

Christopher TEAL¹²

Abstract

This article examines how civilian governments and their militaries across the Americas must confront increased security responsibilities and analyzes consequences to maintain a healthy Civil-Military relationship balance. As elected leaders in the region weigh addressing multiple social challenges, they must pay special attention to how their actions could upend Civil-Military progress and lead to destabilization of democracy if not handled correctly, especially with a rise in populism. Instituting and institutionalizing reforms can have a positive and lasting impact for the region and cement democratic control for years to come.

Resumen

Este artículo examina cómo los gobiernos civiles y sus ejércitos en las Américas deben enfrentar el aumento de las responsabilidades de seguridad y analiza las consecuencias para mantener un equilibrio saludable entre las relaciones civiles y militares. A medida que los líderes electos en la región sopesan abordar múltiples desafíos sociales, deben prestar especial atención a cómo sus acciones podrían revertir el progreso civil-militar y conducir a la desestabilización de la democracia si no se maneja correctamente, especialmente con un aumento del populismo. Instituir e

¹ A career diplomat with the U.S. State Department, Christopher Teal is currently on a faculty assignment at the IADC. He teaches graduate classes on diplomacy, human rights, military/civilian relations, and defense/security policy. Prof. Teal previously served as the Consul General at the U.S. Consulate in Nogales, Mexico. He oversaw programs on bilateral security, economic and trade promotion and cross-border exchanges between the United States and Mexico in the Sonora-Arizona region. His prior diplomatic assignments include: Public Affairs Officer for the U.S. Embassy in Colombo, Sri Lanka; Public Affairs Officer for the U.S. Consulate General in Guadalajara, Mexico; Cultural Affairs Officer at the U.S. Embassy in Lima, Peru and consular and press officer at the U.S. Embassy in Santo Domingo, Dominican Republic. In Washington D.C. he also worked at the State Department's Foreign Press Center. He has a B.A. from the University of Arkansas and an M.A. in political science from George Washington University.

² Opinions expressed are strictly personal and do not represent the United States government, the Department of State or the Interamerican Defense College

institucionalizar reformas puede tener un impacto positivo y duradero para la región y consolidar el control democrático en los años venideros.

Keywords: civil-military relationship, democracy, security, populism, the Americas

Palabras claves: relaciones civiles-militares, democracia, seguridad, populismo, las Américas.

Introduction

It has been widely assumed that extra-constitutional military take-overs of democratic governments are a thing of the past in the Americas. It is true that in the aftermath of “Third Wave” democratization and with the end of the Cold War, the Western Hemisphere witnessed far fewer military coups. Traditional discussions about Civil-Military Relations, which historically focused on ideas of Subjective vs Objective control by civilian governments over their militaries, come under new scrutiny in the modern era. If some form of democratic governance is the expectation for the Americas, it is worth reexamining Civ-Mil issues in the current context of how militaries and broader security forces are asked to play roles that can either support or weaken democratic institutions.

Often with less of an eye on the need to ensure subordination of the military, civilian elected leaders now view Civ-Mil issues through the lens of how this relationship strengthens their own political success, rather than controlling their Praetorian Guards. But are they taking this relationship for granted at not only their own peril, but endangering governance of, by, and for the people? Moreover, in an era of rising populism, what impact will this have for the maintenance of professional expertise within state security institutions?

Observers are paying special attention to how some civilian governments use military forces as a prop for regime legitimacy (either from a public relations standpoint or to fill major gaps in public security). The ghosts of past military juntas are certainly not fully gone, however, and it is clear that the role of the military will continue to face great strains. The taskings they are called to undertake in light of continued crime and violence in the hemisphere, while striving to remain politically neutral, will be a challenge for the Civ-Mil relationship that must be addressed.

Civ-Mil Theory vs Practice

Samuel Huntington's classic theory in *The Soldier and the State* remains the starting point for much discussion of Civil-Military relations. Huntington's take on Objective Control of the military posited that by maximizing military professionalism and devolving an autonomy of function to military professionals, it would naturally ensure a subordination to civilian government. He viewed this balance as ideal in a democratic society and many governments made efforts along the lines of his thinking.

As Huntington wrote in 1957: "Nations which develop a properly balanced pattern of civil-military relations have a great advantage in the search for security. They increase their likelihood of reaching the right answers to the operating issues of military policy. Nations which fail to develop a balanced pattern of civil military relations squander their resources and run uncalculated risks."³

Scholars such as Morris Janowitz and Bengt Abrahamson rejected Huntington's professionalism model as being sufficient to assure civilian control.⁴ In fact if left unchecked, these critics argued, it posed greater risks to civilian rule. Later scholars such as Thomas Bruneau argued that focus on control rather than effectiveness and efficiency also missed the mark and left much to be desired.⁵

Historically throughout Latin America, the military played almost a "Fourth Branch" of government, "carrying out both the quasi-religious role of secular priests and the constitutional and statutory roles" to guarantee a patriotic defense of "La Patria" or the homeland.⁶ As such, notions that Huntington laid out for civilian control may not have been applicable prior to the Third Wave of Democratization in Latin America, as he envisioned for the United States or Europe.

The critics to Huntington's analysis have been plentiful, but even his theory with all of its shortcomings must incorporate new variables in the current age. Though the norm toward regime change in the Western Hemisphere no longer precariously dances

³ Samuel P. Huntington. *The Soldier and the State*. (USA: Belnap Press of Harvard University, 1957), 2.

⁴ See writing from Morris Janowitz. *The Professional Soldier: A Social and Political Portrait*. 2nd Ed. (New York: The Free Press, 1971) and Bengt Abrahamsson. *Military Professionalization and Political Power*. (Beverly Hills: Sage Publications, Inc., 1972).

⁵ Thomas C. Bruneau and Aurel Croissant, eds. *Civil-Military Relations: Control and Effectiveness Across Regimes*. (Lynne Rienner Publishers Inc, 2019)

⁶ Brian Loveman. *For la Patria: Politics and the Armed Forces in Latin America*. (Scholarly Resources, Inc., 1999), xx.

under the sword of direct military intervention, other factors have risen in consequence. Research by Professors Aníbal Pérez-Liñán and John Polga-Hecimovich note that since 1980 (roughly the period of Third Wave Democratization), military take-overs of democratic governments are far less common in the Americas. In earlier times, when political stalemates or public instability shook a government's hold on power, the military reflexively stepped in for the "national good." With a new pattern, as Polga-Hecimovich and Pérez-Liñán observe, constitutional and legal means became the norm to change a civilian government or legitimately remove governments from power.

In this new era, it has become too costly politically for militaries to be seen as using brute force as might have occurred in the past to deal with political instability. Though there are some who recall military governments with nostalgia for the order they supposedly imposed, both domestic and international pressure often shuns the efforts to have militaries overtly acting as referees, much less taking over the governance of a country.

Alternative strategies grew in popularity, particularly in the form of legislative actions against an executive. Polga-Hecimovich and Pérez-Liñán's research notes that between 1978 and 2016, there were 19 presidents who were removed by what they term as formal and legal means (including impeachment) and done without direct military intervention. Of those, eight were impeached or left office under impeachment threat, six resigned in the middle of crisis, and five interim presidents simply were unable to serve the entirety of the term of office. That is not to say that coups attempts did not happen, however. During that time they note the military only forced out three presidents with direct intervention - Guatemala, Honduras, and Venezuela.⁷

This is a positive trend, overall, as legal and constitutional means to remove governments from office are the political and cultural norm we strive for in our democratic societies. Civ-Mil conflicts have not been forever solved, however, nor should policy makers, politicians, academics, and citizens no longer have any concern about the relationship. Rather, we must examine Civ-Mil under new circumstances, recognizing that governments are increasingly calling upon their militaries to play roles that extend well beyond national defense. Even Huntington revisited his seminal theory

⁷ Aníbal Pérez-Liñán, and John Polga-Hecimovich, "Explaining military coups and impeachments in Latin America," *Journal Democratization* 24, no.5 (November, 2016), 839-858.

in his 1996 article “Reforming Civil-Military Relations,” where he noted that 1) new democracies have done better with civ-mil relations than they have with most of their other problems and 2) civ-mil relations are in better shape in new democracies than in the authoritarian regimes that they replaced.⁸

While it may be that Civ-Mil relations were no longer a predominant factor for many countries once Third Wave democracies consolidated their hold, the fact that new democracies did not fully confront some of their other problems left the Civ-Mil balance unsteady. Leaving many social issues unaddressed, it often became easier for civilian leaders to ask the military to take on those problems, filling a gap within societies and giving militaries a “useful” role to continue to play. This is a particular concern with the rise of populist civilian governments who are tempted to rely on their militaries in expanded ways rather than push for difficult reform.

Why Public Opinion Matters

Public sentiment is a core means to measure how citizens think about particular policies or politicians and central to accountability in democratic governance. Tracking public opinion can be tricky across countries and data make it difficult to compare around the hemisphere. In most large surveys over the recent years, however, public confidence in the military as an institution consistently ranks quite high in the Western Hemisphere. This often stands in stark contrast to how people view their elected officials.

In the United States, for example, the 2018 Pew results show that while few Americans had confidence in their civilian elected officials (only 3% saying a “great deal” and 22% saying “fair amount”), the perception of military leaders was far greater. The Pew survey found that 80% in the United States had a “great deal” or “fair amount” of confidence when it came to the military. It’s no wonder that political leaders in the U.S. seek to tie themselves closely with the armed forces given this huge disparity.⁹

⁸ Samuel P. Huntington “Reforming Civil-Military Relations,” in *Civil-Military Relations and Democracy*, ed Larry Diamond and Marc F. Plattner (USA:The Johns Hopkins University Press, 1996),3-11

⁹ Pew Research Center. “Democracy and government, the U.S. political system, elected officials and governmental institutions”, accessed June 11, 2020, www.people-press.org/2018/04/26/1-democracy-and-government-the-u-s-political-system-elected-officials-and-governmental-institutions/

Similar results came out in other polls in Latin American countries and Latinobarometro's 2018 surveys are a good indication. When looking at their summary results, which draws from 18 different nations of the region, the historically Catholic countries rank the Church with the "greatest confidence" or "somewhat confident" at 63%. Coming in second were the armed forces, which hold 44% support. Notably, at the bottom of the list are "the government" at 22%, "congress" at 21%, and finally "political parties" with just 13% of public confidence.¹⁰

This is particularly an issue as accusations of corruption have become endemic in the region, as political corruption undermines public confidence in democracy. Currently 18 former presidents and vice presidents have been involved in corruption scandals, convicted, accused, or prosecuted – including in Guatemala, El Salvador, Honduras, Panama, Ecuador, Peru, Brazil, Argentina, and Uruguay.¹¹

Clearly with such a high degree of malfeasance at the highest ranks of a political system, faith in democracy is shaken, particularly if the judiciary is weak and accountability unlikely. Hence, it would come as no surprise given public frustration in governing institutions that many political leaders would turn toward patriotic appeals by surrounding themselves with the military establishment.

These efforts are a doubled-edged sword, however, as we see new signs of strain with social unrest rocking the hemisphere. Massive public protests in Ecuador, Chile, Bolivia, and Colombia in 2019 tested our democratic institutions. While each country had diverse reasons for these protests, one item became clear in that both the police and the military had to take extraordinary actions against their own citizens. Throughout these crises, Presidents surrounded themselves with their military leaders to send clear public messages that were manifold and unmistakable.

The first and most obvious message was a sense of government unity, of working together to achieve a resolution and that government officials under arms were collaborating with an elected president under pressure. This is positive and speaks well of the intentions of a government to handle a crisis.

¹⁰ "Informe Latinobarómetro 2018" *Latinobarometro*, p 47, accessed June 11, 2020. www.latinobarometro.org/latdocs/INFORME_2018_LATINOBAROMETRO.pdf

¹¹ Marta Lagos, "El fin de la tercera ola de democracias." *Latinobarometro*, accessed June 11, 2020 www.latinobarometro.org/latdocs/Annus_Horribilis.pdf

Another message is rooted in the history of “caudillos” or strong men of the region, suggesting it is only with the generals’ backing that the government has full control and is legitimate. This message is more subtle and more dangerous; it implies a use of force and that only because of military support does the government remain in power. Using the military in this way as a PR prop further politicizes the institution and erodes faith in democracy. Scholar Kori Schake warned of “using the military as a cudgel against political decisions we don’t like. And that’s bad for the legitimacy of our military and its relationship to the broader society.”¹²

However, these images also led to another conclusion for the public, more ominous than the first two. This message was that order must be restored, sometimes at whatever the cost. Many citizens from countries with recent memories of military governments will find this particularly disturbing. The message of “order-or-else” represses not only freedom of expression, but also more broadly on human rights.

For some, it evoked rumors of armed forces ‘propping up’ figureheads and a supposed reality that civilian leaders were not decision makers. All notions of “objective” control evaporates with these conspiracies and public confidence further erodes. Militaries have an impossibly fine line to walk, being required to follow the legal and constitutional orders of civilian governments, but not becoming the political cudgel that weakened politicians need to gain popular support. Both civilian governments and security forces tasked to implement public order have to face these fears and seek to defend their citizens’ rights, even as they work to end domestic unrest when it arises.

Military leaders can play a constructive role in support of enhancing positive civilian control. As Risa Brooks wrote in her most recent analysis on military partisanship, “officers need to be politically aware, so that they can parse negative and partisan behaviors that are contrary to civilian control from those that are essential to achieving strategic success and ensuring a healthy civil-military relationship.”¹³ Brooks argues that military leaders also need to be willing to take action to remain out of

¹² Kori Shake, Interview with Deep State Radio, Deep State Radio Network, podcast audio, January 6, 2020.

¹³ Risa Brooks, “Paradoxes of Professionalism: Rethinking Civil-Military Relations in the United States.” *International Security* 44, no. 4 (Spring 2020): 7-44.

politics and “to get rid of the idea that being apolitical always means doing nothing.”¹⁴ But in the context of the Americas and rising populism, some fear going beyond “doing nothing” becomes a slippery slope.

The Case of Bolivia

One of the more intriguing examples of these fractures came last year in Bolivia. The controversy of former Bolivian President Evo Morales seeking an unprecedented fourth term laid the seeds for widespread social unrest. This grew when it became clear that the October 20, 2019 election results had been manipulated to favor Morales being declared as the first round winner.

Violent protests erupted and a political impasse ensued. The Organization of American States played an important role in arbitrating this standoff and sent a technical team to determine the problems with the voting system. Their November 10 report found that “based on the overwhelming evidence” there had been a “series of malicious operations aimed at altering the will expressed at the polls.”¹⁵ Simply put – fraud.

At first, President Morales refused to back down, calling for new elections but rebuffed calls to acknowledge defeat. Security forces increasingly began to disobey commands to quell Bolivian protests, initially with police forces and then with military refusing orders as the chaos grew. It was in this atmosphere that the head of the Bolivian Armed Forces, General Williams Kaliman, went before the media and stated that in light of the conflict, “we suggest that the President resign his presidential term of office”¹⁶

With this blow, Morales resigned and fled to Mexico. While Morales no longer had much legitimacy to govern (for many that went as far back as the 2016 referendum he’d lost to seek another presidential term), the fact was that he did not actually leave power until the pronouncement by the military. While most in the international

¹⁴ Risa Brooks, Interview with Thank You for Your Service, University of Chicago Public Policy, podcast audio, March 9, 2020.

¹⁵ Organization of American States, “Statement of the Group of Auditors Electoral Process in Bolivia” *Organization of American States Press Release*, November 10, 2019, accessed June 11, 2020, www.oas.org/en/media_center/press_release.asp?sCodigo=E-099/19

¹⁶ Daniel Ramos, and Monica Machicao, “Bolivia’s Morales resigns after weeks of protests over disputed election.” *Reuters*, November 10, 2019, accessed June 11, 2020, news.trust.org/item/20191110205854-19bh3

community did not call this a coup, it clearly brought the military directly into the fray of the grey zone in politics and resulted in a change of government.

Advocates of democracy point out that Morales was illegally and fraudulently seeking to remain in power. Bolivians and the international community were horrified to see spiraling violence and feared that efforts to crack down further would lead to a wider conflict. Many supporters of both the rule of law as well as peaceful resolution of conflict thus hailed the action of the military in this case.

In fact, there was a constitutional process to have a civilian line of succession. The interim Bolivian civilian government also immediately called for new elections. Unlike in previous days when military forces may have gone into the presidential palace to take control, they simply held a news conference. The power of their “suggestion” was clear, however – Morales had not maintained a civil-military balance through his corrupt actions and they had an obligation to step in “por la patria.” With weak and corrupted institutional processes, impossible fissures arose. As the case of Bolivia demonstrates, when there is increasing military dissatisfaction in civilian leaders, (particularly with populists) and include a clash of ideology, or a perception of failing public morals, or political corruption, the imbalance only grows and civilian control may pay the price.

Security Sector Reform Revisited

These challenges will continue to plague governments throughout our region. In light of recent spasms of politicians charged with corruption (for both financial and political benefit), it will increasingly draw the security sector (especially the military) into the personal and partisan fights from which they should be shielded. Rather than squandering resources and running uncalculated risks, as Huntington warned, this growing disequilibrium has to be analyzed to revitalize the Civ-Mil relationship, particularly in the absence of effective non-military public security in many countries.

Aside from minimizing their public profile with politicians (an unlikely occurrence at any rate), what are other ways to reinforce public institutions that support national security and foreign policies, while maintaining military effectiveness?

There can be a number of means to support greater harmony, and as Thomas-Durell Young points out in his research, it requires “political institutions that are capable of formulating a rational foreign policy and maintaining a military

establishment adequate to support state policies.”¹⁷ In the Americas, this requires a reinforced civilian security sector.

Broad Security Sector Reform (SSR) can and should be an area for counties to explore. SSR must take a whole-of-government approach and any bilateral or multilateral support must encourage that. As we have seen, inadequate institutions (weak police forces or ineffective judiciaries) compound problems that militaries cannot be asked to solve. It requires political will to tackle vested interests and transparency to provide accountability for these institutions.

The problem remains when there still is so much political corruption that reform is merely a talking point. That is why international support can be vital for many of these efforts. Not only do foreign or international partners offer some political cover toward reformers, they allow an injection of expertise from around the globe in order to encourage local solutions.

The most pressing area is in public security. Increasingly, as criminal and narcotics organizations gained greater control in the region, the level of violence brought many communities to the breaking point. Rather than immediately address civilian police reform and make difficult political decisions, it became easier for some governments to simply “send in the Army.” Thus, it is common to see military patrols in countries ranging from Mexico to Brazil, through Central America and the Caribbean, which are all relying increasingly on soldiers for local security issues rather than on their police forces.

In the short term, these decisions by civilian leaders attempted to deal with critical problems – citizen insecurity and political instability that resulted from cartel and gang violence. Local police forces were often understaffed, corrupted themselves, and simply overwhelmed by the firepower and ferocity of these criminal groups, which were often transnational and with billions of dollars at their disposal.

Security Sector Reform, rather than being a holistic and integrated effort to attack this problem, became a band-aid of sending in military forces, often untrained in civilian policing and law enforcement, and as a blunt instrument to staunch the violence.

¹⁷ Thomas-Durell Young. “Military Professionalism is a Democracy” in *Who Guards the Guardians and How: Democratic Civil-Military Relations*, eds. Thomas Bruneau and Scott Tollefson (Texas: University of Texas Press, 2008), 23

The basic rules of engagement for police forces (which minimizes the use of force and is geared toward investigating and bringing evidence in a judicial process) and those traditionally of the military (which emphasizes maximizing use of force to take out a target or an enemy) come into conflict in the midst of our population centers. It quickly became clear that limitations in civilian judicial processes would arise because of this. In addition, real human rights concerns grew in communities where military forces used rules of engagement that many questioned in purely civilian environments.

Political leaders also downplayed the lack of legal and constitutional frameworks and protections for their military forces. This left individual soldiers vulnerable, through no fault of their own necessarily, to be asked to do the impossible. Soldiers risked their lives and those of their families, and became possible victims of legal procedures for their actions.

Given this new normal, Civ-Mil relations must now incorporate broader SSR. These reforms must comprehensively look across the “security community” rather than mostly at the military. Therein lies a challenge because there is no common agreement on what constitutes this community. Is it just police? What about intelligence and justice agencies? Some would incorporate social sectors. So its difficulty in definition also makes it unclear what challenges must be faced and develop policies to confront them.

At a minimum, SSR should include police and judicial reforms that address weaknesses in rule of law. In order to have a real impact, however, it must go a step further and include political reforms. Because corruption is at the heart of many of these issues, government officials must be held accountable for their illegal actions, whether they are bureaucrats or politicians.

Civil service reform for many countries of the hemisphere is a first start. Rather than relying on “gente de confianza” or political appointees that often make up a large portion of civilian bureaucracies in the Americas and often do not last beyond one single government, a wider professional and trained class of public servants must be broadened through the security sector.

As Pakastani military author, Lieutenant Commander Muhammad Maoz Akrama wrote in the context of his country, but applies equally in the Americas: “In many instances, governments in developing countries have overrelied on military operations and undermined the importance of police in the megacities.” He points to the New York Police Department, which in the wake of the Sept 11 attacks, “made

revolutionary changes in training, capability, interagency coordination, foreign partnership, intelligence gathering, and field operations.”¹⁸ These reforms brought in new civilian civil servants and increased the capacity of the force.

On the military side, it is clear that there are limited career pathways for many defense sector civilians in countries of the hemisphere. Many military leaders have bemoaned the lack of knowledgeable civilian counterparts within their agencies. Limits on professional education is one factor. In fact, researcher Adam Scharpf notes the virtues of such education, which may “reduce the long-term incentives of soldiers to meddle in civilian affairs if it couples military professionalism with the virtues of civilian oversight and inculcates officers with democratic norms.”¹⁹

Overcoming guarded jealousies by uniformed military officers can only be done with civilians who are also educated, trained, and shown to be nonpartisan. This also adds value to the effectiveness of military operations. In the end, a civil service reform that broadens civilian expertise in the military and security bureaucracies will strengthen these institutions and help Civ-Mil relations support democracy.

Mexican Case Studies

One SSR area to examine might include certain aspects from a model such as the *Merida Initiative*. This multi-year program of bilateral security cooperation between the United States and Mexico centered on the battle against narcotics cartels. Initially it heavily involved both military training and equipment. But looking beyond those mixed results, we find that the *Merida Initiative* eventually went into other areas of SSR that the Mexican government was also reforming at the time.²⁰ Though not fully planned as such, these reforms can have positive effects for Civ-Mil relations.

Mexico began judicial reform in 2008, first at the federal level and then at the state level, seeking to modernize its criminal justice system. Moving away from the

¹⁸ Muhammad Maoz Akrama. “An Illusion of Control.” In *Complex Terrain: Megacities and the Changing Character of Urban Combat*, eds. Benjamin M. Jensen, Henrik Breitenbauch, Brandon Valeriano (Virginia: Marine Corps University Press, 2019), 37.

¹⁹ Adam Scharpf, “Dangerous Alliances: Populists and the Military.” *GIGA Focus*, no.1 (February 2020): 8.

²⁰ Justice in Mexico, “U.S. Anti-Drug Policy Transitions away from Military Funding, toward Justice Reform.” September 19, 2012, accessed June 11, 2020, <https://justiceinmexico.org/u-s-anti-drug-policy-transitions-away-from-military-funding-toward-justice-reform/>

inquisitorial system toward an accusatorial one (with oral trials, alternative dispute resolutions, and modernizing infrastructure) it has undertaken a generational shift in the way they try criminal cases. *Merida Initiative* funding aided multiple aspects of this change, from courtroom infrastructure to judicial education and training. It is still a work in progress, but everyone agrees that without a functioning judiciary, impunity, violence, and insecurity will increase and the role of the military will as well.²¹

Prison reform is another area where *Merida* was leveraged. Many Mexican prisons had the deserved reputation for insecurity and corruption (look only at Joaquin “El Chapo” Guzman’s two escapes from federal prisons before his extradition to the United States). But working with Mexican authorities to meet the requirements of the American Correctional Association (ACA) contributed to important changes in the prison system. Meeting ACA standards and holding accreditation does not guarantee that prison reform is ensured. But it does set benchmarks that allow for safer conditions (less prone to violence and control by gangs) and addresses one of the major roots where cartel manipulation has created a vicious cycle for recruitment, extortion, and plots for future criminal activity. These are areas that if left unchecked, the military will again be called into action to meet an urgent security need.²²

With the election of Mexican President Andres Manuel Lopez Obrador in 2018, among the most important changes instituted have been the reorganization of the Secretariat of Citizen Security and Protection and the creation of a National Guard. This civilian-military hybrid is an attempt to deal with the rising levels of violence in the country, but many commenters have been left wondering what its real impact will be.

Some critics of this new security institution call it simply a “rebranding” - as 80% of the National Guard’s make-up come from either the Mexican Army or Navy on temporary assignments. Its leader is an Army general and the reality of its work is more military or border security in nature rather than traditional law enforcement.

²¹ More information can be found at: USAID, “Mexico Rule of Law”, January 2019, accessed June 11, 2020, https://www.usaid.gov/sites/default/files/documents/1862/DO2FactSheet_Jan2019_0.pdf

²² Further information on the Merida Initiative cooperation can be found at: US Embassy & Consulates in Mexico, “The Merida initiative”, accessed June 11, 2020, https://mx.usembassy.gov/our-relationship/policy-history/the-merida-initiative/?_ga=2.193337966.219885088.1579270019-1170532436.1579270019

Thus instead of making hard decisions to reform and create a truly civilian public security force, Mexico has left unaddressed comprehensive civilian oversight and not yet established a long term plan for sustainability.²³ Most problematic, according to Maureen Meyer of WOLA, this heavy dependence on the military for the National Guard “comes at the expense of strengthening state and local police” throughout Mexico. This is where the real criminal problems remain and where the military have yet been unable to reduce the level of violence in spite of their being called into a public security role for over a decade.²⁴

Meanwhile, the Mexican military is drawn into large battles against the cartels. The massive confrontation between the military and the son of Chapo Guzman in October 2019 ended up with the Mexican government simply releasing the criminal, rather than face a further escalation of violence.²⁵ In spite of the broader concern about the new security strategy, when it comes to measuring control of the armed forces, the incident “proved that the chain of command remains intact and that the military will obey the legitimately elected civilian powers.”²⁶ However, it did not speak well to the effectiveness of the government’s policy, particularly when it comes to providing basic rule of law and security of its citizens.

Even as *Merida* cooperation transitions with further Mexican reforms, the issue will be whether Mexico builds on some of the previous initial successes of SSR that it undertook, or change course entirely given new political demands. While it is clear that there is subordination of the military and civilian control in the Mexican case, if the strains of cartel violence continue and the only countervailing forces are the National Guard, and not truly civilian, fissures could begin to appear.

²³ Alejandro Hope. “Taking stock of Mexico’s security landscape one year on”, (Panel Discussion at the 8th Annual U.S. Mexico Security Conference, The Woodrow Wilson Center, Washington D.C., January 15, 2020)

²⁴ Maureen Meyers. “Taking stock of Mexico’s security landscape one year on”, (Panel Discussion at the 8th Annual U.S. Mexico Security Conference, The Woodrow Wilson Center, Washington D.C., January 15, 2020)

²⁵ Ioan Grillo, “How the Sinaloa Cartel Bested the Mexican Army.” *Time* (October 18, 2019), accessed June 11, 2020, <https://time.com/5705358/sinaloa-cartel-mexico-culiacan/>

²⁶ Iñigo Guevara Moyano, “Mexico’s National Guard: When Police are Not Enough.” *The Wilson Center Mexico Institute*, (January 2020): 4, accessed June 11, 2020, <https://www.wilsoncenter.org/publication/mexicos-national-guard-when-police-are-not-enough>

The Civilian Control/Effectiveness Nexus

Scholar Thomas Bruneau is among the leading writers on this issue of looking beyond control, focusing more on effectiveness and efficiency. He argues that the measure of the armed forces' ability to "achieve the roles and missions" that civilians assign them and examine how they are organized to succeed are more appropriate variables to consider.²⁷ As he defines effectiveness, it must be measured by the "capability of the military organization to attain a goal; that is, the ability of the military to achieve the politically desired outcomes of its military missions."²⁸

Bruneau notes that armed forces must understand their roles/missions and have some ability to translate civilian orders into the goals of their political leaders. This can imply a level of autonomy that Huntington advocated in his Objective Control model. But to be "effective" by Bruneau's definition, it frankly matters less if there is Objective or Subjective control.

In fact, the examination of effectiveness can easily be utilized to measure across the Security Sector as a whole. He points out that there are multiple actors ultimately responsible for security, confronting both domestic and international challenges simultaneously. "This combination of activities and the resulting mixing of armed forces, police, and intelligence agencies are the issues that democratically elected (and autocratically self-selected) policymakers must deal with to meet domestic and, increasingly, global expectations and standards."²⁹

When it comes to oversight in an accountable governance context, the key is how to maximize this civilian control/effectiveness nexus in ways that promote democratic ends across the security sector. This points to legal and constitutional changes that may be required for many countries that simultaneously limit military roles in public security (with exceptions such as civil unrest, pandemics, and natural disasters), while making real investments in police/judicial initiatives that last beyond one government term of office.

It must also involve the legislature in a more active oversight role, not simply making the laws, but as a watchdog for how the executive implements those changes.

²⁷ Thomas C. Bruneau, and Aurel Croissant, eds. *Civil-Military Relations: Control and Effectiveness Across Regimes*. (Lynne Rienner Publishers Inc, 2019), 1-2.

²⁸ Thomas C. Bruneau, 3.

²⁹ Thomas C. Bruneau, 5.

Legislatures can help democratize the process by ensuring that budgets have transparency and civilian goals are met. As Bruneau notes, this type of control “can improve effectiveness in military, intelligence, and police forces.”³⁰

Ensuring desired legislative branch oversight comes in many forms. Going beyond the separation of powers in the presidential system so common throughout the hemisphere, a legislature is a check on not just a president, but as a means of civilian control. Control over budgets is the most obvious mechanism, but also the ability to audit and hold leaders accountable if they discover any wrongdoing.

Implementation of policy is another area. Much of the security sector normally falls under the presidency and while that branch of government executes policy, the legislature ensures that it functions as it supposed to function. Importantly in some countries, the legislature has the ability to vote in favor or against an act of war. This is the ultimate means to verify civilian control, if governments beyond the executive leader have the ability to weigh in when voting on issues of war and peace.

Popular support for governmental institutions is crucial because they must reflect the will of the people and also serve the people. They have to be credible, transparent, and accountable. That begins with a legal and constitutional framework passed by a legislature. Especially when it comes to bringing in the armed forces into issues of public security, legal and constitutional changes may be required in many nations.

Ideally before putting the army into the streets to patrol or for other roles, careful consideration has already been taken that lays out under what circumstances and what rules of engagement can be employed. This serves to protect soldiers from legal repercussions for their work in the line of duty, and better protects the human rights of the citizens. These are considerations that legislatures must examine and consider under a healthy Civ-Mil relationship.

Having professional and political legislative staff members with experience and knowledge on military and security issues is also paramount for successful civilian oversight. Without staffers having the requisite background guiding congressional committees or members of parliaments, political leaders will be unable to make informed decisions. This can lead to disastrous outcomes, or enable the military to

³⁰ Thomas C. Bruneau,.11

resist civilian oversight, running counter to democracy. Civilians must have a sophisticated understanding of military capabilities and military limitations in order to ensure the proper Civ-Mil balance.

Internationalizing to aid the civilian control/effectiveness nexus

In many cases, it may help to internationalize processes to assist countries make these political reforms. As Peter Feaver points out in his *Civil Military Problematique*: “the military institution is not a political tool of first resort.”³¹ Feaver advocates a more “assertive control” that “contemplates simultaneous existence of civilian meddling and military professionalism.”³²

As such, a focus on international diplomatic mechanisms could be encouraged and expanded. Multilateral fora such as the OAS already encourage democratic accountability in support of free and fair elections. This support for democracy is a *sine qua non* for civilian oversight. As the world witnessed in the recent dispute in Bolivia, civilian OAS involvement ensured that even with military statements regarding a political leader, a civilian process could be followed to bring forth new elections and maintain civilian control of government.

With law enforcement, closer international cooperation also strengthens the domestic civilian components of security forces. While most aspects of police work are inherently local, given that criminal organizations are also transnational, global cooperation is required. Asset forfeiture, for example, helps track and return stolen and illicit resources across borders. The OAS can play a greater role in this area to ensure more transparency and give confidence that criminal actors will have to pay the consequences. While this may seem a stretch on the Civ-Mil balance, widespread money laundering both finances cartel activities (one of the main threats militaries must confront) and in the case of stolen government resources, means that less public money is available for the non-military security forces to conduct their missions. International mechanisms under the OAS, including the Meeting of Ministers of Public Security

³¹ Peter Feaver, “The Civil-Military Problematique: Huntington, Janowitz, and the Question of Civilian Control.” *Armed Forces and Society* 23, no 2 (Winter 1996): 152.

³² Peter Feaver, 163

(MISPA), provide an ideal forum to advance such changes. Closer coordination with a similar Ministerial for Justice Ministers (RIMJA) is needed to make further progress.

International experience can also assist as countries analyze their own laws and constitutional protections to ensure that best practices from around the hemisphere are taken into consideration when determining amendments. Whether under the auspicious of the OAS or on a bilateral basis, security sector and constitutional reforms must be adopted only in ways that are politically acceptable to the governments themselves. Respecting and recognizing the national sovereignty as the priority for any institutional changes, outside assistance can supplement a national whole-of-government approach, looking beyond simply one institutional body and international expertise and international funding can go a long way to ensure successful change.

While coordination between civilian and defense forces is essential to tackle multinational problems, there are frequently gaps of understanding between the two sides. Opening international education is one way to fill that gap. By encouraging more civilian government officials to study alongside military counterparts, it helps create greater understanding on international issues and enhances the use of diplomacy to resolve problems. This can be done by increasing slots for civilians at military institutions of higher education, but also through foreign exchange programs and sending military officers to study in diplomatic institutes.

David Pion-Berlin discussed this basic premise when he wrote that “if civilian control is to endure, it must be institutionalized.”³³ He is an advocate a stronger interaction between political and civilian officials and military leaders. Allowing mechanisms to exchange knowledge and develop credible career paths are vital aspects of this, and it is an area where schools such as the Interamerican Defense College play an important role.

Conclusion

These examples are but a few options for policy makers and advocates of good government. Given the rise of populism around the globe, additional steps gain urgency

³³ David Pion-Berlin, “Latin American Civil Military Relations: What Progress Has Been Made?” in *Debating Civil-Military Relations in Latin America*, eds. David Mares and Rafael Martinez, (Sussex Academic Press, 2014), 74.

as the need to promote democracy is under greater pressure. Though only a few countries of the Western Hemisphere remain mired in dictatorship, the vast majority have matured politically and institutionalized their work building representative, civilian governments. The growth of populism can undo this work of the last decades, however, and further institutionalized reforms should be considered to protect democratic systems.

The urgency grows as people in this hemisphere struggle under real threats to public security. Citizens in the Americas live in the most unsafe parts of the world. Figures show that of the 50 most dangerous cities around the globe, 47 are in the Americas.³⁴ High homicide rates, drug cartel violence, corruption, judicial weakness, and impunity exacerbate this situation. The military is simply not equipped to handle these complex social issues, and populists can offer simple, but unrealistic solutions.

Of greater concern, the tendency for populists to downplay the experience of subject matter experts will further erode democratic institutions. Dr. Julio Frenk, president of the University of Miami, noted the dangers of populism spread because of the emphasis on ideology over knowledge and authority: “Another attribute of populism is that you replace people who are competent with people who are loyal to the charismatic leader. That typically means that you lose a lot of the experts.” This is the risk with experts across the security sector, including defense, law enforcement, intelligence, diplomacy and related policy areas.³⁵

As security problems grow, it leads to a decrease in the faith of democracy, which is seeing its support decline across the hemisphere. According to 2018 Pew global survey research, which included seven countries of the Americas, it found that “one-in-five or fewer are committed to representative democracy in Latin America (median of 19%).” Most alarmingly, when asked: “Would a system in which the

³⁴ Seguridad, Justicia, y Paz. “Metodología del ranking (2018) de las 50 ciudades más violentas del mundo.” (Ciudad de Mexico: Consejo Ciudadano para la Seguridad Pública y la Justicia Penal A.C, 2019), accessed June 11, 2020 <http://seguridadjusticiaypaz.org.mx/files/Metodologia.pdf>

³⁵ Julio Frenk, Latin America in Focus, Americas Society Council of the Americas, podcast audio, March 16, 2020.

military rules the country be a good or bad way of governing this country?” an average of 31% in Latin American countries sampled answered it would be good.³⁶

To build public confidence and in an effort to stem a bloody tide of violence, governments will continue to call in the armed forces to play a greater role to defend its citizens. Pitting the military against civilians and citizens of their own country is not sustainable, however. At best, it is a short-term effort to deal with a crisis that needs long-term action and reform to address underlying vulnerabilities and causes. At worst, it will lead to institutional decay, loss of confidence in the military and a loss of confidence by the military in their elected leaders, and simply be exploited by populists to undermine democracy.

According to Peter Hakim, president emeritus of the Inter-American Dialogue: “It appears that democratic institutions, public and private, are losing legitimacy and public support, and are increasingly viewed as lacking the competence to govern. It is impossible to disregard the prospect that popular demands for change could become louder and more radical, and lead to even more expansive military intrusions.”³⁷

Our hemisphere must develop evolving concepts of civilian-military relations as armed forces will continually be drawn not only into law enforcement, but also continue fighting terrorism, international peacekeeping, support during natural disasters, development, and even diplomacy. If these parameters are the new normal for the role of the modern military, we must think of the requirements for their effective completion of these missions and what institutions or reforms must be developed to maintain civilian control. Institutional requirements must take on a whole-of-government approach across the security sector, with a greater emphasis on the civilian side and civilian capacity.

Whether the focus is on federal or local forces, police must receive urgent attention, in light of both the level of violence from crime and terrorism, as well as increasing popular protests. Some countries are experimenting with hybrid forms, such as the new National Guard in Mexico, but reforms must be done in ways that are

³⁶ Pew Research Center, “Globally, Broad Support for Representative and Direct Democracy”, October, 2017, accessed June 11, 2020, http://assets.pewresearch.org/wp-content/uploads/sites/2/2017/10/17102729/Pew-Research-Center_Democracy-Report_2017.10.16.pdf

³⁷ Peter Hakim, “Are Latin America’s Militaries Taking on Too Much Power?” *Latin American Advisor*, (January 23, 2020), accessed June 11, 2020, <https://www.thedialogue.org/analysis/are-latin-americas-militaries-taking-on-too-much-power/>

sustainable and credible, all while protecting human rights and the freedom of assembly and speech. The broader judiciary must also examine ways to ensure that justice is delivered. Impunity and corruption must be addressed to deliver a sense of confidence in the judicial system and it must be buttressed to handle the rising level of criminality.

Additional areas that fall under SSR might include civil service reform, the expansion of professional education and development of bureaucratic career paths that are attractive enough to recruit the best candidates within the region.

Examining models of an interagency gatekeeper or referee should also include civilian leadership. In several countries, a National Security Council serves as this model. Clearly formulating and coordinating national security strategies must look across the government, but a civilian National Security Council should also examine how SSR develop civilian institutions and measures of reform.

However, it requires real political desire within countries to make these changes durable. It is clear that the current tendency of populism puts pressure on the institutions and mechanisms that impede a healthy civilian control of the military. Given the weak institutions, mass popular protests, and rampant corruption throughout the region, it is not clear that the political capital, nor political desire really exists.

Curbing the politicization of the military, as researcher Adam Scharpf writes, involves many aspects, including adequate military budgets, contextualized professional military training, a greater focus on human rights, and a vigilant international community.³⁸ Bilateral and multilateral support are even more necessary in these cases. The World Bank, Inter-American Development Bank, Organization of American States and United Nations have all worked on capacity building in many of these areas, and bilateral programs (such as aspects of the *Merida Initiative*) provide guidance on how these reforms could move ahead. That assistance must be have measurable standards and be transparent and include a focus on civilian control.

Until there is greater transparency and accountability at the political level, SSR and Civ-Mil relations in general will continue to stagger under an unsustainable weight that could lead to an undoing of the progress over the previous three decades. In effect, as Richard Kohn wrote, “tasking the military with everyday law enforcement, as

³⁸ Adam Scharpf, “Dangerous Alliances: Populists and the Military.” *GIGA Focus*, no.1 (February 2020): 8-9.

opposed to maintaining order as a last resort, pits the military against the people, with a loss of trust and confidence, eventual alienation on both sides, and a diminishing of civilian control.”³⁹

The international community must provide support toward political and institutional reforms across each of our countries in the Americas. In doing so it will leave a lasting impact for generations to come, and a net positive for Civil-Military relations. At the end of the day, it may be the only way to preserve our democracies.

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³⁹ Richard H. Khon “How Democracies Control the Military.” *Journal of Democracy* 8, no.4 (October 1997): 145.

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