

The
IMPACT OF NORMS
in International Society

THE LATIN AMERICAN EXPERIENCE,
1881-2001

Arie M. Kacowicz

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C O N T E N T S

*To the memory of
Tzvetka Golombek and Mestre (Mesth) Yelid-Lari*

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Norms of Security

Arms Control, Confidence-Building Measures, and Common Security

IN THIS CHAPTER I EXAMINE THE RELEVANT NORMS OF SECURITY IN LATIN America in the context of five different cases dating from 1881 to the present: the demilitarization of the Strait of Magellan in 1881 and the Mayo Pacts of 1902, including a naval arms control treaty, between Argentina and Chile; the evolution of the nuclear nonproliferation regional regime of Tlatelolco (the creation of a nuclear-weapons-free zone) since 1967; the security cooperation (essentially in the nuclear realm) between Argentina and Brazil in the 1980s and 1990s; and the peace initiatives of Contadora (1984–1986) and Esquipulas (1987) to resolve the Central American civil wars. In all the five cases I examine the impact of norms on the prospects for conflict management, resolution, maintenance of peace, and cooperation. The relevant norms of security include arms control and disarmament, demilitarization, neutralization, confidence-building measures (CBMs), collective security, and comprehensive and mutual security.

The context of regional security has been the major framework of reference for the management and resolution of territorial disputes among the Latin American states. Although Latin America has been part of the Inter-American system, security concerns have referred first and foremost to the immediate neighborhood rather than to the extraregional, or global, contexts. For instance, within the framework of the Cold War, Latin America, perhaps

with the exception of Cuba, has been a region of low strategic preponderance (Hirst 1989, 37).

In a region with a long history of insecurity, mistrust, border disputes, unequal levels of economic development, and broad disparities in the distribution of power, the main security issues have focused on sudden attempts at military resolutions of long-standing border disputes and diplomatic stalemates, as well as the spread of revolution and counter-revolution across borders, at least until the 1980s. Despite the relative absence of interstate wars, especially in South America since 1883, border control, sovereignty, and national security are still relevant symbols that remain part of the rhetorical elements that have guided key political actors, such as the armed forces, in national debates and the formulation of foreign policies. Moreover, threats of the use of military force have consistently been used in the foreign policies of Latin American countries throughout the twentieth century, but without usually escalating into full-fledged wars. Arms races have also characterized the bilateral relations between Argentina and Chile from 1890 until the 1920s, and again in the 1970s, Argentina and Brazil from World War II until the early 1980s, Peru and Ecuador from the 1940s until 1998, and Colombia and Venezuela in the last few decades of the twentieth century (see Mares 1997, 195 and 202; Varas 1985, 84; Millán 1983, 89; Varas 1988).

Yet the Latin American states have been more concerned with their own domestic political problems than with confronting external security threats. Traditionally, the Latin American armed forces took upon themselves paramount domestic political roles since there was less need to defend their nations from outside aggressors (Varas 1985, 1–2; Glick 1965, 179). Moreover, during the periods of harsh military dictatorships in the 1960s and 1970s, the Latin American armies became a threat to many of their own citizens. Since the processes of democratization in the late 1970s and early 1980s, we have witnessed efforts of regional security cooperation toward a better understanding among the countries of the region, a gradual transcendence of perceptions of mutual threat, and a consensual recognition toward the strengthening of confidence-building measures (Velit Granda 1992, 89).¹

As early as 1826, Simón Bolívar called an international conference (the Panama Congress) to establish machinery for collective security. Since then several attempts have been made to demilitarize borders, reduce and control armaments, abolish certain weapons, prohibit certain methods of war, prevent subversion, prohibit military use of certain geographic regions and space, create a nuclear-free zone, support nonproliferation of nuclear weapons, limit arma-

ents in order to devote resources for economic and social development, and support general and widespread disarmament (Manwaring 1983, 163).

Several of the case studies in this chapter illustrate the adoption of security norms and the movement from a "system" (in which the parties are merely interconnected) to a "society," if not a "community" (sharing common norms and values). An early example were the Mayo Pacts of 1902 between Argentina and Chile, which celebrated one of the first naval agreements on arms control worldwide. In the 1960s the Latin Americans took the initiative for the creation of the first nuclear-weapons-free zone (NWFZ) worldwide in an inhabited area, institutionalized in the Treaty of Tlatelolco of 1967. This was also the first agreement that established a system of international control and permanent supervision, the OPANAL (Agency for the Prohibition of Nuclear Arms in Latin America and the Caribbean). The Treaty was completed with the final accession of Argentina, Chile, and Brazil in 1994, and Cuba in 1995. Since 1979 Argentina and Brazil have embarked on a cooperative joint venture regarding their nuclear plans, leading from nuclear cooperation to economic integration and eventual adherence to the general principle of nuclear nonproliferation. Finally, against the background of the failure of the OAS conflict-management system in Central America and elsewhere, in the early 1980s several Latin American countries initiated the Contadora process that eventually led to the formation of the broader Support and Rio Groups. The Contadora process contributed decisively to the avoidance of the broadening of war in Central America and established the basis for the peaceful resolution of the Central American civil wars by the Central American states themselves, through the Esquipulas process since 1987 (Hirst 1989, 44-45).

Arms Control and Disarmament

Arms control is a normative process that establishes agreements on weapons and their use—types, deployment, characteristics, safety conditions to prevent accidents, and so forth. By contrast, *disarmament* aims to reduce and even eliminate the number of weapons (Russett and Starr 1989, 383). Although these two normative processes are directly related and usually converge, sometimes they might contradict each other. Arms control might be regarded as a distraction from the (less realistic) pursuit of general disarmament. As a corollary of arms control, we might also refer to demilitarization and neutralization of specific territories, regarding the deployment and quantity of certain weapons.

Historically, there have not been many formal regional, multilateral treaties in Latin America dealing with arms control, demilitarization, neutralization, and disarmament. During their long quest for a system of regional security, Latin American countries rarely considered serious proposals for disarmament. After independence in the early nineteenth century, the new nations of Latin America felt obliged to maintain military establishments adequate to defend their newly acquired statehood (U.S. Congress 1957, 21). Later on, civil wars and domestic turbulence, as well as the continuation of border disputes, the rationale of "hypotheses of conflicts" (possible wars), and ephemeral periods of "armed peace" kept the armies busy and the production and import of weapons flourishing. The relatively minor participation of Latin American countries in arms limitation proposals starkly contrasts with the damaging effects of regional arms races, which were widespread in the 1960s and 1970s. Although overall Latin American military spending has been moderate with respect to other developing world regions, such as the Middle East and South Asia, in the Argentine-Brazilian case their military arms race reached the threshold of nuclear weaponry potential in the 1970s (see Varas 1985, 25; Morris and Slann 1983, 121-22).

Even in cases where states did commit themselves to arms control and disarmament, the efforts have been, in general, quite ineffective regarding the military capability of states. This is because verification was usually left to national discretion, without establishing serious machinery for enforcement, and to the perceived irrelevance of these agreements (Manwaring 1983, 163 and 169). In addition, and similarly to the recourse to legal mechanisms for peaceful settlement, we find a remarkable gap between disarmament and arms control agreements on the one hand, and the lack of actual disarmament measures and practices, concomitant to the production of weapons and continuation of arms races on the other (see Varas 1985, 95; Barahona Riera 1987, 289).

We can mention several factors that have acted to hinder or, alternatively, to promote arms control and disarmament in the region. Among the negative factors that have slowed arms control are the security concerns related to territorial questions and ideological threats; the impact of the United States (at least until the 1970s) in stressing collective security within the OAS; the role fulfilled by the national armed forces themselves in opposing arms control; and, finally, considerations of prestige that led countries such as Argentina and Brazil to pursue their nuclear plans. Alternatively, many of these factors could play a more positive role in promoting conventional and nonconventional (especially nuclear) measures of arms control following the democratization

wave of the 1980s. For instance, security concerns have promoted the ban of nuclear weapons in the region since 1967; considerations of prestige and reputation have also promoted arms control; and, finally, the same Latin American armed forces acquiesced to the idea, and eventual reality, of non-proliferation of weapons of mass destruction in the region (see Stinson and Cochrane 1971, 13–16).

Confidence-Building Measures (CBMs)

The mechanisms of confidence-building measures (CBMs) are aimed at reducing interstate tensions, focusing on a step-by-step reduction of mistrust and fear in order to develop confidence, and improving the understanding between nations on security and political matters. CBMs deal not only with the material aspects of security, but also, and perhaps more importantly, with the psychological framework of the military and political decision-making cadres, in terms of perceived threats. Related to the norms of arms control and disarmament, they are in a sense broader than the former, since they include a myriad of dimensions and issues, such as nuclear issues, production and export of weapons, the role of military institutions in the state, bilateral territorial disputes, regional and bilateral antagonisms, economic and social development and the cooperation among the member-states, exchange of information and experiences, deepening of mechanisms of consult and cooperation, and the prevention of possible causes of conflict. CBMs received attention worldwide as a result of the relative success they had in Europe in promoting trust between the Eastern and Western blocs and bringing the Cold War to an end (see Milán 1983, 90; San Martín 1987, 125; Morris 1994, 101 and 107; Child 1996, 13; Velit Granda 1992, 90; Acuña Pimentel 1995, 88).

In Latin America, where the risk level for an armed conflict has not been as high as in Europe during the Cold War, confidence-building measures have not been as urgently needed because the level of distrust and causes of war have been relatively minor. At the same time, the step-by-step reduction of mistrust and fear and the gradual development of confidence among states by agreed-upon rules of military and political behavior could play and indeed have played a positive and significant role at the subregional level, such as in the relations between Argentina and Brazil or Argentina and Chile. With the advent of democratization in the early 1980s, the scene of Latin American security has become more benign and less threatening to the interested parties.

Hence, military and political CBMs have fulfilled an important role in strengthening peace and stability and promoting the institutionalization of military regional and hemispheric cooperation (Morris 1994, 103).

Several regional multilateral agreements and declarations in Latin America (and in the Americas in general), include confidence-building measures and techniques such as the Inter-American Treaty of Reciprocal Assistance (1947), the Charter of the OAS (1948), the Treaty of Tlatelolco (1967), the Declaration of Punta del Este (1967), the Declaration of Ayacucho (1974), the Amazon Pact (1978), the Code of Conduct of Riobamba (1980), the Agreement of Cartagena (1979) establishing the Andean Group, the Contadora Acts (1984–1986), the Esquipulas II Agreement (1987), the Treaty of Asunción (1991) establishing Mercosur, and the Mendoza Declaration (1991) banning chemical and biological weapons (see San Martín 1987, 129; Millán 1983, 92–93; Caro 1994, 193–94).

In the Southern Cone, CBMs have been instrumental in improving the bilateral relations between Argentina and Brazil since 1979 and between Argentina and Chile since 1984. CBMs have strengthened their mutual trust, through military cooperation, integration of border areas, negotiations and agreements on border disputes, exchange of information, permanent communication, periodical meetings, and even joint military maneuvers in the 1990s (Caro 1994, 195). Although there is no single formal bilateral (or multilateral) agreement regarding collective security, the ABC countries have agreed on certain common normative themes, as related to CBMs. These include the defense of democracy, economic integration and regional cooperation, the respect for the territorial integrity and self-determination of peoples, the right to technological innovation, the maintenance of peace, the protection of natural resources, and the banning of nuclear, chemical, and biological weapons (see Diamint 1994, 151; Hirst and Rico 1992, 38–39).

Similarly, in 1989 the countries of the Andean Group—Bolivia, Colombia, Ecuador, Peru, and Venezuela—signed the Andean Cooperation, Security, and Peace Agreement in Galapágos, Ecuador. Known as the Galapágos Declaration, the agreement included the commitment to ratify all the obligations arising from the principles established in the Charter of the UN and the OAS, as well as the resolution to promote the fulfillment of the Treaty of Tlatelolco and the NPT. With the Declaration of Cartagena, signed on December 4, 1991, the Andean Group transformed these commitments into effective steps toward the banning of weapons of mass destruction (Aravena 1994a, 180–81).

In Central America the Final Contadora Act of June 1986 and the Esquipulas II Agreement of 1987 established mechanisms for verification regarding

the limitation of weapons and gradual disarmament. The subsequent process of demobilizing the *Contras* in Nicaragua under the Esquipulas peace plan involved frequent applications of a variety of CBMs. By 1992 the norm of CBMs was firmly embedded in Central American thinking regarding disarmament and the lowering of tensions. This diplomatic activity to promote a peaceful settlement of the Central American civil wars has been noteworthy, since the progressive militarization of the various disputes in the subregion had previously hindered the possibility for political resolution. Thus, CBMs were a key element in the Central American peace process (see Child 1996, 17–19; Morris and Millán 1987, 126).

In sum, both Central America and South America prospered in furthering confidence-building measures in the last two decades, following the democratization wave of the 1980s and the end of the Cold War. The increasing economic interdependence and movement toward economic integration have stemmed from the relative success in reducing tensions, promoting trust, and achieving a stable degree of security cooperation that later on spilled over into functionalist and economic issue-areas (see Guedes da Costa 1998, 12–13; Downes 1998, 24).

Collective Security and New Forms of Security

The norm of collective security, by which all members of a given region or group agree to oppose together a threat to the security of any one of them, has been formally applied in Latin America in the broader context of the Inter-American system, since immediately after World War II. Previously, in the 1820s, Bolívar attempted to institutionalize it within the framework of Spanish American Congresses, without success. Most of the Latin American and Caribbean states belong to the hemispheric system of collective security, institutionalized through the Charter of the OAS (1948) and the American Treaty of Reciprocal Assistance (Rio Pact) of 1947. The Rio Pact placed on a permanent basis the prior temporary regional security arrangements adopted during World War II (see Atkins 1997, 270; Millán 1983, 89–90; Patiño Mayer 1996, 2).² Between 1948 and 1982 twenty-three cases were considered under the provisions of the Rio Treaty, especially in Central America. Yet Latin Americans tended to approach with reluctance and skepticism what they regarded as U.S. domination of Inter-American security processes. Hence, many territorial disputes were resolved outside of the Rio Treaty.

By the early 1990s the old concept of a continental collective security became somehow obsolete. Although the end of the Cold War facilitated the

peaceful resolution of regional conflicts, such as that of Central America, realities and hypotheses of conflict in Latin America did not disappear completely from the political horizon. On the one hand, the majority of the states in the region supported the political and military status quo, as well as the new orthodoxy of democratization and economic neoliberalism. But on the other hand, there remained fluid and dangerous domestic situations, within the context of serious political and economic changes that could generate regional tensions in the 1990s and into the new millennium, especially in Central America and in the Northern Tier of South America (Colombia, Venezuela, Guyana, and Suriname). Hence, there is a need nowadays to transcend the concept of hemispheric collective security and build a stable framework of cooperative security among the Latin American countries, or even at the sub-regional level (Varas 1995, 27).

Even before the end of the Cold War, the combined impact of the return to democracy and the implications of the debt crisis in Latin America in the 1980s did create new opportunities to redefine regional security approaches. First, civilian and diplomatic participation in security matters became paramount. Second, the extrapolation of a democratic political culture across borders created a favorable climate for peace, stability, and mutual security, especially in the Southern Cone of South America. Third, security cooperation has become concomitant to efforts of economic integration (Hirst and Rico 1992, 35).

New and broader concepts of security, such as "common," "mutual," "comprehensive," "cooperative," and "human" have added a multidimensional character to traditional security relations. A broader concept of security might include, in addition to the obvious military dimension, diplomatic, political, economic, and cultural aspects. The diplomatic dimension is subordinate to the idea of national sovereignty within the context of a regional vision of security. The political aspect refers to the type of political regime; for instance, a threat to democracy is considered a threat to regional security. With the structural economic reforms of the 1980s and 1990s and the plans for economic integration at the regional and subregional levels, the economic dimension has been reincorporated into the general scheme of security. Finally, the cultural dimension refers to the normative dimension of sharing common values within the Latin American international society (see Mares 1995, 9–21).

In addition, with the reduction of the old "conventional" security threats, the countries of the hemisphere are facing new security risks and more diverse threats. By broadening the concept of security we include issues such as increasing unemployment and poverty, marginality of many sectors of the population, drug trafficking, terrorism, organized crime, violations of human rights,

and threats to democratic development and economic well-being (Atkins 1997, 273–74; Druetta and Tibiletti 1993, 54).

The adoption of the more complex and ambiguous concept of “common,” “cooperative,” or “mutual” security both incorporates and transcends the traditional idea of collective security. One important difference between the two is that while collective security tries to harness the force of the community to deal with the potential transgressor, common security attempts to shy away from the use of force at all (Mares 1994, 271–72). A system of cooperative security is based on several elements, such as a defensive configuration of the national armed forces, a myriad of CBMs, the establishment of multilateral forums for the prevention of future conflicts, and a coordinated participation in an organized international response for the prevention or deterrence of aggression (Patiño Mayer 1996, 7). The norms of cooperative and common security overlap with the Latin American initiative of *concertación*, which provided the basis for the Contadora/Esquipulas process and the larger Latin American cooperation on political and security matters since 1986. Security concerns were one of the key matters that gave rise to the Permanent Mechanism for Joint Political Action (*Mecanismo de Consulta y Concertación Política Latinoamericana*), more commonly known as the Rio Group. Regarding security, two main goals have been promoted: “to seek solutions suitable to the problems and conflicts that affect the region,” and “to promote initiatives and actions intended to improve, by means of dialogue and cooperation, Inter-American relations” (Rio Group Declaration, December 18, 1986, quoted in Aravena 1994a, 183). In this sense, the concept of common security approximates the ideas of a pluralistic security community and the creation of a Latin American “zone of peace.”³

Norms of Security and Their Implementation in Latin America

The bulk of this chapter focuses on the impact of norms of security on five distinct, though related, case studies. As in the previous chapter, I analyze not only the overall impact of norms, but also the specific conditions under which norms might make an impact. Though the general impression about the impact of norms on these cases is a positive one, there is an interesting variance among cases that showed an initial failure (like Contadora in 1983, or even Tlatelolco in 1967) and only later evolved into an eventual success (like Esquipulas in 1987 or the ABC accession to the Tlatelolco Treaty in 1994). In the first two cases dealing with Argentine-Chilean relations, the results were

successful, but either problematic (the implications of the neutralization of the Magellan Strait for the continuation of the Beagle Channel dispute) or ephemeral (the naval arms control convention within the Mayo Pacts of 1902 lasted for only five years). Perhaps the most interesting case is that of the evolution of the bilateral relations between Argentina and Brazil from 1979 to the present, from nuclear rivalry to nuclear cooperation. For each case I introduce the historical and legal background, followed by the normative arguments of both or some of the parties in terms of legal and moral contention. Unlike the bilateral cases of the previous chapter, two of the cases are multilateral (Tlatelolco since 1967; the Central American peace process), while the remaining three refer to the bilateral relations between Argentina and Chile (Magellan 1881 and Pactos de Mayo 1902), and between Argentina and Brazil.

The Demilitarization of the Magellan Strait (1881) and the Mayo Pacts of 1902

As we discussed in the context of the Beagle Channel dispute, Argentina and Chile have always had to confront the problems of one of the longest borders in the world and a history of territorial disputes and militarized crises. Their strained relations always stopped just short of war on several occasions: in 1878, 1898, 1901, and 1978. We should understand the Treaty of 1881 that stipulated the neutralization of the strategic Strait of Magellan, as well as the naval arms control agreement within the Mayo Pacts of 1902 as part of this long history of territorial rivalries. What was the impact of norms of security on the Treaty of 1881 and the Mayo Pacts of 1902? Considering the fact that the naval pact between Argentina and Chile in May of 1902 was the first of its type in the diplomatic history of the Western world, what were its implications in the short and long terms?

Historical and Legal Background

The competition between Argentina and Chile for their respective spheres of influence at the southern reaches of the American continent dates from the beginning of their national independence in the second decade of the nineteenth century. The question of which country should control the Magellan Strait, which connects the Pacific and Atlantic oceans at the bottom of Tierra del Fuego, affected their bilateral relations since the 1840s. By a preliminary treaty signed on August 30, 1855, both parties recognized the principle of *uti possidetis* as a guide to resolve their contending claims. Moreover, on Decem-

ber 6, 1878, they signed another agreement, providing for an elaborate series of steps, including arbitration, to determine the fate of the disputed territory.

In a further attempt to regulate and even resolve their disputes over Patagonia, Tierra del Fuego, and the Magellan Strait, the two countries signed a Boundary Treaty in 1881 that embodied a political compromise within an agreed-upon legal framework (Morris 1989, 53). According to the treaty, the Strait of Magellan was granted to Chile, though it would be demilitarized and neutralized; Chile gave up its claims over Patagonia; and the island of Tierra del Fuego was partitioned between the two countries. In exchange for the neutralization of the strait, Argentina agreed never to block the Atlantic (eastern) access (see Ruiz Moreno 1961, 229–35; Burr 1965, 154–55; Paz y Figueroa 1980, 40–41).

Yet the Boundary Treaty of 1881 did not resolve the Argentine-Chilean dispute over Tierra del Fuego and especially over the Beagle Channel Islands. Argentina and Chile argued about the interpretation and implementation of the agreement regarding the bioceanic principle. From the Argentine standpoint, the bioceanic principle was implicit in the 1881 settlement, including the clause that barred any Chilean presence in the Atlantic Ocean. In contrast, Chile rejected the principle and maintained that the 1881 compromise allocated the entire Strait of Magellan to Chile, thereby giving it an Atlantic outlet at its eastern mouth (Morris 1989, 78). Paradoxically, while the 1881 agreement resolved the question of ownership over the Strait of Magellan, it exacerbated the contending claims of the parties over the Beagle Channel.

On May 1, 1893, the two countries signed another protocol “of clarification” regarding the implementation of the 1881 Treaty. Still, the lack of resolution of other territorial disputes, regarding their Andean boundary in Patagonia and the failed implementation of the border demarcation through arbitration, led to a serious deterioration in the relations between Argentina and Chile and the possibility of war in 1898. In 1899 the military crisis was defused through a friendly meeting between Presidents Roca of Argentina and Errazuriz of Chile at the Magellan Strait (“the embrace of the straits”), and by the initiation of the arbitration process. Yet relations remained strained because of the continuing arms race and the rhetoric of an “armed peace,” which was costly to both countries in political and economic terms.

This is the general background for the *Pactos de Mayo* (May Pacts) of May 28, 1902. This set of treaties included a preliminary act, a general treaty of arbitration, a naval limitation (arms control) treaty, and a call to the British arbiter to implement the award over the Andean boundary. In the Preliminary Act both parties declared that they did not sustain territorial expansionist

claims and mutually recognized their sovereignty and territorial integrity, emphasizing as well the corollary of nonintervention. This principle had important geopolitical implications because it limited both Argentine intervention in Pacific affairs and eventual Chilean conquests (see Burr 1965, 252; Ruiz Moreno 1961, 244; Scenna 1981, 125). Furthermore, the general treaty of arbitration bounded Chile and Argentina "to submit to arbitration all controversies of whatever nature which for any reason might arise between them, so long as they do not affect the precepts of either nation's constitution" (quoted in Burr 1965, 253). This was the legal basis for the 1971 *compromis* regarding the arbitration of the Beagle Channel dispute. Finally, the agreement on naval arms control committed the two countries not to take possession of warships under construction or to make further purchases, and to reduce their fleets to a "reasonable parity" under an agreement to be reached within one year (Burr 1965, 253).

Following the May Pacts, on January 9, 1903, the two countries signed a naval disarmament protocol, by which they agreed to sell the ships that each had under construction in Great Britain and Italy. Moreover, Chile agreed to disarm its cruiser *Capitán Prat* and Argentina its *Garibaldi* and the *Pueyrredón* (see Burr 1965, 256; Moraga 1969, 133).

Though the "convention respecting the limitation of naval armaments" of May 28, 1902, could be considered as a success, it was an ephemeral one. Its provisions were limited to an initial five-year period and were not renewed. Moreover, the naval restrictions applied only to Argentina and Chile, so that a Brazilian naval arms buildup could lead to a potential Argentine response. At the same time, Argentina and Chile can boast of having signed one of the first naval arms control agreements in the diplomatic history of the Western world (Morris 1989, 68). The Mayo Pacts in general were regarded as "a great advancement of international law, and as a remarkable example of fraternity between two neighboring countries" (Silva 1946, 231; my translation).

Evidence and Impact of the Normative Framework

The political compromise of 1881 and the naval arms control agreement of 1902 reflected several normative positions sustained by Chile and Argentina in their territorial disputes in the late nineteenth and early twentieth centuries, similarly to those that underpinned the Beagle Channel dispute. Thus, both countries based their respective claims on the principle of *uti possidetis* and historical possession. Argentina argued that it had legal control of the Atlantic seaboard from the Río de la Plata to the farthest point south of Cape Horn,

thus confining Chile to the Pacific. Chile rejected the bioceanic principle and explained the 1881 Treaty as a political, not a legal, compromise. Eventually, in 1977 the arbitration award recognized Chile's rejection of the Argentine arguments as a basis for interpreting the 1881 Treaty (Morris 1989, 55–56).

The normative rationale for the 1881 Treaty and the 1902 Mayo Pacts included the argument, raised by both parties, that Argentina and Chile had made enormous sacrifices because they wanted to avoid war, so that peace was maintained by the good will of both governments (Piñero 1924, 89). In other words, the disposition to neutralize and demilitarize the Magellan Strait, as well as the mutual commitment to implement a significant naval arms control and disarmament pact, were evidence of the peaceful intentions of both parties and their efforts to avoid war. The Argentine negotiators particularly emphasized this pacific (if not pacifist) vocation. For instance, Argentine Foreign Minister Joaquín V. González declared that the Mayo Pacts were “pacts of peace, ending the period of ‘armed peace’” (quoted in Silva 1946, 239). In addition, Argentina emphasized the principle of nonintervention as one of the normative bases for the 1902 Treaties, as it would be further elaborated the same year in the Drago Doctrine. The underlying argument was that Argentina did not have any significant political or economic interests in the Pacific, so that Chile did not represent a serious threat to Argentina (see Errazuriz Guilisasti 1968, 79; Paradiso 1996, 22).

Conditions for the Impact of Norms

Salience of domestic actors who mobilize norms, role of leaders. In both countries there were interest groups and elites who were interested in keeping “order and progress,” and those who wanted to benefit from continuing the arms race between the two countries. There were liberals that advocated trade and economic development, and there were hard-nose nationalists that focused the foreign policy of their countries on territorial expansion (Paradiso 1996, 20). In this sense, the 1881 and 1902 agreements represented a triumph of the liberal coalitions, as epitomized by the arguments of the Argentine politician Carlos Pellegrini, who reiterated the “European–Atlantic” option of the Argentine Republic in justifying the Mayo Pacts. In his words, “Our political and economic interests are not in the Pacific. All our future, all our moral and material interests, all our enlargement and progress are related to the peoples of the Atlantic” (quoted in Paradiso 1996, 16; my translation). This position also reflected the paramount commercial interests that Argentina had in Europe and its close relations with the United Kingdom.

Type of political regimes and peaceful conditions within the countries. Both countries experienced at that time a process of economic growth and development and some form of democratic governance that contributed to their eventual reconciliation. This was particularly true for Argentina, which witnessed a phenomenal economic expansion. Following a liberal logic, the disputes between Argentina and Chile could be reduced to a territorial question that could be honorably settled by the 1902 Treaties. Hence, in Pellegrini's view Argentina "should apply all its energies and resources, today absorbed by the armed obsession, to its progress and enlargement in moral and material terms." Thus, Argentina's path to glory could be realized through economic rather than military means (see Burr 1965, 167; Pellegrini, quoted in Ferrari 1969, 100; my translation).

Presence of a hegemonic power. Both in 1881 and 1902 the United Kingdom exercised a strong pressure on Argentina and Chile to resolve their territorial disputes by peaceful means. In this period the two countries were still under the aegis of the *Pax Britannica*, so it is not a coincidence that Great Britain was nominated the permanent arbitrator between them (Ferrari 1969, 60).

Fitness between the regional normative framework and the given case(s); degree of institutionalization of the international society. As with the case of Misiones in 1895, in 1881 and especially in 1902 Argentina (and to some extent Chile as well) could profess its explicit adherence to the norms of peace and security that regulated the Latin American international society. For instance, the Argentine Foreign Minister Luis María Drago referred in May of 1903 to the May 1902 agreements as the "definitive triumph of peace and equity" (quoted in Silva 1946, 247; my translation). Moreover, Pellegrini invoked the regional principle of nonintervention that regulated Latin American relations to justify the 1902 agreements: "Any Argentine engagement in the Pacific affairs would be a violation of that principle" (Pellegrini, quoted in Ferrari 1969, 99; my translation).

Alternative Explanations

Beyond the normative underpinnings of the 1881 and 1902 agreements, one can understand their logic in terms of common and diverging interests. Both Chile and Argentina wanted to push their respective competing claims in their southern border, but neither of them wanted a war, in 1878, 1898, or 1902. The 1881 treaty that neutralized the Strait of Magellan was a political compromise, a trade-off between territories and spheres of influence held in dispute.

Argentina gave up its rights to the Strait of Magellan and a position in the Pacific, while Chile renounced its ambitions over Patagonia and its aspirations for a port in the Atlantic.

Similarly, although the Mayo Pacts of 1902 are usually interpreted as a clear diplomatic triumph for Chile, which got a *carte blanche* in the Pacific (Burr 1965, 254), they benefited the Argentines as well. The treaties guaranteed the peace and prosperity of both countries and formalized the status quo in the Southern Cone of South America that resulted from the Chilean victory in the Pacific War against Bolivia and Peru. Argentina could focus on its vertiginous economic progress, under the slogan of the second Roca Administration that invoked "peace and administration" instead of "armed peace."

There was a common economic rationale in reaching the agreements, since the "armed peace" involved a serious economic burden for both countries. Their common goal was to avoid an unexpected and unnecessary war, and to reduce the economic costs of the naval arms race. The exorbitant sums spent on that race (200 million pesos by Argentina and 110 million pesos by Chile in 1898) could then be saved for more productive goals (see Palacio 1965, 302–3; Barros van Buren 1970, 577; Errazuriz Guilisasti 1968, 55 and 64). In sum, Argentina and Chile chose to reconcile each other not only out of normative concerns, but as a result of a rational cost-benefit analysis as well.

The Nuclear Nonproliferation Regional Regime of Tlatelolco (since 1967)

The most important Latin American contribution to the implementation of norms of disarmament and nonproliferation has been the establishment of the Latin American Nuclear-Weapons-Free Zone (NWFZ) through the Treaty of Tlatelolco (Treaty for the Prohibition of Nuclear Weapons in Latin America), signed in 1967. The Treaty of Tlatelolco institutionalized a regional regime of nuclear nonproliferation, which has been completed with the final accession of Argentina, Brazil, and Chile in 1994, and Cuba in 1995.

Historical and Legal Background

The initiative to establish a nuclear nonproliferation regime in Latin America was launched in the late 1950s. In 1958 the Costa Rican ambassador to the OAS suggested the establishment of a special disarmament commission within the OAS to elaborate a disarmament project for the Latin American nations, including the issue of nuclear weapons. In 1959 Chilean President Jorge Alessandri raised a similar proposal on nuclear nonproliferation. In 1961 Brazil

formally proposed to the United Nations that Latin America should establish a nuclear-free zone in order to avoid the introduction of nuclear weapons in a region where they were nonexistent. These initiatives were reinvigorated by the traumatic experience of the Cuban missile crisis of 1962, which convinced several Latin American states that they should promote the denuclearization of their region to shy away from a potential nuclear hecatomb. The Latin American NWFZ was conceived, in fact, as an effort to prevent further incursions by the nuclear superpowers. Mexico joined Brazil, Bolivia, and Chile, and its deputy foreign minister, Ambassador Alfonso García Robles, took the initiative in translating the emerging normative consensus into a legal reality (see Atkins 1997, 314; Serrano 1992, 11; Husbands 1979, 209–10; Redick 1994, 3; Docampo 1993, 23–24; Mirek 1986, 17).

The campaign for a nuclear-free zone in Latin America began in earnest with the declaration of the presidents of Mexico, Chile, Brazil, Bolivia, and Ecuador in 1963. Submitted to the United Nations in order to get its formal endorsement, eleven Latin American nations began a project that was supposed to be Latin American in its goals and implementation (Husbands 1979, 212). Negotiations took place in the years 1964–1967, with the aim of prohibiting nuclear weapons in Latin America, so that the states of the region would undertake “not to manufacture, store or experiment on nuclear arms and devices to launch them” (quoted in Insulza 1987, 52). The negotiation process disclosed the existence of contentious issues that ultimately shaped the final text of the agreement, including Cuban participation, the geographical definition of the NWFZ, decolonization, the right to peaceful nuclear explosions (PNEs), the transit of nuclear weapons in the region, and the nuclear powers’ guarantees (Serrano 1992, 27).

The Treaty for the Prohibition of Nuclear Weapons in Latin America was signed on February 14, 1967, in Tlatelolco, Mexico. The United Nations endorsed the Treaty on December 5, 1967; it entered into force on April 22, 1968. In its first article, the Latin American parties to the agreement undertook “to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction.” They further agreed to prohibit “the testing, use, manufacture, production, or acquisition” of any nuclear weapons, as well as their “receipt, storage, installation, deployment, and any form of possession of any nuclear weapons, directly or indirectly.” According to the treaty, the regional regime defines what a nuclear weapon is (Article 5), establishes the area of application (Article 4), regulates and enables the rights of the Latin American states to peaceful nuclear explosions (Article 8), creates a special regional

organization to verify the compliance (Articles 7 through 11), and organizes a system of control (Article 13 through 18). Article 28 is particularly important since it states that the Treaty will become valid once all the Latin American countries and those signatories of the additional protocols ratify it. Yet the Treaty leaves open the possibility of waiving it, as many Latin American countries have done, though neither Brazil nor Chile waived this clause until 1994. There is a double safeguards system (modified in 1992), by the IAEA (International Atomic Energy Agency) and the Latin American organization OPANAL. The Treaty was supplemented by two protocols related to extra-regional states, such as colonial powers (the Netherlands, France, the United Kingdom, and the United States) and the five nuclear powers—the United States, the former Soviet Union, the United Kingdom, China, and France. As compared to other disarmament treaties, such as the 1959 Antarctic Treaty or the 1971 Sea-Bed Treaty, the Tlatelolco Treaty is narrower in scope, since it does not refer to other weapons of mass destruction or to the prohibition of nuclear explosions for peaceful purposes (the quotations of Article 1 are from Atkins 1997, 315; see also Carasales 1987, 173; Docampo 1993, 24; Subedi 1996, 164–65).

Eight years after the Treaty had been opened for signature it came into force for seventeen out of the twenty-two parties for whom it was initially open to signature. This meant that those seventeen countries not only signed and ratified it, but also waived the conditions of Article 28. As for the remaining five countries, Cuba did not sign the agreement until 1995; neither Brazil nor Chile waived the requirements of Article 28 until 1994; and Argentina failed to ratify the agreement until 1994 (see Serrano 1992, 46; Redick 1981, 120).

In the first two decades after entering in force Argentina, Brazil, and Chile were reluctant to completely join the regional regime. Although Argentina had signed both the NPT and Tlatelolco, it did not ratify them until 1992. Both Brazil and Chile had ratified Tlatelolco but without giving up their reservations under Article 28. Only after the Treaty was amended following a common Argentine-Brazilian initiative to strengthen the role of the IAEA at the expense of OPANAL were the two countries ready to change their attitudes toward the regime. Thus, on January 18, 1994, Argentina and Chile deposited instruments of ratification to the treaty (including the waiving clause) followed by Brazil in May of the same year. By the year 2000 all the thirty-three Latin American and Caribbean states in the region had signed the Treaty; Cuba signed in 1995 and ratified in 2002.

Evidence and Impact of the Normative Framework

At the formal level, the text of the Treaty of Tlatelolco refers to the norms of peace and security. The parties express their desire for "ending the armaments race, especially in the field of nuclear weapons" and "strengthening a world at peace, based on the sovereign equality of states, mutual respect, and good neighborliness." Moreover, the preamble emphasizes the link between NWFZs and "the maintenance of peace and security in the respective regions." Since its inception, the Treaty has been regarded as a keystone in the struggle against the proliferation of nuclear arms. It was the first treaty to create an NWFZ in inhabited areas where there are states; it was signed and ratified almost immediately by the majority of the parties invited to do so; and its provisions have been fairly adequate and effective (Insulza 1987, 51; see also Blix 1997, 1-2). Moreover, through its mechanisms for control and verification, the Treaty represents a good example, though not an ideal one, of CBMs. The idea behind an NWFZ epitomizes the concepts of collective security and, even more than that, of cooperative, common, and mutual security. Finally, in terms of Latin American international society, the Tlatelolco regime, like the Contadora process, embodies a common Latin American foreign policy based on the norms of sovereignty and nonintervention.

Until the complete inception of Argentina, Brazil, and Chile in the regional nonproliferation regime, it could be argued that the Treaty of Tlatelolco was far from being effective. The almost twenty years during which the ABC countries stood at the margins of the general trend of nuclear nonproliferation in Latin America has to be explained in both normative and political terms. Brazil and Argentina were, after all, former "threshold countries" that had developed substantial nuclear plans with potential military uses. Argentina especially contested the global policy of nonproliferation, arguing that it discriminated against the developing countries. Since 1945 Argentina had called for nuclear disarmament, limitations in the global arms race, and a focus on development through the channeling away of military resources (Russell 1989, 53). The Argentine normative position argued that the nonproliferation programs were intended to preserve the technological dominance of the nuclear powers, allowing vertical proliferation and limiting horizontal proliferation (Guglielmelli 1978, 29). By invoking the norms of sovereignty, nonintervention, and especially "developmentalism" (*desarrollismo*), Argentina maintained its ambiguous stance toward the Tlatelolco regime until the early 1990s. On the one hand, it formally supported the regime since it was a Latin American instrument designed to regulate the relations among Latin Ameri-

can states. On the other hand, Argentina did not want to submit its nuclear plans to the exclusive scrutiny of OPANAL, the Latin American agency for control and verification (Insulza 1987, 55). Its normative change in the 1990s could be attributed, first of all, to the return to democracy in the 1980s and to the positive evolution of its bilateral relations with Brazil since 1979. Moreover, by the early 1990s there was an emergent regional consensus that included a full commitment by the ABC countries to the Tlatelolco Treaty, full-scale IAEA safeguards, and an end to all nuclear testing, including that of peaceful nuclear explosions (PNEs) (Redick 1994, 9). In sum, the concept of a common or cooperative security that incorporates and transcends the old ideas of collective security and arms control became an important factor in the perception of a balance favoring the advantages rather than the costs for a nonnuclear status (Serrano 1992, 78).

Conditions for the Impact of Norms

The impact of the normative framework on the Tlatelolco regime has to be examined in two different time periods, the initial institutionalization of the regime (the Treaty of 1967), and the final incorporation of the ABC countries (in 1994).

Salience of actors who mobilize norms. Unlike all the other cases we have discussed so far, this is a multilateral one. Hence, instead of referring to domestic actors in bilateral situations, we should refer to the role of specific countries in a regional context. In this sense, Brazil and Mexico were particularly responsible for taking the initiative in establishing the regime from 1964 to 1967, and Argentina and Brazil in completing it from 1992 to 1994.

Types of political regimes. There seems to be an interesting link between the degree of democratization in the region and the support for the NWFZ. In the mid-1960s many Latin American countries were still governed by democratic regimes; those that had already experienced military coups, like Argentina in 1966 or Brazil in 1964, were reluctant to fully join the Tlatelolco regime. Conversely, once Argentina, Brazil, and Chile returned to democracy they were ready to transcend their qualifications and incorporate themselves into the regional regime.

Fitness between the regional normative framework and the given case; degree of institutionalization of the international society. The existence of a Latin American

international society prior to the initiatives to establish an NWFZ in the region facilitated its inception and institutionalization. The norms of peace and security shared by most, if not all, of the Latin American states were undoubtedly a significant contributing factor to the establishment of a regional nuclear nonproliferation regime. The Latin American tradition of multilateral diplomacy, which gave priority to juridical solutions, in addition to the relative absence of serious interregional conflicts, facilitated the 1964–1967 negotiations (see Redick 1981, 111; Wrobel 1993, 27; Serrano 1992, 42). The amendment process was a joint initiative that responded to twenty-five years of efforts by several member-states and the successive secretaries of OPANAL, aimed at completing the NWFZ. After all, the Treaty of Tlatelolco was and remained a Latin American initiative, which preceded the global approach to the NPT and made the region into a vanguard of a nuclear-weapons-free world community (Blix 1997, 2).

Alternative Explanations

In terms of rational choice and *Realpolitik*, why did Tlatelolco take place? Why did Argentina, Brazil, and Chile change their positions and decide to join the regime?

Several factors favored the creation of a NWFZ in Latin America. First, there was the traumatic shock of the Cuban missile crisis and the profound decision of many Latin American countries to avoid its potential repetition. Second, a nuclear arms race was perceived as a potential threat to the regional security and to the economic goals of the Latin American states as developing countries. Third, a successful creation of a NWFZ could enhance the Latin American reputation. Fourth, the regime was perceived as enabling the Latin American states to somehow set limits to the U.S. nuclear hegemony, by reducing the nuclear danger in the region. Conversely, the ABC countries at that time were reluctant to completely endorse the nonproliferation regime since they still believed that there was a perceived link between acquiring nuclear capabilities and enhancing one's international prestige. Moreover, by limiting nuclear proliferation, the regime indirectly buttressed the virtual nuclear monopoly of the United States in the Western Hemisphere, a fact that was resented by countries like Argentina and Cuba. This also explains the benevolent attitude, if not the active support, of the United States for the formation of the Tlatelolco regime (see Husbands 1979, 212–13; Serrano 1992, 5; Mirek 1986, 25).

As for the more recent developments in the 1990s, several factors explain the change in attitudes of Argentina, Brazil, and Chile with respect to the completion of the regime. First, the nuclear rapprochement between Argentina and Brazil preceded the reform of the Treaty in 1992, and actually led to its development. Once Argentina and Brazil shaped a bilateral regime of nuclear control that satisfied them, they could incorporate themselves into Tlatelolco. The Treaty did not bring them further guarantees and safeguards, but at least it led to political benefits, like being finally "in sync" with the rest of the Latin American international society in terms of prestige and peaceful vocations. In other words, Argentina, and to a lesser extent Brazil and Chile, reached the conclusion in the early 1990s that they could not stay outside of the global nuclear regime of NPT, even if it continued to be discriminatory. Since Tlatelolco was by far a better arrangement than the NPT, it became evident that not joining the regional regime was politically counterproductive, so the incorporation became the most feasible alternative for all of them (see Carasales 1992, 500; Serrano 1992, 67). The decision to renounce the nuclear option was a rational one, based on a cost-benefit analysis and the expectation of political benefits.

The Evolution of the Security Cooperation between Argentina and Brazil

Since 1979 the bilateral relations between Argentina and Brazil moved from conflict to cooperation, leading to a significant rapprochement in the security realm, with special emphasis on nonproliferation and denuclearization, and eventually spilling over into economic integration. Despite the clear potential the two countries had for reaching the nuclear threshold, their nuclear competition evolved into a model of nuclear cooperation.

Historical and Legal Background

Among the South American international disputes of the twentieth century, the Argentine-Brazilian rivalry was one of the longest and the most influenced by geopolitical doctrines (Child 1985, 99–100). It had important reverberations in the domestic and international politics of the region as a whole and a direct impact on the three buffer states of the Southern Cone of Latin America—Uruguay, Paraguay, and Bolivia—in particular. Argentina and Brazil fought a war over Uruguay that ended in 1828, and Brazil was involved in the Argentine Civil War (*la Guerra Grande*) until 1859. Moreover, the possibility of armed

conflict ("hypotheses of conflict") remained a tangible element in the military planning of both nations well into the early 1980s.

From the second half of the nineteenth century to the late 1970s, the relationship between the region's two major powers was a complex mixture of conflict and cooperation, as a function of disagreements about their territorial borders (until 1895) and their competing hegemonic ambitions in South America. In the bloody Chaco War of 1932–1935 Argentina and Brazil supported opposing sides. From the early 1920s and especially after World War II, the two countries were often immersed in an arms race that included the development of nuclear technology. Moreover, they adopted diametrically opposed positions regarding the role of the United States in the region and have engaged in a fierce competition over resources such as Paraguayan hydroelectric energy and Bolivian oil and gas. The Argentines regarded Brazil as an expansionary military, economic, and demographic power that threatened areas to its south, west, and southwest. Conversely, the Brazilians regarded their smaller neighbor with suspicion and uneasiness, fearing the kind of volatility and aggressiveness that Argentina demonstrated in its invasion of the Falkland Islands in April 1982 (see Guglielmelli 1979; Selcher 1985, 101–18). At the same time, the Argentine–Brazilian rivalry never escalated into militarized crises such as those between Argentina and Chile in 1878, 1898, and 1978; moreover, their enduring rivalry, unlike that between Peru and Ecuador, did not include opposing claims to a disputed territory after 1895. Thus, the common diplomatic history of Argentina and Brazil has been one of conflict and harmony, war and peace, rivalry and cooperation, and integration. The major periods of rivalry and conflict included 1825–1828 (their only war), 1844, 1870–1876, 1905–1914, and 1960–1980. Conversely, the periods of cooperation were 1864–1870 (the war against Paraguay), 1899–1914 (the ABC concert), and especially since 1979 (Herrera Vegas 1995, 172).

In the late 1970s Brazil initiated a policy of "Latin-Americanization" toward its Spanish-speaking neighbors, including the creation of the Amazon Pact (1978) for joint development of the Amazon Basin, to increase its own economic growth and development. Domestically, the ascendancy of moderate military officers in Brazil and the launching of liberalization contributed to a general climate of openness toward its neighbors. From the Argentine standpoint, the military junta became quite aware of the inferiority of its power compared with Brazil's in economic and conventional military terms—excluding, perhaps, the specific area of nuclear development, in which Brazil was finally catching up to Argentina's lead, making an escalating nuclear arms

race a tangible possibility. Moreover, the mounting tensions with Great Britain over the South Atlantic Falkland Islands issue and the deteriorating relations with Chile following the 1977 arbitration award that gave it the Beagle Channel Islands prompted the Argentines to seek an accord with Brazil, against the prospects of an imminent war with Chile and perhaps with the United Kingdom as well (see Hurrell 1998, 235–38; Resende-Santos 1998, 7–22; Segre 1990). These converging motivations led the two countries to resolve in October 1979 a thirteen-year dispute over the hydropower generation of energy along the Paraná River in the tripartite border among Argentina, Paraguay, and Brazil, related to the building of the Itaipú dam. This led to a gradual rapprochement that included economic and military cooperation, especially in the nuclear area.

In 1980 Argentina and Brazil further expanded and improved their relations through presidential visits and a package of ten agreements, including joint arms production and cooperation for the development and implementation of the peaceful use of nuclear energy, covering joint research and the transfer of some nuclear materials. The two nations signed a small but symbolically relevant agreement for nuclear fuel cycle cooperation, which also called for coordination of the nuclear policy of both countries vis-à-vis international forums (see Redick et al. 1995, 111; Martínez-Vidal and Ornstein 1990, 341).

With the return of democracy to Argentina (1983) and Brazil (1985), nuclear cooperation between the two countries further expanded, as the core of a larger, ambitious program of security and economic integration. On November 30, 1985, Presidents Alfonsín of Argentina and Sarney of Brazil met at Foz do Iguaçu to inaugurate a program that took a concrete form on July 31, 1986, with the signing of the Argentine-Brazilian Integration Act and the Integration and Cooperation Program (ABEIP), together with twelve protocols for cooperation in various areas, including nuclear energy. Its significance was primarily political, not economic: setting aside decades of rivalries and competition in order to create the basis for a long-term cooperation. In 1985–1990, nuclear cooperation peaked, as part of a larger effort to bring about economic integration in the region. The new civilian governments in both countries initiated nuclear confidence-building measures that altered well-entrenched perceptions of rivalry. As a result, a full-fledged bilateral regime of cooperation emerged in the nuclear area, aimed at promoting technological development and strengthening mutual trust and transparency, while assuring the international community that neither country intended to develop or

acquire nuclear weapons. Both governments sought through these initiatives to improve bilateral relations, and thereby to promote democratic consolidation and economic integration.

Based on the record of nuclear cooperation that had become formalized since 1980, the presidents of Brazil and Argentina, Fernando Collor de Mello and Carlos Menem, adopted the historical Argentine-Brazilian Declaration on Common Nuclear Policy at Foz do Iguaçu on November 28, 1990, which established a binational cooperative organization of nuclear cooperation (the Brazilian-Argentine Agency for the Accounting and Control of Nuclear Materials, or ABCC). The declaration formalized and institutionalized the evolving nuclear regime between the two countries, marking a significant departure from their former approach to nuclear nonproliferation. Beside reconfirming the determination to use nuclear energy exclusively for peaceful purposes, the declaration approved a common accounting and control system to apply to all nuclear activities of both countries and to verify that materials in all nuclear activities of both parties were used exclusively for peaceful purposes. The two presidents also agreed to a verifiable ban on the production of nuclear weapons and peaceful nuclear explosives. Moreover, the declaration called for negotiations with the IAEA for the conclusion of a safeguards agreement ultimately signed at Guadalajara, Mexico, on July 18, 1991. As mentioned before, the conclusion of this bilateral nonproliferation regime opened the way for Argentina and Brazil to finally join the regional regime of Tlatelolco in 1994 and the global regime of the NPT. Argentina and Brazil thus demonstrated that highly nationalistic nuclear programs could be held in check with the implementation of transparency measures and the use of bilateral, regional, and international inspections (see Stanley 1992, 192–95; Redick 1995; Pande 1993, 431–33; Goldemberg and Feiveson 1994, 10–14).

This bilateral nuclear nonproliferation regime, coupled with increased economic integration, has brought about a stable peace between the two countries. Paradoxically, it can be argued that the security and military cooperation were considered as one of the guarantees for the whole process of integration. Thus, the political impact of the successful nuclear rapprochement became a positive counterpoint to the difficulties encountered at the beginning of the process of economic integration (see Cavagnari Filho 1990, 317; Bocco 1989, 26–27). This process was further enlarged and formalized with the establishment of Mercosur, potentially a common market of Argentina, Brazil, Paraguay, and Uruguay, on March 26, 1991.

In the mid- and late 1990s a large number of military exchanges and mutual visits between the two armies, as well as strategic symposia, became

commonplace. On April 9, 1996, the two countries signed a presidential document of cooperation in areas of security and defense, including space exploration, nuclear activities, physical and energy integration, and the establishment of a joint working group on strategic issues. This agreement made it possible for the two countries to hold common joint army maneuvers for the first time since 1865. As Thomas A. O'Keefe, president of Mercosur Consulting Group, cogently summarized, "The whole hypothesis of war between Argentina and Brazil has been junked. . . . I don't think that anyone in the Argentine military or in the Brazilian military still sees the other as a potential threat" (quoted in Brooke 1994).

Evidence and Impact of the Normative Framework

The dramatic shift that took place in the bilateral relations between Argentina and Brazil in the 1980s and 1990s materialized in their remarkable security cooperation, especially on nuclear issues. In the security field their improved relations involved the adoption and implementation of the norms of peace and security, such as arms control and disarmament, CBMs and transparency, democratization, and a constructive concept of mutual or cooperative security.

Despite their long rivalry and competition, there has always been a normative compatibility between the two countries, which included a number of common norms and values, such as a "Christian" concept of life; the formal recognition and protection of human rights and individual freedom; the formal adoption of democracy; mutual respect and good neighborhood, with the promotion of nonintervention; the prevention and repression of threats and acts of aggression; and the peaceful settlement of international disputes (Olmos 1986, 122). In the specific context of nuclear agreement, we can add as well the adoption of common paradigms of technological autonomy and developmentalism as common norms and values that moved the two countries toward nuclear cooperation and economic integration.

Argentina and Brazil hold similar attitudes toward the NPT and the Tlatelolco regimes, out of a common normative concern. For decades they had defied the international nuclear nonproliferation regime, refusing to sign the NPT or to grant complete legal standing to the Treaty of Tlatelolco, so they were thought to be moving toward the threshold of nuclear proliferation (Barletta 1997, 2). Their reluctance to fully support nonproliferation until the early 1990s stemmed from their adherence to the norms of sovereignty and juridical equality of states, nonintervention, nationalism, and developmentalism. In both countries the concept of security has been always associated with

development, so that their nuclear programs were considered to be a key to achieving technological autonomy, especially during the rule of military dictatorships. Argentina traditionally argued that the constraints put on its nuclear plans were due not so much to fear of the proliferation of nuclear weapons as to the desire to maintain the technological domination and discrimination between the developed and the developing countries. In other words, the NPT gave preferential treatment to the nuclear powers, by calling for the “disarmament of the disarmed” (Carasales 1996). At the same time, Argentina’s position on nonproliferation was considered with suspicion as ambiguous, if not hostile (see Carasales 1996, 326; Bocco 1989, 9 and 21; Stanley 1992, 204).

Paradoxically, because of their common normative stance against the global regime of nonproliferation, the two countries developed in the 1980s a particular binational regime of nonproliferation, based on bilateral mechanisms of arms control, disarmament, and CBMs. It was the success of their nuclear relations that facilitated in the early 1990s their adherence to the regional and global regimes of nonproliferation. Moreover, the restoration of democracy was a key development in bringing about their change of attitude regarding the norm of nonproliferation. The nuclear weapons programs left behind by previous military regimes were considered a costly distraction, both in economic and political terms. The new democratic regimes hoped that increased transparency, clear mechanisms of CBMs, and an end to nuclear competition would help them promote peace, stability, and economic development, both within their countries and throughout the region (see Goldemberg and Feiveson 1994, 10–12; Mestre de Sánchez and Mendoza 1988, 31 and 48; Tanzer 1992, 14). With the enlargement of the CBMs in both the nuclear and the conventional realms—including reciprocal visits of politicians and military cadres, measures of transparency and verification, bilateral security accords, and military cooperation—the traditional “hypotheses of conflict” have gradually disappeared (see Diamint 1998). In this way Argentina and Brazil gradually adopted the norm of mutual or cooperative security, hoping to reap potential benefits from reducing tensions generated by their respective nuclear programs (see Redick et al. 1995, 117; De la Balze 1995, 106; Brigagão and Valle 1996, 89).

Conditions for the Impact of Norms

Salience of domestic actors who mobilize the norms. The bilateral nuclear regime that regulated the relations between Brazil and Argentina had roots in scien-

tific and diplomatic practices dating back to the 1950s. Those practices included scientific and technical research, commerce and industrial development, and the development of an incipient epistemic community of scientists from both countries that argued for bilateral cooperation.

In addition to the role played by these epistemic communities, the internal political changes of 1989–1990 in Argentina and Brazil provided the background for a dramatic improvement in bilateral relations following the elections of Presidents Menem and Collor (Redick et al. 1995, 113–14). President Carlos Menem in particular adopted a pragmatic foreign policy, aligning Argentina closely with the United States and fully incorporating it back into the international community as a respectable member. Thus, presidential leadership and strong foreign ministry support were key to overcoming the resistance of some sectors among the military regarding the transparency of the nuclear regime. A related factor was the civilian leadership's desire to restrain and control some of their armed forces by incorporating the national nuclear programs into a bilateral civilian accounting and control regime.

Type of political regimes and peaceful conditions within the countries. Although the warmer relations between Argentina and Brazil initially took place when the two countries were still ruled by military regimes, it is clear that there is a linear relationship between the democratization of the mid-1980s and the improvement in bilateral relations in general, and in the nuclear issue-area in particular. Democratization provided a crucial impetus to the ongoing nuclear rapprochement and to the evolution of their relationship into the nonproliferation regime (see Stanley 1992, 201; Pande 1993, 430).

Stable distribution of power between the parties. As mentioned above, the fact that by the late 1970s Argentina recognized its uneven distribution of power contrasted with Brazil significantly contributed to the attenuation and eventual end of their enduring rivalry over subparamountcy in Latin America.

Presence of a hegemonic power. Since the mid-1980s and especially after the Cold War, the United States has exercised a certain diplomatic pressure on Brazil and Argentina to give up their autonomous stance on nonproliferation and to join both the NPT and the Tlatelolco regimes. Moreover, evidence of international nuclear arms control progress has provided significant psychological support for the local Argentine-Brazilian nonproliferation initiatives. The end of the Cold War also brought several other countries, including China, France, and South Africa, to join the NPT (Carasales 1996, 331).

Fitness between the regional normative framework and the given case; degree of institutionalization of the international society. As the bilateral nonproliferation regime consolidated in the 1980s, the fitness and congruence between the international and regional regimes on the one hand and the local Argentine-Brazilian nuclear cooperation on the other became more evident. Hence, the norms of nuclear arms control and disarmament, CBMs, and common security sponsored by the Latin American regional society could be incorporated and adhered to by the two potential nuclear powers in the Southern Cone.

Alternative Explanations

The agreement between Argentina and Brazil can be explained, in part, by the impact of norms on their foreign policy behavior. Yet there has also been a strong rationale in terms of cost-benefit analysis and the definition of national interests that led to the convergence and cooperation between the two countries. The immediate causes for the turning point in their relations in 1979 were quite straightforward. For Argentina the near-war crisis with Chile in 1978 and the mounting tensions with Great Britain over the Falkland Islands urged it to seek an accommodation with Brazil. For Brazil the cooperation with Argentina reflected intraorganizational changes and factional politics within the military in the direction of moderation and opening (*abertura*) (Resende-Santos 1998, 2). In addition, we can mention four other explanations for the positive evolution of their relations.

First, and even before signing their agreement in 1979 over the Itaipú dam, the two countries shared similar goals regarding the Tlatelolco regime and the preservation of their autonomy in nuclear matters. The impetus for nuclear cooperation in the 1980s was facilitated by the growing difficulties both countries experienced in gaining access to nuclear supplies and technology, for instance, regarding the restrictions imposed by countries like Canada and West Germany on the transfer of nuclear technology. By establishing a bilateral regime of safeguards and control, the two countries could expect to get easier access to sophisticated technologies. Moreover, the leadership in both countries gradually realized that, whatever their differences, there was not a clear rationale, justification, or need to possess nuclear weapons, and that even the possession of PNEs could disrupt their bilateral relations (see Redick et al. 1995, 111 and 118; Stanley 1992, 201 and 210).

Second, in economic terms there has always been a potential for economic interdependence and integration between Argentina and Brazil that could not be realized due to their historical rivalry, especially in the security

and diplomatic realms. Hence, once their security climate improved, the way was open for economic integration as well. Conversely, the mounting economic difficulties and foreign debt crises faced by both countries in the mid-1980s and early 1990s pushed them in the direction of cooperation. Thus, the Argentine-Brazilian security relationship in the 1980s became increasingly embedded in a dense process of economic integration and transactions, organizations, and institutions in the 1990s. Politics, economics, and security have been continually intertwined, reinforcing each other and creating a synergistic effect of a closer (security) community (see Rudman 1990, 3-4; Pande 1993, 433).

Third, in geopolitical and regional terms Argentina and Brazil shared the idea in the 1980s and 1990s of creating an economic pole of high growth in a region without military and strategic conflicts, with political stability and fully inserted into the international political economy. Brazil wanted to consolidate its position in the international system through cooperation, based on democratic stability, economic development, and technological modernization. From the Argentine perspective, the nuclear cooperation and economic integration with Brazil represented one of the inflexion points to accelerate a foreign policy based on openness and cooperation (see Hirst 1988, 6; De la Balze 1995, 15).

The Peace Process in Central America:
From Contadora (1983) to Esquipulas (1987) and Beyond

Revolutionary struggles involving warfare between guerrilla and government forces spread throughout Central America in the 1970s, leading to virulent civil wars in Nicaragua and El Salvador and, to a lesser extent, in Guatemala and Honduras. In Nicaragua the struggle resulted in a victory of the revolutionary Sandinistas in 1979, followed by a civil war between them and the *Contras* insurgency supported by the United States. In Guatemala the government managed to hold guerrillas in check, though the civil war continued until 1996. In El Salvador the war raged at a great cost of life. Against this background, in 1983 a group of Latin American countries initiated a political process at Contadora, Panama, in order to resolve peacefully those conflicts. Though the Contadora initiative ultimately failed, it was replaced and superseded by the Esquipulas process initiated by Oscar Arias Sánchez, the Costa Rican president, in 1987. The Esquipulas II Agreement of August 1987 paved the way for the peaceful resolution of the Central American conflicts. What then explains the (relative) failure of Contadora and the (relative) success of Esquipulas?

Historical and Legal Background

The Contadora process formally began with a two-day meeting involving the foreign ministers of Venezuela, Colombia, Panama, and Mexico, on the Panamanian island of Contadora. The countries involved were concerned about the impact of the armed conflict within and among Central American nations on the political instability of the entire region, as a threat to regional peace and security. They also shared a common distaste for previous unilateral U.S. interventions in the region (see Child 1992, 15; Bagley 1986, 1). Border tensions were common throughout the region, involving El Salvador, Honduras, Nicaragua, and Costa Rica. The goal of the Contadora Group was to mediate among and between their Central American neighbors in order to reach a peaceful solution in the region, against the background of the U.S. intervention in the civil war in El Salvador and its support for the *Contra* insurgency against the Sandinista Marxist regime in Nicaragua. Between 1983 and 1986 the Contadora Group helped to avoid a further escalation of the war, setting the parameters for future peace agreements. In 1985 four democratic countries from South America—Argentina, Brazil, Peru, and Uruguay—formed the Support Group in order to improve the political influence of the Contadora peace initiative. Finally, in 1986 both groups merged into the Rio Group (“Group of Eight”), which later was enlarged to include most of the Latin American countries. The Rio Group has provided since 1986 a mechanism for political dialogue, consultation, and consensus-seeking within the Latin American international society (Frohmann 1994b, 130–31).

On July 17, 1983, the Contadora Group issued a declaration at Cancún calling for renewed efforts to continue the peace process and establishing the principles and recommendations for an eventual peace agreement. Security norms and practices were a major concern of the declaration, including arms control and disarmament, demilitarization, and nonintervention (Child 1992, 18).

On September 3, 1983, the foreign ministers of the five Central American countries, under the sponsorship and mediation of the Contadora group, adopted an initial Document of Objectives at Panama City, Panama. This document specified a common intention to promote democratization and to end the armed conflict in the region, to act in compliance with international law, to revitalize and restore economic development and cooperation in the region, and to negotiate better access to international markets.

One year later, on September 29, 1984, the Contadora group presented the Act for Peace and Cooperation in Central America. The document included a long “laundry list” of commitments to peace, democratization,

regional security, and economic cooperation. It further detailed mechanisms for arms control, disarmament, and CBMs, including the provision for regional committees to evaluate and verify compliance with all these commitments. Although the five Central American presidents tentatively approved it, it did not gain the support of the United States since it tacitly recognized the Sandinista regime of Nicaragua.

On January 12, 1986, the Contadora Group and the Support Group presented the Declaration of Caraballeda for peace, security, and democracy in Central America as its final and revised act. It called for the halt of military aid to irregular forces, suspension of military movements, reduction of military bases, national reconciliation, and respect for human rights (Rouquié 1994, 279). On April 7, 1986, the foreign ministers of the Group of Eight—Contadora and Support groups—invited the five Central American governments to Panama to sign the revised and definitive text of the Contadora Act. Verification and CBM mechanisms were even more detailed than in the 1984 draft, continuing the trend of increasing levels of specificity. Yet the U.S. pressure on Costa Rica, Honduras, and El Salvador foiled this effort, and the Contadora mediation effort ran its course. The Latin American members of the Contadora and Support groups did not have enough leverage—economic, military, or diplomatic—to persuade the United States and its Central American allies to accept Contadora's formula for a settlement (Bagley 1986, 76).

While the Contadora group ultimately failed to forge a credible peace formula with the backing of all the relevant governments, it did lay the foundations for such a plan to emerge in subsequent years. In May of 1986 the five Central American presidents met at Esquipulas, Guatemala, and recognized the normative significance and precedent of Contadora as a basis for an eventual peace treaty. A year later, at the second meeting in Esquipulas in August 1987, Oscar Arias Sánchez presented a plan of ten points to reach peace in the region that was eventually accepted and implemented. The Arias Peace Plan differed from the Contadora Act drafts in its emphasis on internal democratization rather than security norms and geopolitical concerns (see Rouquié 1994, 285; McNeill 1988, 30). It referred more specifically to the domestic processes and the political institutions within the different states, imposing demands on issues such as pluralism and freedom and thus compelling a potential regime change for Nicaragua. Moreover, the peace negotiations were supposed to be the product of a common Central American effort rather than a general Latin American one.

The "Procedure for the Establishing of a Firm and Lasting Peace in Central America" (Esquipulas II Agreement) dealt with the issues of national

reconciliation; an end to hostilities; democratization; free elections; termination of aid to irregular forces and insurrectionist movements; nonuse of the territory of one state to attack others; negotiations on security, verification, and the control and limitation of weapons; refugees and displaced persons; cooperation, democracy, and freedom for peace and development; international verification and follow-up; and a timetable for the fulfillment of commitments (United Nations 1996, 409; see also Arias 1997, 151).⁴ Following Esquipulas II, the presidents of the five Central American nations signed an additional accord in August 1989 to disband the *Contra* rebels, which set in motion the democratization process in Nicaragua and cleared the way for the creation of the UN and OAS mechanisms of verification. The Sandinista regime of Nicaragua fell peacefully after the country's February 1990 elections and the civil war ended in El Salvador in 1992. By the mid-1990s most interstate disputes in the region have been resolved.

Evidence and Impact of the Normative Framework

The peace process of Contadora epitomized one of the few multilateral Latin American initiatives since the Latin American Congress that took place at Santiago de Chile in September of 1856. It represented the resurgence of a Latin American regional identity challenging on normative grounds the U.S. hegemony in Central America and upholding the principles of sovereignty, self-determination, and nonintervention (see Frohmann 1994b, 132; Meyer 1997, 168). The norm of consensus-seeking (*concertación*) stemmed from the Contadora and Support groups, which eventually became institutionalized into the Group of Rio. Since 1986 the Rio Group has provided a mechanism for political dialogue, consultation, and consensus-seeking by gradually learning from the past and establishing mechanisms for mutual trust (Frohmann 1994b, 131; see also Green 1990, 257–59; Aravena 1992, 65–68).

The Contadora process embodied the major norms and principles upheld by the Latin American international society and the international community as a whole. In the "Twenty-one Objectives Document" of September 9, 1983, the five Central American states recognized the relevance of the following norms:

self-determination of peoples; nonintervention; sovereign equality of states; peaceful settlement of disputes; refraining from the threat or use of force; respect of the territorial integrity of states; pluralism in its various

manifestations; full support for democratic institutions; promotion of social justice; international cooperation for development; respect for and promotion of human rights; prohibition of terrorism and subversion; the desire to reconstruct the Central American homeland through progressive integration of its economic, legal, and social institutions; and the need for economic cooperation among the states of Central America, so as to make a fundamental contribution to the development of their peoples and the strengthening of their independence. (quoted in Child 1992, 174)

As for the norms of security, the Contadora/Esquipulas process included most of them, essentially demilitarization, arms control and gradual disarmament, mechanisms for CBMs and verification, reduction of tensions and national reconciliation, and the concept of mutual or cooperative security, transcending the Inter-American version of collective security.⁵ The Contadora process was an important milestone in Central America in that it introduced the norms of CBMs, cooperative security, and the idea of a "zone of peace" for that region (Child 1992, 147). Conversely, a sensible critique of the Contadora process points out its shortcomings and obstacles. The failure of the process resided in its overabundance of details about the minutes and particularities of the required practices to "translate" the agreed-upon norms of security, such as an end to all armed conflict, arms control and reduction of weapons, no foreign military installations, resolution of border conflicts, promotion of a climate of relaxed tensions, mechanisms for control and verification, limitation of military maneuvers and traffic of weapons, and direct communications between governments (see Frohmann 1994b, 132; Durán 1984, 543; Aravena 1994b, 76–77).

In addition, the Arias Plan of 1987 openly linked the norms of peace with those of security by making peace, security, development, and democracy part of the same complex equation (Arias 1997, 151). Thus, Esquipulas II moved the emphasis back from the security dimension to the domestic political one, by linking security arrangements with the need for political accommodation and democratization.

Conditions for the Impact of Norms

Role of actors who mobilize norms. It is evident that the President of Costa Rica, Oscar Arias Sánchez, fulfilled an essential role as a skilled international conciliator in presenting his peace plan in February of 1987, which led to the

presidential summits of the five Central American nations at Esquipulas II (August 1987), Alajuela, Costa Rica (January 1988), and Costa del Sol, El Salvador (February 1989).

Presence of a hegemonic power. As mentioned above, the Contadora initiative challenged the U.S. hegemony in Central America, especially its intervention in El Salvador and Nicaragua (see Díaz Callejas 1985, 150; and Tinoco 1989, 36). While the United States foiled the Contadora process through its pressure on Costa Rica, El Salvador, and Honduras to ignore the Caraballeda Declaration of 1987, its position regarding the Arias Plan was much more encouraging, if not fully supportive.

Fitness between the regional normative framework and the given case; institutionalization of the international society. Beyond the Contadora initiative stood a group of eight concerned and democratic Latin American states, which created the political incentives for the Central American states to negotiate among themselves in the Esquipulas process of 1986–1987. Moreover, while the Arias Plan (Esquipulas II) of 1987 focused on the peacemaking by and for Central Americans, the mechanisms for verification and implementation included the OAS and the United Nations throughout the 1990s (United Nations 1996, 409).

The Central American peace process has been a multilateral and extra-regional effort since its origins at Contadora in 1983. The normative framework that encouraged and supported the implementation of norms of peace and security included several circles of adherence: the five Central American states themselves, the immediate regional neighbors (the Contadora states and, to a lesser extent, the United States, all of whom supported the Arias Plan), the more distant South American neighbors, and the international community as a whole. As for the Latin American international society, one can conclude that the Central American peace process of the 1980s was rooted in a long history of Latin American multilateral cooperation to resort to peaceful settlement, going back to Bolívar's efforts in the early part of the nineteenth century (Meyer 1997, 170).

Alternative Explanations

The peace process in Central America cannot be attributed only to the significant normative impact of the Contadora, Support, and Rio groups on the five Central American states themselves. In juxtaposition to the normative frame-

work to implement norms of peace and security, there were several factors that favored the resolution of the long civil wars in El Salvador and Nicaragua, and later in Honduras and Guatemala, including the end of the Cold War, the exhaustion of the belligerents, creative peacemaking by countries like Costa Rica and Mexico, and the emergence or reemergence of skilled and credible national conciliators.

It can be argued that the support, if not the benign indifference, of the United States toward Esquipulas, as opposed to its strong opposition to the Contadora process, could be attributed to the end of the Cold War in the late 1980s and the implications of the "Irangate" scandal in the United States. The United States was now ready to change its policy toward Nicaragua and, especially, El Salvador, and to support democratization and reconciliation efforts in the region (Goodfellow and Morrell 1990, 1–2).

Moreover, Esquipulas II managed to generate more local support among the directly concerned Central American states, including Nicaragua, than the previous Contadora process. Its framework for achieving national reconciliation and regional peace was welcomed, in contrast to the much more complicated and comprehensive nature of the Contadora draft treaties, so Esquipulas II was more palatable for the Central American presidents (McKenna 1989, 68).

Oscar Arias Sánchez, the president of Costa Rica and main author of the successful peace initiative, summarized the differences between Contadora and Esquipulas and the reasons for the latter's success as follows:

Ultimately, the Contadora group was unable to persuade the five countries of the region to sign an agreement. In contrast, the Esquipulas process, which included direct dialogue between the parties, required less than one year to reach important agreements about concrete points relating to the fundamental causes of the problems that it sought to resolve.

In the realm of international law, we can conclude that Contadora was unable to clarify certain basic principles for the parties, namely: the prohibition of the use or threat of force, the principle of nonintervention, and the right of peoples to self-determination. Each party interpreted these principles to suit its own interests. In Esquipulas, on the contrary, we, the presidents, agreed from the start on a similar interpretation of these principles. This consensus was fundamental because the various parties were able to derive common criteria to resolve their conflicts; this ability guided our transactions as we modified our negotiation styles and political objectives. (Arias 1997, 157)

Although the initial process of Contadora failed to reach its objective of finalizing a peace agreement, it succeeded in starting a long-term process of consultation, dialogue, and collaboration among four, and then eight, Latin American countries, in relation to five Central American ones (Frohmann 1994b, 134). Moreover, the Contadora drafts set the normative parameters for the links among security, peace, democratization, and development, which were instrumented since Esquipulas II by the Central American states. The success of Esquipulas, where Contadora failed before, was attributed to a change in emphasis from security and geopolitical concerns (Contadora) to political and domestic conflicts, in an effort to reach national reconciliation rather than resolving external threats (Aravena 1994b, 79). In terms of cost-benefit analysis, Esquipulas could be presented as a "win-win" situation for all the parties concerned, including the Sandinista regime in Nicaragua, which probably did not expect at that time to lose the general elections of 1990.

Lessons from the Norms of Security in Latin America

Table 5.1 shows that the norms of security have been relevant to explain, at least in part, the relative success of the five cases examined in this chapter, when working in unison with other norms that stand at the core of the Latin American international society. As we will analyze in further detail in the next chapter, in all of these cases the impact of the normative framework was enhanced, rather than contradicted, by a series of cost-benefit analysis calculations by the actors themselves. In the multilateral cases, in contrast to the bilateral ones, the normative impact has tended to be more diffused and delayed, due to the larger number of norms and issue-areas invoked and the larger number of participants. Finally, there is a logical link among the norms of security themselves: CBMs are linked to measures of arms control and disarmament, and the broader those practices are, the more the parties move in the direction of common or mutual security.

Table 5.1. Summary of the Cases for Norms of Security

<i>Case</i>	<i>Parties</i>	<i>Norms of Security</i>	<i>Other Norms</i>
Strait of Magellan (1881) Pactos de Mayo (1902)	Argentina and Chile (bilateral)	arms control and disarmament demilitarization neutralization	<i>uti possidetis</i> peaceful settlement
Tlatelolco (since 1967)	all the countries of the region (multilateral)	arms control and disarmament nonproliferation CBMs collective security common security cooperative security "zone of peace"	peaceful settlement democratization
nuclear cooperation (since 1979)	Argentina and Brazil (bilateral)	arms control and disarmament CBMs nonproliferation cooperative and mutual security "zone of peace"	sovereignty nonintervention developmentalism
Central America peace process (Contadora and Esquipulas, since 1983)	five Central American states, eight other Latin American states, United States, OAS, and UN	arms control and disarmament demilitarization CBMs common and cooperative security "zone of peace"	peaceful settlement development democratization

List of Regions and Countries

South America (12)

Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Guyana, Paraguay, Peru, Suriname, Uruguay, and Venezuela.

Central America and the Caribbean (21)

Antigua and Barbuda, Bahamas, Barbados, Belize, Costa Rica, Cuba, Dominica, Dominican Republic, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Nicaragua, Panama, St. Christopher, St. Kitts-Nevis, St. Lucia, St. Vincent-Grenadines, and Trinidad and Tobago.

North America (3)

Canada, Mexico, and the United States

Western Europe (19)

Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Great Britain, Greece, Iceland, Ireland, Italy, Luxembourg, Malta, Netherlands, Norway, Portugal, Spain, Sweden, and Switzerland.

Australasia/Oceania (11)

Australia, Fiji, Kiribati, Nauru, New Zealand, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, and Western Samoa.

Eastern Europe (22)

Albania, Armenia, Azerbaijan, Belarus, Bosnia, Bulgaria, Croatia, Czech Republic, Estonia, Georgia, Hungary, Latvia, Lithuania, Macedonia, Moldova, Montenegro, Poland, Russia, Serbia, Slovakia, Slovenia, and Ukraine.

Northeast Asia (7)

China, Japan, Mongolia, North Korea, Russia, South Korea, and Taiwan.

Southeast Asia (10)

Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam.

South Asia (6)

Bangladesh, Bhutan, India, Nepal, Pakistan, and Sri Lanka.

Central Asia (7)

Afghanistan, Kazakhstan, Kirgizstan, Russia, Tajikistan, Turkmenistan, and Uzbekistan.

West Africa (16)

Benin, Burkina Faso, Cape Verde, Gambia, Ghana, Guinea, Guinea Bissau, Ivory Coast, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, and Togo.

North Africa (5)

Algeria, Chad, Morocco, Libya, and Tunisia.

East Africa (11)

Burundi, Eritrea, Ethiopia, Kenya, Madagascar, Mauritius, Rwanda, Somalia, Sudan, Uganda, and Tanzania.

Central Africa (6)

Cameroon, Central African Republic, Zaire, Equatorial Guinea, Gabonese Republic, and Sao Tome and Principe.

Southern Africa (10)

Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia, and Zimbabwe.

Middle East (16)

Bahrain, Cyprus, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syria, Turkey, United Arab Emirates, and Yemen.

International Wars and Territorial Disputes from 1945 to 2001

INTERNATIONAL WARS

The list does not include civil wars, interventions, and wars of decolonization ("national liberation struggles").

South America (3)

Peru-Ecuador, 1981; Falkland Islands (Argentina and United Kingdom), 1982; Peru-Ecuador, 1995.

Central America and the Caribbean (1)

El Salvador-Honduras War (Football War), 1969.

North America (0)

Western Europe (1)

Greece-Turkey (Turkish Invasion of Cyprus), 1974.

Australasia/Oceania (0)

Eastern Europe (5)

USSR-Hungary, 1956; Armenia-Azerbaijan (Nagorno-Karabakh), 1988-1994; Yugoslavia-Croatia, 1991-1995; Bosnia-Herzegovina War (Bosnia-Herzegovina, Croatia, and Yugoslavia), 1992-1995; Kosovo (NATO and Serbia), 1999.

Northeast Asia (2)

Korean War, 1950-1953; Sino-Soviet Dispute, 1969.

Southeast Asia (4)

Malaysian-Indonesian Confrontation, 1963-1966; Vietnam War, 1964-1973; Vietnam-Kampuchea War, 1978-1979; Sino-Vietnamese War, 1979.

South Asia (4)

Kashmir Dispute (First Indo-Pakistani War), 1947-1949; Sino-Indian War, 1962; Second Indo-Pakistani War, 1965; Third Indo-Pakistani War (Bangladesh War of Independence), 1971.

Central Asia (3)

Soviet-Afghan War, 1979-1989; Armenia-Azerbaijan, 1988-1994; United States and Afghanistan, 2001.

West Africa (1)

Mali-Burkina Faso, 1985.

North Africa (3)

Morocco-Algeria (War of the Sands), 1963; Saharan War, 1975- ; Libya-Chad, 1986-1987.

East Africa (5)

Ethiopia-Somalia, 1964; Kenya-Somalia (Shifta War), 1963-1967; Ogaden War (Ethiopia-Somalia War), 1977-1978; Tanzania-Uganda, 1978-1979; Ethiopia-Eritrea, 1998-2000.

Central Africa (1)

Angola-Zaire (Shaba Wars), 1977-1978.

Southern Africa (0)

Middle East (8)

First Arab-Israeli War, 1948-1949; Suez War (Second Arab-Israeli War), 1956; Six Day War (Third Arab-Israeli War), 1967; October War (Yom Kippur War, Fourth Arab-Israeli War), 1973; Lebanon War, 1976-2000; North Yemen-South Yemen Dispute, 1979; First Gulf War (Iran-Iraq War), 1980-1988; Second Gulf War (Kuwait Crisis), 1990-1991.

SIGNIFICANT TERRITORIAL DISPUTES SINCE 1945

South America (17)

Suriname-Guyana, 1975-1995; Bolivia-Chile, 1945-2001; Argentina-United Kingdom (Falkland Islands), 1945-2001; Argentina-Chile (Beagle Channel), 1945-1984; Argentina, Chile, and United Kingdom (Palmer/Antarctica), 1956-1958; Argentina-Chile (Palena), 1958-1968; Argentina-Uruguay (Rio de la Plata),

1969–1973; Bolivia–Chile (Lauca River), 1962–1964; Brazil–Paraguay (Parana River), 1962–1985; Colombia–Venezuela (Monjes Islands), 1952–1999; Colombia–Nicaragua (Archipiélago de San Andrés), 1979–1999; Peru–Ecuador (Oriente), 1945–1998; Venezuela–British Guyana (Essequibo), 1960–1970; Venezuela–Guyana (Essequibo), 1982–1999; Argentina–Chile (Continental Ice/Campo de Hielo), 1985–1994; Brazil–Uruguay, 1945–1995; Argentina–Chile (Laguna del Desierto), 1945–1994.

Central America and the Caribbean (4)

Belize–Guatemala, 1975–2001; El Salvador–Honduras, 1945–1992; Honduras–Nicaragua, 1957–2001; El Salvador, Nicaragua, and Honduras (maritime boundary), 1981–2001.

North America (4)

Canada–United States (maritime boundary), 1945–2001; Canada–United States (Gulf of Mayne), 1981–1984; Cuba–United States (Guantanamo dispute), 1960–2001; Honduras–United States (Swan Island), 1945–1991.

Western Europe (13)

Gibraltar, United Kingdom, and Spain, 1964–2001; Netherlands–Belgium (border), 1957–1959; Greece–Turkey (Aegean Sea), 1975–1999; Sweden–Denmark (Hesseløe), 1978–1984; West Germany–France (Saarland status), 1950–1957; France–United Kingdom (Minquiers and Ecrehouse), 1951–1953; Netherlands–Germany (border), 1949–1963; East Germany–Denmark, 1969–1988; Sweden–Soviet Union (Eastsee), 1969–1988; Denmark–United Kingdom (fishery dispute), 1961–1964; United Kingdom–Norway (fishery dispute), 1948–1951; Iceland–Norway (fishery dispute), 1993–1999; Iceland–United Kingdom (fishery dispute), 1952–1976.

Australasia/Oceania (0)

Eastern Europe (7)

Czech Republic, Slovakia, and Liechtenstein, 1990–1999; Greece–Albania, 1948–1949; Hungary–Slovakia (power plant Gabchikowo), 1989–1994; Poland–East Germany, 1977–1989; Soviet Union–Romania, 1964–1968; Armenia–Azerbaijan (Nagorno-Karabakh), 1988–1994; Serbia, Bosnia–Herzegovina, and Croatia, 1991–1995.

Northeast Asia (6)

China and Soviet Union/Russia, 1969–1995; China–Taiwan (Quemoy), 1954–2001; Japan and Soviet Union/Russia (Kurile Islands), 1945–2001; China, Vietnam, and Taiwan (Paracel Islands), 2001; North Korea–South Korea, 1953–2001; China–North Korea (Paektu–san Mountain), –2001.

Southeast Asia (6)

Burma–China, 1948–1960; Thailand–Cambodia, 1953–1991; Indonesia–Papua, 1960–1969; Laos–Thailand, 1975–1992; Malaysia–Philippines, 1961–1977; Brunei, China, Malaysia, Philippines, Taiwan, and Vietnam (Spartly Islands), 1974–2001.

South Asia (3)

China-India (Aksai Chin), 1954-1993; China, Pakistan, and India, 1963; India-Pakistan (Kashmir), 1947-2001.

Central Asia (3)

Iran-Soviet Union (Azerbaijan), 1945-1946; China-Kazakhstan, 1990-1993; Azerbaijan, Iran, Kazakhstan, Turkmenistan, and Russia (Caspian Sea boundaries), -2001.

West Africa (13)

Liberia-Guinea (Mount Nimba region), 1958-1960; Mali-Mauritania (Hodh desert and Savannah region), 1958-1963; Ghana-Ivory Coast, 1959-1989; Liberia-Ivory Coast, 1960; Ghana-Togo (Volta region), 1960-1994; Benin-Niger (border), 1963-1965; Upper Volta (Burkina Faso)-Mali (Agacher Strip), 1960-1988; Ghana-Upper Volta, 1964-1966; Mali-Mauritania, 1960-1963; Guinea, Guinea Bissau, and Senegal, 1998; Mauritania-Senegal, 1989-1990; Upper Volta (Burkina Faso)-Niger, 1963-1987; Dahomey-Niger (Island of Lete), 1963.

North Africa (9)

Chad-Libya (Aouzou strip), 1973-1994; Morocco-Mauritania, 1976-1979; Morocco-Algeria (Tindouf), 1963-1970; Tunisia-Algeria (Sahara), 1961-1970; Libya-Malta, 1973-1986; Tunisia-Libya, 1976-1988; Algeria-Libya, -2001; Egypt-Sudan (Hala'ib Triangle), 1945-2001; Egypt-Sudan (Wadi Halfa), 1958-1959.

East Africa (8)

Mauritius, Madagascar, and France (Tromelin), 1976-1999; Eritrea-Djibouti, 1995-1998; Eritrea-Yemen (Hanish Islands), 1995-1998; Ethiopia-Somalia (Haud and Ogaden), 1955-1989; Ethiopia-Kenya (Gadaduma), 1963-1970; Ethiopia-Sudan, 1965-1977; Uganda-Kenya, 1976-1989; Ethiopia-Eritrea, 1998-2001.

Central Africa (3)

Cameroon-Nigeria (Bakassi peninsula), 1961-2001; Zaire-Zambia (Lake Mweru), 1980-1987; Equatorial Guinea-Gabon (Corsico Bay Islands), 1972.

Southern Africa (5)

Angola, Zambia, and Zaire, 1963-1974; Malawi-Zambia, 1981-1986; Malawi-Tanzania, 1967; Mozambique, Zambia, Malawi, and Tanzania, 1966-1974; Namibia-South Africa (Walfishbay), 1977-1994.

Middle East (16)

Bahrain-Qatar (sea borders), 1967-1999; Israel-Egypt (Sinai), 1967-1979; Israel-Syria (Golan Heights), 1967-2001; Iran-Iraq (Schatt-al-Arab), 1969-1999; Iran-United Arab Emirates (Islands dispute), 1970-1999; Iraq-Kuwait, 1961-1994; Egypt, Jordan, Iraq, Syria, Lebanon, and Israel (Israel-Arab states dispute), 1948-2001; Israel-Lebanon, 1974-2000; Israel-Palestinian Authority, 1993-2001; Saudi Arabia-Kuwait (Islands dispute), 1965-1999; Yemen-Oman, 1981-1992; Oman-United Arab Emirates, 1977-1981; Saudi Arabia-Qatar, 1990-1991; Yemen-Saudi Arabia, 1992-1999; Saudi Arabia-Oman (Buraimi), 1949-1975; Turkey-Soviet Union, 1945-1947.

SIGNIFICANT VIOLENT CHANGES OF TERRITORY FROM 1945 TO 2001

As a consequence of wars, conquest, invasion, and other forms of territorial aggression; based on Zacher (2001, 225–28).

South America (0)

Central America and Caribbean (0)

North America (0)

Western Europe (1)

Turkey–Cyprus, 1974–2001 (major change).

Australasia/Oceania (0)

Eastern Europe (0)

Northeast Asia (1)

North Korea–South Korea, 1950–1953 (major change).

Southeast Asia (3)

China–Burma, 1956 (minor change); North Vietnam–South Vietnam, 1962–1975 (major change); China–South Vietnam, 1974 (major change).

South Asia (4)

Pakistan–India, 1947–1948 (major change); China–India, 1962 (major change); Pakistan–India, April 1965 (minor change); India–Pakistan (creation of Bangladesh), 1971 (major change).

Central Asia (0)

West Africa (1)

Mali–Burkina Faso, 1985 (minor change).

North Africa (0)

East Africa (0)

Central Africa (0)

Southern Africa (0)

Middle East (4)

Arab states–Israel, 1948 (major change); Israel–Arab states, 1967 (major change); Egypt and Syria–Israel, 1973 (minor change); Iran–United Arab Emirates, 1971 (major change).

N O T E S

CHAPTER ONE. THE NORMATIVE DIMENSION OF INTERNATIONAL RELATIONS

1. According to Nicholas Onuf, norms as social and legal conventions are always deontological because agents encounter them in the form of ought-statements (personal correspondence with the author, July 30, 1999).
2. I thank Emanuel Adler for his comments on this issue.
3. I thank Nicholas Onuf for his insights and comments on this issue.
4. That is a useful suggestion made by Michael W. Doyle (personal correspondence, July 16, 1999).
5. See Kacowicz 2000a; Puig 1983; and Ebel, Taras, and Cochrane 1991.
6. This is Micha Bar's wonderful insight, among many others.

CHAPTER TWO. A FRAMEWORK FOR THE THE STUDY OF INTERNATIONAL NORMS

1. This definition has been seriously criticized by Onuf, who argues that there is nothing automatically normative about expectations (anticipating the future). In his view, "norms are social, but sharing expectations does not, by itself, make them so" (Onuf 1998, 9).
2. For other references to international norms in terms of international ethics, see Johnson 1991; Beitz 1979; Frost 1996; Hoffmann 1981; McElroy 1992.
3. According to Nicholas Onuf (1989), all norms as rules are always, simultaneously, constitutive and regulative. It is exactly this property that accounts for the co-constitution of structures and agents as a continuous and pervasive process. Moreover, all norms are always practical—they cease to exist if they are never put to use.
4. See especially Adler 1997; Wendt 1992, 1999; and Katzenstein 1996.
5. According to Franck, legitimacy can be defined as a property of a rule or rule-making institution which itself exerts a pull toward compliance on those addressed normatively (Franck 1990, 16). Thus, states comply with international norms and rules because they perceive them as having a high degree of legitimacy.

CHAPTER THREE. LATIN AMERICA AS AN INTERNATIONAL SOCIETY

1. On the "hemispheric" reference to an American international law see, *inter alia*, Alvarez 1922; Fenwick 1963; and Mares 1997, 204-5.

2. According to the Chilean jurist Alejandro Alvarez, cooperation, solidarity, and peaceful settlement were unique features of the Inter-American system, in contrast to other legal regional systems in the world (quoted in Mackenzie 1955, 435).

3. For a comprehensive list of the principles and norms of Bolivarianism, see Mackenzie 1955, 442-49; Mendoza Cubillo 1990, 106-7; and Garaicoa 1959, 50-51. The eight major points emphasized by Bolívar were (1) perpetual neutrality of the confederated states; (2) nonintervention; (3) fixed principles of international law, including peaceful settlement of disputes; (4) abolition of slavery; (5) protection of the national sovereignty and the popular will of the member-states, including the adoption of democratic principles; (6) establishment of compulsory arbitration; (7) periodical meetings of the regional Congress; and (8) the creation of a federal army and navy.

4. The Foreign Minister of Ecuador, I. Robles, appealed in 1895 to the Latin American states in a last attempt to keep Latin Americanism alive in contrast to Pan-Americanism, following the Bolivarian ideals. See Holguin 1945, 51; Ardao 1986, 157.

5. See especially Rodó's famous book *Ariel*, trans. F. J. Simpson (Boston: Houghton Mifflin Co., 1922).

6. On the issue of U.S. hegemony and the South American peace, see McIntyre 1993, 3-4; Kacowicz 1998, 89-91; R. Pastor 1992, 22-25.

7. On the Latin American "legalistic culture," see Holsti 1996, 171; Karst and Rosenn 1975, 58-65; Ebel and Taras 1990, 195-200; Dealy 1984/1985, 109-11; Eisenstadt 1998, 257; Becker 1997, 5, 16; Eder 1959, 1-5; and De Vries 1972, 2.

8. A more comprehensive list of norms and rules, as general principles of Inter-American (and Latin American) law include the following: (1) mutual respect for sovereignty and independence; (2) equality of states; (3) nonintervention; (4) international law as the standard of conduct; (5) observance of treaties; (6) repudiation of the use of force; (7) peaceful settlement of international disputes; (8) mutual defense; (9) principles of economic, social, and cultural cooperation; (10) recognition of the fundamental human rights; and (11) right of resistance (based on Fenwick 1963, 134-50). Other norms were previously mentioned under the general principles of Bolivarianism.

9. Briefly, the Calvo Doctrine stated that "America as well as Europe is inhabited today by free and independent nations, whose sovereign existence has the right to the same respect, and whose internal public law does not admit of intervention of any sort on the part of foreign peoples, whoever they may be" (Carlos Calvo 1896, 350; quoted in De Vries and Rodríguez-Novas 1965, 99). Similarly, the Drago Doctrine of 1903 stated that "the public debt [of an American state] cannot occasion armed intervention nor even the actual occupation of the territory of American nations by a European power" (quoted in De Vries and Rodríguez-Novas 1965, 102-3).

CHAPTER FOUR. NORMS OF PEACE: PEACEFUL SETTLEMENT AND *UTI POSSIDETIS*

1. For a general analysis of the absence of wars in South America and the reference to South America as a "zone of peace," see Kacowicz 1998, 67-124.

2. See the text of the 1826 Treaty at <http://www.mundolatino.org/i/politica/Tratados/congpana.htm> ("Tratado de Unión, Liga y Confederación Perpetua"). The text of the Gondra Treaty is found in Harley 1934, 387–91 ("Treaty to Avoid or Prevent Conflicts between the American States"). As for the Anti-War Treaty of Non-Aggression and Conciliation (Saavedra Lamas Pact), see Harley 1934, 590–94 ("South American Anti-War Treaty Relating to Non-Aggression and Conciliation"). The pact condemned wars of aggression and obliged signatories not to recognize territorial arrangements brought about by force of arms or not obtained by peaceful means.

3. We will continue to see the effects of *uti possidetis* in international law by states that request a convenient solution to their border disputes, such as in the future case of the Israeli-Syrian dispute over the Golan Heights. I thank Moshe Abalo for his suggestions on this point.

4. See the text of this treaty ("Reconocimiento del territorio litigioso con el Brasil y de los cuatro ríos que lo comprenden") in Argentina 1901, 274–81; and in Zeballos 1893, 113–17.

5. See text of the treaty ("Tratado del Arbitraje con el Brasil para solucionar la cuestión de límites") in Argentina 1901, 347–50; and in Zeballos 1893, 119–21.

6. On December 4, 1889, Argentina was the first country that recognized the new Republic of the United States of Brazil. As the Argentine Foreign Minister, Zeballos, stated: "The new Republic was looked upon, in America and in Europe, with reserve. The Argentine government hastened to produce an act which broke such vacillations, initiating, at the same, a transcendental South American policy with regard to the November [Brazilian] revolution" (Zeballos 1893, 730).

7. In his argument Zeballos quoted Dr. Irigoyen as follows: "... in reference to states whose titles are derived from international contracts, in which the rivers and points of division have been designated, it seems to me impossible a stipulation founded upon the *uti possidetis*, which is only acceptable when, in the absence of fixed limits, the possession is provisorily or definitively sanctioned" (Zeballos 1893, 665–66).

8. After the award, Zeballos recognized that "Brazil has collected the fruits of its diplomatic tradition." He also added that "there is no reason that the result of the arbitral award will raise popular preoccupations regarding the victor [Brazil]. The award should serve to consolidate the community of [common] political and commercial interests between the parties" (quoted in Silva 1946, 195; my translation). Similarly, Argentine President Uriburu declared to the Congress in 1895 that "the [Argentine] Government has accepted the award, which terminates the conflict. In this way, the lack of understanding has ended in a proper way, according to the culture of both parties, so we can expect the good relations to even improve in favor of the important common interests that link both countries" (quoted in Silva 1946, 196; my translation).

9. Article 3 of the Treaty of Ancón (celebrated at Lima, on October 20, 1883) reads as follows: "The territory of the provinces of Tacna and Arica . . . shall continue in the possession of Chile subject to Chilean laws and authority during a period of ten years, to be reckoned from the date of the ratification of the present treaty of peace. That term expired, a plebiscite will decide by popular vote whether the territory of the above-mentioned provinces is to remain definitively under the dominion and sovereignty of Chile or is to continue to constitute a part of Peru" (quoted in Dennis 1967, 297–98).

10. The Protocol of Submission to Arbitration and Supplementary Agreement of July 20, 1922, stipulated: "It is hereby recorded that the only difficulties arising out of the Treaty of Peace [of 1883] regarding which the two countries have not been able to reach an agreement, are the questions arising out of the unfulfilled stipulations of Article III of said Treaty" (quoted in Dennis 1967, 307).

11. According to Coolidge, "From an examination of the history of the negotiations the Arbitrator is unable to find any proper basis for the conclusion that Chile acted in bad faith. The record fails to show that Chile has ever arbitrarily refused to negotiate with Peru the terms of the plebiscitary protocol. . . . The Arbitrator is far from approving the course of Chilean administration and condoning the acts committed against Peruvians to which reference has been made, but finds no reason to conclude that a fair plebiscite in the present circumstances cannot be held under proper conditions or that a plebiscite should not be held . . ." (Coolidge 1925, 312 and 314).

12. In the presentation of its case to the U.S. arbitration, the Peruvians argued as follows: ". . . the plebiscite was not carried out at the proper time [in 1894], because the Chilean Government evidently found it to its interest not to have the plebiscite held at the time the Treaty provided and interposed obstacles to the timely execution of the Treaty, and has since that time [1894], initiated and pursued measures of oppression and coercion in the occupied territory of Tacna and Arica by driving out numberless Peruvian inhabitants, suppressing all Peruvian influences and subsidizing the introduction of a Chilean population; and that 'the present circumstances' have through Chile's arbitrary action over a period of thirty years and the death of many of the inhabitants of the territories living in 1894, so vastly changed over those of 1894 contemplated by the Treaty, that a plebiscite under the 'present circumstances' prevailing in the territory would be not an execution but a mockery of the Treaty of Ancón" (quoted in Peru 1923, 21).

13. "For the whole of America, the future of her growing nations, there can be no uncertainty; they need the stabilizing influence of a just and moral precedent. The present is not a litigation in which two interests contend with arguments more or less deserving of attention. It is a conflict the solution of which calls for neither compromise nor compensations. On the one hand, we have a wrong effected by physical force; on the other, a right ruthlessly ignored. This is the essence of the case" (Peru 1923, 254).

14. On August 3, 1932, representatives of every nation in the Western Hemisphere, except the two belligerents, signed a document that stated: "The nations of America declare that the dispute in the Chaco is capable of peaceful solution . . . that they will not recognize any territorial arrangements in this controversy that are not obtained by peaceful means, nor the validity of acquisitions obtained by occupation or conquest by force of arms" (quoted in Farcau 1996, 44).

15. This rationale reminds us of the surprise attack of Iraq on Iran in September of 1980 that led to a virulent nine-year war.

16. According to the Peruvian representative to the Council of the League of Nations, "Peru is not the aggressor. The events at Leticia, the expulsion—without bloodshed—of the Colombian authorities, took it by surprise. A group of Peruvians, urged by an excess of patriotism and giving violent expression to public opinion in

the country, which condemned the Salomon–Lozano Treaty, seized a Peruvian town founded by the Peruvians more than a century ago, of which Colombia took possession only two years ago, in 1930” (quoted in Windass 1970, 78).

17. Editorial of *El Comercio* (Lima), March 3, 1933, quoted and translated in Wood 1966, 216.

18. Letter from Alfonso López to President Benavides, May 10, 1933, in López 1936, 22–24; my translation.

19. This position was articulated by Senator Laureano Gómez at the Colombian Congress in a motion presented as follows: “(1) Colombia does not have any pending boundary dispute; (2) By defending the inviolability of public treaties against acts of violence, Colombia sustained the common cause of all the civilized nations on earth. Hence, until the aggression in Leticia is reversed and Colombia regains the exercise of its exclusive sovereignty over the totality of its territory, there is no room for diplomatic negotiations about the revision of treaties; (3) Colombia will never accept, under conditions of peace or war, to lose its Amazonic border, to which the honor and vital interests of the nation are linked” (quoted in Gómez 1934, 37–38; my translation).

20. In his letter to the Foreign Minister of Peru, Stimson argued: “. . . There is no dispute between the two parties regarding the present ownership of Leticia. This was recognized by Peru in the Treaty of 1922 as belonging to Colombia and your Government now affirms again its view that this Treaty is valid. [Yet] your Government now desires a future modification of the frontier line which would transfer Leticia to Peru in return for ‘adequate territorial compensations.’ As pointed out, that, under Article II of the Briand–Kellogg Pact, can be sought only by pacific means. . . . For if it were conceivable that Peru was seeking to obtain her desire to modify the Treaty of 1922, not by pacific means, but by a forcible and armed support of the illegal occupation of Leticia, would such a position not be entirely contrary to the provisions of Article II of the Kellogg–Briand Pact, which provides that no solution of a controversy shall be sought except by pacific means?” (Text of Secretary Stimson’s Note to the Foreign Minister of Peru Regarding the Application of the Pact of Paris to the Dispute between Colombia and Peru concerning Leticia; Washington, DC, January 25, 1933; quoted in Harley 1934, 568–73).

21. Unfortunately, political assassination can fulfill the opposite role of derailing an ongoing peace process, as in the case of the death of Israeli Prime Minister Yitzhak Rabin on November 4, 1995.

22. Letter from López to Benavides, May 2, 1933; letter from Benavides to López, May 8, 1933; quoted in López 1936, 19–22 (my translation). The Bolivarian nations are Peru, Colombia, Venezuela, Ecuador, and Bolivia.

23. For instance, Peru argued, “The fulfillment of international treaties, according to the norms of international law, cannot be subjected to the will of one of the parties” (Luis Alvarado, in Peru 1961, 50; my translation).

24. Article 4 of the Presidential Act of Brasilia states: “They [Peru and Ecuador] recognize the importance of the agreements achieved for the ideals of peace, stability, and prosperity which animate the American Continent. For that reason and in conformity with Article I of the Protocol of Peace, Friendship and Boundaries of Rio de Janeiro of 1942, they solemnly reaffirm the renunciation of threat and the use of

force in relations between Peru and Ecuador, as well as every act which might affect the peace and friendship between the two nations" (quoted in Marcella 1999, 245).

25. The reader should be warned that, unlike the other cases depicted in this chapter and chapter 5, I was a direct participant in this dispute, as a former Argentine conscript soldier in the years 1978–1979. I was mobilized to Junin de los Andes, Neuquén, not far from the Chilean border, as a member of the 10th Infantry Brigade, between November 1978 and January 1979. I am thus particularly thankful to the providence and to the pope for avoiding a futile war that would have cost the lives of thousands of youngsters, perhaps including my own.

26. The Treaty of Limits between Chile and Argentina of July 23, 1881, established in its Article 3 that "Tierra del Fuego will be Chilean in its Western sector and Argentine in its Eastern sector . . . the Islands to the East of Tierra del Fuego [belong] to Argentina; Chile [owns] the Islands to the South of the Beagle Channel and to the West of Tierra del Fuego" (quoted in *Revista Chilena* 1984, 182, my translation).

27. Article 8 states: "The Parties agree that, within the area comprised between Cape Horn and the easternmost portion of Staten Island, the legal effects of the territorial sea shall be restricted, in their mutual relations, to three marine miles, measured from their respective base lines. Within the area indicated above each Party may invoke the maximum breadth of territorial sea allowed by International Law in regard to third-party States" (quoted in Nordquist 1992, 123).

CHAPTER FIVE. NORMS OF SECURITY: ARMS CONTROL, CONFIDENCE-BUILDING MEASURES, AND COMMON SECURITY

1. In the words of Cesar Gaviria, the General Secretary of the OAS, "Since 1995 we can point to a series of events: Ecuador and Peru moving in the direction of peace; the signing of a Treaty of Democratic Security in Central America; a treaty on military cooperation signed between Argentina and Brazil, including joint maneuvers; the announcement of Argentina and Chile of joint military exercises. . . . All those events show a tendency in the Hemisphere towards dialogue and peaceful settlement of conflicts; the search for confidence; and the consolidation of important processes of cooperation in the subject of security" (Gaviria 1998, my translation).

2. According to Article 3 of the Rio Pact, "The High Contracting Parties agree that an armed attack by any State against an American State shall be considered as an attack against all the American States and, consequently, each one of the said Contracting Parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by Article 51 of the Charter of the UN (quoted in Atkins 1997, 270).

3. On the idea of Latin American as a potential or tangible pluralistic security community, see Kacowicz 1998, 118–21; Kacowicz 2000b. Latin America as a "zone of peace" (ZOP) is analyzed and criticized in, among others, Palma 1992; Varas 1992, 83–85; Mercado Jarrín 1989, 94–97; and Mares 1994, 273. Mares suggests that a ZOP resembles true collective security arrangements, linked to elements of democratization, integration, and common security.

4. The complete list of the issues and procedures “to establish steady and long-standing peace in Central America” include (1) national reconciliation (dialogue, amnesty, and the establishment of national reconciliation committees); (2) exhortation toward a cease-fire; (3) democratization; (4) free elections; (5) cease of aid to irregular forces and to rebels; (6) restriction on the use of the territory of one state to attack other states; (7) negotiations concerning security matters, verification, control and restriction of armaments; (8) refugees and displaced persons; (9) cooperation, democracy, and freedom for peace and development; (10) international verification and follow-up; and (11) schedule for execution of commitments (Arias 1987, 13–18, my translation).

5. The Contadora Act for Peace and Cooperation in Central America (1984) includes in its Preamble the clause that “the achievement of genuine regional stability depends on the adoption of agreements on security and disarmament questions . . .” Moreover, “agreements on regional security must be subject to an effective system for verification and control” (Bagley et al. 1985, 190–91).

CHAPTER SIX. LATIN AMERICAN NORMS IN A COMPARATIVE PERSPECTIVE

1. I thank Michal Lewin-Epstein for her research assistance and compilation of Tables 6.5 and 6.6., as well as the appendices.

2. Micha Bar, personal correspondence with the author, April 23, 1998.

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