

NOREF Policy Brief

Governments' and security actors' dynamics in transitions to democracy

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Executive summary

The experiences of the transition to democracy in Latin America could be useful for understanding achievements and mistakes that are common in all transitions. What are the appropriate mechanisms to build up a democracy? How much caution is appropriate in reviewing the past, without weakening the democratic foundation? Lessons from Latin America reveal that the search for truth is a required method in establishing the rule of law.

In many cases, political leaders have chosen to ignore the military problem, thinking that they will avoid the political costs of reforming the security

sector, because limiting the independence of the military, in general, erodes political capital.

Democratic civilian institutions, such as parliaments and organisations of civil society, are central to managing the security sector. This is an ongoing process. It is a political decision that is maintained and constantly reaffirmed. To avoid intervention by the armed forces, the government has to give a role to the military. This requires institutionalising a professional model of relations between civil and military authorities, establishing a clear mission and a democratic chain of command.

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The experiences of transition to democracy in Latin America allow us to assemble a collection of practices that in general are present in all the processes of regime change. When the strong figure of a government departs abruptly and the political actors have not had time to prepare the transition, they will often present several challenges to governance. The succession struggles, the fragmentations of alliances, the difficult construction of a political party are all situations that in Latin America have increased or lessened the depth of the crisis and in many cases have affected the strength of the new government. In addition, the armed forces that directly or indirectly controlled the power of the government and that had crystallised prerogatives and privileges to secure a prominent place in the state must be designated a new role.

Experiences in the region also teach us that all actors must be taken into account in the transition. However, make no mistake, in order for the actors of the *ancien régime* to take part in the formation of a new power structure, it is an unavoidable prerequisite that they accept the rules of the game imposed by the new administration. It applies especially to the armed forces because they hold a monopoly on the use of public force. Thus, the authorities and society as a whole will face the dilemma of what to do with officers accused of human rights violations, or suspected of corruption, and what to do with those who embraced the authoritarian cause without consideration.

In Latin America there were a great variety of situations. The struggle for democracy encompassed huge countries such as Brazil and Argentina and small states such as El Salvador and Honduras. The actors of the reconstruction had to construct the republic with or without explicit or implied covenants with authoritarian governments that had practically left their own countries in flames. In some nations the institutional system was partially intact and in others the fabric of politics had been destroyed. There were cases in which there emerged a new democratic leadership and others in which the old warlords succeeded and now make up the promoters of democracy. This wealth of phenomena allows a comparison of Latin America's history that may be useful in other regions; even though they have

distinct features, they may find inspiration in the successes and failures of the Latin American transition.

What are the appropriate mechanisms to lay the foundations of governance? How much caution is appropriate in reviewing the past, without weakening the democratic foundation of the future? To respond to these dilemmas the presentation will be divided into six points. These arguments are of a general nature and summarise experiences in the region.

1. Why are military issues important to strengthening democracies?

Democracy is based on the guarantee of individual rights, division of powers, separation of the private sector from the public sector, and the equal representation of the interests of all citizens.

The Latin American experience demonstrates that democracy and respect for justice constitute a social contract to prevent totalitarianism and impunity. That contract is based on one pillar: the search for truth and memory as a specific method for strengthening the rule of law. However, the point of balance between the application of the rule of law and some revanchist intentions was very difficult to achieve. There are always discontented sectors, because the reforms seem too lukewarm or they disagree with crediting them to actors that were not decisive in the ending of the old regime. Legitimacy implies consensus and negotiation, leadership with recognition. To achieve this legitimacy, goals should be set as part of the political system, not on a personal basis.

2. Differences between civil and military life

Reaching an understanding between the civilian world and the military world is not easy. By nature, political logic and military logic differ. The training of men of arms occurs through a long programme that begins in youth and continues throughout their career, with a high degree of

isolation, for more than 20 years. Such training values subordination over dissent, hierarchy over tolerance, ritual over change, and obedience over reason. Those who have lived within this thinking for a long period of their life will be ill prepared to face the maze of ups and downs required in democratic political life.

Moreover, the military depends on technology, on the updating and replacement of its military equipment. The politician must address many challenges, with limited resources, and therefore he must set priorities. Society generally perceives expenditures for the military field as an expense and not as an investment. This has been a frequent cause of tension in the new Latin American democracies. In many cases this is the reason why political leaders have chosen to ignore the military problem. Almost all countries in the region have made cuts in defence budgets, redirecting expenditures towards social policies. However, they left the management of these new policies in the hands of the military, without establishing political priorities and supervision.

This scenario does not guarantee the oversight of the military. Parliamentary control is a key instrument to translate the demands of society into political decisions and to negotiate priorities under the supervision of the political class. It also ensures that more actors are responsible for the changes in the military's autonomy.

3. Problems in Latin America to reform the military sector

The different strategies limiting the independence of the military, in general, erode political capital. Therefore it is necessary to recognise that each of the reforms undertaken will generate tension between democracy and governance. For example, in the case of Argentina, the trials held by the first democratic government of President Raúl Alfonsín prompted three military uprisings that undermined the new administration.

During the transition to democracy in Latin America, there were a number of objectives that were difficult to resolve, and even today in many countries they have not been fully achieved. For example, the process of restoring the chain

of command with the purpose of adapting the military to a new hierarchy of decision making resulted in its rejection by officials and, in some cases, violence. Either way, it must be taken into account that the armed forces are not multipurpose instruments and in particular that they are not best suited to dealing with such matters as national development, the management of the economy, the protection of a discredited politician or functioning as the police. The military are not trained to be on the street and do not have the proper weapons for the control of citizens. In Latin America we have learned that for the correct institutional performance of democracy it is important to avoid these overlaps, which additionally carry the risk of annihilating human rights.

4. The state is central to the reform of democratisation

A question that has been present in several Latin American cases is whether it is possible to achieve democratic reforms in weak or pre-modern states. Currently, as it has been 20 years since the signing of the Chapultepec Peace Accords between the Farabundo Martí guerrillas (FMLN) and the government of El Salvador, they are analysing the pros and cons of this difficult path of "promoting democracy in the country, guaranteeing unrestricted respect for human rights and reunifying Salvadorian society."¹ El Salvador has a vigorous democracy, but it also had between 2004 and 2009 the third highest rate of murders per capita in the world. Despite the excellent work of the ONUSAL mission in El Salvador, there are some things that could not be resolved. For example, the military and security forces that have worked as bodyguards for the leaders have been formed through a combination of coercion, intimidation and cooptation of their society, causing fear among the population.

Taking account of the experiences of Eastern Europe, the concept of Security Sector Reform (SSR) was developed. SSR is concerned with improving in the effectiveness and efficiency of the provision of government services, and reforming

¹ United Nations Observer Mission in El Salvador, ONUSAL, September 1996, http://www.un.org/Depts/DPKO/Missions/onusal_b.htm.

the major instruments to assure security for the benefit of the people.² Security Sector Reform aims to create a secure environment that is conducive to development, poverty reduction, good governance and, in particular, the growth of democratic states and institutions based on the rule of law.³ Democratic civilian institutions, such as parliaments, must regain control over decision making, and the media and the general public should be able to discuss security-related matters more freely. As a general rule in Latin America, governments pay attention to civil–military control, disregarding other sectors.

5. The dilemmas of status with the military and security

From all of this comes a dilemma: because these countries have a permanent situation of internal disorder, it is considered that, at least temporarily, the military can play a moderating role.

In transition processes the idea of order exceeds the call for democracy, especially when the political leadership is divided, or the government does not control all of the territory. In the short term it seems beneficial to prioritise control. However, in the medium and long term this will be seen as a mistake: first, because the military crystallises practices associated with autonomous spheres of decision and action; second, rather than reform and coordinate various agencies of government, they maintain old institutions without modernising the state.

The stability of the new governments depends on the achievement of good governance – that is, an administration that responds to social demands in an efficient and effective way, that anticipates the requirements of its actions – and, in addition, on its ability to create a consensus involving state reconstruction projects in both related and opposing sectors.

In other words, these governments must respond to the urgent demands of a population that continues to suffer from insecurity, unemployment and marginalisation. Securing the impartiality of the security forces and concern of government agencies to ensure the dignity and equality of citizens is the greatest challenge of institution building. Furthermore, executive power must work along with a parliament that is developing expertise in security matters.

6. One answer: give a mission to the military and security forces

Either control exists or it does not exist. Half control is not possible. This is an ongoing process. It is a political decision that is maintained and constantly reaffirmed. To avoid intervention by the armed forces, the government has to give a role to the military. How is this done? It is necessary to define the mission, explaining clearly what their role is and what things are not their business. This requires institutionalising a professional model of relations between civil and military authorities. The armed forces are not the bearers of political decisions, do not define the welfare of the nation and cannot act on their own interpretation of the rules of government.

It is important as well to provide the police with clear missions and detailed procedures to avoid violence; members of the police continue to torture and kill many of the most vulnerable population and are granted almost complete impunity.

Taking into account the Latin American experience, new governments must trim down military power and autonomy, share defence and policy reforms with the parliament to ensure a high degree of legitimacy, and establish a clear chain of command, with precise missions and mandates. This is a major objective of regime change: to facilitate the expansion of citizenship in parallel to suppress the residual political dominance of unrepresentative militaries. There will be no real democracy unless military influence is rolled back and the military are shaped under values and behaviour compatible with democratic governance.

2 Michael Brzoska. 2003. "Development Donors and the Concept of Security Sector Reform," *Occasional Paper No. 4*, Geneva Centre for the Democratic Control of Armed Forces (DCAF), Geneva, November: 13–15.

3 *A Beginner's Guide to Security Sector Reform (SSR)*, Global Facilitating Network for Security Sector Reform, December 2007, http://www.ssrnetwork.net/documents/GFN-SSR_A_Beginners_Guide_to_SSR_v2.pdf, p. 4.