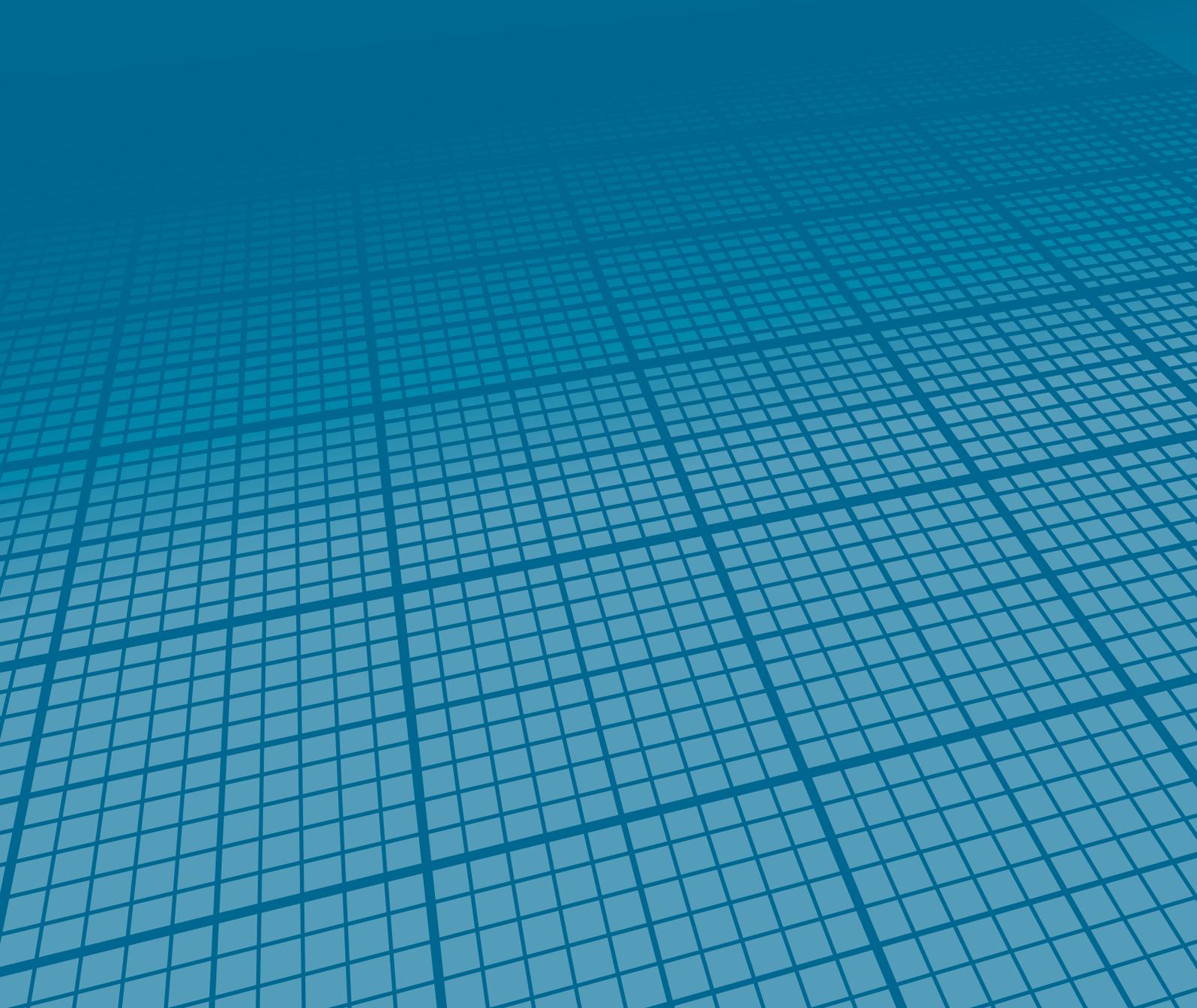


Chapter 4:

Political Definitions





Security and Defence Concepts

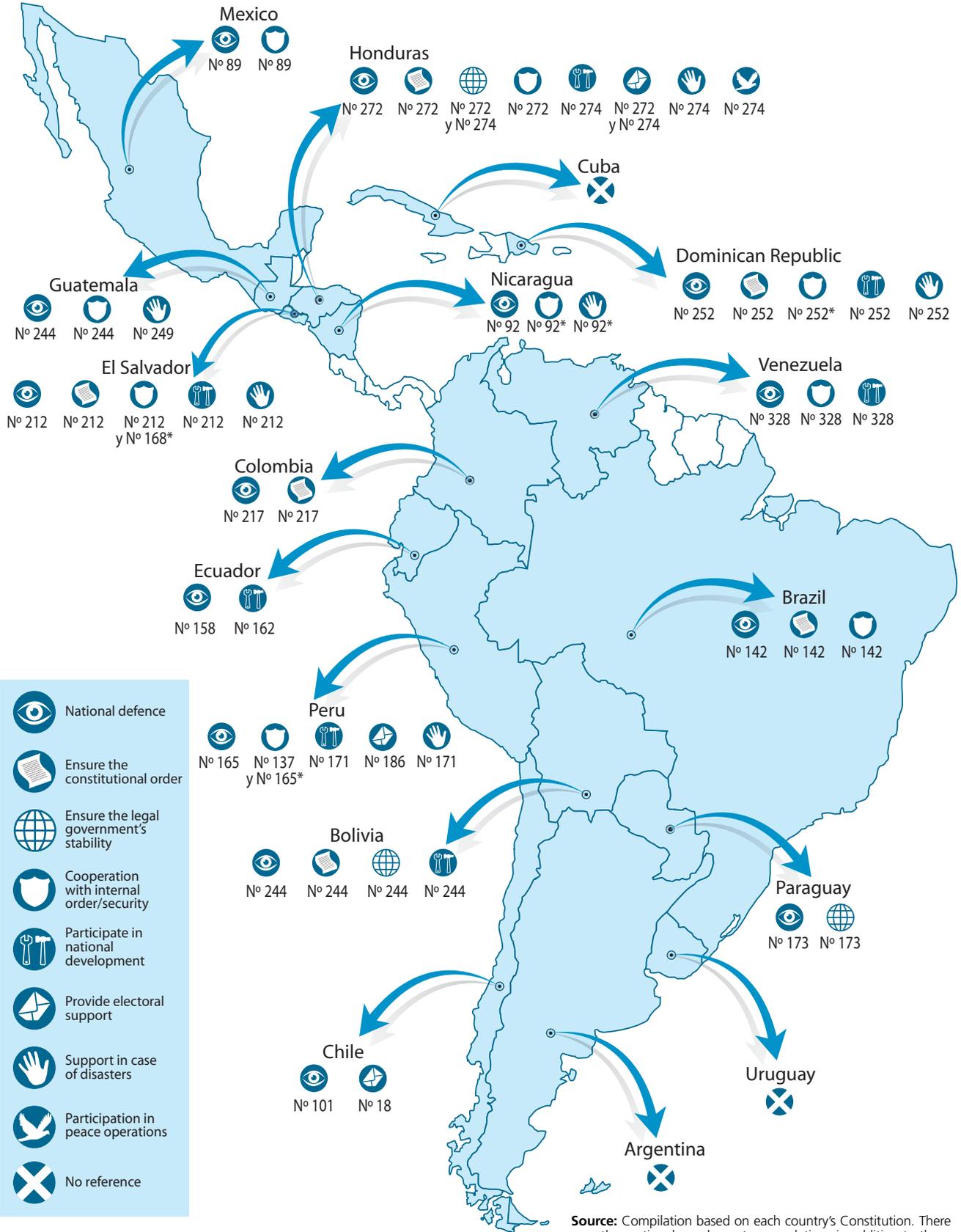
Country	Defence	Security
Argentina	National defence is the integration and coordinated action of all the Nation's forces to solve conflicts requiring the use of the Armed Forces in a deterrent or active way in order to face external aggression. Its purpose is to guarantee the sovereignty and independence of the Argentine Nation on a permanent basis, as well as its territorial integrity and capacity for self-determination, and to protect the life and freedom of its inhabitants. <i>(Ley de defensa nacional, N° 23.554 – 1988/05/05, Sec. 2)</i>	Internal security is an actual state of rule-of-law in which are safeguarded the freedom, life and assets of the country's inhabitants, their rights and guarantees, and the full strength of the institutions of the national representative, republican and federal system, as established by the National Constitution. <i>(Ley de seguridad Interior, N° 24.059 - 1992/01/17, Sec. 2)</i>
Bolivia	Defence is a fundamental responsibility of the State, it is integrated, multi-faceted, dynamic, permanent and fully articulated with security and development, based on the close union of the civil-military society (people and Armed Forces) with its efforts directed to the protection of the State, the society and its interests. It implies active participation of the Armed Forces in integrated development, where this entity does not design or manage social policy but whose participation is indispensable for the operation of the State's social policies. The concept of defence encompasses the set of measures that the State employs to counter any external or internal aggression, in order to attain certain security conditions, knowing that it covers all of the country's activities and, therefore, it is not the exclusive task and responsibility of the Armed Forces, but of all organizations and physical and artificial persons. <i>(Bases para la Discusión de la Doctrina de Seguridad y Defensa del Estado Plurinacional de Bolivia, 2010)</i>	The concept of "Integrated Security" of the Plurinational State of Bolivia is attributed the following characteristics: - It is a political, economic, cultural, social, environmental and military condition. - It appears as a continuous and enduring process. - It has its own dynamics - It is born with the organization of the State. - It is closely related to the sovereignty and independence of the State. - It is based on the objectives and the interests of the State. - It is privileged in the sense that it is related to the preservation and survival of the State. - It is a fundamental condition to development <i>(Bases para la Discusión de la Doctrina de Seguridad y Defensa del Estado Plurinacional de Bolivia, 2010)</i>
Brazil	National defence is the set of State measures and actions focussed on the military sphere and aimed at defending the national territory, sovereignty and interests against threats mainly arising from potential or evident external sources. <i>(Política de Defensa Nacional)</i> The national defence strategy is inseparable from the national development strategy. It is the link between the concept and policy of national independence, on one hand, and the Armed Forces used to safeguard that independence, on the other. The basis for national defence is the identification of the Nation with its Armed Forces and, in turn, of the Armed Forces with the Nation. <i>(Estrategia Nacional de Defensa, 2008)</i>	In general, security is a condition which allows the country to maintain its sovereignty and territorial integrity and to further its national interests, free of pressure and threats of any nature, and guarantees to the citizens the exercise of their constitutional rights and duties. <i>(Política de Defensa Nacional, Decree N° 5.484 - 2005/07/01)</i>
Chile	National defence is the set of material, human and moral resources available to a nation to counteract the threats of an adversary willing to disrupt its national interests, in particular its sovereignty and territorial integrity. Its purpose is to attain an external security condition to enable the country to reach its objectives free from all external interference. Defence is a State's untransferable function. It contributes to the nation's security through the legitimate use of force, deterrence and international cooperation. <i>(Libro de la Defensa Nacional de Chile, 2010)</i>	Security consists in a desirable condition for the realization of the purposes of the State and the Nation, particularly those related to social and economic development. <i>(Libro de la Defensa Nacional de Chile, 2010)</i>
Colombia	The Consolidation of Democratic Security Policy is the national defence policy of Colombia for the 2006-2010 period. Its implementation principles are: achieve security and peace, perform duties legally, have a permanent presence, promote security as a guarantee for the work of justice, be flexible and adaptable, apply coordination among the Forces and with other State agencies. The strategic objectives are set out as follows: - Consolidate territorial control and strengthen the rule of law in all the national territory. - Protect the inhabitants, by keeping the strategic initiative against all threats to their security. - Increase the cost of engaging in drug-trafficking activities. - Keep a legitimate, modern and effective public forces, supported by the trust and backing of the people. - Maintain the decreasing trend in all crime indicators in all urban centres of the country. <i>(Política de Consolidación de la Seguridad Democrática, 2007)</i>	
Cuba	The Republic of Cuba bases its national defence policy in its aspiration for a dignified, true and valid peace for all States, founded on the respect for independence, sovereignty and self-determination of its people, as well as its commitment towards all other principles consecrated in the United Nations Charter and other international treaties the country is a party to. The Cuban military doctrine is the set of ideas and concepts, adopted on a scientific basis, by the State, on the essence, objectives, character, special nature and consequences of war; the preparation of the country for the successful conduct of war in order to avert it; and the methods for its execution and conduct to face a military aggression. Such doctrine is based on the concept of War of All the People. This defensive strategic concept, which summarizes the historical experience accumulated by the nation, is based on the deployment of the territorial defensive system to support its military power, and in the wider use of all the forces and resources of society and the State. <i>(Ley de defensa nacional, N° 75 – 1994/12/21, Preamble and Sec. 3)</i>	
Dominican Republic	For the development of security and defence policy at the national level, the following directives have been established: • Definition and identification of national objectives. • The approval of a National Security Act. • Modification of the Organic Law of the Armed Forces. • Publication of the White Book of Defence and the Manual of the Joint Doctrine of the Armed Forces. • Creation of the National Intelligence System. • Strengthening of the Permanent Committee of Reform and Modernization of the Armed Forces.	• Definition of the Armed Forces model. • Foster Armed Forces transformation. • Develop a new institutionalization and professionalization model. • Reform the military career. • Improve equipment. • Foster research, development and innovation. <i>(Directiva de Seguridad y Defensa Nacional, Decree N° 189-07 - 2007/04/03, Sec. 3)</i>
Ecuador	National defence is the heritage of all the people, and not solely of the military sphere. It is a public asset that needs to be built by society based on the principles of joint responsibility among the various sectors of society, under the State's leadership, focused on equality in the internal structure of the Armed Forces and in society as a whole. It responds to a comprehensive vision of peace building, security and development. The current Defence Policy is based on preserving the nation's sovereignty and territorial integrity, as well as on the promotion of regional integration and cooperative security among peoples and States. <i>(Agenda Política de la Defensa Nacional, 2008)</i>	Public security will be integral for human security for all Ecuador's inhabitants, communities, peoples, nationalities, collective groups, and society as a whole, state and private institutions, and shall entail shared actions in prevention, protection, and defence and punishment. Thus, risks and threats to the peaceful coexistence, security of its people and State and the country's development can be averted; protecting citizen coexistence and security, defending sovereignty and territorial integrity; punishing actions and lack thereof that may threaten public and national security. <i>(Ley de seguridad pública y del Estado, N° 35 – 2009/09/28, Art. 4)</i> Integral security shall be understood as the comprehensive view of hu-

Country	Defence	Security
Ecuador		man security, cooperative security and other multidimensional integral visions aimed at safeguarding the interests of the country's internal and external security, placing the human being at the heart of the security focus. It includes the State and civil society's set of actions that can, in a harmonious and interdisciplinary way, revolutionize security from a comprehensive and multidimensional perspective in order to protect and guarantee the principles related to human rights, governance, strengthening democracy, liberties, people's right to a good standard of living, reciprocal assistance and security with solidarity among the peoples, promoting Latin American integration, South-South relations and global security. (<i>Agenda Nacional de Seguridad Interna y Externa, 2008</i>)
El Salvador	National defence: set of resources and activities that the State develops on a permanent basis, in all fields of action, through coordinated actions, in order to face threats to national sovereignty and integrity of the territory. (<i>Ley de defensa nacional, DL N° 948, 2002/10/03, Sec. 4</i>)	National security: set of permanent actions promoted by the State in order to create conditions to overcome international conflicts, disturbances of public order, natural catastrophes and those vulnerabilities which may limit national development and endanger the achievement of national goals. (<i>Ley de defensa nacional, DL N° 948, 2002/10/03, Sec. 4</i>)
Guatemala	The external security field belongs to the defence of interdependency and sovereignty, territorial integrity, peace, and the maintenance and strengthening of international relations. It works under the responsibility of the President through the ministries of Foreign Affairs and Defence. In the functioning and coordination of the external security field, the content of the international treaties and agreements to which Guatemala belongs shall be considered. Regarding foreign policy, it is aimed at preventing and counteracting threats and risks which could affect politically the country and are produced by external factors. As regards national defence, it develops the Nation's defence policy and guarantees the calling up and mobilization of civil defence. (<i>Ley marco del sistema nacional de seguridad, N° 18-2008, 2008/04/15, Sec. 20</i>)	The internal security field includes, in a preventive and direct manner, the set of risks and threats from organized crime and common delinquency, in defence of the democratic State under the rule of law. It works under the responsibility of the President through the Ministry of Government. (<i>Ley marco del sistema nacional de seguridad, N° 18-2008, 2008/04/15, Sec. 19</i>)
Honduras	Defence is defined as a set of actions and capacities aimed at guaranteeing the territorial integrity, sovereignty and independence of the country. National defence is focussed on preventing and neutralizing external threats which jeopardize national interests. (<i>Libro de la Defensa Nacional, 2005</i>)	Security is a multidimensional concept which encompasses several aspects of the national reality. It is a guarantee for development as long as it generates the adequate conditions for productive investment and the creation of employment. Security is responsibility of the State and it creates co-responsibility, participation and public involvement of society in defence and the maintenance of mutual security. (<i>Libro de la Defensa Nacional, 2005</i>)
Mexico	In accordance with the provisions of the [National Security] Act, Art. 3, national security shall be understood as the immediate and direct actions destined to maintain the integrity, stability and permanence of the Mexican State, involving: I. The protection of the Mexican nation against threats and risks faced by our country; II. The preservation of national sovereignty and independence and territorial defence; III. The maintenance of constitutional order and the strengthening of the government's democratic institutions; IV. The upholding of the unity of integral components of the Federation, referred to in article 43 of the Political Constitution of the United Mexican States; V. The legitimate defence of the Mexican State with respect to other States or subjects of International Law, and VI. The preservation of democracy, based on the economic, social and political development of the country and its people. (<i>Programa para la Seguridad Nacional, 2009-2012</i>)	
Nicaragua	National defence is the means whose goal is to guarantee the security of the State, through the execution of a set of measures and actions aimed at preventing or prevailing over threats and risks. This implies that national defence is the capacity of the State to provide protection to its national interests and goals, by having all moral and material powers and forces of the Nation available and working in coordinated action. (<i>Libro de la Defensa Nacional de Nicaragua, 2005</i>)	National security is a permanent condition of sovereignty, independence, territorial integrity, peace and social justice, which in the institutional framework of a social state of laws, provides the Nation with the necessary guarantees for the preservation of its interests and national objectives, against any threat, risk or aggression, as well as the exercise of individual freedoms and political rights, in accordance with the law. Although in itself it does not constitute a purpose, national security is a generic objective of the State which involves all of the forces of the Nation, expressed in national power. (<i>Libro de la Defensa Nacional de Nicaragua, 2005</i>)
Paraguay	National defence is the system of policies, procedures and actions exclusively developed by the State in order to fight any form of external aggression that could jeopardize the sovereignty, the independence and the territorial integrity of the Republic, or the constitutional, democratic order in force. (<i>Ley de defensa nacional y de seguridad interna, N° 1.337 - 1999/04/14, Sec. 2</i>)	Internal security is the state of affairs in which public order is safeguarded, as well as the life, freedom and rights of people and entities, as well as their assets, in a framework of the full functioning of the institutions established in the National Constitution. (<i>Ley de defensa nacional y de seguridad interna, N° 1.337 - 1999/04/14, Sec. 37</i>)
Peru	The national defence and security system is the set of interrelated elements of the State whose functions are aimed at guaranteeing national security by means of the conception, planning, management, preparation, execution and oversight of national defence. (<i>Ley del sistema de seguridad y defensa nacional, N° 28.478 - 2005/03/23, Sec. 3</i>)	
	National defence is the set of measures, plans and actions created, adopted and executed by the State on an integral and permanent basis, both internally and externally. (<i>Libro de la Defensa Nacional, 2005</i>)	Security is the situation in which the State has guaranteed its independence, sovereignty and integrity, as well as the inhabitants their fundamental rights established in the Constitution. This situation contributes to the consolidation of peace, integral development and social justice, based on democratic values and respect for human rights. (<i>Libro de la Defensa Nacional, 2005</i>)
Uruguay	National defence refers to the set of civil and military activities aimed at preserving our country's sovereignty and independence, protecting its territorial integrity and strategic resources, as well as the peace of the Republic, within the framework of the law and the Constitution; contributing to create the conditions necessary for the present and future social well-being of the people. National defence constitutes both a right and an obligation of the citizens. It is a public asset, thus a vital, permanent, untransferable and integral responsibility of the State. (<i>Ley marco de defensa nacional, N°18.650 - 2010/03/08, Sec. 1 and 2</i>)	National security is the condition when the national assets of all kinds and the development process towards national objectives are safeguarded against internal and external interference or aggression. (<i>Ley orgánica de las Fuerzas Armadas, N° 14.157 - 1974/03/05; last amendment: Law N° 18.198 - 2007/11/28, Sec. 4</i>)
Venezuela	Integral defence: the set of defence systems, methods, measures and actions, whatever their nature and intensity, actively formulated, coordinated and executed by the State, with the participation of public and private institutions and natural and legal persons, national or foreign, aimed at protecting independence, freedom, democracy, sovereignty, territorial integrity and the integral development of the Nation. (<i>Ley orgánica de seguridad de la Nación, GO N° 37.594 - 2002/12/18, Sec. 3</i>)	Security of the Nation: It is founded on integral development and it is the condition, state or situation which guarantees the full exercise of the rights and guarantees in the economic, social, political, cultural, geographical, environmental and military areas of the constitutional principles and values of the inhabitants, the institutions and each one of the persons who are part of the State and the society, with a generational approach, within a democratic, participatory and proactive system, free of threats to its survival, sovereignty and the integrity of its territory and other geographical spaces. (<i>Ley orgánica de seguridad de la Nación, GO N° 37.594 - 2002/12/18, Sec. 3</i>)

Source: Compilation based on the legislation and documents mentioned above.



Constitutional Missions of the Armed Forces



*Only in exceptional cases.

Source: Compilation based on each country's Constitution. There are other national supplementary regulations in addition to those included in this chart regarding the Armed Forces missions. For further information, refer to section "Countries" of this publication.

Additional References - Legislation*

Country	Guarantee of constitutional order / stability of legal government	Cooperation in internal order / security**	National development / environment	Electoral support	Support in the event of disaster	Participation in peace operations
Argentina						
Bolivia						
Brazil						
Chile					****	
Colombia						
Cuba						
Dominican Rep.						
Ecuador					****	
El Salvador						
Guatemala						
Honduras						
Mexico						
Nicaragua						
Paraguay						
Peru						
Uruguay		***	***	***	***	
Venezuela						

* In addition to the defence of the sovereignty.

** Argentina, Chile, Ecuador and Paraguay only under state of exception. Uruguay see next note.

*** In times of peace and with the explicit authorization of the National Defence Ministry, they may render services or cooperate with activities required on account of their specialization, social relevance or public convenience and without this being to the detriment of their fundamental mission (*Ley marco de defensa nacional*, Sec. 20).

**** Under state of emergency or disaster.

Guarantee of constitutional order / stability of the legal government:

- Guarantee the institutional order at the Republic (*Ley orgánica constitucional de las Fuerzas Armadas*, Sec. 1 – Chile).
- Guarantee the legal and democratic order of the social rule of law (*Ley orgánica de defensa nacional*, Sec. 2 – Ecuador).
- Cooperate in the maintenance of the State's constitutional order (*Ley orgánica de la Armada de México*, Sec. 2 – Mexico).
- Defend the legally instituted authorities (*Ley de organización general de las Fuerzas Armadas de la Nación*, Sec. 6 – Paraguay).

Cooperation in internal order/ security:

- Cooperate, if necessary, to the maintenance of public order, upon request of the Executive Branch and according to the Political Constitution of the State (*Ley orgánica de las Fuerzas Armadas*, Sec. 6, sub. G – Bolivia).
- Military assistance when the National Police cannot, on its own, contain severe disorders or face a disaster or public calamity (Decree 1,512, Sec. 79 – Colombia).
- The President of the State Council may decide the use of the armed forces to maintain internal order and protect the citizenry, even though a state of emergency has not been declared (*Ley de la defensa nacional*, Sec. 35 – Cuba).

Participation in national development / environment protection:

- Cooperate with national development as subsidiary function (*Ley complementaria 136*, Sec. 16 – Brazil).
- Take care over the whole national territory of the protection and defence of the environment and renewable natural resources (*Ley por la cual se organiza el Sistema Nacional Ambiental*, Sec. 103 – Colombia).
- Possessing a structure that allows the use of its members in activities contributing to the country's economic and social development and environment protection (*Ley de la defensa nacional*, Sec. 34 – Cuba).
- Perform civil actions and social work fostering the country's development (*Ley orgánica del Ejército y Fuerza Aérea*, Sec. 1 – Mexico).
- Cooperate in the performance of work contributing to the country's development. Contribute to national resource preservation and renewal, to the improvement of the environment and ecological balance and other strategic plans established by the President (*Código de organización, jurisdicción y previsión social militar*, Sec. 2, sub. 7 – Nicaragua).

Support to elections:

- Contribute, support, take care and supervise the Election Power facilities and assets (*Ley orgánica de la Fuerza Armada Nacional Bolivariana*, Sec. 42, sub. 6 – Venezuela).

Support in the event of disaster:

- Operations supporting the national community or friendly countries (*Ley de reestructuración de las Fuerzas Armadas*, Sec. 6 – Argentina).
- Cooperate with civil defence (*Ley complementaria 136*, Sec. 16 – Brazil).
- The President of the State Council may decide the use of the armed institutions to face and remove the consequences of natural disasters or other types of disasters (*Ley de la defensa nacional*, Sec. 35 – Cuba).
- Assist the population in cases and zones of disaster or emergency (*Ley orgánica de la Armada*, Sec. 2, sub. VIII). In the event of disaster, help in the maintenance of public order, protection to people and their property and reconstruction of areas affected (*Ley orgánica del Ejército y Fuerza Aérea*, Sec. 1 – Mexico).
- Cooperate in civil defence (*Ley de organización general de las Fuerzas Armadas*, Sec. 7, sub. D – Paraguay).
- Participate in civil protection operations in disaster situations. Support communities in case of disaster, public calamities and similar events (*Ley orgánica de la Fuerza Armada Nacional Bolivariana*, Sec. 4, sub. 6 and 15; Sec. 42, sub. 6 – Venezuela).

Participation in peace operations:

- Operations sponsored by the United Nations (*Ley de reestructuración de las Fuerzas Armadas*, Sec. 6 – Argentina).
- The employment of the Armed Forces in peace operations is a responsibility of the President (*Ley complementaria 136*, Sec. 15 – Brazil).
- Departure of national troops from the territory of the Republic in order to participate in peace operations organized under the Charter of the United Nations (*Ley que establece normas para la participación de tropas chilenas en operaciones de paz*, Sec. 7 – Chile).
- They may participate in peace keeping and humanitarian assistance operations according to the country's foreign policy and United Nations' requirements (*Ley orgánica de defensa nacional*, Sec. 16, sub. O – Ecuador).
- Paraguay may participate with its military institutions in peace missions promoted by international organizations of which it is member (*Ley de defensa nacional y seguridad interna*, Sec. 35 – Paraguay).
- Missions abroad that are not directly related to the Republic's defence shall be promoted by international organizations which the State is part of (*Ley marco de defensa nacional*, Sec. 21 and 22 – Uruguay).
- Participate in peace missions (*Ley orgánica de la Fuerza Armada Nacional Bolivariana*, Sec. 4, sub. 5 – Venezuela).

Source: Compilation based on the legislation mentioned. Reference is made to the missions specifically mentioned in the legislation regardless of those referring to subjects referred to in constitutional mandates; this description does not purport to be complete and encompassing the whole set of the missions they are supposed to have.



Annual Reports on Ministerial Management

Country	Name	Published by
Argentina	<i>Memoria Detallada del Estado de la Nación</i>	Minister's Chief of Staff.
Bolivia	<i>Memoria Institucional</i>	Ministry of Defence.
Brazil	<i>Relatório de Avaliação</i>	Ministry of Defence.
Chile	<i>Cuenta Pública</i>	Government of Chile.
Colombia	<i>Memorias al Congreso de la República</i>	Ministry of National Defence.
Cuba	n/a	-----
Dominican Republic	<i>Memoria Anual</i>	Ministry of the Armed Forces.
Ecuador	<i>Informe de Gestión</i>	Ministry of National Defence.
El Salvador	<i>Memoria de Labores</i>	Ministry of National Defence.
Guatemala	<i>Memoria de Actividades</i>	Ministry of Defence.
Honduras	<i>Evaluación Fiscal Financiera</i>	Secretariat of National Defence.
Mexico	<i>Informe de Labores</i>	Secretariat of National Defence. Secretariat of the Navy.
Nicaragua	<i>Memoria Anual</i>	Army of Nicaragua.
Paraguay	<i>Informe del Gobierno Nacional</i>	Presidency of the Republic.
Peru	n/a	-----
Uruguay	<i>Memoria Anual del Ejercicio</i>	Presidency of the Nation.
Venezuela	<i>Memoria y Cuenta</i>	Ministry of the People's Power for Defence.

n/a: no available data.

Source: Compilation based on the information provided by the institutions mentioned above.

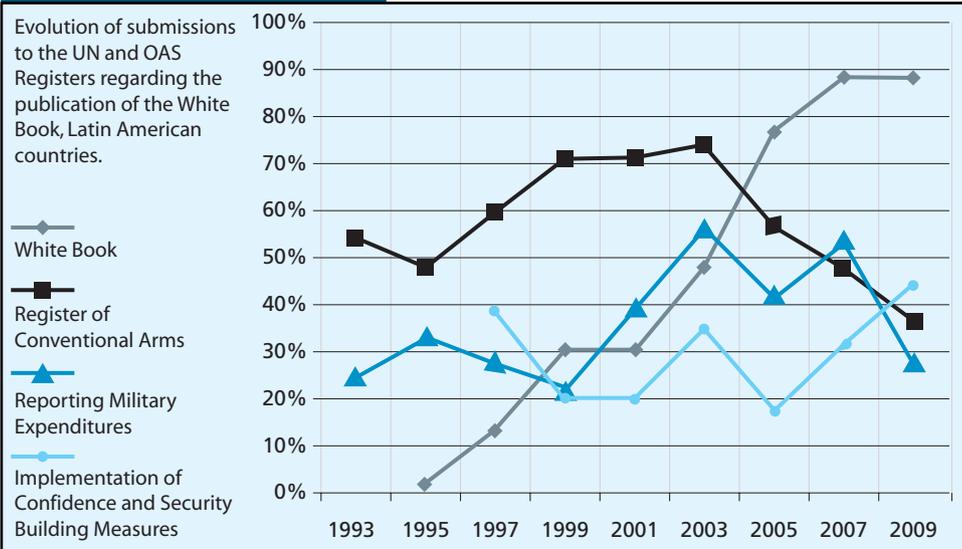
Policy Documents

Country	Document
Argentina*	<i>Libro Blanco de la Defensa Nacional 1999. Revisión de la Defensa 2001. Directiva de Política de Defensa Nacional 2009.</i>
Bolivia	<i>Libro Blanco de la Defensa 2004. Bases para la Discusión de la Doctrina de Seguridad y Defensa del Estado Plurinacional de Bolivia 2010.</i>
Brazil	<i>Política de Defensa Nacional 1996 y 2005. Estrategia Nacional de Defensa 2008.</i>
Chile	<i>Libro de la Defensa Nacional de Chile 1997, 2002 y 2010.</i>
Colombia	<i>Política de Defensa y Seguridad Democrática 2003. Política de Consolidación de la Seguridad Democrática 2007.</i>
Dominican Republic	<i>Directiva de Seguridad y Defensa Nacional 2007.</i>
Ecuador	<i>Política de la Defensa Nacional del Ecuador 2002 y 2006. Agenda Política de la Defensa Nacional 2008.</i>
El Salvador	<i>Libro de la Defensa Nacional 2006.</i>
Guatemala	<i>Libro de la Defensa Nacional de la República de Guatemala 2003. Política de la Defensa Nacional 2005.</i>
Honduras	<i>Libro de la Defensa Nacional 2005.</i>
Mexico	<i>Libro del Ejército y Fuerza Aérea Mexicanos 2005.</i>
Nicaragua	<i>Libro de la Defensa Nacional de Nicaragua 2005.</i>
Paraguay	<i>Política de Defensa Nacional de la República del Paraguay 1999.</i>
Peru	<i>Libro Blanco de la Defensa Nacional del Perú 2005.</i>
Uruguay	<i>Bases Para una Política de Defensa Nacional 1999.</i>

* At the time of writing, Argentina was in the process of elaborating its 2010 Defence White Paper (Libro Blanco de la Defensa 2010).

Source: Compilation based on the above mentioned documents.

Transparency Measures



Source: Compilation based on White Papers (also referred to as White Books) and national defence documents of each country along with reports submitted by the States to the United Nations Register of Conventional Arms and the United Nations Instrument for Reporting Military Expenditures from 1992 to 2010 and reports submitted by States to the OAS on the Implementation of Confidence and Security-Building Measures in the 1997-2010 period.

Register/Instrument: Average number of reports submitted in each period (for the calculation of reports submitted to the OAS, all countries considered in this publication, with the exception of Cuba, have been included) White Books: cumulative frequency of countries which published White Books.

Political Participation of Military Members

Country	Can they vote?		Can they be candidates for Elections?	
	Active	Retired	Active	Retired
Argentina	Yes	Yes	No	Yes
Bolivia	Yes	Yes	No	Yes ⁽¹⁾
Brazil	Yes	Yes	No ⁽²⁾	Yes
Chile	Yes	Yes	No	Yes ⁽³⁾
Colombia	No	Yes	No	Yes ⁽³⁾
Cuba	Yes	Yes	Yes	Yes
Dominican Republic	No	Yes	No ⁽⁴⁾	Yes ⁽⁴⁾
Ecuador	Yes	Yes	No	Yes
El Salvador	No	Yes	No	Yes ⁽⁵⁾
Guatemala	No	Yes	No	Yes ⁽⁶⁾
Honduras	No	Yes	Yes ⁽⁷⁾	Yes
Mexico	Yes	Yes	Yes ⁽⁸⁾	Yes
Nicaragua	Yes	Yes	No	Yes ⁽³⁾
Paraguay	Yes	Yes	No	Yes
Peru	Yes	Yes	No	Yes
Uruguay	Yes	Yes	No ⁽⁹⁾	Yes ⁽¹⁰⁾
Venezuela	Yes	Yes	No	Yes

- (1) In order to hold a public office, officers must resign at least three months before Election Day (Political Constitution, Art. 238).
- (2) With less than ten years of service, the individual shall retire; if he/she has had more than ten years of service, he/she shall be separated from full-time duty by his superior authority; if elected, he shall automatically be discharged.
- (3) One year after retiring.
- (4) Article 123 of the Constitution establishes as a requirement for President not to be in active military or police duty at least three years prior to presidential elections. Article 77 pertaining to the conditions required to become a congress member does not mention this requirement.
- (5) They can run for presidential election only three years after retirement.
- (6) Five years after retiring.
- (7) The Constitution mentions the possibility of running for elections in those cases not prohibited by law (Sec. 37), but it establishes that they cannot be elected Deputies (Sec. 199) or President (Sec.240).
- (8) The members of the military on active duty cannot be elected Deputies unless they shall definitely have resigned from their position ninety days prior to the election (Political Constitution, Sec. 55) or Senator (Political Constitution, Sec. 58), or six months in the case of President (Political Constitution, Sec. 82). The law indicates that in order to occupy a post subject to popular elections, the members of the armed forces shall request a special permit for that purpose.
- (9) Section 91 subsection 2 of the National Constitution establishes that "Members of the military who resign their position to enter legislative bodies, shall conserve their rank, but as long as their legislative responsibilities last they shall not be promoted. They shall be exempt from all military subordination. The time they remain performing legislative activities will not be counted for seniority for promotion". The Organic Decree-Law for the Armed Forces N° 14.157, in Section 98, says that the military status shall be suspended in the case of a "member of the military elected for a political position".
- (10) Section 77 subsection 4 of the National Constitution establishes that only the members of the military on active duty cannot perform political activities.

Source: Compilation based on national legislation. For more detail on such legislation refer to section "Countries" of this publication.



Analysis

The Hidden Appeal of Defence

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During the so-called period of transition to democracy, a fairly consistent discussion emerged on the literature of civil-military relations. We will not delve into the details in this paper, but we would suggest reading the works by Felipe Agüero and Narcis Serra, both clearly summarizing the different arguments and concepts developed over those years.¹ All such works were not mere theoretical speculations but rather the expression of a political commitment to uphold the newly-es-

tablished democracies, giving way to a set of ideas that impacted the policymaking practices of defence ministers, foreign affairs ministers, members of congress, and the political leadership in general. A consensus was built on the irrevocable principles of any democracy.

This process of building a common episteme in Latin America and the Caribbean was reinforced by other driving forces whose aim was in line with the input from the academy: namely, to eradicate coups d'état, delegitimize military dictatorships, strengthen the flourishing democracies. Thus, we found international, national, local and private initiatives focussed on controlling the military. By way of example, the OAS undertook to disseminate the notions of confidence- and security-building measures, by formulating a digest of good practices intended to vacate of all meaning the arguments of conflict between neighbouring countries that had sustained Latin American militarism.

¹ Felipe Agüero, "Las fuerzas armadas en una época de transición: Perspectivas para el afianzamiento de la democracia en América Latina" in Rut Diamint ed., *Control civil y fuerzas armadas en las nuevas democracias latinoamericanas*, (Buenos Aires: Universidad Torcuato Di Tella-Nuevo Hacer, 1999); Narcis Serra, *La transición militar. Reflexiones en torno a la reforma democrática de las fuerzas armadas*, (Barcelona: Debate, 2008). See also Alfred Stepan, *Rethinking Military Politics: Brazil and the Southern Cone*, (Princeton, NJ: Princeton University Press, 1988); Samuel J. Fitch, *The Armed Forces and Democracy in Latin America*, (Baltimore-Londres: The Johns Hopkins University Press, 1998); and Alain Rouquié, *El Estado Militar en América Latina*, (Mexico: Siglo XXI Editores, 1984).

Shortly afterwards, in 1995, the US government proposed a dialogue mechanism between the Defence Ministers of the Hemisphere in the Williamsburg meeting. A commitment to elaborate Defence White Papers was made in those gatherings. Latin American governments gradually adopted these requirements of the Inter-American system. With the contribution of foundations, several Latin American organizations started to carry out activities to train civilian experts in defence.

Consequently, most of the governments in the hemisphere prepared a series of practices and instruments to respond to this democratic consensus. In a few cases—very few indeed—parliaments acquired a convincing role by turning the civilian control of the armed forces into an item on the political agenda in times of peace and relative stability in domestic economies. However, most unfortunately, this quick overview of changes in the military sphere must conclude, based on the evidence, that the effectiveness of such transformations is questionable. There seems to be a hidden appeal of defence that mesmerizes the boldest government officials and renders the most dexterous leaders unnerved.

Without falling into generalizations, as every country has gone through different circumstances, some particular facets can be discussed. For instance, a review of Defence White Papers (known as White Books in Spanish) and their content as compared with what is actually happening in the defence arena, could offer a measure of the gap between discourse and reality. Although a precise analysis of these comparisons exceeds the scope of this paper, based on accumulated experience on the matter, this author would suggest three reasons that could explain the failures in implementing what is promised in official documents.

The “status quo” game

Significant changes have taken place in the global arena between the early eighties and today. Recalling the main subjects of political science papers over the last two decades does not seem in point but, in a nutshell, regime changes, globalization, integration and uni-multipolarity have produced uncertainty. Making decisions in volatile contexts is risky. And it tends to be more dangerous in States that lack a tradition in devising medium- and long-term strategies. Consequently, the best thing to do is leave things as they are.

Government officials, given the impossibility to measure the effects—both domestic and international—of their potential decisions in the defence area, decided to

play it “as if.” This notion, taken from psychoanalysis, refers to the construction of superficial rationalizations that do not lead to true change. It is a mere intellectual fabrication that exhibits a tie to the past without taking root in reality.

The uncertainty characteristic of such an age of global changes and domestic mutations, and the likely cost to governance of advancing in defence sector reform in young democracies and social and economic urgencies led governments to content themselves with a setting that reinstated the conditions of the past without learning for the future. It was just “as if.” Ministries were reformed and new legislation was passed, without actually defining the activities, the methods and the organization of the armed forces. There were other concerns, too. And, who knows, those armed forces that had always been functional to political projects—although subsequently went beyond the desires of the leadership—may again serve the interests of certain groups. In sum, there were too many doubts for politicians to take the risk of building a different reality.

The “compromise” game

Associated with the above, there appeared another aspect that would underscore the distance between what was said and what was done. External demands, including those originated from the OAS or, in many occasions, direct pressure of the US, forced presidents to try and find quick solutions. It mattered little if they were correct or effective, presidents had to prove that they were performing on their promises; that they delivered. The president would order the minister; the minister, the officer in charge. This is an oversimplification of the process developed in that environment. Ministries had no personnel with the ability to put together a White Paper or a strategic directive, or a national defence council plan. No defence communities or strategic study and research organizations had developed in countries where there had been military dictatorships or where old arrangements had left military issues solely in the hands of the armed forces in exchange for their respect for the rules of civilian politics. For a fast—and superficial—solution officers were at hand.

At the same time, many civil society organizations—which had had an intense agenda in the fight against dictatorships—, once democratic regimes were established could not continue with their work related to the handling of the defence agenda in a republic. Their



expertise and their influence gradually diminished while many foundations that had financed them considered these matters closed and turned their attention to other social issues.

The subject became void and other bodies, very slowly, had to re-elaborate a new defence agenda, many times supported by government administrations. They had no experience in proposing and analyzing the stages involved in democratic consolidation. In spite of this, an expert community continued to grow. On the one hand, this allowed new actors to enter a legitimate space to study and understand defence. On the other hand, though, depending on government funding curtailed the self-determination and ability to criticise of those who were supposed to drive changes in the sector.

Compromise and mediocrity have been always associated in philosophical thinking, suggesting that accommodating is settling for a deceitful order. A rationale against compromise projects its purposes and motivates its agents to reach for the irresistible movement of progress. Ultimately, this was an accommodation that bore fruit in the short term, but compromised civilian conduct in the future.

The past condemns us

There is an old saying that states that the armed forces are always getting ready to fight the previous war. This means they study strategy and tactics to learn and correct a past experience. Defence definitions seem to have suffered the same syndrome. White Papers and military-strategic directives have been prepared based on past scenarios. Deeply marked by the requirement to show civilian conduct and exhibit certain effectiveness in defence leadership, the documents prepared have responded to criteria and threats prevailing in preceding periods.

Overall, while the new regional integration dynamic was made explicit, military instruments, training provisions, vital interests, operational and communication levels reflected mid-20th century concepts. While there were allusions to globalization, the reference was to the geostrategic and geopolitical environment. The Ministry of Defence's role was discussed, but no policies were generated to strengthen it. The defence budget concept was replaced by one of defence investment, but the most thriving sectors of the economy remained excluded from production for defence. The Rule of Law was

talked about, but military justice continued to postpone the judgement of past crimes.

Defence innovation has always been a result of reaction. In some countries, the increasing public insecurity and forms of organized crime that defied police response capacity quickly led to the involvement of servicemen in public security. But there was no change in doctrine, training, or equipment. With the urgency of social demand, one had to get out into the street from one moment to the next, and, try, in vain, to fill in for State deficits.² In other countries, where political instability was more pronounced, the armed forces had to step in for the State, with social work, assistance and politization. Nor did this lead to a rethinking of the military instrument's role. Finally, in others, governments resorted to different agencies to cover up for their inefficiencies, organized more cooperative neighbourhoods only to find defence systems that were not functional for their objectives. But not even in those cases did they undertake a review of their functions, engage in an ample discussion of defence objectives, or was society invited to participate in Security Sector design.

The result is that, in general, never were the effectiveness, efficiency, efficacy or effectism sought after attained. We do not want the armed forces of the past, but the ones we have got in the present seem never to be able to show their usefulness: either because they fail to control organized crime; or they never end up as entirely reliable political allies; or they do not provide a service that is needed for state development.

Several democratic administrations have paved the way for the stigma of history to be overcome. Nobody is to pay the political cost of a complete defence system transformation at this time. All changes are cosmetic. Perhaps this inoperability can be attributed to the unfamiliarity of politicians with certain institutions, preferring to fortify their personal power. Or to a residual distrust among the countries in the region. It is best not to change too much because external conditions might change and the neighbouring country could once again become a threat. And if that happens, we still have our historical resources: the armed forces that defend the nation. That is the hidden appeal of defence that so much attracts when it is unknown, mysterious and maybe, beguilingly fatal.

² Avant, Deborah D., "Are the Reluctant Warriors Out of Control? Why the US Military is Averse to Responding to Post-Cold War Low-Level Threats," *Security Studies*, Vol. 6, No. 2, Winter 1996/97, p. 51-90.