



**THE PRIMARY INSTITUTIONS OF THE LATIN
AMERICAN REGIONAL INTERSTATE SOCIETY ¹**

Draft

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DOCUMENTO DE TRABAJO N° 11
Departamento de Ciencias Sociales
Universidad de San Andrés

ENERO 2011

¹ Paper presented at the IDEAS Latin America Programme, London School of Economics, London, Thursday, 27 January 2011.

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Introduction

The aim of this article is to link an intellectual tradition, The English School, to a region which has not been explored much by it, Latin America³. The main argument is that the English School can be presented as a sound theoretical basis to explain the international dynamics of Latin American in general and, in particular, what Hedley Bull described as the institutions of international society. More specifically, this article proposes to study the main drivers of war, balance of power, great power management, diplomacy and international law in Latin America. These are considered to be “primary institutions” of international society, that is to say, deep based social institutions which allow for the formation of secondary ones which are derived from them and which take the shape of more specific regional bodies and regimes (Buzan 2004). Since carry this out in a detailed manner would take more than one article, my purpose is to flesh out the long term patterns, or the *longue durée*, of these institutions and how they arrive at the XXI Century to face the current challenges.

One of the most remarked features of Latin America is the contrast between how domestic and international issues are managed within the region. Whilst the political instability of Latin American states has often culminated in situations that range from political polarization to violent clashes and revolts, *coups d'état* and civil wars, the 20th Century has witnessed very few conflicts between Latin American states that have culminated in the use of violence. Latin America is the region with the highest amount of treaties linked to issues of peace and security (Kacowicz 2005). It is second only to Europe in the amount of regional organizations it contains. In two hundred years of independence, no state has disappeared and only one state was born, Panama, as the result of a split from Colombia. During the 20th Century, the region has witnessed no holocausts, genocides or ethnic cleansing. Latin America became the first denuclearized region of the world and has not had an interstate war since 1935 when Bolivia and Paraguay put down their arms at the end of the Chaco War⁴.

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³ Nobody questions the fact that Latin America is too extensive a region to generalize. Every trend mentioned here will always have exceptions. For example, we could say that Central and South America are not the same for reasons ranging from their geography – as in the former’s proximity to the United States – to questions of development and culture. Therefore, although the analytical focus of this article will be on South America, I preferred to hold on to the term ‘Latin America’ as the institutions that I will be analyzing operated in similar ways in both regions. Of course, the role of the United States has been certainly different in both regions as economic interdependence and security issues related to Washington also are. This, however, is not a paper about Inter-American relations but about Latin America and that is why I have preferred to use this particular term.

⁴ Ecuador and Peru developed an armed conflict in 1941 and again in 1981 and 1995 but these were low intensity conflicts which do not constitute wars according to the Correlates of War Project. I have not

Why this has been so continues to be puzzle. While the realist variables for going to war have been present, such as anarchy, security dilemmas and uneven distribution of power, Latin American states have avoided going to war. This disadvantage for realism, however, has not meant an advantage for liberalism. Neither democracy, international regimes nor economic interdependence have determined the construction of this area of peace. As a consequence, the region has been seen as some kind of “anomaly” (Holsti 1996, 150; Buzan y Waever 2003, 304; Martin 2006, 24) or a ‘microcosm’ (Mares 2001, xi; Jones 2004, 2008). In brief, Latin America contains much more than the realists would allow for and much less than the liberals do.

This observation creates a theoretical opening to introduce the international society tradition and to explore Latin America as an international regional society. This move has already been taken by several authors. Charles Jones (2008, 6-7) states that the ‘South American republics provide an almost unique example of a society of states readily comparable to Europe because of shared history and culture’. In fact, Latin America is a region with substantial linguistic contiguity, one dominant language and religion, and shared ethnic origins. Andrew Hurrell (1998, 535) expresses a similar view in his observation that the history and culture of the region ‘combined to produce a strong regional diplomatic culture – a regional society of states which, although still often in conflict, conceived themselves to be bound by a common set of rules and shared in the workings of common institutions’. Charles Jones (2008) refers to Latin America as a ‘microcosm’ with its memories, institutions and *habitus*. This makes of the region a good place to observe how systemic pressures, normative arrangements and transnational forces interact between them. Although these ideas appears to be solid enough to be accepted, however, there has still not been a structural approach to the primary institutions from which this regional society is made up. This article proposes to fill this gap in the literature, allowing later for the possibility of a comparative study of regional societies in line with the ‘regional turn’ taken by the English School and promoted by Andrew Hurrell (2007, 239-261), Yannis Stivachtis (1998, 2003), Barry Buzan y Ana González Peláez (2009) among others.

Moreover, the dialogue between theory and geography goes also the other way around. Simply put, this article not only aims to apply English School but also to revisit some of its long standing concepts through the analysis of Latin America regional society. The overall idea is that the study of Latin America as a regional society makes apparent the need to include systemic and world society dimensions as part of the explanation. More specifically, there are three systemic dimensions which have strongly shaped Latin America as a regional society. First, there is the cohabitation with the United States as the unipolar power in the Western Hemisphere. Second, there is the peripheral condition of Latin America in the structure of global capitalism. Third, the presence of developing, politically unstable states, with significant problems in enforcing the rule of law, controlling the territory or furthering taxation. In other words, primary institutions in international society can be seen as the result of the influence of the international system and world society on them. In this sense, Latin America presents an opportunity to consider once again the relations between

included the 1982 war between Argentina and the United Kingdom either as the latter was extra-continental by nature.

systemic pressures, normative arrangements and transnational forces: three elements that are largely discussed in the literature but that are rarely *combined* to explain the international dynamics of a region. The result of this (re)articulation of the Latin American case suggests the need to give more attention to the extremes of the triad, the hardware of the international system, including the attributes of the units, and the corporate transnational actors.

The text is divided into three sections followed by a conclusion. The first section discusses the need to recover the concept of the triad in the English School theory as a toolbox to understand the international dynamics of the region. The second section briefly introduces the case of Latin America through a revised triad, aiming to justify its study and clarifying methodological issues that should be taken into account to understand Latin America as an international society. The third section, the largest, focuses on identifying and understanding the primary institutions of international society in Latin America and how these have been influenced by the international system and world society. Finally, the conclusion works in two ways: firstly by summarizing the findings through the vision of the English school, and secondly, by considering the points that have not been fully explored by this tradition; points which, as suggested by this study of Latin America, should be considered for the study of different regions.

Revisiting the English School's triad

One of the major contributions of the English School to the study of international politics has been the idea that the international domain can hardly be reduced to a unique pattern of interactions but rather it seems to work on three arenas, empirically connected yet analytically distinguishable. The starting point is the fact that all societies are subject to international systemic forces (*the system*), social principles (*society*) and visions of human community (*world society/community*). In short, the *international system* assumes a mechanical and material view of international politics where states are the central units and base their moves on strategic and logical calculations of national interest. *International society* is a socially constructed vision of international politics where states remain the central units and base their moves on normative arrangements and the logic of common interest. Finally, the *world society or community* is a vision that transcends the state as an actor and considers individual and human groups as key players, which base their moves on humanitarian convictions. Andrew Linklater and Hidemi Suganami (2006) give an interesting twist to the triad. The international system is a 'sphere of strategic action' which consists of states that calculate power. International society is a 'sphere of communicative action' made up of states that enter in diplomatic dialogue in order to agree on the principles and rules of order. Finally, world society is a 'moral community' made up of individuals linked by cosmopolitan sentiments and transnational solidarity.

Beyond the accepted idea that these arenas overlap and shape each other, the theoretical discussion revolves around two points. Firstly, it is unclear if one of the three dynamics has primacy over the other two or if any of them creates a condition for the existence of the other two. Secondly, assuming that we are dealing with

different geopolitical, normative and humanitarian concepts, the boundaries separating each one from the other two are unclear. Of these three boundaries, the passage from international society to world society is clear as the actor goes from being the state to being the individual or non-state groups. However, the passage from system to society is less clear. One option is to think that this is a continuous movement and that in reality the division between system and society is more of an analytical tool used to investigate how a society evolves toward a more civilized behaviour⁵. Another option is to think about how the concepts of system and society can work as Weberian ideal types used to understand the structure of world politics⁶ (Finnemore 2001, 152; Linklater and Suganami 2006, 103). A further option is to admit that this particular level of analysis is not useful in determining the relationship between states and to offer an alternative. This is the position of Barry Buzan in his book *From International to World Society? (FIWS?)*. Here Buzan proposes, among other things, to abandon the dichotomy between system and society and collapse the systemic logic into the Realist extreme of an international society⁷ that goes from Hobbes to Kant.

The second point to highlight in Buzan's work deals with his substantive review of the third element of the triad: world society. According to Buzan, this category has always been more of 'an analytical dustbin, uncomfortably containing revolutionism, cosmopolitanism and transnationalism' (2004, 44). Buzan proposes to divide the concept of world society into two categories with very different units of analysis. On one hand, he proposes working with inter-human societies that go from small fragmented groups, pass through 'imagined communities' to universal identities. On the other hand, he proposes working with transnational societies, whether they are

⁵ Martin Wright, for example, states that a condition for the possibility of an international society is the previous existence of a global society (1977:33). Barry Buzan sustains that although Martin Wright's thesis may be correct, it is possible to think of international societies which evolve from the logic of the system rather than from that of global society (1993, 2004)

⁶ Richard Little maintains that Hedley Bull's reasoning when distinguishing between system and society was similar to that of Thomas Hobbes in distinguishing between nature and society. As Hobbes's interest lay in thinking about how society abandons the state of nature, Bull's interest lay in thinking about how an international society evolves by overcoming the state of the international system (Little 2008, p. 131).

⁷ An ideal type of international system is composed of states whose existence is accepted on essentially empirical bases, the balance of power is fortuitous, the use of force is controlled through power balance calculations, positions are always selfish and rules are unclear or are not written directly. This picture resembles a realist reading of the anarchic domain where states interact in a strategic way, always seeking to maximize profits, whether military, political or economic. The logic that prevails in this ideal situation is the 'logics of consequences' (March and Olsen 1989, 1998), where states interact through their fixed (selfish) identities and (national) preferences. Following this logic, normative arrangements exist but states can always make strategic use of them according to their interests and preferences.

An ideal type of international society is composed of states whose existence is accepted on normative grounds, the balance of power is coordinated so as to avoid hegemony, the use of force is normatively rejected, positions include the welfare of society and more rules are specified (Linklater and Suganami 2006, 130). In this ideal model, however, states can alter the way they interact and take the 'logic of appropriateness'. Following this logic, states interpret the particular situation in which they find themselves in light of their own identities and wonder what the correct course of action should be based on these same identities. If realists believe that states think in terms of instrumental rationality, those working within the international society tradition argue that states think and act in terms of normative rationality.

'legal' actors, such as NGOs or multinational companies, or illegal and 'uncivil' entities such as those involved in organized crime. In short, Buzan proposes to redesign the triad of the English School (system, society and world society) by forming a new tripartite scheme (interstate society, inter-human society and transnational society) in which the move from one dimension to the next one does not constitute a continuum but is made up of separate constitutive units: states (from enemies to friends) individuals (from tribes to humanity) and organizations (from civilian associations to organized crime). By proposing this new triad, Buzan takes the debates of the English School to their limits in every one of its dimensions in order to confine them in ways that explain the interaction between these three levels of society.

This is without a doubt a type of 'reconstructive surgery' as Tim Dunne (2005, 157) has put it and it has its costs, as all risk operations do. The idea of dividing world society into human associations and corporate actors, whether legal or illegal, is a step in the right direction and it has to do with rethinking the forgotten categories of system and society. Nevertheless, in his idea of subsuming the system within international society into state structures which go from Hobbes to Kant, Buzan leaves two things out of the equation. First, the array of material conditions which exist prior to social interaction and which condition it, such as geography and technology. Second, state attributes such as institutional and interaction capabilities which affect the dynamics of the international system. These two elements are not inter-subjective and, therefore, are left out of the inter-state structure proposed by Buzan. Following along the lines of Tim Dunne (2005), my argument is that considering the material restrictions of international politics does not mean to sacrifice the English School at the altar of positivism. The concept of system, according to Dunne, 'is a useful category to signify the boundary between interactions that are social and interactions that are anomic.' 'The systemic category is also useful for highlighting that which is 'given' in world politics: the role played by geography and technology; the structural features of the international system that are determined by general war; the level of 'interaction capacity' in the system; and possibly hard-wired behavioural logics that propel evolution forwards' (Dunne 2005, 169). Furthermore, the notion of system does not only have to do with constraints and interactions but also with the very units that come together to form it. A vision of the international system should go beyond the reductionist taboo imposed by Structural Realism and consider the nature of its units as part of the structure as well; for example, what type of states are interacting, if these states are strong or weak states, with high or low interaction capabilities or with high or low levels of control of its territory and its institutions.⁸

Upon these considerations, I propose to base my analysis, therefore, on two theoretical moves. Firstly, I use the division of international system and society devised by Bull, although by adopting a vision of the system which is a little different from his, regarding its material dimension, capacities of interaction and type of state which interacts within the region. Secondly, I use the division devised by Barry Buzan of world society into inter-human societies and transnational societies. This division allows me to distinguish between political trajectories involving collective identity and

⁸ This was precisely the proposal made by Barry Buzan and Richard Little (2000) in their study of the history of the International system, an approach which Buzan seems to have dismissed in *FIWS?*

transnational dynamics associated with non-state actors. Although these may be seen as two modest steps, the consequences are not. The aim is to give each one of these dynamics analytical leverage and, at the same time, leaving the analysis of whether one dynamic prevails over the other to empirical study (Little 2009). Secondly, we are therefore to believe that the institutions of international society in a region can be the result of both a normative dialogue between states but also can be determined by systemic factors or visions of world society. In the next section, I use the Latin America case to put this triad into action.

The Primary Institutions in Latin America

War, violence, and state building in Latin America

Latin American states were not born in a regional anarchical geopolitical system but from the ashes of imperial hierarchy. Although the pressures from beneath (the colonies) began to grow, in reality the hierarchic system began to teeter at the top, at the very heart of the empire, when the balance of power began to favour the Netherlands, Great Britain and France and, finally, when the Napoleonic forces occupied first Spain and then Portugal.⁹ This is Jeremy Adelman's observation in *Sovereignty and Revolution in the Iberian Atlantic*. Adelman's central argument is that the wars of independence in Latin America were the result of another war which took place in Europe between Spain, France and Great Britain and, therefore, not the result of internal pressures within the empire caused by an alternative concept of sovereignty to imperialism. According to Adelman (2006, 180), 'the nature of the international war, the meltdown of the Westphalian interstate system, and the contingencies of the Spanish sovereignty crises created a power vacuum across the empire'. As a result, between 1810 and 1830, a total of eighteen new states emerged from the wars of independence and from the collapse of Iberian empires in the Americas.¹⁰

⁹ The beginning of the fall of the Spanish Empire in Latin America took place in Europe as Great Britain, France and The Netherlands started ascending and strove to take possession of America. The formation of the Caribbean as a multiracial, multilingual and multinational region reflects the competition between these three naval powers. In a series of military confrontations between 1650 and 1670, the English replaced the Dutch as the main naval power, leaving the Dutch to become a more commercial naval power (Eakin 2007: 121). The Peace of Utrecht (1712-1714) marked the beginning of the end for the Spanish empire as a European power, a move which was to be consolidated through the need for the later Bourbon reforms.

¹⁰ Adelman uses Albert Hirschman's ideas to explain the way in which a collective group faces a crisis (2006, 176). He states that, between 1806 and 1812, the colonies began to face the imperial crisis with expressions of 'loyalty' which then turned into 'voice' and later opted for the 'exit' alternative. These 'exit' options began in 1810 in Caracas and Buenos Aires (the periphery of the empire) and ended in 1826 in Alto Peru (the imperial heartland). Later, some of those units began to fragment, creating nine new states: Gran Colombia split into Venezuela, Colombia and Ecuador; Central America became Guatemala, El Salvador, Honduras, Nicaragua and Costa Rica; Uruguay organised itself as an independent state after the war between Brazil and Argentina and Texas separated from México, only later to join the United States.

Although war has perhaps been a foundational institution in Latin America, the use of force has had its particular characteristics in the region. This is Miguel Angel Centeno's central theme in his book *Blood and Debt*, perhaps the most complete work on the relationship between war, states and nations in Latin America. Simply put, Centeno argues that the international and domestic contexts in which Latin American states went to war were notably different to those experiences in Europe and this, therefore, brought to Europe 'blood and iron' and to Latin America 'blood and debt' (2002, 23). Whereas the international European context was marked by an intense geopolitical competition and by the absence of external guarantors, the international Latin American context was marked by the general acceptance of the colonial administrative borders. On the other hand, while the European domestic context was marked by the progressive unification of the elites under a coherent concept of nation and administrative centres which expanded territorially, the domestic Latin American concept was marked by the presence of factions, regionalisms, deep class and race divisions and a post-colonial chaos which took several decades to overcome. The result in Europe was an intense organization and the breakout of massive wars, while the result in Latin America was weak organisation and the breakout of limited wars which left limited states. In fact, the general pattern on war in Latin America is that these were limited in their duration and in their geography.

Strictly speaking, the wars of independence were also both international (the new republics versus Spain) and civil (creoles versus citizens of the peninsulas). The most interesting thing, however, is that all of them were fought by transnational armies made up of citizens from Buenos Aires, Santiago, Chuquisaca or Lima united to confront the Spanish crown. The battles' commanders, amongst whom were Simón Bolívar and José de San Martín, did not defend a specific constitution of states but promoted more abstract ideas and values such as liberty and equality.

Wars between states followed different lines than wars of independence. No state went to war in the name of a political idea, religion or abstract principle. After independence, the crusades in Latin America disappeared. The incentives to go to war were more concrete and had to do with the occupation of uninhabited territories (because of post-colonial juridical confusion) and with the occupation of rich uninhabited territories (strategic information). The climax of this tendency took place between 1860 and 1870 when the majority of states around Mexico, the area of the Rio de la Plata and the middle Pacific coast – where Chile, Bolivia and Peru meet – were at war.

Empirical evidence suggests that wars started decreasing at the turn of the 20th Century only to almost disappear in the second half of the century. This does not mean the complete disappearance of conflicts which implied isolated uses of force. States stopped going to war but continued with the militarization of disputes in a sustained manner sometimes threatening to use force, and other times engaging in skirmishes. Although this tendency will later be analysed with more detail, what must be highlighted now is that South America has not gone to war since 1941 when Peru and Ecuador entered into conflict. The question, therefore, has not been about the causes of war but about the causes of peace, understood in its most minimal form as the

absence of war. The literature which deals with the 'long peace' in South America is rich and diverse in explanations (Kacowicz 1991, 2001; Holsti 1996; Mares 2001; Centeno 2002; Buzan y Waever 2003; Lemke 2004; Martin 2006 y Miller 2007). There is also a recurrent theme in the literature about Latin America as an 'anomaly' in terms of applying the theories of International Relations. (Holsti 1996, 150; Buzan y Waever 2003, 304; Martin 2006, 24), or even that we are faced with a 'microcosm' (Mares 2001, xi; Jones 2004, 2008). Holsti has been a key author in developing this vision and his claim that '[p]resently available theories of international politics do not explain the South American case' (1996, 161) seems to capture perfectly the general sense amongst scholars researching war and peace in the region.

Nevertheless, the point here is not to develop and discuss ideas presented in each study but to organise some recurrent explanations using the triad of system, society and world society. The more general observation that can be made is that the English School presents itself as a particularly apt perspective in a case where other explanations can dialogue and converge around the English School's triad. More specifically, few institutions in Latin America seem to find its determinants in explanations based, in equal doses, on system, society and world society.

As we know, the systemic determinants tend to be durable, particularly when we are dealing with the material dimension. States cannot move geographically nor can they choose their neighbours. They can not reduce distances nor can they eliminate mountains and deserts. The traditional *dictum* that the foreign policy of a state begins with its geography seems to have worked intensely in a region such as Latin America, which is characterized by an extensive geography, which is hard to overcome by land, which has worked in favour of defensive rather than offensive measures. We only need to look at a physical map of the region to prove the existence of extensively developed urban centres along the coastlines and a lack of population density in the centre of the region. This distribution obeyed a systemic question: the construction of ports which linked Spain with the colonies and served as nodes for trade with the interior of the continent. Along with these geographical features are low interaction capabilities between states, with a technology which at first was rudimentary and later more developed (railways and steamboats) conceived to connect Latin American cities with Europe and the United States but not with each other. The result is that today there does not exist one train that connects two countries in the region, a reflection of states that turned their backs on each other until the turn of the 20th Century. This systemic pattern is what drives Centeno to say that 'the Latin American peace is in many ways the ultimate expression of *dependencia*' (2002, 25). His observation that the development of states was more linked to the relationship between metropolitan centres than the relationship between Latin American countries suggests the absence of motives for going to war with neighbours. Once the principal cause of conflict between states in the region, the territorial question was either solved by war or by diplomacy and international law.

We can add another determinant to these structural ones, this time not linked to the system but to the unit. The state in Latin America may have enjoyed long stretches of peace in its relation with other states, but not *within* them. According to Centeno's

calculation, the 19th and 20th Century saw a total of fifteen international and sixty-five civil wars (2002, 45-46).¹¹ The contrast between inter-state peace and internal violence is notable. Factions, regionalism and *caudillos* (leaders) were inherited along with independence, three factors which contributed towards causing fragmentation and internal armed clashes. If we also add the absence of strong ethnic, religious and linguistic nationalism which tend to unite national collectives, political identities have not been built in relation to an external “other” but rather an internal one. According to Centeno, this apparent contradiction between international peace and civil violence is actually a fairly coherent pattern. ‘Simply put, Latin American states did not have the organizational or ideological capacity to go to war with one another. The societies were not geared toward the logistical and cultural transformations required by international conflict. Conversely, domestic conflict often reflected the inability of the nascent states to impose their control over the relevant societies. Equally important, the definition of the enemy in the Latin American context has rarely been along territorial lines. The enemy, as defined by state elites, has been within, defined racially, along class lines, and by critical ideological struggles’ (2002, 66). As a result, Centeno states, the Latin American state is a weak one. As a partial consequence of a limited amount of international wars and extensive civil wars, the Latin American state grew very slowly and with a weak ability to organise its institutions, develop its infrastructure and consolidate extractive capacities to convert national wealth to state power.

Benjamin Miller (2007) questions Centeno’s observation. To state that peace in Latin America is to a great extent the product of weak states it does not explain why peace became more prominent as states increased their relative power. In other words, Centeno’s work has its limits in explaining why states fought more wars in the 19th Century when they were weaker and built a peaceful relationship when they became stronger in the 20th Century (Miller 2007, 333). Miller proposes to subvert this reasoning and to state that war in the 19th Century took place precisely because these were weak states and, as a state grew stronger, the consequence of this growth was peace. ‘The outcome of state weakness was that every state constantly faced the intervention, territorial conquest, and attack by its neighbors. More specifically, state weakness brought about an intense security dilemma, wars of profit, and diversionary wars’ (2007, 319). ‘A major explanation for the emergence of normal peace in South America is growing state strength and coherence during the twentieth century in this region’ (2007, 327). This strengthening of the state, according to Miller, was achieved in three ways. First, pacification via ‘establishing a state monopoly over the means of violence’. Second, populating and ‘civilizing’ the uncharted isolated interior. Third, extending the central government’s authority over the entire national territory (Miller 2007, 329).

It is not my intention here to study the way in which the causality relationship works. In Miller’s view, state weakness operates as an independent variable and war as a dependent variable. Centeno seems to be caught up in a circular relationship *a la*

¹¹ The number of international wars here does not include wars fought by a Latin American state against a state that does not belong to the region, for example Chile, Peru and Bolivia against Spain in 1865 or the 1982 war between Argentina and the United Kingdom.

Charles Tilly and suggests that state weakness depends on limited wars but it is this very weakness what explains the absence of prolonged conflicts. In any case, the overall picture demonstrates that the characteristics of the international system are key elements in the explanation of peace in Latin America, whether based on geography or the states' capabilities to interact with each other, or based on the character of the units, weak states with low extractive capacity.

These first brushstrokes, of course, do not complete the picture but they do introduce us to how the social dimension, between states and beyond them, can improve our painting. Miller's argument that the 20th Century was more peaceful because states were stronger should be complimented with other arguments. He effectively sustains that, at the turn of the 20th Century, states had a higher level of institutional and infrastructural strength and regional international society was already solidly built. The 'territorial satisfaction' which was characteristic of mid-20th Century was possible in part by the use of force during the 19th Century but also in part because of the use of international law and diplomacy as instruments of foreign policy in order to reach relatively stable agreements. The collection of agreements on the peaceful resolution of controversies comes into play here and we will see how it does when we analyse international law and diplomacy in the region. What is important to point out here is that today the norms of regional society have made of war an expensive option in legal and symbolic terms, without mentioning the costs that this would imply to states with limited capabilities. This does not necessarily mean that the conflict has disappeared but that it has taken two particular paths: institutionalization and militarization.

On one hand, what we have is that the states have appealed to international courts to solve territorial disputes. The peculiar thing that characterises this tendency is that these courts are no located within the region but outside it. By 2008, half (six) of the total unresolved cases in the International Court of Justice were from Latin America whereas the OAS was not analysing any case at the moment (Sotomayor 2008, 2). This tendency points to the fact that differences based on territory and resources between states tend to be treated judicially.¹² This pattern, according to Beth Simmons, is notably different from Europe and other regions. In Simmon's view, 'one of the most interesting aspects of territorial-dispute resolution in this region is the unusual propensity of independent countries to submit to authoritative third-party legal rulings. With one small exception, there has never been a legally constituted third-party ruling on a land border in continental Europe, there have been two between independent countries in Africa, two in the Middle East, three in Asia, the Far East Pacific, and twenty in Latin America' (Simmons 1999, 213-214).

On the other hand, however, not all states have chosen the international juridical option and have preferred to maintain the status quo, only altering it in order to

¹² Arturo Sotomayor (2008) offers a sophisticated explanation of this tendency which has to do with a normative tradition which favours law above politics and military instruments; (b) relative power calculations between the parts and the fear that these imbalances are projected to a regional forum, and
(c) a process of socialization and emulation between Latin American states which causes these to adopt similar practices.

increase tension or to use it for political motives. This tendency was given the name of 'militarization of interstate disputes', an issue that is examined in depth by David Mares (2001) and Jorge Domínguez (2003). Between 1990 and 2001, there were close to seventy militarised conflicts, all occurring between countries with border disputes. In five conflicts, there was only one threat of use of force. In thirty-one cases the verbal threat turned into military deployment. The use of force (an exchange of fire along the border, capture of people or goods) took place in twenty five occasions. Only one militarised conflict ended in war, in 1995, between Ecuador and Peru (Mares 2003, 67-69). These facts suggest two things. First, the most obvious one is that in spite of the important number of military disputes, rarely do they end in war. Secondly, something is wrong in an international society that tolerates such conduct. Jorge Domínguez (2003, 29) argues that the distribution of power, the institutional structure and the norms of the Inter American system may generate very few incentives to go to war but they maintain high incentives to start military disputes. In other words, there is a moral risk when a state can militarise a conflict because this state knows that other American states will intervene to avoid the escalation thereof, even perhaps before the state under attack retaliates. This militarization, nevertheless, when it is the work of a rational plan, does not point in the direction of war but in the direction of forcing the state and the region under attack to go back and negotiate under new terms. In Andrew Hurrell's view, the use of force in Latin America has not had much to do with the idea of winning in the Clausewitzian sense but was more considered 'a diplomatic instrument to push the matter at issue back on the agenda and to facilitate the winning of concessions at the diplomatic negotiations that, as both sides knew, would inevitably follow' (1998, 532).

To a lesser extent, the moral risk generated by the Inter American system also generates extreme positions in which, before even going to war, states perceive that the costs of keeping an extreme position are minimal because coercion in the system is low (Domínguez 2003, 30). We can also add the point of view of David Mares (2003, 48) to this and say that 'the border agreements as such do not have a systemic impact in international, social and economic relations'. Many of the military disputes have taken place between states that share a regional economic block. Thus, territorial disputes, even when militarized, can live together, and for a long time, with business as usual.

Finally, in institutionally and politically unstable states, the militarization of a conflict can be a rapid and relatively low-cost mechanism to regain popular support, show a firm defence of the national interests, win elections or simply keep the armed forces occupied (Domínguez 2003, 31). In the words of David Mares, 'leaders consider that speaking does not cost anything when it is all about doing military gestures' (2003, 65). In Lula Da Silva's words, 'fortunately, war in Latin America is usually waged only with words. The tongue is our most dangerous weapon. We talk too much!' (quoted in Glusing and Zuber 2008).

Therefore, what happens to this analysis when we add the non-state element of international relations in Latin America? In what way has world society contributed to the dynamics of war and peace? The answer is much longer than the available space

and for this reason we will signal out certain points that are central to this. The first and most general observation is that world society seems to be both a source of peace and a source of insecurity in similar doses. On one hand, social forces operate within what Barry Buzan calls 'inter-human societies' and have to do with collectives which construct their identities on a small scale (tribes) or on a larger scale (humanity). These forces, in general terms, have been a powerful basis to support what has been written about Latin America as a collective identity, a common cultural area or a region that is subjected to the pressures of globalized capitalism. On the other hand, however, there exist 'transnational societies' as Buzan calls them, formed to a great extent by both mercantile actors (companies) and normative actors (civil society organizations) but also by members of guerrilla groups and organized crime.

Regarding interhuman societies, at least during the 20th Century, Latin America was not a region in which ethnic, religious or linguistic divisions caused armed conflicts. In fact, Ted Gurr (1993) sustained in a comparative study that the proportion of ethnic, separatists, irrendentist and transnational demands was the lowest in South America compared to the rest of the regions on the globe.

It is on this empirical evidence that Benjamin Miller has developed his explanation about peace in Latin America in terms of what he calls the state-nation balance in a region in particular. Simply put, this balance has to do with the level of congruency which exists between the division of the region into territorial states and the national aspirations of their respective populations (Miller 2007, 2). Miller's argument is that 'state-to-nation imbalance is the underlying cause of regional war proneness' (2007, 18). An imbalance between state and nation works in favour of nationalist, revisionist and separatist forces which are unhappy with what they perceive to be incongruence between state and nation. This state-nation imbalance makes the balance of power and security dilemmas more important. On the contrary, when the state-nation balance is a priority in a region, democracy and institutional conflict resolution become more important (22).

In his observation of the South American case through the balance between nation and state, Miller's central finding is that 'South America was better disposed than Europe to enjoy peace relatively early because it entered the twentieth century with a higher level of state-to-nation balance than Europe did' (2007, 328). In terms of nation-building, the balance took place for two reasons. Firstly, because, for lots of different motives, both the Spanish Empire and the independent republics progressively eliminated the original population; with the exception of Peru, Bolivia and Ecuador which were able to make territorial demands different to those traced by the Spanish. Secondly, because the mass flow of European immigrants that arrived in the region did not feel any type of identification with the land nor with its pre-Hispanic identity. These two circumstances reduced significantly the irredentist or revisionist claims based on historical or nationalist arguments that come with ancestral memory (Miller 2008, 329). Putting the explanations of world society and system together, Miller concluded that the 'combined effect of national congruence and state consolidation makes it easier for states to resolve territorial and other conflicts peacefully. The record of South America is impressive in this respect, and the outcome

has been normal regional peace during most of the twentieth century' (Miller 2007, 336).

And yet inter-human societies are only one aspect of the non-state world. The transnational associations are the other side of the coin and, in terms of security, they constitute today a serious challenge to peace in the region. If Latin America is a zone of peace in terms of the absence of war between states, Latin America is a very violent zone in terms of the presence of criminal gangs, guerrillas, drug traffickers and youth violence which makes it the most violent region on earth.

According to UNDP (2004, 111-113), homicides in Latin America reach 25.1 for every 100.000 inhabitants, the highest level on Earth and three times the general average. For the last two decades, violence has been the principal cause of death amongst Latin Americans between fifteen and forty-four years old. Since 2006, the Mexican government has started a 'war on drugs' which has mobilized a little more than fifty thousand men from the army. The results until now are not promising. The number of deaths which are a result of confrontations between gangs of drug traffickers has now increased to thirty thousand, also since 2006. Latin America and the Caribbean are first placed in the world classification of deaths by small arms (Rojas Aravena 2007). By 1999 a report by the Inter American Development Bank tried to quantify the economic costs of violence in the region. The result produced an estimate of fifty five billion dollars per year, more or less twelve per cent of the annual regional GDP (Buvinic and Morrision 1999). Furthermore, the problem is not only violence but the lack of state capacity to depend on an efficient justice system to face this violence. It is calculated, for example, that in Mexico, ninety percent of the crimes perpetrated between 1996 and 2003 were not brought to justice. In Brazil, it is calculated that only eight percent of fifty thousand killings per year were brought to justice (The Economist 2004).

In addition to violence, the drugs market is one of the more important in the World and its nucleus is precisely in the region. According to the *World Drug Report* (2006), the Andean region - in particular Bolivia, Colombia and Peru - houses ninety percent of the world production of coca leaf and cocaine. In addition, Colombia is the third highest producer of heroin, placing its production in the North American market (Tickner 2008, 4). Mexican drugs cartels control almost seventy percent of the total cocaine which enters the United States, as well as also controlling part of the distribution along with Colombians, Jamaicans and Porto Ricans (Tickner 2008, 4).

Drugs in Latin America are a multimillion-dollar business, which involves all sorts of different public and private actors and different levels of action from municipalities to regions. The ability that it has demonstrated to impinge on entire cities is enormous: corrupting political leaders, buying private security, engaging youths in trade, financing investment which allows for money laundering, buying arms and eroding democratic institutions. In addition, another business, which is linked to drugs, which generates considerable gains and which involves the whole hemisphere, is illegal arms trafficking a business that tends to follow the same routes as the drugs trade. The main suppliers in the region are the United States, the Central-American states - which got rid of their arms once the civil wars were over in the region - and other suppliers in Eastern

Europe. The principal buyers are Colombian armed groups and cartels, criminal organizations in Brazil and other criminal organizations which operate all over the region (Tickner 2008, 6). Alerne Tickner links illegal trafficking to a systemic issue which has to do with geography and the weakness of the state. 'Given that many border areas throughout Latin America and the Caribbean are often peripheral, marginal spaces with little integration into national economies and a weak state presence, they are a natural refuge for illegal trade of all kinds. The rough geography that characterizes border regions in key drug and arms sites such as the Andes provides additional incentives for trafficking activities in these zones' (Tickner 2008, 9). Finally, in addition to these criminal groups, drug cartels and arms trafficking, human trafficking is another high-risk factor in the region, principally for young women living in the periphery of large cities. According to the United Nations Office on Crime and Drugs (UNODC 2006), Latin America is one of the main sources in the world for human trafficking.

Summing up, this brief picture demonstrates that war as an institution of Latin American regional society is diminishing. The international system has promoted strategically defensive postures. Material and institutional capacities have been relatively low when faced with having to mobilize military resources. International society has promoted peaceful resolution of disputes. Inter-human society does not present centrifugal nationalist demands. Transnational society has put states which are not yet able to find their ability to follow laws at a deadlock and, therefore, nowadays, human security is more urgent than national security. In this context, it is comprehensible that nobody thinks seriously about going to war. Nevertheless, given the persistence of militarized disputes, security dilemmas, guerrillas and organised crime, we are as yet unable to speak of a security community. The next section analyses the relationship between the state of war and the state of power in the region.

The many faces of balance of power and great power management

Those students willing to explain the dynamics of balance of power in Latin America from the classical realist perspective will be surprised to find that the distribution of material capabilities has not always been at the centre of strategic calculations between the states of the region. This does not rule out the participation of balance of power dynamics which have taken place from a systemic logic. A realist view of 19th Century South America certainly would not find many obstacles in explaining the patterns of interaction in terms of balance of power (Burr 1955, 1965; Seckinger 1976, Schweller 2006). The 20th Century, however, demonstrated that there is much more than power in Latin America's leaders' way of thinking, that diplomacy, international law and political identities have done a lot to alter what one hundred years ago seemed to be a typically European way of playing the game. This distinction between the more conflictive 19th Century and the more cooperative 20th Century seems to be a recurrent theme in the literature on the region (Holsti 1996, Kacowicz 1996, Miller 2007) and suggests that regional Latin American society has evolved beyond the typical dynamics of balance of power, such as arms races, alliances and finally war.

Hedley Bull considered that balance of power was an institution of international society destined to maintain the sovereignty of states, whereas international law was a product of deliberation and not of a more powerful state's imposition of its law on the rest. But Bull, according to Little, has not done much to distinguish a dynamic of balance of power which takes place in the international system from another which takes place within the international society. Beyond distinguishing between a 'fortuitous' balance and a 'contrived' balance (Bull 1977, fn 4), his conceptual development has pointed more towards thinking the balance of power as an inter-subjective arrangement between states which agree to maintain a society of states and, therefore, restrict their behaviour.

Richard Little's reasoning is that if the balance of power is an institution with these characteristics, its working logic within an international society should be different to its working logic within an international system. For Little, the key is in the fact that the systemic balance of power is by definition 'essentially competitive or adversarial', while a societal balance is 'essentially cooperative or associative' (2006, 99).

This distinction between an 'adversarial' balance and a 'contrived' balance serves to illustrate very well the evolution of the balance of power in South America. As one might expect from a systemic theory, the balance of power began to operate when the units reached substantive levels of centralization of power and political stability, something which occurred with notable differences until 1870. The period between 1870 and 1930 could be defined as the most decisive moment of the systemic balance of power in which states competed for resources and ended up going to war. In these years, Chile went to war against Bolivia and Peru; Paraguay against Argentina, Brazil and Uruguay, and finally Bolivia, confronted Paraguay in the Chaco War. These years also saw the formation of enduring alliances and tensions. On one hand, there was an axis of perpendicular geopolitical competitiveness between Argentina and Brazil on the side of the Atlantic, and Chile and Bolivia/Peru on the side of the Pacific. On the other hand, there was an axis of transversal cooperation between Argentina and Bolivia/Peru on one side and Chile and Brazil on the other. Nevertheless, beyond this crossed relations, in the Southern Cone, the balance of power operated with three central players, Argentina, Brazil and Chile, where the last two maintained a good relationship with each other and one of distance with Argentina. In a sophisticated calculation of polarities in the region, Félix Martín (2006) demonstrates that the system has fluctuated between unipolarity (in favour of Brazil) and bipolarity (in favour of both Argentina and Brazil) and that it has rarely been multipolar (in which Venezuela, Colombia or Chile enter into the equation).¹³

¹³ Félix Martín (2006) compares the criteria established by Randall Schweller (1993) and Frank Wayman (1984) in order to calculate poles. Basing his study on Schweller's polarity criterion, Martín suggests that in the second part of the 19th Century, South America was essentially unipolar, with Brazil as the regional leader and that, for much of the 20th Century, it was bipolar (Brazil and Argentina) although towards the end of the century, the system went back to being unipolar, with Brazil as its leader again. Frank Wayman's criteria of polarity is more even, showing that bipolarism (mostly between Argentina and Brazil) have been the typical distribution of South America during the 19th and 20th Centuries.

Material capabilities are one thing, however, and hegemony or Leadership is another. In this sense, there is no doubt that, after taking into account that Brazil is half of the territory, the population, the GDP and the military expenditure of South America, the region is unipolar. Nevertheless, this fact says little of a region if this pole does not speak about hegemony and if the rest of the countries are reluctant to accept their role as followers (Hirst 2009, 3). It is here that the associative balance of power comes onto the scene. Its logic explains how the presence of a state that is dominant in material terms does not generate counter-hegemonic moves. If realism presumes the existence of a systemic dynamic of balance of power, the region displays a material imbalance that favours Brazil. And yet this imbalance does not generate any type of alliance against the country. On the contrary, the consolidation of Brazil as a regional power advanced parallel to the creation of a regional accord, principally articulated by Argentina, Brazil and Chile. The key to this accord was based on a desecuritization process between the three countries. This process started in the 80s and was consolidated during the 90s (Oelsner 2005). The explanation of this dynamic, however, requires further examination of other institutions and levels of analysis. This suggests that it is not possible to explain the power dynamics between states in the region without understanding the way in which international law, diplomacy and great power management (concert) have worked to diminish systemic pressures (a dimension which will be examined below).

Normative arrangements, diplomatic dialogue and the dynamics of a concert have in equal measure been important foundations on which states could solve their problems. In addition, their problems did not have so much to do with their neighbours but more with internal factions excluded from power. This observation brings us once again to the types of units that form the region. They are states that are strong in their capabilities to take decisions but weak to implement them; states that are strong in articulating dominant coalitions but weak in administering conflicts when the factions are left out of the loop. Here, the theory of 'omnibalancing' brings complexity to the power dynamics. In other words, the region's leaders do not only seek to balance power in relation to their neighbours but also in relation to domestic factions. When Evo Morales established an alliance with Hugo Chavez, he did so partly to gain weight on the international scene but also in part to balance the region in west Bolivia, which is rich in resources and in anti-socialist movements. When Chávez considers the tense relationship between him and Colombia, he also considers the Venezuelan region of Zullía, which is where he fears that the Colombian troops will enter as the region's governor is from the opposition. The *coup d'état* in Honduras against Mel Zelaya had to do in part with his alliance with Chávez but also in part because Zelaya sought to alter the internal balance of power and thought that his alliance with Venezuela would favour him in doing so.

Latin America is rich in balancing acts facing multiple directions. This suggests that the unit of analysis can not just be the state and that it is necessary to consider the factions (typically government and opposition) as units that, with a margin of autonomy, strike up alliances with other external factions. The division between liberals and nationalist is behind this history. This particular pattern encouraged Michael Barletta and Harold Trinkunas (2004) to speak of a 'balance of identities' in

Latin America, a dynamic which suggests that a state does not feel threatened by its neighbour's power but by its political identity. A weaker neighbouring state that is of distinctly different ideological character is more threatening than a strong neighbouring state of the same political ideology. Therefore, when Hugo Chavez wishes to expand his model to the rest of the region, he does not do so by imperial design but as a way of ensuring that his regional surroundings contribute to his own survival.

Nevertheless, it is not enough to look at things from 'below' (domestic factions) in the state to explain the region in terms of balance of power. It is also necessary to look at things from 'the top' and understand that there exists a powerful regional narrative which argues that South America needs integration in order to become a pole of power in an international system that is going in the direction of multipolarity. This line of discourse has a long history and is based on a musical score of *patria grande* which has had different melodies throughout history but where nationalism has always been the bass line. The last version of this melody was heard during Dilma Rousseff's inauguration speech when she said that we could 'transform our region into an essential component of a world which is about to become multipolar' (La Nación, 2/1/11). This idea has two components and it depends on the melody played as to whether there is an inclination towards one or the other. In its most anti-imperial line, this argument of *patria grande* suggests that the region should be integrated on economic and political lines in order to countermeasure the United States. In its more nationalist line, it is suggested that the only alternative for Latin America to navigate the changing international order is building itself up to become a pole of power which strengthens its sovereignty and gains influence in different international forums.

What we have therefore is a picture of the associative balance of power, which takes place in a region in which national interests live alongside factional interests and visions of continental unity. We only need to analyse the thinking of a leader to see how much time he spends calculating power in relation to his neighbours, calculating power in relation to the opposition, speaking of regional integration and brotherhood in order to conclude that the balance of power operates on different levels and in different directions at the same time.

What happens when we extend our vision to include the Inter American system in its totality? The change is abysmal as we merely need to count the amount of times the United States has intervened by military or diplomatic means to conclude that perhaps we are only halfway on the road between imperialism and independence. Once again the English School offers major theoretical possibilities which allow us to think of a hierarchic order within an anarchic one. Recent work by Ian Clark is oriented in this direction (2009a, 2009b, 2009c). His central argument consists in rethinking the place of hegemony in international society in order to stop seeing it as a failed balance of power and start thinking of it as an institution of international society, which fulfils a similar function to that of great powers. By suggesting that hegemony can be an institution, the debate stops being about how to transcend unipolarism and starts being about constructing a legitimate hegemonic order. Clark points out that 'One major problem at the moment is the tension between the seeming 'fact' of US primacy

and its (in)ability to translate this into a socially acceptable hegemony' (2009a, 476). This tension that Clark highlights as the key to truly understanding the present could very well be the tension which has been underlying the American continent throughout its history. In other words, America turned unipolar in the same way as the rest of the world became unipolar at the end of the 20th Century. In short, the question posed by Ian Clark (how much hierarchical international society can be?) may be found partly in America.

America's (continental) history can be seen as a permanent tension between a state with too much relative power and a region which has fluctuated between alignment and resistance, between opening its doors to the former's currency, credit and security and between blaming the country for every one of the problems that the region has had, ranging from authoritarian regimes and violation of human rights to poverty and environmental degradation.

This pendulum has leaned both towards a more supportive position of a liberal nature and towards a pluralist position of a nationalist nature. On one hand, we have a kind of Latin American regionalism, expressed at times by a Bolivarian tradition or by an articulation of nationalism and regional integration. This regional integration or call for unity has always been more highly dominated by external influences (firstly Europe and then the United States) than by internal influences and this has happened for more defensive rather than offensive measures. In other words, Bolivarianism has always sought to diminish the intromission of extra-regional powers in the region and in order to do this has always given a central value to unity in the region. This regionalism was being built throughout the 19th Century starting with the Congress of Panama which was an initiative of Simón Bolívar in 1826 and continuing with the efforts made in Contadora, Esquíparas and Rio that were designed to end domestic and regional conflicts. This tradition is evidenced today in its 'harder' variety through the ALBA and in its 'softer' variety through UNASUR and the Banco del Sur. On the other hand, there is a process of hemispheric regionalism which incorporates the North American dynamic to the Latin American one. This regionalism was built throughout the course of the 19th Century during the Pan-American Conferences, the establishment of the OAS and the different American summits during the 1990s which introduced the possibility of a free trade area in the whole hemisphere. These two traditions, Bolivarianism and Pan-Americanism, operate on different levels (regional vs. hemispheric), with different values (anti-hegemonic national vs. liberalism) and with different institutional designs (The Rio Group/ECLAC vs. the OAS/Summit of the Americas). Arie Kacowicz (2005, 52) sustains that these two traditions, however, reflect deep differences which have to do with identities and ideologies. On one hand, Pan-Americanism reflects the idea of a space where there would be cooperation and solidarity between American states based on the desire to implement liberal republics in throughout the region. On the other, Bolivarianism reflects the idea of a space based on identity and nationalism which has its roots in a common culture which goes beyond the diverse political identities in the region. From the perspective of international society, the Pan-American movement deals with the construction of a more supportive international society in spite of the latter taking place in a hegemonic international system with Washington as its heart. The Roosevelt Corollary, the

Monroe Doctrine and the 'civilization standards' discourse are a clear example of this tradition. In the case of Bolivarism, we are dealing with an International society which is highly pluralist, sustained by a type of regional balance of power and power balancing of the United States based on ideas and norms.

By including the United States in the equation in terms of regional power, we therefore complete our explanation. Firstly, what we have here are two great power asymmetries, firstly between the United States and Latin America and secondly between Brazil and South America. These, however are two asymmetries that nobody believes will ever be overcome. This has spurred a discussion on how to build a legitimate regional order in which the United States, to a larger extent, and Brazil, to a lesser extent, would become the suppliers of regional public goods and, at the same time, have restrictions on their power capabilities because of normative arrangements and institutions built over the course of two centuries of regional organisations, summits and ad-hoc groups. Secondly, what we have in Latin America is a history of weak governments, unstable political systems and factions which have used violence, both military and civil, to demolish the dominant coalition and take over power. This has put the internal balance of power in a more urgent and substantive position on the domestic agenda to the position of the external balance of power and this suggests that political identities are key to understanding the international orientations of governments and transnational orientations of the opposition movements. Thirdly, the tradition of thought which claims that Latin America is a nation divided up into twenty-two republics sustains that the future of the region can only be possible through unity (albeit with a certain diversity) than through division.

The ribbon belt of International law and diplomacy

In a similar way to a ribbon belt, the institutions of international law and diplomacy are so interconnected that it is difficult to start studying one without considering the complexities of the other. This institutional relationship has partly to do with the fact that, in Latin America, diplomatic and juridical discourse are intertwined in a way that diplomatic negotiation always takes place within a legalist frame but, at the same time, law becomes a *topos* of diplomacy. In other words, neither does juridical formalism translate into the implementation of an agreement nor is diplomatic pragmatism alien to the legalist way of doing things (Kacowicz 2005, 44).

How can this style of foreign policy be explained? The answer is more complex than what is suggested here. It has to do with the three sources highlighted by Arie Kacowicz (2005, xxx) and which together have shaped a *habitus* of diplomacy and international law, relatively stable in time although plagued with tensions and ambiguities. Firstly, there is the Spanish inheritance. Diplomatic culture in Latin America was gradually built on the basis of a lettered culture (*letrados*) of Spanish origin, formed mainly of military men, lawyers and priests. Basically, it was a formalist, legalist and idealist culture, which appointed a superior order of things only later to come to the conclusion that it was necessary to accept the weight of reality. The Bourbon reforms which took place during colonial times, the revolutions for independence, the attempts to build a confederation, the national programmes of

independent states which were an expression of the first constitutions were all moments that were marked by this tension between formal will and mere resignation. This singular way of thinking about reality was not alien to diplomacy and law.

Secondly, there is the relationship with the United States. By the end of the 19th Century, it was already clear that the United States was beginning to display its hemispheric powers and beginning its maritime projection. This relative ascent made alarm bells go off in the region and there started to be more and more of a worry about the intervention of the United States in internal issues. This shaped a pattern of relations based on offensive solidarism on the part of Washington and on a defensive pluralism on the part of the region. The story is not so linear, however. Every country in the region has had factions willing to accept a North American leadership and other factions keen on curbing its influence. The norms and rules of conduct agreed to in the different Pan-American conferences, which took place between 1889 and 1954, have been born of these tensions. Charles Jones (2007) identifies five achievements of these conferences in particular. Firstly, there was the institutionalism of hemispheric cooperation from 1910 with the formation of a General Secretariat of the Pan-American Union. Secondly, there was the codification of an emerging international law in the hemisphere.¹⁴ Thirdly, there was the development of the principle of non-intervention, through the Calvo and Drago Doctrines, accepted by the United States in 1936. Fourthly, there was the juridical equality of states, accepted in 1933 as part of the Convention on the Rights and Duties of States¹⁵. Fifthly, there was the call for a peaceful resolution of disputes, formulated in 1902; in 1923 in the Gondra Treaty; in 1933 in the Saavedra Lamas Pact; in 1936 by the strengthened collective security system, subsequently in 1948 by the Inter-American Treaty for the Pacific Resolution of Disputes, and in 1947 by the Rio Pact. These agreements created the basis of the Pan-American system, which would later be institutionalised through the Organization of American States (OAS). The fact that the most important regional organization is 'American' and not 'Latin American' (although 2010 saw the new creation of a Community of States of Latin America and the Caribbean) demonstrates the huge influence of the Pan-American system on the development of diplomacy and international law in the region.

Finally, there are the internal and social processes, which are product of a juridical weakness and a political instability. Arie Kacowicz (2005, xxx) highlights the way in which these international norms were seen as a way of securing the will of states in the context of institutional instability, internal violence and civil war. The weakness of

¹⁴ In 1925, the American Institute of International Law defined international American law as 'all the institutions, principles, rules, doctrines, conventions, customs and practices that, in the sphere of international relations, are particular to the republics of the new world' (as quoted in Jones 2007: 71-2).

¹⁵ Barry Buzan (1993, 345) pointed out that the limit that defines a system from a society is not only when states recognise each other mutually but also when this recognition implies juridical equality. Taking into account this unique criterion, one could claim that the move from an American system to an American society happened later, in 1933, when juridical equality was approved by the Convention on the Duties and Rights of States. A wider vision of things, however, suggests that the combination of the Pan-American conferences and the five achievements mentioned by Charles Jones can be seen as a working process of construction of this American society.

states appeared again as an inevitable fact of Latin American international politics. Paradoxically, the weakness of the units encouraged, at different stages of history, Latin American doctrines based on a type of 'defensive solidarism'. In 1907, for example, the Tobar Doctrine (named after the Ecuadorian chancellor) sought to recognise only government that had been established on the basis of constitutions and therefore to marginalise revolutionary governments. In 1943, the Guaní Doctrine (named after Uruguay's vice-president) sought not to recognise any government established by force unless the Pan-American system gave the latter the green light. In 1945, Uruguay's chancellor went beyond tracing a parallel between democracy and peace to sustain that the sovereignty of a state did not protect it in the case of the violation of human rights. In 1961, The Betancourt Doctrine sought to draft within the OAS a norm which would expel from the organization governments which did not allow its citizens to vote freely.

These were somewhat limited attempts to avoid domestic institutional cracks by appealing to international norms. This tendency towards a defensive solidarism, however, has re-emerged after the Cold War, a tendency which we will examine below.

What we have here is that, whether through colonial inheritance, though the region's relationship with the United States or through the internal weakness of the states (the last two being systemic characteristics), international law and diplomacy have become central institutions in international society, building subjectivities and assuring the reproduction of the system. This society is characterised by certain facts. Firstly, in two hundred years, no state has disappeared from the map and only one state has been born, Panama in 1903, as the result of a spilt from Colombia. Secondly, the principle of *Utis Possidetis* (as you possessed, you may possess) may have been the first inter-subjective idea between the new states, an agreement reached as early as the Congress of Panama (1826) and reaffirmed in the congresses of Lima (1847) and Caracas (1883). This principle allowed the limits to be traced amongst the states in a much more peaceful way than in Europe. Thirdly, Latin America is the region in the world that contains most bilateral and multilateral agreements related to the pacific resolution of conflicts (Kacowicz 2005: 43). Argentina, Bolivia, Brazil, Colombia, Chile, Ecuador, Peru and Venezuela have used arbitrary procedures one hundred and fifty one times between 1820 and 1970 (2005: 61). Fourthly, in 1967, Latin America became the first region in the world to be free of nuclear arms. So far, we have seen that it has been a regional society with an aim of (a) preserving the regional system and the states that make it up; (b) maintaining independence and the sovereignty of states; (c) maintaining peace, defined by the absence of war and (d) limiting violence. The rules of this society were essentially pluralist and were based on juridical equality between states, the principle of non-intervention, the principle of territoriality and the pacific resolution of conflicts.

Of course this series of norms has not always been put into practise in a rigorous way. There is no doubt that power asymmetries have explained why states have at times not complied with these norms. Nevertheless, the odd thing about the region is not that power has imposed itself upon norms – something which would not attract

attention in any part of the world – but the way in which the normative disruptions are channelled again through political negotiations and diplomatic agreements amongst presidents. This pattern has particularly become consistent since the return to democracy in the region during the 90s and has come to establish a particular type of diplomacy called ‘presidential diplomacy’. This particular diplomacy essentially deals with dialogue between presidents in the region, which takes place in diplomatic summits and informal meetings in which the different parts reach agreements. These latter are also informal and move parallel to professional diplomacy and institutionalised dialogue mechanisms between states. This type of diplomacy has been affective not only in the context of war and peace but also in terms of economic cooperation and regional integration (Malamud 2005). Andres Malamud (2003) has named this regional practice ‘interpresidentialism’ and is the external result - presidential diplomacy - of an internal factor: (hyper) presidential democracy. This practise can be supported by a strong Latin American discourse, which consists in asserting, time again, that Latin America is part of a *Patria Grande*, a nation divided into republics.¹⁶ The concept of this ‘Latin American Brotherhood’ is as close to an everyday folklore as it is to a far myth. Today it is part of one of the most distinguishable *locus* in diplomatic discourse. Said otherwise, the overall idea that for historical, ethnic, linguistic and religious reasons, Latin American is one big family is an image repeated like a mantra in every regional forum. This image serves to make the path smoother, to soften down frictions between neighbours or even to recreate the idea that the future of the region lies in its past (unity) and that only unity can help in facing world challenges.

This regional society based on pluralist norms and presidential diplomacy experimented different changes which placed it ‘beyond Westphalia’ although still quite far from reaching a solidarist regional society. The 90's saw a normative advancement in the region based on growing interdependence, the strengthening of institutional arrangements of regional cooperation and integration, the convergence of political identities based on neoliberalism and a willingness to review the concept of state sovereignty. Furthermore, human rights and democracy, two values essentially

¹⁶ This vision of Latin America as a sort of *Patria Grande* is part of an intellectual tradition which has been present since the very beginnings of revolutions for independence and based essentially on three elements. Firstly, on a common anti-monarchic and republican ideology, inspired by the ideals of the French Revolution. Secondly, on a sentiment of weak nationality accompanied by a double process of identification towards America on one hand and towards the regions on the other. Thirdly, and as a consequence of this, on the existence of a type of epistemic community which has independence (thinking about actors outside the region) and republican homologation (thinking of actors inside the region) as the basis for its thought.

For example, Escudé (2010, 69) points out that the first president of Chile, Manuel Blanco Encalada (1826) was from Buenos Aires; that the first President of the First Buenos Aires Council, Cornelio Saavedra, was born in what is today Bolivia; that the founder and first governor of the Republic of Santa Cruz de la Sierra, José Ignacio Warnes, was from Buenos Aires; that the Acting Director of the Río de la Plata province between 1815 and 1816, Ignacio Alvarez Thomas, was from Arequipa, a city in Peru; that Gregorio Funes, an Argentinean, was put in charge of Gran Colombia's business arrangements with Buenos Aires in 1823; that Domingo Faustino Sarmiento and Bartolomé Mitre before both being made president of Argentina were civil servants in Chile and Bolivia respectively; and that the Chilean institute which trains diplomats in that country is named after Andres Bello, a Venezuelan who ended up living in Chile and working in foreign relations in the country.

solidarist were given priority, protected and legalized at the regional level, with the OAS and other regional bodies signing democratic charters. Moreover, interests of states in Latin America seemed to coincide with the interests of the global economy and the promotion of global governance. Unilateral liberalization, state reforms, integration initiatives and participation in the global economy went hand in hand and served to reinforce each other (Phillips 2000, 284). The region seemed to move towards greater regional governance, with the values of democracy, human rights and open economy as its core. These issues raised some tension between normative arrangements and constitutional principles. This suggests that normative arrangements in Latin America seem to have gone faster than diplomatic arrangements. This has to do with the dynamics developed by the logic of appropriateness, where the states have responsibilities (as defenders of democracy and human rights) and these depend on the prevailing global discourses. There is no doubt that incorporating roles and identities does not necessarily imply agreeing on what to do when these particular rules are violated. The recent political crisis in Honduras and the different reactions to this crisis illustrate the normative conflict between pluralism and solidarity. On the one hand, all the states in the region agreed to condemn the coup and to support the return of Mel Zelaya to the presidency. On the other hand, however, there was no consensus on how to move forward in order to respect the sovereignty of Honduras and enforce the law at the same time.

Current regional discussion on the political situation in Venezuela is another case that illustrates well the tension between pluralism and solidarism. In the 2010 elections, the Venezuelan Parliament lost the automatic majority supporting President Hugo Chávez. Although Chavez recognized the legitimacy of the opposition's victory in the campaign, he immediately sought to retain decision-making power. Without much difficulty, and before Parliament assumed its new distribution of seats, Chavez pushed through a decree that gives him, for eighteen months, special powers to decide on various issues (from housing to defence) without having to go through Congress. When in January 2011 the new Congress assumed its duties, discussions began to heat the political environment up at national and regional levels. The OAS Secretary General, Javier Insulza, and the Secretary for Western Hemisphere Affairs of the United States, Arturo Valenzuela, said that the Venezuelan Congress' decision violated the OAS Democratic Charter. Immediately, Venezuela's diplomatic officials accused Insulza of speaking on behalf of the 'empire' and of interfering in internal affairs. Hugo Chavez' answer to Insulza was straightforward: 'I don't even ignore you'. A senior Venezuelan political leader claimed that 'the Venezuelan Constitution and Venezuelan Congress are Venezuelan problems' (The Nation, 10/1/2011). Is it really so? The existence of a hemispheric Democratic Charter, signed by Venezuela, amongst others, does not seem to put the Venezuelan government in an easy position. If solidarism suggests (Linklater and Suganami 2008, 138) that global constitutionalism (in this case referring to the entire hemisphere) is linked to the constitution of the parts (including Venezuela), the existence of a Democratic Charter suggest that Venezuela is unable to terminate its democracy even through democratic means.

What should be done? How can the extremes of silence be avoided, a silence inspired by an increasingly illegitimate principle of non-intervention and by U.S.

interventionism, sometimes orchestrated through diplomacy and other times through its intelligence services? The answer to these questions involves three different levels of thinking (Buzan 2004). Firstly, on a more philosophical level, one thing is to address a problem of international society from a state-centric position based on positive law and it is quite another to start from a position based on cosmopolitan ethical commitments to democracy and human rights. Secondly, on a more political level, the debate has to do with the possibility of states to translate a set of shared interests and values into a system of shared rules of conduct. Thirdly, on a more strategic level, the debate focuses on the actual capacity of states to enforce the rules in an anarchic arena such as the international stage.

Faced with these three levels, the first thing that could be observed in Latin America was that, along with the end of the Cold War, the first debate was able to progress beyond the state and put the question of democracy and human rights at the centre of regional summits. This discussion has been able to reach the institutional stage, placing it on the second level, related to rules of conduct. This move was reflected in the domino effect of democratic charters in the region, on the one hand, and the increase of complaints and cases brought to the Inter-American Court of Human Rights on the other. Nevertheless, the third level, that of corrective action, is still at an early stage in the discussions. In a recent study, Andrea Ribeiro Hoffmann and Anna Van Der veut (2010) argue that the democratic identity of a region has to do with (a) the existence of a democratic clause, (b) a behavioural guide that serves as a roadmap to decide how to cope with a violation of the Charter and (c) the degree of democracy and freedom enjoyed individually by each of the members of the region (2010, 740).

Comparing these three qualities and how they operate in different regions, the authors conclude that the Southern Common Market (MERCOSUR), for example, is halfway between a region with strong a democratic identity (the European Union) and a region with a weak democratic identity (ASEAN). On the one hand, the region has made important steps towards the establishment of constitutive rules based on democracy and human rights. On the other hand, however, the region has not completely translated these principles so as to create clear and efficient roadmaps based on the power of a regional authority with the capacity to change the course of events. In terms of the English school, this will show that the region seems caught between its own normative evolution towards more solidarist arrangements and diplomatic practices based on more pluralistic traditions.

By including the non-state dimension, the picture becomes even more complex. The OAS, driven mainly by countries that have significant percentages of indigenous people, such as Bolivia, Guatemala, Peru and Ecuador, has taken important steps in the recognition of native people as individuals who enjoy specific rights because of their circumstances and has even done so before the United Nations. Mauro Barelli points out that, 'the Organization of American States (OAS) was not only the first system to intervene, but also the one that most successfully promoted a regional system for the protection of indigenous peoples' rights' (Barelli 2010, 961).

In 1990, in line with the transformation of international society, the Inter-American Commission on Human Rights created the Office of the Special Rapporteur on the Rights of Indigenous Peoples. Seven years later, the Commission voted and approved the text of the Proposed American Declaration on the Rights of Indigenous Peoples. In 1999, the General Assembly of the OAS Permanent Council established a Working Group to continue the discussion on the text of the Proposed American Declaration. The issue became even more important when the Inter-American Court of Human Rights began to address the issue of land rights by indigenous peoples (Barelli 2010, 263). Over the years, the Court has developed important jurisprudence on the subject, holding in a case of indigenous peoples against Nicaragua in 2001, the right of these peoples to collectively own ancestral lands. The case was based not only on the very same American Declaration of Human Rights but also on a special consideration for the particular relationship between aboriginal peoples and their lands, which to them are seen as sacred, and therefore these sites are part of their own identities (Barelli 2010, 975).

Paradoxically, during the 90's, the liberal and the indigenous discourses were two opposing frames which reinforced each other. On the one hand, the liberal discourse based on democracy and human rights was strategically taken over by native people to gain power and voice in the political system. On the other hand, the state's withdrawal meant that what had previously been thought to be political identities 'from the top' (*obreros* and *campesinos*) began to be articulated 'from below', opening the game to the reconstitution of collective identities which would go on to claim greater autonomy and more rights. It is not clear if this is a process which is happening evenly across the region. It is certainly not the same in Argentina or Uruguay as it is in Bolivia, Peru and Guatemala and therefore one can think of varying degrees of articulation of this ongoing process¹⁷. But the truth is that even in Argentina, indigenous movements have seen their material and symbolic power grow in a way in which it is not clear if this is a harmonious relationship between international society and inter-human society or if that the game between the two is a zero sum game.

International law and diplomacy are very solid pieces of Latin American international society. But how were they built? What were their determinants? A genealogy of diplomatic norms and culture of the region has yet to be written. This analysis suggests some initial clues on where to start. Firstly, from the point of view of the international system, America is an unavoidable actor and its imperial projection explains why the region increased its normative arrangements (to avoid interference in internal affairs), peaceful resolution of disputes and juridical equality between states. But the attributes of the states have also played a role. On the one hand, states with weak political systems have sought refuge and survival in international law. On the other hand, the strengthening of presidential power (that does not mean the strengthening of the state) has substantially influenced the development of presidential diplomacy. Finally,

¹⁷ It is calculated that there exists in Latin America a little more than fifty million indigenous people, constituting eleven per cent of the total population. In Bolivia and Guatemala, indigenous people are a majority of the population but there exist important concentration in countries such as Ecuador, Peru or Mexico. In other countries such as Chile, Colombia or Venezuela, they are around five per cent or less of the population but, having said that, they still have very active communities (Van Cott 2010, 386).

global society has done its part. On the one hand, the Spanish heritage left a network of educated legal professionals with a formal, legalistic mentality. On the other hand, the construction of nationalities in the region took place in parallel with the construction of the idea of a *Patria Grande* or Latin American brotherhood, which is the discursive basis of the region's diplomacy. Finally, the indigenous actors appear as a new form of interhuman society, demanding greater recognition and autonomy from the state and further limiting the capacity of states to enforce the law. Legalism, U.S. interference, weak institutions and power in the hands of presidents are part of the explanation for how difficult it is to move towards more solidarist normative arrangements that transcend state sovereignty.

Conclusion

This article examined Latin America from the perspective of the English School, focusing on the primary institutions of the region. As a general conclusion, we can say that studying the region from the perspective of its primary institutions is a good way to grasp the deep dynamics that take place in the region. This structural approach provides foundations for research into specific issues that deal with secondary institutions. As regards the primary institutions, we can reach four conclusions.

Firstly, the study of war as a primary institution demonstrates that, for various reasons, organized violence between states is an unlikely phenomenon today. A death by a bullet coming from neighbour armies is not a threat facing Latin Americans, but death by a bullet from their own countrymen very much is. This does not mean that low-intensity conflict along borders is gone. The regulatory structure of international society has put a high cost on war between neighbours, but a low penalty on the militarization of disputes related to land and natural resources. This suggests that the militarization of such disputes is likely but the chances of turning into war still seem remote.

Secondly, the study of the balance of power, together with the management of major powers, suggests that the region is far from producing realist informed military alliances dynamics determined by the distribution of power. Yet it is still far from having transcended power through institutionalized cooperation. This means that governments in the region continue to measure their power in relation to their neighbours but their ways of responding to this are diverse and range from concert of power through international law to diplomacy. On the far extremes, the U.S. and domestic political coalitions operate as factors which need to be balanced by executive powers, producing coalitions between states to avoid interference from Washington and common fronts among political coalitions to avoid an ideological imbalance in the region. This is a variable geometry in which power remains a valid currency but in a market that is asymmetrical when the U.S. decides to play, more symmetrical when it does not, and more transversal when we look across the board.

Thirdly, an analysis of international law and diplomacy tends to confirm that these are the central institutions of the Latin American regional society. This does not necessarily mean a high compliance with the agreements but rather that political disagreements

are legally processed and that juridical disagreements are politically agreed by the extensive use of presidential diplomacy. Latin America has taken serious steps in the direction of a more cohesive society but, for systemic (fear of U.S. intervention and the presence of weak states) and normative (the attachment to sovereignty) reasons, it is still premature to talk about regional governance 'beyond Westphalia'. Although the 90s can be taken as the *momentum* of this governance, today some elements still remain, such as democracy and human rights. However, tensions between this liberal way of thinking the region and the concept of a pluralist society have been and are inevitable. Governance necessarily implies intervention, although this should be multilateral and consensual. 'Intervention', nevertheless, is a bad word in the dictionary of Latin American international society. Once again, the presence of the U.S. is part of the explanation, but nationalism, statism, and the existence of damaged sovereignties also make their part.

What happens when we move away from institutions and we focus our attention on the system and world society? What does the Latin American case tell us? As regards the international system, its effects are striking and reinforce the idea of placing the systemic dimension back into the study of international society. As regards war, geography, a low ability to interact and the presence of weak states have worked in favour of limited wars and low intensity conflicts. The concept of Latin American brotherhood has no doubt contributed to a certain moderation in conflict and it is a mantra evoked every time two states raise the stakes and move from rhetoric to the militarization of a dispute. Furthermore, many of the conflicts that remain today between states are over territorial issues and natural resources, which means that, in some cases, security dilemmas are unresolved. Finally, the dark side of civil society – drugs, arms and people trafficking and organized crime - has become a real challenge for regional society.

With regard to international law, its evolution appears to be closely linked to two systemic issues. The first deals with the United State's history of intervention in the internal affairs of states, which has provoked greater interest in the construction of normative arrangements based on legal equality and non-intervention. The second has to do with the type of units that make up the system: states with weak institutions and/or political instability, which developed a defensive solidarist position (for example, not seeing governments born through *coup d'états* as legitimate) essentially for self-help reasons. In addition, the main challenges today do not deal with the issues of war and peace but with the stability of democracies, human rights and legal pluralism demanded by indigenous movements, elements which have put civil society at the heart of current debates.

As regards the balance of power, the conditions in which developing states can be found have meant greater concern for the economic dimension than for the military one. Furthermore, political instability and ideological polarization of the countries involved have caused higher demands for internal balances between ruling parties and the opposition along with the external balances between.

The international system presents serious obstacles to greater trade integration. We are dealing with a decentralised market, with low regional interdependence and high levels of trade with the United States, Europe and Asia to create more incentives to deepen relationships with these players and liberalise trade in a region where states compete in the global market to place their primary products and raw materials. Finally, nationalism remains an important institution in the region. It is not military nationalism, which is offensive in character, but rather a defensive nationalism, which takes an ideological ground and which has been visited by the forces of the left and right as it has had the United States and capitalism at the centre of their concerns (Goebel 2007; Guajardo 2007).

The implications of these observations are important for three reasons. Firstly, they show the need to consider the systemic and transnational sources of the primary institutions of international society. Secondly, they raise the need to consider how a society inhabited by developing states, some more developed than others, presents structural features that shape its regional society. Thirdly, therefore, they call on us to consider the problem of development, a problem which is structured around the market as a central issue to governments in the region.

The above observations go in hand with the idea that Latin American international society can be defined as a *half-way* society. This idea of Latin America as an intermediate region is well captured by Arie Kacowicz (1998) when referring to the region as being a 'negative peace zone'. It is also present in David Mares' work (2001) when he affirms the existence of 'violent peace' in the region. Cameron Thies (2008) argues also about the presence of a 'Lockean interstate culture'. Andrew Hurrell (2004, 4) also made reference to Latin America as a *via media*. It is thus an arena that contains much more than the realists would allow for but much less than the liberals do. States that inhabit the region are not pre-modern states, with deep internal divisions that hinder the definition of an 'us', nor are they post-modern states, with a redefinition of sovereignty. These are modern Westphalian states seeking to consolidate higher levels of development, independence and autonomy. There exists a negative peace, defined as the absence of war, but not a positive one as defined by the presence of material and social conditions that point towards a lasting peace. There is economic integration *between* states but there is no economic governance *beyond* the state. The power dynamics are not as the realists would claim them to be but the region has yet to reach the stage of forming a security community. It has adopted rising international standards, such as democracy and human rights but has failed to consider how to enforce them. Not much more, but not much less.

FM12-1-11

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