

# DEMOCRACY AND WAR IN SOUTH AMERICA: THE PROGRESS AND LIMITS OF THE DEFENSE OF DEMOCRACY IN THE SEARCH FOR PEACE<sup>1</sup>

DEMOCRACIA E GUERRA NA AMÉRICA DO SUL: OS AVANÇOS E OS LIMITES DA DEFESA DA DEMOCRACIA NA BUSCA PELA PAZ

DEMOCRACIA Y GUERRA EN AMÉRICA DEL SUR: EL PROGRESO Y LOS LIMITES DE LA DEFENSA DE LA DEMOCRACIA EN LA BÚSQUEDA DE LA PAZ

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## ABSTRACT

This article aims, through a brief historical analysis of regional conflicts and the Theory of Democratic Peace, to analyze the defense of democracy in the South American region. This analysis is based on a review of the Additional Protocol on the commitment to democracy in the treaty establishing UNASUR. For that, it's especially based on the analysis of the Additional Protocol to the Treaty constituent of Unasur on Commitment to Democracy. The current discussions on in regional organizations on the defense of democracy in the region show that this defense is closely linked to the promotion of peace in South America. In other words, the regional policy to promote peace has a theoretical basis (is theoretically based) on the belief that democracies do not fight wars against other democracies. This research showed that this process has limitations, since the region has been site of numerous cases of threat and actual use of force between states. The presented hypothesis defends the argument that the promotion of democracy in the region hasn't been sufficient to prevent violent conflicts between states in the region, since national policies often outweigh political and regional interests, regardless of the political regime of States involved in disputes.

**Keywords:** Use of force. Democratic rupture. UNASUR. Nonintervention. No indifference.

## RESUMO

Este artigo objetiva, por meio de uma breve análise histórica dos conflitos regionais e da Teoria da Paz Democrática, refletir sobre a defesa da democracia na região sul-americana. Para tanto, pauta-se especialmente na análise do Protocolo Adicional ao Tratado Constitutivo da UNASUL sobre Compromisso com a Democracia. As atuais discussões em organizações regionais sobre a defesa da democracia na região evidenciam que essa defesa está intimamente atrelada à promoção da paz na América do Sul. Ou seja, a política regional de promoção da paz tem como embasamento teórico a crença de que democracias não guerreiam contra outras democracias. Esta pesquisa evidenciou que esse processo apresenta limitações, uma vez que a região tem sido palco de inúmeros casos de ameaça e uso efetivo de força entre os Estados. A hipótese formulada defende o argumento de que a promoção da democracia na região não tem sido suficiente para evitar conflitos violentos entre os Estados da região, uma vez que as políticas nacionais sobrepõem, muitas vezes, as políticas e interesses regionais, independente do regime político dos Estados envolvidos nas disputas.

**Palavras-chave:** Uso da força. Ruptura democrática. UNASUL. Não intervenção. Não indiferença.

## RESUMEN

Este artículo tiene como objetivo, a través de un breve análisis histórico de los conflictos regionales y la Teoría de la Paz Democrática, reflexionar sobre la defensa de la democracia en la América del Sur. Por lo tanto, es guiada sobre la análisis del Protocolo Adicional al Tratado Constitutivo de la UNASUR sobre Compromiso con la Democracia. Los debates en curso sobre las organizaciones regionales acerca de la defensa y la democracia en la región muestran que esta defensa está estrechamente vinculada a la promoción de la paz en América del Sur. Es decir, la política regional para promover la paz tiene como base teórica la creencia de que las democracias no hacen la guerra a otras democracias. Esta investigación mostró que este proceso tiene limitaciones, ya que la región ha sido escenario de numerosos casos de amenaza y del uso real de la fuerza entre los estados. La hipótesis formulada defiende el argumento de que la promoción de la democracia en la región no ha sido suficiente para prevenir los conflictos violentos entre los Estados, una vez que las políticas nacionales sobrepujan, a menudo, las políticas y los intereses regionales, independientemente del régimen político de los Estados involucrados en las disputas.

**Palabras clave:** Uso de la fuerza. El colapso de la democracia. UNASUR. No-Intervención. No-indiferencia.

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## I INTRODUCTION

An international system composed of a majority of democratic States is understood by international security theoreticians and, above all, by supporters of the Theory of Democratic Peace<sup>4</sup>, as a phenomenon that reduces the incentives to go to war to settle conflicts of interest between States. This phenomenon would be closely linked to the modes of government that best represent the interests of citizens, who do not wish to get involved in violent and expensive warfare in which their own lives may be lost. Thus, the democratic regimes would have intrinsic features whereby the peaceful solution of conflicts has preference over the use of force.

The clarification of the concept of the word "democracy" is critical to establish adequate grounds for this discussion. Democracy can be understood and defined as a mode of government that ensures to all citizens an active participation in the political workings of the State, either through universal voting rights, or through direct political participation (concept adapted from Jürgen Habermas, 1996). It should be noted that the parsimony and generality of this definition are deliberate, once a more particular and deeper meaning would adversely affect the proposed holistic analysis of South America as a democratic, politically stable and cohesive region.

The South American region is, no doubt, formed by a rich cultural, social and political diversity, even if all the States in the subcontinent can be generally defined as democratic. The definition proposed in this paper enables saying that the South American States are democratic regimes, enabling a deeper study of the applicability or non applicability of the Theory of Democratic Peace to the region.

Hence, it should be noted that since the conflict that opposed East to West during the Cold War period came to an end, the number of democratic countries existing in the world has increased. South America was not an exception to this broad phenomenon of democratization of the world that was evidenced in the last decades. The subcontinent also went through a long process of political changes, whereby the dictatorial regimes were replaced by democratically elected governments, increasingly since last century, in the eighties. Nowadays, all the twelve States existing in the region claim to be democratic States, which certainly does not imply, that the term "democracy" has the same meaning to each one of them. It is precisely for this reason that a more general and not so rigid concept of the term democracy is required.

<sup>4</sup> Some authors and works that can be used as reference on the subject: Christopher Layne, in "Kant or Cant: The Myth of the Democratic Peace", 1994; Zeev Maoz and Bruce Russett, in "Normative and Structural Causes of Democratic Peace", 1993; Carlos Santiso, in "Promoção e Proteção da Democracia na Política Externa Brasileira", 2002; John Oneal and Bruce Russett, in "Triangulating peace – democracy, interdependence and international organizations", 2001.

Pursuant to the Theory of Democratic Peace, by themselves, democratically elected governments would generate incentives to look for a negotiated solution to international issues. The state government, representing the interest of the majority, would waive the prerogative of solving its contentions with other democratic States by the use of force. Thus, priority would be assigned to diplomatic means to solve possible conflicts of interest between the States. It is quite clear that this theory assigns significant weight to the internal pressure in the State with respect to its action in the international scenario.

Thus, it can be said that the basic assumptions of this theory are that the democratic States have internal peaceful and rational characteristics that inhibit, or even prevent them from waging war against other democratic countries. Thus, according to the Theory of Democratic Peace, increased number of democratic States would reduce the likelihood of international wars. Thus, slowly, the process of democratization came to be linked to the idea of peace, security, less interstate conflicts, defense of human rights and so many other factors viewed as beneficial to humankind as a whole. It is believed that the South American region may offer interesting explanations to this direct relationship that was devised between democracy and less use of force between States, demonstrating that this did not necessarily took place along region history.

The commitment to preservation of the democratic regimes in the South American region, since the democratic clause was set up in the Mercosur, still in the nineties, was one of the most important actions the post-dictatorial governments have taken in terms of inter-governmental cooperation. The atrocities perpetrated in the course of several decades of military regime are still alive in the minds of South American citizens and, for this reason, it is understood that maintaining the status of democratic region is extremely important and requires special attention from region governments. It is also believed that the consolidation of democracy itself in the region requires periodical elections, the legitimacy of the governments and of representativeness, which are measures that are also safeguarded by the democracy protection mechanisms.

To this end, international bodies were established to promote democracy, whether in the Mercosur, with its Ushuaia clauses, or through the Organization of American States- OAS, or many other international institutions that are active in the area. But, in recent years, as the idea of South America as a zone of security and cooperation in several sectors came back to the forefront, a special focus was directed to the key role the international institutions in the region could play to defend this principle so highly valued by South American continent nations.

Despite the considerations above about the definition of democratic States, the use of force, mostly in its threatened use feature, has been recurrent. Historically, South America is seen as a region where peace prevails.

## 2 THE UNASUR ADDITIONAL PROTOCOL AND THE PARAGUAYAN CRISIS<sup>5</sup>

However, between South American nations the use of force and, more than anything else, the threat to use force was not given up. As Mares demonstrates:

Latin America offers rich history to any researcher engaged in the investigation of violent conflicts. There are periodical arms races, governments are granted or denied international approval, nationalist fervor spreads and policies move either farther away and towards democracy (MARES, 2001, p. 26). (*free translation from Portuguese*)

The analysis presented by Mares evidences that the escalation of violent conflicts in South America continues to be the prevalent reality in that region once, from time to time, the use of force is threatened. Thus, how this paper will discuss the States did not simply set aside the use of force to settle their conflicts. In Mares we find the clear objective of challenging the status of peace zone, which, without a careful analyses of historical facts, is linked to South America, as the author stresses, as time goes by regional relations combine territorial matters and power projection actions, and it can be evidenced that many of the motives for friction that still survive are related to the basic interests of the States (MARES, 1996).

Authors such as Holsti (2004) and Mares (1996; 2001; 2012) present data and considerations expose the myth of controlled use of force in regional relations. The "violent peace" conceived by Mares refers to a region with several States, with different level of economic development, in constant attrition over subjects about which their respective interests differ. To Holsti, at first glance, South America could be seen as a peace zone. However, in face of the problems originated from its weak States, South America would fall into the category of non war or negative peace zone. Thus, it would experience interventions and militarized crises, alliances and arms races, but these events would not lead to interstate warfare, despite the fact that militarized conflicts are frequent..

Hence, it can be evidenced constraints are faced by process of democracy defense. The region shows that actually there are threats and use of force between the said to be democratic States. In this study the authors intend to discuss the possibility of a direct correlation existing between the attempt by local government to increase capacity for democracy defense and less use of force to settle the disputes between the South American States.

Two fundamental questions come out of this analysis. First, we must answer if it can be said with certainty that the establishment of democracy defense mechanisms has led to an effective decrease in the use of force between States. Additionally, the authors seek to bring to light the direct relationship established between a more effective democracy defense system and a smaller number of violent conflicts in the region. In order to evaluate these and other issues, the current role played by the UNASUR in the defense of democracy must be examined.

The establishment of the UNASUR was a unique moment in the history of South America and in its process of regional integration. Once ratified by the twelve region countries, the establishment of public policies, mostly through sector councils, in the most diverse sectors then was proposed, encompassing relevant issues such as structural, energy, security, health, education, culture, science and technology integration, among other.

Subsequently to the ratification, the Additional Protocol on Commitment to Democracy in the region was proposed, which formally enabled the use of drastic measures against Member States defaulting the established democratic order. These measures include: partial or total closure of land borders, including suspension of and/or limitations to trade, air and sea transportation, communications, furnishing of electricity, service rendering and supply.

The UNASUR Additional Protocol on Commitment to Democracy, signed in the city of Georgetown, in November of 2010, is said to be revolutionary for having all region States as signatories and also for allowing the enforcement of coercive actions in case of breach or threatened breach of democratic regime in any of the signatories of the Additional Protocol. The applicable actions include: economic restrictions, suspension of trade, border closure and interruption of humanitarian aid. It should be noted that these measures may be enforced even before democracy had been beached and, to this end, just threatened breach would be enough.

It must also be stressed that even if some measures are seen as revolutionary, the UNASUR Additional Protocol on Commitment to Democracy is not fully innovative; for some decades the region has been active in the defense of local democratic regimes. Even if it was able to provide on drastic measures aimed at preserving region democratic regimes, the Protocol was unable to overcome the barriers represented by *intergovernmentalism* and mandatory decision making by consensus, for example.

As previously demonstrated, defense of democracy in the region has always tried to avoid coercive methods as means of action. For example, article 4 of the Brazilian Federal Constitution refers to the sacred principle of non intervention. However, the growing development of the processes of integration requires strengthening of

<sup>5</sup> An analytical study focusing on the Paraguayan crises was intended for this paper. However, the authors are convinced that its content is applicable to other cases, as for example, the 2014 democratic crisis in Venezuela. The following sources can be used as references on the subjects: GOMES, E. B.; WINTER, L. A. C. *Caminhos para a estabilidade democrática no Mercosul: a questão da Venezuela*, 2015. *Revista Direito e Liberdade – RDL – ESMARN*, v. 17, n. 1, p. 69-90, jan./abr. 2015. MIRANDA, J. A. A. *Populismo, Democracia e a Constituição na Venezuela*. *Direito, Estado e Sociedade*, n. 45 p. 32-60 jul./dez. 2014.

the regional organizations whose purposes are not limited to creating common markets and economic and trade cooperation areas, but also include the strengthening of region security — as in the case of the UNASUR that was created in 2008 and entered into effect in 2011, — and defense, with the establishment of the South American Defense Council, that was also established in 2008.

These stronger processes of integration have been giving rise to initiatives with increased power of intervention, such as the Additional Protocol to the UNASUR Constitutive Treaty on Commitment to Democracy, best known as the UNASUR Democracy Clause. As already mentioned, this Protocol enables the enforcement of harsh measures in case any of the UNASUR Member States breaches democracy or if a threat to breach the democratic order is evidenced. Pursuant to article 1 of the Protocol:

This Protocol shall apply in the event of a breach or threat of breach against the democratic order, a violation of the constitutional order or any situation that jeopardises the legitimate exercising of power and the application of the values and principles of democracy. (PROTOCOL..., 2010)

It is clearly expressed right at the beginning of the document that a threaten to breach the democratic order would suffice enable the enforcement of the Additional Protocol and all of its coercive measures. This commitment, which can be said to be preventive, evidences clause concern with taking action before the breach, when intervention would become complex and hard to execute as another government could already be in office.

In its article Four the document lists the measures that could be enforced to re-establish the democratic political process:

The Council of Heads of State and Government or, in its absence, the Council of Ministers of Foreign Affairs may establish, in the event of a breach or threat of breach against the democratic order, the measures outlined below, for the purpose of re-establishing the democratic institutional political process. Said measures shall enter into force on the date on which the respective decision is adopted.

- a.- Suspension of the right to participate in the various bodies and branches of UNASUR, as well as the suspension of the rights and benefits enjoyed under the Constitutive Treaty of UNASUR.
- b.- Partial or complete closure of land borders, including the suspension and/or limitation of trade, air and maritime traffic, communications and provision of energy, services and supplies.
- c.- Advocate the suspension of the affected State in the ambit of other regional and international organizations.
- d.- Promote, with third countries and/or regional blocs, the suspension of the rights and/or benefits enjoyed by the affected State under the co-operation agreements to which it is party.
- e.- Adoption of additional political and diplomatic sanctions. (PROTOCOL..., 2010).

The document names the competent authorities in charge of the enforcement of the measures that may be imposed under the Protocol – the Council of Heads of State and Government, or, in its absence, the Council of Ministers of Foreign Affairs. The enforcement requires joint action from region governments. This decision making method adequately represents the historical process of region integration, assigning priority to the processes of cooperation through governments rather than by supranational actions, which would result in the transfer of segments of the sovereignty of the nation-states to international institutions.

Item "b" of said article also deserves special attention, where, the authors understand, are the most drastic measures allowed by the Additional Protocol, once possibility of total closure of land borders, suspension of trade with the affected country, suspension of provision of energy and air and sea transportation are foreseen.

No doubt it can be said that, if actually enforced, these measures could reduce the likelihood of a State in the region acting in breach of democracy. It should be noted, however, that the practical means that will lead to the actual enforcement of such measures in a concrete case are not mentioned. Thus, it can be inferred that the above mentioned democratic safety procedures lack the means required for practical enforcement. The legislative arena is still quite distant from concrete enforcement in the case at hand. Besides, the process of intergovernmental decision making that depends on the unanimous agreement of the Member States also hinders the effectiveness of the institution.

Any way, it is quite clear that these are drastic measures characterized as means to coerce States going through a process of breach of democracy to give up on this type of action. At the same time, it can be evidenced that the measures referred to in the Protocol are for internal enforcement in the States. Even if there can be no talk about the actual use of force, it is quite clear that the provisions aim at giving rise to an effective support to democracy in the region. This gives rise to questions about the principle of non intervention and the Brazilian position in actions of this type. In any case, interference by a State in the internal affairs of another State is hard to prove when the above mentioned means are employed, once there is no internal action in the State targeted by the coercive measures.

The proactive stance of the Additional Protocol should also be underlined as it enables taking action even before an actual breach of democracy in the affected country. The possibility of acting in face of a mere threat to breach is understood as a positive aspect, once any action after a breach will involve many complex aspects. Thus, the actions provided for in the Protocol can be enforced preventively, thus increasing the assurance that the democratic commitment will be honored.

Besides the measures set out in article 4, diplomatic action may also be undertaken. According to article five of the document:

Together with the adoption of the measures defined in article 4, the Council of Heads of State and Government, or in its absence, the Council of Ministers of Foreign Affairs shall use its good offices and take diplomatic steps to promote the restoration of democracy in the affected country. Said actions shall be carried out in coordination with those undertaken in applying other international instruments pertaining to the defense of democracy. (PROTOCOL..., 2010).

Thus, it can be evidenced that diplomatic negotiation is also important to the Protocol, but this type of action is tied to the measures listed in article 4 providing on the enforcement of coercive measures towards defense of democracy. It can be inferred that the measures mentioned in article 4 are supplemented by the diplomatic channels, once the Council of Heads of State is not entitled to resort to diplomacy to promote the re-establishment of democracy in the affected country. These are actions to be taken jointly, looking for the best and quickest solution for a specific moment of crisis.

To the directly affected Member States falls the task of communicating any cases of possible breach of the democratic order. Article six says:

When the constitutional government of a Member State believes that there is a threat of breach against or change in the democratic order that would severely affect it, it may consult the Council of Heads of State and Government or the Council of Ministers of Foreign Affairs, through the Pro Tempore Presidency and/or the General Secretariat, in order to notify them of the situation and request concrete concerted co-operation and a pronouncement from UNASUR to defend and preserve its democratic institutionality. (PROTOCOL..., 2010).

Having examined the applicable measures in case of a threatened or actual breach of democracy in the Member States, we must now analyze the participation of the UNASUR in the democratic crisis faced by Paraguay in 2012, after the fast process of impeachment of the then president Fernando Lugo. Note should be taken that when former president Lugo was removed from office the UNASUR Additional Protocol was already in effect.

One of the most relevant documents that needs to be analyzed is the communication issued by the UNASUR about the Paraguayan crisis. The document says:

Statement from the Union of South American Nations (UNASUR) on the situation in Paraguay  
Asunción, June 22 of 2012

The Ministers of Foreign Affairs and the Representatives of the UNASUR Member-Countries and the Secretary General of the organization travelled to the Republic of Paraguay pursuant to the provisions of the mandate granted to the Heads of State of the UNASUR States at a meeting in the city of Rio de Janeiro, held on June 21 2012, with the purpose of appraising on site all the aspects of the political situation of that country.

In order to achieve this goal meetings were held with President Fernando Lugo.

Additional meetings were held with Vice-President Federico Franco, leaders of several political parties and legislative authorities, from whom, regrettably, we were unable to obtain favorable answers to the procedural and democratic guarantees asked from them.

The Ministers of Foreign Affairs are hereby reaffirming that full compliance is required with the democratic clauses of the MERCOSUR, the UNASUR and the CELAC.

The Ministers of Foreign Affairs have agreed that the events that are now in progress could fall under provisions of articles 1, 5 and 6 of the Additional Protocol to the UNASUR Constitutive Treaty on the Commitment to Democracy, representing a threat of breach of democratic order, by failing to comply with due legal process rules.

The UNASUR governments will assess up to what point cooperation may continue under the framework of South American integration.

The mission of foreign ministers reaffirms its full solidarity to the Paraguayan people and their support to constitutional President Fernando Lugo (STATEMENT..., 2014).

The document above clearly evidences that the situation faced by the Republic of Paraguay has been characterized as an event subject to the enforcement of the measures provided for in the UNASUR Additional Protocol on Commitment to Democracy. It is interesting to note, however, that the Ministers of Foreign Affairs came to the conclusion that just articles 1, 5 and 6 were applicable, making no mention to the enforcement of the measures set out in article 4, the most drastic measures enforceable to defend democracy in the region.

No explanation is offered on why the measures of article 4 would not be enforceable, but it is clear that these are measures viewed as last resort, that is, that are only enforceable in case all the less invasive means to reach a solution fail to solve the targeted problems. Thus, the interest in defending democracy by way of negotiation and non coercive actions prevailed, even if the UNASUR Additional Protocol provides otherwise. Furthermore, the fact that there was no certainty about the impeachment of President Lugo constituting a violation under the Paraguayan law may have stood in the way of the enforcement of the more drastic measures of the Additional Protocol provided for in article 4.

No doubt, the lack of practical means to enforce the UNASUR democratic Clause is certainly a problem to which solutions must be sought. It is quite clear that the enforcement of this clause depends on the political will of the Member States and not on a decision made by a supranational organization, something the UNASUR has never attempted to be or intends to become in the future. The decision making process is characterized as an interstate system, depending on the unanimous will of the involved parties, which certainly hampers the enforceability of its measures. In other words, the political

will of each State is imperative to enable the enforcement of democracy support measures.

Therefore, it can be concluded that acting in cases of breach of democracy, taking into consideration how serious a situation of this type is, as well as the level of internal intervention required in order to reach an acceptable solution, is difficult to design and execute. The apparent failure results from the obstacles to reach a consensus about the enforceability of the democracy protection measures, which results in the UNASUR having its hands tied when the time comes to defend the democratic governments in the region.

The Paraguayan case is a good example of the limitations of the democracy protection system in the UNASUR. Even if innovative measures of internal intervention in the States have been approved to solve the democratic crises, the institution still lacks political support from the Member States to see the measures it has provided for ultimately institutionalized. The impossibility to act in the case of Paraguay should be seen as an actual failure of the democracy protection system adopted by the UNASUR.

Formally, the Additional Protocol enables extreme actions against breaches or threatened breaches of democratic regimes. But, the reality is still far from what has been formally assured. The Georgetown Declaration clearly evidences the incompatibility between actual practice and the established rules:

The Heads of State and Government of the Member Countries of the Union of South American Nations – UNASUR – meeting in Georgetown, Cooperative Republic of Guyana, on November 26, 2010 [...]”7. Congratulate one another on the approval of the ‘Additional Protocol to the Constitutive Treaty of UNASUR on Commitment to Democracy’ as a fundamental guarantee for democratic and constitutional order and an essential condition for the integration process of UNASUR Member States. This Additional Protocol emanates from the mandate established in the Declaration of Buenos Aires of October 1, 2010, where it is affirmed that Member States shall not tolerate any challenge to the institutional authority or any attempted coup against the legitimately constituted civil power and that they shall adopt concrete and immediate measures in event of violations against the constitutional order;

This statement reveals a significant concern with the effectiveness of the actions undertaken by the UNASUR. Notwithstanding, reality has been evidencing to be quite different from what was formally enabled when the Additional Protocol on Commitment to Democracy was approved. Significant limitations still remain to be overcome.

In sum, even if the Additional protocol on Commitment with Democracy is seen as a revolution in the way the issue of the defense of democracy in Latin America is handled, in practice, the Protocol failed because of its lack of political freedom of action, as it was

not enforced in important moments, most of all because of the inability to act of the Member States.

A significant barrier still needs to be crossed in terms of the applicability of the UNASUR Protocol on Commitment to Democracy, which is to further the operation and the autonomy of this Institution, enabling effective, swift and preventive action in moments of crisis, which is critical to the defense of democracy in the region.

### 3 DEFENSE OF DEMOCRACY AND PROMOTION OF PEACE IN SOUTH AMERICA

The search for the defense of democracy can be understood as a process in development most of all after the end of the bipolar confrontation between the USA and the USSR. Since that moment when increase freedom of action on the part of the South American States was enabled in the international scenario, the Brazilian foreign policy has been increasingly evidencing the objective of definitively joining the fight to defend the democratic regimes. According to Saraiva:

In the South American continent, the end of the Cold War, the fewer valuation options available, decreased tension and the solution of Central American conflicts contributed to enable the Organization of American States (OAS) to strengthen its position and review its structure, roles and objectives. The OAS sought to adapt to the new dynamics of inter-American relations posing new threats such as defense of democracy, strengthening of democratic governability and a new concept of hemisphere security (SARAIVA, 2007, p. 44). (*free translation from Portuguese*)

Nowadays, the role played by the OAS in the region has been gradually reduced as the South American region attempts to find its own identity through the establishment of truly regional international institutions, as the MERCOSUR and the UNASUR. The idea is to create internal solutions and not to import them from hemispherical institutions where the central powers, such as the United States play a preponderant and hegemonic role. This search for an autonomy of identity and of region interests region enabling the States to solve the problems they happen to face is an old process, that can be dated, if the prevalence of economy subjects is accepted, to the establishment of the Latin American Free Trade Association (ALALC/LAFTA) and the Latin American Integration Association (ALADI/LAIA), as early as in the sixties, in the last century. However, when the meaning of regional security is analyzed, this process is much more recent and becomes perceptible, most of all after the establishment of the CASA, in 2004, and later on with after the UNASUR was created in 2011.

The idea that there is a direct relationship between the defense of democracy and the actual decrease in the number of conflicts, mostly of interstate

conflicts, is clearly evidenced when the institutional policies in the South American region are analyzed. Stronger democracy defense policies seek political stability and preservation of the peace region status, whose success is doubtful when the historical records of militarized political bargains between the region States are analyzed.

The theory of International Relations that best defines this direct link between democracy and peace is the Theory of Democratic Peace. The direct connection between the decrease in the number of conflicts and the increasing number of democratic countries in the world is carefully examined by this theory. According to Layne:

The causal rationale of the theory has two aspects. One attributes the absence of war between democracies to institutional constraints: the restrictive effects of public opinion or the brakes and counterweights built into the internal political structure of democratic State. The other postulates that the democratic norms and culture - a common commitment to peaceful settlement of political disputes - actually account for the absence of war between the democratic states (LAYNE, 1994, p. 6) *(free translation from Portuguese)*.

As stressed, it can be seen that the Theory of Democratic Peace presents two main factors to explain why democracies do not resort to war to settle their disputes with other democratic States. First of all, mention is made to the constraints imposed by international and national institutions. From this standpoint, it is construed that, for relying on a more inclusive process of discussion and implementation of public policies- that reflect national interest - existing in Democratic States there would be less or no likelihood at all of a ruler acting unilaterally, fully disregarding the interests of the population, as it happens in autocratic regimes, for example. This obstacle to unilateral decision making would lead to the impossibility of war between democratic states.

The Brazilian example may be presented to illustrate this democratic phenomenon in the foreign policy of the States. One of the most important legislative powers afforded to the National Congress is to approve or reject a request for a declaration of war from the President of the Republic, as well as a request for peace. Thus, it can be evidenced that foreign policy, most of all when the issue is related to international security, is not totally in the hands of the Head of State, as we would see in autocratic or dictatorial states. This increased decentralization of the process of drastic decision making in the international scenario stands in the way of decisions that only represent the individual interest of a ruler or materialization of merely ideology-driven actions that go against the collective interest.

According to Layne (1994), other factors that would lead democracies not to wage war between themselves would be the very normative and cultural principles of the democratic regimes that would prompt democracies to assign priority to negotiated solutions of

conflicts by means of agreements and diplomacy. The citizens of the State who have chosen to elect a democratic regime would press their rulers not to use aggressive and violent foreign policies against other democratic States. The rationale behind it is that a peaceful human nature exists and it would be valued by the mode of government, which would respect this human trait by choosing not to get involved in violent conflicts and prefer peaceful solutions for disputes.

According to Maoz and Russett (1993, p. 636), "the correlation between total absence of armed conflict between democratic States and the phenomenon of democracy must not be randomly considered". Again quoting Layne:

[...] the argument of institutional constraints fails to provide a convincing explanation to the absence of war between democracies. Thus, the power to explain of the theory of democratic peace lies on the power to persuade of the argument that the democratic rules and culture explain why, democratic states fight against non democracies but not against each other. (LAYNE, 1994, p. 20). *(free translation from Portuguese)*

It is interesting to observe that Layne believes institutional constraints are not enough to explain the absence of war between democratic States. Notwithstanding, even the statement that there is no war between democratic States should be questioned. An interesting argument that is routinely advanced by the Theory of Democratic Peace is that the extinction of interstate conflicts would require full maturity of the involved democracies. However, when it comes to South America this argument may be challenged once most of the regimes existing in the region are, on average, 30 years old. On this subject Maoz and Russett state:

In terms of the processes acting on the current interstate system, this result suggests that as norms and institutions need time to develop, the recently established democracies in East Europe and in other places as well may still experience a significant number of interstate conflicts, while their political systems are undergoing a process of transition to democracy. But, the process of global democratization may lead to long term perspectives of international stability that comes not from missile launchers, but from popular control of governments and from the norms of peaceful settlement of the political conflict associated to the democratic political systems (MAOZ; RUSSETT, 1993, p. 636-637). *(free translation from Portuguese)*

Thus, the argument of the Theory of Democratic Peace for the recurrent conflicts between democracies and to the threats of use of force between region States certainly would be grounded on the instability and the newness of the democratic regimes in the region. Notwithstanding, it is generally accepted that this justification has no place in a region that has been keeping

its democracy status for more than 30 years, with just a few destabilizing events.

The argument that the newness of the regime would be a determining factor on the assessment of how peaceful a government is, and up to what point would it be willing to give up the use of force to settle its disputes is patently defended to hinder any attempt to falsify the theory. Whenever a democracy resorts to the use of force to settle its disputes with another democratic State, arguments such as these may be advanced to "save" the theory from falsification, thus perpetuating its power to explain and scientific forecasting capacity. This epistemological discussion about the Theory of Democratic Peace will not be taken further, as there is no room for that in this paper. However, note should be taken that this is a critical issue to be studied in a subsequent paper in relation to the Theory of Democratic Peace.

This argument of democratic stability makes the Theory of Democratic Peace practically immune to falsification, once assessing the degree of stability of a democracy is a judgment of value subject to interpretation according to the interests of the researcher. In other words, the subjectivity of researcher analysis is closely linked to his definition of the term "democracy". The more elastic and loose is this definition, more room exists for a subjective analysis that will meet researcher interests.

What this paper is trying to demonstrate is that, independent from the stability of region democratic regimes, what in fact has been seen is the recurrent use of force in the relations between region States. Mares demonstrates that in South America resorting to the use of force is seen a political bargaining mechanism, which often may lead to actual war. According to him:

The concept of "violent peace" prompts us to consider the officially sanctioned use of military violence beyond national borders, when war is not the intended result. War may occur, but as a result of the escalation of dynamics that are unknown or unforeseen or poorly calculated by those who have made the initial decision to employ military force. In sum, the decision to use military force should be considered as tactics of negotiation, instead of a decision to solve an interstate dispute by waging war (MARES, 2001, p. 7). *(free translation from Portuguese)*

Thus, Mares challenges Layne's statement that democracies do not make war on other democracies. The use of political bargaining through threatened to use force is a recurrent practice in South America, and has given rise to violent conflicts in the region. Hence, the perception that the use of force is largely set aside in the region, once just one war took place after the end of the Cold War, is mistaken. According to Mares, demonstration of force happened in several occasions, and is a usual bargaining policy among South American countries, and this fact makes the region lose its peace zone characteristic.

Holsti (2004) may be cited to corroborate the point of view of Mares. According to him:

South America in the 20th century - or more precisely, since 1941, the date of its last war - fits into the category of war free or negative peace region because, since the Ecuador-Peru conflict in that year it has been the stage of forty three militarized disputes and crises [...] and other forms of behavior that are incompatible with the concepts of peace or pluralist security zone. In fact, the historical records of recent years, until 1980, would place the region just at the "introductory" levels of war free regions (HOLSTI, 2004, p. 158). *(free translation from Portuguese)*

The arguments advanced by Holsti add strength to those presented by Mares to demonstrate that the region, despite not having a recent history of wars between its States, cannot be characterized as a peace region or even as having reached a more advanced stage of security community.

According to Mares (2001, p. 91), depending on the issue at stake, the use of force by the decision makers may be favorable interpreted by his constituents. Going further Mares deconstructs the institutionalist argument that voters will always choose negotiated and non violent means of enforcing the State policy. The three themes pinpointed by Mares as those of greater concern to voters were inflation, guerilla activity and border-related disputes. Thus, Mares says, when there three issues are involved, the decision maker will find easier to obtain popular support to the use of violence against another State.

In order to support his arguments with historical facts, Mares (2001, p. 39) says that in the period that goes from 1884 to 1993 there were 127 militarized disputes between States, evidencing that for a long time the region is far from entitled to be considered a peace zone. Mares (2001, p. 33) also mentions the case of the Cenapa War between Ecuador and Peru, in 1995, when both countries already had democratic regimes. However, before this peak moment other militarized conflicts between these nations can be mentioned. Militarized friction between these two nations took place in 1981, 1983, 1984, 1985, 1988, 1989, 1991 and 1994.

Other examples (Mares, 2001, p. 42) of militarized conflicts between South American democracies are also mentioned, such as those between Venezuela and Colombia in 1982, 1984, 1987, 1988. It must also be stressed that a significant majority of the conflicts mentioned by the author fit into the assumption that use of violence is accepted by the population, once almost all the conflicts resulted from territorial disputes and guerilla activity. Thus, the timeline focused by the analysis clearly evidences that the region, even after the redemocratization by the end of the 20th century, cannot be defined as a peace zone, which is an argument broadly disseminated and accepted in the academic environment.



Even if Mars has reached the conclusion that there were militarized conflicts between South American democratic States, Holsti mentions that even in the absence of open conflict, States there was preparing for this possibility. These instances where there were no open conflicts between South American States have impacts on the security policy enforced by the States. According to Holsti (2004):

Military capacity in some regions of South America continues focusing on neighbors. Besides the movement of troops, some South American governments continue to develop war plans referred to as "hypothesis of conflict against neighbors". Most of these plans are secret and not subject to parliamentary scrutiny or debate (HOLSTI, 2004, p. 160). (*free translation from Portuguese*)

This argument invalidates the general understanding that South America is fully a peace region. Even if it can be said that South American States rarely fought against each other in the last century and that, with a few exceptions, their borders are clearly defined, the threat of the use of force and preparation in the security strategy of the States for war between them continues to exist in the region.

Note should be taken that disagreements between States come as natural result of the anarchical systems of sovereign units. However, it can be seen that in South America the States have recurrently resorted to military force as a bargaining chip to settle their disputes. Thus, the role played by defense of democracy in reducing this widespread phenomenon in the region is arguable.

The argument that democratization and the end of the Cold War, when the bipolar distribution of power was eliminated, would have brought peace to the region does not stand (MARES, 2012, p. 28). Even nowadays the region faces risks of securitization and high stress, as well as the recurrent use of military force a political bargaining chip between States. There are also questions about the statement that a more effective system of protection of democracy could change this picture of use of force between States. Maybe, the issue of war and peace depends on other variables besides the political regime prevailing in South America.

## CONCLUSIONS

The chief objective of this paper was to present the limitations and the progress of the process of defense of democracy in South America, with main focus on its peace promotion role. On its first part this paper presented the evolution of the international institutions existing in the region that were born to guarantee and to promote democracy in the region. In this respect, the key focus of this work was the analysis of the UNASUR Additional Protocol on Commitment to Democracy, which is seen as the milestone in the history of the defense of democracy in the region.

The focus of the work was to challenge, by analyzing the recent history of the region, the argument that defense of democracy in South America is closely linked to the decrease in the number of interstate conflicts. The facts targeted by the analysis evidenced that this link is only partially true. Notwithstanding, it cannot be said that, by itself, defense of democracy can change South America into a peace zone, once numerous cases of threats to use force and conflicts took place, with actual use of force between democratic South American States. Other factors, such as the current trend towards a deeper process of integration and the significant interdependence existing in the region could also be used to justify the period of peace the region is currently experiencing. There are no clear leads that the peace phenomenon is exclusively linked to peace promotion in the region.

Additionally, as Holsti (2004, p. 161) has demonstrated, the South American region has experienced militarized crises, maneuvers of troops, regional policies focusing on the possibility of a conflict with neighbors, diplomatic ruptures and military competition between South American States. Such phenomena clearly evidence that South America is not clearly a peace zone and, least of all, a security community. Thus, the argument that the promotion of regional democracy has furthered peace in the region is questioned in this paper. There are clear evidences that the threat to and the actual use of force still exist among the South American States, even if all of them may be called democracies.

To this end, it was evidenced that the institutions whose purpose is to maintain and promote the democratic regimes have a critical role to play. Institutions, however are subject to limitations. Democracy has many qualities, notwithstanding, it is not enough to explain why the States often make war on each other. In order to understand this phenomenon we must to go beyond the domestic political institutions (Mares, 2001, p. 108). On this subject Mares provides a clear examples of the limitations of democratic states to guarantee peace:

[...] leaders use foreign policy to supply collective and private goods to their national constituency. The chief question a leader faces is to find out if the use of military force will benefit voters at a cost they are willing to pay, and if the leader will survive their discontent if costs are high. However, this is not another "democratic peace" argument. As Doyle points out, even those who accept the argument that democratic states are less prone to use force against each other still need to explain why in these relations force is in fact used. (MARES, 2001, p. 4). (*free translation from Portuguese*)

In the light of the foregoing, it becomes clear that besides seeking to maintain peace by promoting the democratic regimes, the regional organizations concerned with maintaining peace must understand the relevance the strategic estimations of the domestic policy of the States have for their actions.

In other words, a simple analysis of the political regime prevailing in the States, even the democratic one, is not enough to allow us to affirm that they will implement their foreign policies in a peaceful way, or if they will adopt foreign policies of threats and use of force.

Anyhow, it can be concluded that the Theory of Democratic Peace (TPD) really furnishes powerful explanations to the study of the causes of conflicts in the region, once its focus is grounded on the analysis of the domestic policy of the States. In part, this study has confirmed TPD points of view, evidencing that in order to understand the causes of conflicts in South America, States must be observed through a magnifying glass, in an attempt to understand the national political processes, decision makers with influencing power, the wishes of voters and how the risks of the use of force may affect the political legitimacy of leaders. On the other hand, we have evidenced that the strategic estimations of leaders go much beyond just considering if the target of the use of force is or is not a democracy.

Hence, it must be emphasized that the leading argument presented in this study is that the process of region democratization faces limitations to its efforts to guarantee peace. While working on this paper we were able to understand from the extracts from Mares and Holsti presented above that when taking a violent course of action in the international scenario States go through a process of estimation of gains and cost. This type of action is encouraged if gains from violent action are higher than its cost. Mares says:

Disagreements between states are inherent to the very nature of sovereignty. The issue is not if the controversies between Latin American countries ceased to exist as a result of their democratization by the end of the Cold War; much to the contrary, the issue is if they ceased to use, or significantly reduced the use of military force in the international negotiations of these disputes (MARES, 2001, p. 40). *(free translation from Portuguese)*

Maybe, assurance of peace in the region should go beyond efforts for defense of democracy. a change to these estimations of the gains and costs of political bargain supported by military force is feasible by changing the incentives a State finds to resort to the use of force or even to threaten the use of force against other States in the region.

States should start to see the use of force, or just the threat to use it, as counterproductive and not as contributory to State policy. In this sense, by itself, the democratization of countries has been evidencing not to be enough to generate an effective change in the estimation of gains and cost to region States. In order to curtail the use of force, regional encouragement must go beyond that. The objective of this paper was not to propose solutions to this problem. However, the authors are convinced that showing that by itself the promotion of

democracy is unable to prevent the outbreak of conflict between democratic States sheds light on the issue, paving the way for others to focus on how peace may be furthered in the region.

Taking into consideration the limitations faced by the process of defense of democracy in its search for peace, it should be stressed that the role of the Additional Protocol on Commitment to Democracy in the UNASUR, certainly represents a significant institutional advancement towards the defense of democracy and peace in the region. Nonetheless, cases such as the democratic crisis in Paraguay show that the actions formally ensured by the Protocol are still far away from what can actually be done in moments of crisis.

Additionally, it was also evidenced that the idea that democracies do not wage war on each other is debatable, and this is why other means, besides the defense of democracy, should be sought to curtail the proliferation of cases of use of force between States in the region. Somehow, the strategic estimations of the States must be changed. By itself, the regional promotion of democracy has evidenced to lack the required strength to achieve this relevant objective.

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### Indication of Liability

*The concept of authorship adopted by Meira Mattos Collection is based on substantial contributions to each of the persons listed as authors, following the categories below:*  
 (1) Conception and Research Planning or Data interpretation;  
 (2) Composing;  
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