN have been fairly low key in recent years. In September 2010, the Mexican daily *Cuarto Poder* reported that EZLN members blocked the Panamerican highway (in the Comitán-San Cristobal area). An indigenous protester said that the move was to protest the deployment of paramilitary troops to the region and accused the troops of torture. Even though the EZLN has lost momentum when it comes to being in the national spotlight, it remains a powerhouse within Oaxaca, with Marcos still free.

Other Groups. Finally, there are a number of armed groups that have either made statements or carried out some operations, but not enough is known of them to understand their ideology, origins, membership, and goals. In early 2009, a new rebel group appeared in northern Mexico, calling itself the *Movimiento Armado del Norte* (Armed Movement of the North) and railing against “the aggressions of foreign capital” and “the abuse and injustices of the current government,” according to February 2009 article in *The Dallas Morning News*. Nevertheless, aside from a couple of communiqués, the group has been silent and has not yet been attributed with any major operations, much less a reported political ideology. Another shadow Mexican group is called the *Fuerzas Armadas Revolucionarias del Pueblo* (People’s Revolutionary Armed Forces). Other groups elsewhere in the region include the *Frente Bolivariano de Liberación* (Bolivarian Liberation Front), the *Ejército del Pueblo en Armas* (Army of the People in Arms), and Brazil’s *Primeiro Comando da Capital* (First Command of the Capital). The website *Centro de Documentación de los Movimientos Armados* (Armed Movements Documentation Centre) is known for its publication of declarations and communiqués by Latin American armed movements. However, some groups are fairly unknown and it remains unclear as to whether they have carried out any attacks or if their cadres are simply made up of a few radical individuals, but not necessarily violent. Another argument is that some of these groups are simply facades for

criminal organizations that are trying to use political rhetoric in order to justify their illegal operations.

Inter-insurgent Cooperation?

A final point has to do with support between these insurgent organizations. Discussing the ties between terrorist groups or speculating on state support for terrorist organizations is difficult, in part because citing reliable examples is complicated. Does a common ideology and situation (i.e., being an insurgent movement fighting a government) create some common bond among insurgent organizations like the EPR, EPP, EZLN, FARC, ELN, and SL? How much support can one organization provide to another? Could they lend weaponry, financial supports, or troops (as advisors, for example)? In a hypothetical scenario, would an ideologically driven organization such as the EPP prefer to form an alliance with an ideologically similar organization like the FARC, instead of a money-oriented drug cartel? Or does ideology not matter at all? There are some examples that help give an idea of the complexity in trying to understand the relationships between these insurgent movements or lack thereof. For example, the EZLN's famous leader, Sub Comandante Marcos, has denied any connection to the EPR, although the EPR has stated their support for the mostly anarchist Zapatistas. Another example comes from the Peruvian media, which has reported for years how FARC troops cross the Putumayo River (the border between Colombia and Peru) to meet with Shining Path leaders. Regarding these two insurgent groups, a common interest to create an alliance is probably not because of their shared political ideology, but instead to strengthen their ties and control cocaine production and trade.

Additionally, Venezuela's outspoken President Hugo Chávez has been accused on occasion of supporting both the FARC (by allegedly providing them with AT4 anti-tank weapons) and the EPR. The *Coordinadora Continental Bolivariana* (CCB), an entity created by Chávez to support nations and organizations with ideologies similar to that of the Venezuelan leader—including the FARC—has been accused of trying to expand outside of Colombia's border by opening "offices" in other countries. Likewise, Bogotá officials have accused the FARC of becoming close with a non-hemispheric terrorist group, the Spanish ETA. In 2008, then-Colombian Vice President Francisco Santos was quoted as saying, "The FARC's contacts with ETA and drug traffickers exporting cocaine to Europe are not new, and when they are secure in Colombia, they try to do harm overseas." A retired Colombian general, who was interviewed by the author, confirmed reports by different media outlets about possible links between the FARC and Paraguay's EPP. There have also been accusations that the EPP and Mexican EPR may have received training in Venezuela.

With regard to Mexico, not much has been written about any possible ties, if they exist at all, between the drug cartels and movements like the EPR and EZLN. For example, the Sinaloa cartel is expanding its influence in the Mexican state of Oaxaca where the EZLN operates. So far, it is unclear what actions, if any, the Zapatistas have taken regarding the presence of this criminal organization in its area of influence.

Questions to Ask in Order to Understand the Ideological Framework of Violent Groups in the 21st Century

In July 2008, a FARC statement reiterated, "We'll never be the ones—never, a thousand times never—to lay down our weapons," thus reaffirming their commitment to continue

the fight “for communist ideals and against imperialism.” Such statements bring up a number of questions:

- What is so attractive about leftist ideologies that militant organizations still turn to them for inspiration?
- How “loyal” are these groups to their political ideologies?
- Does the fact that the new groups arose in poor states like Paraguay signal a backlash against democracy/capitalism?

When looking at the FARC, ELN, and Shining Path, it is important to consider the extent to which they have remained loyal to their decades-old ideological origins. While the FARC and ELN still label themselves as communists and claim to battle capitalist oligarchs, resorting to drug trafficking and the targeting of non-armed civilians seems to have dissolved their credibility with the civilian population. In Shining Path, the faction that still resorts to violence has separated itself from the “old guard,” which dates back to the group’s founder, Abimael Guzmán. The violent faction, under the leadership of Artemio, argues that it continues the social struggle, while both the government in Lima and the military continue to label it as a “narcoterrorist” organization, thus denying it any legitimacy.

Regarding the EPR, EPP, and EZLN, it is too early to determine their loyalty to their ideological origins. This is especially true of the EPR and EPP, because their existence has been relatively brief and their operations very limited. It is difficult to fully understand how far these organizations are willing to go; for example, whether or not they will target civilians. When it comes to the EZLN, the group has been largely concerned with avoiding targeting civilians, though rumors exist that the group is resorting to extortion in order to maintain their status in Chiapas. In their *Declaración de la Selva Lacandona 1993*, the EZLN chose to deny in advance any association of their “just” cause to narco-trafficking or of narco-guerilla activity. The EZLN claimed that their struggle is a standard bearer of equality and justice. In *Ética y Política*, Subcomandante Marcos, the EZLN leader, made his first statement in more than two years by openly criticizing the Mexican government’s war against drugs. The letter, released on February 14, 2011, states that from the beginning of the government’s war against drugs, it was already lost and had no justification in “destroying the social fabric in almost every national territory.” The EZLN’s open critique of the Mexican government’s war against drugs, as well as narco-trafficking, sheds a light on the ideological stance of the EZLN—or the very least the image it seeks to portray.

From the little that is known of their ideology, EPP, EZLN, and EPR do, however, have some general points of comparison. The three groups are all Marxist-Leninist and were formed in particularly poor regions of their respective states. More importantly, the three combine Marxist-Leninist ideas with local national heroes and events. It is not a goal of this article to discuss how Latin American groups, past and present, combine local heroes and traditions with their overall political ideology, though this is also a topic worthy of greater research.

Latin America: Still a Breeding Ground for Insurgency/Violence?

Unfortunately, much like the genesis of the terrorist/insurgent organizations in the 1950s to 1970s, there are a great deal of factors today that still promote the creation and growth of such groups. Latin America holds the dubious distinction of traditionally serving as a

breeding ground for left-wing terrorism, dating back to the 1960s, and participating in the proxy wars of this era, due to various domestic issues relating to the Cold War. Much has already been written about the roots of terrorism, so there is little need to go into greater detail on this topic. Of course, the usual culprits include: poverty, dictator-style governments, indifference of leaders toward the needs of the population (particularly the lower classes), rampant corruption, lack of proportional representation, and lack of development such as jobs and infrastructure.

In their 2010 report in *Latin American Politics and Society*, Feldmann and Perala argue that, “nongovernmental terrorism tends to surface cyclically and to be more prevalent in countries that have long-established nonstate organizations with a history of engaging in terrorist activities.” Flaherty explains how such radical groups appeal to the youth, stating that, “the appeal of such groups to poor, uneducated youth for whom there are few, if any, alternatives is obvious. However, the seeming enigma of relatively well-educated terrorists can also be partly explained on the basis of a similar developmental trajectory.” One popular author on the psychology of terrorists, McCauley, describes how difficult it is for people to believe that the violence committed by terrorists is possible unless it is explained by psychopathy: “People want to believe that terrorists are psychologically ill, that their theatrical violence falls far outside the realm of normalcy.” Other experts hint at reasons—such as that terrorists are motivated by hate and frustration. Andrea Korn Maikovich argues that “becoming a terrorist is a graduated process; it happens not all at once, but over time, as the inhibiting forces of cognitive dissonance are reduced within the individual contemplating terrorism.” Maikovich delves deeper and tries to dissect the members of terrorist groups, explaining that as members of violent groups move up the ranks, they begin to become more secretive and distant from their families. This is an important factor in determining who will remain in the group and who will abandon it before they become the perpetrators of violence themselves. One factor to mention about Maikovich’s analysis is that it focuses heavily on Muslim terrorist organizations, as well as, occasionally, European groups or incidents in the United States. There is no mention of Latin American insurgent groups, or how political ideology influences their creation and membership.

For its part, the U.S National Intelligence Council predicts that by 2020 “in parts of Latin America particularly, the failure of elites to adapt to the evolving demands of free markets and democracy probably will fuel a revival in populism and drive indigenous movements, which so far have sought change through democratic means, to consider more drastic means for seeking what they consider their ‘fair share’ of political power and wealth.” The study, called *Mapping the Global Future: Report of the National Intelligence Council’s 2020 Project*, was based on interviews of several experts on regions across the world, focusing on trying to predict future security issues that could potentially affect U.S interests.

Experts who have written about the future of security in Latin America tend to highlight the “ethnic edge.” The executive summary of a June 2004 conference entitled *Latin America 2020: Discussing Long-Term Scenarios* gives the scenario that “the emergence of politically organized indigenous groups may also entail a risk to regional security.” Meanwhile, Sarah Radcliffe, of the University of Cambridge, explains that “in the anti-terror geographies of fear, commentators perceive a clear tie between armed groups and activist ethnic groups, identifying a homology between Islamic fundamentalism and Latin American ethnics. This imagined geography pits the ‘axis of evil’—including certain Latin

American states—against the U.S.-centered coalition.” Countries with large indigenous groups, like those in the Andes and Central America, are usually assumed to be sources for potential instability, since regional governments there are generally perceived as weak and corrupt. The election of Evo Morales, an Aymara Indian, to the presidency of Bolivia, along with his ongoing semi-nationalistic initiatives, seems to be a warning sign of what could possibly be expected in the future. With that being said, Alejandro Toledo, who was the first ethnic Indian to become head of state in Peru, remained quite Washington-friendly in his policies (diplomatic and trade related) and could hardly be described as a source of regional security concern, unlike how Morales or Venezuela’s Hugo Chávez tend to be categorized.

Unsurprisingly, the possibility of ethnic unrest is tied to politics, as well as if economic decisions carried out by the powers-that-be positively affect the lower classes of a country. Radcliff explains that “large numbers of Indians remain impoverished under neoliberalism, trapped by segregated labor markets, limited product outlets, insecure land tenure, and weak social welfare.” It is understandable that ethnic groups in Latin America are perceived as potential sources of unrest. After all, in most countries, it is the indigenous people who are usually both the majority of the population and have the worst economic status.

Nevertheless, it is worth mentioning that the rise of these ethnic groups is almost placed in an ideological vacuum. These groups are generally labeled “populist,” using modern day examples like Bolivia and Venezuela for precedents. Does populist inevitably refer to having a Socialist/Communist influence in nature? What links can be made of such uprisings, ongoing or potential, with the terrorist groups of the 1980s and the newly formed organizations (like the EPP and EPR) that we see today? Does the Paraguayan EPP represent such a group, while perhaps not a fully ethnic (little is known about the ethnic composition of their members) populist group?

Conclusions

Gregory Weeks concludes his 2003 article in *Human Rights Review* by stating that, “for over a decade, military forces across the region have been attempting to redefine their roles in the absence of a Communist threat. The fight against terrorism can easily be regarded as a way to protect national sovereignty from insidious foreign elements that have taken root domestically, while also fostering closer ties to the United States.” The extent to which external powers are physically supporting (read financing and/or arming) groups like the EPP, EPR, and EZLN is unclear. It is currently “in vogue” to accuse Venezuela’s Hugo Chávez of such support; however, such arguments remain debatable. Even if groups like the EPR and EPP contain no foreign element, such organizations could potentially rise to become significant security threats, particularly for militarily weak countries like Paraguay or for countries that are common breeding grounds for violence like Mexico, which already has its hands full with the drug cartels. The internal security role for Latin American militaries may be far from over, especially because the current socioeconomic panorama of the region, just as it was 30 and 50 years ago, remains ripe for new blood in the form of insurgent groups to rise.

Does this mean that insurgent groups with a political ideology could make a return? The rise of the Mexican drug cartels, the Mara gangs, and the evolution of the FARC and Shining Path into narcoterrorists in the past decade and a half seemingly supported the idea

that ideological armed groups were a relic of the Cold War. However, the EPP may provide a counterfactual to such notions, proving that populist ideologies could, indeed, make a comeback. Nevertheless, the obvious problem is trying to figure out just how faithful these new groups, and the remnant organizations from the Cold War, remain to their stated political beliefs. One thing is clear—all of these armed groups have carried out attacks, not just against their respective governments and security forces, but also directly on civilians (either via kidnappings, car bombs, or straightforward murder). In fact, Latin American insurgent groups have historically attacked civilians just as much as they have targeted security forces, perhaps creating an even greater need to closely monitor these developments in the near future.

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La Legítima Defensa en Perspectiva

Vicente Torrijos

RESUMEN

Este documento analiza la evolución de la institución de la legítima defensa y su relación con la prohibición del uso de la fuerza. Estudia el camino hacia la consolidación del concepto clásico de legítima defensa, sus elementos y sus requisitos. Posteriormente, presenta tres posiciones acerca de la evolución de esta institución jurídica hacia un esquema anticipatorio, desde la posición de los Estados y los instrumentos del derecho internacional. Finalmente, muestra el camino por recorrer para el establecimiento y consolidación de la noción de la legítima defensa preventiva.

La legítima defensa se ha constituido como una de las instituciones más estables e importantes del derecho internacional y así como una de las bases de la comunidad internacional moderna.

Su fundamentación histórica se remonta a la misma esencia del Estado Nación, la consolidación de la noción de comunidad internacional, y el largo camino hacia la proscripción del uso de la fuerza.

Desde los mismos inicios del Estado Nacional, con la Paz de Westfalia y paralelamente con los principios fundantes de Soberanía y no injerencia que se mantienen hasta hoy, los líderes de las naciones, los políticos, ejércitos, los doctrinantes del derecho internacional y los Estados mismos se han preguntado sobre la pertinencia, legalidad y la posibilidad de la guerra y el uso de la fuerza entre Estados a la luz de la territorialidad y la soberanía.

Antes de los grandes acuerdos del Siglo XX la guerra era un atributo más del Estado, noción que apoyada en las doctrinas del derecho natural, circunscribía todo acto bélico en el *ius ad bellum* del Estado. Fue una amplísima potestad solo sometida a su libertad y soberanía, que era difícilmente reprochable y no desataba consecuencias de ilegitimidad para el Estado. Más adelante, como nos lo recuerda la doctrina del derecho internacional,¹ importantes autores como Hugo Grocio empezaron a teorizar acerca de las guerras justas e injustas, abriendo el sendero hacia la proscripción excepcionada de la fuerza.²

El uso de la fuerza era un derecho ilimitado, propio del Estado, utilizable en tiempos de paz para desactivar amenazas o como detonante de una guerra que el Estado consideraba necesaria o inevitable.

A medida que se va relativizando el *Jus ad Bellum* de los Estados, que en su versión más amplia, era un derecho ilimitado y potestativo a hacer la guerra, se va volviendo más relevante y necesario un concepto que indique las oportunidades donde el uso de la fuerza sea legítimo. Para el advenimiento de tal concepto, que se asemejará a la muy antigua causal de exclusión de responsabilidad de la clásica doctrina penal³ predicable sobre los individuos, fue necesario que se cristalizara el acuerdo sobre la proscripción del uso de la fuerza que el sistema de Naciones Unidas hoy representa.

La historia del derecho internacional demuestra que solo fue tras los horrores de la Primera Guerra Mundial que se empezaron a consolidar prohibiciones claras del uso de la fuerza que admitían pocas excepciones, materializadas en foros como la Sociedad de Naciones e instrumentos como el Pacto Briand-Kellogg. Este último contiene una de las más claras prohibiciones generales de la guerra y el uso de la fuerza consignada en tratado multilateral alguno.⁴

Con posterioridad, y tras el segundo descarnado conflicto mundial, simultáneo al nacimiento de la nueva base de la sociedad internacional—las Naciones Unidas—se prohibió de forma patente el uso de la fuerza en el Artículo 2 de la Carta de la Organización, como medio necesario para la consecución del Artículo 1 (mantenimiento de la paz), junto con el reconocimiento de la soberanía, la buena fe y la necesidad de otros mecanismos para resolver disputas internacionales:

Artículo 2

Para la realización de los Propósitos consignados en el Artículo 1, la Organización y sus Miembros procederán de acuerdo con los siguientes Principios:

1. La Organización está basada en el principio de la igualdad soberana de todos sus Miembros.
2. Los Miembros de la Organización, a fin de asegurarse los derechos y beneficios inherentes a su condición de tales, cumplirán de buena fe las obligaciones contraídas por ellos de conformidad con esta Carta.
3. Los Miembros de la Organización arreglarán sus controversias internacionales por medios pacíficos de tal manera que no se pongan en peligro ni la paz y la seguridad internacional ni la justicia.
4. Los Miembros de la Organización, en sus relaciones internacionales, se abstendrán de recurrir a la amenaza o al uso de la fuerza contra la integridad territorial o la independencia política de cualquier Estado, o en cualquier otra forma incompatible con los Propósitos de las Naciones Unidas.

Acompañando tal prohibición de la guerra y el uso de la fuerza, la amenaza y su uso en contra de la integralidad territorial e independencia de los Estados, en consonancia con los principios de soberanía y no injerencia y además suscrita a los propósitos de las Naciones Unidas, la Carta también fue pionera en definir claramente el tema en cuestión, el contenido de la legítima defensa, en su Artículo 51:

Artículo 51: Ninguna disposición de esta carta menoscabará el derecho inmanente de legítima defensa, individual o colectiva, en caso de ataque armado contra un miembro de Naciones Unidas, hasta tanto que el Consejo de Seguridad haya tomado las medidas necesarias para mantener la paz y la seguridad internacionales. Las medidas tomadas por los miembros en ejercicio del derecho de legítima defensa serán comunicadas inmediatamente al Consejo de Seguridad, y no afectarán en manera alguna la autoridad y responsabilidad del consejo conforme a la presente carta para ejercer en cualquier momento la acción que estime necesaria con el fin de mantener o restablecer la paz y la seguridad internacionales.”

Si bien este artículo consagra la legítima defensa como un derecho de los Estados, un instrumento de seguridad del Estado pero a su vez propio de los esquemas de Seguridad Colectiva y vincula su ejercicio a la participación del Consejo de Seguridad, fue la práctica de los Estados, la costumbre, las fuentes del derecho y los casos que a lo largo de los siglos XVIII y XIX le dieron contenido jurídico al concepto en su acepción internacional. Ese contenido mismo es el objeto de las evoluciones y las discusiones en torno a las nociones de legítima defensa preventiva o ampliada que estudiaremos más adelante.

La legítima defensa en su estado más puro y restrictivo implica el cumplimiento de un grupo específico de requisitos que se consideran parte del derecho internacional consuetudinario y que se han mantenido como parte de la institución jurídica incluso después de la creación del artículo 51. Entre ellos se encuentra la certeza e inminencia del ataque, la imposibilidad de utilizar otros medios para disuadir o evitar la amenaza, y la proporcionalidad entre el uso de la fuerza y la amenaza misma. Igualmente, se predicaba sobre riesgos que pusieran en peligro la integridad territorial del Estado, su soberanía, existencia, sus ciudadanos y bienes.⁵

La no observancia de estos requisitos para las interpretaciones más clásicas, implica la ilegalidad de la medida e implica que el Estado incurre en responsabilidad internacional. Ya no es cobijado, por ejemplo, por la causal de exclusión de responsabilidad internacional “legítima defensa” consagrada en el proyecto de responsabilidad del Estado por el hecho internacionalmente ilícito.⁶

A partir de la Carta de Naciones Unidas, se han tenido por requisitos: la existencia de un ataque armado inminente (entendido como una operación militar regular o irregular enemiga), la necesidad del uso de la fuerza ante la ineficacia de otras medidas, la proporcionalidad entre la fuerza empleada y la fuerza amenazante a desactivar—escenario en el cual todo exceso desata la responsabilidad internacional en razón de la diferencia o exceso que se instaura como ilegal. Incluye también la inmediatez—que suscitará discusiones más adelante y que hace referencia a la relación temporal entre el derecho a defenderse, y la amenaza o ataque, especialmente ligada no a una noción de igualdad en el tiempo, sino de prontitud entendida como la vigencia que tendrá toda operación mientras la amenaza persista o como acción después de un ataque para desactivar su fuente o prevenir ataques futuros o complementarios (tal y como se predicó en un principio de la invasión a Afganistán tras los ataques del 11 de septiembre).

Finalmente, la Carta impuso a la legítima defensa las cargas de subsidiaridad y provisionalidad, pues esta no debe ser la medida definitiva, sino por el contrario, una medida provisional y previa a la entrada del Consejo de Seguridad al control y solución de la situación.⁷

De las consideraciones anteriormente realizadas, es posible concluir que del Artículo 51 se puede extraer la existencia, legalidad y vigencia de la legítima defensa preventiva (si es entendida como aquella que se da ante un ataque inminente y cierto pero no efectuado aún) y la legítima defensa colectiva, elementos fundamentales de las posteriores evoluciones del concepto. Luego veremos cómo existen versiones todavía más amplias de la legítima defensa que son el centro del debate en torno a la evolución del concepto.

Los hechos del 11-S y la evolución hacia la legítima defensa ampliada: tres posiciones

El acuerdo alrededor del alcance de la legítima defensa no presentó mayores sobresaltos

desde su cristalización en los instrumentos de las Naciones Unidas, y los debates que se suscitaron alrededor de algunos casos históricos como el bloqueo a Cuba durante la crisis de los misiles se resolvieron alrededor de interpretaciones más o menos estrictas del Artículo 51 y de los elementos consuetudinarios de la legítima defensa, especialmente la proporcionalidad y la inmediatez.

Pero desde 2001, se ha desatado el debate crucial acerca de los nuevos alcances del concepto y la correcta manera de interpretar sus requisitos y restricciones. Esto tiene que ver con los ataques a las torres gemelas en la ciudad de Nueva York, la posición del gobierno norteamericano, la invasión a Afganistán y la operación “Libertad Duradera,” la actitud de algunos miembros del Consejo de Seguridad sumada a la posterior ofensiva en Irak, incluido el advenimiento y consolidación de las nuevas amenazas del terrorismo internacional y los retos en seguridad del mundo globalizado, más la proliferación de armas nucleares.⁸

El nuevo estado de cosas respecto a la seguridad mundial, los esfuerzos de la seguridad colectiva, las amenazas irregulares,⁹ la necesaria extraterritorialidad de los riesgos que implica la globalización junto con los usos que hace de ella el terrorismo¹⁰ y la inminencia de una disputa entre el terrorismo y los poderes Estatales, han impulsado a los poderes políticos de gran cantidad de países miembros de Naciones Unidas en América y Europa a tomar decisiones que ponen sobre la mesa de debate la forma de entender los elementos propios de la legítima defensa, especialmente en lo que respecta a la inmediatez, la proporcionalidad y la necesidad.

De una mirada al espectro de las variadas consideraciones políticas y doctrinales alrededor de la evolución de la legítima defensa, es posible extraer tres grandes posiciones:

La primera de ellas es la posición de interpretación restrictiva, casi literal, del Artículo 51 y de los requisitos de la legítima defensa, que considera como ineludible el requisito que impone una interpretación estricta del texto en cuanto a la necesidad actual, efectiva, palpable, de un ataque armado para poder efectuar una defensa legítima. Para los partidarios de la legítima defensa clásica, un ataque preventivo invocando la legítima defensa en ausencia de un ataque real constituye un acto violatorio de la soberanía del otro Estado y compromete la responsabilidad internacional.

Esta doctrina soporta su posición en el riesgo que implica una interpretación amplia del artículo, que podría llevar a la generalización de ataques entre Estados basados en meras sensaciones de inseguridad o rumores de ataque. Para tal doctrina, también es necesaria la existencia de evidencia absolutamente cierta y convincente de que el ataque al que se quiere responder será repetido, pues en caso de no haberlas, se configura, por el contrario, una represalia por fuera de toda licitud.¹¹

Para esta posición, ampliar la interpretación a casos en que no existe un ataque inminente, es violar la Carta misma e, igualmente, implica pasar por alto el requisito de necesidad de la medida, que se constituye como uno de los elementos esenciales de la institución y busca que antes del uso de la fuerza se opte por otros medios para disuadir la amenaza.

Otra de las consideraciones en que se basa esta posición consiste en anotar que cuando no se observan los requisitos del Artículo 51, no solo se olvidan los requisitos de la legítima defensa, sino también sus fines autorizados, circunstancia que puede llevar a que la institución sea desviada para propósitos distintos de la efectiva y necesaria protección de la integridad territorial, existencia del Estado, sus ciudadanos y bienes.¹²

Una segunda tendencia, más moderada en cuanto a condenar la posibilidad de todo

ataque que se manifieste como preventivo, se sitúa entre los que consideran que los ataques preventivos ante amenazas no inminentes no constituyen una manifestación ampliada de la legítima defensa,¹³ pero no por ello tienen que ser automáticamente ilegales, pues pueden circunscribirse dentro del capítulo VII de la carta de las Naciones Unidas.

En concreto, esta doctrina circunscribe lo que algunos llaman legítima defensa ampliada y legítima defensa preventiva, en una institución del sistema internacional, distinta y ajena al régimen de la legítima defensa: la llamada acción preventiva.

A esta tendencia se suman aquellos que consideran que las manifestaciones actuales de este tipo de ataques preventivos anidan también en la poca efectividad del Consejo de Seguridad para aplicar, regular y dirigir tal institución jurídica.¹⁴

De tal modo, la existencia de una institución jurídica que permita la acción preventiva fuera de la legítima defensa es muy discutida e, incluso, existen quienes la justifican alrededor de una ausencia expresa de prohibición.¹⁵

Para tal doctrina, la diferencia entre legítima defensa y acción preventiva está en el grado de certeza de la amenaza: en la acción preventiva, el grado de certeza e inminencia de la amenaza o el ataque es mucho menor que en la legítima defensa. Incluso puede estar justificado simplemente por un requerido contexto de enemistad o tensión bélica entre dos Estados.

Partícipes de esta posición consideran que en virtud del mismo Artículo 39 y del Capítulo VII de la Carta de Naciones Unidas, ante probables amenazas a la paz, quebrantos a la misma, y actos de agresión (que no solo implican una amenaza de ataque armado inminente, como solicita el Artículo 51) es posible, en ausencia de inminencia absoluta de un ataque, realizar acciones bélicas preventivas contra un Estado enemigo del que se sabe que tiene planes futuros de poner en jaque la seguridad nacional o internacional. (Lo que involucra también en esta doctrina a los esquemas de Seguridad Colectiva.)

Dentro de esta tendencia que hoy mantiene rasgos de vigencia frente a la tercera posición que estudiaremos posteriormente, existen quienes interpretan que la Carta de las Naciones Unidas prohíbe el ataque o acción preventiva pues prevalece la prohibición del uso de la fuerza y su excepción de la legítima defensa. No obstante, para los impulsores de esta posición, la práctica actual de los Estados ha forjado un espacio para permitirla ante la presencia de amenazas irregulares provenientes del terrorismo internacional y la proliferación nuclear.

La presente posición no solo se aparta en mucho de los linderos de la legítima defensa, sino que también puede considerarse como una externalidad frente a la pretensión de los esquemas de seguridad colectiva universal, pues en el centro de su justificación está la guerra entre dos Estados que permite, dentro de un ambiente bélico, acciones preventivas ante amenazas no inminentes¹⁶ pero de alguna manera esperadas por el intercambio de hostilidades.

Siendo este un modelo que opera dentro de los linderos de tensiones entre dos o más Estados, sólo faculta a poner en conocimiento del caso al Consejo de Seguridad para que sea él y no el Estado quien tome las medidas preventivas. Asimismo, en alguna medida desconoce la existencia de la posibilidad de efectuar legítimas defensas preventivas por fuera de escenarios como aquellos, por lo que ante una sospecha de amenaza, pero fuera de los linderos de la acción preventiva.¹⁷

Finalmente, la tercera posición respecto a la evolución de la institución de la legítima defensa es aquella que propende por la legalidad y necesidad de la consolidación de

una visión ampliada de la legítima defensa clásica, que sea adecuada para responder a las amenazas del mundo después del 9-11. O sea, de un mundo globalizado con amenazas irregulares, asimétricas, híbridas y desbalanceadas, ante las cuales, en razón del riesgo mayor que significan, el Estado no puede esperar su consolidación, inminencia o ejecución.

La legítima defensa ampliada, preventiva y anticipatoria: en busca de un consenso mundial

Como anticipábamos, los llamados peligros de un mundo globalizado no son más que amenazas para las ventajas y oportunidades de bienestar que la misma globalización representa, así que teniendo como punto de inflexión el 9-11 y el auge, durante los años siguientes, de la lucha mundial contra el terrorismo y el narcoterrorismo. Todo ello sumado al debate en torno a la legalidad de las acciones de Estados Unidos y sus aliados en Afganistán e Irak teniendo como referentes las restricciones clásicas de la institución. Ha sido la ONU la que en búsqueda de un consenso mundial y en razón de mantener al Consejo de Seguridad y a la Carta misma al frente de estas discusiones, la que ha promovido la cristalización del concepto de la legítima defensa preventiva a través de su adecuación a las necesidades actuales del sistema internacional.

Ante movimientos que promovían activamente la modificación de la Carta de Naciones Unidas, y que estuvieron en auge en el periodo 2003-2004 precisamente como respuesta a las presuntas diferencias entre lo que la Carta reflejaba y las acciones de Estados Unidos en su respuesta a los ataques en su territorio, la ONU, de la mano de Kofi Annan, desarrolló los documentos considerados como inspiradores de la doctrina de la defensa preventiva entendida como una acción propia de Naciones Unidas. Esto fue enfrentado a la doctrina Bush, que siempre justificó su legalidad basada en la unilateralidad.

El primero de estos documentos es el reporte, “Un mundo más seguro: la responsabilidad que compartimos. Informe del Grupo de alto nivel sobre las amenazas, los desafíos y el cambio,”¹⁸ considerado como precursor en asimilar el cambio de las condiciones de seguridad mundiales y promovedor de un nuevo consenso ante amenazas distintas a las que el mundo vivía durante la época de la redacción de la Carta de Naciones Unidas.

Las amenazas que identifica el grupo de alto nivel son transnacionales y transfronterizas, irregulares y no tradicionales que, como el terrorismo, la pobreza generalizada y la proliferación de armamento nuclear, radiológico, biológico y químico, retan la existencia y la estabilidad de los Estados. Requieren, por tanto, del acuerdo en fines y métodos de un renovado esquema de seguridad colectiva.

El documento reconoce el crecimiento de conflictos y actores internos que ponen en peligro la seguridad mundial, auge que contrasta con la reducción de los conflictos tradicionales Estado-Estado.

De tal modo, el documento no sólo identifica la necesidad de esquemas de legítima defensa preventiva sino que adiciona la necesidad de intervención preventiva en los ámbitos de mantenimiento de la paz y asistencia humanitaria en el contexto de esas mismas amenazas, brindándole coherencia al sistema de Naciones Unidas.

La propuesta, que busca ser llevada a consenso internacional, parte de que la dimensión restrictiva del Artículo 51 cede ante el derecho de los Estados de defenderse ante la inminencia de las amenazas que atentan contra su existencia, condición que sumada a la gravedad de los riesgos actuales debe permitirles actuar anticipadamente contra amenazas que en el evento de ser desatadas, pueden dar lugar a consecuencias irreparables. Estas

consecuencias, en todo caso, pueden evitarse gracias a acciones previas:

¿Puede un Estado aducir en esas circunstancias, sin recurrir al Consejo de Seguridad, el derecho de actuar anticipadamente en legítima defensa no sólo para evitar una amenaza inminente o próxima sino también para prevenir una amenaza que no sea inminente ni próxima? Quienes responden en la afirmativa aducen que el daño que puede dimanar de algunas amenazas (terroristas con un arma nuclear, por ejemplo) es tan grande que simplemente no se puede correr el riesgo de esperar hasta que la amenaza sea inminente y que ese daño puede ser menor (evitar un intercambio nuclear o la precipitación radiactiva como consecuencia de la destrucción de un reactor) si se actúa antes.¹⁹

Entonces, ante la tendencia generalizada entre los Estados más influyentes del sistema internacional a considerar la legítima defensa preventiva y anticipatoria como práctica necesaria para hacer frente a las nuevas amenazas, la ONU prefirió darle legitimidad al concepto dentro del sistema y vincularlo a su sistema de seguridad colectiva liderado por el Consejo de Seguridad.

Tal decisión resultaba en ese momento preferible a que los Estados se apropiaran de la medida y la utilizaran indiscriminadamente, sin consenso y de forma unilateral, circunstancia que podría implicar mayores desbalances en el sistema y enfrentar a los Estados en cuanto a la adecuación de la medida. Esta estrategia se reflejaba claramente en el documento:

190. La respuesta en pocas palabras es que si existen buenos argumentos para una acción militar preventiva y buenas pruebas que los corroboren hay que presentarlos al Consejo de Seguridad, que puede autorizar esa acción si decide hacerlo. Si el Consejo de Seguridad decide no hacerlo, por definición habrá tiempo para estudiar otras estrategias, entre ellas la persuasión, la negociación, la disuasión y la contención, antes de volver a la opción militar.

191. A quienes esa respuesta suscita impaciencia hay que decirles que, en un mundo lleno de amenazas que se consideran posibles, el riesgo para el orden mundial y para la norma de la no intervención en que sigue basándose simplemente es demasiado grande como para aceptar la legitimidad de la acción preventiva unilateral, en contraposición a la aprobada colectivamente. Dejar que uno lo haga es dejar que lo hagan todos.”

Esta declaración de aceptación de la nueva vertiente, basada en que podía ser perfectamente viable dentro del sistema de seguridad colectiva de Naciones Unidas, encontró su complemento en otro documento que analizaba la relación del sistema internacional, la seguridad, los derechos humanos y el desarrollo en el nuevo milenio. Incluye así un estudio de cómo lograr los grandes retos de la humanidad y la paz en un mundo bajo la amenaza terrorista: “Un concepto más amplio de la libertad: desarrollo, seguridad y derechos humanos para todos. Informe del Secretario General.²⁰

Tal documento reconoció que además del consenso alrededor de la legítima defensa preventiva, se deben desarrollar todos los elementos de la institución jurídica, incluida la diferencia entre amenaza inminente y latente. Eso significa que la legítima defensa anticipada y preventiva debe ser parte de la institución jurídica reconocida y sólo ser una especie

distinta a ella en lo que a la temporalidad de la acción defensiva y la inminencia del ataque respecta. No apartarla de la legítima defensa clásica significa, pues, construirla sobre las bases de legalidad que fundamentan a su predecesora, profundizando también en la subsidiariedad y provisionalidad para garantizar la participación legitimadora del Consejo de Seguridad:

126. La tarea no consiste en encontrar alternativas al Consejo de Seguridad como fuente de autoridad, sino en lograr que el Consejo funcione mejor. Cuando considere si ha de autorizar o aprobar el uso de la fuerza militar, los miembros del Consejo deben llegar a un acuerdo sobre cómo sopesar la gravedad de la amenaza; cuál es el propósito de la acción militar propuesta; las probabilidades de que otros medios distintos del uso de la fuerza permitan neutralizar la amenaza; si la opción militar es proporcional a la amenaza en cuestión y si hay una posibilidad razonable de éxito.²¹

Naturalmente, el alcance del debate no solo termina en las previsiones de estos dos documentos. Adicionalmente, desde la ejecución efectiva de la doctrina Bush, la operación “Libertad Duradera” y las complejidades respecto a la legitimación de la guerra en Afganistán e Irak, el mundo ha tenido diversas oportunidades para debatir los alcances de la legítima defensa ampliada y preventiva.

Un ejemplo ya paradigmático de cómo el concepto de la legítima defensa ampliada va haciendo carrera y suscita debate en escenarios regionales, es sin duda, el ataque de Colombia contra un campamento guerrillero de las Fuerzas Armadas Revolucionarias, FARC, en territorio ecuatoriano.

Este caso, más allá de sus particularidades políticas, fue una demostración de cómo se va forjando una doctrina acerca de la posibilidad de ataques preventivos o anticipados en otros territorios contra amenazas no estatales provenientes de grupos terroristas. Ataques que se emprenden invocando la legítima defensa (en una variante no clásica sino ampliada), sin mediar un ataque inminente de un Estado enemigo.

Aquel bombardeo, que tuvo lugar en el año 2008, evidenció cómo, a pesar de existir Estados a favor y Estados en contra de su legalidad, la institución jurídica se puede considerar como existente y utilizada. Así que fue invocada por Colombia y apoyada por Estados Unidos. Y aunque recibió condenas de países como Ecuador y Venezuela, así como críticas de la secretaria general de la OEA, fue el argumento que permitió su ejecución y justificación.

Estudios más actuales comentan que el uso de la legítima defensa ampliada no se limita a los escenarios ya mencionados, sino que desde un nivel político y con posterioridad a los documentos de 2004-2005 anteriormente citados, el concepto ha sido aplicado en varios casos. Incluyen las intervenciones del ejército francés en Costa de Marfil (Operación Licorne) incluso en compañía de misiones de mantenimiento de paz de Naciones Unidas; acciones defensivas de Israel en el conflicto con Palestina, incluidos los bombardeos a Siria, y desde la propia Unión Europea en operativos en diferentes territorios contra células terroristas, especialmente los desplegados por el Reino Unido en 2007-2008.²²

Tal aplicación relativamente reiterada demuestra que la legítima defensa ampliada es una vía de acción que empieza a manifestarse como opción para un grupo creciente de Estados, que la consideran posible y legal y así esperan hacerla valer ante la comunidad internacional.

Conclusión: el futuro de la legítima defensa

No hay duda de que la legítima defensa ampliada constituye un tema sensible en relación con la prohibición del uso de la fuerza y los principios de soberanía y no injerencia. Hemos visto como ha evolucionado desde una permisión del uso de la fuerza, a una prohibición absoluta, para luego pasar a una prohibición general con excepciones claras que a medida que cambian las circunstancias del sistema internacional exigen cuidadosa adecuación.

Las Naciones Unidas han optado por una solución en alguna medida salomónica que contempla las exigencias del mundo moderno y las urgencias de los Estados, pero que también se guarda de no legitimar una nueva tendencia y luego dejarla a la deriva.

Es así como hoy es una realidad que dentro del sistema de Naciones Unidas, esta interpretación amplia de la legítima defensa sea posible y defendible, pero solo bajo el concurso del Consejo de Seguridad. Se podría concluir que un ejercicio de defensa anticipada que se dé bajo el concurso del Consejo de Seguridad, con su autorización y posterior supervisión, será totalmente legal, o lo será cuando sin mediar una autorización expresa, se ciña a lo que el Consejo de Seguridad anteriormente manifieste como legítimo.

Por el contrario, si la acción es absolutamente unilateral y ni siquiera fundada suficientemente en un nivel de probabilidad aceptable, constituirá un desbordamiento de la legítima defensa desembocando en un hecho ilícito del Estado y comprometiendo su responsabilidad.

Simultáneamente, se impone la necesidad de trabajar en la definición clara de los elementos a proteger y las amenazas que pueden ser objeto de despliegues preventivos, para evitar que la flexibilidad de los Estados en su interpretación particular mine la credibilidad de la institución y la desvíe de las amenazas desde las que Naciones Unidas la justificó.

La práctica diaria de la política multilateral en el seno del Consejo de Seguridad, donde se presentan acalorados debates entre potencias y alianzas de países emergentes, demuestra que el gran reto para la legítima defensa ampliada. Tal y como se plantea hoy será, precisamente, que una vez reconocida como institución viable, manejable y legítima, obtenga el consenso necesario por parte de todos los miembros del Consejo de forma expedita en casos apremiantes.

De no ser así, se generalizará en la práctica internacional que los Estados la justifiquen y la apliquen de forma unilateral como parte de su política exterior,²³ dejando de lado las estructuras multilaterales y privilegiando su uso como un derecho propio del Estado.

Otro reto que enfrentará la legítima defensa ampliada, será, sin duda, el de lograr asentarse como práctica Estatal aceptada por las Cortes Internacionales, como la Corte Internacional de Justicia, que a lo largo de su historia se ha pronunciado en múltiples casos relativos a la legítima defensa, como el *caso de las actividades militares y paramilitares en Nicaragua y contra Nicaragua (Nicaragua v. Estados Unidos)* o la Opinión Consultiva *Licitud de la amenaza o del empleo de armas nucleares* del 8 de julio de 1996. En estos ya ha dejado entrever altas exigencias respecto a los elementos constitutivos de la legítima defensa en su vertiente clásica, sin que todavía haya tenido la oportunidad real de decidir sobre un caso de legítima defensa ampliada tal como la estamos percibiendo hoy.

En ese ámbito, es importante la relación entre la institución jurídica y la práctica estatal, dado que aunque ésta ya se encuentre relativamente consagrada en el sistema de Naciones Unidas como aceptable por los documentos anteriormente citados, aún no es de total aceptación en los sistemas de integración regional, tal como lo demuestra la posición de la OEA en el caso Colombo-Ecuatoriano.

Solo a medida que la doctrina encuentre más adeptos o, de alguna manera, logre superar debates críticos, puede abrirse camino como costumbre y hacer parte del derecho internacional consuetudinario, lo que le daría un sustento mayor en la práctica, adicional a su consagración en las resoluciones mencionadas.

En el futuro, el camino para quienes pretenden hacerla valer como derecho del Estado, será sin duda el de consagrarla en instrumentos internacionales e integrarla como parte de las Cartas de los sistemas de integración regional, incluyendo sus objetivos esenciales.

En otros términos, el impulso actual de la legítima defensa ampliada está directamente relacionado con el consenso mundial contra el terrorismo y las nuevas amenazas. De la capacidad que tengan sus promotores para ampliar estos esfuerzos dependerá en gran medida la imposición o no de la doctrina. Con la reducción de los conflictos entre Estados y el incremento de las amenazas irregulares, híbridas, simultáneas-y-múltiples, la legítima defensa ampliada se perfila cada vez más como una herramienta para combatir a los grupos armados ilegales y a las amenazas externas en escenarios donde los Estados que las albergan no pueden o no quieren actuar.

Esta circunstancia implica que la legalidad de la medida esta íntimamente relacionada con el rechazo a estos grupos y al terrorismo. Por el contrario, un uso arbitrario, permisivo e innecesario de la institución jurídica puede deslegitimarla y afectar el rechazo hacia aquellos fenómenos en los que ella misma se funda. Es decir, el terrorismo y las amenazas nucleares e irregulares, fenómenos que, sin duda, han venido moldeado y reconfigurando los principios de no injerencia e integridad territorial en temas de seguridad.

Notas

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³ Diego Manuel Luzón Peña, *Aspectos esenciales de la legítima defensa* (Editorial B de f, 2006).

⁴ Emmanuel Guerisoli, *Evolución del concepto de Legítima Defensa*, Centro Argentino de Estudios Internacionales Programa Derecho Internacional, pp. 1-28.

⁵ C. Waldock, "The Regulation of the Use of Force by Individual States in International Law," *RCADI* 82 (1952), pp. 450-519.

⁶ Naciones Unidas Asamblea General UN-AG, "Proyecto de Responsabilidad del Estado por el hecho internacionalmente ilícito," Anexo del 12 de Diciembre de 2001 a la resolución UN A/56/83, 2001, pp.1-15. Documento Electrónico.

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⁸ C. Gutiérrez Espada, "Los atentados del 11 de septiembre, la operación 'libertad duradera' y el derecho a la legítima defensa," en *REDI* 53 (2002), pp. 247-271.

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La Utilización de las Fuerzas Militares en un Ambiente Criminal y no de Guerra: Desafíos del Siglo XXI

Juan Carlos Gómez

RESUMEN

La utilización de las Fuerzas Militares en la lucha contra todas las amenazas criminales que afectan las democracias es viable y necesaria, pero lo importante es saber cuándo y cómo se puede utilizar la fuerza como primera opción para no incurrir en un acto ilegítimo e ilegal. Este artículo desarrolla la aserción por primeramente reconocer los términos “Derechos Humanos” y la “Ley de Humanitario Internacional” y como se puede aplicar y refrenar las acciones de las Fuerzas Armadas dentro del territorio de un país. Además, reconoce el peligro del tipo de guerra no tradicional actualmente ocurriendo contra las poblaciones de unos países, y como deben reevaluar la misión de la policía y las fuerzas militares y adaptarla a las nuevas ambientes operativas. Finalmente, este artículo afronta las preguntas desalentadoras de cómo completar estas nuevas misiones con éxito dentro de parámetros legales, y como responder a las alegaciones y ataques del “enemigo” que pueden tomar el formo de tácticos políticas y judiciales.

“No puedo cambiar la dirección del viento, pero si ajustar las velas para llegar a mi destino.”

—James Dean

Introducción

La utilización de las Fuerzas Militares en la lucha contra todas las amenazas criminales que afectan las democracias es viable y necesaria, pero lo importante es saber cuándo y cómo se puede utilizar la fuerza como primera opción para no incurrir en un acto ilegítimo e ilegal. Estas nuevas amenazas a las que se ven enfrentados los gobiernos por concepto de la globalización están dadas como dice Moises Naim por el control al tráfico de drogas, armas, ideas, personas y dinero. “...Estos mercados ilegales están dominados por redes ágiles, multinacionales y con muchos recursos, potenciadas por la globalización. Los gobiernos seguirán perdiendo estas guerras si no son capaces de crear y adoptar nuevas estrategias para hacer frente a estos nuevos desafíos que configuran el mundo tanto como lo hicieron en el pasado las guerras entre Estados...”¹

Existe la necesidad de entender la transformación de la amenaza, ver cómo las posiciones ideológicas han cambiado pragmáticamente hacia los intereses económicos y hoy los grupos armados de supuestas ideologías políticas contrarias (extrema izquierda y derecha) hasta se unen y conforman alianzas siniestras,² retando a los estados en materia de seguridad e incluso poniendo en riesgo la estabilidad democrática y la estructura de las instituciones.

Frente al nuevo panorama, las Fuerzas Militares se deben adaptar y actuar de manera

decidida y efectiva en la neutralización de los fenómenos criminales y terroristas que están en la mayoría de los casos lejos de las teorías de guerra convencional e incluso de la guerra de guerrillas. Ya no resulta viable adaptar a la realidad criminal las viejas teorías de la guerra, si no que por el contrario se deben crear y aplicar nuevas teorías y conceptos que enseñen y expliquen la actuación de las Fuerzas Militares en medio de la población y no en los campos de batalla tradicionales de los siglos XIX y XX con trincheras y enemigos. Por ese entonces se distinguían y regían por los valores propios de las guerras Industriales y/o la guerra de guerrillas en zonas aisladas de centros poblados o donde la muerte de no combatientes se entendía y aceptaba como una consecuencia más de la guerra.³

Las normas que permiten la actuación de los estados y su Fuerza Pública⁴ (Fuerzas Militares y Policía Nacional) para enfrentar y neutralizar cualquier amenaza que requiera el uso de la fuerza están dadas dentro del marco jurídico de los derechos humanos (DH) y el derecho internacional humanitario (DIH).

Marco legal de uso de la fuerza

El marco de DH es conocido como “*derecho de máximos*” porque se entiende como la norma que exige de los gobiernos y sus funcionarios los mayores niveles de cuidado y protección con relación a los ciudadanos a quienes está llamado a proteger. Este marco de actuación es en el cual de manera doctrinaria y estructural se mueven las policías. Es viable a través de estas normas enfrentar las realidades criminales y a la vez proteger los individuos, dejando en manos de la rama judicial las acciones penales a que haya lugar con base en los delitos cometidos y el ordenamiento legal existente.

Por su parte el DIH es conocido como “*derecho de mínimos*” porque se entiende que fue concebido para permitir el uso de la fuerza y tratar de recuperar la paz en el marco de un conflicto armado internacional o no internacional, tratando de generar el menor daño posible sobre las personas y bienes que no hacen parte de los objetivos militares. En los últimos sesenta años esta norma ha evolucionado y hoy dentro de una concepción pragmática, e independiente de la aceptación política o no de un conflicto, se aplica, previo el análisis de unas realidades objetivas como son: el nivel de organización de los grupos armados y el nivel de intensidad de la violencia que despliegan.⁵ Esta realidad jurídica es la que ha permitido la realización de operaciones ofensivas legales y legítimas de las Fuerzas Militares de Colombia en contra de los grupos armados ilegales que actúan en el país.⁶

Problema de aplicación de la fuerza en el marco de DH o DIH

De manera infortunada la clara diferencia teórica entre el derecho de máximos (DH) y el derecho de mínimos (DIH), se vuelve gris al momento de aplicar la fuerza frente a las nuevas amenazas que enfrentan los gobiernos con su Fuerza Pública. Los grupos armados ilegales, los criminales organizados y los no organizados, se mueven sigilosos y cobardes entre las dos esferas jurídicas; prefiriendo obviamente camuflarse y actuar en medio de la población en donde la aplicación de la fuerza para su neutralización se hace más difícil.

Cada error que la Fuerza Pública cometa en el empleo de la fuerza en contra de las nuevas amenazas que como se ha dicho se mueven en medio de la población, su nuevo campo de batalla, afecta de manera inmediata la credibilidad en las instituciones, generando efectos jurídicos en contra de los funcionarios y afectando a su credibilidad.

Cuando las características objetivas de aplicación del DIH se den en la posible neu-

tralización de la amenaza, ésta resulta útil y eficaz, para ello el planeamiento y ejecución de operaciones de la Fuerza Pública en ese marco es absolutamente lícito y ha demostrado ser efectivo. Lo importante eso sí, es entender que la fuerza se puede aplicar de manera ofensiva y letal, solo contra objetivos militares y en los casos no prohibidos de manera expresa por la ley.

Guerra en medio de la población

Es obvio que la amenaza que representan los narcotraficantes y todos los actores armados que se mueven detrás de este negocio ilícito son generalmente incapaces de sostener una confrontación armada contra las fuerzas regulares de los Estados. Por esta razón han convertido a la población en su centro de gravedad. Hoy, los grupos armados y criminales se mueven, actúan, utilizan y se benefician de la población; el campo de batalla y el área de operaciones, es precisamente en medio de la población.⁷

Nadie duda de la perversidad de los actores criminales, no tienen la aceptación entre la gran mayoría de la población y por el contrario los desprecian, pero eso no implica que el ciudadano tolere o acepte restringir, ceder o anular sus derechos al Gobierno y su Fuerza Pública para que los proteja. Por el contrario, cada error o acto percibido como ilegal o ilegítimo cometido por un funcionario público menoscaba la confianza de la gente. La suma de cuestionamientos y actos ilícitos en contra de los llamados a proteger independientemente de la vileza de los malos puede terminar por volcar la opinión pública en su contra.

Quienes de alguna manera llevan la peor parte en este nuevo ambiente operacional de confrontación en medio de la población son las Fuerzas Militares, pues están siendo utilizadas de manera cada vez más recurrente por los gobiernos para atender situaciones criminales que en condiciones normales deberían enfrentarse exclusivamente por fuerzas policiales. Las Fuerzas Militares deben rediseñar su doctrina para enfrentar las nuevas amenazas; en la guerra de hoy no hay victoria, ni capitulación de los vencidos. El uso de la fuerza no resuelve el problema; solo contribuye positiva o negativamente en la determinación de un resultado. A los criminales e integrantes de los grupos armados ilegales les interesa erosionar la voluntad de la población, generar caos y así hacer interminables los conflictos.

Hoy, lo que está en juego es la voluntad de la gente. Los Estados deben desarticular los grupos armados ilegales y criminales para derrotarlos sometiéndolos a la justicia, sin aniquilarlos.⁸ Se debe buscar por todos los medios lícitos y legítimos la cooperación de la población para dominar la amenaza. Nunca se debe confundir a la población con el adversario y los criminales, si se comete el error de tratar por parte de la Fuerza Pública a la población como enemigo, terminará de manera efectiva convirtiéndose en enemigo.

Se deben generar estrategias para cooptar la población a favor del Estado, acabando con la complicidad y neutralidad que favorece a quienes actúan al margen de la ley, y remplazarla por una conducta y acción imparcial y de cooperación con la autoridad institucional de la nación. Es decir se debe estimular la delación del delito y quitarle a los grupos armados y criminales las estructuras de apoyo que surgen de la población. La seguridad es y debe ser una responsabilidad de todos en la sociedad y no solo del Gobierno y la Fuerza Pública.

Las guerras que se libran en medio de la población permean y pueden corroer todas las instituciones de la sociedad incluida la familia. Por ello, el Gobierno y la Fuerza Pública deben tener presencia permanente en las poblaciones y lugares donde normalmente la ha

tenido, o ha logrado retomar control. De lo contrario, está dejando la iniciativa estratégica en cabeza de los grupos armados y la criminalidad que no desaprovecharan cualquier descuido para tomar o recuperar control, con o sin el beneplácito de la sociedad en que se instala.

La manera en que actúan hoy los grupos armados ilegales y los criminales hace que no siempre en su confrontación el uso de la fuerza sea la mejor opción. Si el Gobierno y la Fuerza Pública por el afán de neutralizar la amenaza que representan cometen el error de irse en contra de la gente termina actuando a nombre del criminal cooperando con su causa y con la estrategia de los delincuentes que busca la deslegitimación del Estado y las instituciones democráticas.

Un integrante del estado mayor de la organización terrorista IRA (Ejército Revolucionario Irlandés) decía en 1972 "...el mejor sargento reclutador que tuvimos fue el Ejército Británico..." La razón fue sin duda la cantidad de desafueros e irregularidades cometidas por los integrantes del Ejército de ese país, en la búsqueda de neutralizar a la IRA. Es obvio que esta no es una estrategia nueva de aquellos que actúan en la ilegalidad, por lo tanto resulta clave entender que los errores en el enfrentamiento a los grupos armados ilegales y criminales puede terminar engrosando el número de sus integrantes, deslegitimando el Gobierno, y la Fuerza Pública. Por lo tanto, incrementa las investigaciones penales y disciplinarias en contra de los funcionarios involucrados en irregularidades.

Nuevas misiones a los militares

Colombia no es el único país del hemisferio occidental que utiliza las Fuerzas Militares dentro de sus fronteras en temas diferentes a los de defensa. El presidente Mauricio Funes de El Salvador tan pronto asumió la presidencia en el 2009 dispuso la participación de los militares en la lucha contra la *Mara Salvatrucha*⁹ y aun hoy lo hacen de manera activa.¹⁰ En Brasil, las Fuerzas Militares contribuyen en la lucha que la Policía libra contra bandas criminales y narcotraficantes en las Favelas.¹¹ Ni que decir de México, cuyo Presidente Felipe Calderón en 2006 declaró "la guerra en contra del narco" en donde la participación de la Marina y el Ejército es permanente y cada día se comprometen más.¹² Al igual que los anteriores: Guatemala, Paraguay y Perú han recurrido a las Fuerzas Militares para atender problemas relacionados con la seguridad dentro de sus fronteras.

Adaptabilidad al nuevo ambiente operacional

Como se dijo anteriormente, lo ideal sería que la Policía atendiera de manera exclusiva los temas de seguridad en los países y la región. Infortunadamente la capacidad criminal y económica proveniente de la financiación con dineros del narcotráfico hace que los grupos armados ilegales y la delincuencia organizada superen en algunos casos la posibilidad de acción y reacción de las fuerzas de policía. Cuando esto sucede, es absolutamente legítimo que los gobernantes y la sociedad recurran a sus fuerzas militares para mantener el estado de derecho y minimizar la amenaza. Es por esta razón, que la adaptación al nuevo ambiente operacional en medio de la población no admite espera. O las Fuerzas Militares se adaptan y contribuyen de manera efectiva y eficaz en la neutralización de las nuevas amenazas o los gobiernos y la sociedad no encontrarán argumentos para justificar y mantener los grandes presupuestos que demandan su existencia.

En Colombia el marco de acción del DIH es cada vez más restrictivo. El contundente

éxito del Gobierno especialmente en los últimos ocho años ha hecho que muchas de las estructuras armadas ilegales que operaban en el país desaparezcan y las que subsisten, han perdido la capacidad de realizar acciones sostenidas y con los niveles de violencia que las convierten en objetivos militares legítimos. De eso precisamente se trata la Política de Defensa y Seguridad Democrática—acabar con la amenaza terrorista y criminal para hacer tránsito al desarrollo comunitario y de prosperidad en un ambiente de seguridad donde impere la ley ojalá sin necesidad de recurrir al uso de la fuerza por parte del Estado. Para la fecha, los grupos armados ilegales y los criminales que representan las nuevas amenazas tienen poco que perder en términos de control territorial, si sienten presión del Gobierno y de la Fuerza Pública únicamente se desplazan generando lo que se conoce como “el efecto globo.”¹³

En aquellos lugares de Colombia en donde aun delinque la guerrilla de las FARC es viable, útil, legal y legítimo, el uso de las herramientas legales otorgadas por el DIH para neutralizarla, es decir, las operaciones ofensivas en contra de objetivos militares pueden seguir siendo la primera opción. Pero cuando se trata de acciones en medio de la población en donde la posibilidad de generar daños es más grande que el mal que se busca resolver, definitivamente el marco de actuación que debe regir es el de DH y la aplicación de la fuerza debe ser la última opción y solo debería utilizarse en legítima defensa propia o de terceros.

Las nuevas amenazas criminales no son susceptibles de negociación política, deben ser enfrentadas con todo el rigor de la ley, y sus integrantes capturados y sometidos a la justicia. No cabe dar estatus político y de negociación a organizaciones e individuos que no tienen ningún tipo de ideario político o causa noble desde el punto de vista social. Se mueven exclusivamente por interés económico pero de manera obvia siempre ven en la negociación política la posibilidad de obtener beneficios y eternizar la confrontación. Por esta razón, buscan la intermediación de iglesias, líderes políticos, sociales e incluso organizaciones internacionales. Los grupos criminales subsisten en medio de la población y la utilizan.

¿Cómo se pueden utilizar las Fuerzas Militares en un ambiente ajeno a su naturaleza como es la lucha contra el crimen, actuar bajo el marco normativo, tener éxito y mantener su bien máspreciado—la legitimidad?

Lo primero y fundamental es conocer el tipo de amenaza que se está enfrentando. Tener un observatorio que permita de manera objetiva y real conocer el tipo de organizaciones y de delitos que se enfrentan, para poder así planear la mejor estrategia y el curso de acción en cada circunstancia.

La complejidad jurídica y el ambiente garantista de las democracias occidentales exige de los gobiernos y su Fuerza Pública pulcritud y precisión quirúrgica en el desarrollo operacional. La participación de los abogados militares (AJO)¹⁴ con conocimiento y experiencia operacional ha demostrado ser eficaz en el caso colombiano. Los Comandantes deben contar en sus estados mayores con abogados que los asesoren en el proceso de planeación operacional, así como al momento de la ejecución y evaluación de las mismas.

Se deben emplear reglas claras para determinar el uso de la fuerza a aplicar dependiendo del tipo de operación en que se actúa. En el caso de las Fuerzas Militares Colombianas se han establecido dos tipos de tarjetas que llevan las tropas a cada una de las operaciones identificadas por colores azul y rojo. En el caso de la tarjeta azul, el marco de acción es el propio de acciones policiales, es decir de DH y la fuerza se utiliza como última opción y

solo en legítima defensa o de terceros. Por su parte, la tarjeta roja se utiliza en operaciones planeadas en el marco del DIH contra objetivos militares, en donde el uso de la fuerza se puede ejercer ofensivamente y si la necesidad militar lo exige de manera letal.¹⁵

Se debe trabajar de manera coordinada con la Policía Judicial, Fiscalía y en general todo el aparato de justicia. Cada acción en medio de la población debe estar acompañada por la rama judicial, para que a través de ella se establezcan las acciones penales a que haya lugar. Sin duda el papel de la inteligencia y los procedimientos ajustados a derecho resultan indispensables en la judicialización cuando se opera en un ambiente de DH.

Los errores y los posibles hechos delictuales por parte de los funcionarios públicos son inevitables en el ambiente operacional actual. Lo importante es siempre atender e investigar todas y cada una de las denuncias que se presenten en contra de los miembros que integran la Fuerza Pública.

La verdad debe ser la premisa en toda acción, ya que los errores pueden ser perdonados cuando los mismos se cometen de buena fe, se admiten y se responde por ellos, pero la mentira resulta imperdonable y la afectación a la legitimidad es inminente.¹⁶

Cuando un individuo que hace parte de la Fuerza Pública incurre en una conducta que transgrede de manera abiertamente dolosa el código penal y las normas disciplinarias, se le deben ofrecer las garantías que otorgan la Constitución y la Ley para su defensa pero su conducta se debe apartar del ámbito institucional. La lealtad institucional debe estar por encima de la individual, no se puede afectar la credibilidad y legitimidad de la institución por tratar de defender una conducta individual cuestionable. Ejemplos de este tipo se han visto, cuando se captura en flagrancia individuos de la Fuerza Pública que se han valido de su investidura para delinquir o actuar de manera irregular. Las violaciones a los DH se materializan cuando funcionarios públicos cometen delitos y los mismos no se separan del ámbito institucional, lo cual trae consecuencias políticas, legales y económicas para la nación.

Los niveles Estratégico, Operacional y Táctico que se han conocido tradicionalmente en el análisis de las guerras cada vez están más cerca el uno del otro. La globalización, los avances tecnológicos, las redes sociales, entre otros, hacen que lo que pasa en el área de operaciones sea esta en zona rural o urbana, se conozca casi de manera inmediata en cualquier latitud de la tierra. Hoy, situaciones tácticas pueden y generalmente tienen efectos a nivel estratégico, lo que hace que se pueda de manera real ganar todas y cada una de las acciones en el terreno, pero sin embargo generar una percepción negativa al más alto nivel de la opinión pública.

La percepción que una situación particular genere en la sociedad, es determinante en los resultados finales de cualquier confrontación. Los Comandantes a nivel estratégico y operacional deben estar en permanente contacto y controlar las unidades a nivel táctico y tener la capacidad de reaccionar, adaptarse y tomar decisiones a medida que se den los acontecimientos en el terreno.

¿Cómo enfrentar las acciones políticas y jurídicas del adversario?

Una de las preocupaciones más grande que asalta a quienes integran la Fuerza Pública son los riesgos legales por sus acciones en contra de las nuevas amenazas en un ambiente totalmente garantista. Las investigaciones penales y disciplinarias con razón, amedrantan y en ocasiones frenan la voluntad de lucha de militares y policías. Igualmente es cierto, que denunciar penalmente funcionarios públicos y demandar administrativamente al Estado es

rentable política y económicamente.

Son muchos y variados los intereses detrás de los daños y de los posibles errores cometidos por funcionarios de Estado. Esta situación de manera irónica favorece a los ilegales, pues mina la credibilidad del Estado frente a los ciudadanos, pero no por cierta esta realidad se puede satanizar a quienes de manera legal se lucran y benefician políticamente por errores o fallas de la Administración. La única posibilidad de acción frente a quienes atacan jurídica y políticamente al Estado y sus funcionarios es la denuncia ante las autoridades judiciales cuando los mismos violen la ley penal.

Dar la cara, decir la verdad y demostrar con argumentos sostenibles a nivel legal como se da cada una de los hechos objeto de denuncia, es la mejor y única manera de salir bien librados en el evento donde se cuestiona una acción de la Fuerza Pública. Por su parte, la peor estrategia de defensa es no dar la cara, decir mentiras, verdades a medias, o dejar que medios de comunicación y terceros especulen frente a lo que fue o no fue.

Salir a defender los intereses de la Fuerza Pública alegando guerra política, jurídica o judicial, sin dar argumentos que expliquen a la opinión como se dieron los hechos, es casi igual que tomar un arma y darse un tiro en el pie. Es herir de manera profunda la legitimidad.

Nada afecta tanto la credibilidad y el buen nombre de la Fuerza Pública, como el hecho de refutar una denuncia, simplemente alegando sin fundamentos de validación una estrategia de desprestigio del enemigo para afectar el buen nombre de la institución. Ojo! No con esto se quiere decir que no existan falsas denuncia, (claro que las hay!) y no han de ser pocas. Lo que se pretende plantear es, que si se acusa a la Fuerza Pública de manera falsa, es responsabilidad y obligación de los afectados convencer a la opinión y a la justicia que dicha aseveración carece de veracidad. No hacerlo y defenderse alegando guerra política o jurídica, es tanto como aceptar la responsabilidad de la Fuerza Pública en los hechos y permitir que la opinión pública, sin la información completa y veraz, saque conclusiones que normalmente afectan el buen nombre de la institución.

Es absolutamente posible que en situaciones de confrontación donde se hace uso de la fuerza se afecten o mueran personas inocentes, se dañen o destruyan bienes civiles y en general haya fallas en el servicio prestado por el Estado. Es por esta razón que existen figuras jurídicas a nivel administrativo como son la responsabilidad sin falta por riesgo excepcional o el daño especial,¹⁷ que adicional al concepto de falla del servicio permiten a quienes resulten afectados por un hecho en donde intervino la Fuerza Pública accedan a compensación económica por el daño sufrido.

La Conciliación Prejudicial o Judicial¹⁸ para resarcir los daños generados por el Estado a través de sus funcionarios es un excelente mecanismo que de manera rápida atiende las víctimas de situaciones inesperadas y no deseadas. Adicionalmente, desestimula a quienes pretenden obtener beneficios políticos y económicos en contra de la institucionalidad y cuando se demuestra la buena fe en la acción por parte de los funcionarios de estado, los puede exonerar de responsabilidad penal, disciplinaria y administrativa.

Reflexión final

Los Gobiernos tienen en las Fuerzas Militares un instrumento válido y eficaz en la lucha contra las nuevas realidades que afectan la seguridad y quebrantan la estabilidad democrática de las instituciones del Estado. Resulta fundamental eso sí, revisar la doctrina

y adaptar la Fuerza Militar a las nuevas amenazas. De lo contrario se puede terminar haciendo mayor daño que el que se pretende evitar o detener.

Los DH son la base de las normas que sustentan el accionar del Gobierno y su Fuerza Pública en la lucha contra las nuevas amenazas y eso implica un uso de la fuerza limitado y restringido en su confrontación. Si las Fuerzas Militares son requeridas por los gobiernos para enfrentar realidades criminales, deben adaptarse al fenómeno que enfrentan sin perder su naturaleza y actuar en el ámbito que por excelencia y desde su creación ha pertenecido a la Policía.

Por su parte, el DIH es un instrumento jurídico amplio idóneo que permite a los comandantes el uso de la fuerza de manera ofensiva dentro de unos parámetros objetivos como son el nivel de organización de los grupos armados y el nivel de intensidad de la violencia que despliegan. Si estos parámetros se dan y existen las condiciones jurídicas dentro de los Estados, como de hecho ocurre en Colombia, además de la férrea voluntad política para confrontar a los grupos armados, la neutralización a través de esta normativa es practicable y eficaz.

En el siglo XXI, las sociedades democráticas se sienten a gusto con sus libertades y cada día son más las voces exigiendo a los gobiernos sus derechos y garantías conquistadas, que a pesar de la existencia de la criminalidad no están dispuestas a ceder. Son muchos los beneficios que ha obtenido la humanidad a partir del reconocimiento y el ejercicio de autoridad a nivel universal (Naciones Unidas/ONU) y regional (Organización de Estados Americanos/OEA) en materia de respeto de la dignidad del individuo y sus derechos. Estas realidades implican un reto grande para las instituciones encargadas de la seguridad y la defensa, que deben cumplir la misión y ser efectivos en contra de las nuevas amenazas en un marco legal garantista, que no tolera y denuncia los excesos.

El intangible de la legitimidad es y seguirá siendo el mayor capital y baluarte del Gobierno y la Fuerza Pública, el cual no se puede ignorar ni mucho menos sacrificar en el enfrentamiento a los grupos armados ilegales y las nuevas amenazas. El privilegio de gobernar y de tener el monopolio en el uso de las armas a nombre de la sociedad obliga a quienes ejercen esta facultad a realizarlo de forma legal y con apego a los más altos valores éticos y morales.

Ni los gobiernos ni la Fuerza Pública pueden cambiar la dirección de los vientos en materia legal y de derechos fundamentales y garantías, pero si pueden y deben ajustar sus velas y sus procedimientos para cumplir los ideales democráticos, brindar seguridad y defensa dentro de un marco que les permita mantener la credibilidad y legitimidad de la población que justifica su existencia.

COOPERATION AND CONTROVERSY

The Honduran Coup of 2009: Application of the Inter-American Democratic Charter

Kevin Newmeyer

ABSTRACT

This paper examines the Honduran Coup of 2009 as a case study of the application of the Organization of American States Inter-American Democratic Charter. The Charter, unanimously approved by the Organization in September 2001, consolidated and built upon earlier OAS efforts to support and defend democracy in the hemisphere. The study highlights the steps taken by the OAS and its member states and examines the difficulties multilateral organizations have in trying to effect democratic changes inside of a state. While the OAS took the severest actions permitted by the accord, the coup was not reversed. The sanctions remained in place nearly two years afterwards.

The events in Tegucigalpa, Honduras, in late June 2009 challenged the Organization of American States (OAS) and its ability to ensure democratic governance in accordance with the Inter-American Democratic Charter (IADC). The Charter and its commitment to democratic governance and constitutional succession came face to face with a classic military coup (Colburn & Trejos, 2010, p. 11; Hernandez, 2010). Coups in the Americas were thought to be a thing of the past with only the 2002 coup attempt in Venezuela occurring since 1996 (Colburn & Trejos, 2010; McCoy, 2006). When the Honduran military placed President Zelaya on a plane in the middle of the night on June 28, 2009, it put in motion a series of events that led the Organization of American States to invoke the IADC that continues to the present day. This paper will look at the invocation of the Charter and its effectiveness, or lack thereof, as a study in international governance and the ability of international actors to respond to challenges in domestic crises that challenge representative democracy. It will assess the tools invoked under the Charter and their effectiveness in achieving an outcome. It will also look at the variables involved in Honduras and how they affected the actions of the principle international actors in the crisis and their effects on the underlying democratic principles challenged by the coup.

Background

President Manuel Zelaya won the 2005 election as the leader of one of the two center-right parties that dominated Honduran politics for many years (Thale, 2009; Vargas Llosa, 2009). In 2007, he announced he had become socialist and strengthened ties with Venezuelan President Hugo Chávez and the Chávez-led Bolivarian Alternative for Latin America (ALBA) (Thale, 2009; Vargas Llosa, 2009). Due to leave office in January 2010 at the end of his term according to the Honduran Constitution, Zelaya initiated a call for a public referendum on changing the Constitution that many thought would allow him to run again (MSNBC News Service, 2009; Thale, 2009; Vargas Llosa, 2009). Several ALBA leaders including Chávez and Morales used the constitutional convention process to establish new constitutions that allowed them to continue with multiple terms in office (Colburn & Tre-

jos, 2010; Vargas Llosa, 2009). Ortega in Nicaragua used a packed Supreme Court to gain a favorable ruling to allow him to run for a consecutive term (Bremer, 2009). The Honduran Constitution of 1982 contained specific prohibitions on succession, and even calling for a change to the constitution to allow for succession was a violation (Sanchez, 2009; Vargas Llosa, 2009). Article 239 of the Honduran Constitution of 1982 states “No citizen who has already served as head of the Executive Branch can be President or Vice-President. Whoever violates this law or proposes its reform, as well as those that support such violation directly or indirectly, will immediately cease in their functions and will be unable to hold any public office for a period of 10 years” (Sanchez, 2009, pp.1-2).

On June 26, Zelaya ordered government employees to participate in the referendum on the coming Sunday, June 28 (Sanchez, 2009). Zelaya never specifically discussed the nature of the constitutional reform he was seeking (Thale, 2009). He did nonetheless frighten the oligarchies and power brokers in Honduras, and he lost the support of his party (Thale, 2009). His calls for the referendum and related actions involving the ballots triggered the Honduran Supreme Court to issue several rulings stopping the referendum and directing Zelaya to follow the Constitution (Sanchez, 2009; Vargas Llosa, 2009). This resulted in a situation where a consensus of the other branches of government and power in Honduras believed that Zelaya was abusing his power as president and violating the Constitution (Hernandez citing a cable from U.S. Ambassador Llorens, 2010). This set in motion the classic Honduran military response to a president they disagreed with, a plane trip to Costa Rica in the middle of the night (Hernandez, 2010; MSNBC News Service, 2009; Thale, 2009).

The coup was immediately denounced internationally (Hernandez, 2010; MSNBC, 2009). The Permanent Council of the Organization of American States issued a resolution (CP/Res. 953) on June 28, 2010, that condemned the coup and convened an extraordinary session of the organization’s General Assembly (OAS, 2009a). On June 30, 2010, the General Assembly issued Resolution AG/RES. 1 (XXXVII-E/09), invoking the Inter-American Democratic Charter Article 20 (OAS, 2009b).

The Organization of American States and the Inter-American Democratic Charter

The Organization of American States is the oldest regional organization in the world. It currently has 35 member states including Cuba in a suspended status (OAS, 2011). With its foundational Charter signed in 1948, it adopted the principle that member states should be representational democracies (Fabry, 2009, p. 110). Over the intervening years the member states adopted additional resolutions and declarations in support of democracy efforts and rejection of nondemocratic forms of governance. The Santiago Commitment adopted by General Assembly Resolution AG/Res. 1080 in 1991 declared representative democracy as the only legitimate form of government in the hemisphere (Fabry, 2009, p. 110). Adopted the same day as the attacks of 9/11, the Inter-American Democratic Charter represented the culmination of the defense of democracy process in the Organization of American States (Fabry, 2009, p. 110). The Charter reinforces the Santiago Commitment to representative democracy as the only legitimate form of government for the Western Hemisphere (Fabry, 2009, p.108). Constitutional succession following the end of a term is the recognized and accepted way to transfer power (Colburn & Trejos, 2010, p.11). While not immune to charges that the commitment to democracy was held hostage to realpolitik during the Cold War (Levitt, 2006), the Organization has shown a steady tendency to support the develop-

ment of democracy within the region.

The April 2001 Summit of the Americas directed the OAS foreign ministers (the highest body within the OAS system) to draft the IADC to consolidate and strengthen the Organization's active efforts in defense of democracy and eliminate emerging forms of authoritarianism in the region (Levitt, 2006, p. 95; Fabry, 2009, p. 111).

Article 21 requires the suspension of a member state following an interruption of the democratic order (Levitt, 2006, p.96; OAS, 2001). The coup in Honduras triggered the consultations required by IADC Article 20 and the suspension required by Article 21. While debate occurred on whether it was a coup or not (Hernández, 2010; Sánchez, 2009; Vargas Llosa, 2009), the consensus of international opinion in the OAS and United Nations labeled it a coup (MSNBC News Service, 2009).

Over the following days and weeks, various factions within the Americas took actions to attempt to reverse the coup. The Hondurans installed the head of the Congress, Roberto Michelette, as the interim president. Zelaya, from his exile, vowed to return. He was supported by Chávez and his ALBA supporters. Their efforts even included using Chávez's presidential plane to fly Zelaya and others back to Tegucigalpa where the Honduran military thwarted efforts to land by blocking the runway with military vehicles (Wilkenson & Rendros, 2009). Eventually Zelaya was smuggled across the land border from Nicaragua and took refuge inside the Brazilian embassy in Tegucigalpa (Walter & Cancel, 2009). After his efforts to be reinstated failed, he eventually went into exile in the Dominican Republic following the swearing in of President Lobo in January 2010 (Ellingwood & Rendros, 2010). Honduras was restored to full membership at the OAS General Assembly in June, 2011 (OAS, 2011).

Policy Issue

The fundamental policy issue involved was the extra-constitutional alteration of power that was properly classified as a coup. This presented the Inter-American community with a clear violation of the IADC and initiated a series of actions by international organizations, nation states, and organs of each.

The consensus trend of OAS and United Nations governance is that coups are a violation of democratic order. In the case of the OAS, this requires the Organization and its member states to undertake efforts to restore democratic legitimacy. Articles 19, 20, and 21 of the Inter-American Democratic Charter specify the actions to be taken.

Article 19 states that an unconstitutional interruption or alteration of the democratic order or constitutional regime within a member state presents an insurmountable barrier to participation within the Organization (OAS, 2001, Art. 19). This is the article that forced the OAS to suspend Honduras once the action was declared a coup.

Article 20 allows for the Secretary General or any member state to call for the Organization's daily governing body, the Permanent Council, to convene and initiate diplomatic efforts to resolve the crisis (OAS, 2001, Art. 20). Included among the options for the Permanent Council was the ability to convene an emergency session of the General Assembly to consider the matter. This is in effect an escalation of diplomatic initiatives and pressure.

Article 21 grants the General Assembly the power to suspend the member state immediately from all activities of the OAS (OAS, 2001, Art. 21). It in fact requires the General Assembly to suspend if it determines there is a violation of democratic order (OAS, 2001, Art. 21; Levitt, 2006, p. 96). The suspension required a 2/3 vote. This is significant in

the case of Honduras and in light of the general pattern of operations of the OAS. Normally the Organization operates and votes on a consensus model that tends to lead to accommodative responses to issues (Levitt, p. 97-98).

On June 28, 2009, the OAS reacted to the overnight removal and deportation of Zelaya by convening a special meeting of the Permanent Council at the request of the Secretary General in accordance with Article 20 of the IADC (OAS, 2009a). That meeting unanimously adopted Resolution CP/953 (1700/09), which condemned the coup de état, the ouster of Zelaya, and the alteration of the democratic order in Honduras; it also called a special session of the General Assembly for June 30, 2009 (OAS, 2009a).

The June 30th session of the General Assembly continued actions in accordance with the IADC. It confirmed the actions of the Permanent Council in condemning the coup and unconstitutional disruption of democratic order, ordered the safe return and restoration of Zelaya, declared that no government arising from the coup would be recognized by the Organization, and tasked the Secretary General and others to attempt diplomatic initiatives to resolve the crisis (OAS, 2009b). The resolution also established a 72-hour window before invoking Article 21 of the IADC and the required suspension of Honduras. The deadline passed and Honduras was suspended by the General Assembly on July 4, 2009 (OAS, 2009c).

Over the next several months, various diplomatic efforts occurred without achieving the restoration of Zelaya. The United States suspended millions in non-humanitarian aid to Honduras on September 3, 2009 (Kellerhals, 2009). In late October, the powers in Honduras agreed to the Tegucigalpa–San José Accord negotiated by Oscar Arias without allowing the restoration of Zelaya. The accord led to the acceptance of the interim unity government by others within the region, the provision for the scheduled general election in November 2009 followed by the winner taking office in January 2010, and the establishment of a truth commission to investigate the events surrounding the removal of Zelaya (Honduras News, 2009). Essentially, the Honduran leadership waited out the international community (Colburn & Trejos, 2010, p. 15).

President Lobo won the election and was sworn in as President in January 2010. The truth commission began its investigation in May 2010 and continues its work. Following Lobo's inauguration, bilateral U.S. and European Union aid resumed; but the OAS still has not lifted its Article 21 sanctions (UPI, 2010).

Policy Outcome

Even though the OAS sanctions remained in place in 2011, Honduras effectively outlasted the pressure. The IADC failed to prevent or reverse the actions taken by forces within Honduras. Zelaya never regained the presidency and continued to be in exile. The truth commission created in the San Jose accord continues its investigation. The results may provide closure. On February 17, 2011, the Honduran Congress approved a referendum that, if approved, will significantly alter the constitution (Latinnews Daily, 2011). Included among the reforms are alterations to Article 239 to allow for presidential reelection (Latinnews Daily, 2011).

The limited ability of a regional organization to change events inside of a member country is not new. Levitt (2006) argued that domestic politics in the member states determined the action the states took under the umbrella of multilateral institutions. He also pointed to the lack of authoritative definitions of democratic governance and what con-

stituted a basis for intervention (2006, pp. 95-97). McCoy noted that when confronted by mass protests combined with murky legislative or military action to remove a president, the international community will grudgingly accept the *fait accompli* and focus on the follow on transition and return to constitutional order (2009, p. 771). This is clearly the line of action the United States followed with Honduras. Fabry (2009, p.108-109) pointed to the weakness of international law and organizations in determining internal constitutionality. Stich and Miller (2008) in their discussion of policy networks stated that the basic social structures and rules limited the actions of the coalitions involved, consistent with Fabry for international actors. In this case the Hondurans (Sánchez, 2009; Vargas Llosa, 2009) argued that the actions taken were legal and just in accordance with the Honduran Constitution, whereas the OAS clearly rejected this assertion. Given the difficulty of the international community in a case as clear as Honduras in 2009, the more subtle challenges to democratic governance posed by some members of the ALBA alliance clearly challenge the OAS and the Inter-American Democratic Charter (Colburn & Trejos, 2010; Fabry, 2009; Levitt, 2006; McCoy, 2006).

The competing coalitions within the OAS kept Honduras in suspension. U.S. efforts to lift the Article 21 restrictions remain stymied, with Brazil and Argentina leading the resistance (Quinn, 2010). The OAS Secretary General Insulza (2010) cited the success of the coup and the *de facto* government in holding on until the ascension of Lobo; and although recognizing the reluctance of some sectors, he called for normalization with Honduras in his opening address to the 2010 General Assembly. Again this reflects the friction of competing policy networks (Stich & Miller, 2006) and the limited set of tools available to international policy makers and the structural limitations on using them (The Johns Hopkins Center for Civil Society Studies, 2003).

Democratic Principles Involved

The coup and its aftermath presented a number of challenges to democratic governance. First and foremost, the interruption of the constitutional order without due process violated the fundamental requirement of consent of the governed. The removal by force, in lieu of an arrest and trial for Zelaya if he had in fact violated the Honduran Constitution and his duties as President, violated the rule of law.

The unequal distribution of wealth and power in Honduras contributed to the problems. Zelaya played the neopopulist card (McCoy, 2006; Thale, 2010), which challenged the oligarchs. Latin America in general suffers from great disparity in wealth and chronically weak rule of law (Colburn & Trejos), allowing elites to act as they please with great impunity. The success of the coup continued the discrediting of democratic institutions in the region and highlighted the weaknesses of the international institutions to effect change (Colburn & Trejos, 2010, p. 12; Insulza, 2010; Levitt, 2006).

Another area of concern in the Honduras coup centered on allegations of human rights violations (Insulza, 2010; Human Rights Watch, 2011). Grandin (2009) cited Amnesty International reports of police beatings of protestors and mass detentions of Zelaya supporters, especially following Zelaya's return to the country. The Truth Commission has been charged with investigating this issue but no prosecutions have occurred to date. These allegations should continue to receive international attention.

Relationships and Network Interactions

The Honduras Coup of 2009 and its aftermath involved the interactions between numerous actors and policy networks inside and outside of the country. Internal interactions included the president and the other constitutional organs of Honduran government; the president with his citizenry; and the president with the country's nongovernment power centers. On the international level there are multiple bi-lateral and multi-lateral interactions to consider.

On the national level, the following network/variables are significant in the coup and its aftermath:

1. The interactions between the Constitutional Authorities in Honduras: President Zelaya, the Congress, and the Supreme Court. The Supreme Court found Zelaya to be violating the Constitution in his push for the referendum, and congress launched an investigation prior to the coup (Latin American Newsletters, 2010, p. 2). Congress accepted the purported resignation of Zelaya following his arrest and removal to Costa Rica and voted Micheletti, the constitutional successor, as the interim president.
2. Zelaya and the military. Prior to the coup, Zelaya ordered the dismissal of the head of the armed forces in reaction to the military, executing the orders of the Supreme Court to seize the referendum ballots (Latin American Newsletters, 2010, p. 2). An army unit seized Zelaya from his home in the early hours of June 28 and flew him to Costa Rica (Latin America Newsletters, 2010; Hernández, 2010; Thale, 2009). This action was key to the issue being labeled a coup and invoking the IADC (Latin America Newsletters, 2010, p.3). It was a poor choice in response to a real threat to democracy (Colburn & Trejos, 2010, p. 11; Vargas Llosa, 2009). Had an arrest occurred and judicial processes been observed, the international response could have been significantly different.
3. Zelaya and the oligarchs. As Vargas Llosa (2009) commented, Zelaya came from the oligarchy and changed midterm. As he took more steps down the ALBA playbook on retaining power, tension increased and the business and political elites in the country opposed Zelaya.
4. Zelaya and the public. Leveraging the inequities in Honduran society, Zelaya appealed to the leftist elements within the country. The protests and counterprotests following his removal indicate the appeal he had with some segments of the population (Walter & Cancel, 2009).

On the international level a multitude of policy networks became involved with Zelaya and the coup. Bilateral and multilateral interactions occurred and were intimately involved in the immediate and long-term results of the crisis.

1. Honduras and the OAS. As the multilateral organization most closely related with the crisis, the OAS faced significant challenges with the build up to and the aftermath of the coup. The OAS did invoke the Inter-American Democratic Charter and for the first time suspended a member state for violating the IADC. This remains a significant policy decision. The crisis also showed the limited power of a regional organization to produce desired outcomes in a member state opposed to the international solution (Levitt, 2006). The continued suspension of Honduras after the election of Lobo reflected the rivalries within the OAS itself.

2. ALBA and the OAS. ALBA led the calls for OAS action on Honduras (Latin American Newsletters, 2010; MSNBC News Service, 2009). Chávez was able to seize the initiative in the public opinion arena.
3. Zelaya and ALBA. Following the coup, ALBA provided a platform and tools to exploit the public relations game for Zelaya. The aborted flight to Tegucigalpa on Chávez's plane (Wilkenson & Rendros, 2009) and the eventual smuggling of Zelaya into Honduras (Walter & Cancel, 2009) were victories for ALBA in keeping the outside pressure on Honduras.
4. ALBA and the United States. Chávez formed his alliance as a counter to Washington and its liberal economic policies. Relations between the two have been poor for many years. The U.S. response to the 2002 Venezuelan coup provided fuel to Chávez and an indication of potential future reactions when a regime disinclined to U.S. interests is pushed aside (Fabry, 2009; Levitt, 2006; McCoy, 2006).
5. U.S. and Honduras. The United States followed the OAS line in the initial response to the crisis. Although U.S. law required the suspension of aid with the coup, the issue was "studied" for a few days (Thale, 2009) with aid formerly suspended in September 2009 (Kellerhals, 2009). While Zelaya may not have been a U.S. favorite, public declarations by the administration conformed to the coup characterization (Hernández, 2010; MSNBC News Service, 2009; Thale, 2009). The U.S. led efforts to normalize relations with Honduras following the inauguration of Lobo and the implementation of San Jose-Tegucigalpa Accord (Quinn, 2010; UPI, 2010).
6. U.S. and the OAS. In the globalized, post-Cold War, post-financial crisis world of 2009 and beyond, the United States does not have its historic leverage (Levitt, 2006, p. 113; McCoy, 2006, p. 772). Rising regional powers such as Brazil pushed back and delayed normalization (Insulza, 2010). The multilateral structure of the Organization frustrated the United States (Kuleta, 2011).

Insights

Perhaps the most telling insight from the coup is that coups can still occur. While Latin American history is riddled with military coups dating almost to the independence from Spain (Galeano, 1997), McCoy (2006) noted the marked decrease since 1990 with the last coup before Honduras being Venezuela in 2002.

The coup also pointed out the continued weakness of the international organizations in resolving democracy issues and overt threats to democracy. The system remains constrained by the traditions of classical national sovereignty and a tradition of nonintervention in internal affairs (Levitt, 2006). All the reviews are not bad, however. The OAS took a decisive stance in this coup and implemented the tools available. This was the first time that the OAS suspended a member state for violation of the Inter-American Democratic Charter. The weakness lies in the limited tools available. The IADC depends on the willingness of the member state to take action and its receptiveness to diplomatic good offices.

The external implementation of democracy remains difficult, if not impossible. Democracy is a complex, interrelated set of beliefs and practices for domestic governments in how they respond and interact with their citizenry (Fabry, 2009, p. 108). International organizations such as the OAS or United Nations are not designed to resolve governance conflicts within individual countries (Fabry, 2009, p. 108). This is the case even in such a classic challenge to the democratic order as the 2009 coup in Honduras. The system is

even less capable to respond in situations where the tools and trappings of democratic governance are used to support and strengthen authoritarianism such as in Venezuela, Bolivia, and Ecuador (Colburn & Trejos, 2010). In each of those countries, democratically elected leaders have used what Colburn and Trejos (2010) called “constitutional subterfuge” to drastically alter property rights, freedom of speech, and governmental separation of powers. Apart from efforts in Nicaragua in 2005, when internal factions aligned to attempt implementation of constitutional changes to limit the power of the sitting president, the OAS did not invoke the Inter-American Democratic Charter for an internal governance issue (McCoy, 2006, p. 766).

Another insight draws from the increased role of other regional actors in the hemisphere. The US role as the dominant economic and political power in the OAS traditionally was mitigated by the smaller powers such as Mexico, Argentina, and Brazil. Brazil assumed a significant role in the Honduran crisis when Zelaya took refuge in the nation’s Tegucigalpa mission (Heine, 2009). The recent regional trend of increasing subregional integration and formation of new multilateral institutions offers additional areas for research. SICA, the Central America Integration System, moved to reinstate Honduras in July 2010 (Americas Society, 2010). The readmission by its neighbors is significant. Brazil, as the emerging global power in the region, remains key to full reintegration of Honduras within the OAS system.

The unanimity of the rejection of the coup was significant. Although the United States was likely not very fond of Zelaya and his swing toward ALBA, it did condemn the coup immediately. This was not the case with the 2002 coup in Venezuela (Levitt, 2006, pp. 110-113). One challenge to action in the OAS has been the tradition of consensus. While it has not been used thus far in the Honduras case, Article 23 of the IADC only requires a 2/3 majority to lift sanctions (OAS, 2001). Recently, the OAS passed nonunanimous resolutions on the Nicaragua–Costa Rica border dispute (OAS, 2010). A move away from the consensus model may allow for greater action, especially on internal threats to democratic governance.

Given the nature and structure of the OAS, an area for further research would be evaluating its ability and likely response in the event of an Egypt or Tunisia-like movement in Cuba or one of the more authoritarian states. At present Cuba has very limited Internet access, and the government highly restricts its use (Miroff, 2011). If communications technology were to spread on the island, it would make for interesting times. Given Cuba’s suspended status with the OAS and its strong support from Chávez and his ALBA allies, there is little likelihood of direct intervention in a consensus manner. It would likely produce highly charged debates and calls for action. For an organization with spreading democracy as one of its missions, it will most likely have to take some concrete steps to support a broad-based citizen initiative. Rising food prices provide another potential trigger for widespread unrest. Several countries in the hemisphere are at risk of food riots (Larkin, 2011).

Summary

The Honduras Coup of 2009 brought a direct implementation of the Inter-American Democratic Charter. The organization took immediate action but was unable to restore Zelaya to office. This situation reiterated the difficulty that international institutions have in resolving

internal crises of democracy. The current tool set at the disposal of regional organizations like the OAS is insufficient to force democratic change on an unwilling member state. The common tools of economic leverage (aid cutoff, suspension of project, trade embargos, etc.) would, in fact, probably hurt the poorest elements in the society, who are not even likely to have been involved in the threat to democracy (Fabry, 2009, p.130). The events of the Arab Spring of 2011 in North Africa and elsewhere offer potential for regional organizations to support citizen-driven efforts for greater democracy. It will be interesting to see if they rise to the challenge.

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Constitutional Coups? Military Interventions in Latin America

Howard J. Wiarda and Hilary Collins*

ABSTRACT

Americans are so committed to elections and democracy as the only legitimate path to political power that it is sometimes hard to conceive of politics by other means. Moreover U.S. policy-makers tend to believe that elections occupy a higher realm of moral authority, and hope that, with democracy-assistance programs, Latin America and other developing areas will “move beyond” revolutions, coup d’états, general strikes, and other non-electoral routes to power. But as the Silvert quote below indicates, non-electoral paths may still be pursued especially in crisis circumstances; furthermore, these extra-electoral means may enjoy both legitimacy and constitutional mandate. In this article we test these propositions as they apply in Latin America.

“Military coups are a regular, recurrent, normal part of the Latin American political process.”

—*Kalman H. Silvert*†

Democracy Policy in Latin America

At least since President Ronald Reagan, the US has been pursuing a pro-democracy foreign policy. His administration created the National Endowment for Democracy (NED) and its subsidiary organizations, the International Republican Institute (IRI) and the National Democratic Institute (NDI). He then used these organizations to influence the creation of a moderate, centrist, elected, middle way in Central America; to help support democratic movements in Eastern Europe; and to help delegitimize the non-democratic regime in the Soviet Union. Every president since then, with variation, has followed the Reagan agenda of seeking to advance democracy; by this time we have democracy/human rights offices in the State Department, Defense, and the Central Intelligence Agency; and such international organizations as the United Nations (UN) and the Organization of American States (OAS) have adopted democracy charters and/or democracy offices. Still, with all of Reagan’s efforts to promote democracy both domestically and abroad, there exists the possibility of military intervention in many countries in the Hemisphere.

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† Kalman H. Silvert, *The Conflict Society: Reaction and Revolution in Latin America*, New Orleans, LA, Hauser Press, 1961.

In the course of pursuing his democracy-promotion agenda, Reagan discovered a number of advantages, which helps explain why his successors have followed and expanded the policy and why it has wide bipartisan support. First, it gives moral purpose to US foreign policy and reinforces the longtime American belief that the United States is a “beacon on a hill,” and a “light to the world”; no one would dare to disagree with that. Second, it serves as a way to unite the often-feuding departments and agencies—State Department, Defense Department, CIA, and now FBI and Homeland Security Department—behind the policy, to overcome what in the academic literature is called the “bureaucratic politics” of foreign policy decision-making. Third, Reagan discovered that democracy promotion is good domestic politics; he found that otherwise opposing religious and human rights groups, the media, and the other party in Congress would support his policies if they were stated in pro-democracy terms. Finally, Reagan discovered that democracy promotion was good policy in Central America, Eastern Europe, and the Soviet Union, leading generally to moderate, centrist, middle-of-the-road governments that are easier for the US to deal with than either right-wing authoritarians or Marxist regimes. Moral purpose and good policy were thus combined.

Then, when the Soviet Union collapsed and Russia, for a time, as well as Eastern Europe, adopted democracy, the agenda seemed vindicated. In his famous book, *The End of History*,¹ Francis Fukuyama argued that democracy was the terminus of the Hegelian dialectic; other political scientists proclaimed that democracy was “the only game in town.” The funds for NED were vastly increased and one prominent neoconservative predicted that in a short time “all the world would be democratic.” With regard to Latin America, the mantra became that all countries, except Cuba, were democratic. Within foreign affairs agencies like the State Department, the Agency for International Development, and others, the consensus on the democracy agenda was so strong that no other alternatives or possibilities were considered. The few doubters—Samuel Huntington (*The Clash of Civilizations*),² Peter Berger (*Many Globalizations*),³ and other scholars who suggested democracy was incomplete or partial—were either dismissed or ignored.

Now, the wheel has turned once again. First, the United States itself is not doing so well economically and there is less eagerness in the Third World to emulate the US model. Second, China is doing spectacularly well; the Asian model of strong state direction and close coordination between the public and private sectors is widely popular. Third, twenty years’ experience has shown that some so-called democracies continue to utilize repressive practices; additionally, fourth, that democracy by itself does not, as Latin American citizens expected, automatically produce social and economic improvement. And fifth, in quite a number of countries (Belarus, Russia, Venezuela, and Honduras) there have been reversals of democracy or the use of the “democracy” label to disguise undemocratic practices.

This article focuses on one aspect of this issue, namely the constitutional role of the armed forces in Latin America.⁴ The dilemma, as exemplified by the coup d’état that ousted President Zelaya in Honduras in 2009, is that while the US and the OAS push the democracy agenda, the Honduran and other Latin American constitutions say something different. Because Americans strongly believe in civilian control over the military—and that any armed forces meddling in the political order represents a usurpation—it is hard to conceive that other norms, even constitutional ones, may prevail in other countries.

In Latin America, while one constitutional article may proclaim that the armed forces are “non-political, non-deliberative, and totally subservient to civilian authority,” another

will say they have a special responsibility, even an “obligation,” to intervene under certain circumstances: if the country is attacked, if internal order is upset, or if the political system is gridlocked. Those latter provisions are open invitations for the armed forces to involve themselves, legally and constitutionally, in the political process. That is essentially what happened in Honduras. Apparently ignoring or unaware of these provisions, the United States condemned the coup from the beginning and maintained that posture throughout the dispute, but eventually, bowing to reality, opted to support a process under which new elections were held and, thus, “constitutionality” was maintained. Others, notably Brazil and the OAS, still do not comprehend, or are hostile to, this special and constitutional role for the armed forces.

It is useful, therefore, to look at this issue systematically. We examined carefully the constitutions of all the Latin American countries, highlighting passages that deal with the armed forces, police, or national security.⁵ Our goal was to see in which countries the so-called “*poder moderador*” (moderating power) of the armed force still applies and what the precise language is for each country. Our working hypothesis was that the Latin American constitutions elevate the armed forces into almost a fourth branch of government, with special obligations and responsibilities. Further, that these requirements oblige the armed forces to play a political role even if they are reluctant to do so. And finally, that these constitutional provisions and the “organic law” of the armed forces may be at odds both with the US democracy-promotion efforts and with international laws as manifested in such instruments as the OAS’s Charter of Democracy. In short, if national law and custom are in conflict with international conventions and policies, something has to give.

Findings

Our findings are divided into three categories. Each Latin American country is different, and their constitutions are different, which means we have to carefully distinguish among countries.

Countries with No Official Armed Forces

Three countries have no official or regular armed forces. These are: Costa Rica, Haiti, and Panama. In the Costa Rican case the armed forces were abolished by President José (Pepé) Figueres following the brief 1948 civil war because Figueres was anti-military, the armed forces had been on the wrong (losing) side in the civil war, he wanted to save money, and he wished to prevent the possibility of a future coup d’état against himself. The armed forces were replaced by a national police force. In the Haitian case, the armed forces were abolished in the hope that abolition would prevent future coups and set Haiti on the path to development and democracy. The pressure to abolish the Haitian armed forces came mainly from the international community, and chiefly from the United States, in the hope that without a military organization, outside forces would not have to be sent in so often. As in Costa Rica, the armed forces were replaced by a small police force.

Panama has never had armed forces because the United States, occupying the Canal Zone, did not want trouble or competition from the Panamanians. Instead, Panama has a National Guard which functions de facto as a national police or armed force.

Just because these countries have police forces and *guardias*, and not armed forces, does not necessarily mean their police are not also politicized. The Costa Rican police are

tough and very well-trained; there has not been a coup in decades, but that has not prevented the police, even in a solidly democratic context, from sometimes putting pressure on the government, getting involved (to a limited extent) in drug deals and other illegal acts, and operating at times outside of their legal mandate. The Haitian police have been generally poorly trained, poorly paid, often inept and corrupt; they were largely ineffective following the 2010 earthquake, and they remain a dangerous force in Haitian politics. The Panamanian Guardia is highly politicized and, at one time, constituted the route to power for Panamanian generals, the most notorious being Manuel Noriega, later arrested in a US intervention.

Countries Whose Armed Forces Have No or Extremely Limited Constitutional Role

A second category is those countries that have armed forces with a limited constitutional role. Democratic institutions may be sufficiently resilient that there is no need for armed forces to maintain internal order, or the role of the armed forces is spelled out in organic laws which are a step below constitutional provisions, or they are seeking to convey a negative message to their armed forces because of past “sins”—i.e., long years of military dictatorship. The message is: don’t intervene again because it would have no constitutional legitimacy. The countries that fall into this category tend to be developed and institutionalized. The only country that fully fits this category (no mention in the constitution) is Argentina, although Chile, Cuba, Mexico, and Uruguay come close to this norm.

- *Argentina:* The Argentine Constitution of 1853, last reformed in 1994, contains no mention of the military instrument.
- *Chile:* The Chilean Constitution of 1980, last reformed in 2010, says the armed forces are “obedient, non-deliberative, professional, and disciplined; their only constitutional roles are to “defend the motherland and safeguard the political order during elections.” This latter role could, conceivably, draw the Chilean armed force into politics (who would decide when the “public order” needed defending, by what means, and for how long?), but in the Chilean case, that seems highly unlikely. However, it was only in 2010, two decades after the return to democracy, that Chile removed from its constitution the last vestiges that gave special privileges to the armed forces.
- *Cuba:* The Cuban Constitution of 1976, last amended in 1992, says the Revolutionary Armed Forces “and other armed organizations” (presumably militias and vigilante groups) have the right to vote and be elected like any other Cuban citizen. No other mention is made of the armed forces in the constitution. But “all citizens” in Cuba have the obligation to defend the motherland and the “Revolution,” and to struggle against colonialism, racism, and imperialism. The obligation to defend the Revolution could drag the Cuban armed forces into politics, and most observers agree that in any post-Castro transition the armed forces will play a major role.
- *Mexico:* The Mexican Constitution of 1917, last amended in 2007, says that members of the military cannot be elected as congressional deputies unless they resign ninety days prior to the election; it also says “in times of peace, no military authority may perform any function other than those that are directly connected with military discipline.” Other than these provisions, the Mexican armed forces have no constitutional role and, since the 1940s, have largely stayed out of politics. They operate as an interest group and a bureaucratic actor not unlike the United States armed forces but their

recent involvement, complementing and sometimes supplementing the police in the war against crime and drugs, may lead to their greater participation.

- *Uruguay*: The Uruguayan armed forces are governed by the Constitution of 1967 as last amended in 2004. It says that members of the military are regulated by special laws. Members of the armed forces cannot have positions in the government, form part of commissions or political parties, subscribe to any party manifestoes, run for office, or authorize use of their names and execute any other private or political act except voting. The armed forces have no deliberate or political roles.

It seems unlikely in any of these countries that the armed forces will intervene overtly in politics anytime soon. Of course in none of these cases can that possibility be ruled out entirely now and forever; of the five countries mentioned, the ones that might be susceptible to military intervention, depending on circumstances, are Argentina and Cuba.

Countries with Armed Forces Featured Prominently in their Constitutions and Whose Constitutional Roles Includes the Maintenance of Internal Order

This is by far the largest grouping in our classification. Twelve countries fall into this category. In these countries, the armed forces are featured prominently in their constitutions and expansive political roles are spelled out. These constitutions almost invite the armed forces to be active politically. Under certain circumstances they not only have the right but the duty and obligation to become involved in the political process. And that can easily lead, as suggested in the title of this article, to the phenomenon of a constitutional coup as happened in Honduras in 2009.

It is easy to overlook these constitutional provisions. Americans tend to assume that neighboring democracies subordinate their armed forces to civilian authority since that is the case in the United States. In the American view, any action by the military in politics must be unconstitutional and a usurpation of authority.

Not so in some Latin American states. In those nations, the corporate and autonomous role of the armed forces, called the “*fuero militar*,” has a long legal and constitutional history.⁶ So much so that the armed forces are almost a fourth branch of government. Under certain circumstances, they may be obliged to involve themselves in politics. Depending on your politics, you may wish to condemn such military action but you may be on very shaky ground if you call it “unconstitutional.”

The logic, which goes back to Latin America’s founding fathers, such as Simón Bolívar, is quite different from that of America’s founding fathers. When James Madison and Thomas Jefferson observed the American society, they found an already semi-developed country, with roads and thriving commerce, a vibrant middle class, an already thick civil society, a trading and entrepreneurial culture, a basically literate population with home-grown local and state institutions, a vibrant, energetic, and progressive society. In contrast, when Bolívar and his contemporaries looked around at their surroundings in the early nineteenth century, they found in South America a vast continent with no roads, no infrastructure, no civil society, no institutions, no development or modernity, no economy, vast illiteracy, and no middle class. How can one build a nation on such a weak basis, they asked? The answer, in large part built on the genius of Bolívar, was: 1) a powerful presidency (another subject for examination in itself), and 2) a military with authority, if necessary, and under certain conditions, to intervene and thus stabilize the system.

Let us look at the individual country cases in this category:

- *Bolivia*: The Bolivian Constitution of 2008 says that armed forces shall not carry out any political activity; they are also to be obedient, non-deliberative, and subject to the law (Sections 2 and 5). But that same constitution defines the mission of the armed forces as maintaining and defending national independence, national honor and sovereignty, and the security and stability of the state. It also “participates in the development of the country, and guarantees the stability of the legally-established government.” Those latter responsibilities are very vague and general: who or what decides if the national honor has been violated, what if it is the congress or president who does so, what does “participate in the development of the country” mean, and so on. These provisions are open-ended that they provide almost an open invitation for the armed forces to be involved in the political process, as has happened numerous times in Bolivian history.
- *Brazil*: The Brazilian Constitution of 1988, modified in 2010, says the “Armed Forces are a national, permanent, and non-political institution, organized on the basis of hierarchy and discipline.” But then it says (Section 142) that the mission of the armed forces is to “defend the Motherland and guarantee constitutional powers, as well as law and order.” Brazil was famous for advancing in its constitutions the idea of the armed forces as a “moderating power,” a fourth branch of government that would moderate between the parties or the other branches of government if they were paralyzed, gridlocked, or broke down, and one can see vestige of this idea in Section 142. Does “defending the Motherland” mean against internal (labor strikes, peasant land seizures) as well as external foes, what does guaranteeing the constitutional powers or law and order mean, what if it is the president who violates these provisions, would he then be overthrown? Although no coups are likely in Brazil, these days the constitutional basis for the armed forces to act in extreme circumstances remains.
- *Colombia*: The Colombian constitution of 1991, last amended in 2009, has articles championing peace, democracy, human rights, and international law. With regard to the armed forces, it says their mission is to “defend the sovereignty, independence, and integrity of the nation’s territory as well as *constitutional order*.” But what if the constitutional order is upset by guerrillas, drug gangs, or private militias? Do the armed forces then have a right or even an obligation to step in? The constitutional legitimization for such actions is there. Again, it is not likely to happen, but the rationale is certainly present.
- *Cuba*: There is no constitutional role for the Revolutionary Armed Forces, but they defend the nation and now most state enterprises, so may they be expected to play a pivotal role in the coming transition.
- *Dominican Republic*: The language of the Dominican Constitution of 2010 says that the armed forces are “essentially obedient to the civil power, not affiliated with any political party, and are not entitled to deliberate under any circumstances.” Their mission is to “defend the independence and sovereignty of the nation, the Constitution, and the institutions of the Republic.” They are empowered to “intervene” in programs of social and economic development, to mitigate disasters, and assist the police in maintaining public order. But one would want to know what, exactly, does “essentially” mean, how they would defend the Constitution and the country’s institutions (and

which ones?), and how could they intervene in the social and economic development without “deliberating”?

- *Ecuador*: The Ecuadoran Constitution of 2008, specifies that the armed forces shall be obedient, non-deliberative, and under strict control. However, it also says their mission is to protect citizens’ human rights, liberties, and guarantees. Now suppose it is the president and his government who are the ones violating these rights, liberties, and guarantees. Who decides: the president, the military, the Supreme Court? The constitution is silent. Once again it is the ambiguity involved, as well as the special obligations placed on the military to settle these crucial issues, that invite intervention.
- *El Salvador*: The Salvadoran Constitution of 1983, last amended in 2003, has the now-familiar language: the armed forces are “obedient, professional, apolitical, and non-deliberative.” They defend the sovereignty of the state and the integrity of its national territory. But then it says “the legislative, executive, and judicial branches may use the armed forces to enforce any resolution adopted within their respective jurisdictions.” Which branch has priority; what if executive and legislative are under the control of two different parties (“divided government”), whom must the armed forces obey; how much “enforcement” may be used? Again, ambiguity invites confusion, conflict, and possibly military intervention.
- *Guatemala*: In the Guatemalan Constitution of 1985, reformed in 1993, the Army is said to be “unique and indivisible, essentially professional, apolitical, obedient, and non-deliberative.” This same language appears almost word for word in other constitutions. “Unique and indivisible” is unusual language, however; one wonders what it means. The mission of the armed forces is to maintain independence, sovereignty, the honor of Guatemala, internal and external peace, etc. If the military is “indivisible,” what would happen to those politicians who seek to promote their own corps of loyal officers? Does defending the “honor” of Guatemala mean against external or domestic foes? Does maintaining “internal” peace include beating up student or labor demonstrators or torturing leftists? In Guatemala, there is a certain history here.
- *Honduras*: Honduras and its Constitution (1982) were an important test case in 2009; and the US, the OAS, and most of the “international community” failed the test of understanding and operating within *Latin American* constitutional parameters. The Honduran Constitution says the armed forces are “permanent, apolitical, essentially professional, obedient, and non-deliberative.” But then it says “members of the military are not obliged to carry out illegal orders or those which involve committing a crime,” which was precisely the issue when President José Manuel Zelaya ordered the military to carry out an illegal referendum which he had engineered to amend the constitution to provide for an unconstitutional second term for himself. The mission of the armed forces is the familiar one of defending the territorial integrity and sovereignty of the republic, but then the constitution adds to that “the order and respect of the Constitution the principle of free vote, and the *rotation of the Presidents of the Republic*”—all of which it could be argued Zelaya had violated (emphasis added).

The White House, the US Secretary of State, the Secretary General of the OAS and many of its members, and the international community, either in ignorance of what the Honduras Constitution said on these matters, hung up with guilt over their timid reaction

in the 1980s Central American conflicts, or not wishing to see a precedent set (a coup) that might be repeated in their own countries, condemned the Honduran military and imposed sanctions on the country. However, a neutral report from the authoritative and balanced Law Division of the Library of Congress⁷ correctly indicated this was not an illegal act but a constitutional coup (and therefore maybe not a coup at all) except for the possibly unconstitutional act of expelling Zelaya from the country without a trial, and said even that was arguable. Eventually the United States, while maintaining official opposition to the coup, supported a process that led, after new elections, to the restoration of democracy.

- *Nicaragua*: The Nicaraguan Constitution of 1986 (the Sandinista Constitution, amended in 2007) is unusual because it is the constitution of a revolutionary regime. The Constitution as amended says the armed forces are professional, not affiliated to any political party, obedient, and non-deliberative; but major efforts had been undertaken by the Sandinistas to politicize the military and ensure its loyalty by making it an appendage of the Party. The new Constitution says the armed forces are strictly subject to the Constitution and cannot perform political activities—all this meant to depoliticize the armed forces by a more conservative post-Sandinista government. But now that the Sandinistas are back in power, the struggle over the politicization of the armed forces is on again, and Nicaragua could once more, conceivably, descend into violence, revolution, civil war, and military intervention, however unlikely for the moment.
- *Paraguay*: The Paraguayan Constitution of 1992 states that the armed forces are a “professional, non-deliberative, and obedient institution, subordinated to the power of the state and to the provisions of the Constitution.” But that same article (173) says the mission of the military is to safeguard territorial integrity and “defend the legitimately constituted authority.” The document does not specify who decides if the constituted authority is legitimate or not, when it needs defending, from whom or what, and with what kind of force. There is sufficient ambiguity here to justify various actions by the Paraguayan military, reflecting earlier times in the country’s history.
- *Peru*: The Peruvian Constitution of 1993, last amended in 2009, specifies that the armed forces are non-deliberative and are subordinated to the constitutional power. Other articles impose greater restrictions: members of the military cannot run for political office, cannot establish unions or go on strike, and cannot engage in political activity. It says the mission of the armed forces is to guarantee the independence, sovereignty, and territorial integrity of the state and to “take control of internal order in a state of emergency.” The possibility in this order and other constitutions of declaring a “state of emergency,” a “state of siege,” and, in time of crisis, giving the armed forces emergency powers opens up an entirely broader range of military power.
- *Venezuela*: The Venezuelan Constitution of 1999 is slightly different from some of the others discussed here because it is a product of the revolutionary regime of Hugo Chávez. Nevertheless the language used, for the most part, is strikingly familiar. It says that the armed forces are an “essentially professional institution, with no political affiliation, organized by the state, at the exclusive service of the nation.” It continues that the military is “founded on discipline, obedience, and subordination.” It then goes on to say, classically, that the primary mission of the armed forces is to guarantee the independence and sovereignty of the nation.

But the Constitution also requires that the military maintain internal order (a frequent rationale for military intervention) and, unusual in Latin America, be actively engaged in national development. What does that last phrase mean? Who decides? What if the armed forces determine that the Chávez regime is disruptive of internal order (which has been the case at times) or is not providing for national development (also arguable)? To prevent any possibility of a military coup against himself—i.e., a repeat of the abortive 2002 attempt—Chávez, like almost all Latin American presidents, has himself unconstitutionally intervened in the military chain of command, used political criteria to determine armed forces promotions, and thus secured an officer corps personally loyal to himself. But those actions also violate the Constitution; would they constitute sufficient grounds for the armed forces to move against Chávez? Often when the military moves against a president, it is because the president has first intervened in the military.

Conclusion

Echoing the Silvert quote with which we began, coups are a regular, recurrent, almost normal part of the Latin American political process. One can hope that they have gone away, but they likely have not, and the international community has to deal with this fact realistically.

Coups may take unconstitutional directions but may have a considerable degree of constitutional legitimacy. They tend to occur when the normal civilian political system has broken down, is in crisis, is paralyzed, or when internal order is threatened. They also tend to occur in the least developed countries, lacking strong institutions or strong civil society; when these institutions have failed, the armed forces are often called upon, and have a constitutional obligation, to step in and fill the vacuum. They are not necessarily usurping power, but most often fulfilling their constitutional responsibilities.

Three countries of Latin America (Costa Rica, Haiti, and Panama) have no regular armed forces; nevertheless their police forces or guardias may play a political role. In five countries of Latin America (Argentina, Chile, Cuba, Mexico, and Uruguay) the armed forces are either not mentioned in their constitutions or have a limited constitutional role. But in twelve Latin American countries (60%), the armed forces do have a constitutional role, usually revolving around the maintenance of internal order, the exercise of emerging power, or the resolution of a crisis if the political system is deadlocked.

The more developed and institutionalized a Latin American country is (Chile, Costa Rica, and Uruguay), the less likely will it be for the armed forces to intervene in the political system. The problem therefore is not so much military intervention as it is underdevelopment and weak institutions as in the other countries discussed. There is an inherent conflict—as in Honduras in 2009—between the US calls for democracy in Latin America, usually in pristine forms, and Latin American constitutions that provide for armed forces intervention under certain circumstances. Either US policy will have to be adjusted or 12 of the 20 Latin American constitutions will have to be rewritten. There is a similar inherent conflict between the OAS’ “Charter of Democracy,” which imposes sanctions on governments that come to power after a military intervention, and the constitutions of the twelve countries that provide for military intervention. It is, as in Honduras, certain to be repeated elsewhere, a classic and unresolved conflict between international law and national constitutional law. Again, to address this issue, either the OAS charter would have to be revised or the 12 Latin American constitutions would have to be rewritten. Neither is likely in the

short run. Therefore, disputes over the constitutional role of the armed forces are likely to continue.

Notes

¹ Francis Fukuyama, *The End of History and the Last Man* (New York, NY: Avon Books Inc., 1992).

² Samuel P. Huntington, *The Clash of Civilizations and the Remaking of the World Order* (New York: Simon & Schuster, 1996).

³ Peter L. Berger and Samuel P. Huntington, eds., *Many Globalizations: Cultural Diversity in the Contemporary World* (New York: Oxford University Press, 2002).

⁴ Some classic related studies include Brian Loveman, *The Constitution of Tyranny: Regimes of Exception in Spanish America* (Pittsburg, PA: The University of Pittsburg Press, 1993); and David Mares, *Civil and Military Relations: Building Democracy and Regional Security in Latin America, Southern Asia, and Central Europe* (Boulder, CO: Westview Press, 1998).

⁵ See Georgetown University, *Political Database of the Americas: Constitutions and Comparative Constitutional Study*, <http://pdba.georgetown.edu/Constitutions/constudies.html>; and Red de Seguridad y Defensa de América Latina, *A Comparative Atlas of Defense in Latin America and Caribbean: 2010 Edition* (Buenos Aires, Argentina: RESDAL, 2010).

⁶ Loveman, *Constitution*; see also the writings of historians Lyle McAlister, John J. Johnson, Edwin Lieuwen, and John Lynch.

⁷ "Honduras: Constitutional Law Issues," Report for Congress, Directorate of Legal Research LL File No. 2009-002965, Law Division, Library of Congress (Washington DC, August 2009).

Cultura Política y Fuerzas Armadas en Venezuela*

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RESUMEN

En Venezuela, el tema de las relaciones entre civiles y militares ha sido tradicionalmente muy polémico. El origen de la controversia es complejo, pero básicamente se trata del problema histórico relacionado con la significación política que los militares han jugado en la conformación del Estado y el lugar que deben ocupar en la sociedad venezolana. Pero, en lo fundamental, el liderazgo político civil venezolano no tuvo, ni ha tenido hasta ahora, la capacidad, el interés, la voluntad y claridad política, consistencia conceptual y convicción doctrinaria, e incluso hasta la necesidad de implementar un conjunto de mecanismos y técnicas para ejercer un efectivo control civil sobre el histórico potencial pretoriano de los militares venezolanos. De tal manera que, se puede afirmar que en materia de relaciones civiles y militares venezolanas, luego del fracaso del pretorianismo gobernante del dictador Marcos Pérez Jiménez, no hemos tenido un real y verdadero control civil sobre los militares. Al contrario, lo que hemos tenido es un entendimiento, acuerdo, fusión, alianza y simbiosis militar-civil y político-militar; no escrita, pero sí operante y efectiva. Después de varios siglos de barbarie, atraso e incivilización puede que el siglo XXI sea para Venezuela el siglo de la derrota definitiva del virus del pretorianismo y la supremacía final de la sociedad civil venezolana sobre los militares y sus instituciones armadas.

Introducción

En el caso de los estudios académicos venezolanos sobre las relaciones civiles y militares tenemos una cierta diversidad de aproximaciones y enfoques, tanto de autores nacionales (Irwin 2003: 149-224) como extranjeros (Castillo 2003: 73-104) No obstante, los estudios especializados en esta temática son relativamente recientes y escasos, sobre todo si tomamos en consideración el volumen de estudios que en esta materia encontramos en el resto de los países del continente latinoamericano, especialmente los países del Cono Sur.

Hay algunas razones que podrían explicar por qué el sector académico venezolano, con muy pocas excepciones, no tuvo entre sus prioridades la investigación rigurosa del tema de las relaciones civiles y militares, el pensamiento estratégico, y el estudio de los problemas de seguridad y defensa del Estado. Esencialmente, se trata del lugar común, que la democracia venezolana, aún con sus problemas, se consideraba estable políticamente, con suficientes recursos naturales y financieros, en donde los alzamientos militares de la última parte del siglo XX estuvieron condenados al fracaso. De esta manera, Venezuela,

Las opiniones aquí expresadas reflejan exclusivamente el punto de vista del autor, y no representan los puntos de vista de las instituciones que organizaron, patrocinaron y participaron en este evento.

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sus problemas estratégicos, su democracia, el estudio de las relaciones civiles y militares en particular no llegó a despertar mayor interés entre los investigadores de las ciencias sociales.

En general, el sector académico no tuvo entre sus prioridades la investigación y estudio de la situación de las relaciones civiles y militares venezolanas mientras no se desarrolló su crisis. Es a partir del conjunto de reformas y medidas que intentó implementar el segundo gobierno de Carlos Andrés Pérez (1989-1993), especialmente a partir de la crisis de febrero de 1989 (Guardia 2005: 103),¹ y los alzamientos militares del 4 de febrero y 27 de noviembre de 1992 (Guardia: 2005: 109)² cuando surgió un renovado interés que posteriormente ha cobrado fuerza por su impacto sobre el futuro de la democracia venezolana. Pero, por otra parte, también el estudio de las relaciones civiles y militares y las Fuerzas Armadas, realizado por los noveles investigadores venezolanos, desde una perspectiva interdisciplinaria, está comenzando a salir del ostracismo en que se encontraba (Castillo 2001).

En las aproximaciones de los militares venezolanos en su relación con la sociedad y el Estado ha prevalecido hasta ahora, en las investigaciones hechas por reconocidos académicos nacionales, fundamentalmente el enfoque que proporciona el pensamiento estratégico y la seguridad y defensa como una política pública (Romero 1980). Estos estudios tienen mucho valor y constituyen un avance en relación con el proceso de civilidad que hay que sostener y perfeccionar en el tiempo a fin de continuar avanzando hacia un verdadero y efectivo control civil de las fuerzas militares en Venezuela. Sobre todo, estos trabajos, son importantes para una sociedad en la cual el abordaje de los diferentes temas se consideraban tabú y en cierta forma eran percibidos como peligrosos, reservados al sector militar principalmente, en donde el investigador académico corría ciertos riesgos, se requería coraje y valentía personal para publicar investigaciones en este campo, incluso por más académicas y teóricas que fuesen ya que toda la información, absolutamente toda la información, era legalmente considerada secreta (Rey 1981: 14-16).

La problemática de las relaciones civiles y militares en sociedades democráticas institucionalmente subdesarrolladas como es el caso bastante generalizado de Latinoamérica, entre ellas Venezuela, adquiere connotaciones realmente dramáticas, en donde entre otros problemas institucionales, el lugar que tienen que ocupar los militares en la sociedad y el papel que deben jugar en el Estado pareciera histórica y políticamente no estar total y absolutamente claros. Así expone Brian Loveman en uno de los estudios más completos sobre la evolución histórica del rol político de la institución armada en las sociedades latinoamericanas, estudio que va desde la Colonia hasta finales del siglo XX. Desafortunadamente este trabajo no estudia en detalle el caso de nuestro país.

Para la situación venezolana el origen del pretorianismo, o en otras palabras, el secular problema institucional de la abusiva intervención en política de los militares y sus orígenes doctrinarios en el siglo XX, comienzan según lo planteado por Tomás Straka de la siguiente manera:

El pretorianismo parte de la convicción de que es el ejército el que debe llevar la patria a la grandeza. No sólo y más humildemente como López se esforzó en aclarar: dotándola de la paz necesaria para que florezcan las industrias y defendiendo sus leyes e instituciones, sino haciéndolas florecer directamente, dictaminándole, incluso, las leyes. Poniendo orden, su orden, allá donde el resto de la sociedad, evidentemente, no pudo. Tomando (¿usurpando?) sus funciones, pues. Pero no militarizando la sociedad, como en Japón desde la guerra con China hasta Hiroshima, donde a todos hubo de meterse en

algún uniforme; sino teledirigiendo desde los cuarteles lo que el resto de los paisanos hacemos. Al inventársele al ejército moderno la tradición que lo empalma con los Padres de la Patria se le estaba dando una carga ideológica que escapaba, largamente, de las sanas intenciones (insistimos: nada indica lo contrario) que siempre tuvo López Contreras (Straka 2003: 38-39).

Es decir, se puede afirmar que el pretorianismo en nuestro país tiene sus orígenes históricos más remotos en la exaltación de la tradición acerca del papel que jugó el ejército en las luchas por la independencia y en la conformación del Estado Nacional. Ahora bien, Gene Bigler, quien fue de los iniciadores extranjeros de los estudios académicos sobre nuestras relaciones civiles y militares, plantea la aparición y consolidación de nuevos patrones de las relaciones civiles y militares luego de derrocada la dictadura perezjimenista, básicamente centrados en dos aspectos: por un lado el proceso de profesionalización militar; y por el otro, el sistema sociopolítico en el cual se desarrolló el estamento militar. Además, Bigler establece cinco factores básicos que proporcionaron las bases para la institucionalización del control civil sobre los militares luego de 1958, estos son:

- La cultura antimilitarista de la población civil;
- La profunda división de la institución;
- La cohesión de las elites y el prestigio del liderazgo civil en contraposición al fracaso de los militares al frente del Estado;
- Este grupo de elementos coaligados terminaron por imponer la visión del Estado y la sociedad establecida en el Pacto de Punto Fijo, luego consagrada en la Constitución de 1961 que sacaba del juego político a la opción pretoriana;
- Por último la amenaza que significó la revolución cubana, por el apoyo a la subversión comunista terminó por establecer las bases para lograr la lealtad al experimento democrático recién iniciado y a la Constitución de 1961, y sobre todo reorientar el papel que debían jugar en el Estado (Bigler 1981: 85-142 y 1982: 175-196).

Finalmente, Bigler advierte sobre cuatro áreas de tensión y conflictivo que se le planteaban a las relaciones civiles y militares venezolanas, de la siguiente forma:

1. El tema fronterizo, en el cual los efectivos militares tuvieron poder de veto.
2. El muy escaso escrutinio, supervisión y contraloría por parte de las instituciones civiles y la opinión pública, en los temas y problemas asociados con la seguridad y defensa y el funcionamiento de la institución militar en su conjunto.
3. La restauración del ejercicio de los derechos políticos de los militares.
4. La situación socioeconómica.

Las características de las relaciones civiles y militares que le asigna Bigler a la democracia venezolana fueron factores y circunstancias que permitieron mantener dentro del sistema democrático y los mecanismos institucionales a las Fuerzas Armadas, pero eso no significa necesariamente la real y efectiva existencia de control civil. Un verdadero, efectivo e institucional control civil sobre los militares y sus instituciones no ha existido nunca en la historia de Venezuela. Afirmar que durante la democracia ha existido este tipo de control es una ingenuidad política.

Ahora bien, si en Venezuela no existió ni ha existido control civil sobre los militares,

entonces, qué fue lo que permitió que las Fuerzas Armadas se mantuvieran e incluso respaldaran el proyecto político democrático.

En primer lugar, los factores que según Bigler proporcionaron las bases para la institucionalización del control civil sobre los militares luego de 1958 son los rasgos más sobresalientes y constituyen la argumentación central del discurso *oficioso* para tratar de explicar la fortaleza de la actuación institucional de los militares en la democracia y la presencia de un pretendido control. Pero no constituyen el ejercicio de un efectivo control civil sobre la institución militar, tal como tratare de mostrar.

En segundo lugar, hay que aceptar que durante los años de violencia subversiva castrocomunista de la década de los años 60 que vivió Venezuela, ese conjunto de factores contribuyó a mantener la situación del país bajo control y se logró la incorporación de los militares venezolanos al nuevo sistema político. Pero lo que queremos mostrar es que la conjugación de esos factores, por el hecho de haber tenido logros importantes y evitar que la situación se desbordara además de haber logrado el apoyo de los militares para la implantación del modelo democrático, no significó necesariamente la presencia política e institucional de un efectivo control civil sobre los militares.

En su análisis, Bigler omite el factor crucial para que cualquier Estado democrático desarrollado alcance la implementación institucional y política de un efectivo control civil como lo constituye la erradicación de la intervención abusiva de los militares en política. En otras palabras, la eliminación del pretorianismo del sistema político en cualquiera de sus formas y manifestaciones. Es más, a partir de la participación exitosa de los militares en la lucha contra la insurgencia armada en los años 60 en apoyo manifiesto a la democracia venezolana, la intervención política de los militares se mantuvo dentro del sistema.

Recordemos, la condición imprescindible para la existencia del control civil en la democracia es el sometimiento del pretorianismo; es decir, la supremacía de la sociedad civil sobre sus militares. Y en Venezuela, hasta ahora, no se ha logrado. El problema radica esencialmente en que el pretorianismo mantiene su potencialidad en la precariedad institucional, la debilidad de las organizaciones no gubernamentales de la sociedad civil, el sobredimensionamiento de la institución militar y, la baja o mediana cultura política. Esto sobre todo en relación con el papel que deben jugar los militares en el Estado y el lugar que deben ocupar en la sociedad (Finer 1969: 221);³ elementos a los que muy pocos estudiosos del tema hacen referencia, entre ellos Bigler.

Llegados a este punto conviene reiterar que el grupo de factores que establece Bigler no necesariamente indican y establecen las condiciones suficientes para el ejercicio de un efectivo control civil sobre la institución castrense por las siguientes razones:

1. La tecnificación de muchas actividades militares, proceso que rigurosa y estrictamente no se puede llamar profesionalización militar, sino más bien de *orientación profesional*, la cual estuvo aparejada de una intensificación de las amenazas, al mismo tiempo que se incrementaron los privilegios, las inmunidades y el poder político de los militares, lo cual iba en desmedro del profesionalismo para transformarlos en pretorianos.
2. El sector pretoriano de las Fuerzas Armadas venezolanas, luego del enorme fracaso de la dictadura militar 1948-1958 estuvo un franco retroceso, lo cual reforzó la emergencia y fortalecimiento del sector de *orientación profesional*. No obstante, pretorianos y “profesionales” se vieron en la forzosa situación de tener que respaldar el proyecto

democrático que recién se iniciaba en los años 60 y enfrentar la amenaza común que significó la subversión comunista. Aunque a nivel estrictamente teórico, el hecho de que en la Venezuela post 1958 absolutamente todos los alzamientos y rebeliones militares fracasaron, puede indicar, entre otras cosas, que quienes se alzaron en armas contra la democracia no calibraron correctamente las circunstancias por las cuales pasaba el país, ni tampoco los altísimos costos políticos del fracaso de sus intentos, tal como efectivamente ocurrió. Tuvieron que pasar alrededor de treinta años que van de 1962, desde el “portañazo”, hasta 1989 para que nuevamente se presentaran ciertas condiciones socioeconómicas en el sistema político que propiciaron los nuevos alzamientos militares en febrero y noviembre de 1992.

3. La existencia de un sentimiento antimilitarista en la sociedad venezolana, entre otras cosas por el fracaso de los militares en la dirección del Estado; y por el papel tiránico y represivo que tradicionalmente han jugado los uniformados en armas política y técnicamente, no significa, ni implica control civil, aunque ese sentimiento antimilitarista puede actuar como una barrera cultural ante pretensiones golpistas.
4. A pesar del alto grado de cohesión y prestigio del liderazgo civil, en torno al proyecto político democrático, éste no tuvo la visión de asignarle importantes facultades de control civil a las instituciones políticas, entre ellas al parlamento, para ejercer un efectivo control sobre los militares, y consagrar estas técnicas en la Constitución y en las leyes. Sino muy al contrario, los incorporó a la estructura de poder político (Castillo 1998).
5. En definitiva, el acatamiento de la Constitución Nacional por parte de los militares no implica, necesariamente, la existencia de un efectivo control civil sobre la institución castrense y su real subordinación al poder civil. En ese sentido, la Constitución de 1961 prácticamente no tenía mayores ni específicas facultades de control sobre los militares y, sin embargo, fue acatada y defendida por ellos. No obstante, se puede respetar la Constitución y las leyes por muchas razones que no obligatoriamente están asociadas al desempeño del profesionalismo militar. Entre otras razones la Constitución puede ser defendida por oportunismo político de los militares pretorianos.

En definitiva, Bigler acorde con esa tendencia de buena parte de las investigaciones politológicas norteamericanas sobre Venezuela, no toma en consideración, y en cierta forma desestima las fuerzas profundas de la historia como, por ejemplo, la herencia cultural pretoriana de los militares venezolanos que se enraiza a comienzos del siglo XX. En pocas palabras, la realidad y la historia de las relaciones civiles y militares en nuestro país es más complicada y pareciera que tiene factores importantes que hay que sacar a la luz.

En Venezuela, el funcionamiento político del papel que debían jugar los militares en la democracia implícita en el Pacto de Punto Fijo y la Constitución de 1961 se limitó a establecer que el sistema de control civil se basaría centralmente, por una parte en la figura del Presidente de la República; y, por otro, en el mantenimiento de una profunda división administrativa entre las fuerzas militares. Pero, al mismo tiempo permitió un exagerado grado de autonomía y una abusiva intervención en política.

En este contexto, el conjunto de las instituciones del sistema político llamadas naturalmente a ejercer un efectivo control civil, entre ellas el parlamento, se ven neutralizadas y principalmente circunscritas a actividades simbólicas como la autorización de algunos ascensos militares. En ese aspecto, en el caso de la Constitución Bolivariana de 1999 la

situación se agrava ya que todos los ascensos militares dependen solo de la autorización presidencial.

En consecuencia, la amenaza pretoriana para la democracia y la sociedad, con sus avances y repliegues, ha estado presente históricamente lo que ha impedido la consolidación definitiva de un control civil institucional sobre los militares. A pesar de existir fuertes indicios de un antimilitarismo en la sociedad, la tendencia pretoriana no ha logrado erradicarse por completo de la cultura política y la ideología militar. Incluso, lo más grave, el pretorianismo en la Venezuela democrática se ha incubado, desarrollado y consolidado, entre otras cosas, por la propia permisividad, tolerancia, desconocimiento teórico y conceptual, y desprecio del sector político dirigente, de la capacidad y poder destructivo que pueden llegar a alcanzar.

En definitiva, control civil significa esencialmente la supremacía de la sociedad civil sobre la institución militar; es decir, la erradicación de la abusiva intervención de los militares en política.

Sobre el poder de los militares en la sociedad venezolana y particularmente sobre su intervención política en el Estado, Irwin sostiene que en el siglo XX se produjo un fenómeno histórico que llama, indistintamente, contubernio, fusión, entente, acuerdo no escrito, simbiosis, entendimiento militar-civil (en ese orden), control civil parcial negociado, mediatizado y condicionado, entre los civiles y la institución castrense.

El sector militar, indirecta o directamente, ejerce primacía o predominio dentro de este entendimiento mutuo. Éste se expresa políticamente, por lo que es también una relación político-militar, donde un militar, o un grupo de militares, o la institución castrense, logran una ventajosa y hasta dominante relación de poder para con el sector civil de la sociedad. El resultado de esta simbiosis militar-civil y político-militar es el fracaso por consolidar un auténtico control civil en la realidad venezolana del siglo XX. El reto del siglo XXI es, pues, procurar consolidar el control civil en Venezuela. Sostenemos que la tendencia histórica apunta hacia un fortalecimiento, en el mediano y largo plazo, del profesionalismo militar y una cada vez más reducida influencia política de este sector en la realidad política venezolana del siglo XXI (Irwin 2000: 10).

Pero, fundamentalmente, surge una comunidad de intereses entre el gobierno de los partidos políticos reformistas y los militares al enfrentarse a un enemigo común: la guerrilla de orientación marxista leninista apoyada logísticamente desde Cuba gobernada por Fidel Castro. Esta situación reafirma la influencia estadounidense, refuerza la tendencia de orientación profesional entre la oficialidad venezolana y contribuye a neutralizar el protagonismo político a la oficialidad pretoriana. Partidos políticos y Fuerzas Armadas redefinen sus áreas de influencia y competencia, durante 1958-1962. La secular simbiosis de poder entre militares y civiles entra en una nueva fase de reacomodo, mas no desaparece. La tradicional política militar encuentra nuevas formas de expresarse, deja de lado su condición visiblemente protagónica, pero se mantiene como un factor clave de poder (Irwin 2000: 98-99).

Es decir, se produce una especie de “alianza entre iguales”, pero control civil no hay, y mucho menos subordinación al sector civil. Se produce un reacomodo que, por la reciprocidad del sector civil, por la victoria militar en la lucha contra la subversión, y luego por la lealtad militar hacia el sistema democrático, gradualmente se fue estableciendo y consagrando una serie de privilegios institucionales por parte de la institución castrense: autonomías, inmunidades, discrecionalidad y áreas de influencia y control administrativo

y burocrático monopólicos.

Ahora bien, el sector político luego de los difíciles años de resistencia y una dura lucha clandestina de los partidos políticos contra la dictadura perezjimenista (1948-1958) estuvo especialmente representado en Acción Democrática (AD) y COPEI (Partido Social Cristiano de Venezuela), y también en URD (Unión Republicana Democrática). Estas organizaciones emergieron como las principales protagonistas e instituciones políticas civiles del sistema democrático que recién, y con amenazas muy importantes, se iniciaba en la Venezuela de aquellos años. El Partido Comunista de Venezuela (PCV), aunque tuvo una importante participación en el derrocamiento de la dictadura, al igual que AD, fue excluido del Pacto de Punto Fijo por razones inherentes a su filosofía política que es enemiga de la democracia y partidaria de “la dictadura del proletariado.”

Una vez que los militares fueron derribados del poder en 1958, el Pacto de Punto Fijo y la Constitución de 1961, más una renta petrolera significativa que se encargaría de institucionalizar, por cuarenta años, un sistema político bipartidista suficientemente fuerte y representativo que impidió la consagración final de la intervención militar abierta en el sistema político durante esos cuarenta años que van desde 1958 hasta 1998 con el triunfo electoral del teniente coronel Hugo Chávez y la entrada en vigencia de la Constitución Bolivariana de 1999. Sin embargo, a pesar de la institucionalización de un sistema político bipartidista muy fuerte y representativo, durante esos cuarenta años, jamás hubo un verdadero y efectivo control civil de la sociedad y del sistema político sobre los militares venezolanos.

No obstante, en el sector civil dirigente, especialmente en AD, había plena conciencia del papel político que los militares habían jugado en la historia venezolana, y no sólo gravitaba sobre ellos el enorme peso de lo que significó la clandestinidad, las persecuciones, prisiones, torturas, muertes, exilio, y todo tipo de sacrificios durante la dictadura derrocada, sino también la experiencia del trienio 1945-1948, que los inhibió de aplicar amplias y fuertes medidas de control civil sobre los militares venezolanos. A lo cual hay que agregar una cierta concepción maniqueísta de la política, donde la clase política dirigente pensaba que la situación militar la podían manipular a su antojo. Es bastante común aquella expresión que se le atribuye a parte de la dirigencia política de aquellos años que sostenía que para mantener en tranquilidad a los militares y evitar alzamientos había que construirles casas, clubes militares, y de vez en cuando dejarlos pasar un contrabandito de aguardiente. Esta expresión contiene una carga despreciativa hacia los militares, además de significar un error grave en relación con el manejo y control de la institución militar.

Una vez derrocada la dictadura, la dirigencia política implementó una serie de medidas orientadas a someter a los militares, pero no a controlarlos. Pero también, en vez de intensificar y profundizar aún más la aplicación de técnicas y mecanismos efectivos de control civil, empezó a concederle una serie de privilegios y prerrogativas que iban en desmedro del control civil para, de esa manera, comenzar muy gradualmente a recuperar sus niveles de influencia y poder político. En efecto, en la nueva experiencia democrática que se iniciaba en el país los militares ya no ejercerían directa y abiertamente el poder político como cuando lo hicieron durante los años de la dictadura, sino a través del chantaje al sector civil. Esto tal como veremos más adelante cuando analicemos el “segundo orden de cultura política” del modelo teórico sobre las relaciones civiles y militares de S.E. Finer. Pero lo más grave es que, el nuevo sistema político le asignó a la institución militar el papel de árbitros de la democracia, en el sentido expuesto por Amos Perlmutter (Irwin 2003: 18-

19) y Eric Nordlinger (Irwin 2003: 40 y 151).

La lucha antisubversiva por la supervivencia de la democracia creó una serie de vínculos entre los militares de *orientación profesional* y los pretorianos, ante la amenaza común. Pero, también, creó una serie de intereses, vínculos, complicidades, alianzas, etc. entre los militares en su conjunto, pretorianos y los de *orientación profesional*, con la dirigencia política de AD y COPEI quienes gobernaron al país.

La estructura militar recibe privilegios económicos y de status como recompensa inmediata en su labor de defender con las armas el sistema democrático, estos serán celosamente resguardados y hasta ampliados por los miembros de la institución armada criolla (Irwin 2000: 17).

Este conjunto de privilegios, que sigue recibiendo el sector militar con miras a lograr un efectivo control civil sobre la institución militar y el fortalecimiento de la sociedad civil venezolana en el siglo XXI, son los que hay que desmontar, sin llegar a lesionar el papel y la función estrictamente profesional e institucional de los uniformados de verde.

Es clave “civilizar” al Ministerio de la Defensa, en el sentido siguiente; no se trata sólo de nombrar al ministro civil, sino también el resto de la estructura administrativa y burocrática de la seguridad y defensa. La Constitución de 1961 aunque permitía la designación de un civil jamás fue nombrado uno que no fuera militar. Paradójicamente, la titularidad de un civil al frente de la seguridad y defensa del Estado permite despolitizar a los altos mandos militares y concentrarlos en funciones técnicas asociadas directamente a la aplicación de la violencia en sus respectivos campos profesionales. Es a partir de entrada en vigencia de la Constitución Bolivariana de 1999 cuando tenemos a José Vicente Rangel como ministro de la defensa civil.

En efecto, en las democracias donde funciona el control civil, no necesariamente los comandantes de las fuerzas tienen que ser militares. Igualmente la Contraloría General de la institución armada debe ser objeto de algún tipo de supervisión de una institución política, especialmente todo aquello relacionado con esa fuente tradicional de corrupción como son las compras y adquisiciones de equipos, armas y sistemas técnicos. En ese aspecto el parlamento debe tener injerencia en lo relacionado con la discusión sobre la conveniencia estratégica o no de comprar determinados equipos y marcas de sistemas de armas.

En general, el parlamento debe tener amplias y específicas facultades legales de control presupuestario en materia de seguridad y defensa que vayan mucho más allá de las estrictamente simbólicas y formales, a fin de controlar los gastos e inversiones militares.

La administración presupuestaria y financiera militar venezolana es un coto cerrado inescrutable donde nadie prácticamente tiene acceso. Todo tipo de gasto asociado con la seguridad y defensa es considerado secreto, sólo el Presidente de la República, como Comandante en Jefe tiene acceso a las partidas de gastos secretos de Estado. En materia de los procedimientos y mecanismos de control presupuestario de los gastos de defensa por parte de las autoridades públicas civiles venezolanas son prácticamente inexistentes. La vigilancia sobre la forma como se administra el presupuesto de defensa tiene sólo sistemas de control interno que escapan al escrutinio público.

Otra prebenda que los militares venezolanos fueron gradualmente consolidando, producto de la confrontación durante los años de la Guerra Fría, fue clasificar como secreto de Estado o militar cualquier tipo de información relacionada con la seguridad y defensa, incluso por más banal que fuese. La legislación venezolana, en ese aspecto, ha estado atrasada, mucho más en estos tiempos de desarrollo de Internet y de las comunicaciones en

general, y ha traído como consecuencia, entre otras cosas, que los estudios sobre relaciones civiles y militares; pensamiento estratégico; y la seguridad y defensa; fuese casi de la exclusividad del sector militar. La formación de expertos y especialistas civiles en estos campos, al igual que la conformación de grupos y equipos interdisciplinarios para el estudio del pensamiento, planificación, investigación e incluso docencia con participación académica civil, resulta extremadamente difícil. Estas actividades, con muy pocas excepciones, han estado reservadas casi exclusivamente a los institutos de formación militar.

Esta privilegiada situación ha alcanzado tales extremos que en la toma de decisiones en áreas como fronteras y límites internacionales pareciera que existe una especie de poder de veto militar en decisiones del Estado. Y no sólo eso sino que amenazan con invadir y monopolizar otros campos de investigación y estudios como el terrorismo, el narcotráfico, la narcoguerrilla, entre otros.

Por otra parte, los militares se habían reservado una serie de posiciones de dirección en la administración pública muy importantes, sobre todo en Relaciones Exteriores y en el Ministerio de Infraestructura y Comunicaciones. Pero, esta situación hizo metástasis y llegó al paroxismo luego de entrada en vigencia de la Constitución de 1999, con el gobierno de Chávez, en donde prácticamente se ha “militarizado” toda la administración pública central y descentralizada, y los principales cargos los ocupan oficiales de distintas condiciones y jerarquías.

Durante los años de la lucha subversiva en Venezuela la dirigencia se esmeró en complacer y mejorar las condiciones socioeconómicas de los militares, al fin y al cabo eran ellos quienes estaban exponiendo sus vidas en defensa de la sociedad y el sistema político. A la vez gradualmente esos logros fueron convirtiéndolos en un sector realmente privilegiado en relación a las condiciones socioeconómicas que tenía el resto de los sectores profesionales de la sociedad (Irwin 2000: 149-150). Así, por ejemplo, actualmente con la Constitución Bolivariana los militares están fuera del sistema nacional de la seguridad social que rige para todos los empleados de la administración pública.

Por otra parte la autonomía en materia del funcionamiento de los servicios de inteligencia ha sido absoluta y totalmente discrecional durante los gobiernos democráticos. Independientemente, de cada gobierno los servicios de inteligencia e información militar han estado fuera de control, auditoria, profesionalismo y supervisión civil. No hay legislación que controle y limite su funcionamiento y actividades. Todas las fuerzas y componentes militares tienen sus Direcciones de Inteligencia, que actúan a sus anchas. Estos servicios operan y tienen actividades que alcanzan campos que pueden invadir cualquier ámbito de la vida pública, e incluso el privado de personas y empresas. Así tenemos los escándalos sobre excesos y abusos que, en oportunidades, han trascendido a los medios de comunicación social y a la opinión pública. Esta irregularidad se comenzó a formar como parte de las exigencias de la lucha contra la subversión durante los gobiernos presididos por Rómulo Betancourt y Raúl Leoni y no fue corregida oportunamente.

Otra área de privilegios del sector es la aplicación de la justicia militar a delitos de naturaleza civil cometidos por oficiales. Sin embargo, a los civiles, usualmente por razones políticas, se les aplica el código de justicia militar. En cambio, cuando por ejemplo los militares cometen delitos asociados con corrupción administrativa se les aplica el código de justicia militar, cuando en realidad no es estrictamente un delito de este tipo.

Finalmente, un aspecto importante para la formación profesional y de valores democráticos entre los militares es la supervisión y control de los objetivos y la admin-

istración de los contenidos curriculares de sus institutos educativos a todos los niveles, puesto que tradicionalmente ha estado fuera de todo tipo de control y vigilancia de las autoridades educativas civiles nacionales.

El pretorianismo venezolano tiene sus orígenes en el mantenimiento en las escuelas de formación militar y en la educación cultural venezolana en general de un conjunto de mitos, como por ejemplo, entre otros, aquel mito que tiene que ver con el establecimiento de relaciones artificiales entre el papel jugado por las fuerzas armadas en la defensa de la integridad territorial y la soberanía nacional, y la preservación de la democracia, con las luchas de Simón Bolívar en su época, cuando en realidad, rigurosamente, esas situaciones no tienen ningún vínculo, el ejército que creó Gómez y las fuerzas armadas que le sucedieron no tienen nada que ver con el ejército del Libertador (Irwin 1999: 31-50).

Con la presidencia de Hugo Chávez la situación ha llegado a tales extremos que a los militares venezolanos se les impuso el saludo, de los militares cubanos, de “Patria, Socialismo o Muerte.” Y la Ley Orgánica de las Fuerzas Armadas Nacionales (LOFAN) ha sido objeto de reformas en cuatro oportunidades, en donde, entre otros cambios importantes, se le agregó el calificativo de Bolivariana, quedando ahora como FANB, Fuerza Armada Nacional Bolivariana. Todas estas modificaciones se han producido sin mayores debates por parte de las instituciones y la sociedad civil venezolana sobre su significación, impacto y alcance y una enorme falta de claridad y grandes dificultades para obtener información, que no sea estrictamente la que sale publicada en las *Gacetas Oficiales*. No obstante, de lo poco que ha salido a la luz pública, en documentos oficiales se plantean cambios en la estructura administrativa, contenidos y orientación doctrinaria e ideológica de la educación militar venezolana.

En el contexto del Plan Integral de la Educación Militar (PIEM) y el Primer Plan Socialista de Desarrollo Simón Bolívar 2007-2013, el pensamiento y acción de los precursores y héroes de la independencia, Simón Bolívar, Simón Rodríguez, y Ezequiel Zamora pasan a ser el fundamento de la educación militar venezolana, con objetivos programáticos como el antiimperialismo, el anticapitalismo, el anticolonialismo y el socialismo. Sin embargo la propuesta de que la educación militar pase a ser el eje transversal de la educación básica y secundaria, administrada por la Milicia Bolivariana, presentó un rechazo nacional por parte de la opinión pública, Organizaciones No Gubernamentales (ONGs), medios de comunicación social, sectores especializados, grupos de presión, gremios profesionales, y asociaciones de padres y representantes, de tal magnitud que pareciera que, por el momento, la idea fue pospuesta e incluso cancelada definitivamente.

De tal manera que resulta prácticamente insostenible, tal como lo plantea Irwin la tesis del discurso oficioso sobre las relaciones civiles y militares venezolanas de la existencia de un efectivo control civil y subordinación de los militares venezolanos al poder político de los siglos XX y XXI (Irwin 2000).

Ahora bien, si en Venezuela no hemos tenido control civil; ¿qué hemos tenido? Teóricamente, buena parte de la respuesta a esta interrogante la encontramos en lo que S.E. Finer (1962) llama el “segundo orden de cultura política.” En este orden, los civiles pueden gobernar otorgándoles a los militares total autonomía e inmunidad institucional. Es decir, la legitimidad de las autoridades civiles es importante y refractaria a los militares.

Los aspectos cruciales del funcionamiento del “segundo orden de cultura política” son el “blackmail” y el contubernio, la rivalidad, la intimidación, la amenaza de no-cooperación, e incluso las amenazas de violencia contra las autoridades civiles, como formas de

intervención de los militares. Con relación al significado de “blackmail” es una palabra inglesa que ideológicamente se traduce como chantaje. No obstante, la versión española del modelo teórico de (Finer 1969: 221), la traduce literalmente como extorsión. Sin embargo, consideramos que la traducción ideológica como chantaje es más adecuado, a nuestros propósitos, ya que esa acción, no necesariamente implica el uso de la fuerza física. Más bien está asociada con amenazas o presión psicológica para lograr algún tipo de dividendo o privilegio.

En cambio, la extorsión política va más allá de la presión o amenaza psicológica; implica el uso de la fuerza, no para obtener ventajas, dividendos o prerrogativas, sino para la usurpación. En efecto, el chantaje político es más sutil, la extorsión es más directa y agresiva. Entonces, el chantaje político se ajusta más para explicar la característica principal de las relaciones civiles y militares venezolanas. Sobre todo es para explicar cómo es que sin la existencia de control civil en el sistema político y la democracia venezolana; los militares enmarcaron su actuación histórica y política en los parámetros legales y constitucionales.

Por otra parte, tenemos que S.E. Finer denomina como maduro al “primer orden de cultura política”, pues la legitimidad de las autoridades civiles es de capital importancia e inaccesible a los militares. Y el modo de intervención militar en política es a través de la influencia en los canales institucionales del sistema.

Así, la ausencia y debilidad de mecanismos constitucionales de influencia militar en el sistema político no permite ubicar la actuación de los militares venezolanos en el primer orden de cultura política del modelo de S.E. Finer. Esto puesto que los mecanismos de influencia para la intervención de los militares en política estaban y siguen, ahora aún más que nunca, centralizados absolutamente en la figura del Presidente de la República. En consecuencia, luego del primer alzamiento de Castro León se produjo en Venezuela una gran variedad de alzamientos militares, de todo tipo, que intentaban la intervención en la política y el control del Estado. Estos alzamientos, aunque no siempre expresaron una representación y legitimidad institucional, siempre manifestaron una fuerte vocación violenta contra las autoridades civiles legítimamente establecidas, por el voto popular.

Retomando la línea argumental de S.E. Finer encontramos que el “tercer nivel de cultura política” se corresponde con un orden de cultura política bajo. Así, aunque la legitimidad es relativamente importante, sin embargo es fluida; lo cual significa que la legitimidad política no es decisiva para este tercer nivel de cultura política. La forma de intervención de los militares, en este tercer nivel de cultura política, se expresa a través de su negativa a defender a las autoridades civiles contra la violencia. Incluso, pueden presentarse amenazas propias del segundo nivel de cultura política de no cooperar, pero también se pueden presentar acciones de violencia directa. En este nivel, la intervención política puede alcanzar el desplazamiento del gabinete civil.

El cuarto nivel es de mínima cultura política, en donde la legitimidad no tiene ninguna importancia y la forma de intervención es la violencia y la suplantación del régimen civil. Esta es la forma más brutal de intervención militar en política.

La subordinación y la sujeción militar al control civil exigen de profesionalismo militar, pero también exige compartir los valores y la visión acerca del futuro y la cultura política democrática de la sociedad. Y no sólo eso, sino más aún, que ese grupo de valores y esa visión del futuro pasen a formar parte integral de las convicciones y creencias de la institución militar y de los militares individualmente.

De esta manera, la autonomía del sector militar venezolano, alcanzó una mayor significación política para el sistema político, que fue mucho más allá del alcance planteado en el propio Pacto de Punto Fijo. Es decir, el acuerdo tácito entre el sector civil, representado por las cúpulas de los partidos AD, COPEI y URD, entre otros, y los militares, consistió en darle una total y absoluta autonomía a la institución militar, en donde los civiles no tuvieron una importante injerencia, ni en asuntos de la más baja importancia hasta cuestiones vitales para la supervivencia de la misma sociedad. En efecto, la autonomía total de los militares en un ambiente político donde las instituciones y los mecanismos de control civil son débiles o inexistentes, presenta mortales inconvenientes para la supervivencia del sistema democrático. Esto puesto que esa autonomía termina separando a los militares de los valores generales y la visión del futuro de la sociedad. Pero lo más importante, simultáneamente, el sector civil pierde todo el control sobre los militares y sus instituciones.

Uno de los mecanismos más característicos de la separación de la sociedad civil y los militares, pero potencialmente muy peligrosos en países con bajos niveles de cultura política e institucionalmente frágiles y débiles como es el caso de Venezuela, es cuando los militares, individual o colectivamente, comienzan a formularse teorías sobre su papel en el desarrollo del país. Especialmente las teorías referidas a la seguridad y defensa del Estado orientadas a justificar su intervención en la política y la búsqueda del poder del Estado. La Constitución Bolivariana de 1999, en el Artículo 328, en relación a las misiones militares, tiene uno de los virus políticos de mayor potencial destructivo, cuando textualmente consagra: “La Fuerza Armada constituye una institución... organizada por el Estado para garantizar la independencia y soberanía de la Nación y asegurar la integridad del espacio geográfico, mediante la defensa militar, la cooperación en el mantenimiento del orden público y la participación activa en el desarrollo nacional.” En este sentido apunta la formulación de Richard Kohn, cuando señala que los militares son para la defensa de la sociedad y el Estado, no para hacer definiciones teóricas, políticas, económicas o de cualquier otro tipo en la sociedad a la cual pertenecen (Kohn 1997). A la institución castrense en las sociedades democráticas les corresponde la implementación operativa de la defensa militar. Las definiciones políticas y estratégicas le corresponden al sector civil.

Cuando los militares comienzan a intervenir estas áreas con sus interpretaciones se inicia el germen del desconocimiento de la subordinación y sujeción militar al control civil. Estas teorías sobre el desarrollo nacional usualmente van complementadas con interpretaciones interesadas de la historia. El ejemplo de la interpretación que hace Hugo Chávez, como militar, del papel jugado por Simón Bolívar, en la historia venezolana constituye un extraordinario ejemplo de hacia donde pueden conducir a un país esas caprichosas interpretaciones históricas de los militares.

En síntesis, el problema de la politización de los militares, y el pretorianismo en general, se origina durante su proceso de formación y educación. En ese momento cuando se comienzan a elaborar teorías que separan y establecen diferencias entre categorías, como el cumplimiento de las responsabilidades, el deber moral, la obediencia y lealtad hacia la nación, la institución castrense, el gobierno, la Constitución Nacional, el Ejecutivo, y el pueblo, entre otros, se comienzan a crear las condiciones favorables para que se desarrolle y manifieste el pretorianismo. Es decir, en ese momento se está sembrando en la mentalidad militar el virus de la insubordinación, el desconocimiento de la autoridad, y la falta de sujeción al control civil; que posteriormente se podría expresar en la búsqueda del poder político a través de la posesión y uso ilegítimo de las armas del Estado, y eventual violencia

en contra de la sociedad civil. Así pues, la pérdida de cohesión ideológica al igual que la expansión de sus responsabilidades mas allá de su campo natural, conduce a los militares a su división y desintegración, pero también amenaza propia la existencia de la sociedad civil democrática.

Ahora bien, para Samuel Huntington la sociedad tiene dos formas básicas de asegurar el control civil. A través del control subjetivo, por medio de medidas constitucionales, institucionales, e incluso mecanismos de superación social, y el control objetivo sobre los militares que se logra por medio del profesionalismo militar. Además propone el profesionalismo militar como garantía contra la politización (Huntington 1957). Sin embargo, en América Latina y en general para las sociedades con bajos niveles de cultura política y debilidad institucional y política como la situación venezolana, el problema de la intervención de los militares en política parece que trasciende los parámetros teóricos del profesionalismo militar planteado por Huntington. Este es uno de los puntos centrales de la polémica entre Huntington y Finer. No obstante, el esquema huntingtoniano de control civil sobre los militares pareciera funcionar más adecuadamente para las sociedades democráticas del mundo industrializado y no para el conjunto de sociedades subdesarrolladas institucionalmente. “Lo que justamente diferencia a las democracias políticamente maduras de las democracias limitadas es precisamente el control que la sociedad civil ejerce sobre sus militares. Esta es una de las características, probablemente la más importante, entre las democracias modernas y desarrolladas con el resto de las democracias del mundo civilizado” (Castillo 2003: 104).

La evidencia histórica, para esta parte del mundo, pareciera estar del lado de la tesis de Finer, en el sentido de que en ciertas circunstancias, que dependen principalmente del nivel de cultura política de la sociedad, los “profesionales militares” pueden ser sujetos de intervención política. Sobre todo, cuando comienzan a plantear ciertas teorías que, muy subliminal y a veces abiertamente, establecen diferencias y se divorcian de los objetivos e intereses de la nación, la Constitución y el gobierno. Igualmente, cuando hacen ciertas interpretaciones interesadas de la política y la economía sobre el papel que han jugado en la historia. Teorías que conducen finalmente, a veces de una forma sutil, al desconocimiento de los controles y la subordinación militar ante la supremacía civil.

Según la tesis de Huntington, no se puede afirmar absoluta y universalmente que el profesionalismo militar sea la variable clave para asegurar el control civil ya que no está demostrado históricamente para todos los casos. Además, el profesionalismo no parece ser en definitiva la garantía para impedir, limitar o incluso eliminar la politización de las fuerzas y sus distintas formas de manifestación pretoriana. Se pueden encontrar situaciones en donde se presenten distintos niveles de profesionalización con diversos tipos de intervención militar en política, que pueden ir desde muy alto profesionalismo y politización hasta niveles muy bajos en las dos variables mencionadas.

Pero, en cualquier caso, cualquier forma que tomen las relaciones entre profesionalismo militar y politización atenta y va en detrimento de la institucionalidad y en contra del control civil. En América Latina la situación de países como Argentina, Bolivia, Brasil, Chile, Perú, e incluso Venezuela últimamente, entre otros, es ilustrativa, sin mencionar numerosos casos en otras partes del mundo subdesarrollado. Así pues, tal como lo sostiene Finer, resulta insuficiente, para estas latitudes, explicar el control civil principalmente en términos de profesionalismo militar.

En vista del poder y las características de la actuación política de los militares vene-

zolanos y la ausencia de un efectivo control civil, rigurosamente no se puede afirmar que las Fuerzas Armadas venezolanas han alcanzado altos niveles de profesionalismo ni tampoco hemos tenido control civil. Ahora bien, si no hemos tenido un efectivo control civil y, sin embargo, los militares se han mantenido dentro del marco legal y constitucional hasta el punto, incluso, en que todos los alzamientos militares venezolanos después de 1958 han sido derrotados con los mismos recursos de la propias Fuerzas Armadas, entonces ¿qué tipo de militares hemos tenido en Venezuela? En relación a la situación venezolana, los parámetros teóricos de Perlmutter, a pesar de que él no examina en detalle nuestra situación, parecen ofrecer argumentos para intentar la siguiente explicación: Una vez que el pretorianismo fracasa en el gobierno militar entre 1948-1958, hemos tenido a unos militares pretorianos en estado latente o potencial; y un ejército árbitro (Perlmutter 1977). Es decir, la dirigencia política civil permitió la existencia de unas condiciones propicias para que el pretorianismo latente se desarrollara, tal como efectivamente ocurrió luego del triunfo electoral de Chávez. O sea, compartimos el planteamiento teórico de Irwin, el cual sostiene que luego de 1958 la dirigencia política civil venezolana pretendía saber sobre relaciones civiles y militares y control civil, cuando en realidad lo ignoraba y fue incapaz de manejar esa problemática. “El acuerdo de mutuo interés, no escrito, entre la alta dirigencia de AD y COPEI y los altos mandos castrenses, suponían estar en capacidad de controlar favorablemente el siempre presente potencial político protagónico del sector castrense criollo” (Irwin 2003a: 203).

Recordemos que Perlmutter considera a los ejércitos como el principal instrumento de poder pretoriano y los clasifica de árbitros y gobernantes, así tendríamos entonces que nuestra institución castrense se ha comportado políticamente durante la democracia como un *ejército pretoriano tipo árbitro*. Es decir se perciben, a sí mismo, como no preparados para ejercer la conducción política del Estado directamente, mientras que los *ejércitos pretorianos tipo gobernantes* en cambio sí se perciben a sí mismo como preparados para ejercer la conducción política del Estado.

Ahora bien, si se sigue el modelo teórico de Eric Nordlinger (1977) hemos tenido en Venezuela un ejército pretoriano tipo moderador. Es decir, aquellos que: “Constituyen un poderoso grupo de presión que ejerce un poder de veto sobre las autoridades civiles pero sin pretender ellos tomar directamente el poder político. Se caracterizan por ser conservadores, defensores del *status quo*, los civiles gobiernan pero el gobierno es supervisado por los militares” (Irwin 2003: 40).

Pero, en lo fundamental, el liderazgo político civil venezolano no tuvo, ni ha tenido hasta ahora, la capacidad, el interés, la voluntad y claridad política, consistencia conceptual y convicción doctrinaria, e incluso hasta la necesidad de implementar un conjunto de mecanismos y técnicas para ejercer un efectivo control civil sobre el histórico potencial pretoriano de los militares venezolanos. De tal manera que, se puede afirmar que en materia de relaciones civiles y militares venezolanas, luego del fracaso del pretorianismo gobernante del dictador Marcos Pérez Jiménez, no hemos tenido un real y verdadero control civil sobre los militares. Al contrario, lo que hemos tenido es un entendimiento, acuerdo, fusión, alianza y simbiosis militar-civil y político-militar; no escrita, pero sí operante y efectiva. Después de varios siglos de barbarie, atraso e incivilización puede que el siglo XXI sea para Venezuela el siglo de la derrota definitiva del virus del pretorianismo y la supremacía final de la sociedad civil venezolana sobre los militares y sus instituciones armadas.

Notas

¹ En febrero de 1989 se produjo el “Caracazo” o “Sacudón”. A raíz del alza de los pasajes en el transporte colectivo entre el 27 y 28 de ese mes estallaron en las principales ciudades de Venezuela una serie de protestas populares: hubo saqueos y destrozos en distintas zonas comerciales, gran cantidad de muertos, heridos y desaparecidos que fueron enterrados en fosas comunes y hasta la fecha no se conoce el número exacta de las cifras. Estos hechos provocaron una situación de anomia y anarquía, pues la violencia se convirtió en el mecanismo de expresión popular, lo cual ameritó la suspensión de las garantías constitucionales y la militarización del país, hecho que no ocurría en Venezuela desde los años sesenta.

² Los argumentos que ambos grupos golpistas manejaron fueron: la pérdida de credibilidad del sistema de partidos, el malestar social causado por las medidas económicas adoptadas durante el período 1989-1992, la corrupción tanto en el sector público como en el privado, la injusticia, la inseguridad y la pérdida del poder adquisitivo de las clases medias, que repercutió en la baja de los niveles de vida y que habían trascendido también a la Fuerza Armada. De esta forma, emergieron grupos ideológicos del sector castrense que se aliaron a civiles para plantearse una salida por la vía del “cuartelazo”, utilizando métodos que se creían superados como forma de hacer la política en Venezuela.

³ En este contexto, nos referimos a baja o mediana cultura política al concepto de S.E. Finer en su modelo teórico sobre las relaciones civiles y militares según el cual, en estos ordenes de cultura política, los civiles pueden gobernar dándole a los militares total autonomía e inmunidad institucional. Es decir, la legitimidad de las autoridades civiles es importante pero fluida o refractaria a los militares.

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El Control Civil de las Fuerzas Armadas en el Ecuador ¿Intento Fallido?*

Luis Hernández

RESUMEN

El Ecuador ha sido uno de los últimos países en la región en tener como ministro de la defensa a un civil. Tradicionalmente esta tarea ha sido entregada a militares retirados. El tema militar fue y sigue siendo un área poco apetecida para ser aprendida por la sociedad civil y académica. El mismo Presidente Correa ha aceptado conocer muy poco sobre temas de seguridad, a tal punto que en una de sus intervenciones semanales en los medios de comunicación ha ofrecido leer y aprender más sobre el tema.

Sin embargo de conocer poco del tema—como él lo admite—durante su gobierno se designó por primera vez en más de 35 años a un ministro civil para la defensa. Hasta el momento en su gobierno dos ministras han sido mujeres—una de las cuales murió en un accidente de un helicóptero militar. El actual ministro es un ex periodista que, a través de su columna en uno de los periódicos de alcance nacional era un crítico—para algunos a veces injusto—de las actividades de las FF.AA.

Introducción

Desde el 2006 en que tomó el poder el presidente Rafael Correa, los cambios en las Fuerzas Armadas (FF.AA.) han estado dirigidos a dos áreas específicas: quitarles a las FF.AA. su condición de garantes del orden democrático, y ejercer el control civil de las mismas. Para el efecto se aprobaron varias leyes que han permitido que esto se efectivice.

La rebelión policial del 30 de septiembre del 2010 (30-S), originó una profunda crisis en la Policía Nacional, y por ende en la Seguridad Nacional. Las percepciones de confianza hacia la Policía Nacional cambiaron, particularmente de parte del Correa, quien fue objeto de vejámenes por policías en la mañana del 30-S y más tarde “rescatado” por un contingente de las FF.AA. de un hospital policial. El desenlace determinó cambios en el Ministerio del Interior y la designación de un militar retirado como Ministro de Seguridad Interna y Externa, desplazando a un civil. Este hecho para ciertos analistas es visto como un regreso al pasado en que los temas militares los tratan solo los militares.

Acciones recientes por parte del gobierno del presidente Correa han estado orientadas

Las opiniones aquí expresadas reflejan exclusivamente el punto de vista del autor, y no representan los puntos de vista de las instituciones que organizaron, patrocinaron y participaron en este evento.

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a disminuir la participación de la policía en actividades de orden interno y a aumentar la participación de la FF.AA. en tareas policiales.

Los militares a los asuntos militares

La Constitución aprobada luego del gobierno militar (1972-1979), dejó tareas a ser cumplidas por las FF.AA. dentro de los organismos del estado. Estas fueron desarrolladas gracias a la participación a través de delegados en los directorios de varias empresas nacionales. La participación de los delegados de las FF.AA. era con voz y voto, lo cual contradecía con el carácter de no deliberantes establecido en las Constituciones que regían desde 1979. Era común escuchar que las FF. AA. se retiraron del gobierno, pero no del poder.

La Constitución de 1998 dejó normas claras para que los militares se concentren más en sus actividades específicas, de tal manera que ya se estableció que las empresas militares se dediquen exclusivamente a aspectos relacionados con la defensa nacional. Esto no se cumplió, ya que ningún gobierno tuvo la voluntad política, ni el apoyo para que esto sea una realidad, por lo que las FF.AA. continuaron en actividades económicas, tales como cultivo de flores, agricultura, piscícola, bancaria, acciones en hoteles, entre otras, más la participación en los directorios de ciertas empresas del estado.

En lo referente al rol de las FF.AA. dentro de la convivencia en un estado democrático, tanto la Constitución de 1979 como la de 1998 le dieron a las FF.AA. la misión de ser garantes de la institucionalidad interpretada por muchos analistas como guardianes de la democracia. Bajo estos argumentos se produjeron, por ejemplo, intervenciones en la vida política del Ecuador, siendo el más trascendental el golpe de estado del año 2000 ejecutado por un grupo de oficiales. Liderados por el coronel Lucio Gutiérrez y apoyados por el sector indígena, contó más tarde con la venia del mando militar. Como consecuencia de este golpe fue derrocado el presidente Jamil Mahuad. Sin embargo, las FF.AA. no tomaron el poder, sino que facilitaron la sucesión presidencial a través del vicepresidente Gustavo Noboa.

El proyecto de la “Revolución Ciudadana” que lidera el presidente Correa inauguró en el 2008, una nueva Constitución, la misma que en los temas de seguridad trae cambios significativos en relación a las pasadas constituciones. Tanto las FF.AA. como la Policía Nacional pasan a ser “de garantes del orden jurídico”²¹ a “Instituciones de protección de los derechos, libertades y garantías de los ciudadanos.”²² Otro cambio importante es el de asignar a las FF.AA. únicamente la defensa de la soberanía y la integridad territorial y a la Policía Nacional la protección de seguridad interna. En las Constituciones anteriores la Policía Nacional se subordinaba a las FF.AA. a través del Comando Conjunto en misiones de orden interno, cuando se declaraba el estado de emergencia, para poder de esa forma enfrentar de mejor manera situaciones de conflictividad social que puedan llevar a una grave conmoción interna.

En lo relacionado a las actividades económicas la nueva constitución casi mantiene el mismo articulado, tanto para las FF.AA. como para la Policía Nacional, al determinar que: “solo podrán participar en actividades económicas relacionadas con la defensa nacional, y podrán aportar su contingente para apoyar el desarrollo nacional, de acuerdo a la ley.”²³

Sin embargo, que el articulado de las Constituciones tanto actual como anterior es parecido en lo relacionado a las actividades económicas que pueden realizar los organismos de seguridad, Correa toma acciones que le permiten profundizar el control civil de las FF.AA. y la Policía Nacional. Es así que para el efecto a través de la Asamblea Nacional—

donde tiene mayoría—aprueba dos leyes determinantes para esto, la Ley Orgánica de Empresas Públicas y la Ley de Educación Superior, por medio de las cuales asume el control de los directorios de las empresas militares y policiales y procede a eliminar las empresas que no tienen relación con el tema de seguridad.

La Ley Orgánica de Empresas Públicas, aprobada por el gobierno del Correa y publicada en el *Registro Oficial* del 16 de Octubre el 2009, dispone la creación del Comité de Industria de la Defensa con la siguiente misión:⁴

El Comité de Industria de la Defensa Nacional, en base a elementos objetivos y parámetros definidos, recomendará en un plazo no mayor de 180 días al gobierno nacional, mantener o no el control o administración de dichas empresas. Con el referido informe y dentro del plazo de noventa días las empresas que queden bajo control de las Fuerzas Armadas adecuarán su naturaleza jurídica al marco de la presente Ley. En las que se decida que las Fuerzas Armadas no continúen participando se iniciarán los procesos de desinversión, sin menoscabo de aquellos que a la fecha de expedición de la presente Ley se encuentren ejecutando.

La creación de este comité es nueva en la estructura organizacional de la defensa y permite que los diferentes gobiernos lo manejen de acuerdo a sus proyectos políticos ya que la mayoría de sus integrantes son designados por el presidente de la república.

La Ley Orgánica de Empresas Públicas da fiel cumplimiento a lo establecido en el Art. 162 de la Constitución aprobada en referéndum por el pueblo ecuatoriano en el año 2008.

La puesta en práctica de esta ley ha determinado que actividades económicas que desarrollaban las FF.AA. y que no se referían a la defensa nacional sean abandonadas. El *Diario Hoy* el 1 de noviembre del 2008, publica en un titular: “Las FF.AA. sacan a la venta sus empresas militares,” en el desarrollo del mismo, da fé de la puesta en venta por ejemplo del 44 por ciento de las acciones que las FF.AA. tenían en el Hotel Marriott de Quito.

El control civil sobre las empresas militares que se dediquen a actividades de la defensa nacional, también se acentúa con esta ley, ya que determina que los directorios de estas empresas estén conformados con mayoría de miembros civiles, a pesar que se mantiene la integración del directorio con miembros militares como son el Jefe del Comando Conjunto y el Comandante de Fuerza—dependiendo de la rama de las FF.AA. a que pertenezca la empresa. Es decir cualquier decisión sobre el futuro de la industria militar está bajo el control civil ya que ellos tienen mayoría en los directorios.

Igual tratamiento es dado a las empresas que maneja la Policía Nacional, con lo cual dos instituciones de la seguridad del Ecuador, que tradicionalmente habían tenido autonomía para manejar sus empresas, con motivo de la entrada en vigencia de la Ley Orgánica de Empresas Públicas pierden esa autonomía y sus empresas pasan al control civil a través de los respectivos gobiernos.

En lo referente a la educación superior en la FF.AA., a las instituciones de educación superior se les unificó dando cumplimiento a lo establecido en la Ley de Educación Superior. Esto permitirá que bajo el control del Ministerio de Defensa se desarrolle la nueva Universidad de las FF.AA.

Los debates para la aprobación de estas dos leyes en sectores de la oposición, en especial, no fueron vistos como un avance en el control civil de los organismos de seguridad del estado, sino más bien como una forma de aumentar el poder del ejecutivo.

En los sectores de seguridad en cambio, la percepción que se manejó es que las empresas militares se debilitarían, los directorios se politizarían y por ende los recursos a los que tenía acceso las FF.AA. por el rendimiento de sus empresas se afectaría. De acuerdo a declaraciones al *Diario Hoy* el 1 de noviembre del 2008, el comandante del ejército, Ernesto González, sostenía que los ingresos por la administración de las empresas significaban 12 millones de dólares al año.

Romper una larga tradición de autonomía si bien no trajo expresiones públicas en contra, de parte de miembros de las FF.AA. y Policía en servicio pasivo, el sentimiento en muchos de ex militares era que se debilitaba la defensa nacional.

El Proyecto de la “Revolución Ciudadana”⁵ había fijado en la Constitución del 2008 claras competencias, tanto para la Policía como para las FF.AA., a tal punto que se estableció claramente que para utilizar a las FF.AA. en misiones de orden interno será necesario decretar el estado de excepción.⁶ Al haber establecido que la policía tendrá como misión “atender la seguridad ciudadana,”⁷ y las FF.AA. “la defensa de la soberanía y la integridad territorial,” las leyes consecuentes estaban dirigidas a normar de forma más específica lo establecido en la Constitución y así sucedió.

Hasta antes de septiembre del 2010, tres leyes recogían y normaban lo establecido en la Constitución del 2008. Estas son: La Ley de Empresas Públicas, la Ley de Seguridad Pública y la Ley referida al Código Orgánico de la Función Judicial. En todas ellas se introdujeron artículos por los cuales se restaba autonomía y a la vez se aumentaba el control civil de las FF.AA. y Policía.

Así tenemos por ejemplo que el Código Orgánico de la Función Judicial derogó leyes que permitieron tanto a las FF.AA. como a la Policía gozar de una gran autonomía en la administración de justicia en sus instituciones y que en algunos casos provenían de hace varias décadas. Estas leyes fueron: Ley de la Función Judicial de la Policía Nacional de 1960, Ley Orgánica del Servicio de Justicia de las FF.AA. de 1961, el Código de Procesamiento Penal de la Policía Nacional de 1960 y el Código de Procesamiento Penal de las FF.AA. de 1961.

Igualmente se bajó el nivel de fuero al de Corte de Justicia Provincial al Jefe del Comando Conjunto, Comandantes de Fuerza y Policía Nacional.⁸ Antes tenían fuero del más alto organismo de justicia que era la Corte Suprema de Justicia, hoy Corte Superior de Justicia.

La Ley de Seguridad Pública y del Estado en cambio reformó los organismos de inteligencia, sacándoles de la tutela militar y creando la Secretaria Nacional de Inteligencia. Fue establecido además que para ser secretario “no podrá ser miembro activo de las FF.AA. o de la Policía Nacional.”⁹ todo esto con el claro propósito de establecer un control civil de los organismos de inteligencia a nivel del estado. Estas decisiones fueron tomadas en vista de las críticas a la acción de la Inteligencia Militar con motivo de la infiltración de las FF.AA. colombianas el mes de marzo del 2008 en el sector ecuatoriano de Angostura—área fronteriza con Colombia—para destruir un campamento de las FARC en el que se encontraba Raúl Reyes un alto miembro del Secretariado de las FARC. Según altos funcionarios del gobierno del Correa, se ocultó “más de 20 días información al Presidente”. Según declaraciones de Miguel Carvajal, ministro coordinador de seguridad del gobierno, dadas al *Diario El Universo* el 4 de julio del 2010.

Igualmente a través de esta Ley se conforma el Consejo de Seguridad Pública y del Estado en sustitución del Consejo de Seguridad Nacional. El actual Consejo reduce la

participación de los organismos de seguridad a únicamente dos miembros, el Jefe del Comando Conjunto y el Comandante de la Policía Nacional, cuando antes eran además miembros los comandantes de fuerza.

La participación de miembros de la FF.AA. y Policía en ámbitos ajenos a su función se norma también por medio de esta ley. Es así como el Art. 44 establece que: “En concordancia con su naturaleza no podrán participar en directorios, comisiones, comités, consejos consultivos y en general organismos colegiados de instituciones, empresas públicas y organismos de regulación y control, a excepción de las entidades de seguridad social de las fuerzas armadas y la policía nacional, y de aquellas empresas relacionadas directamente con la seguridad interna y externa.”

Es esta posiblemente una de las normas más claras dirigidas a terminar uno de los legados que más duraron en la vida democrática de Ecuador después de los gobiernos militares, y que fue el de mantener empresas ajenas a su misión y al mismo tiempo integrar directorios de instituciones nacionales lejanos a su tarea de la defensa nacional, tales como en el área de petróleo, electricidad, teléfonos etc. Sin embargo, quedó a discreción del gobierno utilizar a las FF.AA. o a sus miembros en tareas ajenas a su misión fundamental mediante la declaración de estado de emergencia de un determinado sector de la actividad pública. Así al sector petrolero se entregó a la marina para que maneje de Petroecuador durante más de un año a partir de enero del 2008.

En el caso de la Policía Nacional el control del tránsito a nivel nacional y su organización había sido uno de las tareas más apetecidas por esta institución. La Ley de Tránsito aprobada en el año 2008 entregó el manejo y el control del tránsito en gran medida a los gobiernos locales. Este fue también un cambio significativo en el proceso de “ordenar” las tareas de la Policía por parte del gobierno.

También dentro del proceso de entregar el control interno y la seguridad ciudadana a la Policía Nacional, se modificó la Ley que ordenaba el control y registro de armas por parte de las FF.AA. y se entregó esta responsabilidad a la Policía Nacional.

La revuelta policial del 30 de septiembre y las consecuencias en las tareas constitucionales de las FF.AA. y la Policía Nacional

El Art. 158 de la Constitución del Ecuador establece que: “la protección interna y el mantenimiento del orden público son funciones privativas del Estado y responsabilidad de la Policía Nacional.” Igualmente el Art. 163 establece que la Policía Nacional es una institución del estado de “carácter civil.”

Los artículos arriba mencionados originaron procesos de reforma dentro de la Policía Nacional, tales como la entrega paulatina del control y administración del tránsito a los gobiernos locales, junto a procesos de depuración dentro de las filas policiales.

Una decisión que no solamente involucró a la Policía, sino también a las FF.AA., fue el establecimiento de una Comisión de la Verdad para investigar las violaciones a los derechos humanos por parte de los organismos de seguridad en los gobiernos anteriores. Al parecer estas decisiones no eran vistas de buena manera por algunos miembros de la policía. Sin embargo, se estaban cumpliendo en un ejercicio claro de obediencia al control civil y a sus dictámenes. Pero, cuando el ejecutivo, mediante el veto, aprobó cambios en la Ley de Servidores Públicos que alteraban la forma de recibir recompensas económicas por el tiempo de servicio y la promoción tanto de las FF.AA. como de la Policía Nacional, esta última escogió la vía de rebelión para demostrar su malestar. No faltaron también protestas

aisladas de personal de la Fuerza Aérea que motivaron el cierre temporal del aeropuerto de Quito la mañana del 30-S.

La rebelión de la Policía el 30 de septiembre del 2010 creó una gran incertidumbre en el liderazgo político en el Ecuador, fue algo totalmente inesperado para un gobierno que con razón sostiene que ha dedicado grandes recursos para el fortalecimiento de la policía. Fue tan inesperado que el propio presidente pensó que con su sola presencia podía sofocar la rebelión, presencia que no ayudó y que más bien agravó los sucesos, al punto que el presidente permaneció retenido en un hospital policial hasta la noche.

La rebelión de una institución armada y no deliberante fue un duro golpe para el gobierno del Correa, que había emprendido reformas profundas para lograr el control civil de los órganos de seguridad y evitar justamente lo que sucedió el 30-S. Memorias ya pasadas de rebeliones armadas parecía que eran cosa del pasado; sin embargo, el 30-S las revivió a tal punto que fue necesario escuchar la intervención en cadena nacional del Jefe de las FF.AA. llamando al orden a los elementos en rebeldía y comprometiendo su apoyo a la democracia.

El pronunciamiento fue visto nuevamente por sectores de la opinión pública como una vuelta al viejo molde. Grave conmoción interna—como es el caso de una rebelión policial—y finalmente el pronunciamiento de las FF.AA. inclinando la balanza en el caso del 30-S en apoyo al Correa. Cabe anotar que el ministro de defensa estuvo muy activo en apagar focos de rebelión en las FF.AA., pero no fue su pronunciamiento el que se escucho, sino, el del Jefe del Comando Conjunto, sin duda por pedido del propio ministro.

Transcurridos casi seis meses del 30-S, parecería ser que el gobierno acelera la reforma policial y la profundiza. Tal es así, que en las recientes reformas a la Ley de Transito aleja más a la Policía Nacional de esta actividad, considerada por muchos como “el bocado del león” en cuanto a recursos y poder. La reforma contempla la eliminación de la Dirección Nacional de Transito y Seguridad que es parte de la Policía y es sustituida por una nueva organización que estará bajo control totalmente civil.

Está también en proceso de debate la creación de una Policía de Investigaciones al mando de un civil y totalmente aparte de la Policía Nacional que actualmente la maneja.

Todos estos cambios no estaban en el tapete antes del 30-S y si lo estaban iban a requerir una mayor participación de la sociedad y de la propia policía. El 30-S los precipitó y los aceleró, y han sido implementados, unos mediante ley y otros por Decreto Presidencial, como aquel de inicios de febrero del 2010 por el cual se le quita a la Policía Nacional su facultad para administrar recursos financieros y realizar adquisiciones. Esta tarea pasa ahora al Ministerio del Interior en similitud a lo que ocurre en las FF.AA. donde no tiene la autonomía con la que gozaba la Policía Nacional para administrar sus recursos. El Ministerio de Defensa es quien maneja la parte administrativa y financiera de las FF.AA.

En una entrevista radial un general retirado de la policía alertó sobre el hecho que la policía pierda misiones y que tras de ello estaban instituciones que querían asumirlas. Al ser preguntado por el periodista cuales instituciones: respondió que las FF.AA.

¿Desean las FF.AA. ejercer funciones que antes tenía la policía? Parecería ser que no, y así lo evidencia las nuevas leyes por las cuales se crean instituciones netamente civiles para que manejen las tareas que antes las hacía la policía y que la distraían de su función fundamental que es la de la Seguridad Ciudadana y que se ha convertido en una de las mayores preocupaciones del Correa, a tal punto que convocó a un referéndum en el mes de mayo que le permita reformas a la Constitución para mejorar los niveles de seguridad en

el país. Los resultados del referéndum apoyan las iniciativas del gobierno para reformar la justicia y emprender acciones que permitan mejorar el nivel de seguridad de la sociedad.

Parecería ser que el gobierno de Correa discernió adecuadamente el escenario luego de los sucesos del 30-S y concluyó que ante la crisis policial y sus consecuencias para la seguridad, las FF.AA. se convertían en un factor fundamental para aliviar la crisis y llenar el vacío dejado por una Policía desmoralizada y bajo reestructuración.

Mediante la declaración del estado de emergencia pudo utilizar a las FF.AA. para tareas de control de la delincuencia en todo el país. Sin embargo, a pesar que se cumplieron los plazos de la emergencia—la Ley de Seguridad Ciudadana y del Estado establece que solo con un Decreto de Emergencia las FF.AA. pueden ser empleadas en tareas de seguridad ciudadana—siguió utilizándolas hasta el presente, valiéndose del dictamen de un juez que argumentó el derecho de los ciudadanos a tener seguridad. El propio asesor jurídico de la presidencia, Dr. Alexis Mera, ha sostenido en este asunto que la “seguridad interna es responsabilidad de la policía pero no exclusiva”. Lo más conveniente sería establecer plazos para la actuación de las FF.AA. en las calles, lo cual permitirá también que la Policía se fortalezca dentro de un plazo adecuado y pase por sí sola a cumplir su tarea fundamental que es la seguridad ciudadana.

Al momento se discuten en la Asamblea Nacional reformas propuestas por el presidente a la Ley de Seguridad Ciudadana y del Estado que fue aprobada en julio del 2009. El tema más polémico es el que se refiere a la participación en tareas de Seguridad Ciudadana por parte de las FF.AA., sin necesidad de establecer la emergencia, sino únicamente por Decreto Ejecutivo. Esta misma propuesta ya fue negada por la Asamblea Nacional cuando se debatía la ley. El escenario como consecuencia de la crisis policial y de seguridad podría flexibilizar las posiciones sobre el tema por parte de los asambleístas y facilitar su aprobación, pero a las luces de muchos analistas esto sería inconstitucional y lo que es peor distraería a las FF.AA. de su tarea fundamental y retardaría la recuperación de la Policía Nacional a niveles que les permita cumplir su misión con toda su capacidad.

Parecería ser que el gobierno nacional ha decidido echar mano de las FF.AA. en aspectos de índole interno relacionados con la conflictividad social y que antes del 30 de septiembre hubieran sido dados un tratamiento mayormente policial. Así tenemos que una vez declarado el estado de emergencia en la provincia de Esmeraldas se procedió a desalojar a mineros ilegales de sus campamentos en el mes de mayo del presente año con la subsecuente destrucción de sus herramientas de trabajo en algunos casos (retroexcavadoras), en una acción que ha merecido críticas por supuestos abusos del poder y violación a los derechos de las personas, a tal punto que el juez que autorizó la destrucción fue suspendido por el Presidente de la Judicatura. ¿Es esta una muestra de desconfianza en la Policía Nacional? El ministro de Defensa Javier Ponce al ser abordado por la prensa y consultado sobre la posible creación de una unidad de policía militar para la seguridad ciudadana responde: “Es la creación de un grupo especializado dentro de las Fuerzas Armadas en el marco de la seguridad ciudadana. Se va a trabajar en la forma de relacionarse con la ciudadanía y el tipo de armamento que portarán.” Abordado por el periodista en el sentido de que si esto significa desconfianza hacia la policía, responde: “No. Los roles de las FF.AA. en Ecuador y en muchos países están modificándose, hay problemas agudos de inseguridad y los efectivos pueden colaborar. No desconfiamos de la Policía no se trata de prescindir de ella.”¹⁰

Es posible que sin los sucesos del 30 de septiembre del 2010, sea decir la posible creación de una unidad de policía militar para el control de la delincuencia, no hubiera estado

en el tapete. Esto más aun cuando en la Ley de Seguridad Pública y del Estado propuesta y aprobada por el gobierno del Correa en el 2008 se establece en el Art. 11 que la Policía Nacional es la responsable de “lograr la seguridad ciudadana.”

La credibilidad de las FF.AA. se mantiene alta. Según una encuesta publicada por la revista *Vistazo* el 1 de Julio del 20011, su nivel de aceptación es del 69 por ciento, a diferencia de la Policía que tiene según la misma encuesta un nivel de desconfianza del 76 por ciento. Esta aceptación de las FF.AA. en la sociedad puede estar animando al gobierno para seguir utilizándolas en tareas policiales por un tiempo que no sea el prudente. Más aún cuando es necesario que la Policía Nacional en el menor tiempo posible recupere la confianza del gobierno y la sociedad a niveles que faciliten su trabajo que es fundamental para la seguridad ciudadana.

Ante los hechos del 30 de septiembre, ciertas tareas que se dieron a la policía nacional en base a lo propuesto por el gobierno del Correa en las nuevas leyes y la reciente constitución se han entregado a las FF.AA. Por citar un ejemplo: el control y registro de armas siempre estuvo bajo responsabilidad de las FF.AA. Sin embargo, a partir del año 2009, pasó a ser tarea de la Policía Nacional. El mes de junio del 2011 Correa mediante decreto ejecutivo devolvió esa tarea a las FF.AA. ¿Consecuencias del 30 de septiembre? De acuerdo a un reporte que publica el Diario *El Comercio*¹¹ la Policía desde que asumió la tarea de registrar las armas en posesión de la población civil, logró hacerlo solo en un 20 por ciento, lo cual sería posiblemente una de las razones para quitarle esta tarea. Lo que queda por preguntarse es si un Decreto Ejecutivo puede cambiar lo dispuesto en una Ley que es de mayor jerarquía.

El “retorno de los militares” a dirigir los reformados organismos de inteligencia se produce con la designación de un Almirante en servicio pasivo al frente de la Secretaria Nacional de Inteligencia luego de los sucesos del 30-S. ¿Es esto como resultado de fallas en los organismos de inteligencia para detectar las inconformidades en la Policía Nacional que desembocaron en la rebelión policial del 30 de septiembre del 2010? Es posible, considerando que estos se producen a los pocos días de la rebelión.

La sociedad frente a los cambios para profundizar el control civil de los organismos de seguridad

Sin duda, es el gobierno del Correa el que más cambios ha introducido en la Legislación Ecuatoriana para lograr un mayor control civil de las FF.AA. y de la Policía Nacional y reducir su autonomía, lo cual puede ser saludable para la democracia y para la institucionalización de un adecuado y permanente control civil de las FF.AA. y por ende para su fortalecimiento. Esto porque tareas ajenas a sus misiones las distraen de su función fundamental y la sociedad se ve perjudicada en su seguridad. Estos cambios han sido asimilados por los miembros de estas instituciones como consecuencia de su conducta de obedientes y no deliberantes. Una excepción —y muy grande— fue la insubordinación policial del 30 de septiembre.

En una sociedad como la ecuatoriana con una cultura democrática todavía por fortalecerse, con pasados cercanos de inestabilidad política—desde 1996 al 2006 hubo 7 presidentes—el tema militar y su control civil no ha sido una de las prioridades de la agenda política de los gobiernos. No son muchos los expertos en el mundo académico ecuatoriano que han buscado profundizar su conocimiento en el tema de seguridad, tal es así que en

el actual gobierno al decidir poner a la cabeza del ministerio de defensa a civiles, los escogidos tenían poca o ninguna formación en temas de seguridad. Sin embargo, al llegar a instituciones cerradas —como son las FF.AA. de todo país—encontraron apertura y rápido involucramiento de los militares en las nuevas políticas que se impartían por parte de la autoridad civil. Un caso particular es por ejemplo, lo que sucede con el actual ministro de defensa, Javier Ponce, un antiguo crítico de las FF.AA. quien se adentro en el tema militar, lo entendió y ha facilitado en gran medida los cambios que la Constitución y nuevas leyes demandaron para el área militar.

Los actores políticos, especialmente los de la legislatura, debatieron democráticamente los cambios introducidos por el gobierno, y en algunos casos los apoyaron, pero la cultura política dominante impidió que se los vea como un tema de estado y necesario para la democracia y se dio más un tratamiento como tema de gobierno. Es posible que haya sido el resultado del casi dialogo nulo que existe entre el gobierno y la oposición.

En un escenario de exagerada polarización política que vive el Ecuador en el momento, acentuado por una débil cultura política que demanda hacer una oposición, muchas veces ciega hacia quien está en el poder, no se ha destacado en forma extensa, ni en la opinión pública, ni en el medio académico, los cambios en algunos casos sustanciales que se han producido en los últimos dos años en el área de seguridad. Un cambio que ha tenido repercusiones inmediatas ha sido el de convertir al Servicio Militar en voluntario de acuerdo a lo que establece el Artículo 161 de la nueva constitución. La población lo ha apoyado y las FF.AA. han adecuado su organización a este nuevo ordenamiento.

Conclusiones

El gobierno del Presidente Correa es él que más ha avanzado en cuanto a control civil de las fuerzas de seguridad se refiere. El manejo de las FF.AA. y los cambios introducidos por parte de una administración civil con ningún antecedente militar durante todo su gobierno demuestra este hecho.

Temas aparentemente sensitivos para la cultura militar ecuatoriana fueron abordados, tales como el voto militar y la eliminación del servicio militar que paso a ser voluntario.

La designación de civiles al mando del ministerio de defensa y la determinación del Presidente Correa para mantener esa línea es una muestra de continuar profundizando el control civil de las FF.AA.

La participación de las FF.AA. y la Policía Nacional en actividades a apoyo al “desarrollo nacional,” también fue abordada por el gobierno de Correa y se legisló con nuevas leyes siguiendo lo establecido por la Constitución del 2008. Así se redujeron las empresas militares y policiales a aquellas relacionadas únicamente con su misión específica ya sea la defensa nacional o la seguridad ciudadana.

La infiltración del ejército colombiano al sector de Angustura para atacar un campamento de las FARC, que se encontraba en territorio ecuatoriano, motivo suspicacias y recelos sobre la autonomía de los organismos de inteligencia y su dependencia de las FF.AA. al habe—según el gobierno—ocultado información sobre el ataque. La consecuente Ley de Seguridad Pública y del Estado expresamente impide que un militar en servicio activo dirija la Secretaria Nacional de Inteligencia, lo cual induce a creer que existía desconfianza en el nivel política sobre el manejo de la inteligencia.

La designación de un civil como jefe de la Secretaria de Inteligencia, en el corto

plazo, no dio los frutos que el gobierno ansiaba, más aun cuando los hechos del 30-S, detectaron las deficiencias del sistema que obligaron al gobierno a designar un almirante retirado como jefe de la secretaria.

La concepción inicial por parte del gobierno de manejar las políticas y temas de seguridad con poca participación de las FF.AA. parece haber sufrido un cambio a raíz de la rebelión del 30-S. El relevo del ministro de ascendencia civil de seguridad interna y externa Miguel Carvajal (ministerio creado en este gobierno), por el almirante Homero Arellano (r) evidencia una mayor participación del “know how” militar en las políticas de seguridad y en la organización y desempeño de las instituciones de seguridad.

El gobierno del Correa está empeñado en darles a las FF.AA. una mayor participación en la seguridad interna y ciudadana. No está claro si esto es una política temporal hasta lograr una adecuada reorganización de la Policía Nacional o si desea mantenerlo. De ser así, serían necesarias reformas a la Constitución.

Los cambios realizados por Correa en el tema militar han cambiado poco en la forma en que la sociedad percibe a las FF.AA. El apoyo al sistema democrático el 30-S puede haber dejado la sensación que todavía las FF.AA. pueden tener un papel dirimente cuando las fuerzas políticas no llegan a acuerdos y de por medio esta una alta conflictividad social como ocurrió el 30-S.

Un efectivo control civil de las FF.AA. está aumentando el conocimiento de las mismas desde el escenario político y académico, lo cual, facilitara para que se profundice la democracia al mejorar la relación civil- militar, esperando que los actores políticos resuelvan la conflictividad social sin la intervención a veces política de las FF.AA., obligada por la circunstancias.

Notas

¹ Constitución Política del Ecuador, 2008.

² Constitución Política del Ecuador, 2008.

³ Ley Orgánica de Empresas Pública.

⁴ Transitoria Tercera de la Ley Orgánica de Empresas Públicas.

⁵ Nombre con el que califica a su proyecto político el presidente Correa.

⁶ Art.158, Constitución de la República del Ecuador, 2008.

⁷ Art.163, Constitución de la República del Ecuador, 2008.

⁸ Art.208 del Código Orgánico de la Función Judicial, 2008.

⁹ Art.13 de la Ley de Seguridad Pública y del Estado, 2008.

¹⁰ *El Universo*, 19 junio del 2011, pag. 4.

¹¹ *Diario El Comercio* 28 de junio del 2011, pag. 1 Sección Seguridad.

BOOK REVIEWS

Book Review: *Terrorist Financing and Resourcing*

By Jodi Vittori

Reviewed by Matthew Finger

Center for Hemispheric and Defense Studies Research Intern

In her new book, *Terrorist Financing and Resourcing*, Jodi Vittori seeks to explain how terrorists obtain the financing and resourcing they need and how they use these financial resources to conduct terrorist campaigns. Designed to serve as a primer on terrorist funding, *Terrorist Financing* presents the complex issues involved in how terrorists pay for violence in an accessible and engaging way. Beginning with the basic concepts, Vittori defines terrorism as “premeditated, politically motivated violence perpetrated against noncombatant targets by individuals or subnational groups, usually intended to influence an audience.” She moves on to discuss the importance of terrorist group autonomy and capacity and how these affect the way terrorist get their resources.

One of the book’s greatest strengths is the cogent presentation of a typology of the different kinds of terrorist groups. “On the basis of the strategy used to acquire, move and store their resources,” Vittori writes, “terrorist organizations can be grouped into seven categories: lone wolf, state sponsored, franchise, bundled support, state sponsoring, shell state, and transnational corporation.”

Vittori uses this typology throughout the book to discuss the various ways in which terrorist organizations use their resources, as well as how they function generally. The first four chapters lay out these types of groups, their needs, and how they fulfill those needs, and also provide a brief history of terrorist financing. The author clearly relays the foundational knowledge she will build upon in the more detailed chapters later in the book. She also raises some major points about terrorism today, such as a rise in concern regarding “lone wolf” groups, the importance of the *hawala* money exchange system, and the large variety of funding available to terrorists.

In chapter five, Vittori explains one of the most critical factors for the success of terrorist organizations: the ability to create formal funding and leadership structures and to adapt those structures to new threats. Likening major terrorist groups to multinational corporations, she discusses Al Qaeda’s five principles for protecting its resourcing institutions and its struggle to control its “brand name,” the taxes the Tamil Tigers enacted on their diaspora population in Europe, and the organizational structure of HAMAS.

This leads to Vittori’s main argument—and the big take away from the book: terrorist groups acting like multinational corporations may evolve to resemble “transnational corporations” (TNCs). TNCs have no home country, are able to relocate and redistribute personnel, resources, and money wherever it is needed and safest, and operate globally. These TNCs, though not yet a reality, present a latent peril and a new step in the evolution of transnational security threats.

Half of the book is dedicated to the above-mentioned typology, using case studies for the illustration of each type. The Palestinian Liberation Organization (PLO), HAMAS, Al Qaeda, eco-terrorists, the Tigers of Tamil Eelam, and the Provisional Irish Republican

Army (PIRA) serve as her main subjects, and these groups alongside others mentioned throughout the book provide both an excellent introduction for the newly interested as well as a worthwhile review for longtime researchers.

Another major strength of the book is its overall presentation. Until now, finding a good textbook-like resource on terrorist financing has been difficult. Given the illicit nature of the subject, the present literature on terrorist financing is limited. A few authors have written on it—Douglas Farah, Bruce Hoffman, and Loretta Napoleoni come to mind—but overall, terrorist financing is still a burgeoning field of study. Vittori synthesizes this complex subject into an accessible text outlining both the major and the more nuanced issues of terrorist financing to provide a comprehensive reference.

Given that this field is limited, Vittori relies heavily on the major works; the reader is asked to trust these sources for the sake of creating a well-organized reference. But the sources Vittori cites have been tested before, and should be considered reliable and accurate (to the degree one can be accurate when discussing terrorist financing). Ultimately, while her reliance on a limited series of key sources may seem to be a weakness, it is not a major flaw, as the objective of the book *is* to collect the major sources for easy consumption.

Overall, the book achieves its objective of creating a primer on a complex issue. Vittori skillfully outlines the pressing issues of terrorism, generally, and terrorist financing, specifically.

More about ***Terrorist Financing and Resourcing***

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Language: English

ISBN: 9780230111882

240 pages

Book Review: *Hugo Chávez*

By Cristina Marcano and Alberto Barrera Tyszka

Reviewed by Joanna Gillia

Center for Hemispheric and Defense Studies Research Intern

In their definitive biography of Hugo Chávez, Cristina Marcano and Alberto Barrera Tyszka succeed in presenting an objective account of Chávez's journey from a small plains town in western Venezuela to Miraflores, the presidential palace in Caracas. The authors illuminate numerous trends that have emerged during his 12 years in office in a neutral tone, without aggrandizing or demonizing one of the most polarizing leaders in Latin America.

The first section of the book methodically details Chávez's upbringing in Sabaneta, Barinas, Venezuela. Through interviews with Chávez's family and friends, Marcano and Tyszka provide a comprehensive overview of Chávez's early circumstances, including family dynamics, financial situation, and education. Though at times tedious, this historical account provides a necessary basis for the reader to understand the evolution of Chávez from a virtually unknown peasant to a military officer, the leader of an unsuccessful coup, and, eventually, a democratically elected president. To their credit, the authors avoid the temptation to psychoanalyze Chávez based on his upbringing, leaving the reader to postulate how and to what degree Chávez's earliest experiences have impacted his perceptions of politics, governmental authority, and power.

The true value of this book, however, is realized in the sections describing Chávez's failed coup in 1992, his astounding victory at the polls in 1998, and the subsequent changes he made to the Venezuelan constitution and the executive, legislative, and judiciary branches of government. The authors also emphasize particular trends that have emerged during Chávez's 12 years in power, some of which diverge very little from those observed elsewhere in Latin America, and others that are patently unique to Venezuela and its colorful leader.

With regard to trends endemic in Latin America as a whole, the authors highlight how Venezuela has been captivated by a charismatic leader, had its democratic institutions eroded, and has seen its civilian sector subjugated, if not crushed, by Chávez's obsession with the military. Similarly, the authors introduce and elucidate trends that seem to be more a product of Chávez's own idiosyncrasies than of the historical or regional context. These trends include Chávez's willingness to challenge the status quo, especially great powers such as the United States, no matter the cost. They highlight Chávez's profound character transformation from a private man of humble means, to a man obsessed with the limelight and retaining absolute power.

Ultimately, Marcano and Tyszka have provided their readers with an impressively fair and balanced account of Hugo Chávez's early life, struggle for power, and rise to the presidency. Specifically, the authors manage to do what few writers have been able to do—provide an objective account of how Chávez, for better or worse, has reshaped the political and economic structure of an entire country. Moreover, the text, in spite of being published in 2004—with the addition of an epilogue in 2006—remains relevant and informative, es-

pecially given the recent revelation that Hugo Chávez is battling cancer. Indeed, Marcano and Tyzska's biography, which sheds light on Chávez's leadership, decision-making, and reasoning styles, may well provide political actors with important insight into the fate of the Venezuelan polity if its enigmatic leader, Hugo Chávez, dies while in office.

More about *Hugo Chávez*

Publisher: Random House (August 14, 2007)

Language: English

ISBN: 978-067945666-7

352 pages

Book Review: *Latin America's Cold War*

By Hal Brands

Reviewed by Patricia Kehoe

Center for Hemispheric Defense Studies Research Assistant

Hal Brands, who joined the faculty at Duke University's Sanford School of Public Policy after receiving his Ph.D. from Yale University, brought his background in Cold War history to an innovative new task in identifying the patterns and variations among Latin American countries' experiences during the Cold War and what role the United States and Soviet Union played in shaping them. Brands' second book, *Latin America's Cold War* was developed from a prize-winning dissertation and provides a new interpretation of the impact of the convergence of longstanding regional issues and the additional ideological polarization of the Cold War environment.

The author argues that the machinations of the two world superpowers and Soviet-proxy Cuba did not alone create the crises throughout Latin America during the Cold War, but that longstanding domestic and regional problems had already rendered the hemisphere ripe for turbulence. This series of overlapping local and international problems is broken down into: the "built-in instability" of long-term conflict over political and economic arrangements in virtually every country in the region, animosity due to U.S. hegemony in the hemisphere, the ideological East/West conflict becoming ingrained in the local politics of many countries, as well as the emergence of the Third World (*Tercermundismo*), and the fallout of decolonization.

The second part of Brands' thesis states that the established theories on the impact that the Cold War had on Latin American history deserve serious revision. In the fifteen years leading up to the publication of *Latin America's Cold War*, national archives of many Latin American countries and the former Soviet Union have become more accessible and organized than ever before, and much of the valuable information contained in those archives challenges traditional assumptions about regional history.

His strongest criticism is leveled against the notion that Latin American states had little agency in the ideological battles that ravaged the region from the 1950s through the 1980s. Brands addresses some of the major examples of American and Soviet influence in the hemisphere, but also refutes the theory that phenomena like National Security Doctrine and anticommunism were engineered solely and entirely by U.S. leaders. He argues that while U.S. military aid provided funding for anti-insurgent state terror campaigns, many governments already had the incentives to oppose communist infiltration in their countries.

His case flows both chronologically and thematically from the early 1950s and the game-changing Castroist Revolution of 1959, through the crises and coups in the Southern Cone during the 1960s and 1970s, and the rampant violence on both sides of Central American insurgencies during the 1980s. Rather than tackle every country in the hemisphere, Brands focused his research on such landmark case studies as Argentina, Brazil, Chile, Cuba, Guatemala, Nicaragua, as well as several others. Brands' explanation for the failure of both Kennedy's Alliance for Progress and Ché Guevara's *foco* theory were their "one-

size-fits-all approach” to the region; in his own attempt to understand Latin America’s social and political climate, he gives nearly equal attention to the similarities and distinctions between the historical backgrounds of each country in his study.

Brands acknowledges the changing international environment during the 1970s outside of the powder keg-like Western Hemisphere, including the shifting focus of the United States to the conflict in Vietnam and the institution of détente between the two superpowers. By this time, Brands argues, Latin America was already locked into a “larger cycle of radicalism and reaction” with the very real threat of urban guerrillas and insurgencies provoking a blanket obliteration of dissenters by right-wing militarized governments.

Outside of military conflict, the economic and social change occurring during the Cold War is astounding. Economists from all over the world developed modernization theories, development and dependency theories, corporatism and statism theories, and new economic models, which were put to the test in Latin American countries desperate for reform of often longstanding semi-feudal economic systems. Import-substitution industrialization gave way to neoliberalism during the “maelstrom” of military crises in Latin America, but a lack of viable trade partners either inside or outside the region made the effects of rampant market liberalization insufficient to propel the region into the global economy quickly or easily enough.

Brands argues, “the fact that the system did not work was evident in any number of trends: the rise of coca cultivation and narcotics production, the influx of illegal immigrants to the United States, the Zapatista revolt, and the rise of [Hugo] Chávez and his ilk.” While the economic and political impact of the Cold War is not sufficient to explain these trends in totality, Brands opens the door to future studies into the relationship between the global themes of communism and anti-Americanism and local conflict and development during the Cold War.

Latin America’s Cold War is an important addition to the body of work already published on both mid-twentieth century Latin America and the Cold War in general, because of Brands’ challenges to the traditional assumptions of Latin American agency and the reality on the ground of U.S., Soviet, and Cuban influence (or lack thereof) in the region during the Cold War.

More about *Latin America’s Cold War*

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Language: English

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408 pages

Book Review: *The Future of Power*

By Joseph S. Nye Jr.

Reviewed by Celina B. Realuyo
*Assistant Professor of National Security Affairs,
Center for Hemispheric Defense Studies*

The Future of Power by Joseph Nye provides a compelling analysis of the significant political, economic, cultural, technological, and informational power shifts under way that challenge nation states in the 21st century. Although the three aspects of relational power (commanding change, controlling agendas, and establishing preferences) have existed for centuries, what is new is the number of actors involved and the democratization of access to information and the instruments available to impact events in a globalized world. Given this new environment, with power transitions among states and the diffusion of power from states to non-state actors, Nye advocates the need to use “smart power” to influence counterparts and shape desirable outcomes in the future.

Nye dedicates the first part of his book to the traditional types of power and considers power as the ability to affect others, regarding something, by some means, to reach a preferred outcome, elaborating on the findings of a 2007 CSIS Commission on Smart Power: A Smarter, More Secure America that he co-chaired with Richard Armitage. Nye acknowledges that population, territory, natural resources, economic strength, and military might remain relevant but emphasizes the increasing importance of soft power. Soft power includes a country’s or organization’s culture, political values, and foreign policies that can attract or persuade counterparts through public diplomacy. Nye, known as the architect of “soft power,” provides a “hard” to “soft” power spectrum (from left to right), with behavioral options that range from coerce, threat, sanction, pay, frame, and persuade, to attract. In this new security environment, Nye believes that one must design “smart power” strategies that employ a combination of policies, instruments of national power, and behaviors along this spectrum for the best results. Looking at the war in Iraq, the United States possessed unparalleled military capabilities in the face of Saddam Hussein’s regime and won the initial battle with shock and awe; however, the conflict became a protracted and irregular war against non-state actors (a tenacious insurgency and Al Qaeda in Iraq) that demonstrated the limits of hard power in a complex operations and cost the United States significant blood, treasure, and legitimacy.

The book aptly, but briefly, characterizes the new global environment as one with significant power shifts among nation states with the “rise of the rest” (like the BRICs—Brazil, Russia, India, China), the phrase coined by Fareed Zakaria. The BRICs have been the beneficiaries of globalization, with unprecedented rates of economic growth compared with the United States and Europe. Nye recognizes China as a game changer in terms of its economic and military might and global influence but does not count the United States out. China’s significant internal challenges, which include demographic pressures, rapid industrialization, urbanization, inequality, and lack of political liberties, are formidable ones to surmount, however. Nye rejects declarations of late that America is in decline; he reminds

readers that the United States has gone through various cycles of pessimism, such as the fear of a Japanese takeover in the 1980s. Nye is perhaps overly optimistic that the United States, with its strong democratic institutions, educational system, innovative economy, and influential culture, will remain a leading power in the 21st century if “smart power” is consciously exercised.

Perhaps the most interesting part of the book addresses the significant diffusion of power from state to non-state actors as a result of the information revolution and cyberspace. In the past, nation states enjoyed a monopoly in the use, control, and management of information. This is no longer the case because the Internet has democratized communication and access to information. This development has lowered the barriers to entry for good and bad non-state actors to promote their respective agendas, from multinationals to humanitarian organizations and from terrorist groups to criminal networks. The Internet and social media served as key enablers for political movements such as those under way in the Arab Spring. Nye argues that cyberspace provides numerous opportunities and risks at the same time. Regarding the downside of cyberspace, nation states, organizations, and individuals must be increasingly concerned with cybercrime, espionage, cyberwar, and cyberterrorism, with limited governance structures and countermeasures to address these risks. While the book explains the challenging domain of cyberspace, it does not offer any novel approaches for policymakers to address these threats.

In this new world order, Nye recommends the following five questions for national security policymakers in the 21st century:

1. What are the preferred goals and outcomes?
2. What resources are available and in which contexts?
3. What are the positions or preferences of our targeted audience?
4. Which forms of power behavior (hard, soft, smart) are likely to succeed?
5. What is the probability of success?

The “smart power” framework is useful to shape and influence rather than impose outcomes, but falls short of providing result-oriented prescriptions for policymakers as the U.S. determines its international engagement with the changing Middle East, the rise of China, an aspiring nuclear Iran, and the global economic recession. Although the hard-to-soft-power spectrum may not be really new, Nye explains the dynamic power shifts in a globalized world in such a coherent and practical fashion that *The Future of Power* is destined to become a must read for current and aspiring international relations professionals.

More about *The Future of Power*

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320 pages

Book Review: *Mañana Forever: Mexico and the Mexicans*

By Jorge G. Castañeda

Reviewed by Richard W. Taylor

Executive Liaison from CHDS to the United States Northern Command

In an October 1939 radio address, Winston Churchill famously said of Russia: “I cannot forecast to you the action of Russia. It is a riddle, wrapped in a mystery, inside an enigma; but perhaps there is a key. That key is Russian national interest.” Today, more than 70 years later, we could replace the word *Russia* with *Mexico* and arrive at an equal sentiment. The vast majority of Americans know Mexico from an occasional visit to a beach resort town, a walk across the border to do some light shopping, or short-sighted newscasts about illegal immigration or criminal trafficking. Few know anything more than what they glean from inaccurate stereotypical descriptions. For those who recognize the potential of incorporating Mexico into the global debate, there are few better places to start than *Mañana Forever, Mexico and the Mexicans*, by Jorge G. Castañeda.

I have often posed a hypothetical future to my colleagues in the Department of Defense in an attempt to lead them to an understanding of how deep cultural roots can go: Suppose China invaded the United States and, over time, subjugated the entire population under an iron hand. How long would it take for Americans to become culturally Chinese? In one hundred years would we forget all it is that makes Americans unique as Americans? Probably not. Two hundred years? Five hundred? I submit that even after five hundred years we would retain significant characteristics Americans exhibit today.

The Aztecs were conquered and subjugated by Spain less than five hundred years ago. I submit that they are not yet Spanish—that they are, in fact, Aztec. It would therefore be wise to dig deep into their history to get a grasp of who the Aztecs were as a people. In fact, as Castañeda notes, Mexicans may not actually be Aztecs so much as the people whom the Aztecs conquered less than two hundred years before the 1521 felling of Tenochtitlán by the Spaniards. History makes us who we are, and the history of Mexico predates that of the United States by centuries, a point Castañeda makes clear in *Mañana Forever*. In that sense when dealing with Mexico, U.S. politicians, diplomats, military operators, businesspeople, etc., should take into account the origins of present-day Mexicans. After living in Mexico and working daily to understand the Mexican people for more than ten years, one thing is obvious to me: Americans have very little understanding, from a cultural perspective, of whom they are dealing with when they work to build bridges with their closest neighbors.

Jorge Castañeda joins others before him whose approach to this subject should be required reading for everyone who wishes to better understand Mexicans. While D.H. Lawrence, in *Mornings in Mexico* and *The Plumed Serpent*, and Alan Riding, in *Distant Neighbors: A Portrait of the Mexicans*, left us important works to assist in bridging this cultural gap, they did so by writing from a non-Mexican, non-native perspective. In 1950 Octavio Paz collected nine essays into what might be considered to be one of the most important

works ever to explain Mexico and the Mexican from the perspective of a native citizen: *The Labyrinth of Solitude*. Miguel León-Portilla went farther back in *The Broken Spears: The Aztec Account of the Conquest of Mexico*. His treatise is vital to help understand Aztecs and their genesis as present-day Mexicans. Jorge Castañeda continues the great tradition of those giants by presenting a Mexican view from the 21st century viewpoint. His perspective is unique, however, because it is from the viewpoint of a person who, while Mexican, is able to see his own country as an outsider. Though as the son of a diplomat, he spent many formative years in the midst of other cultures, after embracing his country, he served as foreign minister (under President Vicente Fox) and spent a lifetime of service to his nation as a university professor and public figure.

For the student of Mexican culture, *Mañana Forever* is an important work. To those who recognize the emergence of Mexico from the Third to the First World (at least economically), it is clear that Mexico has found a permanent place on the world stage. The Department of Defense and the entire Executive Branch has recognized this, as evidenced by the 2011 release of a National Strategy on Transnational Organized Crime with Mexico as a central focus. Sadly, however, since the enactment of the North American Free Trade Agreement (NAFTA) in the mid 1990s, the United States has largely viewed Mexico through two lenses: the lens of illegal immigration and the lens of violence as perpetrated by Transnational Criminal Organizations (TCOs). Early in the administration of President George W. Bush, it appeared the United States would come closer than ever to a partnership relationship with Mexico. President Bush's first international visit was to strengthen ties with his close friend then Mexican President Vicente Fox. Unfortunately, one key casualty of the 9/11 terrorist attacks was a refocus of national priorities in which Mexico lost out in the battle for competing attention. Jorge Castañeda reminds us that Mexico, despite its overt problems, is a force to be reckoned with.

A thorough understanding of Mexico is key to moving forward. Castañeda presents an exceptional analysis of a Mexican ethos of ingrained individualism that has led to an aversion to competition on any range of the spectrum from team sports to acting on the world stage as a nation. He professes that Mexico has an middle class which emerged largely without recognition, but is nonetheless changing the society as a whole. His words on the Mexican preoccupation with ritual, process, and form over substance speak volumes about why U.S. government agencies can become frustrated in their dealings with their neighbors across the southern border. Some would say that democracy "emerged" in Mexico when Father Miguel Hidalgo y Costilla shouted a call for independence from a church in Dolores Hidalgo in 1810. (Hidalgo is arguably Mexico's first patriot given that nearly 100 percent of Mexicans can correctly name him while Castañeda cites only 29 percent of Mexicans—and I would guess 0 percent of Americans—can name the first Mexican president.) This "El Grito" began an 11-year revolution that ostensibly opened up the country to democracy. *Mañana Forever* speaks to this Mexican experiment with democracy and the difficulty of inculcating its tenets into culture—a lesson the United States could benefit from as it works to spread democracy around the world.

Castañeda states that *Mañana Forever* was "...meant to provide readers with a road-map for Mexico, where it comes from, where it is going today, and where it might find itself in the future." The treatise closely ties Mexico's difficulties rising to the level of a First World actor with its inextricable links to culture and history that may be holding it back. For U.S. players to assist Mexico, or at least to work with Mexico in its future as a Western

Hemispheric and world partner, they must understand Mexico from the perspective of that culture and history which, despite being so close geographically to the United States, is so foreign in every other sense.

More about *Mañana Forever: Mexico and the Mexicans*

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CONTRATAPA

Contratapa

*(Contratapa offers the abstracts found
in this volume in a second language)*

EE.UU. – Latinoamericano Relaciones Episódicas

(U.S.-Latin American Episodic Relationships)

Amb. (ret.) Cresencio Arcos

RESUMEN

Cualquier persona que intenta de tratar con el estado actual de las relaciones de la seguridad entre los EE.UU y Latinoamérica encontrará la adivinanza existencial: ¿tienen los EE.UU un interés estratégico definido en la región y es una prioridad? Otro desafío es la dificultad en explicar la política estadounidense y sus trasfondos históricos. Es necesario que resumir primeramente las relaciones casi ‘confusas’ en su contexto histórico.

La Seguridad y Cooperación: Cambios Geopolíticos y Tendencias Estratégicas en América del Sur

*(Security and Cooperation: Geopolitical Changes and Strategic Tendencies
in South America)*

María Luisa Parraguez Kobek

RESUMEN

Este trabajo de investigación pretende dar respuesta a las preocupaciones regionales y los desafíos planteados en la Declaración de Santa Cruz de la Sierra, como resultado de la IX Conferencia de Ministros de Defensa de las Américas (CMDA) en Bolivia 2010. En particular, se enfoca en reconocer la importancia de la cooperación en defensa y seguridad en la región, particularmente el avance en la implementación de medidas de fomento de la confianza y seguridad recientemente aprobadas en el Consejo de Defensa Suramericano (CDS) de la Unión de Naciones Suramericanas (UNASUR).

Los EE.UU. y China en Latinoamérica: La Cooperación y la Competición

(The United States and China in Latin America: Cooperation and Competition)

R. Evan Ellis

RESUMEN

La presencia ampliada de la República del Pueblo de China (PRC) en Latinoamérica ha llamado la atención de más que una generación de líderes políticos, empresarios y estudiantes en la región, y además sus homólogos en los EE.UU., acostumbrados de una posición dominante y relativamente exclusiva en la política y economía de las Américas. Se puede entender la expansión de China en Latinoamérica en términos de la búsqueda de unos legítimos objetivos de seguridad nacional, como la diversificación del mercado y la búsqueda de fuentes seguros de la oferta. Al mismo tiempo, a pesar de una dimensión inherente de competición comercial y política entre el PRC y los EE.UU. en la región, los EE.UU. quieren identificar vías para la colaboración con China en Latinoamérica para el beneficio de todos lados, y en el interés de prevenir la evolución de la competición entre los EE.UU. y China en la región en un nuevo conflicto del estilo de la Guerra Fría. Sin embargo, la expansión de los intereses del PRC en la región y el imperativo de defenderlos en el contexto del ambiente fluyente de la política y la economía de Latinoamérica van a crear numerosas oportunidades para malentendidos. Si se podría superar estos riesgos, hay mas intereses que suficiente en común entre los EE.UU. y China en la región para una asociación beneficiosa a todos para forjar nuevas relaciones constructivas con la región.

La Perspicacia Política y Ansiedad Geopolítica en Surinam

(Political Acumen and Geopolitical Anxiety in Suriname)

Ivelaw Griffith

RESUMEN

Bouterse resurgimiento tiene implicaciones tanto locales como extranjeros. Internamente, se ha generado esperanzas sobre la unidad política y una mejor calidad de vida, entre muchas otras cosas. Externamente, se ha planteado preocupaciones geopolíticas debido a su rica historia y el perfil poco envidiable: dos veces fabricante de golpe de Estado y gobernante autoritario (1980-1987; 1990-1991), el único líder mundial con la dudosa distinción de una prisión de 11 años condenado por traficando drogas, dictada in abstentia por un tribunal Holandés, con la extradición ejecutadas por Surinam y Holanda carecen

de los tratados de extradición recíproca, y el demandado (junto con otros) en un estudio nacional para ordenar el asesinato de 15 opositores políticos en 1982. Por tanto, más que cualquier otra nación del Caribe, excepto Haití (y unos pocos de América Latina) que se celebraron elecciones en la última década, los resultados electorales de Surinam se sitúan en un momento histórico digno de mención. Esta coyuntura ha fascinantes aspectos internos y externos, lo que refleja, en términos teóricos, Políticos y Adaptación y Intermestic-nexus entre la dinámica nacional e internacional. Con el fin de apreciar algunas de las dinámicas de adaptación y que es importante examinar las cuestiones contestación algunas de las inquietudes que han surgido debido a los resultados de la impugnación.

La Evolución y Implementación de la Estrategia de las FARC: Los Entendimientos de sus documentos internos

*(The Evolution and Implementation of FARC Strategy:
Insights from Its Internal Documents)*

David Spencer

RESUMEN

FARC es una insurgencia notable. En primer lugar, se ha mantenido junto a una organización armada irregular con un solo propósito por más de 50 años a través de una serie de subidas y bajadas. Treinta de los cincuenta años ha trabajado sistemáticamente en el cumplimiento de una estrategia concreta. A pesar de los flujos y reflujos de la sociedad, la política y el campo de batalla, nunca ha perdido la vista en esa estrategia y ha caído en el error de intentar forzar el medio ambiente para avanzar en la estrategia. Esta constante adaptación ha hecho que los analistas y los periodistas a informar con frecuencia los cambios en la estrategia de las FARC, cuando en realidad lo que han observado fue un ajuste de las tácticas que la dirección ha juzgado a ser temporal más adecuado de acuerdo con el medio ambiente para llevar a cabo la estrategia. Si uno entiende el concepto básico, que se encuentra en los escritos sobre la guerra prolongada de Mao Tse Tung y Truon Chinh, estos ajustes o los cambios no son aleatorios o salvajes, pero muy lógico y predecible basado en la evaluación de la correlación estratégica de fuerzas.

South American Participation in UN Peacekeeping Operations: Some Considerations

*(A Participação Sul-Americana Nas Operações de Paz da ONU:
Algumas Considerações)*

Sérgio Luis Cruz Aguilar

ABSTRACT

The United Nations peacekeeping operations began in 1947 with the establishment of the UN Special Commission for the Balkans (UNSCOB). Since then, more than a million soldiers, policemen and civilians were provided by member states to serve in 67 peacekeeping missions. Of this total, 13 were performed between 1948 and early 1988, and the remaining 54 missions were launched from May 1988. In these efforts, the South American countries, especially Brazil, Argentina, and Uruguay, have marked a significant presence. The paper presents a descriptive assessment of the South American countries' participation in UN peacekeeping operations and the legal provisions of those countries that govern their participation. It also considers how the accumulated experience of these countries would make it important that they participate jointly in such operations.

Strategic Leadership in Defense

(Liderazgo Estratégico en Defensa)

Jaime García Covarrubias

ABSTRACT

Whether you are leading a small or large country, the importance of implementing a system of strategic leadership in governance is the same. The components of an effective system of strategic leadership are: the definition of a strategic political model, planning and direction (both strategic and administrative), execution, and strategic communication. The article describes examples and explanations on how to carry out these components to greatest effect. Strategic leadership occurs at all levels of government and in the military, from a country's president down to lower-level leaders, and good strategic leaders exploit the channels of communication among different levels. Ultimately, the best strategic leader "should be able to influence the conduct of the organizations" under his or her command through understanding and proper exploitation of the components of a system of strategic leadership.

Sangre Joven: Entender la Nueva Oleada de Grupos Armados en Latinoamérica

(Sangre Joven: *Understanding the new wave of Armed Groups in Latin America*)

W. Alejandro Sánchez

RESUMEN

Latinoamérica sigue siendo un terreno fértil para los grupos violentos, como ejemplificado por la subida de los carteles de drogas en México, y las organizaciones narcoterroristas como la FARC de Colombia y el Sendero Luminoso de Perú. Sin embargo, una pregunta que no ha sido contestado bien es si hay la posibilidad que los violentos grupos orientada ideológicamente subirían otra vez, como el EPP paraguayo o el EPR mexicano. Este artículo proviene una resumen general de la situación de seguridad en la región, enfocando en los grupos armados violentos y tratando de hasta qué punto tengan una ideología política.

Legitimate Defense in Perspective

(*La Legítima Defensa en Perspectiva*)

Vicente Torrijos

ABSTRACT

This document analyzes the evolution of the institution of self-defense and its relation to the prohibition of the use of force. The text studies the historic way toward the consolidation of the classical concept of self-defense, its features, and requirements. The document presents three positions about the evolution of this legal institution on its way into a preventive scheme, viewed from the position of states and the instruments of international law and shows the path for the establishment and consolidation of the notion of preventive self-defense.

The Use of the Armed Forces in a Non-War Criminal Environment: Challenges of the 21st Century

*(La Utilización de las Fuerzas Militares
en un ambiente criminal y no de Guerra: Desafíos del Siglo XXI)*

Juan Carlos Gómez

ABSTRACT

It is necessary to utilize the Armed Forces in the fight against criminal organizations, which present a sizeable threat to national security in the 21st century. It is also equally important to understand how and when these forces can be used for this type of threat without committing illegal or unconstitutional actions. The armed forces must analyze the transformation of internal criminal and terrorist threats, and adapt in order to be able to neutralize these hazards that stray far outside of any traditional theories on conventional war. This article fleshes out this assertion by first acknowledging the terms “human rights” and “international humanitarian law” and how they can be applied to and restrain actions of the Armed Forces within a country's territory. It also recognizes the perils of this nontraditional type of war that is being waged amongst the populations of countries, and how because of this police and military forces must reevaluate current missions and adapt to new operational environments. Lastly, this article confronts the daunting questions of how to complete these new missions successfully within legal parameters, and how to respond to allegations and attacks from the “enemy” that may take the form of political and judicial tactics.

El Golpe de Estado Hondureño de 2009: Aplicación de la Carta Democrática Interamericana

(The Honduran Coup of 2009 : Application of the Inter-American Democratic Charter)

Kevin Newmeyer

RESUMEN

Este trabajo examina el golpe de estado Hondureño de 2009 como un estudio de la aplicación de la Carta Democrática Interamericana de la Organización de Estados Americanos. La carta, aprobado unánimemente por la Organización en Septiembre 2001, consolidó y construyó de esfuerzos previos de la OEA para apoyar y defender la democracia en el hemisferio. Este trabajo destaca los pasos ya tomado por la OEA y sus miembros y examina las dificultades que enfrenten las organizaciones multilaterales en tratar de afectar

los cambios democráticos dentro de un estado. Mientras que la OEA tomaba las acciones más severas permitidas en el acuerdo, no ha revocado el golpe de estado. Mantenían las sanciones casi dos años después del golpe de estado.

Los Golpes de Estado Constitucionales: La Intervención Militar en Latinoamérica

(Constitutional Coups: Military Intervention in Latin America)

Howard J. Wiarda and Hilary Collins

RESUMEN

Los estadounidenses los dedican tanto a las elecciones y la democracia como la única vía legítima hacia el poder político, que algunas veces es difícil imaginar la política por otra manera. Además diseñadores de política estadounidenses tienden de creer que las elecciones ocupan un mundo más alto de autoridad moral, y esperan que, con los programas de asistencia para la democracia, Latinoamérica y otras áreas en desarrollo vayan a avanzar más allá de las revoluciones, los golpes de estado, las huelgas, y otras rutas a poder no electorales. Estas maneras extra-electorales podrían disfrutar ambos la legitimidad y el mandato constitucional. En este trabajo, ponemos a prueba estos propuestos como aplican en Latinoamérica.

Political Culture and the Armed Forces in Venezuela

(Política y Fuerzas Armadas en Venezuela)

Hernán Castillo

ABSTRACT

In Venezuela, the topic of civil-military relations has traditionally been very controversial. The origin of that controversy is complex, but basically boils down the problem that has plagued Venezuela for most of its history: the significant political role the military has played in the formation of the state and the place it occupies within Venezuelan society. However, more fundamentally, the civil leadership in Venezuela has not, even in the present day, had the capacity, interest, will, and political clarity to implement the necessary mechanisms and techniques to exercise effective civil control of the historically Praetorian tendency of the military. Since the Marcos Pérez Jiménez failure of Praetorian governance, Venezuelans have not had real and true control over the military. On the contrary, what

they have is an understanding, fusion, alliance and symbiosis, civil-military and political-military; it is unwritten, but is certainly effective and operating within the country. Following centuries of barbarism, backwardness, and incivility, perhaps the 21st century can be for Venezuela the century when the virus of Praetorian tendencies is defeated, resulting in the supremacy of the Venezuelan civil society over the military and the armed forces.

Civilian Control of the Armed Forces in Ecuador: A Failed Attempt?

(El Control Civil de las Fuerzas Armadas en el Ecuador. ¿Intento Fallido?)

Luis Hernández

ABSTRACT

Ecuador has been one of the last countries in the region to have a civilian Minister of Defense. Traditionally, this job has been handed to retired military officers. The military's role was and continues to be an area little understood by the greater civil society and academia. Even current President Correa has accepted he knows very little about security matters, though he expressed an interest in reading and learning more about the subject during a national media press conference.

Nevertheless, Correa designated the first civilian Minister of Defense in more than 35 years. Up until that time, his two ministers had been women—one who died in a military helicopter accident. The current minister is an ex-journalist who was an outspoken critic of the activities of the armed forces in his nationally syndicated column before taking the position.

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