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Illicit Associations in the Global Political Economy: Courtesan Politics, Arms Trafficking and International Security

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ILLICIT ASSOCIATIONS IN THE GLOBAL POLITICAL ECONOMY:
COURTESAN POLITICS, ARMS TRAFFICKING AND INTERNATIONAL
SECURITY

By
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ILLICIT ASSOCIATIONS IN THE GLOBAL POLITICAL ECONOMY:
COURTESAN POLITICS, ARMS TRAFFICKING AND INTERNATIONAL SECURITY

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The accelerated trend of globalization has transformed the traditional role of the state. According to James Mittelman and Robert Johnston, the state is engaged in a courtesan role, which consists in shifting from serving citizens to acting as tacit partners in market relations, including with globally organized criminal groups. Building on the concept of the courtesan role of the state, this study addresses: (a) the general question of direct and indirect connections of states with illicit transactions in the post-Cold War, with a special attention to arms trafficking; (b) the reaction of the United States, as the remaining unique superpower, to the behavior of states associated with global illicit transactions, especially when involving security-sensitive cases such as arms transfer; (c) the security implications of this particular feature of the global illicit economy, particularly how threats are defined in international politics in the post-Cold War unipolar world. Focusing on the Argentina *venta de armas* case of illicit arms transfer to the Balkans and Ecuador in the 1990s, the research explores (a) the structural conditions and the domestic roots of a state engaged in illegal transactions in the post-Cold War; (b) the superpower’s reaction to policies involving illicit transactions; (c) the security consequences. Through these venues, the dissertation aims at refining the debate in IR
Theory to provide a better understanding of the international security dynamics in the post-Cold War.
To Valeria and Francisco, my beloved ones

To Juan Gabriel Tokatlian for his friendship

To Dr. Bruce Bagley for his wisdom and guidance

To Dr. Bill Smith and Dr. Felipe Agüero for all I have learned from them
TABLE OF CONTENTS

Chapter

1  Introduction: States, Illicit Transactions and International Security in the post-Cold War ...................................................... 1

2  Flirting with the Illicit Global Political Economy: Courtesan Politics and International Security ................................. 32

3  Security after the “Renaissance”: Arms Transfer from a “Reformation” Perspective ...................................................... 90

4  The Global Arms Bazaar and the Changing Patterns of International Control Policies ......................................................... 168

5  The Reluctant Controller: U.S. Domestic Gun Policies and their Global Impact ................................................................. 242

6  Venta de armas: A Case Study of an “Illicit Association” to Traffic Arms ................................................................. 346

7  Conclusion: Expanding the Courtesan Politics Framework –Some Considerations for the Refinement of IR Theory ................. 520

References .................................................................................................................................................................. 537
Chapter 1

INTRODUCTION: STATES, ILLICIT TRANSACTIONS AND INTERNATIONAL SECURITY IN THE POST-COLD WAR

On June 7, 2001, Argentina’s former president Carlos Saúl Menem (1989-1995 and 1995-1999) was accused of being the leader of an “illicit association” that smuggled arms to Croatia, Bosnia and Ecuador from 1991 to 1995, and placed under arrest. Menem’s Peronist followers protested the court’s decision arguing that a government cannot be an illicit association, prominent law specialists questioned the legal basis of the concept, and Menem’s defense argument cited his government’s commitment to a strategic perspective that validated the arms sale decision. Nonetheless, the judge in charge of the case sustained the prosecutors’ notion of the category of “illicit association” as one that could be applied without equating the state to a traditional mafia type organization. According to the judge, the presidential decrees that Menem issued to permit the arms sale to false final destinations, constituted sufficient proof of his knowledge about the illicit nature of the transaction, and hence formed a solid ground for his indictment. Consequently, the former President was charged also with “ideological falsification,” a juridical-technical term meaning that he issued the false decrees while conscious of their illegality. One hundred sixty seven days after his detention, however, Argentina’s Supreme Court, amidst strong suspicions of corporatist-clientelistic behavior and favoritism on behalf of the new Executive Power, annulled charges, releasing Menem and opening the way to the closing of the case without further trial.

The brief episode of Argentina’s former President’s arrest and the as yet unconcluded investigation of the arms sale case, popularized in the Argentine press as venta de armas (arms sale), suggest that obscure links existed between the state and an
international illicit transaction. Moreover, because it has no antecedents, the case is paradigmatic for a topic not sufficiently investigated in the field of international relations and security studies. However, the Argentine *venta de armas* case does not stand alone in the post-Cold War international relations. Peru’s former strongman, former president Alberto Fujimori’s (1990-2000) national security chief Vladimiro Montesinos, once described by the U.S. State Department as a “valued ally in the drug war,” has been arrested and trailed for broad corruption and criminal involvement, including assistance to selected drug enterprises, collecting some $10 billion dollars deposited in banks in the United States, Great Caiman, Mexico, Switzerland, Panama and Luxemburg. His fate was sealed by the end of 2000, when the Peruvian and international press revealed that Montesinos sold weapons bought from Jordan for the Peruvian military to the Colombian FARC (*Fuerzas Armadas Revolucionarias de Colombia*, Colombia’s Revolutionary Armed Forces) guerrilla group.

The Peruvian and Argentine cases represent many similarities: both Menem’s Argentina and Fujimori’s Peru were democracies; the governments of Menem and Fujimori implemented market reforms and were praised internationally for successfully overcoming the economic and inserting their countries in the global economy; Argentina established close relationship with the United States, the remaining superpower in the post-Cold War, and became an extra-NATO ally, and Washington, impressed by Fujimori’s success in defeating the Shining Path guerrilla, considered the Peruvian president a close ally in the war on drugs; yet, the elites in power in both countries were involved in widespread corruption scandals of which the presidents themselves were not immune; and, as it was revealed later, they used the state to engage in illicit transactions
in the global economy—from arms transfer, to drug trafficking and money laundering—for the sake of personal profit in terms of enrichment and power. Though Menem ended his second term mandate whereas Fujimori, after winning a controversial election for a third term mandate, had to seek refuge to Japan from where he resigned, they both left their countries in a fragile situation, with state institutions weakened further and unable to contain the social, economic and political crisis that stroke Peru and Argentina at the end of the 1990s.

Elite in power that uses the state for personal profit is not new in international politics. From the Shah of Iran to President Marcos of the Philippines and his wife Imelda, from President Mobutu of Zaire, Bokassa of the Central African Republic, Saddam Hussein of Iraq, the Suharto family in Indonesia, and even Fidel Castro, men in charge of running a country have made wide use of state institutions and their own power position for personal enrichment. Nor are new the illicit associations of state and non-state actors. All the above-mentioned leaders of countries, while stealing from their citizens, used tax heavens to secure their money. Indeed, tax evasion and money laundering are the most common associations of state actors and illicit transactions, and the Bolivian narcostate and Noriega’s Panama in the 1980s illustrate, among others, the extremes to which the ever-existing links between politics and criminality can reach.

The Argentine and Peruvian cases in the 1990s, however, bear some novel aspects that make them different from the previous ones, and, hence, worth of a special inquiry. To begin with, Argentina and Peru were democracies, hence the behavior of the government was supposed to be subject to democratic scrutiny and control mechanism. Second, the illicit associations that the Menem and Fujimori governments established
with non-state actors were formed in the conditions of global market expansion, which though not by itself a factor for an illicit association to take place, nonetheless facilitates the enterprise in two ways: first, by weakening state institutions, therefore making the control mechanism less efficient -when not paralyzed; and, second, by allowing the elite in power to use its global links and relations to justify or cover up its behavior. Third, the venta de armas and the Fujimori-Montesinos relations with the global criminal world happened in an international environment characterized by unipolarity; whereas during the Cold War the two superpowers prioritized the strategic alliance to overlook the abuses of power of their client states, and, with the same token, these latter used the systemic variable to maneuver in international politics, with the fall of the Soviet Union and the rise of the United States to the hegemonic position, Washington’s reaction to an illicit transaction depended much on what issues were considered a security threat on its agenda, and how were they projected internationally.

With these considerations in mind, this research will address: (a) the general question of direct and indirect connections of states with illicit transactions in the post-Cold War, with a special attention to arms trafficking; (b) the reaction of the United States, as the remaining unique superpower, to the behavior of states associated with global illicit transactions, especially when involving security-sensitive cases such as arms transfer; (c) the security implications of this particular feature of the global illicit economy, particularly how threats are defined in international politics in the post-Cold War unipolar world. Traditionally, strategic considerations explained states’ decisions in security-sensitive issues, even when illicit transactions were involved. In the post-Cold War, however, economic considerations became predominant even in decisions
concerning arms transfer. Whereas the systemic conditions of the process of globalization explains part of this change of priorities on states’ foreign policy agenda, only a proper analysis of the domestic factors can provide with a full understanding of how states react to international pressures. Hence, the decision to form an “illicit association” is proper to a state, whereas the process of globalization facilitates its implementation on the international level. The research, therefore, will explore (a) the structural conditions and the domestic roots of a state engaged in illegal transactions in the post-Cold War; (b) the superpower’s reaction to policies involving illicit transactions; (c) the security consequences. Through these venues, the research aims at refining IR theory concerning the post-Cold War international security, particularly the threats that have been characterized as “new” or “non-traditional.”

What international and domestic structural conditions allow illicit associations to take place between states and non-state actors? What distinguishes these associations from other similar connections in different international contexts? More specifically, why in the post-Cold War context of globalization illicit associations between state and non-state actors, including criminals, terrorists, and financial agents, are different from state involvement in illegal covert operations during the Cold War? What are the motivations of often popularly elected governments to engage the state in patterns disregarding the risks that these patterns involve for international and domestic security? What role does systemic transition and economic liberalization play in the process of the formation of an illicit association? What are the reasons of domestic and international tolerance for such association, and what are the limits to it? What implications does an illicit association have for democracy, as well as domestic and international stability? Does it have
continuity? Does it end? How? Can it resurrect at some point? How to create conditions, both domestic and international, to dismantle illicit associations and deter future temptations? Finally, why is arms trafficking almost always linked to an illicit association between state and non-state actors, and what are its implications for international security?

To find conceptual answers to these and similar questions, I explore and build on the concept of the “courtesan role” of the state (Mittelman 2000, chapter 11). I argue that though the explanatory power of the concept is not questioned from a political economy perspective, further inquiry is needed to understand the motivations and strategic calculations in international politics of the courtesan behavior. Particularly in arms transfer, a security-sensitive field, the strategic calculations are crucial to explain political decisions. Moreover, as the courtesan role of the state emerges with the globalization of organized crime, not all states evolve as “crime-exporting states” (Mittelman 2000, 217) under the pressure of the free market; some of them, clearly the Menem and Fujimori governments, deliberately flirt with agents of the global illicit economy for private profit and power while managing to maintain privileged relations with the dominant superpower. Hence, to explore the consequences of a state’s courtesan role in international politics and its security implications, I expand the original understanding of the concept to include two additional elements: the decision of the elite in power to engage in courtesan behavior, and the relationship with the hegemonic power.

“Courtesan politics,” therefore, in this research refers to the behavior of a state actor in, on the one hand, international politics, and, on the other, the global illicit economy. Accordingly, and especially when implying involvement in security-sensitive
issues such as arms transfer, courtesan politics assumes both the pursuit of private profit in illicit transactions, and strategic calculations in international politics. Thus, in the context of globalization and post-Cold War unipolarity, courtesan politics is revealed through: (a) the association of a state with non-state actors, who in arms transfer cases are gunrunners often linked with transnational criminal networks, especially money laundering and drug trafficking, and/or terrorism; and, (b) the relationship of the same state with the superpower the security policy of which defines the scope and priority of global threats.

My aim is to study the courtesan behavior of a state; possible reactions of the superpower to courtesan politics involving security-sensitive issues with a special focus on arms transfer; and explore the implications for international and domestic security, to later discuss the usefulness of the concept for the refinement of IR Theory.

In the remainder of this first chapter I first address the relevance of the research for international studies. Then I explore the existing literature and mark the loopholes, which allow me to define the missing link. The third section is dedicated to the context of the research; I define the intervening variables and formulate the hypotheses concerning the possible reactions of the superpower to courtesan politics. Next, I define the theoretical tools and the methodology of the research; I particularly show why the case study I have selected is relevant, and how the argument can be extended to other cases I explore. The fifth section, finally, briefly illustrates how I proceed in the elaboration of the concept; more specifically, it describes the organization of the study and its different chapters. I end this introductory chapter with concluding remarks about a preliminary
idea of the expected results and their relevance for further research in International Relations (IR) theory and security studies.

Section I. The Relevance of the Research

From the perspective of mainstream IR theory, strategic decisions are invoked to explain the behavior of a state in international politics, including involvements in illicit transactions. With the end of the Cold War and the acceleration of the process of globalization, much of this kind of explanation is questioned and judged as at least insufficient in providing a proper comprehension for the observed phenomenon. Accordingly, there are several gaps to be filled in IR theory. More narrowly relevant to decisions for arms transfer, while certainly true also during the Cold War, the economic factor in the 1990s has gained priority over the balance-of-power type strategic considerations which, hitherto, were the main argument for states to engage in relatively open or secret transactions of arms sales. The end of the bipolar confrontation, the pacification of conflicts in developing countries, the “peace dividend,” the emergence of a global arms bazaar where competition has become even harder following the shrinking demand, and large budget deficits imposing severe adjustments to government spending including in the defense field, are the factors that broadly explain the reason why economic considerations have gained priority in arms transfer decisions.

The priority of economic considerations, in turn, has made of the “national interest” an ever more confused notion. The decline of the consensus around what constitutes the national interest complicates the task of invoking it when explaining a state’s behavior in international politics and security issues. The increased relevance of other, non-state,
actors, as well as the erosion of the traditional understanding of sovereignty in the reshaping of global power relations, adds further complexity to the analysis. Globalization, finally, offers new opportunities for elites in power to use the state as a vehicle for rapid enrichment when able escaping the domestic mechanism of democratic control and maneuvering in the global division of labor and power (GdLP). This is particularly true for peripheral states and developing countries, where in the 1990s market reforms were introduced without the parallel strengthening of the democratic institutions and the checks-and-balances mechanisms.

It is in this context that the concept of courtesan politics becomes relevant to explain foreign policy behaviors of states involved in illicit transactions for the private profit of the elite in power. By focusing on courtesan politics in arms transfer cases this research aims to refine pertinent elements of IR theory. Expanding the original concept from the primarily world-systemic approach to include the domestic structure and the agency factor, it explores the domestic/international linkages and interactions, which have gained relevance in the process of globalization. Hypothesizing about possible reactions of the superpower to courtesan politics in security-sensitive issues, it opens a novel perspective for foreign and security policy analysis, where the greed factor and private profit considerations have received only occasional attention. Discussing, finally, the security consequences, it aims contributing critically to the post-Cold War debate in the field of security studies by emphasizing the importance of expanding the traditional – military- understanding of security from a social constructivist approach.
Section II. Review of the Existing Literature and the Missing Link

A brief review of the existing literature dealing with explications about state involvement in illicit transactions, particularly arms transfer, as well as the impact of this behavior on international security, reveals that (a) on the one hand, the post-Cold War revision of the theoretical approach to international security is by itself insufficient to explain the phenomenon, though by questioning the traditional state-centric assumption it opens up the possibility of new avenues of inquiry; and (b) the International Political Economy (IPE) perspective, on the other hand, fails to address properly the importance of inter-state strategic relations in the process of creating global norms to distinguish licit transactions from illicit ones, and, thus, defining transgressions that would constitute international security threats. In fact, most of the literature about the post-Cold War agenda of international relations dealing with illicit transactions, including arms smuggling, is fundamentally descriptive, focused on case studies, or offering analyses of different aspects of the phenomenon, without providing general theoretical overview of the issue.

Moreover, although the impact of globalization is not ignored, the literature does not specify how the changing role of the state and the opportunities for rapid enrichment through the abuse of state power impose the need for fresh looks to the issue of illicit transactions, an activity hitherto regarded as the domain of non-state actors, more precisely of transnational organized crime. Those texts that do address the role of the state emphasize either the structural conditions of the global economy, or the particular conditions of a government in a given case. The state as an enduring factor, and therefore an independent variable intervening in an international illicit transaction, is practically
ignored. Less are studied the possible international reactions to a state behavior implying
direct or indirect associations with actors in the global illicit economy.

Within this perspective of the research, three major bodies of international
relations and comparative politics literature are relevant as a starting point for major
progress towards a better comprehension of the relation between the role of the state in
illicit transactions and its impact on international security. The first body concerns the
role of the state as addressed in comparative politics and IPE. The second is the sub-field
of security studies and its evolution in IR theory. The third refers to the global illicit
economy, the emergence of transnational actors, and the changing pattern of international
arms transfer. As for the case study of this research, the literature so far existing consists
of press information and investigative work done by journalists. The reconstruction and
interpretation of the case, therefore, relies exclusively upon the field study and in-depth
interviews.

_The State in the Global Economy_. Behavioralists (Snyder, Bruck and Sapin
and Neomarxism (Cox 1987) have already challenged the vision of a world system of
international relations where the state is the only unitary actor as assumed in classical
Realism (Morgenthau 1948) and Neorealism (Waltz 1979). Still, international relations
are essentially a world of states. The state, therefore, needs to be conceptualized as an
independent variable intervening in global transactions. Comparative analysis, in this
sense, offers a wide range of literature highlighting the formation, as well as the structure
and the role of the state in politics. In fact, good part of comparative research has been
focused on this topic since the seminal work of Barrington Moore (1966), Samuel
Huntington (1968), and Charles Tilly (1975). Furthermore, the state gained particular interest in the 1980s with the renewal of historical-structural and institutional comparative analysis (Held 1983; Evans, Rueschemayer and Skocpol 1985; Downing 1992), at least in the developed (Western) world. This renewal coincided first with the spread of Third Wave democratization (Huntington 1991) then, with the end of the Cold War and the speeding of the process of globalization. While non-state actors –civil society, Non-Governmental Organizations, transnational criminal networks, etc.- received increasing attention in the 1990s (Risse-Kapen 1995), and while most of the former communist states, especially former Yugoslavia and Soviet republics, became independent with fragile, if not failing, public institutions, international relations and comparative politics literature focused once again on the state and its changing power. Notions of “loosing control” (Sassen 1996) or “the retreat of the state” (Strange 1998) referred to the predominance of global market forces beyond any control on behalf of state-actors, whereas for other analysts downplaying the state was simply misleading (Panitch 1996; Garrett 1998; Weiss 1998). Clearly, the concept of sovereignty, or at least its traditional understanding, had to be revised (Krasner 1999; Tokatlian 2000). In fact, terms used in the real world, such as “rogue state” and “failed state,” led to an intense debate among scholars about the conceptualization of the state as a social construct (Onuf 1989; Kubalkova, Onuf, Kowert 1998; Wendt 1999; Kubalkova 2001).

Post-Cold War Revisions of the Concept of Security. The extensive literature dealing with the revision of the concept of “security,” has reviewed the path traced by security studies since the end of World War II (Walt 1991), from several perspectives, ranging from theoretical attempts to redefine the concept within the mainstream IR theory
tradition (Buzan 1991), to the more radical perspective of Critical Theory (Krause, Williams 1997), which has introduced the vision of a globalized world where security threats are of a different nature from those that prevailed in the agenda from 1945 to 1991 (Klare, Chandrani 1998). Neoinstitutionalists and Neorealists readapted their initial views to the new realities either to describe the cooperative perspectives as the solution to new challenges (Gruber 2000; Kaul, Grunberg, Stern 1999; Schechter 1999; Hafterdon, Keohane, Wallander 1999) or to explain the still prevalent self-help behavior of the states (Kapstein, Mastanduno 1999). But, whether following the mainstream path (Chalk 2000) or adhering more closely to the Critical perspective (Lynn-Jones and Miller 1995), the focus on the new phenomena of extremism, violence and chaos provoked by terrorism, drug trade, piracy, environmental degradation, the spread of diseases and population flows (Freedman 1998) underscored the need for a new analytical framework (Buzan, Waever, Jaape 1998). Thus, a review of post-Cold War international security studies highlights fundamentally the prevalence of global threats that, basically, obscure the boundaries of the inside and outside context of domestic and international politics. It does not specify, however, the reasons why despite the fact that illicit transactions are widely perceived as a global danger, states so far have failed to show more determination in confronting the nature of illicit transactions, including arms trafficking.

Illicit Transactions, the State Power, and Patterns of Arms Transfer. Illicit global transactions, including arms smuggling, involve transnational criminal organizations about which a booming literature emerged during 1990s (Williams 1995; 1999; Shelley 1995; Pearce, Woodiwiss 1993; Lyman, Poter 1999; Reuter, Petrie 1999; Farer 1999; Naylor 2002). Transnational organized crime made its way directly on to the
international security agenda (Sullivan 1996; Manwaring 1998), but the threat it poses has been treated essentially within the field of economics (Fiorentini, Peltzman 1993). Drug trafficking and money laundering, two activities closely related to arms trafficking, occupy the core of this literature. The globalization of organized crime has to do with new kind of societal organization emerging within the global political economy (Ronfeld 1996) and affecting state power (Andreas, Richard 1999). States not only trace the borders between licit and illicit but they also violate them (Mills 1986) either for strategic reasons (Dale Scott, Marshall 1991) or for others more relevant to the global transformations within the IPE (Mittelman and Johnson 1999). As more specifically for arms transfer, political incentives have never been totally separated from the economic motivations. Thus, during the Cold War the logic of bipolar confrontation predominated, nonetheless the impact of the military-industrial complex on defining the arms transfer pattern was always important (Block 1999). In fact, arms trade, politics and economy have always been closely related (Pierre 1982; Higgs 1990). After the Cold War, the mechanisms of international control changed, and while the opportunity was there to strengthen them, new factors prevented a move towards major control and inter-state cooperation (Cornish 1996; Harkavi, Neuman 1994; Pearson 1994). The control of international arms transfer has loosened, especially for the category of armaments labeled as “light weapons” (Pierre 1997), which is all the more surprising, given that these are the ideal tools for the kinds of conflicts that spread after the end of Cold War (Olson 1995; Kaldor 1999; Rich 1999). It is the proliferation of light weapons (Klare, Boutwell 1999) that brings arms trafficking at the center of attention (Lumpe 2000) as a phenomenon closely related to the global illicit economy and state power. Precisely because the
literature about new arms-transfer patterns remains mostly at the fact-finding and descriptive level, a broader theoretical framework for investigating the behavior of states, the role of non-state actors, as well as the links between them, is needed. Such a framework will contextualize illicit transactions within the global political economy and post-Cold War transformations of state power.

States got involved in illicit arms transfers for a mixture of both strategic considerations and other ones more relevant to IPE matters. During the Cold War, the strategic reasons, or justifications, prevailed. For the post-Cold War period other factors, both domestic and international, seem to weight more. However, the puzzle is whether these violations are of political nature, or do they aim at private profits that end up affecting the public good and, therefore, harm the national interest. Moreover, it is necessary to look for the reasons for the reluctance of states to securitize the trafficking of certain types of arms despite increasing public pressure from the international civil society. To address these questions, which have not been well-posed, let alone convincingly answered, further inquiry is needed about both the structure of the global political economy and the agencies -state and non-state actors- involved in the process of arms transfer.

Section III. Concepts, Variables and Hypotheses

This research deals with the international context of the post-Cold War period, characterized fundamentally by the acceleration of the process of globalization that affects both state power and the logic of state behavior. Furthermore, it is primarily concerned with the illicit transfer of conventional armament, with a special emphasis on a
category labeled “small arms” or “light weapons” that emerged on the global security agenda in the post-Cold War, for reasons that I explain below and detail furthermore in the chapter dealing with the politics of international arms transfer. Yet, the study does not overrule completely the possibility to expand the analytical framework to the transfer of strategic weapons. The research aims at studying the possible reactions of the world’s unique superpower to states involved in arms trafficking, with the perspective of conceptually refining the security impact of a courtesan behavior.

The argument to focus on conventional weapons, especially small arms, trafficking and the courtesan role of the state goes as follows:

a) In the international context of the post-Cold War, the demand for weapons is generated by inter-state, as well as intra-state conflicts, which are sometime labeled as “new” wars or “conflicts of fourth generation”, and in which a wide range of non-state actors intervene. These wars are fought primarily with conventional weapons, especially small arms, the demand of which often cannot be satisfied by legal supply as a result of international restrictions. The Cold War, on the other hand, has left an excess of production of weapons that when unable to find legal markets are illicitly channeled to fulfill any demand. The principal actor intervening in arms trafficking is the dealer, historically known as “death merchant.” It is an actor that almost always intervened in arms transfer transactions between states as a legal broker. However, within the process of globalization its role has become crucial and, what is more important, less restricted by state control. Moreover, the way in which arms
trafficking is carried on in the global world makes it no different from any other transaction of transnational organized crime.

b) But neither demand, nor availability of weapons, not even the mere intervention of transnational organized crime in arms transfers, necessarily lead to successful trafficking. Whenever it occurs, arms smuggling indicates state failure to control the process of arms transfer. That failure could be due to lack of intelligence, ability, or willingness; but in some cases it can be attributed to illicit complicity. Moreover, some states, eager to sell their excess production at any cost, often channel the supply of weapons through global arms dealers. The prime concern for such behavior is economic, not strategic in the sense of the relevance of the transaction for the supply-state’s security policy; hence the characterization of the state as a “courtesan.”

c) Arguably, a courtesan behavior could still be justified in the name of the national interest either for a domestic policy aim, or a foreign policy one. However, a courtesan behavior often reveals the pursuit of private profit. Moreover, the justification of a political decision involving the state in an illicit transaction with the strategic aims that such a decision implies, along with the personal profit gained through the same transaction, are almost always mixed in a courtesan behavior; hence, the analytical importance of both the global context within which are defined and executed policies of courtesan characteristics, and the domestic context including state agencies, institutional settings and societal actors.
d) Whenever it occurs, the courtesan behavior of a state involved in arms trafficking needs to consider the risk factor that such an enterprise implies due to the security dimension inherent to it. The study of courtesan politics, therefore, includes necessarily foreign policy analysis, which, in the context of the post-Cold War unipolar international politics, needs primarily to focus on the relations of the courtesan state with the dominant superpower as the main actor in shaping the norms of international security and their enforcement.

e) With the same token, the reaction of the superpower to courtesan politics becomes an indicator of the consequences of such behavior. But, as by definition the courtesan state is not a priori a source of threat, the security implications of courtesan politics on both international and domestic levels are only indirectly tied to the consequences of the superpower’s reaction.

f) What, nonetheless, ultimately matters is the impact of courtesan politics on domestic institutions and the ethics of responsibility in foreign and security policy, and its global implications for democratic governance.

Based upon these definitions of concepts crucial for the research, the independent variable is formulated as “courtesan politics” that implies the involvement of a state, usually peripheral, in an illicit transaction in the global political economy, and the special relationship of the same with the dominant superpower. There are two conditioning variables. The first one is the “global context” of free-market expansion and post-Cold War unipolar world, which facilitates the courtesan role of the state. The second is the
“domestic structure,” characterized by an elite in power that decides to engage in courtesan behavior for power and profit, and institutions that are unable to exercise control over the decision-making process. The intervening variable is the “illicit transaction” on an international level in which the courtesan state is involved. The dependent variable is the “superpower’s reaction” to courtesan politics. It is conditioned by the variables “functionality” of the courtesan politics, and the “level of the securitization of the illicit transaction as a threat” on the superpower’s foreign and security agenda. For the purpose of this research the study variables are both courtesan politics and the illicit transaction. The first study variable indicates the object of the inquiry and the second addresses the broader issue of how threats are defined in international politics in the post-Cold War. The superpower’s reaction to courtesan politics depends on how closer the illicit transaction gets to a threat on its security agenda. As for the consequences of courtesan politics, they are only partially tied to superpower’s reaction. Yet their impact on security and democratic governance is deeper than what the superpower’s reaction suggests.

These variables define the prime, explanatory and research hypotheses of the study (Van Evera 1997, 11-12).

Prime Hypothesis: “Courtesan politics is defined as the behavior of a state, usually peripheral, engaged in an illicit transaction in the global political economy for the private profit of the ruling elite, while simultaneously establishing close, even special, relations with the dominant superpower.”

Explanatory Hypothesis: “The courtesan role of the state emerged as a globalizing tendency in the GDLP in the context of free-market expansion and transnationalization of
organized crime. It reflects the transformation of the traditional role of authoritative allocation of values of the state to tacit partnership in market relations, including illicit transactions. Especially for developing countries with weak institutions, the courtesan role of the state provides new opportunities for private profit for those who hold key functions in the government. Courtesan politics, hence, implies the engagement of the elite in power in global illicit transactions for private profit. But, as the courtesan behavior could make of the state a crime-exporting agency in the GDLP, therefore a security threat risking sanctions, courtesan politics implies also the careful management of international relations, especially with the dominant superpower.”

Research Hypothesis: “While not characterized a priori as a security-threat in the post-Cold War unipolar politics as is a “rogue” or a “failed” state, a state engaged in courtesan politics risks the reaction of the dominant superpower. The reaction, however, varies according to the functionality of the courtesan politics for the superpower’s foreign and security policy, and the threat level of the illicit transaction on its agenda. Accordingly, four situations could present: (a) if the functionality of the courtesan politics is higher than the level of the securitization of the illicit transaction on the superpower’s foreign and security agenda, then the behavior is promoted; (b) if the functionality of the courtesan politics and the level of the securitization of the illicit transaction are both low, then the behavior is tolerated; (c) if the functionality of the courtesan politics is lower than the level of the securitization level of the illicit transaction, then the behavior is sanctioned; (d) finally, if the functionality of courtesan politics and the security threat of the illicit transaction are both high, then the behavior generates a “securitization dilemma” for the superpower.”
The following frame illustrates the outcomes of superpower’s reaction of courtesan politics:

<table>
<thead>
<tr>
<th>Functionality of courtesan politics</th>
<th>High</th>
<th>Promoted</th>
<th>Securitization Dilemma</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>Tolerated</td>
<td>Sanctioned</td>
<td></td>
</tr>
<tr>
<td>Low</td>
<td>Low</td>
<td>High</td>
<td></td>
</tr>
</tbody>
</table>

Level of securitization of the illicit transaction

Section IV. Methodology: Focusing On the U.S. Reaction to Arms Trafficking

To test the research hypothesis, I focus on Washington’s reaction to courtesan politics involving security-sensitive illicit transactions, and most precisely arms and military technology transfer in the post-Cold War. I use arms trafficking from Argentina to Croatia and Ecuador as my main case study providing solid empirical proof to the hypothesis. I also discuss arms trafficking from Peru to Colombia, as well as Pakistan’s role in the transfer of nuclear technology to North Korea and Iran to see if the United States reaction. I do not pretend to make of these latter cases strong proofs as I sustain for the first one; yet I formulate an argument for possible research projects and further field studies. Washington’s reaction to a particular type of illicit transaction –arms and military technology transfer- is both a hypothesis generating and deviant case study that will chart a way to make progress in the theory-building process (Lijphart 1971, 691) in IR. The Argentine venta de armas case provides enough empirical proofs to sustain the first two outcomes of the research hypothesis. Montesinos’ involvement in arms trafficking to the Colombian leftist guerrilla also suggests empirical proofs to argue about the third
outcome. However, while conducting this research, Peru’s former strong man’s trial was still going on, a fact that has left the case without at least one empirical proof used for the study of the *venta de armas* case. Pakistan’s case, finally, generates the need to further refine the prime hypothesis, especially the assumption of the private profit aim of courtesan politics, mainly because of the lack of empirical proofs. The “securitization dilemma” that the Pakistani situation generated for U.S. policy, however, is analytically sustainable. Furthermore, as the case involves transfer of nuclear technology, a highly securitized issue on the U.S. foreign policy agenda, it might expand and strengthen the concept of courtesan politics.

In particular, the following five categories of the case study criteria (Van Evera 1997, 77-78) make the Argentine *venta de armas*, and, to a good extent, the Peruvian state’s involvement in arms smuggling to the FARC guerilla, particularly useful for the study of courtesan politics and the U.S. reaction.

(a) *Data richness.* Arms transfer transactions, especially when involving illicitness, are generally bounded with secrecy with respect to state involvement, evoking the well-known justification of “Raison d’Etat.” Because of the lawsuit, the *venta de armas* case allows serious questioning about the conventional wisdom for explaining state involvement in arms transfer in general and illicit transactions in particular. The documented testimonies, prosecutors’ accusation, defense’s arguments, judge’s conceptualization, the rich debate that first the journalistic investigation and then the case itself opened, and even the Supreme Court’s decision to annul the charges against the former
President, constitute valuable data for the research. In addition to press reports, former gunrunners testimony and the Jordanian public declarations left little doubt about Montesinos’ role in arms transfer from Peru to the FARC, albeit the case lacks the final decision of the court.

(b) *Extreme values of the variables.* Had the arms demand from Croatia and Ecuador (independent variable) not faced international legal constrains against Argentina’s selling them arms, in the first case because of the UN embargo and in the second instance because of Argentina’s status as one of the guarantors of the 1942 Rio Protocol between Peru and Ecuador, the Menem government would not have needed to get involved in an illicit transaction. Similarly, Washington had targeted the FARC as a narcoguerrilla group, whereas Peru was considered a valuable ally in Washington’s “war on drugs;” hence, transferring arms to them was clearly an illicit transaction.

(c) *Divergence of predictions made of the case by competing theories.* Based on Argentina’s former President’s defense argument, the *venta de armas* case could be explained from the mainstream IR theory perspective within the logic of a rational strategy of foreign policy of special relations with the United States adopted by the Menem government. And yet the case study permits challenging this conventional wisdom explanation and the predictive framework it suggests by disconnecting reasons of the state involvement from the strategic argument. As for Peru, Montesinos tried unsuccessfully to
disconnect himself from the operation and put the blame on the Jordanians knowing well that no strategic argument about arms sales to the Colombian guerrilla could be sustained.

(d) ** Appropriateness for controlled comparison with other cases.** The *venta de armas* can be compared to Argentina’s 1976-83 military government’s involvement in the training and equipment process of the Contras in Central America, as well as the support it gave to the Bolivian “narcocoup” in early 1980s. The Peruvian case bears similarities of Mexico’s Carlos Salinas de Gortari’s brother’s involvement in illicit transactions, including, as investigated and reported by the press, drug trafficking. All these comparisons help to highlight the particular characteristics of courtesan politics and the way it differs from other illicit transactions including state involvement for different reasons, aims, and in different political contexts.

(e) **Outlier case.** While there is little doubt that the Menem government was involved in the *venta de armas* case, Montesinos stood behind the arms smuggling to the FARC, and Pakistan transferred nuclear technology to North Korea, less is known about the U.S. reaction for each of these situations. The explanation and analysis of this reaction is to be revealed by the research.

The study of U.S. reaction to arms trafficking and military technology transfer patterns is of particular interest for the field of security studies where the issue has so far been explored mostly from a descriptive perspective. Moreover, after exploring the
advanced hypotheses based on the case study, the research will also address, albeit indirectly and without making out of the issues extensive case studies, the security implications of other types of illicit transactions, including drugs, human trafficking, financial frauds, etc. to test the validity of the hypothesis for IR theory-refinement purposes.

The research, hence, is primarily concerned with international relations, more particularly security studies, foreign policy analysis and international political economy. My theoretical approach combines the structural perspective with social constructivism and critical security studies. It aims to provide a conceptual input to the efforts of expanding the scope of security studies without damaging the intellectual coherence of the field. Yet, as an important aspect of the object of my inquiry deals with domestic structures, I incorporate comparative methods and conceptual analysis as complementary to the IR theory perspective. Moreover, it is the domestic/international interplay that I want to highlight in this research, an initiative that inevitably invites to a broad use and combination of different analytical methods and theoretical approaches.

Finally, as foreign policy analysis, it involves an ethical dimension, which, as mentioned before, points to the responsibility of the state in the decision-making process and the ability of democratic governance to control actions with harmful consequences for the country in general. If the invitation to consider the negative impact of personal greed involved in a government’s decision-making process is the obvious outcome of the ethical dimension of the conclusions of this research, no less important is the need for a tighter international control on any category of arms transfer.
Section V. Research Design and Main Chapters

The research proceeds along three main avenues of exploration.

The first avenue is the theoretical review of the transformation of the state power in the global political economy, international security and arms trafficking. The research is based primarily on a structural approach, with, however, a special attention to the agent/structure problème. It explores the core of IR theory, IPE, and comparative politics literature, to determine the extent and limitations of their usefulness to explain the transformation of state power. It, moreover, elaborates the missing link of the change in state power and the setting of the rules in securitization trends in the Age of Globalization.

Within this first avenue of exploration, chapter two provides the conceptual analysis of “courtesan politics.” I start by two of the most common state conceptualizations in the post-Cold War, the “rogue state” and the “failing state,” as international security threat or concern. Then I explore the term of the courtesan role of the state as proposed by Mittelman. While considering it a solid departure from an IPE perspective to analyze the GDLP in the post-Cold War, I underline the need to further explore it within the context of the power relations of unipolar politics. To do this, I focus on power asymmetries, changes of the understanding of sovereignty, new agencies and roles in the process of globalization, as well as issues of democratic governance. My analysis leads to a broader conceptualization of courtesan politics as an explanatory tool of state involvement in illicit transactions, including arms transfers.

To fully understand why some illicit transactions, including trafficking of given types of arms, are ignored as a security threat, we need first a broader inquiry about the
changes of the concept of “security.” In chapter three I explore how the concept of “security” has been understood and practiced in international politics. I conclude with an endorsement of the securitization framework defined according to the constructivist approach, without, however, neglecting the internal coherence of the field of security studies. I illustrate my view by applying the framework to compare the U.S. policy on drugs and arms. A securitization approach allows a better understanding the dynamics of U.S. reactions to different courtesan behaviors.

Chapter four and five analyze the trend of securitization of arms transfer in the 1990s. Starting from a historical perspective of arms control, I combine the constructivist approach with the domestic/international linkage to highlight the ways arms transfer is conceptualized as an international security threat. I particularly underline why the U.S. position has been crucial in defining what kind of arms constitute a global threat, and therefore, should be a referent object in the post-Cold War international securitization of arms transfer. I show that while the U.S. supported a universal norms approach to tighten the control on the transfer of weapons of mass destruction (WMD), it was reluctant to expand the arms control agenda to conventional weapons, and opposed to any securitization of small arms and light weapons (SALW), for which a global societal demand rose in the 1990s. I explain that the U.S. position, which best could be characterized as the reassertion of national sovereignty, is understood by the domestic/international interplay in the national context of the U.S. political structure and the international context of the rise of the U.S. to world hegemony. I conclude that the lack of political willingness to tighten the control on arms transfer has created appropriate conditions for peripheral states, usually, but not only, former producers of arms under the
pressure of marketing their excess of production, to seize the opportunity to get involved in illicit arms transfer operations, for complex reasons of power and personal profit.

The second instance of the research is the empirical asserting of my research hypothesis. In chapter six I study extensively the U.S. reaction to Argentina’s arms transfer to Croatia and Ecuador through the reconstruction of the *venta de armas* case. I show that the case illustrates the “promoted” and “tolerated” reactions to a courtesan behavior. In the next chapter I focus on Montesino’s role in arms trafficking from Peru to Colombia, which lead the U.S. to “sanction” a regime that was considered an ally. Finally, in the same chapter, I introduce the concept of “securitization dilemma” through the malaise in U.S.-Pakistani relations after the press made public the role of Pakistan’s main nuclear scientist in providing North Korea with the proper technology to make nuclear arms.

In all the three cases, it is the *venta de armas* that provides the strongest empirical proofs for the research hypothesis, because it implied a court case, and, hence, made available primary and secondary documents that illustrate the existence of an “illicit association” between a state and non-state actors. This is why my main focus is the Argentine case, which is much more elaborated through the analysis of primary documents, field research and in-depth interviews. It should be noted that the *venta de armas* court case focuses on the concept from a legal perspective, and the debate it generated remained circumscribed within the controversies that the judicial approach to the concept of “illicit association” applied to a government provoked. This research, however, is not concerned with the judicial outcome, nor pretends to investigate the case to determine responsibilities. The legal-conceptual discussion with regards to the term of
“illicit association,” though very much part of the debate, is not the concern of this study. For the purpose of this research it serves only as a starting point to investigate the validity of the term for international politics and IR theory.

The journalistic investigation of the case, testimonies as well as the decisions of the tribunal that were made public are key pieces of evidence for formulating the questions leading to the confirmation of the research hypothesis. Along with the empirical data, in depth interviews with journalists who investigated the case, with specialists in Argentine and international law, and with experts in Argentina’s domestic and foreign policy are used for the analysis of the case. The scarce literature published so far treating the issue either directly (Santoro 1998; 2001) or indirectly (Oppenheimer 2001; Naylor 2001; Lake 2001) will also be used as support bibliography for the reconstruction of the case.

Based upon the existing documents and literature, I describe the different episodes of the venta de armas scandal, focusing the importance of it as a case taken to the court, and, therefore, establishing an antecedent. The different aspects of the debate that followed in Argentina the incarceration and the release of former president Menem, as well as the international repercussion, provide the conceptual elements to discuss the “illicit association” from a social science perspective. Of particular attention is the Argentine-U.S. relationship in the immediate post-Cold War international context, as well as the liberalization of the Argentine economy.

The third venue of exploration consists in determining whether the hypothesis could be generalized to include courtesan politics in other cases, as well as if it could be expanded to issues other than arms trafficking. It consists also in seeing whether the courtesan role of the state is particular to the post-Cold War decade of transition, or it is
valid also in the post-September 11 context of international relations. It, finally, involve a theoretical discussion about the input of the concept to the refinement of the IR field. I deal with these issues in chapter seven, which is also the chapter where I offer my conclusions about the usefulness of the concept of “courtesan politics” by comparing it to behaviors proper to other historical context. What differentiates a state behaving as a courtesan from the former Cold War era client, or proxy, states? What differentiates the courtesan behavior from common corruption? When is that a state involved in a global illicit transaction is not necessarily behaving as a courtesan? Is courtesan politics avoidable, or is it inherent to the unipolar structure of the post-Cold War world? Is the failure or the collapse of a state an inevitable consequence of courtesan politics, or the behavior finds structural conditions to assure continuity after the collapse? What domestic and international political suggestions follow this analysis? Could policymakers be interested in dealing with courtesan politics? How could the risk courtesan politics represents for international security and stability become under consideration? These are some of the questions that the conclusion of the study tries to answer. For that, I try to briefly expand the framework of courtesan politics to the Peruvian and Pakistani cases explained above, as well as formulate arguments about courtesan dynamics in drug politics, Islamic fundamentalism and other issues.

Concluding Remarks

By proving the validity of the research hypothesis and by expanding the term of courtesan politics to embrace different security-related issues, the research suggest that the concept is particularly useful for the elaboration of a theoretical framework for
the securitization of the post-Cold War arms transfer pattern in the global political economy. That framework, as the conclusion suggests, should rely on what Ikenberry calls “the analytical approach,” and incorporate the theoretical concepts in an integrated form (Ikenberry 1999, 9) to utilize their maximum explanatory and predictive power. Such a framework, moreover, could bring further progress to IR theory and security studies, especially what concerns the transformation of state power in the global political economy and its relation with illicit transactions. Nonetheless, it also aspires to assist in reforming policy-designs by arguing for more transparent and practicable international control to arms transfer, and by exploring ways of making states more accountable for their foreign policy behavior.
Chapter 2

FLIRTING WITH THE ILLICIT GLOBAL ECONOMY: COURTESAN POLITICS AND INTERNATIONAL SECURITY

Neither impotent puppets nor cynical accomplices, the political elites can appear henceforth in the plenitude of their strategic accomplishments. These cannot be appreciated in economic terms, but rather as a function of a history and sociology that separate them from the domain of economics. Their initiatives must, then, be understood in a double sociopolitical context. On the one hand, these initiatives have their own national context, composed of a segmented social order, vertical relations, and a political scene the elites claim to monopolize and control without competition but which is, in fact, structured according to cultural and institutional models that isolate them from society. On the other hand, there is the international environment, which controls the sources of internal finances in these societies, but which also determines the rules of interstate interaction, international norms, international influences, diplomatic orientations, and, therefore, the conditions of access to the international scene. Faced with this double constraint, strategic convergence occur: separated from internal social spaces and challenged in their legitimacy, these elites are well advised to invest in the international scene and to seek patronage from the Northern princes, from whom they can thus obtain protection and resources that will permit them subsequently to reinforce their positions in the center of their own society. But, reciprocally, this clientelist strategy encourages them to systematize their patrimonial practices.

Bertrand Badie, The Imported State

The changing landscape of international politics after the end of the Cold War produced new conceptualizations of states that are perceived as threats to the national security of the United States, the remaining and only superpower, and the world order. The most common of these conceptualizations is the term “rogue state,” which was adopted in the official security lexicon of the Clinton administration in the 1990s. After a

brief decline of its use by the end of the last decade of the twentieth century, the concept of “rogue state” made a strong comeback with the global war on terrorism (WOT) that the Bush administration declared in the aftermath of the September 11, 2001 terrorist attacks. Yet, it is not the only term that characterizes and explains the trend of United States’ Grand Strategy in a unipolar world. With the prospects of “humanitarian intervention” becoming a leading issue in Washington’s international agenda after the American involvement in Somalia (1992), Haiti (1994), and, albeit more controversially, the former Yugoslavia (Bosnia in 1992 and Kossovo in 1999), the concept of “failed state” was installed in the political and academic debate.

Both terms could be seen as instrumental for the increasing American new interventionism, which began to take shape in the 1980s and met its “defining moment” with the disintegration of the Soviet Union.

U.S. policy makers began to wrestle with an array of problems that were individually less severe than the threat posed by the USSR but collectively no less vexing. The military situation changed drastically as well. U.S. military power reigned supreme, and the risk that a limited military intervention in a third nation could escalate into a global confrontation quickly faded. (Blechman and Coffman Wittes 1999, 10-11)

Thus, after the Cold War, and in a predominantly unipolar world, the behavior of a state, not only its power capabilities or ideological orientation, became a major security concern for the United States. However, whereas the Cold War strategy of Containment enjoyed a bipartisan consensus in Congress, conceptualizing a state behavior as a threat proved to be more problematic for the making of the U.S. post-Cold War foreign and security policy. With the American military predominance, and in the absence of any real challenge to its hegemony for the foreseeable future, it became increasingly difficult for policymakers in Washington to agree in turn of a concrete external threat associated with
an enemy or rival state the way Communism and the Soviet Union were during the Cold War. Hence, the absence of the external threat gave to the domestic factors primary importance in the process of setting the political agenda, making the famous dictum of ‘all politics is local’ also true in the field of security.

Though by the end of the 1990s, and more clearly in the aftermath of September 11, 2001, it increasingly became obvious that a new Grand Strategy aiming at the perpetuation of the only superpower position of the United States has indeed emerged, the prevalence of the domestic in the making of foreign and security agenda did not change much. The asymmetrical nature of conflict (Roger 2001) and the flexible and non-enduring character of military alliances (Tertrais 2004) within the abstract notion of the WOT do not help much in narrowing the space for the divergent domestic interests to intervene in the decision-making process for security-related issues.

This prevalence of domestic factors has its analytical implications for the international relations, in what rule-oriented Constructivism conceives as a “substantive problem,” namely “the way people claim for themselves, and confer on others, identity as agents.” (Kowert 2001, 268) Yet, while it is true that “sociocultural constructions are themselves intrinsic to judgments about threat and capability,” (Kowert 2001, 273) and that identity categories of enemy, rival, and friend -to use Alexander Wendt’s Constructivist perspective (1999)- are vital for the analysis of the new international security landscape, identity politics is at least incomplete for a broader picture and a more efficient use of state conceptualization as a source of threat and instability. For one thing, other approaches, not so reluctant in judging matters such as threat or capabilities being primarily material rather than cultural and ideational, allow identifying sources of
potential threats to the global stability, which are not in predominant official discourses and yet crucial for international politics in the Age of Globalization. ²

This chapter uses Robert Cox’s New Realism critical approach to international politics (1997) to analyze a potential source of international instability that is completely ignored by the U.S. – or any other state- foreign policy makers, and, so far, has been used in just one essay, which later became a chapter of a book. I refer to the “courtesan state,” defined primarily by James H. Mittelman and Robert Johnson (1999), and the “courtesan role of the state” (Mittelman 2000, chapter 11). There is, of course, a conceptual difference between a “state” and a “role.” Whereas the first refers to a deeper, structural, phenomenon, a “role” might be understood as a particular behavior, where the analytical focus is more on agency than structure. This difference is not clear in the original conceptualization of the phenomenon to which the label “courtesan” refers. Moreover, as I will show, there still is a pending debate about the grade to which the power of the state has been changed. Hence, whether the process of globalization has indeed created a “courtesan state” or has simply modified the “role” of the state is by itself a research question.

Yet, while mentioning the existence of this pending debate and underlining its basic arguments, it is not the aim of this research to undertake a deeper inquiry of the same. Rather, I assume Mittelman’s original argument about the “courtesan role of the state” to see its impact on security issues. For that purpose, however, I expand

² The concept of Age of Globalization is used to characterize the aftermath of the post-Cold War. Though September 11, 2001 marks the dramatic end of the post-Cold War period, scholars like Bruce M. Bagley had already given use to of Age of Globalization as a defining concept of international politics after the end of bipolarity.
Mittelman’s concept thought as an aspect of the new global division of labor and power (GDLP) by inquiring deeper into (a) the agency problem, including the decision to assume a courtesan role and the domestic structure, and (b) the relationship with the superpower. As these two fields of inquiry reflect the political aspect of the courtesan role of the state, I characterize an expanded argument of Mittelman’s concept as “courtesan politics.” I sustain that the consequences “courtesan politics” for the post-Cold War international security environment are far more complex than the “crime-exporting state” and “law enforcement-exporting state” schema proposed by Mittelman. It is in this sense that my research refines the conceptual debate in post-Cold War security studies.

Put in a very simple manner, the courtesan role of the state emerges as a result of the process of globalization and the transformation of the state power. It is, more precisely, an analytical concept useful to frame certain states’ links with the global illicit economy. In my conceptualization of courtesan politics, I deepen the meaning of the courtesan role not only with respect to the links of a state with transnational organized crime, but also as a fundamental aspect of the power struggle that characterizes inter-state relations in the Age of Globalization. Courtesan politics, therefore, should be understood as the behavior of a state through its double link with other legitimate state actors, mainly the global superpower, in international politics, and non-state global actors of the illicit economy. For that, I sustain, it is crucial to study the transformation of the state power in the periphery as a consequence of the post-Cold War structural change and domestic factors related to imperfect, or “delegative,” democracies (O’Donnell 1999), politics shaped through the First Image (Byman and Pollack 2001) and the syndrome of the weak state (Krasner 1978) reconsidered in the global world (Bagley 2001). The theoretical
elaboration of courtesan politics, therefore, needs a broader emphasis on the global transformations of world politics (Held and McGrew 2000; Clark 1999), involving the discussion about state sovereignty (Krasner 1999a; Tokatlian 2000), and its relational nature in the periphery (Tokatlian and Russell 2001; Borón 1999), along with questions of legitimacy and state power (Andreas 2000; Andreas and Friman 1999) redefined.

The first section of the chapter focuses the rogue state in its historical context, and underlines the two interconnected threats that U.S. policy makers perceived when elaborating it. I end up the discussion of the first section with critical considerations about the use of the rogue state in the making of the U.S. foreign policy and its impact in international relations. The second section analyzes the failing state. I examine the reasons why U.S. policy makers became interested in including it in their foreign agenda by the end of the 1990s and why that momentum was abandoned by the Bush administration. The third section refers to courtesan politics. I quote widely Mittelman and make the remarks I consider appropriate for further elaboration of the concept. I next define courtesan politics in a theoretical framework. In my concluding remarks I explain how the concept is useful for analysts and policy makers in understanding a fundamental source of global instability after the end of Cold War.

Section I. The Evil: The Rogue State and the Combined Threat of WMD and Terrorism

This section addresses the concept of ‘rogue state.’ I describe how and why it was formulated during the Clinton administration and made its way to the Bush administration. Then I explain why it will stay as a key concept in U.S. foreign policy
making. A more close look to the analytical value, as well as the uses and misuses of it will lead to my first preliminary conclusion of the essay: the ‘rogue state’ concept will characterize the post-September 11, 2001 U.S. Grand Strategy, however analytically it is more useful for the understanding of U.S. foreign-policy making and inter-state power struggle in classical security complexes, than as an objective perspective of international security threats. In fact, because it potentially exacerbate international power struggle, the use of the rogue state concept for interventionist purposes might increase global instability.

Born with the Clinton administration...

Although already in use in the 1980s, the term “rogue state” was adopted in the official security lexicon of the Clinton administration to both designate a threat to the United States national security and a destabilizing factor of the world order. Initially, and as an immediate consequence of the 1991 Gulf War, it was the fear of an uncontrolled proliferation of weapons of mass destruction (WMD) and the rise of the “weapons state” (Mutimer 2000) that constitute the main argument. The threat became even more credible in August of 1998, when North Korea tested the three-stage Taepodong-1 missile over Japan, shortly after the release of the “Rumsfeld commission report, which suggested that the missile threat was much greater than previously estimated.” (Eland and Lee 2001, 2) The 1993 World Trade Center and the 1995 Oklahoma City bombings brought the vulnerability of the U.S. homeland to terrorism into sharp relief, and made of the issue of terrorism a domestic concern (Donohue and Kayyem 2001). The 1998 bombing of the U.S. embassies in Kenya and Tanzania and the 2000 attack on the U.S. destroyer Cole in a Yemeni port, where 17 American sailors were killed and 39 wounded, were attributed
to Muslim fundamentalist terrorists believed to operate globally from states that harbor them. Terrorism sponsoring states, therefore, were as much a threat as were terrorist organizations and labeled as rogues.

In June 2000, however, the Clinton administration officially replaced the concept by that of “states of concern.” The failure of finding a standing of in international law of an American political concept, the political costs that it implied with allies when Washington tried to apply extraterritorial sanctions against foreign firms doing business with rogue states, and the limitations that it imposed on strategic flexibility once countries publicly declared as “rogues”, having undergone domestic changes, also abandoned their threatening behavior, explain the abandonment of the extensive use of the term (Litwak 2001).

**Alive with the Bush administration…**

During the 2000 presidential campaign, despite the Republican candidate George W. Bush’s continued use of the rogue state term to refer to North Korea, Iran and Iraq, the then adviser to George W. Bush and future Secretary of State Collin Powell expressed his discomfort with the concept showing a clear inclination toward the disparate group of states and the need to build multilateral support for U.S. policies.

But there have also been contrary indicators of change in the new Bush administration. Thus, despite the view expressed by Secretary Powell, some Bush administration officials continue to use the term rogue state in relation to national missile defense, but without specifying which particular states they have in mind. (Litwak 2001, 392)

**The rogue state is here to stay.**

After the September 11, 2001 terrorist attacks against the Twin Towers in New York and the Pentagon, the terrorism returned with an even more devastating force. It precipitated the end of the transition era known as the post-Cold War and the policies that
characterized it. “Embedded in the black smoke and in the shredded and spongy mountains of glass, steel and cadavers was the virus of endemic fear and perpetual anxiety, and the incipient prescription and inscription of a nascent security state…” (Dennis 2001). In fact, the successful military campaign against the Taliban regime of Afghanistan accused of harboring Osama Bin Laden, the author of the September 11th attacks, is the first radical response to the threat of a rogue state, a strategy of “rollback” aimed at changing the regime, marking a shift from the “comprehensive containment” and “conditional containment” strategies followed by the Clinton administration. (Litwak 2001, 387) No wonder, then, that the concept has made a comeback as a functional argument for a broader counterterrorist strategy (Shanker 2001), or to repeat the Afghan scenario in other cases, mainly Iraq (Dobbs 2001). Moreover, the Bush administration’s declared war on terrorism echoed throughout the world.

Preferring American practice to American preaching [nations] have taken arms in their own causes, just as previously many built nuclear arsenals whose use again urgently threatens the world. We have not one unified war on terrorism but many clashing wars. (Schell 2002)

With no agreement on what constitutes terrorist activity “some governments are presenting what critics contend are police-state measures as part of the U.N.-endorsed campaign.” (Orme 2002)

Analytical value

The concept of rogue state, thus, has implications beyond the shaping of U.S. foreign policy in the aftermath of the post-Cold War. The question, however, is to what extent is it useful for the analysis of international security in the aftermath of the post-Cold War. A historical perspective of the concept might help clarifying its usefulness.
One way to understand a rogue state is to define it as an entity defying the rules imposed by major states. In other words, a state challenging the status quo is a rogue state. “If these states approach clientage or a loose affiliation with a Great Power or even a stronger regional player, they lose one vital rogue quality and move toward a more traditional proxy relationship of a vulnerable state under a patron power.” (Henriksen 2001, 349) Examples from the Antiquity to the Modern times are abundant in this sense. However, this perspective is not that different from the power struggle dynamics of international politics and informs little about the concept itself. Another way of qualifying a rogue state is through its level engagement with the international community. Regimes like the Soviet Union in the first decade of its formation, or Uganda of Idi Amin Dada, Pol Pot’s Cambodia and the apartheid regime of South Africa, because of their domestic politics have been subjected to discriminated diplomatic behavior. They, nonetheless, did not raise a grave international security problem while not engaged in any threatening activity. In fact, it is only in the 1980s that a strategic shift in U.S. policy opened a way to the future elaboration of the concept and its political implications. In 1979, the State Department inaugurated an annual listing of state sponsors of terrorism.

With that development, the criteria used to designate a rogue state shifted from internal to external behavior. Terrorism supported by Third World states, such as Libya and Iran, became a central policy focus of the Reagan administration. The proliferation of ballistic missile programs in the Third World and the Saddam Hussein’s regime use of chemical weapons against Iran highlighted a second key criterion: the acquisition by a Third World power of WMD or the means of their delivery. A Third World country that exhibited these characteristics became the archetype of the rogue state concept and policy that emerged during the 1980s. (Litwak 2000, 240)

Thus, terrorism and intents of acquisition of WMD by Third World countries constitute the criteria that defined a rogue state that would become a prominent doctrine
in U.S. foreign policy after 1993 to replace a vacuum created by the fall of the Soviet Union (Eland and Lee 2001). This explain why while the post-Cold War saw other marginal, brutal and dictatorial regimes, they “escaped a branding as rogue states, partly because they did not cross the diplomatic line demarcating internal criminality from acquiring nuclear or biological weapons and exporting terror.” (Henriksen 2001, 366)

*Political misuses, abuses and utility*

The concept of the rogue state faced several criticisms. Analytically flawed, says one of the criticisms, the term

… is not a useful category in international relations. The rogue state policy that flows from the concept is politically selective, limits strategic flexibility by creating a political dynamic that hinders the ability of policy-makers to change direction, and generates significant political costs with allies and other states opposed to American unilaterism. (Litwak 2000, 254)

Another criticism addresses successful challenges to the rogue state doctrine: “the ‘rogue state’ label unnecessarily antagonizes countries that are beginning to show signs of willingness to cooperate with the United States and adhere to accepted norms to international engagement.” (Eland and Lee 2001, 4) A third one yet predicts the slip of the concept from the diplomatic discourse because of changed circumstances.

Rogues and their patrons have altered their behavior. Present-day rogues are also less isolated than in the immediate years of the post-Cold War era. Individual rogue states have historically proven to be an anomaly. Their ties to leading powers constitute a more permanent feature of world politics. (Henriksen 2001, 373)

These critics and the decline of the concept in U.S. foreign policy formulation by the end of the 1990s notwithstanding, the rogue state did mobilize political support at home and abroad for tough measures against problematic states. “Thus, the rogue state label was a lazy shorthand for U.S. policymakers, but it also had a perceived political
utility." (Litwak 2001, 383) To what extent did the ‘rogue state’ serve its purpose in strengthening the U.S. national security or assuring international stability is an open question that makes little sense in what concerns the usefulness of the concept for the security studies in the aftermath of September 11. Will it be used? How will it be used in the formulation of the Bush administration foreign policy? What impact could it have in the international context? These are the right questions to ask.

Concluding Remarks

Conceptual analysis is hardly enough to foresee the utility of the ‘rogue state’ concept in the analysis of international security, though surely clarifies the impossibility of conceiving the term through what social constructivism labels as a “rationalist” perspective (Kubalkova 2001, 41-42). Theoretically the usefulness of the concept becomes much more clear when inserting it in the intersubjective social process leading to the formation of the rules of the interactions that define the new security context (Kubalkova 2001, 73). In other words, what analytically matters is the securitization of the rogue state that, further, allows a heterogeneous opening of a given security complex.

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3 An explanation of “conceptual analysis” is provided by David A. Baldwin based upon the criteria established by Felix E. Oppenheim: “Conceptual analysis is not concerned with testing hypotheses or constructing theories, though it is relevant to both. It is concerned with clarifying the meaning of concepts. Some would dismiss such undertakings as ‘mere semantics’ or ‘pure logomachy’. Without clear concepts, however, scholars are apt to talk past each other, and policy-makers find it difficult to distinguish between alternative policies.” (Baldwin 1997, 6)

4 I will offer a detailed analysis of the concept of ‘securitization’ in the next chapter. For now, the following quote helps understanding it: “The exact definition and criteria of securitization is constituted by the intersubjective establishment of an existential threat with a saliency sufficient to have substantial political effects. Securitization can be studied directly: it does not need indicators. The way to study securitization is to study discourse and political constellations: When does an argument with this particular rhetorical and semiotic structure achieve sufficient effect to make an audience tolerate violations of rules that would otherwise have to be obeyed?” (Buzan, Waever and de Wilde 1998, 25)

5 “A security complex is defined as a set of states whose major security perceptions and concerns are so interlinked that their national security problems cannot reasonably be analyzed or resolved apart from one
This means that a linkage of levels and sectors seems inevitable in order to understand the function the concept performs, and, indeed, after September 11 terrorism and proliferation of WMD remain not only much credible threats for U.S. national security but also basic arguments for military projects involving multibillion investments. More complicated will be, however, the linkage of U.S. foreign policy in security complexes where also the rogue state concept, as a “bandwagon effect” (Schweller 1994), will make its way through securitization processes. Basically, one’s rogue state can be another’s client. Thus, instead of generating an analytically useful mean to study security issues, the use of the concept would rather refer to a classical power struggle in inter-state relationship with little or no possibility of reaching any consensus enabling the successful isolation of a state widely perceived as an illegitimate actor and a threat to world stability.

In practical terms, characterizing as ‘rogue’ a state actor indicates major probability to military intervention either through an international consensus, as were the cases of the 1991 Gulf War and the military intervention against the Taliban regime in Afghanistan in October 2001; or unilaterally, as in Iraq in 2003. But, precisely, Iraq’s example is a good one to illustrate how a once rogue state can become the client of several other states and, therefore, create difficulties in legitimizing the ‘rogue’ label to its address. Yet, the concept has been installed in the new U.S. Grand Strategy defined along the lines of the WOT with president George W. Bush’s State of the Union address

another.

The formative dynamics and structure of a security complex are generated by the states within that complex –by their security perceptions of, and interaction with, each other.” (Buzan, Waever, de Wilde 1998, 12) This classical security complex can be opened in two possible ways to sectors other than the military –political and actors other than states. ‘Homogeneous complexes’ approach retains the assumption that security complexes are concentrated in specific sectors, while the ‘heterogeneous complexes’ approach “abandons the assumption that security complexes are locked into specific sectors. It assumes that the regional logic can integrate different types of actors interacting across two or more sectors (e.g. states + nations + firms + confederations interacting across the political, economic and societal sectors).” (Buzan, Waever, de Wilde: 1998, 16)
in the Congress on January 29, 2001. Moreover, it took the shape of classical geopolitics with his formulation of “the Axis of Evil” involving Iraq, Iran and North Korea, the three countries engaged in the production of WMD and terrorism sponsoring activities, according to the President of the United States. The “Axis of Evil” marks a continuum with the U.S. traditional rhetoric since WWII, but especially with president Ronald Reagan’s vision of the former Soviet Union as “an evil empire.” However, analysts did not only question the objective reality of the “Axis of Evil,” (Calabresi 2002) but also underlined its dismissal outside the United States: The Axis of Evil “is also meant … to galvanize support by turning a long and tricky foreign-policy challenge into a simple, moral issue. That very simplicity may lead many people, especially outside America, to dismiss it as empty or condemn it as foolish.” (“George Bush and the axis of evil” 2002)

**Section II. The Poor and Helpless: The Failing State and the Debate about Preventive Multilateralism**

A failing state is not a new phenomenon in international politics. Throughout the history of mankind, many states not only failed, but also directly ceased to exist. Nevertheless, the post-Cold War period marked yet another major turning point in the Western understanding of the objective conditions and effects of nation-state failure. This part examines the conceptualization of state failure during the Clinton administration; the importance it gained by the second half of the 1990s; and the reasons why the Bush administration abandoned it. As my analysis will show, compared with the ‘rogue state’, a considerable effort has been done to develop a solid objective basis for the conceptualization of the ‘failing state’ through the intensive work of the Commission on
National Security/21st Century, headed by Gary Hart and Warren Rudman, with the objective of transforming it into a major factor shaping an American Grand Strategy for the 21st century. My conclusion of this part is that, despite the enormous difficulties to determine an objective ground for forecasting state failures, the effort shows an inclination toward a more multilateral approach to international security and, therefore, is potentially more prone to promote global stability.

Toward a regime of “humanitarian intervention”

By the end of the Clinton administration, and more precisely with the military intervention in Kosovo in 1999, the concept of the “humanitarian intervention” became a broad, international debate. Though it was the British Prime Minister, Tony Blair, who used the concept publicly for the first time, it referred to a strategy NATO might be adopting for the 21st century (Derghoukassian 2000). Those who advocated for the consolidation of such a regime based their argument upon the spread of a new kind of violence, which Mary Kaldor labels as ‘new wars’.

Typically, the new wars are characterized by a multiplicity of types of fighting units public and private, state and non-state, or some kind of mixture. For the purpose of simplicity, I identify five main types: regular armed forces or remnants thereof; paramilitary groups; self-defense units; foreign mercenaries; and, finally, regular foreign troops generally under international auspices. (Kaldor 1999, 92)

Identity politics, the decentralization of violence, and the globalized war economy, three characteristics that can be found in the ‘new wars’, make impossible the territorial contention of these conflicts. The humanitarian intervention, according to this line of analysis, aims at impeding the spillover impact of this type of wars. It also should lead to ‘cosmopolitan governance’ offering bases for the restoration of a sort of legitimacy of governing institutions both locally and globally.
Today there is great uncertainty about future patterns of governance. There is talk of 'security vacuum'. The debate about how to fill that vacuum is largely an institutional debate. … But underlying the institutional debate is a real set of questions about the control of violence. The national monopoly of legitimate organized violence has been eroded from above by the transnationalization of military forces. It has been eroded from below by the privatization of organized violence, which is characteristic of new wars. (Kaldor 1999, 140-141)

Thus, a cosmopolitan approach to global security

… would try to bring together potentially conflicting countries and to spread as far as possible the transnationalization of armed forces. This could be under the umbrella of NATO, including Russia, the OSCE, or the United Nations. The important point is not the name of the organization but how the security task is reconceptualized. A cosmopolitan approach to security encompasses political and economic approaches to security … The task of legitimate organized violence, under the umbrella of transnational institutions, is not external defense as was the case for national or bloc models of security, but cosmopolitan law-enforcement. (Kaldor 1999, 149)

The cornerstone of a strategy of humanitarian intervention is, therefore, the fear of the spread of uncontrolled violence, the source of which has been identified the failing state, a concept that gained primary importance in the report of the United States Commission on National Security/21st Century, headed by representatives Garry Hart (D) and Warren Rudman (R). Prepared between 1999 and 2000, the report analyzes the impact of globalization and the emerging security paradigms that resulted from the end of Cold War, and identifies failed states as the specific challenges the U.S. will face. “Failing states represent the ultimate disintegrative force –the inability of the state to provide for the needs of its citizens.” (Stohl 2000) There is, for the first time, an implicit linkage between the internal situation of a country and US national security, a linkage that could lead to intervention. The report cites four countries whose domestic instability is of major importance to U.S. interests –Mexico, Colombia, Russia and Saudi Arabia. Though preventive diplomacy, including political and economic initiatives, is recommended as first reaction of the U.S. and its allies, the Commission states also that
Washington should be ready to consider the military intervention option. Analysts, therefore, foresaw different criteria to be used whenever a decision to intervene will be made to prevent the failing of a state.

If we understand that Russia is still the second nuclear power in the world, Saudi Arabia is supremely valuable for its oil actives and its geopolitical location, Mexico is fundamental because of bordering issues and economic interdependence, it becomes highly predictable that Washington will use a greater number of positive incentives to avoid an eventual collapse of those states. (Tokatlian 2001)

In the case of Colombia, a state of lesser relevance for the United States, the use of force is much more prominent.

The use of the concept ‘failed state’, however, is not limited to those who are relevant for U.S. national security. Through the 1990s it acquired a widespread analytical use to describe the collapsing situation of countries far from any immediate security concerns of the U.S. or more global dangers that result of failing states (Stohl and Smith 1999). It is appealing that the analysis of the conditions leading to state collapse focused more social and economic aspects, as well as government structures’ capacity to maintain or improve the economic infrastructure, rather than traditional military threats (Norton and Miskel 1997).

“We don’t do nation-building”

While everything indicated that the Clinton administration’s intention was to make of the ‘failing state’ a central concept for the U.S. Grand Strategy, the Bush administration abandoned the use of it, arguing that most of the failed states are not within the scope of the U.S. national interest.

Mr. Bush said very little about failed states during the campaign, indicating that he did not believe that the events in Africa concerned the U.S. national interest and that ‘nation building’ was not a proper role for the United States military. In the debates with [the Democratic candidate and former Vice-president] Al Gore, Bush indicated that he
would not have engaged in ‘nation building’ in Haiti, intervened in Rwanda to prevent genocide, or become involved in the Balkans. But Bush did approve the Australian intervention in Timor, primarily because it involved only a small U.S. support element. (Stohl 2001)

For analysts the distancing of the Bush administration from the former one had to do basically with its world vision, identified with a Realist guideline of foreign policy stressing the narrow national interest instead of the more global vision of international security that Clinton had (Stohl and Stohl 2001). Policy orientation discrepancies notwithstanding within the Bush administration, and despite that the Clinton administration in some aspects of its foreign policy -such as arms sales- did not undertake measures that make substantial difference with Bush’s foreign policy before September 11, 2001, the use or the abandonment of the concept of ‘failing state’ has to do with the difference in the approach that both had with respect to the question of multilateral engagement. The question, for analytical purposes, is whether this politics of engagement with the world does validate or not the concept of ‘failed state’. In other words, is the concept a mere indicator of a tendency of the U.S. foreign policy, or does it really denominate a potential threat for world stability.

*The difficult task of objective forecasting*

Even before the Hart-Rudman commission, the task of identifying and preventing the failure of states had become an official issue with the interest former vice-president Al Gore showed in applying scientific methods to the study of state collapse. At his request, in 1994, the CIA asked a group of academic social scientists to study the issue. The State Failure Task Force, thus, was commissioned to identify measurable factors that could determine whether a nation was at high risk of failing. Building a
global data set that included 600 variables, it developed a statistical model in which just three variables correctly categorized states as failed or stable two years in advance. Those three factors were: infant mortality, level of democracy and openness to international trade. A first report was published in 1995, a second one in 1998, and a third one in 2002 (Adler 2001). Decoupled, thus, from the strictly political context of the process of defining a concept, the ‘failed state’ has been submitted to scientific scrutiny with clear preventive perspectives.

In their critical evaluation of the Task Force’s labor, Gary King and Langche Zeng arrived to the conclusion that despite problems leading to overly large forecast, exaggerated assessments of forecasting performance, and biased causal interference they found, the work of the Task Force has accomplished a great deal. “The data set qualifies numerous qualitative insights and knowledge from a diverse variety of area studies and other experts brought in to add their expertise to test numerous theories systematically, many for the first time.” (King and Zeng 2001, 654) Nonetheless, they also point to some aspects of the database and the model that could lead to major political debates.

In some sense, the explanatory variables (infant mortality, partial democracy, legislative [in]effectiveness, and so on) are really indirect indicators that the state has already failed, whereas their heterogeneous dependent variables (genocide, disruptive regime transitions, and revolutionary wars aimed at displacing the regime) are not really measures of state failure but instead are indicators of some of the disastrous consequences of state failure. Studies intending to forecast and explain the consequences of state failure are obviously important, but so would be a study that tried to predict and explain the onset of state failure – the collapse of the central authority structures of the state. To do this would require a different strategy for data collection than that pursued by the task force and a more tailored, operational definition of state failure and the institutionalization, legitimacy, and authority of the state. (King and Zeng 2001, 654-655)

One of the findings of the Task Force, for instance, has already spread discomfort to the mainstream tendency of linking peace and stability with democracy and open markets. The Task Force found that the belief that opening the barriers for trade not
necessarily decreases the vulnerability of a collapsing state. Interestingly enough, other studies support this line of findings (Adler 2001). Later analyses questioned even the assumption of introducing democracy in a failed state as a correct one (Massing 2002). While each of these hypotheses needs certainly much more inquiry starting with conceptual clarifications, the political utility of the concept of ‘failed state’ remains fundamental to international security debates, for even if an early-warning system is developed and tested successfully,

… that still leaves the question of whether stable states are prepared to act on such warnings and provide assistance to prevent failing nations from sliding into chaos. Afghanistan has been a demonstrably failed state for years. But only now, following the momentous events of the past two months is the world considering how to rebuild its shattered institutions. (Adler 2001, 481)

**Concluding Remarks**

The aftermath of September 11, 2001 terrorist attacks brought back the question of to consider or not the failed state as a security threat. However, what seems to matter really is not whether to intervene or not, but how to do it. The WOT pursue aggressively unilateral interventionism, though much of the hard-line rhetoric have been nuanced with multilateral efforts in the practical policy terrain. Yet, as far as the failed state is concerned, the question of how to intervene remains central. For the Clinton administration preventive diplomacy was the primary instrument and nation building was welcomed and encouraged. The more straight forward Realist approach of the Bush administration seems to be echoed by the former Secretary of State Henry Kissinger’s advice for the so-called Phase II of the WOT:

Nor should Phase II be confused with the pacification of Afghanistan. The American strategic objective was to destroy the terrorist network; that has been largely accomplished. Pacification of the entire country of Afghanistan has never been achieved by foreigners and cannot be the objective of the American military effort. The United States should be generous with the economic and development assistance. But the strategic goal of Phase II should be the destruction of the global terrorist network, to
prevent its reappearance in Afghanistan, but not to be drawn into Afghan civil strife. (Kissinger 2002)

This, however, does not bring any solution to the problem of the failed state, an objective reality whether ignored by or present in political discourses and practices, nor addresses one of the sources of major instability in the world. The extension of the U.S. anti-terror assistance to Georgia in the Caucasus in 2002 may well highlight the complexity of the problem and the dangers of dealing with it. Islamic fundamentalist terrorists used the Pankisi Gorge long before the issue deserved U.S. attention, which happened only in the context of the WOT, and it indicated the weakness of the state of Georgia (Cohen 2002). Yet, state failure in Georgia has deeper causes related, among others, to the ethnic problem the country faces, warlordism, etc. (Lieven 2001), and is not an issue merely related to the presence of Islamists on its soil. The price of ignoring these deeper causes of state failure in Georgia and linking its security challenge only to the Islamist presence on its soil cannot prevent the broader consequences of the phenomenon.

Section III. The Benignly Neglected: The Politics of a State as a Courtesan

Both the rogue state and the failing state are concepts thought and accepted officially in U.S. foreign policy decision-making process. They made their way in official documents and are used publicly. Hence, they indeed represent a security problem, especially if “security” is understood through the process of securitization (Buzan, Waever, and de Wilde 1998). This does not deny the objectivity of the threat a rogue or failing state might represent. But it is rather suggestive that any solution to the problems they present would inevitably have to do with U.S. foreign policy making. In fact, as it
has been already mentioned, their relevance is quite understandable either through the traditional perspective of international politics being a power struggle, or through the perspective of multilateral cooperation.

In contrast with the broad analytical and political context of the rogue state and the failing state, the courtesan role of a state is simply ignored. It certainly does not have any official use, hence has not been securitized, and in the analytical context it so far has been mostly neglected. As the concluding section of this part will argue, the political neglect of the concept has an explanation that is not unrelated to the interests of state actors in international politics. Analytically, on the other hand, while Mittelman provides the arguments to understand the historical conditions of the rise of the state as a courtesan, no effort has so far been undertaken to deepen the analysis. The global political economy is, no doubts, the most appropriate context to understand the transformation of state power, to which is related the concept of “courtesan.” It, nonetheless, does not allow to conceive the political consequences of a courtesan behavior and its tolerance both at the domestic and international level. Moreover, the political consequences of the rise of the state as a courtesan have an immediate impact on international security.

This part builds on the original conceptualization of the courtesan role of the state to see the importance of the term from a political perspective and study its impact on international security. The first section is a brief analysis of the essay, which gave rise to the concept. In the second section I explain why is it important to extend the analysis to the agency factor and the foreign policy field. Next I consider the theoretical elements for a securitization framework for courtesan politics. Finally, I describe briefly the
application of the concept of courtesan politics in Latin America’s international relations in the 1990s as an example.

Child of the globalization

The starting point of both Mittelman and Johnston’s original essay “The Globalization of Organized Crime, the Courtesan State, and the Corruption of Civil Society” (1999) and the revised form of the same that appears as chapter 11 “Global Organized Crime” in Mittelman’s book (2000) is the phenomenon of organized crime. An understudied aspect in terms of global governance and globalization (Mittelman and Johnston 1999, 103; Mittelman 2000, 203), organized crime is best understood “as both embodiments of certain features of neoliberal globalization and, at the same time, resistance movement, as so far they [organized crime groups] operate outside neoliberal structures of legitimate authority and power and undermine what are generally regarded as the licit channels of the market.” (Mittelman 2000, 203). What Mittelman primarily pretends to do is to “examine the specific linkages between the dynamics of globalization and organized crime.” (Mittelman 2000, 204) It is through these linkages that the courtesan role of the state appears along with the other consequence of the dynamics of globalization: the corruption of civil society “as a result of the inability of the state to carry out some of its key functions.” (Mittelman 2000, 204) The original article states moreover that to detect the phenomenon the authors needed “to decenter analysis by looking for potential for transformation in non-Western regions where these constructs [meaning the Westphalian state system and civil society] are shallow in terms of their resonance with the local history and cultures.” (Mittelman and Johnston 1999, 104) In
other words, the analysis focuses the periphery where the phenomena are observed more clearly.

This observation becomes even more important when we shift from the political economy to the analysis of power politics in the international arena. A further step to move away from the analytical constraints of concepts and views elaborated with primarily Western perspectives, is easing the binary categories of legal and criminal, which are not very helpful for the analysis of the courtesan role of the state.

In the original essay, the authors use the term “the courtesan state,” which they define as “a policy orientation characteristic of various forms of state that serve the interests embodied in neoliberal organization (but it is not a distinctive form of state as is, say, the welfare or developmental state).” (Mittelman and Johnston 1999, 104) By downplaying the sharp distinction between the legal and the criminal, Mittelman and Johnston open way yet to another problematical issue in international politics: the boundaries between the licit and the illicit, and the power politics engaged in the social construction of the same (Friman and Andreas 1999; Andreas 2000). The use of the term “state,” however, raises a conceptual confusion when it becomes identical to a “policy choice.” In other words, is courtesan politics inevitable because of a deep, structural transformation of the state in the Era of Globalization; or, courtesan politics is just a policy choice, hence it is mostly up to a government to decide whether to follow its path, or to avoid it. The importance of the difference lies in the potential continuity of the courtesan behavior when there is a change of government. The confusion dissipates somehow in the revised version of the article, which avoids the direct use of the concept of “state,” though it seldom refers to “the state as a courtesan.” Yet, its nature in terms of

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6 Italics in the original text.
structure or policy choice remains unclear. As I will show, though the courtesan behavior is mostly a policy choice that a government can avoid, nevertheless the structural conditions of the Era of Globalization facilitate and make attractive its implementation despite the risk factor it implies; hence, my choice to use “courtesan politics” and study the dynamics of the strategic calculations in a given contextual situation.

The question, therefore, that I further will elaborate when discussing a possible expansion of the debate, is to what extent the “policy choice” of courtesan politics is independent of the structural environment in both the international and domestic contexts in which the decision makers operate. Is it a mere question of agency revealing the responsibility of a given government? Or, if the courtesan behavior as a “policy choice” is repeated through different governments with distinctive ideological identities and discourses, then does it not indicate that deeper, more consistent factors are leaving little room for other “policy choices?” As I mentioned in the introduction of this chapter, an answer to these questions is not within the realm of this research as such an enterprise requires other lines of inquiry. What so far does matter for my analysis is that the term “policy choice” justifies the expansion of the concept of “the courtesan role of the state” to “courtesan politics” along the definitional lines I proposed above.

The analysis of the courtesan role of the state is based on the conceptual guidelines of “the great transformation” as explained by Karl Polanyi. Parting from the pivotal point of the self-regulating market, Polanyi argued that the market also contained the seeds of its proper contradiction. Thus, “the great transformation” is a historical double movement reflecting the tension and finally the conflict between the market and the basic requirements of an organized social life. “Without neglecting the role of the
state, Polanyi focuses on non-state actors, especially market forces. So too in the context of globalization, transnational organized crime groups respond to market incentives but outside the structures of legitimate authority and power.” (Mittelman 2000, 205)

More precisely, the debate about “globalization from above” and “globalization from below” not only reflects the double movement of this second “grand transformation,” but also problematizes the borders between the legal and the illegal by focusing the “covert world” of intelligence services, terrorist groups, organized crime, arms trade, money laundering, etc. It is at this posting that “a realm of cooperative and conflictual relationships blurs the lines between the legal and illegal.” (Mittelman 2000, 206) Globalization blurs also the line between the external and the internal realms leading to yet another anarchy, characterized by the peaceful and stable form of coexistence with criminal power, and “a likely source of structural conflict.” (Mittelman and Johnston 1999, 107) As a consequence of the neoliberal global consensus in favor of deregulation, the state sees its autonomy further reduced. “Consequently, there are vast areas of activities that fall between the cracks of traditional realms of jurisdiction in national and international law.” (Mittelman 2000, 207)

Posting the rise of the new criminality within the logic of neoliberalism demystifies the political fiction of a Pax Mafiosi world conspiracy, pushed forward by authors such as Claire Sterling (1994). Because of their profit-oriented purposes and their modus operandi, transnational criminal groups are pretty similar to global firms: by embracing the processes of globalization, capitalizing on the tendencies of permeable borders and deregulation, and creating demand for their services they operate above the state; simultaneously, however, they operate “below as well as beside the state by
offering incentives to the marginalized segments of the population trying to cope with the adjustment costs of globalization.” (Mittelman 2000, 210) Inevitably, the transnationalization of organized crime as a consequence of the neoliberal globalization had an impact on the capacity of the state. Traditionally the state is conceived in the Weberian sense of an entity exercising the monopoly over the legitimate use of force. It is, in this understanding of its role, a neutral arbiter in the allocation of material goods in the public sphere. But,

... the globalization of organized crime weakens the very basis of government and constrains its capacity. On the one hand, criminal elements do not seek to take over the state; they are obviously not revolutionary movements seeking to seize its apparatuses. On the other hand, transnational and subnational criminal groups contest the rationale of the state, especially in terms of its legitimate control over violence and the maintenance of justice. (Mittelman 2000, 214)

One of the areas where the state authority monopolizes the legitimate use of force is the field of arms transfer. As in chapter four I shall show more in detail, criminal organizations seized the opportunity of the proliferation of armed conflicts in the post-Cold War to get involved in arms trafficking. In this sense, they revived the tradition of the ‘merchants of death’ in late 19th and beginning of the 20th century, when arms transfers operated within the logic of the free market, with few control and regulation mechanisms. It is only after World War II that arms transfer was conceived primarily within the logic of strategic calculations, without, understandably, breaking completely with the market and profit rationale of its political economy. A stricter state control over arms transfer operations was also a characteristic of the bipolar international context and the predominantly Keynesian approach to economy, which gave to the state greater operational autonomy at home and abroad. The process of globalization has undermined the state autonomy as never before:
Heavily laden with the trapping of force, circumscribed but not disempowered, the state is less autonomous, with diminished ability to control borders. Not only is the state porous in terms of flows of knowledge and information, but also, increasingly, transnational criminal elements are entrants. In the face of such cross-border flows, the traditional notion of jurisdiction based on territoriality is progressively brought into question. New forms of criminality infringe on the principle of sovereignty, the centerpiece of the Westphalian interstate system. (Mittelman 2000, 215)

Fighting the new criminality poses a greater challenge to the state. It has to divert funds from development projects in times when criminal groups have started to transfer income from high-quality to risk investments. Illicit financial transactions, such as money laundering and tax evasion, further drain the state budget.

Moreover, there is a clear relationship among the weak state, development, and democratization. Transnational organized crime groups often corrupt state authorities, who redirect monies from public coffers and undermine democratic institutions. The infiltration of state offices effectively limits the capacity of states to fight crime in their home territories, thus sapping the legitimacy of democratic initiatives. (Mittelman 2000, 216)

Pressures from developing countries, such as the U. S. “decertification” policy, are not helpful either: by cutting aid to “uncooperative” governments, or those that do not meet the standards for bilateral cooperation in combating crimes, developing countries, especially the U. S., restrain the operational capacity of the state in developing countries.

Having lost part of is previous autonomy, submitted to the pressures of the market forces, the many challenges of transnational organized crime, and subjected to the threat of “punishment” measures for non-cooperative behavior imposed by other, powerful, state actors in a new international security environment, the state assumes a courtesan role:

By definition, a courtesan services clients, especially wealthy or upper class ones. Some countries are cast literally in this role, offering or promoting a sex industry, now organized transnationally in eastern Asia, in which the state does not provide social protection for its young women and men (or children) but rather tacitly forsakes safeguarding the local culture in favor of global markets forces. For other countries, the courtesan role is less blatant and more figurative but nonetheless emblematic of the
interregnum between a Westphalian, interstate system and a more multilevel, post-Westphalian world order. (Mittelman and Johnston 1999, 116-117)

In Mittelman and Johnson’s original essay, the courtesan role of the state is characterized as an aspect of the transformation the state goes through in the process of globalization:

Subscribing to the ideology of globalization, the courtesan role is not only a national phenomenon but is rapidly becoming a transstate structure in its own right: a multidimensional entity rooted in a multiclass coalition of its sponsors and sustained by those who are carried along in a process of consensual participation, a hub of cross-border flows spurred by the lowering of barriers, and a central element in the global policy framework of neoliberalism. (Mittelman and Johnston 1999, 117)

Clearly, in these conditions, the traditional inter-state power politics is bound to change. Furthermore, very few, in fact only the only superpower, the United States, can shirk the arch features of a courtesan role without rejecting the market. However, in its revised form, Mittelman’s essay brings in a refinement of the political practices of a state’s courtesan role. Without denying that this latter is a globalizing tendency, Mittelman introduces an element of power politics in the analysis of the concept:

In the face of such pressures, all states are enlisted as tacit partners in market relations but not in the same ways, because they are positioned differently in the GDLP. Currently, notwithstanding programs for crime prevention, the courtesan role of the state is an increasingly prevalent globalizing tendency. Some courtesans seek to ascend from a subaltern to dominant niche in the GDLP. In the restructuring, the state directly promotes entrepreneurship, turns key functions over to technocrats, deregulates at the microlevel if not the macrolevel, privatizes activities of various bureaus, and adopt legalistic mechanisms to define relations between actors in the marketplace … In this attempt to move the national economy to higher levels of competitiveness, the courtesan reduces expenditure in the social sector. Often in the face of political protest, it delinks economic reform and social policy. Global organized crime nests in this void. With lowered barriers for cross-border economic flows, and with problems of lawlessness at home, many states qua courtesan become safe havens for global organized crime. In the evolving GDLP, some of them, in turn, evolve as crime-exporting states. Their trade in drugs and other contraband confronts the security interests of law enforcement-exporting states. (Mittelman 2000, 217)
In a more detailed account of the transforming role of the state, Mittelman then deepens the analysis to embrace a third concept, the “resistant state.” Drawing on the original essay, he also largely discusses the corruption of civil society.

The new elements that Mittelman and Johnson have discussed within the realm of the second “great transformation” make necessary an innovation of Polanyi’s thesis, especially what concerns the theory of “movement” and “countermovement”:

Drawing on a Polanyian framework, our analysis shows the need to go beyond the categories of market and nonmarket, first and second phases of the double movement, embedded and disembedded, and the like. These polarities have their parallel in more conventional modes of inquiry—supply and demand—from which we have also derived insights. The problem is that the concepts are too binary. Surely the dynamics of globalization and transnational organized crime evidence concrete forms of fusion and penetration not captured fully in such dualisms. Transnational organized crime encapsulates both globalization and counterglobalization. (Mittelman and Johnston 1999, 122)

In the original essay, as well as the modified version of it, the normative aim of the authors is how to bring the globalization under social control. According to them, the phenomenon of transnational organized crime imposes a reconsideration of Polanyi’s fundamental point about re-embedding.

As argued, the state today is losing control over the monopoly of legitimate coercion that had heretofore been under its aegis. Also, with the novel conjunction of deregulation easing state borders and seismic technological advances spurring the transnational flows, it is apparent that market forces are ever more politically unaccountable, bringing the question of democratic governance at a global level to the fore and underlining the important role that civil society may play as a pressure for greater accountability. But a large segment of civil society itself is undemocratic, if not fundamentally repressive. If so, re-embedding the market in an exploitative social structure in the absence of other conditions would not suffice to secure democratic globalization. Hence, a key research question is, What type of re-embedding, and under what conditions? This is partly a matter of determining an appropriate scale for the organization, or reorganization, of human life. (Mittelman 2000, 222)

Resuming, the courtesan role of the state as defined originally refers to a globalizing tendency that marks a state behavior that differs from its original, Weberian, perspective. Whereas in its classical understanding, the state is conceived as the supreme
guarantor of the social order, and its role consists in serving the citizens and managing the public good, under the pressure of the neoliberal globalization the state has shifted its attention to the market. This shifting role of the state is circumscribed within the GDLP where states are positioned differently. Because transnational criminality is one of the aspects of the neoliberal globalization, the courtesan role of the state inevitably involves a direct or indirect connection with criminal groups and activities. Depending mostly from its positioning in the GDLP, some courtesans evolve as crime-exporting states and, thus, confront the interests of law enforcement-exporting states.

At this point, the analysis of the courtesan role of the state needs further expansion to see under what conditions would the interests of law enforcement-exporting states clash with those of crime-exporting states. As in the next chapter I will explain, much depends on the way crime-exporting states are securitized as potential threats. Before explaining the concept, however, we need to look deeper to the politics of the courtesan role of the state, especially when it involves the risk of becoming a crime-exporting state. Courtesan politics in this case, implies both a rational decision to take the risk of becoming a crime-exporting state, and strategic calculations to avoid clashes with the interests of law enforcement-exporting states. Why would a state take such a risk, and what strategic calculations would it make to avoid being categorized as a crime-exporting state are the two questions that mostly concern the analysis of courtesan politics. The remaining parts of this section expands the initial framework of the courtesan role of the state to show:
(a) In the international context of the post-Cold War, a state engages in courtesan politics for the private profit of the elite in power more than for traditional considerations for the national interest.

(b) The strategic calculations to avoid clashes of interests with law enforcement-exporting state imply mostly a special relationship with the United States, the remaining one and only superpower.

The argument to expand the analysis: courtesan politics and inter-state relations

Mittelman and Johnston focus primarily on the phenomenon of organized crime and deduce a theoretical framework of the triad –organized crime, the state behaving as a courtesan, and the corruption of civil society- in the context of globalization. Their approach from an IPE perspective comes close to the thesis of “the retreat of the state.” (Strange 1998; Sassen 1996) The state, therefore, is not seen as a mean through which anarchy is lessened and governance made possible. Moreover, within the conditions of the neoliberal globalization, the state should be surpassed in search for a better re-embedding of the market and the structures of global governance; a question that, as they conclude, is left open for further inquiry.

The focus on transnational forces, which with the process of globalization had gained efficacy in detriment of statecraft (Mittelman 1996, 7), does not leave much space to analyze the courtesan role of the state within the context of inter-state relations and determine its consequences for security matters. Yet, as mainstream International Relations theorists as well as political economy analysts argue, the state has, in fact, accentuated its role in the process of globalization both internationally and internally.

7 In the original article, Mittelman and Johnston use the concept of “the courtesan state.”
(Waltz 1999; Garrett 1998; Weiss 1998). Therefore, the correct question to ask is: What kind of transformations did the power of the state went through, and how these transformations did shape its role.

Capitalist globalization also takes place in, through, and under the aegis of states; it is encoded by them and in important respects even authored by them; and it involves a shift in power relations within states that often means the centralization and concentration of state powers as the necessary condition of and accompaniment to global market discipline. (Panich 1996, 86)

This “rescue” of the state does not deny the internal and international power struggle between social forces. In fact, it is built upon that assumption. Nonetheless, it brings the courtesan role of the state under a new light. First, it expands its understanding in the context of inter-state relations implying a reformulation of all the related theoretical considerations from the security dilemma to alliance formation; from the concept of sovereignty/autonomy to the tracing of the boundaries of legality/legitimacy; and so forth. Thus, any analytical framework of courtesan politics cannot avoid addressing the factor of the dominant hegemonic power and the way it figures in the strategic calculations of states inclined to a courtesan behavior. In its aspiration to a better positioning in the GDLP, a government that has assumed a courtesan role needs to avoid becoming labeled as a crime-exporter, which can risk not only its positioning, but perhaps even its survival in the system. In addition to the compliance with the market, a would-be courtesan should also calculate carefully the requirements for a close alignment with the hegemonic power. Given that global black markets are “institutionally embedded in the legal economy,” (Naylor 2002, 3) legitimacy in international politics is defined in a gray nébuleuse situated as a continuum of the post-Cold War logic of power politics. The
courtesan role of the state, therefore, is to be found in these two areas—compliance with the market and alignment with the superpower.

Second, the courtesan behavior is not separated from the struggle of social forces within and outside the state. It is, therefore, important to open the ‘black box’ of the state to see both the decision-making process and the motivations of the decisions leading to embrace a courtesan role. This brings into light the question of agency implying actors shaping a domestic structure that facilitates a courtesan behavior, and others who decide to perform, or continue performing within the same structure and embrace the same role. From a globalization perspective, the focus on the actors, much in the same logic of the “technopols” and their role in the neoliberal reforms in Latin America (Babb 2001; Domínguez 1997), allows discovering the emerging class structures and their domestic/international linkages. The theoretical and practical consequences of these new alliances are not to be neglected: is it the structure of a particular state that leads to a courtesan role, or is it a question of actors in power shaping this role? In other words, once an elite in power undertakes a courtesan role for the state, is it easy for other elites who replace them to abandon the role? Or, is it that the courtesan role has an enduring characteristic?

This particular emphasis upon the political aspects of the courtesan role is not a denial of, not even a departure from, the Mittelman-Johnston framework’s premise of going beyond the market and nonmarket categories. In fact, it is the confirmation of the same, albeit from another—political instead of market—perspective. While there is nothing new in political decisions affecting the market, little has been said about politics and illicit markets. Black market transactions also imply a dynamics of supply and demand;
However, politics, not economics, decide which transaction is licit and which one is not. The political dimension of criminalizing an economic activity becomes even more obvious when we distinguish the two components of the political power: authority and control. From this perspective, the illicit global economy is defined as “the system of transnational economic activities that are criminalized by states in importing or exporting countries.” (Friman and Andreas 1999, 5) States claim the metapolitical authority to decide what is political and, as such, subject to state coercion. But the scope of this authority is dynamic, shaped by negotiations between and within states, and between states and non-state actors. Also,

... the authority to make rules differs from the ability to enforce them. The later entails state power to control and is shaped by capabilities including police and security forces. Distinguishing between these two forms of state power is essential in [the] analysis of the illicit global economy. State actors invoke metapolitical authority when they criminalize specific transnational economic activities. Through criminalization, activities such as money laundering and the trafficking in endangered species become subject to the policing apparatus of the state. Yet, state authority to decide what cross-border economic flows are legal or illegal has not gone unchallenged. (Friman and Andreas 1999, 9)

The criminalization of specific transnational practices is a process of both external and domestic political struggles.

The gap between the state’s metapolitical authority to pass prohibition laws and its ability to fully enforce such laws is the space where clandestine transnational actors operate. Indeed, the illicit global economy is defined by and depends on the state exercising metapolitical authority to criminalize without the full capacity to effectively enforce its criminal laws. (Friman and Andreas 1999, 10)

Moreover, as by definition a government withdraws itself from illegal markets, only non-state actors may assume the control of the same, and regularize the activity in conditions of rising criminality. “States officials in a wide range of countries have tolerated, and at times even facilitated, the illegal activities of transnational crime groups in exchange for control over new markets entrants (freelance criminals) as well as
politic opponents.” (Friman and Andreas 1999, 10) In this general dynamics of political transactions, the courtesan role of the state is shaped and enforced.

Theoretical elements for an expanded framework to analyze the courtesan state

Expanding the Mittelman-Johnston’s framework, or building upon it by focusing primarily on the courtesan behavior, is relevant to the importance the concept of “courtesan politics” gains for the analysis of the post-Cold War international relations and global security issues. For that, the theoretical perspective should shift from the political economy to the analysis of power politics. In this sense, the most important feature of the end of the Cold War is the rise of the United States as the world’s only superpower. This has changed the traditional understanding of the security dilemma in the periphery. Given the phenomenal power asymmetry, states are no longer interested with the traditional balancing behavior and prefer exploring the benefits of “bandwagoning” with the superpower. The end of the Cold War has also precipitated the ongoing transformation of the nature of state sovereignty leading to an increasingly remarkable hierarchy of sovereignties (Tokatlian 2000), especially visible in what Krasner labels “interdependence sovereignty.” (Krasner 1999a) The lower rank on the hierarchical scale of sovereignties, however, does not necessarily mean that the state loses autonomy in domestic affairs (Russell and Tokatlian 2001), even if it is weakened considerably (Persaud 2001; Krasner 1999; Bagley 2001).

Along with the dominant superpower, changing the foreign behavior from balancing to “bandwagoning,” and the increasing hierarchy of state sovereignty in the international arena, a fourth feature of the post-Cold War important for the analysis of courtesan politics is the appropriation of the state by a sector motivated by the profit it
can make both licitly and illicitly on the global market (Cox 1996). In these conditions, the state, perverted in its Weberian understanding, becomes a vehicle for private gains. Two domestic conditions, one of structural nature and the other relevant to the agency factor, are necessary for a state appropriation takes place: weak institutions with no efficient mechanisms of control, and the political decision of a sector preparing to govern. Thus, it is both the struggle for power and profit what characterizes the courtesan behavior. It is tolerated, and sometime facilitated, in the post-Cold War international as long as it does not break certain limits as the hypothesis of this research has asserted. A further discussion about “compliance” and a dual approach combining globalization with politics as a two-level game help understanding better the phenomenon of courtesan politics.

What follows is a brief discussion of the theoretical elements to define a framework for the study of courtesan politics in international relations.


The shift from the political economy to international politics requires the introduction of the element of power in the framework of analysis. Politics as power relations is what defines a Realist understanding of international relations. Classical realists thought power in historical terms, whereas neorealists defined it in technical, universalistic, terms. Though inspired by both, Robert Cox defines the concept of ‘new realism’ in terms of differentiation from them. New realism “differs from classical realism in broadening the range of determining forces beyond state power. It differs from neorealism in its concern with structural change and in understanding this change in historical terms. The new
realism develops the old realism, using its historical approach, so as to understand the realities of power in the present emerging world.” (Cox 1997, xvi)

There is, unfortunately, no further theoretical elaboration for the concept of new realism. In fact, Cox used it as a starting point of a symposium in which the future of multilateralism has been treated. He shares with realism the view that a world government is an unlikely outcome and strong elements of power hierarchy will continue to exist. “Multilateralism in form is non-hierarchical but in reality cloaks and obscures the reality of dominant-subordinate relationships. Nevertheless, the form has importance, being a possible criterion of protest against abuse of hierarchical power.” (Cox 1997, xvi)

But his, and the symposium’s, concern is not exempt of value preferences: “greater social equity, greater diffusion of power among countries and social groups, protection of the biosphere, moderation and non-violence in dealing with conflict, and mutual recognition of civilizations.” (Cox 1997, xviii)

These, or multilateralism for that sake, are not of prime concern for this study. Nevertheless, the critical rather than problem-solving approach of Cox’s new realism is particularly useful for the study of the structural changes in the periphery for two reasons. First, peripheral states, though marginal to international power relations in the post-Cold War, are, nevertheless, participants, no matter whether active or passive; no central or powerful state is conceptualized officially as rogue or failing. Second, there is an increasing presence of non-state actors impacting, with more or less relevance, the post-Cold War power relations, and this clearly indicates that the transformation of the state in the periphery should be brought into the center of attention as a source of instability. As Michael Ignatieff states, if anything the September 11, 2001 events indicated, it is the
need to acknowledge their underlying causes as “the coincidence of globalized prosperity in the imperial world with disintegration of the states that achieved independence from the colonial empires of Europe in the 1960s.” (Ignatieff 2002, 4)

For the study of the courtesan behavior of a peripheral state in international politics, it is particularly useful to consider the transformation of the security dilemma with respect to the perception of the threat that represent the superpower. Instead of balancing, the courtesan state prefers to “bandwagon” with the superpower, or, in other terms, to behave according to the logic of “peripheral realism,” (Escudé 1992) and enjoy a legitimacy certificate to rather free ride in the global market. The problem, however, is that the international legitimacy certificate of the courtesan state is no insurance against the perils of the syndrome of a weak state. Quite the opposite, while winning a free ride ticket in the global market, the profit driven power elite of a peripheral state, whether consciously or unconsciously, erodes the state autonomy and creates the conditions of major failures.

Sovereignty and state autonomy: a hierarchical view. Despite the common sense understanding, state sovereignty, as Krasner shows, has never been in a pure Westphalian state because of the ever-present power asymmetries in international politics.

The term sovereignty has been used in four different ways—international legal sovereignty, Westphalian sovereignty, domestic sovereignty, and interdependence sovereignty. International legal sovereignty refers to the practices associated with mutual recognition, usually between territorial entities that have formal juridical independence. Westphalian sovereignty refers to political organization based on the exclusion of external actors from authority structures within a given territory. Domestic sovereignty refers to the formal organization of political authority within the state and the ability of public authorities to exercise effective control within the borders of their own polity. Finally, interdependence sovereignty refers to the ability of public authorities to regulate the flow of information, ideas, goods, people, pollutants, or capital across the borders of their state. (Krasner 1999(a), 3-4)
Issues of authority and legitimacy, but not control, are related to international legal and Westphalian sovereignty. Domestic sovereignty involves both authority and control, whereas interdependence sovereignty is exclusively concerned with control and not authority. “A state can have international legal, Westphalian, and established domestic authority structures and still have very limited ability to regulate cross-border flows and their consequent domestic impacts, a situation that many contemporary observers conceive as a result of globalization.” (Krasner 1999(a), 4)

From the perspective of this different understandings of sovereignty, Juan Gabriel Tokatlian observes the “drastic and may be inexorable manner” in which state sovereignty has alternated at the end of the Cold War and the practice of political unipolarity on behalf of the United States (Tokatlian 2000, 273). The result is the gradation of sovereignty in post-Cold War international politics, a hierarchical structure on the top of which are the “super sovereigns,” states with a maximum, positive and operative grade of sovereignty—a condition that actually is fulfilled only by the United States; next are those states which are still competent enough to shape a proper identity and intervene in some important items of the international agenda; the formal sovereigns are those states that though weak however enjoy an elementary legitimacy, a relatively robust cultural basis and minimum sovereignty that gives them certain capacity to discuss with powerful actors; and, finally, at the bottom of the structure are located the “suzerains,” the states of negative sovereignty: collapsed states with fractured societies, a deeply questioned legitimacy and without negotiation capacity.

Before discussing the sovereignty grade of the courtesan state, it is worth observing that a lesser grade of sovereignty does not necessarily means a lost of authority
and control. Roberto Russell and J.G. Tokatlian discuss this issue in terms of state autonomy in three different uses: as a principle of the Westphalian model, as a condition of the nation-state, and as one of the objective national interests of the states. They further elaborate the concept in the realm of a condition for the nation-state:

In general terms, the state enjoys internal autonomy when the goals that it formulates do not reflect simply the demands or interests of particular social groups. Similarly, the notion of external autonomy is commonly used to characterize the ability of the state, understood as capacity and willingness, to take decisions based on proper necessities and objectives, without external interferences, and to control the processes or events beyond its own borders. In both cases, autonomy is always a matter of grade that depends, fundamentally, on the capabilities, both tough and soft, of the states and the external conditions that they face. (Russell and Tokatlian 2001, 72)

They, moreover, to avoid confusion, distinguish between sovereignty, more relevant for a juridical context, and autonomy, a term proper to politics. The result of the analysis is the new concept of “relational autonomy,” as both a condition and an objective national interest, understood as “the capacity and willingness of the state to take decisions by themselves and with others, and to jointly control processes both within and outside their borders.” (Russell and Tokatlian 2001, 88) “Relational autonomy,” thus, not only confirms the relevance of the control and authority variables of Krasner’s “domestic sovereignty,” but also indicates that even in the hierarchical structure of state sovereignties in the post-Cold War there is a room for statecraft.

The sovereignty of the courtesan state is clearly a formal one. The courtesan state is not yet a failing, or collapsed, state, however, the “withering-away of national sovereignty” (Borón 1998, 47) indicates its inherent weakness. Moreover, the courtesan state, by definition, lacks the willingness to make use of statecraft in the intervening space of the “relational autonomy,” essentially because private interests have empowered at the expense of the public place and weakened the state that “can produce only a feeble
and ineffective government, and this weakness in due course will tend to aggrandize the social, economic, and political weight of very rich, small and well-organized groups of private collective actors.” (Borón 1998, 51)

*The syndrome of the weak state.* A formal sovereignty can fail to the level of negative sovereignty, as Tokatlian warned in the case of Argentina as the country was facing a severe social and economic crisis by the end of 2001 (Tokatlian 2001). Yet, another warning situated the problem of the same country at the level of the state not for the relative weight of its expenses, but because of its weakness to promote the growth of the domestic production. The state, is said, has lost its autonomy with respect of different sectors, and its weakness is reflected through its scarce capacity of sanctioning. It lost authority because it is unable to generate trust, and lost control because of the severe deterioration of the relationship between command and obedience (Magariños and Dalbosco 2002). The weakness of the state, thus, is diagnosed as a symptom of lost of sovereignty, and, indeed, the concept is worst a closer look.

One way of conceptualizing the weakness of the state is by looking at “the domestic constraints that are imposed on the state.” (Krasner 1999, 255) The state in this approach is “a set of central decision-making institutions and roles that must confront internal as well as external opponents.” (Krasner 1999, 255) It is, therefore, in relation to its own society that the strength or the weakness of the state –linked to its ability to overcome domestic resistance- is considered. The weak state is simply the state that is permeable to pressure groups, whereas the strong state is the one that is able to remake the society and culture in which it exists. These are two extreme cases, of course, very much linked to particular historic and structural conditions. “Usually the state is able to
maintain some autonomy from the society, but at the same time it cannot impose rapid and dramatic structural transformations on the economic or cultural systems.” (Krasner 1999, 255) In this understanding the ‘weak’, ‘moderate’, ‘strong’ and ‘dominant’ ideal-types are defined within the limits of state autonomy and, in general, in advanced market-economy countries are the most relevant for policies. The state can be strong may be strong in some issues and weak in others. “There is no reason to assume a priori, that the pattern of strength and weakness will be the same for all policies.” (Krasner 1999, 256)

The key component, in this definition of state weakness, for a political system to work is the society. Thus, as the United States has a strong society it never needed a strong state.

First, with one minor exception (the War of 1812), the United States has never been confronted with foreign invasion. Second, American society has been unusually cohesive, and dominant social values have been congruent with the needs of a modern economy. Third, the American economy has performed extraordinary well without much direct government intervention, and the abundance generated by economic success has mitigated the demands placed upon the state. (Krasner 1999, 261)

This understanding of weakness does not lead to a conclusion of the collapse of the system or a degradation of its sovereignty. Moreover, the weakness of the state combined with the strength of the society even has advantages in the sense of increasing individual liberties of the citizens. In this approach of the weak state, paradoxically, the courtesan state is both weak and strong. It is weak because it is not only completely permeated by pressure groups, but in fact they appropriate it. However, it is also a strong state because of its ability of changing economic institutions, values and patterns of interaction among various private groups. This paradox is explained in Mittelman and Johnston’s framework by one of the elements of the triad, the corruption of society.
The weakness of a state in international politics can be understood also through the classification of the states, which allows proceeding to make general statements about the foreign policy behavior of entire categories of states. In this sense, as Randolph B. Persaud, analyzing the existing literature, explains, the small/weak state school is one of the three perspectives on the foreign policies of countries not classified as ‘Great’ or ‘Middle’ powers, along with the situation-role analysis and the dependence/compliance/dependency school. Because of analytical biases to the size-indicating concept of ‘small’, widely criticized from imprecise to useless, the ‘weak’ label is a further refinement.

The reformulation of the concept small state into weak state stems from two theoretically distinct sets of considerations. First, there are those who argue that the international position and consequent behavior of Third World states is less a matter of their strength defined in terms of quantitive attributes, and more a function of economic and political underdevelopment that condition their behavior. Economic backwardness generates weakness and it is this, not size per se, that informs the foreign policies of Third World States. The second version of the weakness takes security as its point of departure. In this case, it matters little whether a state is small or not, or whether it is advanced or underdeveloped. The fundamental concern here is the degree to which a state is self-reliant in terms of its protection of core interests and values. The less self-reliant a state is, the more vulnerable it is to foreign penetration. In this scenario, the concept of weakness problematizes the degree of vulnerability and lack of self-reliance. (Persaud 2001, 14)

Therefore, it is not the size of a state that determines its place and role in international politics, but its relative strength. As for the Third World countries, ‘weakness’ is synonymous with being poor and underdeveloped, and, following Marshall Singer, may be understood in dual sense.

Firstly, it is purely descriptive of Third World countries and, more especially, recent ex-colonies. Secondly, weak states may be taken to mean those, which are psychologically dependent (with regard to their national identity), on another country. (Persaud 2001, 15)

This perspective of state weakness is much more traditional and mostly relevant to security issues defined in military and territorial terms; it certainly makes sense in a
world of hierarchical sovereignties. But it also leads to confusion if relative power is confused with state strength, especially in the post-Cold War. Moreover, it is not much useful for the formulation of the weakness of the courtesan state. First, as stated above, the courtesan state has resolved the security dilemma by adopting a “bandwagoning” strategy of alliance. The fear of a military threat, therefore, is less relevant. Second, true, the weakness of the courtesan state makes it vulnerable to foreign penetration, however that penetration is that of more of non-state actors, such as organized crime, which, in turn, corrupts the society. Thus, there is an inevitable external/internal connection between the weakness of the state, the corruption of society, and the resulting vulnerability, which is what creates the security problem. In other words, the security threat is not external, and comes less from another, usually more powerful, state, but internal and related to the eventual collapse of state institutions. On the horizon of the courtesan state is not the perspective of an invasion, but the perspective of becoming a failed state and, on the sovereignty scale, falling in the last category of negative sovereignty.

The relation between the courtesan state and the weak society leads, hence, to a third, and so far less studied, understanding of the syndrome of the weak state. While still defined in structural terms in international politics, the weakness of a state in this third approach refers, as Bruce M. Bagley states,

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8 A case of a powerful, nonetheless not necessarily strong state can be made with the Russian Federation. Historically in Russia a strong state was understood as a militarily powerful state, or dzerjava. The term dates from Tsarist time and is dear particularly to conservative circles. Banned with Lenin, it re-emerged by the end of the 1920s. Not in use during the Gorbachevian Perestroika, it resurfaced in 1992 during the parliamentary debates about the status of the Russian Federation and the direction of its foreign policy, ending in a consensual use of “regional power,” “world power,” and “superpower” reflected in an official document approved by the President (Lewin, 2201; Derghoukassian 2001). That, nonetheless, is no indicator of the strength of the state, which, in fact, is quite doubtful (Bagley 2001).
… rather to the institutional capacity of the state, whatever its form, to penetrate society, extract resources from it and regulate conflicts within it. Specifically, the term refers to the ability of state authorities to govern legitimately, to enforce the law systematically, and to administer justice effectively throughout the national territory.” (Bagley 2001)

This perspective has clear advantages in explaining why the ‘strength’ of the courtesan state is rather of short duration if not just an illusion. On the one hand, it establishes clearly the relation between state and society by focusing the institutions, which, by definition, are a set of norms and rules intervening and connecting the state and society. On the other, it clarifies how while still formally sovereign, a state can give effective use of the “relational autonomy” by strengthening the institutions and lessening the vulnerability of the country to foreign penetrations. While it is expected that in underdeveloped countries institutions fail to perform efficiently their role, economic growth by itself is no insurance of the strength of the state. Moreover, economic growth might, in conditions of widening inequity of wealth distribution, indicate a deliberate institutional failure for the sake of major profits for the groups, who appropriated the state and assumed a courtesan role.

_The strongmen⁹ in charge: for power and profit._ Though structural and much related to the process of the globalization of the economy, the weakness of the state is not exempt of the impact of a role that agents play in any political decision-making process. Much in line with the theoretical assumption of the central role that “technopols” played in the neoliberal reforms of the 1990s, the courtesan role is assumed and performed by political leaders. The important difference with this line of theoretical assumption, however, is that the leaders of the courtesan state did not triumph because they “have used strategies and tactics that are not just personal or idiosyncratic but also potentially

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⁹ I owe the term “strongman,” and its conceptual opposition to the “statesman,” to my discussions with Richard Giragosian about conflict, corruption and state failure in the Caucasus.
universal in their applicability.” (Dominguez 1997, 2) There is no parallel of any courtesan state political “project” with the potentially universal applicability of neoliberal reforms. The relationship is that historically the rise of the courtesan state, at least as the Mittelman and Johnston’s framework as well as this analysis suggest, is related to the globalization and the spread of neoliberalism. Moreover, for many courtesan states implementing neoliberal reforms meant gaining international legitimacy and giving the illusion of strengthening the state. But then not in every country where neoliberal reforms were implemented a courtesan state rose. Therefore, assuming the rest equal, the variable ‘leaders in charge’ did make a difference.

The role of individuals in politics gained theoretical importance in the post-Cold War and, for the defenders of that approach, its influence “is by no means exceptional.” (Byman and Pollack 2001, 108) Resurrecting the ‘First Image’ of Kenneth N. Waltz classical Man, State, and War (rejected, as it is known, by Waltz for whom, and his followers, it is the Third Image that best explains international politics), the theoretical approach of the role of individuals in international politics builds upon the assumption that “individuals not only affect the actions of their own states but also shape the reactions of other nations, which must respond to the aspirations, abilities, and aggressiveness of foreign leaders.” (Byman and Pollack 2001, 109) This, indeed, is true also for the leaders of the courtesan state. Moreover, of the hypotheses on the role of individuals in international relations, the one that states that “individuals set the ultimate and secondary intentions of a state,” (Byman and Pollack 2001, 134) and “the more power is concentrated in the hands of an individual leader, the greater the influence of that leader’s personality and preferences,” (Byman and Pollack 2001, 140) are
particularly true for the courtesan state. So much, however, for the theoretical assumption of the role of the individuals in international politics. Assuming a courtesan role is not primarily for the sake of “knit[ting] the tapestry of history.” (Byman and Pollack 2001, 145) It is, rather, the extreme opportunism in seeking power and profit. The courtesan role is not assumed by statesmen—to the extent that an ethical dimension for statecraft is inherent to the term—but rather by strongmen in power in weak states.

It could be argued that power and profit have always more or less characterized the behavior and goals of political actors. Nonetheless, in the particular historical context of globalization, power and profit gain a new meaning that Cox explains through the three contradictions of globalization. One is the social polarization both among and within the countries.

The social structure of the world shaped by globalization takes the form of a three-part hierarchy. At the top are people who are integrated into the global economy … The second level in the hierarchy includes those who serve the global economy in more precarious employment … The bottom level consists of superfluous labor—those excluded from the global economy and who serve it only as a potentially destabilizing force. (Cox 1996, 26)

The second contradiction is the loss of autonomous regulatory power by the states. While they play a role in enforcing the rules of the global economy, their powers of protecting domestic economies from negative effects have decreased. The third contradiction is the widespread but uneven tendency toward decomposition of civil society.

This takes the form both of a fragmentation of social forces and of a growing gap between the base of society and political leadership. References to the ‘political class’ imply an alienation of people from their political institutions. The politicians are thought of a distinct category of beings, serving their own interests, probably both corrupt and incompetent. (Cox 1996, 27)
What is fundamental, however, in globalization is the fact that “consumption is the motor of capitalism, and the motivation of consumer demand is indispensable to capitalism’s continuity.” (Cox 1996, 29) The leadership of a courtesan state is the extreme example of how “the seduction of consumerism turns people away from opposition and makes them accomplices of the globalizing forces.” (Cox 1996, 30) Driven by power and profit, eager to secure a place at the top of the three-part hierarchy of globalization, the strongmen of the courtesan state are perhaps the most convincing evidence of the theoretical problem that the socialization argument poses in politics:

… no one has yet convincingly traced the microfoundations of a socialization argument: how and why those individuals with influence over state policy would eschew the use of the state as agent for their specific interests in order to enable it to conform to norms that some self-constituted authorities proclaimed to be valid. (Keohane 2000, 115)

The “Legitimacy” of the Courtesan State. Because of its compliance to the post-Cold War international order, the courtesan state, unlike the rogue or, to some point, the failing state, has not lost its legitimacy in international politics. Legitimacy “refers to the normative belief by an actor that a rule or institution ought to be obeyed. It is a subjective quality, relational between actor and institution, and defined by the actor’s perception of the institution.” (Hurd 1999, 381) However, compliance, as conceived from a theoretical perspective, is not exempt of basic assumptions.

First, the general level of compliance with international agreements cannot be empirically verified. That nations generally comply with their international agreements, on the one hand, and that they violate them whenever is ‘in their interests to do so’ are not statements of fact or even hypotheses to be tested, but assumptions. Second, compliance problems often do not reflect a deliberate decision to violate an international undertaking on the basis of a calculation of interests. Third, the treaty regime as a whole need not and should not be held to a standard of strict compliance but to a level of overall compliance that is ‘acceptable’ in the light of the interests and concerns the treaty is designed to safeguard. (Chayes and Handler Chayes 1993, 176)

Moreover, for the study of the relationship between compliance and international legitimacy in the case of the courtesan states, some additional observations
are helpful. Thus, “simple compliance with a directive is not evidence of the presence of legitimacy any more than it is evidence of coercion or self-interest: to diagnose legitimacy requires a methodology for interpreting the motives for behavior rather than simply measuring the behavior itself.” [Italics in original] (Hurd 1999, 390) The importance given to the motives leads to the necessary inquiry of the reasons of their motivation for complying with international rules.

We cannot rely on leaders’ own accounts of their motives after the fact, since we should expect these to be biased in one direction or another, either to make the state seem a good international citizen or a hard-headed manipulator of international opportunities. (Hurd 1999, 391)

Globalization as defined along this study on the one hand, and the entangling of domestic and politics and international relations in a “two-level game,” following Robert Putnam’s definition (Putnam 1988), on the other may indicate the legitimacy dynamics of the courtesan state. It is important, however, not to forget the essential perversion of the Weberian state by the strongmen who appropriate it and engage in a courtesan role. In this sense, the two-level game hardly indicates any genuine “national interest” expressed through domestic demands that the courtesan state negotiate internationally. It is rather the international legitimacy that the courtesan state uses domestically to maintain power and on a global level to free ride in the market for the sake of the profit of the strongmen in power. Internationally gained legitimacy, nonetheless, hardly indicates any consolidated domestic legitimacy, though the economic success might provide some of it for some time, especially when the courtesan state rises after a deep social and economic crisis. Thus, following Seymour Martin Lipset’s reasoning, “legitimacy and tolerance flourish when people identify with a plurality of groups and principles; these ‘cross-cutting’ pressures moderate the intensity of particular interests and modulate social
conflicts. Successful economic development is also essential to legitimacy, since it generates a surplus to relieve felt injustices and dampens the class struggle over income shares. It is perhaps the key to modern democratic legitimacy: ‘the factors involved in modernization or economic development are linked to those which establish legitimacy and tolerance.’” (Connolly 1984, 11)

The legitimacy that a courtesan state gains internationally results from its compliancy to the hegemonic power. It is not only “bandwagoning” but also essentially validating the hegemonic order in a Gramscian understanding. It gains legitimacy, hence, because of its role in the hegemonic project inherent to the process of globalization. As long as it maintains engaged in this role, free riding in the global market will be tolerated, including illicit transactions as long as they do not harm or contradict the hegemonic order. That the profiteers are strongmen at power whose courtesan role weakens the state and leads it to failure does not seem relevant, hence tolerable. This international legitimacy of the courtesan state, however, is by no mean any insurance for legitimacy at the domestic level. If economic recovery insures for sometime also domestic legitimacy for the strongmen of the courtesan state, the struggle for power and profit inherent to the courtesan role end up weakening further the state to the point that legitimizing actions will inevitably become impossible as a result of the inability of the state to respond to a crisis situation.

Concluding Remarks

One of the reasons why the courtesan state lacked any interest for a successful securitization in international politics is its usefulness as a legitimizing factor of the neoliberal globalization and the hegemonic international order. In the 1990s nowhere
better than in Latin America the strongmen of the moment, considered as model reformers, or “poster children,” of the liberalization trend of the world economy, have been praised by successive U.S. administrations.

Among Latin America’s “reform-minded leaders,” according to a laudatory 1991 article in the [Washington Post, were [former Argentine president Carlos Saúl] Menem, Carlos Andrés Perez in Venezuela, Carlos Salinas in Mexico, Fernando Collor de Mello in Brazil, and Alberto Fujimori in Peru. A decade later, one of these five crusading reformers has been impeached, three live abroad in disgrace, and the other, Menem, is widely reviled and suspected of plundering Argentina’s state treasury. Had the U.S. press not cavalierly dismissed the “short-term pain of millions,” maybe none of this would have come as such a big surprise. (Silverstein 2002)

The reason for the U.S. official promotion of the successful march of reforms in Latin America had much to do with the embrace of all the Latin American strongmen of the Washington Consensus of neoliberal reforms.

The rapture of Latin American elites neatly reflected the Washington line on the region’s reforms. Throughout the 1990s, the Bush and Clinton administrations relentlessly promoted the idea that Latin America was becoming a freemarket paradise. NAFTA would eventually lead to a hemisphere-wide free-trade area. Soon the entire region, from Canada to Argentina, would belong to the first world. (Silverstein 2002)

Ten years later the legacy of these strongmen is pretty clear for the entire region: according to World Bank figures Latin American poverty jumped almost 40 percent between 1986 and 1991. While corruption is not a single indicator of a courtesan state, the proved links of some of these strongmen with illicit, including criminal, associations certainly provide basis for that consideration. Similarly, one could hypothesize that as long as they were promoters of neoliberal reforms and, in some cases such as Argentina’s, declared automatic alignment with the American foreign policy, Washington would neglect their free ride in the global market. Especially when some of those free rides, while serving for the profit of the strongmen, could also be useful to U.S. strategic
considerations, such as Argentina’s secret arms sale to Croatia during the 1990s Balkan conflict in clear violation of a U.N. imposed embargo.

**Conclusion: The Courtesan State and International Security**

There are three final considerations for a framework to study the courtesan state and determine its relation with international security. First, while the rogue and the failed states are recognized as a threat or source of instability for global security, and, therefore, securitized in international politics, the potential for insecurity that the courtesan state represents is simply ignored, or neglected. In fact, the security problem that the courtesan state represents becomes visible only after the failure of the state; and still that –the failure- is considered primarily a threat for that country and, at least as far as the state failure does not create externalities or “contagion effect,” –a word that made its way into official lexicon as a result of the Argentine post-neoliberal reform economic crisis by the of 2001- (Luzzani 2002) it will be regarded as a domestic responsibility with no need for international intervention to work for a solution. The question, hence, is what is the argument of the courtesan state representing an international security problem? Second, the framework of the courtesan state has been contextualize historically following the general approach of the theoretical perspectives that have been used in this essay and, also, because the empirical evidence –‘rogues’ and ‘failed states’- for a comparative perspective of the conceptualization of the state is found in the post-Cold War transition period. Globalization has been taken as the general structural context. But globalization itself is a process and bound to change as, indeed, some evidence of the end of the post-Cold War is indicating its non-linear trend. The question, therefore, is; has the courtesan
state come to stay, or shall we study it as the rise and fall of a phenomenon unlikely to be found after the end of the 1991-2001 post-Cold War transition period? Third, and following the second problematic issue raised, would the war on terrorism, understood as a Grand Strategy of hegemonic predominance, declared by the Bush administration after September 11, 2001, still be a systemic context facilitating or encouraging the courtesan role? All these questions are, of course, interrelated and meant to open further policy-oriented discussions that, nonetheless, will not be considered in this essay.

To link the failure of state to international security and, thus, expand its threat circumscribed so far to domestic context, the most relevant theoretical argument seems to be the increasing inequality both within and across the state as a result of globalization. Andrew Hurrell defines the paradoxical relationship between inequality and security in the classical state system, as on one hand inequality seen as generator of insecurity, and, on the other, inequality viewed as central to the management of international security (Hurrell and Woods 1999). This old agenda with power politics as its centrality does not seem reconcilable with many features of the post-Cold War international politics, as attention from major wars is shifted to civil wars, domestic social conflict, ethnic strife, and the ensuing humanitarian disasters. “Inequality enters decisively into the new agenda of security studies in answer to three central questions: Whose security? Against what kind of threats? And how protected?” (Hurrell and Woods 1999, 259) leading to a broadening of the traditional agenda, which is limited to the military type threat to the state.

Nevertheless, there is very little to suggest that politics without the state (certainly in the absence of alternative external suppliers of public order) represents a sustainable road to the containing or curtailing of social violence. Rather, the declining capacity of the state to enforce legitimate order has led in many parts of the world to the privatization of violence as diverse social groups are increasingly able to mobilize armed
force; and to the privatization of security as social groups seek to protect themselves, whether through the growth of vigilantism, the formation of para-military groups, or the purchase of security within an expanding commercial marketplace. Where privatized security has been most visible (as in Russia or Colombia), it is the weak and the poor who are the most vulnerable. In this case, as in others, the state can certainly be a major part of the problem but remains an unavoidable part of the solution. (Hurrell and Woods 1999, 261)

From this perspective, the courtesan state has a dual importance for international security. First, in search for profit, the strongmen of the courtesan state would interfere in domestic conflicts of which inequality is, as described, an essential factor. This interference of the courtesan state, moreover, is not built on a strategic argument, hence it does not matter what is the source of profit. Vladimiro Montesinos, one of the strongmen of Peru’s Fujimori regime, sailed arms to the Colombian guerrillas, whereas Mexico’s Salinas’ brother, another strongman, had close links with drug smugglers. The search of profit exacerbates the inequality, hence the social conflict, of other countries. Second, the enrichment of the strongmen of the courtesan state exacerbates also the inequality within their country. Thus, the courtesan state increases its proper vulnerability leading, almost inevitably, to failures and the collapse of the state.

So far, the courtesan state has been analyzed within the context of the post-Cold War and globalization in the 1990s. However, examples of courtesan behavior can certainly be found during the 1980s. Thus, whereas the Bolivian “narco-state” could be qualified as a premature rogue, General Noriega of Panama is by far a prototype of a strongman engaged in courtesan behavior. Because of Panama’s central importance for the U.S., for longtime the corruption of the Noriega regime has not been a concern for Washington though his links with Colombian drug smugglers were known. It is by the end of the 1980s when the drug war became a priority security issue for the U.S. replacing the struggle against communism that Noriega felt into disgrace and was
displaced through a military intervention. Yet, the theoretical elements of a framework for the courtesan state are closely linked to the historical context of the 1990s. For sure, the end of the Cold War, the impact of liberalization and the rise of the United States as the hegemonic superpower of the world did create special conditions and all the courtesan behavior is closely related to the exploitation of these conditions. Therefore, it makes sense asking whether it makes sense stating that the courtesan state is here to stay, or is it more correct analyzing its rise and fall. On one hand, there are clear evidences that the courtesan behavior has already weakened so much the states actively engaged in that role in the 1990s that the actual crisis rather indicates a process of failure and falling to negative sovereignty. At that stage it is questionable how a courtesan role still can be performed.

The answer is not only the search for new strongmen capable of engaging successfully on the same road. It is also the exhaustion of the recourses and the interest of Washington to encourage a courtesan behavior. Moreover, if the global economy has entered, as many analysts suggest, in the post-Washington Consensus phase, then most probably the structural conditions would not be the same for the continuation of the courtesan role. On another, the legacy of the courtesan state, and more precisely the level of corruption, is so heavy that it has almost created a new path dependency. Despite the emphasis on the role of the strongman in the shaping of a courtesan behavior, once for one reason or another displaced from power, those who replace them with initial promises of change sooner or later find themselves engaged in the same role, though most probably with lesser success because of the even more weak state they take in charge. Therefore, a courtesan state, and not just a government, makes sense analytically.
Even lacking the skill of the strongmen to pursue power and profit, the inheritors of a courtesan state, often out of despair, find no other way than trying to continue the courtesan role to save the state of failure. Again, the post-Menem Argentina and the post-Fujimori Peru are good examples of the perpetuity of courtesan behavior.

What, then, would the impact of the aftermath of September 11, 2001 be on the courtesan state? If the war on terrorism that the Bush administration has declared as a long-term objective and articulated the foreign as well as domestic policy according to its logic and necessity has secondary, though essential, components such as the fight against transnational organized crime would free riding in the global market be less tolerable? In other words, would there be lesser incentives for states to engage in a courtesan role? Would the “bandwagoning” of the states with the hegemonic power recover its more strategic meaning and international security redefined along geopolitical axes? After all, September 11, 2001 marked the end of the post-Cold War transition and the U.S. foreign policy has performed a sharp turn from the more multilateral vision and engagement with the world of the 1990s to a publicly declared and constantly tested unilateralism. However, there are various factors indicating that the courtesan behavior instead of being a past phenomenon would be readapted to the new circumstances.

First, as Washington has made the rogue state once again a prime concern for security and almost forgot about the failing state, the chances of a successful securitization of the courtesan state are not much. The hegemonic power’s benign neglect continuing, there will be incentives to seek a courtesan role in the preponderance strategy of Washington. Second, the global market and its illicit component have not disappeared. Moreover, the freemarket discourse is sustained and reconfirmed. “Government failures”
and not “market failures” are the general guidelines for aid. No matter how constrained and difficult, therefore, capital flow is conditioned by opening the economy. This trend, coupled with the weak state, will create even more opportunities for the flourishing of a global illicit economy. Hence the incentives of profit will be higher. Third, no matter how unilateral would like to be the new U.S. military engagement in the world as defined by the broad implications of the war on terrorism help would be needed. Hence, while weak and failing states will lose their interest for Washington, the military institutions might become prime recipients of foreign aid. In countries such as Colombia and Georgia, the military institution might engage in courtesan behavior. In others, totally collapsed states, local warlords might assume that role. In an extreme scenario, therefore, the struggle for power and profit would continue but the courtesan role would increasingly be assumed by state and non-state actors able to define their utility in military terms.
Chapter 3

SECURITY AFTER THE “RENAISSANCE”: ARMS TRANSFER FROM A “REFORMATION” PERSPECTIVE

Axiomatically arms are not just another consumer good. They are by definition lethal instruments, hence the need to subject them to state control stricter than any other product. The core idea of the modern state, as Thomas Hobbes defined in the *Leviathan*, is the monopoly of the use of force. This in practical terms means that the state is the only “legitimate authority,” to quote Max Weber, to have the right to bear and use guns. Of course, the Hobbesian idea could also lead to authoritarianism; hence, since the American Revolution and the need of “a well-organized militia…” the natural right of men to rebel against the abuses of power generated also other ways of conceptualizing the legitimization of the use of arms.

The use of force, and, with the same token, arms, is central in IR theory. The power struggle in the Modern world is closely related to the progress in weapon’s technology. In fact, the use of gunpowder in one of the turning points in the advent of the Modern world. When the concept of “balance of power” was put forward as the theory and practice of international politics in the late 18th century, arms and arms transfer became the favorite instruments of diplomacy. Raymond Aron explains the whole concept of politics among nations with the symbolic and mutually complementary figures of the diplomat and the soldier. With the advent of the nuclear bomb, controlling the destructive power of arms became even more important. In short, for IR theory, arms are

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10 A first version of this chapter with the title “After Renaissance: The Reformation of Security Studies in the Post-Cold War” was presented and discussed at the International Studies Association 2003 Annual Convention, Portland, Oregon, February 26 – March 1, 2003.
closely related to the field of security studies. Therefore, before turning to the crucial question of arms control and arms transfer patterns in the post-Cold War, we need to take a closer look to the field of security studies and its conceptual changes, because the way “security” is defined affects directly all issues related to arms.

In 1991, Stephan M. Walt published “The Renaissance of Security Studies,” the first of several essays to appear in International Studies Quarterly’s ‘Research Programs and Debates’ series. The article meant to be a survey of the field of security studies by examining its evolution since the earlier exclusive concern with the nuclear issue to its “dramatic resurgence” and refinement in the mid-1970s (Walt 1991, 211). Walt was not the first one to provide such an inquiry of the field of security studies. Joseph S. Nye, Jr. and Sean M. Lynn-Jones in 1988 had already presented their personal account of the evolution of the field during the February 1987 conference of ‘The Past, Present and Future of International Security Studies,’ organized by the Center for Science and International Affairs, and later published as an article in International Security (Nye, Lynn-Jones 1988). But what made Walt’s article a widely quoted one has, most probably, been the fact that it was published the year the Soviet Union collapsed and the bipolar structure of international politics of the Cold War came to an end. “The Renaissance...” therefore, had the impact of a report --not to say that it actually meant to be it-- about a field bearing the trademark of the past, yet looking renewal. No wonder, then, if Walt, who ended his article advocating more continuity than change within a traditional vision of security, came under fire especially by post-positivists, postmodernists and, in general, critical theorists.
In fact, Walt’s article opened the post-Cold War debate about security studies. Inevitably, this debate was closely linked to the broader debate about the field of International Relations and its singularity as an academic field. As during the Cold War the concept of security was associated with Realist and Neorealist paradigm, the post-Cold War debate about security studies also evolved along the general guidelines of the classical ‘Realism vs. the rest’ discussion. Thus, while Realists, after a first moment of disconcert, made a comeback enriching and even renovating their classical notions, as well as diversifying more the variants of the paradigm, neoinstitutionalists seized the opportunity to advance in the agenda of peace and cooperation, and post-positivists of all tendencies discovered an empty territory to lay new foundations for the field of security studies. Meanwhile, many distinctive features of the post-Cold War era, which shaped the international security agenda, made their way into the theoretical field and were incorporated to the debate, often modifying a good deal of the prevailing tendencies. Security analysts and IR theorists discussed United States’ Grand Strategy, humanitarian interventionism, ethnic warfare, transnational threats, among others, and provided new and enriching conceptual tools for the field of security studies. By the time the post-Cold War came to an abrupt end on September 11, 2001, the debate about a new direction of security studies had accumulated an impressive literature among books, article, essays, policy papers, and other documents. However, hardly a consensus has been reached with respect of the scope of the field, the methodology, or a research agenda. Moreover, if in 1987 “certain tendencies were clear,” (Nye, Lynn-Jones 1988, 5) by the end of 2001 the discrepancies among analysts and perspectives were clearer than the tendencies. “More than ten years on, however, it is clear that the field is very different than it once was, but
alive and well,” writes Steven E. Miller on the occasion of the twenty-fifth anniversary of *International Security* (Miller 2001, 26). The agenda is found “to be full, diverse, interesting and important.” (Miller 2001, 32)

In this chapter, I examine the evolution of the field of security studies in the post-Cold War decade. I argue that after the “renaissance” of the field by the mid-1970s, the 1991-2001 period marked a movement of “reformation.” I sustain that, though the field still drives its strength and importance from real-world security issues, a healthy diversification of the approaches to these issues has further enriched both the debate and the analytical tools in security studies. I find that the qualitative improvement of the field did result from the critical questioning of the concept of ‘security’ and its evolution toward the more complex yet more useful understanding of the process of ‘securitization’ of an issue. Thus, the new framing of security allows analysts and policy makers to better understand, explain and design policies about issues that made their way on the security agenda.

My inquiry is based on selected texts from a broad range of post-Cold War security literature. I deliberately have chosen and examined the documents referring to the theoretical debate, and used descriptive issues or case studies only when they were helpful for general theoretical purposes. I have also tried to respect the chronology of the evolution of the debate, though most of the notions often reappear over time. Beyond opposing different points of view, my intention is to illuminate the theoretical path leading to the framing of security for which I focus on a distinctive feature of the debate: the multiplication of non-state actors and their increasing impact on security, along with the changing role of the State. I sustain that this particular feature of the debate is crucial
to understand the post-Cold War securitization of arms transfer processes and control policies.

I begin examining in section I Walt’s 1991 article. Then I compare Walt’s article with the essays of Nye and Lynn Jones, and Miller. I conclude this first section with remarks about the post-1991 debate and the imperative of theory for the field of security studies. Section II focuses on the post-Cold War security debate between Realists, Neoinstitutionalists and Post-positivists. I start with the coming-back of Realism. Next I analyze the newest contributions of Neoinstitutionalists, and I conclude with the critical inquiry of issues that open way to the framing of security. Section III refers to the theoretical setting of the concept of ‘securitization.’ Subsections one and two examine the changing role of the state in the security debate and its importance for a new framing of security studies. The third one analyzes the concept of ‘securitization’ through the framework designed by Buzan, Waever, and de Wilde (Buzan, Waever, de Wilde 1998). I highlight the theoretical ground and the practical aspect of the framework for analysts and policy makers. I project the concept of securitization on the international level, to find out how an issue is securitized in world politics. To illustrate my view, I compare the drug war and arms transfer from an international securitization perspective. In the conclusion of this chapter I focus on the post-September 11, 2001 world to show how the concept of securitization is still very useful for the analysis of security in the Age of Globalization.
Section I. The “Renaissance…” in a Comparative Perspective

The “Renaissance…” was written in the general context of the post-Cold War and in the realm of an ongoing debate in IR Theory to critically review the related field of security studies. In what follows, I examine this essay’s contribution to theory through a comparative perspective with similar articles written before and after the “Renaissance…” My conclusive remarks of this first section will be based upon the outcome of the comparative outlook.

The Evolution of Security Studies According to Walt.

Thought Walt’s main focus is on the “dramatic resurgence” (Walt 1991, 211) of the field in the mid-1970s, he dedicates a whole section to answer the question related to a conceptual definition of “security studies.” Notably he is concerned with the field and not the concept of security, for which he adopts Nye and Lynn-Jones’ definition: the study of the threat, use and control of military force. “It explores the conditions that make the use of force more likely, the ways the use of force affects individuals, states, and societies, and the specific policies that states adopt in order to prepare for, prevent, or engage in war.” (Walt 1991, 212) Walt, moreover, does not hide the close linkage between realism and security, and the centrality of military power, however he stops short in restraining the field to it.

Military power is not the only source of national security, and military threats are not the only dangers that states face (though they are usually the most serious). As a result, security studies also include what is sometimes termed ‘statecraft’ –arms control, diplomacy, crisis management, for example. These issues are clearly relevant to the main focus of the field, because they bear directly on the likelihood and character of war. (Walt 1991, 213)

But he is skeptical about suggestions of broadening the concept to non-military threats, such as AIDS, poverty, environment, drugs, and like, stating that such a prescription
would “run the risk of expanding ‘security studies’ excessively,” hence destroying “its intellectual coherence and [making] it more difficult to devise solutions to any of these important problems.” (Walt 1991, 213) As expressed in these lines, and explained further in the text, Walt’s primary concern is securing a social science, therefore theoretical, perspective of security studies, and immunize them, as much as such an enterprise is possible, from the risk of politicization.

Next, he describes the two successive phases of the evolution of security studies: the “Golden Age” and the “Renaissance.” Thus, as he explains, civilian involvement in military planning took place only during World War II, setting the “Golden Age” of security studies. “As one would expect, the nuclear revolution cast a large shadow over the field, and analysts in the ‘Golden Age’ devoted most of their attention to understanding its implications.” (Walt 1991, 214) Much of the research during this period was conducted in think tanks related to the Defense Ministry, a factor that “may explain some of the limitations of the first wave of scholarship.” (Walt 1991, 214) Indeed, much of the early works in security studies suffer from the lack of empirical support, due to little access to relevant information. “The early literature in security studies also employed a rather narrow definition of politics. The field tended to ignore nonmilitary sources of international tension and to focus solely on military balances.” (Walt 1991, 215) It assumed and existing “aggressor,” without, for example, questioning its intention to challenge the status quo. “This limitation was partly a methodological artifact; the ‘rational actor’ assumption that lay at the core of deterrence theory directed attention away from the organizational, psychological, and domestic political factors.” (Walt 1991, 215)
Because of its limitations, the first wave of security studies entered a period of decline in the mid-1960s. The research programs had reached a dead end after all questions relevant to deterrence, the central paradigm, were identified; the first wave scholars failed to produce a significant group of Ph.D. students. These facts, and the Vietnam War as an addition, are the reasons Walt cites for the end of the “Golden Age.”

External events undermined the field in other ways as well. The emergence of U.S.-Soviet détente made the study of war seem less important, and the United States’ declining economic position led to greater interest in the issues of international political economy. (Walt 1991, 216)

The second wave, the renaissance, of security studies began in the mid-1970s, when, at the end of the Vietnam War, the Ford Foundation decided to sponsor academic research in security issues. The founding of International Security opened a space for scholarly forum for the field. The renaissance is marked by several new developments in security studies: scholars relied more frequently on history, and “the comparative case study method was explicitly designed to counter the ahistorical approaches that had characterized the first wave;” (Walt 1991, 217) greater reliance on history challenged the rational deterrence theory, and works drawn upon psychology, organizational theory and historical studies questioned its core assumptions of perfect information and rational calculation; new data and analytical methods, as well as more access to information heated the debate about nuclear policy revealing strong biases in it, such as the possibility of controlling a limited nuclear exchange; conventional warfare, downplayed in the Golden Age except interest in counterinsurgency during the Vietnam War, reemerged based on new theoretical approaches and empirically tested propositions; the notion of Grand Strategy, meant to create greater security through diplomatic and military means,
deserved increased interest with the growing sense of an over-commitment of U.S. and the need to rethink strategic priorities.

Because of the renaissance, national security issues returned to the scholarly agenda, after suffering a decline during the détente. Kenneth Waltz’s *Theory of International Politics* (1979), the most powerful reformulation of Realism, marked this return.

The final characteristic separating the Golden Age from the recent renaissance is the growth of security studies within the academic world. Although several of the major figures of the first wave held university positions, they did their most influential work at think tanks like RAND. Although analysts outside the ivory tower remain important, the center of gravity has clearly shifted back toward academe. (Walt 1991, 219)

In addition to new policy problems and specific theoretical and empirical puzzles, several other developments played a role in the resurgence of security studies. The end of the Vietnam War, the collapse of détente, increased access to data, increased outlets for publishing, financial support, and “the adoption of the norms and objectives of social sciences,” (Walt 1991, 221) are, according to Walt, the developments that played a crucial role in the resurgence of security studies. Among these developments, the adoption of the norms and objectives of social sciences deserves special attention for the determination of new research agendas.

Security studies seek *cumulative knowledge* about the role of military force. To obtain it, the field must follow the standard canons of scientific research: careful and consistent use of terms, unbiased measurement of critical concepts, and public documentation of theoretical and empirical claims. Although no research enterprise ever lives up to these standards completely, they are the principles that make cumulative research possible. The increased sophistication of the security studies field and its growing prominence within the scholarly community is due in large part to the endorsement of these principles by most members of the field. (Walt 1991, 222)

Albeit writing retrospectively, Walt’s concern is mainly the new agenda. He, in fact, expresses confidence that, the end of Cold War notwithstanding, the field will not
suffer a permanent decline for three main reasons: (a) as the Persian Gulf War reminded, military power remains a central element of international politics; (b) security studies have been institutionalized within many university departments; and (c) “the collapse of the Cold War will create new policy problems and new research puzzles.” (Walt 1991, 222) Nonetheless, he identifies several potential problems for the future development of the field. Most importantly he warns against too policy-oriented and short-term approaches, and, simultaneously, “the counterproductive tangents that have seduced other areas of international studies, most notably the ‘post-modern’ approach to international studies.” (Walt 1991, 223) If it is obvious enough that scholarship in social science needs not to be necessarily policy-relevant, also

… tolerance for diverse approaches is not a license to pursue a technique regardless of its ultimate payoff; the value of any social science tool lies in what it can tell us about real human behavior. Formal models are useful when they do this, but they should not be viewed as ends in themselves. (Walt 1991, 223)

Dialogue among different methodological approaches, on the other hand, still insures healthy competition and, hence, progress in scientific disciplines.

Based on his review and methodological concerns, Walt moves toward the definition of a research agenda. He stresses several subjects that, according to him, deserve further attention: the role of domestic politics; the causes of peace and cooperation based on the increased convergence of traditionally opposed and mutually skeptical perspectives of war and peace studies; the power of ideas aiming at a “popular revulsion against war” to become “universal and permanent,” and provide guarantee that inter-state violence would end (Walt 1991, 225); The end of the Cold War, which impacts security studies by, first, making the study of grand strategy increasingly important, and, second, raising basic issues about the prospect of peace, such as questions about the
perspective of a reemergence of familiar sources of conflict or regional powers taking more aggressive actions to improve their positions; relationship between economics and security, especially: the connection between economic performance and military spending, the persistent importance of strategic resources like oil, and the political importance of the military-industrial complex; refining existing theories; and, protecting the data base against governmental manipulations to inhibit journalists from investigative reporting and reducing the raw data available for use by scholars.

This later topic, in particular, acquires an ethical dimension:

Efforts to shield government policy from outside evaluation pose a grave threat to scholarship in the field. No doubt some government officials would like to deny ordinary citizens the opportunity to scrutinize their conduct; as a central part of that evaluative process, the scholarly profession should resist this effort wholeheartedly. The danger goes beyond the interests of any particular subfield; restricting information threatens the public debate that is central to democracy and essential to sound policy. Events as diverse as the Bay of Pigs invasion, the Iran/Contra affair, and the troubled development of the B-2 bomber remind us that excessive secrecy allows issue to a selected group of official ‘experts,’ therefore, open debate on national security matters must be preserved. Such a debate requires that scholars retain access to a reliable and complete data base. (Walt 1991, 228)

Walt draws four main lessons as a conclusion of his review of, as he puts, “the rise, fall, and recovery of security studies.” (Walt 1991, 228) Regarding the first lesson, the evolution of knowledge, Walt outlines two main features: the influence of external events—“research in security studies has been heavily shaped by changing international conditions” (Walt 1991, 228)—, and the mechanisms by which social science advances:

One avenue is borrowing from other disciplines: like the rest of international relations, security studies has profited by drawing upon other bodies of knowledge. The other source of progress is competition between rival theories. Competition encourages contending approaches to refine their arguments and to seek better empirical support, and it usually leads them to incorporate each other’s ideas as well.” (Walt 1991, 229)

The second lesson concerns the ivory tower of security studies. Based upon his earlier warnings about the danger of separating the academic study of security affairs
from the real-world issues, Walt foresees a clear contribution the academics to policy makers.

In the short term, academics are well placed to evaluate current programs, because they face less pressure to support official policy. The long term effect of academic involvement may be even more significant: academic research can help states learn from past mistakes and can provide the theoretical innovations that produce better policy choices in the future. (Walt 1991, 229)

Third, albeit private foundations’ support for academic research has been importance during the renaissance, the danger of its politicization is still relevant. If access to research support becomes contingent on ‘correct’ political views, the integrity of security studies will be gravely threatened. In the short term, the presence of several ideologically varied foundations and the existence of many separate research centers has ensured that no single views has come to dominate the field. But science is not a contest that the loudest or most lavishly funded forces should win; the quality of scholarship should be the dominant consideration. Over the longer term, foundations should support scholarship that follows the basic norms of science rather than research that conforms to particular political preferences. The goal is to encourage talented scholars to attack important questions, regardless of their ultimate conclusions. In short, keeping ideological litmus tests out of the funding process is essential to preserving the legitimacy of security studies as a scholarly enterprise. (Walt 1991, 231)

The final lesson Walt draws from the essay concerns the norms and ethos of the security studies community. Collaboration and exchange of ideas, relevance of the field for real-world problems, and continued commitment to democratic discourse, are the issues he highlights.

The renaissance of security studies, Walt says in the last paragraph of his essay, “has been a valuable development for international relations.” (Walt 1991, 232) Faced with the challenge of a new era, new problems will arise and new strategies will be needed to deal with them. “If participants observe the norms that have guided the field in recent years and if adequate research support remains available, prospects for continued advances are good. And if future work both builds upon and challenges the results of the
recent renaissance, that will be convincing evidence of the continued health of the field.”
(Walt 1991, 232)

Before seeing if ten years later “The Renaissance...” security studies continued building upon norms acquired during this period, a review of a previous analysis that I undertake in the next section might give an idea about the strength of the foundations of the field, which made Walt so confident about a new research agenda conceived as an expansion of the renaissance period rather than a more conceptual change of its principles.

No Intellectual History Before “The Renaissance...”

In his essay Walt does mention Nye and Lynn-Jones’ 1988 report of the state of the art. In fact, there are many similarities and theoretical compatibilities between the two essays. Moreover, both are concerned with the research agenda of security studies and point to similar problems and issues to be further developed. However, Nye and Lynn-Jones’ report is not meant to be an intellectual history of the field of security studies, as is Walt’s essay. Perhaps because of the nature of their essay –a report-, or because of an international context where change was not that obvious, Nye and Lynn-Jones did not pretend doing any historiography, though they certainly are conscious about a task to be fulfilled. The progress of a relatively young field, born after World War II, has been halting, they say, “and the definitive intellectual history of the field has yet to be written.” (Nye, Lynn-Jones 1988, 8) Moreover, they characterize international security as “not a discipline but a problem (...) developed around military capabilities and East-West issues that were easy to grasp.” (Nye, Lynn-Jones 1988, 6)
Very much in the context of Cold War, as their vision leave no doubt, international security studies address the questions of international violence and threats to the security of states. Though the field is “necessarily interdisciplinary,” political science occupies a central place among the disciplines concerned with questions of war and peace. “As long as the fate of the earth could depend on how states address security issues, it will remain imperative not to overlook the potential contributions offered by other disciplines, such as economics, sociology, history, physical sciences, anthropology, psychology, and law.” (Nye, Lynn-Jones 1988, 6)

As for the origins of the field, they are rooted in “the twin revolutions in American foreign policy and military technology caused by the emergence of the Cold War and the development of atomic weapons.” (Nye, Lynn-Jones 1988, 8) As Walt later did in his essay, Nye and Lynn-Jones also underline the important contribution of Realism to security studies that consists in providing “a simplified political context for the elaboration of concepts of nuclear strategy and deterrence.” (Nye, Lynn-Jones 1988, 8) But Realism also limited the development of the field, as “creative thinking about security issues virtually disappeared after the conceptual innovations of the late 1950s and early 1960s.” (Nye, Lynn-Jones 1988, 9) Without labeling eras, Nye and Lynn-Jones, however, recognize important developments taking place in the field in the late 1960s and early 1970s. Bureaucratic politics, decision-making analysis, and psychology applied to security studies expanded the scholarly debate.

Addressing the question of intellectual problems the field faces, the authors mention four lacunae that kept recurring during the conference: “the shortcoming of deterrence theory, the inadequacy of basic theoretical work in the field, the lack of
attention to history, and the pitfall of ethnocentrism due to American dominance of the field.” (Nye, Lynn-Jones 1988, 10-11) They, then, underline the renewed public interest in defense and foreign policy in the 1970s and early 1980s, which encouraged the efforts of the scholars, to describe some of the most significant developments taking place in deterrence theory, psychological approaches, ethical questions, cooperation issue, the relation between security studies and international relations, the rediscovery of history, and basic theoretical search.

Interestingly enough, for them “the future of security studies remains unclear.” (Nye, Lynn-Jones 1988, 20) One of their concerns is the temptation of the scholars “to engage in work with more immediate policy relevance, particularly when foundations are willing to fund such work, but sustained cumulative theoretical work is essential if the field is to deserve scholarly respect and remain intellectually healthy in the long run.” (Nye, Lynn-Jones 1988, 22) It is this concern in mind that Nye and Lynn-Jones expand their view of the future prospects of security studies and examines questions related to operational issues, historical research, area studies, conventional warfare, domestic aspects, economics, and specific topics for further research.

As I mentioned earlier, what Nye and Lynn-Jones in their report of the CSIA qualify as “a general picture of the achievements and weaknesses of a rapidly growing field,” (Nye, Lynn-Jones 1988, 27) take the shape of an intellectual history in Walt’s 1991 essay. Further analysis about how the field in conceived ten years after the end of Cold War in the next section of the part, helps us understanding to what extent Walt’s confidence of continuity has been justified.
An International Security Account of a Changed World

Walt’s article underlines the importance for the field of security studies the foundation of *International Security*. It is to be expected, therefore, that a publication concerned with studying security from a social science perspective to have its own intellectual history of the field. That is precisely what Miller’s essay (Miller 2001) does for the twenty-fifth anniversary of *International Security (IS)*. The task is more than legitimate, as the journal had covered almost half of the period of existence of the field. Its own evolution through the articles, essays and debates it produced, therefore, is by itself a testimony of the evolution of the field.

*IS* was born when the Soviet Union was at the heart of security concerns in U.S. policy-making and scholar circles. Much of its intellectual output therefore, was relevant to the concern that the Soviet Union provoked. As in the first two subsections I outlined, both the evolution of the field and the importance of *IS* for it, are now known and analytically conceptualized. What is more interesting for the purpose of this chapter is Miller’s account of the field after the end of Cold War.

A question, anticipated by Walt, raised at the end of Cold War was, naturally, whether the publication of *IS* would continue or not. David Baldwin, among others, argued international security studies was becoming irrelevant.

In one sense, such reactions were utterly ahistorical. The problems of security in national and international politics did not begin with the Cold War and were unlikely to end with the Cold War. In another sense, those reactions were quite understandable, given that the field had arisen during the Cold War, partially as a consequence of the Cold War (though the nuclear revolution was equally important), and pursued a substantive agenda heavily influenced by the Cold War. (Miller 2001, 26)
The decline of the field arguably being an issue to have to be raised, therefore, a decade later, nonetheless, it is, according to Miller, about a three-way change of the field that we ought to talk.

The first alteration of the field is produced by a more fundamental agenda. “Where once the structure of the Cold War system was taken for granted, now there is a need to ask what sort of international order might be possible in a world not structured around great power rivalry.” (Miller 2001, 27) The second alteration concerns the expansion of a Eurocentric view that predominated the Cold War to other regions.

As in the past, over the last decade IS has sought to provide examinations of the phenomenon of war. Despite hopes to the contrary and despite the expectations of some, war has persisted into the post-Cold War era. But the recent experience of war has taken place in a new political, technological, and international legal context. The world in which one superpower automatically balanced the other no longer exists. New military technologies, especially those in the hands of the lone superpower, seem to offer new options and to raise new implications. Meanwhile, efforts and aspirations to strengthen the role of international law in global affairs introduce another potential constraint or complication in using or contemplating the use of force. (Miller 2001, 29)

Instead of a traditional inter-state conflict in which violence is used, what is observed in a post-Cold War “world full of weak states, inept states, impoverished states, and failed states, [is] internal conflict across various sociopolitical cleavages (ethnic, religious, economic, ideological, and political).” (Miller 2001, 30) Questions about why this happens and what should it be done are still relevant. Moreover, “the demise of Cold War has opened room for increased attention to previously neglected subjects. A good example is the connection between environmental problems, resource scarcities, and conflict.” (Miller 2001, 32)
The third important alteration of the field Miller observes is a more scholarly agenda.

To be sure, much of the work still derives from the real-world policy agenda—as it should be. IS continues to feature direct policy analysis and to encourage authors of more theoretical pieces to address the policy implications of their analysis. Moreover, some theoretical or methodological work has always been a part of the field (especially if one views the boundary between international relations and international security as inevitably porous). But more policy-oriented work is now joined by a more vigorous parallel strand of research that seeks to identify and evaluate generalizable propositions about cause and effect, explore root causes and fundamental forces, seek meaningful patterns across important cases, and test hypotheses against evidence. (Miller 2001, 37)

Concluding Remarks

Of what Nye and Lynn-Jones could give a general picture, Walt tried to build an intellectual history. Though much of his concerns about the post-1991 evolution of international security studies is reflected in Miller’s account, it is clear also that changes have been much more profound than what Walt essay seemed to presume. These changes in the field are, of course, related to real-world issues. In fact, no social science would have much sense if not addressing real-world issues. Walt’s concern, however, was about the perspective of a short-termed policy-oriented scholarly research, which would not have meant much contribution to the advance of security studies. However, as Miller emphasizes, the theoretical debate did not lose its momentum in the aftermath of Cold War. Theory and theory building, in other words, remains an imperative for long-term solutions to real-world problems.

A challenging question, of course, is whether more than a decade of theory building in the post-Cold War now would prove itself as a useful tool for the understanding and explanation of the world in the aftermath of September 11, the event that brutally ended ten years of transition. To be sure, September 11 confirmed the
relevance of the issues on the research agenda that, as anticipated by the above-mentioned authors, need further expansion. The close relation of international security with domestic politics and the global economy is the most obvious one.

Nonetheless, events in the aftermath of September 11 highlighted also the importance of ethical issues, such as the protection of the database and the openness of the democratic debate, as much as they pushed new ones. The linkages between state and non-state actors, the question of stateness in the periphery, the threat of the renewed security pathos to democracy, civil liberties and human rights, and the return of racism are among issues that have generated a broad debate among analysts and theorists of security.

The next section examines how the evolution of IR theory debate addressed the question of security, to see whether any foundation of a new era has been put in place for a third wave of security studies.

Section II. Security Studies in the Post-Cold War Theoretical Debate

According to K. J. Holsti, the analysis of any field of study in a particular era assumes first, that the given era has identifiable characteristics clearly distinguishing it from predecessors and successors, and, second, that the field of study reflects of actual social conditions.

The Cold War was in many ways a distinct era, an era of anxiety caused by nuclear weapons, and an era in which diplomatic and military ideas, practices, and norms differed in significant ways those prior to 1945 and after 1989. There are significant continuities, of course, but one would have little difficulty drawing compelling contrasts between the
The historical concerns of war and peace continued as the core of the agenda, though with a sense of urgency wrought by the possibility of nuclear annihilation. Thus, evaluates Holsti, security studies as a subfield of international relations was developed as an explicit response to the incorporation of nuclear weapons in the arsenal and strategic planning of the major powers. However, the analysis changed from studying the dynamics of war to deterrence, from the purpose of winning wars to that of preventing them.

And what did international relations theory give to security studies? The subfield borrowed from many disciplines, including social psychology, economics, and history, but the entire theoretical substructure came from the classical tradition of international relations: the actors are states; they compete for power; there is no overarching authority that can compel states to promote some ‘community interest’ (as some analysts of the United Nations contended); in a system of anarchy, security is a scarce commodity; in attempting to defend themselves, states necessarily create security threats for others; and national interest/security is a prime normative value that must be enhanced to provide the possibility for the political community to pursue good life. Welfare and other values necessarily are subordinate to the protection of political independence, sovereignty, and security. Security studies, in brief, were concerned ultimately with a wide spectrum of normative problems that far transcended technical questions of weapons technology or deployment. (Holsti 1998, 41)

The scholarly agenda, of course, broadened in the 1970s and even more with the end of Cold War to include a whole range of new subjects in a changing world, along with the changing understanding of theory itself. The project of a ‘grand’ theory has been abandoned definitively, and it became a common place to recognize the methodological limitations of the field. Holsti, nonetheless, does not see this change as an indication of a sense of despair reflected in the shared pessimism of postmodernists. While context matters, he concludes,

… it is not a sufficient explanation for the development of the field. Scholarship has its own mores, demands, and foibles. Academics do not need major international trends to
animate their debates and to search for more reliable knowledge. Scholarship is a part of the world, but is also a world of its own. (Holsti 1998, 46)

It is in this perspective of world-context and scholarship as a world of its own that this section examines international security studies in the post-Cold War decade. I consider that September 11, 2001 marked a turning point in international politics, and, therefore, an argument can be made about the end of an era. Analysts, in general, characterized the post-Cold War as an era of transition, meaning that uncertainty with respect of a worldview prevailed. Indeed, the theoretical debate in IR did not end in the aftermath of Cold War, and with it the field of international security studies continued its evolution. Nuclear weapons did not disappear, but “anxiety,” which defined the pulse of the evolution of security studies in the previous era, became much more confused. With the collapse of the Soviet Union, deterrence lost its urgency, and, to some extend, the rational of its theoretical formulation.

James N. Roseneau’s suggested “turbulence” is perhaps what best defined the state of mind in the post-Cold War theoretical debate (Roseneau 1990). People now understand, emotionally as well as intellectually, that unexpected events are commonplace, that anomalies are normal occurrences, that minor incidents can mushroom into major outcomes, that fundamental processes trigger opposing forces even as they expand their scope, that what was once transitional may now be enduring, and that the complexities of modern life are so deeply rooted as to infuse ordinariness into the surprising developments and the anxieties that attach to it.” And what is more important, “the absence of superpower rivalry is not the only source of complexity.” (Klare and Chandrani 1998, 19)
In this world-context, for analysts the concept of ‘national security,’ already an “ambiguous symbol,” (Wolfers 1962, 147) has also become insufficient. Though, as Helga Haftendorn argued, ‘global security’ is not yet a proper concept, it might indicate a direction if institution-building continued (Haftendorn 1991). To be true, much of the IR theory debate in the post-Cold War, especially along the neorealism/neoliberalism discussion line, did address the question, whereas post-positivists moved toward more conceptual inquiry.

In the following three subsections I discuss the evolution of security studies through the lenses of IR theory’s post-Cold War debate, which, by the way, reflects also the view of the world-context according to each school of thought. I begin with realism and its comeback, next I move to liberal/neoliberal views with a particular emphasis on institutions, and I in the third subsection I focus critical theory as a response to Walt’s initiative of building an intellectual history of the field. My conclusion of this part follows Walt’s line, and proposes ‘Reformation’ as a characterization of the post-Cold War phase of the evolution of international security studies.

The Realist Defense and Comeback

The realist vision of an inherently anarchical, permanently conflict-prone and always hierarchical world has security as its alma matter and the security dilemma. First identified by John Herz, the security dilemma became the “rational foundation” of the interaction between the states (Glaser 1997, 171). Justified by what the bipartisan consensus in the United States defined for more than forty years as the clear and imminent threat to national security -the former Soviet Union-, the security dilemma allowed realist theory to enjoy an almost complete fusion with policy decisions that
perhaps no other theoretical framework had ever enjoyed. With the end of the Cold War, however, no argument, at least as concrete and perceivable as the Soviet threat, could justify decisions based on the security dilemma. More rational seemed the pressures of the peace dividend, a concept that in its essence was the negation of the security dilemma.

Indeed, although already questioned since the 1960s with the analysts who opened state’s “black box” to study the decision-making process, then, in the following decade, by the interdependence theorists who refined the concept of power, and, finally, in the 1980s by the more challenging post-positivist schools of IR, realism came under attack in the 1990s facing a quasi ontological challenge to reconsider the very core of its most fundamental concepts. The now vulgarized proclamation of the “End of History” by Francis Fukuyama in 1989 could well be interpreted as the end of realism. Critics of realism often pointed to its failure to predict the end of the Cold War, and “[i]f realism can be shown to have nothing to say about the Cold War’s end, its relevance to the postwar can be called into doubts.” (Wohlforth 1994-1995, 96)

A revision of a decade long realist literature dealing with the post-Cold War international security issue, however, shows that major realist theorists and their disciples did not only face this challenge and undertook the defense of the validity of the paradigm, but also made a comeback with proposals for the world that was to come. In a way, the debate among the realists that divided the camp between the defendants of the classical realism and the affiliates of neorealism was as passionate as was the challenge of the critics of realism. In fact, the realist comeback reflects also somehow the synthesis of the intra-realist debate on post-Cold War security.
Indeed, both classical realists and neorealists offered explanations of the end of the Cold War according to their core concepts. Stressing the power capabilities of the states, upon which classical realism is constructed, the peaceful dissolution of the Soviet Union is interpreted as the result of an unsuccessful four decades-long Soviet challenge to U.S. hegemony.

Stalin, Khrushchev, and Brezhnev may have had many reasons for competing with the United States, ranging from genuine fear to ideological conviction, but a necessary condition for competition was their perception that they had the capability to do so. Gorbachev may have had numerous reasons for seeking to withdraw from the rivalry with the United States, but a necessary precondition was the perception of reduced capability to continue competing. (Wohlfirth 1994-1995, 96)

Three keys, therefore, reveal to be important for the understanding of the peculiarities of the Cold War’s end: (a) the decision-makers’ assessments of power are what matters; (b) declining challengers are more likely than declining hegemons to try to retrench and reform rather than opt for preventive war; and (c) sudden decline or civil strife on the losing side of a struggle is less destabilizing globally than such decline or strife on the winning side.

For neorealism, most Americans’ “conviction that the United States was the status quo and the Soviet Union the interventionist power distorted [their] view of reality. The United States as well as the Soviet Union intervened widely in others’ affairs and spent a fair amount of time fighting peripheral wars.” (Waltz 1993, 47) The Cold War ended because the bipolar structure that sustained it began to erode in the 1980s. Change starts at the unit level that, later, interacts with structural causes.

Brezhnev’s successors, notably Andropov and Gorbachev, realized that the Soviet Union could no longer support a first-rate military establishment on the basis of a third-rate economy. Economic reorganization, and the reduction of imperial burdens, became an externally imposed necessity, which in turn require internal reforms. For a combination of internal and external reasons, Soviet leaders tried to reverse their country’s precipitous fall in international standing but did not succeed. (Waltz 1993, 50)
The two different approaches to explain the end of Cold War lead also to two different conclusions with respect to Cold War’s end. Thus, without ruling out caution about a sudden rise of a new great power, for a classical realist focusing on state capabilities as a key indicator of power

... there are sound realist reasons to be at ease about the near future of great-power relations. The fact that the challenger rather than the defender exhausted itself in the struggle augurs well for international stability among the major powers. Presumably, the law of uneven growth would have to operate for many years to the United States’ disadvantage before new challengers arise. (Wohlfforth 1994-1995, 128)

The logic of balance of power, inherent to neorealism, points to the inevitability of the rise of new great powers.

Peace is sometimes linked to the presence of a hegemonic power, sometimes to a balance among powers. To ask which view is right misses the point. It does so for this reason: the response of other countries to one among them seeking or gaining preponderant power is to try to balance against it. Hegemony leads to balance, which is easy to see historically and to understand theoretically. That is now happening, but haltingly so because the United States has benefits to offer and many other countries have become accustomed to their easy lives with the United States bearing many of their burdens. (Waltz 1993, 77)

In other words, to assume that it is possible to perpetuate unipolar predominance by persuading would-be great powers to bandwagon rather than balance is wrong because

... (1) unipolar systems contain the seeds of their own demise because the hegemon’s unbalanced power creates an environment conducive to the emergence of new great powers; and (2) the entry of new great powers into the international system erodes the hegemon’s relative power and, ultimately, its preeminence. (Layne 1993, 7)
The task, therefore, for the United States is: “(1) managing the potentially difficult transition from unipolarity to multipolarity; and (2) advancing American interests in the multipolar world that inevitably will emerge.” (Layne 1993, 8)

As realism is able to explain the end of Cold War it remains a valid theoretical tool for the analysis of the post-Cold War world. Moreover, the principal challenge to realism in the 1990s, the liberal claim that international institutions are guarantors of peace, is considered false because “institutions have minimal influence on state behavior and thus hold little promise for promoting stability in the post-Cold War world.” (Mearsheimer 1994-1995, 7) Thus, if the world is as realism describes it, its prescriptions of self-help and the rational foundation of the security dilemma should not be conceptualized for just a specific historical context -the Cold War- but ought to be functional also when that context has changed. This, of course, does not mean that modifications are unnecessary. Quite the opposite; a successful re-visioning of these concepts shows their usefulness as theoretical and decision-making argumentation tools without departing from the initial premises or virtues of realism.

Charles Glaser, for example, argues that cooperation is explicable without recurring to institutions. In fact, Glaser’s “contingent realism,” a variant of structural realism, predicts “under a wide range of conditions, adversaries can best achieve their security goals through cooperative policies, not competitive ones, and should, therefore, choose cooperation when these conditions prevail.” (Glaser 1994-1995, 51) States remain security-seekers. However, once the structural realist competition “biases” are eliminated it becomes clear that self-help could mean also cooperation and that states do compare
the advantages of both competition and cooperation. By doing that, a state confronts two fundamental questions.

First, which will contribute more to its military capabilities for deterring attack, and for defending if deterrence fails? Second, appreciating the pressures created by anarchy and insecurity, the state should ask which approach is best for avoiding capabilities that threaten other’s abilities to defend and deter, while not undermining its military capabilities? (Glaser 1994-1995, 51)

These questions impose a shift from a structural theory based on power to one based on military capabilities. The dimensions of the security dilemma, the distinction between offense and defense and their balance, become key variables. In practical terms, what becomes important to consider is states ability to convert their military capabilities from offensive missions to defensive ones and the conditions under which this conversion is possible. Arms control, unilateral defense and arms race as three approaches to security-seeking policies would prove their usefulness under the condition of distinguishing and balancing offense and defense. In addition to the offense-defense variable, states motivation, of which international structure communicates nothing, are central to decisions about competitive or cooperative policies. “States can try to communicate their benign intentions via three types of military policies: arms control, unilateral defense and unilateral restraint.” (Glaser 1994-1995, 68)

In sum, contingent realism asserts

… states’ choice between cooperation and competition are highly conditional, with no general preference for competition … It provides a set of conditional structural-realist predictions that improve our ability to explore past cooperation and competition, are necessary for assessing competing explanations, and provide better guidance for designing future policies. (Glaser 1994-1995, 89-90)

As the security dilemma is a central variable for the formulation of contingent realism, its revision also becomes a necessity. In fact, revisiting the security dilemma is
what distances refined forms of realism from the standard structural theory that, by
ignoring it, “envisions a consistently more competitive and dangerous world.” (Glaser
1997, 172) Although elaborated in 1978 by Jervis\(^\text{11}\) and frequently quoted, the security
dilemma revisited is integrated by two additional variables: “the extent of the adversary’s
greed (that is, motives beyond security) and of the adversary’s unit-level knowledge of
the state’s motives.” (Glaser 1997, 174) The addition of these two variables broadens the
debates over IR theory and security policy. Indeed, “the importance of the security
dilemma both for explaining and for avoiding international conflict depends on how
greedy one’s adversary is: all else being equal, the security dilemma is of less
significance when the state’s adversary is greedier.” (Glaser 1997, 190) As for the unit-
level knowledge of a state’s motives it refers to certainty or uncertainty about an
adversary faced being a pure security seeker that reduces the severity of the security
dilemma. These two nonstructural variables highlight

… the fact that the role of the security dilemma depends on certain basic theoretical
assumptions. Structural realism is built on assumptions that guarantee a certain role for
the security dilemma. If, however, we start from different assumptions about states’
motives or the sources of information about state’s motives, the importance and severity
of the security dilemma can decrease. (Glaser 1997, 193)

These and other modifications of realist theory suggest,

… that the much-anticipated death of realism is premature. Realism remains a powerful
and valuable explanatory framework, the end of Cold War notwithstanding … [S]ome
variant of realism [is found] helpful in understanding the foreign policy predicaments of
particular states. This holds for the advanced states of the capitalist world, as well as for
the states of the former communist world. And, it applies in the arena of foreign
economic policy as well as in what is usually considered realism’s traditional preserve –
national security policy. (Mastanduno and Kapstein 1999, 3)

In the post-Cold War unipolarity of the international structure, states still compete for a
better position in an anarchic environment. “If military competition is de-emphasized,

states will compete for power and influence in other realm and over other values.” (Mastanduno and Kapstein 1999, 11) Overall, however, the structural analysis should look within the “black box” to understand unipolar politics. To preserve the unipolar moment, for example, United States should not rely only on the relative distribution of capabilities, but also on the effectiveness of diplomatic skills. “Through policies of engagement and reassurance, U.S. officials can dissuade or at least delay other states from challenging U.S. hegemony and balancing against the United States.” (Mastanduno and Kapstein 1999, 168)

Although built on the balance of threats theory, this policy conceptualization echoes clearly to the broadening of the dimension of security dilemma by aggregating the greed factor and the unit-level knowledge of state motivation. Two different variants of structural realism, in other word, meet and, furthermore, derive into a more classical realism argument highlighting statecraft rather than mere capabilities.

*Liberal Contribution: Economic Security, and NATO as a Case of Post-Cold War Security Institutionalization*

Liberal/neoliberal views of international relations seemed to be reinvigorated with the end of Cold War. The main argument was the sharp decline of the centrality of conflict with the end of bipolarity. Realists, as I discussed in the previous section, did react to this argument, which, as events show, was indeed illusive. However, it is wrong to conclude that the liberal/neoliberal approach was circumscribed to the democratic peace theory. In fact, the deepening of interdependence, as anticipated by its advocates, created new incentives to reconsider the centrality of security in economical terms, and reinforce institutionalization as an alternative to realist prescriptions in dealing with questions related to international security. In other words, neoliberal/institutionalist
theories did make their proper contribution to the evolution of the security studies in the post-Cold War. In what follows I discuss the theoretical conceptualization of economic security, and the continuity of NATO as a case that institutionalists used to advance new suggestions about how to deal with post-Cold War security. As in the case of realists, liberal/institutional theories included a proper worldview, or the world-context, and scholarship as a world of its own.

To start with, in liberal/institutionalist views states remain central in international relations, and much of the analysis is based on the inter-state dynamics. This hardly is new, or surprising, as it is, for example, the lesser importance that international institutionalists give to domestic regime, which is central in the analysis of the advocates of democratic peace theory. Thus, economic security is seen by Kristin M. Lord as an aspect of national security, and defined along the lines of “a state’s ability to protect against perceived threats to its sovereign economic affairs and the absence of fear that such values will be attacked.” (Lord 2000, 60) In these terms, economic security becomes a function of both power and vulnerability, and faces two types of threats: short-term versus long-term, and internal versus external.

In the short term, states face external pressures –foreign markets, raw materials, economic shocks, etc.-, and need either to increase their autonomy, or be powerful enough to counter the threats. “In the long term, a state’s security hinges on its overall economic power and wealth, which allows it to fund strong militaries to protect interests, gives it leverage over allies and enemies, provides a wider variety of policy tools to achieve its objectives, and is altogether a most important component of overall power.” (Lord 2000, 61) States, therefore, are routinely engaged in trade-offs to balance between
short-term and long-term threats to economic security. The internal versus external security also leads states to face trade-offs between policies that promote long-term growth and prosperity, and, at the same time, produce tensions and clashes within society between those to whom they benefit and others that are harmed by them.

Economic factors can be both a cause and a product of a broader security environment.

As a cause, they can lead nations to worry about their own vulnerability or to threaten others’ weaknesses. As a product, economic security can vary dramatically, depending on a state’s broader security goals, which fluctuate according to the distribution of international power, military considerations, domestic stability, and the interactive dynamics of politics. (Lord 2000, 62)

Whereas liberals think that economic factors reinforce peaceful relations, realists are more skeptical about their wider promise to deter war. “In a sense, both sides are right. Depending on the security environment in which states exist, economic factors can reinforce stable international relationship or exacerbate tensions.” (Lord 2000, 64) From this perspective, global political interdependence offers opportunities, but can also increase threats to national economic security. It, thus, increases the policy instruments – power over trade, power over money, and power over information- that states have at their disposal; however, “since national economies are so intrinsically linked, states can control their economic security only partially. Economic crises in one state may rapidly spread to another.” (Lord 2000, 65)

Interdependence theorists distinguish between sensitivity, defined as how swiftly changes in one country bring costly changes in another, and vulnerability, or an actor’s liability to suffer costs imposed by external events, two concepts that are particularly useful when dealing with economic security. Yet the challenge of economic security for
states consists fundamentally in balancing between short-term and long-term interests. Engaging in it, states, additionally, can face the economic security dilemma when deciding whether to help promote another state’s economic growth.

For the post-Cold War world, the most interesting outcome of the overall theoretical discussion of economic security, is the greater attention this later may receive when a state’s security increases

... because the choices involved are more complicated when there are no clear and present dangers to a state’s survival, territorial integrity, or economic sovereignty ... Trading guns for butter is easier. When the threat of external threat is lower, however, threats to economic security interests seem much more amorphous and much less urgent. (Lord 2000, 71-72)

Thus, for developed countries, though economic security concerns may be relatively low, because of their lesser vulnerability to economic shocks, issues of economic security may increasingly capture the attention of policymakers “if domestic calls for economic protection may achieve even greater prominence in an evolving global economy.” (Lord 2000, 74) The context is very different for developing countries, which have lesser influence over global markets. In addition to the threat of being invaded by developed countries in search for raw materials, developing countries are likely to be more easily vulnerable to economic shocks. They will forcibly focus on short-term goals, and, overall, “the gap between developed and developing states may widen even faster.” (Lord 2000, 75)

Lord provides also some hints about more optimistic outcomes for developing nations citing the examples of the paths followed by Malaysia and Chile, but her analysis, as a contribution to the field of security studies, is valuable from a broader analytical conceptualization of the relationship between economy and security. For her emphasis on
national strategies, as well as the predominance of the element of conflict, she might be placed more in the realist rather than the liberal camp. She, nonetheless, prioritizes the economic factor, and not the military, as a security concern, a fact that has become, as she observes from a general theoretical perspective, more relevant with the end of superpower rivalry. The deepening of economic interdependence in the post-Cold War, in other words, does not necessarily lead to an increase in cooperation. Moreover, conflict might well expand between developed countries. Military power, nonetheless, is clearly not the answer to economic security though necessarily related to it.

Beside economic interdependence, the other predominantly neoliberal approach to international relations theory that deals with security studies is institutional theory. The core assumption is that institutions “play a role in security relations by affecting states’ cost-benefit calculations; by shaping their strategies; by inducing conformity to established conventions and norms; and even, in the long run, by altering how societies view their interests and the mandates that states have to act in world politics.” (Haftendorn, Keohane, and Wallander 1999, 1) The concept of “institutions” is understood in the broad meaning of a set of connected rules, from conventions to regimes to formal organizations. Within this meaning, security institutions are designed to protect states’ territorial integrity from military threats, to preserve their autonomy, and to prevent the emergence of situations that could endanger their vital interests. What makes the particularity of security institutions in a global society is that they are meant not only to protect states from a military threat, but also to manage “a multitude of risks concerning the political, economic, and social well-being of states and their people.” (Haftendorn, Keohane, and Wallander 1999, 2)
As in the general institutional theory, the factor of uncertainty is a driving force of the impulse of the states to seek institutional arrangement concerning international security. Governments, therefore, find an interest in investing in information, and one way to do it is to create institutions that provide it.

It is not only the information one receives, but the information one is able to provide to others that contributes to more efficient strategies. States that can increase the credibility of their own threats and promises by conveying information about their true intentions have a bargaining advantage over those who cannot credibly do so. Therefore, information becomes and instrument of security policy whether a state wishes to avoid a conflict or to exercise influence over the behavior of others. Costly actions are more credible signals of intention than costless ones; hence, information is often conveyed through costly action, such as making alliance commitments. (Haftendorn, Keohane, and Wallander 1999, 4)

Built on institutional theory, the analysis of Celeste A. Wallander and Robert O. Keohane, “Risks, Threats, and Security Institutions,” (Haftendorn, Keohane, and Wallander 1999, chapter 1) focuses on the “anomaly” of NATO’s continuity after the Cold War. Created under American leadership, meant to deal with the threat posed by Soviet Union, NATO, many analysts, predicted, would lose its reason of being after the end of bipolar rivalry. This prediction turned out to be wrong. NATO not only survived the end of Cold War, but it also started to assume new tasks and became a magnet attracting states in Central and East Europe. The reason NATO survived and expanded after the end of Cold War, explain Wallander and Keohane, is its high level of institutionalization.

When threats disappear, the original raison d’être of alliances would appear to have vanished and we might expect the institutions to be discarded. But when threats disappear, other security problems remain. Hence, efforts may be made to maintain the institutionalized security coalitions, but to transform their functions to cope with the more diffuse set of security problems we characterize as risks, and thus to transform alliances into security management institutions. Such institutional transitions have been difficult to effect. (Haftendorn, Keohane, and Wallander 1999, 22)
What matters for the successful transformation of a security arrangement when the context for which it was previously created change is the degree to which they are institutionalized, whether they are organized exclusively or inclusively, and whether they are designed to cope with threats or risks. Using this typology of security institutions, Wallander and Keohane advance two propositions. The fist one is the standard institutional hypothesis: “Highly institutionalized alliances are more likely to persist, despite changes in the environment, than non-institutionalized alignments.” (Haftendorn, Keohane, and Wallander 1999, 22-23) The second proposition states that complex alliances, previously created to deal with threats, are more likely to adapt to a new design meant to meet risk management questions. Or, in a more theoretical terminology, “the rules and practices of ‘hybrid’ institutions will be more ‘portable’ than the rules and practices of single purpose alliances focused only on threat.” (Haftendorn, Keohane, and Wallander 1999, 23)

Beside the degree of institutionalization, measured along the dimensions of commonality, specificity, and differentiation, what essentially matters for security alignments for their adaptation to the post-Cold War context, is their ability to shift from dealing with threats to deal with problems involving risks. The conceptual difference of the terms is important; a threat is when a state faces a positive probability of another state launching a military attack or seeking to threaten with the use of force for political reasons; when states do not face such threats they might, nevertheless, still face a security risk. As for the exclusive/inclusive dimension, though the strategic choice is ultimately to the states, “exclusive strategies seem better suited to coping with threats, while inclusive strategies appear to be better able to cope with and manage risks.” (Haftendorn, Keohane,
“Portability” on the other hand refers to the ease with which the rules and practices of an institution can be adapted to other situations. Thus, an institution with rules and practices more portable, that is institutions combining variety of functions, is more likely to remain relevant when sudden changes occur.

Specifically, institutions that combine functions related to risk and threat are more likely than single-purpose institutions to have more rules and repertoires that are portable after threat declines. We call institutions that combine risk-directed management functions hybrid institutions. Hybrid security institutions deal both with security problems created by external threats or problems and those problems posed by risks, mistrust, and misunderstanding among member. (Haftendorn, Keohane, and Wallander 1999, 34)

This theoretical perspective of security institutions allows a reconsideration of NATO’s questioned continuity, and helps to understand it. As the authors explain, created first as a security alignment, NATO went through a process of institutionalization after 1951, as a result of the highlighted threat that the Korean War represented to American and European leaders. “The second major cause of NATO’s institutionalization was the need to cope with a large set of intra-alliance problems generated by the need to make the alliance effective by including West Germany in its military structure and by ‘locking in’ US participation and thus reassuring its European partners.” (Haftendorn, Keohane, and Wallander 1999, 42) In order to succeed as an alliance, NATO had also to manage successfully security, namely ‘the German Question.’ The alliance, therefore, developed a security management repertoire along with the alliance repertoire in a hybrid combination, which explains its continuity after 1989. The end of the Cold War meant that NATO needed to adapt to a new security environment, in which threat was not the main problem. The creation of the North Atlantic Cooperation Council (NACC), as well as the invitation to former members of the Warsaw Pact to join it served to bring
countries in, and extended the function of NATO to consultation, information exchange, and transparency.

The nature and environment in Europe—risks rather than threats—goes quite far towards explaining NATO’s transformation. Equally critical, however, are the continued commitments of its major member states to NATO institutions. Supporting these commitments are NATO’s legitimacy as a mechanism for Western security and the deep, wide networks of officials and politicians in the NATO countries who are committed to the alliance and familiar with another. (Haftejord, Keohane, and Wallander 1999, 45)

This reality, nonetheless, does not mean that all issues are resolved. Policy implications follow the general theoretical setting of NATO as a successful security institution. One of the implications is the need to include other countries and not remain exclusive. Enlargement, in other words, should pursue the goal of transforming furthermore NATO from a military alliance into a risk management institution.

The focus on economy, as well as the institutional perspective, both coming from a liberal background, contributes to the field of security studies by highlighting a new set of problems and a structural reality of the post-Cold War. One interesting question for the security agenda, and, at the same time, a challenge to neoliberal institutionalism, is whether a successful institutionalization of international security can also provide answers to the more conflict-prone issues of economic security.

*The Anti-Walt: Critical Theory and Security Studies*

Until the late 1980s, the concept of “security” as understood by mainstream IR theory has not been challenged in its broader conceptual/philosophical understanding. Except for Richard H. Ullman’s 1983 article, “Redefining Security,” (Ullman 1995) for analysts what by ‘security’ was meant seemed to be quite obvious. Critics came mainly from neo-Marxists, such as Robert Cox, who challenged mainstream IR theory and its conformism with problem solving, instead of engaging with critical inquiry of social
forces. But, again, it was IR theory that was focused in general, and not security studies as a sub-field.

Initially neo-Marxist, critical theory expanded during the post-Cold War to include feminism and post-positivism in its all variants—postmodernism, constructivism, etc. It is in the 1990s also that security studies became under scrutiny first by feminists, and then by post-positivists in general. While certainly each analyst of the critical theory tendency made a proper contribution, what they all have in common is the rejection of the rationality assumption of social sciences and IR theory. Hence, not surprisingly, Walt’s enterprise of tracing the evolution of the field of security studies triggered deep questionings about the very rationale of his enterprise. Critical theory, for sure, remains as divergent as critics can be, but what unifies its followers is their rejection of the whole foundations of IR theory, and, therefore, security studies as traced in “The Renaissance…”

In this subsection I focus on a selection of articles critically referring to Walt’s essay. Except for Edward A. Kolodziej’s article, “Renaissance in Security Studies? Caveat Lector!” (Kolodziej 1992), perhaps the first critique to Walt’s essay, the others—Keith Krause, Michael C. Williams, R. B. J. Walker, Ken Booth, and Mohammed Ayoob—are compiled in Security Studies (Keith Krause and Michael C. Williams 1997).

Kolodziej criticizes Walt on a normative and methodological base. Normatively Walt’s article, according to Kolodziej, focuses on American national security and ignores largely international security or security per se; and, in the name of relevance, it delegates too much work to policymakers. Methodologically it restricts the subfield to highly selective and traditional theoretical perspectives, and ignores other, more
interdisciplinary, approaches. “As a consequence of these flaws, the essay is inevitably incomplete in its survey of security studies, in its assignation of worth and priority to different theoretical approaches and specific works, and in its sketch of a research agenda.” (Kolodziej 1992, 421)

Accordingly, Walt limits its definition of security as the study of war and diplomacy ignoring other definitions, and, therefore, makes it essentially state-centric. Domestic repression and internal massacres, non-state actors, coups d’états, and civil wars are left out of the general picture of security. Avoided are also in Walt’s essay important analysts and perspectives out of realism –such as functionalism and integrationist theory-, leading into a flaw in understanding other deep structures the collapse of which, beside the bipolar balance in Europe and its irregular extension to the developing world, brought the end of Cold War: the coercive undergirding of the Soviet economy, and the Soviet state.

By focusing primarily on the first structure, East-West bipolarity, defined by the U.S.-Soviet balance of terror and the confrontation of the two massed armies in central Europe, security analysts and political leaders overlooked the decay and brittleness of the other two security structures on which the outcome of the East-West conflict critically depended. Fixed on one leg of a three-legged stool, the functioning of the other legs and their roles in maintaining Cold War institutions were ignored or neglected by security analysts, but not by participants in the Cold War conflict. (Kolodziej 1992, 425)

These flaws, rooted in the analytic pillars of Walt’s article, have implications for normative theory, which is about what Kolodziej is essentially concerned.

The problems posed by the use, threat, and control of organized violence risk being severed from their moral and legal determinants. Except on instrumental grounds –i.e., deciding whether force will work- the issue of the utility of force is isolated from the central question of its legitimization. The essay’s philosophically restrictive notion of the social sciences would confine the security scholar to testing propositions largely specified by the state power brokers, policymakers, and managers of violence … Social science is transformed into the handmaiden of Grand Strategy. What works pragmatically for using and controlling force –selected scientific tools and an insistence on verifiability- is enlisted in the strategic enterprise, but not so the uncompromising protocols and unfettered sweep of true scientific inquiry. (Kolodziej 1992, 429)
The essay’s normative straightjacket exempts the security analysts from the personal and professional responsibility of questioning the limits of the theory. One case, Kolodziej states, is Vietnam War. Hence, the essay is fundamentally centered on the American national security. Moreover, the normative straightjacket makes unsuitable to the essay the notion of Renaissance, meant to be, according to Kolodziej, first and foremost a moral revolution, which freed the human spirit to explore without limits the possibilities of transcending the political constraints to make human fate better. However, not all analysts who explored security issues had the partial view of Walt’s essay, says Kolodziej, bringing the example of Quincy Wright’s *Study of War*.

Other flaws noted by Kolodziej concern the interdisciplinary approach, and Walt’s neglect of history, his “historical myopia,” as he puts, and economics. More specifically for the neglect of economics and its impact on security studies, Kolodziej mentions that Walt had left out in his essay an important publication, such as *Defense Economics*.

The essay’s sparse citations to the literature of arms production and transfers, as modest concessions to the economic dimensions of security, suggest that the survey of economic literature does not comfortably fit with the essay’s bounded definition of security, an unfortunate limitation given the need to re-think the rationale for national arms industries in the post-Cold War environment, partly to adjust to the end of the East-West confrontation but more importantly to respond to welfare demands pressing on national governments throughout the global system. (Kolodziej 1992, 433)

Other neglect is Third World theorists, left out from Walt’s essay, a fact that leaves little doubts about the ethnocentricity of his approach. “It is not enough, as the essay commendably allows, to be ‘committed to democratic discourse.’ Security theory extends, arguably, to the causal analysis of the conditions that prompt, preserve, and promote democracies on which, presumably, ‘democratic discourse’ critically depends.” (Kolodziej 1992, 434)
Kolodziej ends his critical review with guidelines for a future agenda, which consist in: first, not delegating power to policymakers to decide what is ‘real,’ ‘relevant,’ and ‘controllable;’ second, stating explicitly the behavioral and normative assumptions on which research is conducted; third, broadening the disciplinary and inter-disciplinary scope of security studies; fourth, broadening the historical and empirical bases for generalization to include non-Western approaches; and fifth, letting empirical and normative theory to decide the limits of the problem rather than imposing a particular theory of politics.

To suggest so broad a scope for the problem does not imply that we know what the beast is or what its dimensions are … What is clear, however, is that the security problem is greater than the sum of the parts of first, second, and third-image analysis. It potentially encompasses, for the first time in history, all humans inhabiting the earth. It should not be hard for security analysts to follow Clausewitz a little further and posit the notions of ‘pure and real security’ as helpmates to the concepts of pure and real war. (Kolodziej 1992, 436)

While this early criticism to Walt was based on the normative argument, post-positivist perspectives went further in questioning the rationale of “The Renaissance…” by focusing the nature of the concept of ‘security’, and, more precisely, its object of study. The question formulated as “what security is and how we study it” (Krause and Williams 1997, 34) implies reconsidering first, the reasons that lay behind the ongoing statecentric conceptualization of the term and the disciplinary authority that it exercises, and, second, the retheorization of security for the sake of constructing different conceptions. Thus, the traditional distinction between threats and problems, which claims “threats” as the only object of security studies, “is itself both a historical artifact and a considerable obstacle to the creation of a more adequate understanding of security in the contemporary world.” (Krause and Williams 1997, 36)

Walt’s view of the field as a gradual evolution toward and objective, in this
sense, is but a particular understanding of the growth of scientific knowledge, and a highly contestable one.

Walt’s historical rendition is far from a neutral survey of past and present trends; indeed, his choice of the word *renaissance* is indicative. As a vision of the relationship of history to knowledge, it is extremely powerful. In portraying his view as the apogee in a linear process of scientific progress, Walt creates an explicit epistemic hierarchy. This allows conventional security studies to set itself up as the judge of alternative claims: a particular reading of the meaning and evolution of the history of strategic studies yields a clear contemporary claim to disciplinary authority. (Krause and Williams 1997, 37)

Rather than an objective analysis of the field, Walt’s initiative is meant to identify and give authority to neorealist theory as the expression of the scientific progress within security studies. Moreover, one of its most important concerns is “the centrality of the state as the subject of security,” which “provides the basis for the exclusion of issues other than those of traditional military diplomacy from the field.” (Krause and Williams 1997, 38)

Declaring the sovereign nation-state as the subject within international relations is not, however, unproblematic. It is, simply, never justified.

The declaration that the state is the subject of security, and anarchy the eternal condition of international relations, is premised not on objective facts but is grounded in a deeper set of claims about the autonomous nature of subjectivity and its relationship to sovereignty. This underlying methodological individualist premise is shared by neorealist and neoliberal approaches. (Krause and Williams 1997, 41)

Claiming authoritative knowledge about the subject and the object of the study, then, permits to set the agenda in traditional terms. “This is both a source of its power and a reason that it has reacted so strongly against attempts to broaden the agenda of security studies. Not only the field, but its entire worldview is threatened (both intellectually and practically) by new challenges to security.” (Krause and Williams 1997, 43)

Once the intellectual straightjacket removed from Walt’s particular
conceptualization of the history of security studies, it becomes easier to meet the challenge of broadening its limits. The first challenge consists in considering the security not of states but of persons, which allows expressing the rights of individuals against their own state, and opens way to a renewed debate about humanitarian interventionism. A second way of opening security studies is focusing not the threats to individuals from the anarchic international system but from their own governments. “The third aspect, individuals as the objects of security, treats them as members of a transcendent human community with common global concerns. Shifting the focus of security to the individual paradoxically allows am engagement with the broadest global threats.” (Krause and Williams 1997, 45)

These three arguments challenge the vision of sovereignty underlying the neorealist conception of security. Rather than an abstract concept, security is linked to identity and its connections to community and culture.

Most prominently, it is the existence of competing claims to sovereignty, rather than the competition of existing sovereignties, that provides the source of conflict and the appropriate understanding of what is to be secured. In opposition to the empiricist predilections of neorealism, the source of conflict in these cases (and what is attempting to be secured) is an idea.” (Krause and Williams 1997, 47)

This epistemological shift from abstract individualism and contractual sovereignty to culture, civilization, identity, the role of ideas, norms, values, and the historical context “involves moving away from the objectivist, rationalist approach of both neorealism and neoliberalism, and toward more interpretive modes of analysis.” (Krause and Williams 1997, 49)

While not immune from the problematic relationship of theory to practice, which had become particularly difficult in the late-twentieth century, the post-positivist
alternative of thinking about security moves away from the supposed certainties of neorealist strategic studies. These supposed certainties, from a post-positivist approach, do not, anyhow, serve of any guidance for achieving security in the post-Cold War. The alternative path, therefore, “must be followed further (and with much more sophistication) if we are to develop understandings of security more adequate to human survival and well-being.” (Krause and Williams 1997, 52)

For R. B. J. Walker, the problem related to security is the language of modern politics. What has to be looked for, therefore, is “the conditions under which it is now possible to think, speak, and make authoritative claims about what is referred to in the language of modern politics as ‘security’.” (Walker 1997, 61) From a postmodern perspective, the former consensus around the state and the state system as the only plausible way of responding to questions about the political has vanished. With it, little doubt remains about the normative, and not objective, character of the claims about national security. To these two conditions that now allow to think creatively about security a third one –“a sense that if things are indeed changing, they are unlikely to be doing so in ways that are foretold in the normative visions of the modern state, which are, after all, visions preoccupied with containing change within territorial boundaries and legal codes” (Walker 1997, 62)- is to be added.

Thus, questions about security cannot be separated from basic questions about political theory, “but they cannot be left in the care of those who have allowed questions of political theory to curdle into caricature.” (Walker 1997, 63) The transformation of the modern age imposes a broader understanding of what security itself involves, as well as demands for a broader understanding of whose security is at stake. From Hobbes on, the
twin arguments about the state being both a solution for and a source of insecurity that dominated the modern discourse of politics

… tend to work well within a statist account of what it means to have a subjectivity that might be made secure. Security cannot be understood, or reconceptualized, or reconstructed without paying attention to the constitutive account of the political that has made the prevailing accounts of security seem so plausible … Consequently, to try to rethink the meaning of security must be to engage with a variety of attempts to rethink the character and location of the political (and not simply what is usually framed as ‘international relations’). This in turn, … demands a considerable degree of skepticism toward the modern principles of autonomy and sovereign subjectivity. (Walker 1997, 68-69)

Modern accounts of security are about giving up human beings’ humanity for the stake of the greater good of citizenship. “The state is a political category in a way that the world, or the globe, or the planet, or humanity is not. The security of states is something that we can comprehend in political terms in a way that, at the moment, world security cannot.” (Walker 1997, 72) It is within the limits of state sovereignty that war and peace can be defined. Moreover, once acknowledged the place that human beings occupy as citizens of modern states,

… claims about security oscillate back and forth between the extremes that have to come to be coded as political realism and political idealism. Realism in this sense is the code that affirms the limits of modern politics. Idealism is the prior code that idealizes the moral community within the state that produces realism as the limit, although now projected outward and forward into a world that is apparently without limit. This oscillation generates a discourse of tremendous power. It induces illusions of permanent hopes and permanent tragedies. It legitimizes an account of political necessity that can excuse the most intolerable barbarism. (Walker 1997, 75)

The postmodern alternative to this discourse starts by asking how the modern subject is being reconstituted and what security could mean in relation to it. This critical discourse engages with the transformations of the political life and the becoming of humanity.

Where so much recent debate about security has been predicated on the impossible dream of absolute invulnerability (the counterpart of the impossible dream about absolute freedom), a critical engagement with security would envisage it precisely as a condition
of being vulnerable to the possibility of being otherwise than one has already become. A latter-day Machiavelli might even consider this a species of virtù. (Walker 1997, 78)

Ken Boot, for his part, rejecting Walt’s account of the evolution of the field of security studies, celebrates the birth of critical security studies, which comes when international political theory is at a crossroads, as the true renaissance, brought

… by those struggling to develop, at the end of a century of violence and change, a postrealist, postpositivist conception of security that offers some promise of maximizing the security and improving the lives of the whole of humankind – the security studies of inclusion rather than exclusion, of possibility rather than necessity, and of becoming rather than being.” (Boot 1997, 105)

By rejecting the centrality of the state and its sovereignty as the subject of security, claiming that “security is what we make it [critical security studies] is concerned with the search of meaning than endless accumulation of knowledge.” (Boot 1997, 106) From this perspective, theory is constitutive rather than explanatory, and the analyst is engaged with the invention of an emancipatory future, and not a dispassionate observer.

Post-positivist approaches to security studies are, without doubt, the bearer of a radical rupture with the evolutionary path that Walt traces for the field by, precisely, rejecting the epistemological bases of his analysis. By emphasizing the need to look to the meaning of security, critical and post-positivist theorists deny the claim of the objectivity of knowledge, or the lack of normativity in the traditional approach. They certainly point to more philosophical inquiry in the process of constructing theory, but also, following Boot’s claim, emphasize the proper normativity of critical security studies, which consists in the emancipatory character of the analyst and his/her enterprise. This shift from the modern understanding of the political to the changes taking shape is merely impossible without a critical approach to the centrality of the state and state sovereignty.
However, not all critical approaches to security studies are engaged with the emancipatory need to transcend the state. As Mohammed Ayoob’s essay, “Defining Security: A Subaltern Realist Perspective” (Ayoob 1997), shows, the nature of the state and its timing of formation in a historical perspective matters. Ayoob’s argument, first developed in his book *The Third World Security Predicament: State Making, Regional Conflict and the International System* (1995), does not only maintain the linkage, though critically, with Walt’s cumulative knowledge perspective of security studies, but also proposes a way of expanding it to the right direction. As in the following section I shall emphasize, problematizing the state and the process of defining the subject of security are the two areas where successful research agendas can be defined to, in turn, enrich the explanatory power of IR theory applied in security studies.

**Concluding Remarks**

Whether proposing a radical departure from Walt’s approach, or building upon the cumulative knowledge process, the post-Cold War did produce an important debate about how to study security. My conceptualization of a “Reformation” of security studies refers precisely to the enriched debate of the 1990s within the context of IR theory. The point is that there is an expansion of the research agenda beyond the traditional centrism of war, military, and state security as sole objects of security studies. The dynamism of the theoretical renewal in the post-Cold War did bring a healthy diversification of views of international security, and that diversification helps to better understand real-world problems where research programs are to be defined. Two theoretical concepts proper to Reformation are essential for the expansion of security studies and the design of new research programs. The first is the problematization of the state, and the second is the
framing of the process of securitization. The next section gives a closer look to both, to show their programmatic contribution to the expansion of the security studies field.

Section III. The Two Pillars of Reformation: The Problematique of the State, and the Framing of Security

As during the previous phases, in the post-Cold War the theoretical renewal of the IR field was driven by real-world problems that posed unprecedented intellectual challenges to understand and explain the rapidly ongoing changes in the security environment. From a retrospective view, therefore, what should be conceptualized as the Reformation are those most distinguishable advances in the general theory field that contribute to a better design of research programs. In this sense, the two pillars of Reformation are: first, the problematization of the centrality of the state, and, second, the framing of the process of securitization. Arguably, both are stressed mostly by critical theory and/or post-positivist analysis. This, however, does not need to lead to consider post-positivism as the dominant trend, or, as Boot pretends, to be the true renaissance, if by that other theoretical views are to be denied legitimacy. Reformation encompasses all views, and considers that the value of each view consists in its contribution to the increase of the explanatory power of theory of real-world problems.

Only through research programs, defined as “sets of tasks and hypotheses” (Katzenstein, Keohane, and Krasner 2000, 6), is the strength of a theory explained. The problematization of the state, as reflected in Ayoob’s analysis for the Third World, and Buzan’s theoretical generalization (Buzan 1991), as well as the framing of the process of securitization later proposed by Buzan, Waever, and de Wilde (1998), do both expand the
field beyond the traditional understanding of security, and, at the same time, leave the space open to realist and liberal/institutionalist views to be incorporated in research programs where the state is not the only actor and security is considered a process rather than a given.

A Space for Realism in Critical Theory: Ayoob’s “Subaltern Realism”

Critical views of the traditional conceptualization of security studies, as well as the need to broaden the definition of the concept should not necessarily lead to the rejection of IR theory. Ayoob refers to the dilemma of the post-Cold War attempts in this regard, as on the one hand the need of broadening is clearly felt, and on the other “the often indiscriminate broadening of the definition of security threatens to make the concept so elastic as to render it useless as an analytical tool.” (Ayoob 1997, 121) His proposal, therefore, is to preserve the valuable insights of the realist paradigm, while, at the same time, break its “ethnocentric obsession with external threats to state security.” (Ayoob 1997, 121) In fact, as in 19th century West Europe and the Third World today, security threats are first and foremost internal by nature, when states are at the stage of formation. In other words, domestic variables, and more precisely the way state elites perceive and define security problems, ought not to be left out of the general analysis, as neorealism does with its obsession with the anarchy of the international system. The fact is that since the end of World War II most of the conflicts have been located in the Third World, where the process of state formation is incomplete. The abundance of this evidence sustains that most of security problems resulted from the process of the birth, formation, and fracturing of Third World states. Moreover,

… changing international norms in the post-Cold War period, especially those pertaining to the recognition of secessionist states and the relegitimation of ethnonationalism, are
expected to make this predicament more acute. The removal of the global overlay of superpower rivalry to have mixed results as far as conflicts in the Third World are concerned, and its negative impacts are expected to neutralize the more positive ones. (Ayoob 1997, 123)

Traditionally the concept of security is defined primarily in outward directed terms, meaning situated outside the state. But, as it has been said, most of the conflicts are situated within the states and in the periphery, which, as some analysts suggest, might well become in the post-Cold War the core as far as security and conflicts are concerned. This conceptualization of the problem has more concrete implications for the expansion of security studies than what the more abstract “emancipation” project envisioned by Boot. In fact, Ayoob, citing the emancipation of the Kurds and the Lebanese 1975-1990 civil war, criticizes such an enterprise as

… semantic acrobatics [that] tend to impose a model of contemporary Western polities – of national states that have by and large solved their legitimacy problem and possess representative and responsive governments, which preside over socially mobile populations that are relatively homogeneous and usually affluent and free from want- that are far removed from Third World realities. It may therefore be possible to equate emancipation with security in Western Europe (although one has grave reservations even on that score), but it would be extremely farfetched and, indeed, intellectually disingenuous to do the same in the case of the Third World, where basic problems of state legitimacy, political order, and capital accumulation are not only fart from being solved but may even be getting more acute. (Ayoob 1997, 127)

The state, hence, remains the primary referent of security because it is, or is supposed to be, the entity engaged in the authoritative allocation of values within a defined territory. Moreover, expanding the understanding of the political by denying the primacy of the state in politics, will have the same elasticity effect found in the case of the broadening of the meaning of security, and will not help clarifying the security problematic.

In other words, security or insecurity is defined in relation to vulnerabilities, both internal and external, that threaten to, or have the potential to, bring down or significantly weaken state structures, both territorial and institutional, and regimes. According to this definition, the more a state and/or regime –and often it is very difficult to disentangle
issues of state security from those of regime security in the Third World where most states in the system are located- fall(s) toward the invulnerable end of the vulnerable-invulnerable continuum it/they will be. (Ayoob 1997, 130)

The critical juncture, state building, in which most of the states in the Third World find itself justifies the overriding importance of the state both as a territorial unit and an institutional complex. Indeed, without the political order provided by the state, any other form of security is to remain elusive and no normal social development is possible. The importance of the domestic dimension does not shadow the importance of inter-state relations and their impact on state building. In fact, the high incidence of conflict between contiguous states is explained by the fact that they are simultaneously engaged in the state-building process.

Based upon these arguments, Ayoob’s suggestion to define security with adequate explanatory power is based on two criteria.

First, it must go beyond the traditional realist definition of security and overcome its external orientation and military bias. Second, it must remain firmly rooted in the political realm while being sensitive to variables in other realms of societal activity that may have an impact on the political arena and that may filter through into the security calculus of states because of their potential capacity to influence political outcomes. (Ayoob 1997, 134)

Western industrialized democracies completed their state building process in the 16th or 19th century, and that fact explains much of the absence of conflict among them. Third World countries figured primarily as pawns to be used in the global great power competition.

Their analysis was undertaken largely from the perspective of global rivalry and, consequently, the roots of conflict, and therefore of security, in the Third World, were traced to the global machinations of the rival superpower rather than to the causes of conflict that inhere in the Third World, but which both the superpowers were willing to manipulate for their own ends. (Ayoob 1997, 138)
This is why the search for statehood in the Third World should not be understood only as the effective provision of domestic order, but also as a mean to resist, albeit imperfectly, domination by powerful, industrialized states.

Effective statehood—defined as a balanced combination of coercive capacity, infrastructural power, and unconditional legitimacy—is the only path to attaining full membership in the international system in more than just a legal sense. As the earlier European experience has clearly demonstrated, however, the road to effective statehood is strewn with violence and unavoidable internal conflict. (Ayoob 1997, 140)

At this stage, globalist conceptions of world governance do not seem to have any explanatory power to the post-Cold War international security realities.

Ayoob, therefore, though critical to traditional approaches to security studies, prefers to characterize his perspective “subaltern realism, a combination that denotes its primarily political and state-centric character on the one hand, and its sensitivity for the concerns of the large majority of states—the less powerful and, therefore, of ‘inferior rank,’ to quote the dictionary definition of subaltern—on the other.” (Ayoob 1997, 141) The term, as he explains, is Gramscian is its inspiration, and is borrowed from a school of history in India engaged to study the role of the less powerful elements in society.

Third World states form the quintessentially subaltern element within the society of states, given their relative powerlessness and the fact that they constitute a large majority in international society. The traditional realist literature in International Relations, echoing elitist historiography, tends to ignore the concerns of these states and the problems they face. Because of the ubiquitous nature of the problems of security in the international system and the neglect of fundamental issues that have an impact on the security of the large majority of states in the study of International Relations, a good way to begin applying the subaltern realist perspective to the discipline of International Relations is to begin with the field of security studies. Such an approach, while broadening and deepening the realist understanding of international politics, can at the same time act as a bulwark against the fashionable excesses of undue elasticity, which in their mistaken zeal for redefining the concept of security and the meaning of the political threaten to re-define two of the most important concepts in International Relations, indeed, in all of political science. (Ayoob 1997, 141-142)

_Opening the “Black Box” without Damaging It_
While Ayoob’s main concern is statehood, Buzan, in fact earlier than Ayoob, refers to the state as part of the broad re-definitions of the theoretical elements of security. His starting point, as Ayoob’s later, is also realism, of which the authoritative position within the field of security studies is not questioned. But security is considered by realism a per se understandable term. It is also assumed that security refers to states and, inherent to this assumption, is defined primarily in the military aspects. However, to explore the post-Cold War international security agenda, “the concept of security is, in itself, a more versatile, penetrating and useful way to approach the study of international relations than either power or peace.” (Buzan 1991, 3) Thus, during the Cold War “because security was seen primarily in terms of national power by both policy-makers and strategists, an unhelpful uniformity dominated.” (Buzan 1991, 7) In the post-Cold War, the effort to look at the idea of security starts by recognizing the difficulty of avoiding the absolute sense of security, though there is no reason to believe that a universal definition would be reach and, furthermore, the absence of such a definition would prevent any constructive debate.

In the case of security, the discussion is about the pursuit of freedom from threat. When the discussion is in the context of the international system, security is about the ability of states and societies to maintain their independent identity and their functional integrity. In seeking security, state and society are sometimes in harmony with each other, sometimes opposed. Its bottom line is about survival, but it also reasonably includes a substantial range of concerns about the conditions of existence. Quite where this range of concerns ceases to merit the urgency of the ‘security’ label and becomes part of the everyday uncertainties of life is one of the difficulties of the concept. Security is primarily about the fate of human collectivities, and only secondarily about the personal security of individual human beings. (Buzan 1991, 18-19)

Freedom from threats implies a closer look to the characteristics of the threats. It means, in other words, to open the “black box” of security and conceptualize more concretely the term from a realist perspective.
Thus, the security of human collectivities is affected by factors in five major sectors: military, political, economic, societal and environmental. Mapping “the terrain of the concept and identifying both its general features and its conspicuous hazards,” (Buzan 1991, 20) could lead to a new synthesis of understanding international relations with implications for the field of international security and for the narrower debate about the scope of strategic studies. The theoretical perspective is the neorealist approach and the centrality of the logic of international anarchy considered “a decentralized form of political order.” (Buzan 1991, 21) The inquiry centers on two questions: “What is the referent object for security? What are the necessary conditions for security?” (Buzan 1991, 26) To answer the first question by asserting that the referent object of security is the state does not resolve the problem, as security could be applied to the state in different forms. Moreover, as the international system is composed of many states, the discussion about the security of one of these states cannot be separated from the discussion of the security of the others. Additionally, once the search for the object of security is undertaken, that search cannot be separated from the necessary conditions of security. Hence, exploring the referent object of security means moving from the individual to the state, international system and regional levels and discussing all the five major sectors in which threats and vulnerabilities are defined.

Buzan shows that a deeper look to security more a rather dynamic than given concept is not necessarily a negation of the realist paradigm. As a matter of fact, it is from a realist perspective that he undertakes the initiative of broadening of the concept. It has, however, clear implications for the research agenda. Two of these implications are of particular relevance.
First, opening the “black box” of security goes hand in hand with the opening the “black box” of the state itself, though this not necessarily means focusing the decision-making process. If security implies also addressing vulnerabilities and not only threats, then each one of the three components of the state—the idea, the institutional expression and the physical basis—ought to be considered as relevant by itself. Thus, even though the state remains central in the security agenda the unitary actor model is simply insufficient for a more comprehensive analysis. Moreover, “[l]ooking at the three components of the state is one way to appreciate the diversity of states as referent objects for security.” (Buzan 1991, 69) Despite their fundamental similarities, states are exceedingly varied and because of this diversity the nature of national security problem differs from state to state. “All states are vulnerable to military and environmental threats. Nearly all are open to economic threats, and many also suffer from basic political and societal insecurities.” (Buzan 1991, 97)

However, the distinguishing feature of weak states is their high level of concern with domestically generated threats to the security of the government. “In other words, weak states either do not have, or have failed to create, a domestic political and societal consensus of sufficient strength to eliminate large-scale use of force as a major and continuing element in the domestic political life of the nation.” ((Buzan 1991, 99) The strong state worries primarily about protecting the components of the state from outside threats and interference. With this distinction in mind, national security when considered apart from the internal structure of the state and referred to the relationship of the state to its environment becomes extremely confusing. In practical terms this confusion generates
difficult questions about the boundaries of national security as a concept. The overall conclusion is that

…the creation of stronger states is a necessary condition for both individual and national security. The existence of stronger states will not by itself guarantee security, but their continued absence will certainly sustain insecurity … Although weak states may serve some short-term economic, political and military interests of the great powers, those gains have to be weighed against the risk that conflict within and between the weak states poses to international security. For weak states themselves, the idea of national security borders on nonsense unless they can make the transformation to strong state structures. Weak states simply define the conditions of insecurity for most of their citizens … Alas, the building of stronger states is only a necessary, and not a sufficient, condition for improved international security. (Buzan 1991, 106)

Second, a broader interpretation of security implies also a broader agenda of security, which has three elements: the rising density of the international system, the useful political qualities of the concept, and the integrative intellectual qualities. The first element “creates a very powerful interplay between anarchy and interdependence.” (Buzan 1991, 368) Although military threats are fading, other types of threats are rising. Rising density bathes states in information about each other’s activities, thus subjecting them into critical comparison from within and without. It exposes all to the rising levels of absolute power in the system so as no state or society or individual can escape from the consequences of actions taken by others, and it becomes increasingly difficult to act without coordinating with others. The realities of the political environment, therefore, call for a broader conception of security.

The second reason for a broader security agenda has to do with the useful political qualities of security. One of these is that, in its broad form, the concept works against the obstructive, and in some way false, opposition between idealists and realists. The notion of security offers much, both to those whose main concern is peace and to those whose main concern is self-protection. (Buzan 1991, 370)

Broader conception of security will reduce the military tendency. The idea that security is interdependent has already made its way even in the military sector and the
mass campaigns against excessive militarization. The integrated concept of security serves as an antidote to the political problem of national security as an ambiguous concept. The third reason is the intellectually attractive integrative qualities of the idea of a broader agenda in it. For academic research it has the attractive of linking many areas of theory and analysis that are normally isolated from each other.

*Framing the Process of Security: Securitization as the second Pillar of Reformation*

Problematizing the state is not enough to broaden the understanding of security. It does not affect the traditional meaning of security as the study of military force. Where statehood exists and is strong, traditional understanding of security may continue to guide explanatory efforts. However, as post-positivists rightly claim, the meaning of the concept is to be questioned if stronger explanatory power is sought. In fact, even in Western industrialized countries, once the global rivalry ended, little, if any, incentive to insist on the primacy of the military understanding of security can provide useful contribution for analytical purposes.

A new framework for security analysis, as defined by Buzan, Waever, and de Wilde (1998), derives from the expansion of the security agenda through the incorporation of a wider range of sectors than the traditional military and political ones. This move, however, needs a definition of security and an understanding of the security dynamics. In the theoretical realm, it implies not only trespassing the argument between the traditionalists and the wideners, but also linking security studies to IPE by drawing on the existent expertise and, simultaneously, incorporating language and speech acts as elements of analysis. Such a framing of international security, though constructivist in its attempt, is careful in preserving the ‘intellectual coherence’ of the field, an argument that
Walt, and those who share a rather traditionalist approach, put forward as a warning against too much abstraction and ambiguity resulting from indiscriminate broadening of the concept. Thus, security has always to do with threats and vulnerabilities both in military or non-military areas that are “staged as existential threats to a referent object by a securitizing actor, who thereby generates endorsement of emergency measures beyond rules that would otherwise bound.” (Buzan et al. 1998, 5)

For a framing of security that allows a broader agenda, the concepts of levels, sectors, and regions are incorporated to the analysis. Levels define the objects of analysis by a range of spatial scales; they “are simply ontological referents for where things happen rather than sources of explanation by themselves.” (Buzan et al. 1998, 5) Ranging from the smallest to the larger, levels of security refer to: individuals; subunits (bureaucracies, lobbying groups, etc.); units (states, nations, firms); international subsystems (regional groups, organizations); and international systems (the world). The sectors in a security framework identify the specific types of interactions. The military sector is about relationships of forceful coercion; the political sector refers to relationships of authority, governing status, and recognition; the economic sector identifies relationships of trade, production, and finance; the societal sector is concerned with relationships of collective identity; and the environmental sector defines relationships between human activity and the planetary biosphere. “The analytical method of sectors starts with disaggregating, but must end up with reassembly.” (Buzan et al. 1998, 8)

Regions, finally, enter as a particular object of interest in the post-Cold War assuming that with the collapse of bipolarity, the principal organizing force at the global
level, international relations in the post-Cold War has taken a more regionalized character. Regions are formed because states are fixed units, whereas other units intervening in security are mobile. Historically, barbarians or pirates have been those mobile units, in modern times, however, their echo is found in economic firms and criminal gangs. From a traditional approach, regions formed a classical security complex, and the classical security complex theory “posits the existence of regional subsystems as objects of security analysis and offers an analytical framework for dealing with those systems.” (Buzan et al. 1998, 11)

The theory focuses primarily the state and the political and military sectors. To move beyond the classical security complex theory means opening it to sectors other than the military and the political. This is done either through homogeneous complexes, concentrated within specific sectors and composed of specific forms of interactions among similar types of units, or heterogeneous ones, which “abandons the assumption that security complexes are locked into specific sectors. It assumes that the regional logic can integrate different types of actors interacting across two or more sectors.” (Buzan et al. 1998, 16) This approach has “the advantage of linking actors across sectors, thus enabling the analyst to keep the entire picture in a single frame and also to keep track of the inevitable spillovers between sectors.” (Buzan et al. 1998, 16-17)

Levels, sectors, and regions are, therefore, conceptual tools for the analysis of a securitization process, which is, as mentioned already, constructivist by nature, and consists in focusing the particular type of intersubjective politics of the amity-enmity pattern:

… (1) how to identify what is and what is not a security issue, or put another way, how to differentiate between the politicization and the securitization of an issue; and, (2) how to identify and distinguish security actors and referent objects.” (Buzan et al. 1998, 19)
In principle, any public issue can be located in the spectrum ranging from the nonpoliticized (meaning that the state does not deal with it, and is not made an issue of public debate and decision), through politicized (meaning the state is involved in an authoritative allocation of values), to securitized, which, as an extreme case of politicization, refers to an existential threat justifying emergency and extraordinary measures. But the meaning of a concept does not lie in what people think about it, but how it is implicitly used. “Security is thus a self-referential practice, because it is this practice that the issue becomes a security issue – not necessarily because a real existential threat exists but because the issue is presented as such as threat.” (Buzan et al. 1998, 24)

Consequently, securitization is studied directly through discourse and political constellations, however a securitizing move is successful only if and when the audience accepts it as such. “A successful securitization has three components (or steps): existential threat, emergency action, and effects on inter-unit relations by breaking free of the rules.” (Buzan et al. 1998, 26) For analytical purposes, securitization is essentially a speech act, which posits it outside the rationalist universalism of what “real security” can be.

It is more relevant to grasp the process and dynamics of securitization, because if one knows who can ‘do’ security on what issue and under what conditions, it will sometimes be possible to maneuver the interaction among actors and thereby curb security dilemmas. (Buzan et al. 1998, 31)

The intersubjective nature of security does not ignore the highly structured reality of the field in which “some actors are placed in positions of power by virtue of being generally accepted voices of security by having the power to define security.” (Buzan et al. 1998,
31) The study of securitization, therefore, is the study of “the power politics of a concept.” (Buzan et al. 1998, 32)

From the speech-act approach to security, the analyst does not decide whether an issue is security or not, as it does not make that much sense asserting that a threat does exist only in the mind of the actor and not in reality. “But it is possible to ask with some force whether it is a good idea to make this issue a security issue –to transfer it to the agenda of panic politics- or is it better to handle it within normal politics.” (Buzan et al. 1998, 34) This approach differs also from critical security studies, which, as explained, aims at showing that because things are socially constructed change is possible, by the assumption that

… even the socially constituted is often sedimented as structure and becomes so relatively stable as practice that one must do analysis also on the basis that it continues, using one’s understanding of the social construction of security not only to criticize this fact but also to understand the dynamics of security and thereby maneuver them. This lends us to a stronger emphasis on collectivities and on understanding thresholds that trigger securitization in order to avoid them. (Buzan et al. 1998, 35)

As for the analytical frame of securitization, it needs distinguishing among three types of units: referent objects, securitizing actors, and functional actors. The referent object is the one seen as existentially threatened and having a legitimate claim to survival. Traditionally the security referent object has been the state, and, to some point, the nation. Broadening the concept of security, however, includes any limited collectivity as a durable referent object. This approach does not privilege state-centrism, nor broaden it to make it equally available to all –states and non-state actors.

Security is an area of competing actors, but it is a biased one in which the state is still generally privileged as the actor historically endowed with security tasks and most adequately structured for the purpose. This explanation acknowledges the difference between a state-centric approach and a state-dominated field. (Buzan et al. 1998, 37)
The dynamical nature of securitization leaves no space for objective security threats. Yet, to begin with the intersubjectivity of the process of securitization does define socially imposed limits to what can or cannot be securitized, and, most importantly, allows problematizing both securitization and the absence of it. “What one can add are arguments about the likely effects. One can try to show the effects of either excessive securitization –security dilemmas- or of not securitizing –the inability to handle an issue effectively unless it is securitized.” (Buzan et al. 1998, 40)

The securitizing actor, on the other hand, is someone or the group who performs the security speech act. It is wrong, however, to place much focus on who performs the acting, thus privileging the powerful, and marginalizing the ‘audience,’ or those who judge the acting. Another confusion could be created between the object of reference and the securitizing actor. They usually are different, though, as the case of the state shows, they sometimes might be the same. “In all cases, however, the analyst is obliged to question the success or failure of the securitizing act.” (Buzan et al. 1998, 42)

Functional actors, finally, are those who affect the dynamics of a sector, without being the referent object or the actors calling for security on behalf of the referent object.

This framework of security analysis allows a fresh look to each one of the sectors, and the way they are synthesized. There is no need for one sector, basically the military, to be foundational to all others. Sectors are interconnected through the act of labeling security.

In this perspective, states approach security as aggregate security, not as five separated fields. They judge which threats are most serious across sectors. As in the debate on aggregate power, in practice this may mostly involve addressing how military power can be brought to bear on nonmilitary issues, but in principle it can just as well be about economic power used in a military conflict. The principal issue is whether sectors have achieved sufficient autonomy and whether the costs of translating from one to the other sector have become so high that one can no longer aggregate security or power. (Buzan et al. 1998, 170-171)
Moreover, as a theoretical perspective, the securitization does provide a proper vision of the historical process of the development of the Western international society, based on the question of “how best to limit claims to security so the costs and benefits of securitization are reasonably balanced.” (Buzan et al. 1998, 209) Starting from the construction of the Hobbesian state, the domestic development of progress pointed to the desecuritization inherent in the liberal project since the nineteenth century of attempting to separate economics from politics, as a central idea of capitalism. Interestingly enough, it is the liberal project the one which desecuritized all sectors, and delegated to the military –as last resort- the task of defining security. Ironically, however, and as a result of the costs as well as benefits of the liberal project, it very success has pushed the widening of the security agenda in the post-Cold War.

Even during the Cold War, two costs of the liberal approach that equated demilitarization with desecuritization were already evident. One was its ideological role in international power politics, and the second was its vulnerability to politico-military logics of oversecuritization. (Buzan et al. 1998, 210)

Being equated with ‘military,’ ‘security’ acquired a very rigid and deterministic definition. Objectivist and outward looking, this definition became extraordinarily difficult to break.

One advantage of the securitization approach … is that it points to the responsibility involved in talking about security (or desecuritization) for policymakers, analysts, campaigners, and lobbyists. It is a choice to phrase things in security (or desecurity) terms, not an objective feature of the issue or the relationship itself. That choice has to be justified by the appropriateness and the consequences of successfully securitizing (or desecuritizing) the issue at hand. (Buzan et al. 1998, 211)
Similarly, in the post-Cold War the rise of a wider security agenda is the reaction against the various dangers of global liberalization and its crossover effects on other issues from the environment to domestic political stability and military self-reliance.

In some central ways, the liberal project does seem to have succeeded in marginalizing military security and along with it the approach of traditional security studies. But in so doing it has raised new security problems that can be handled in a multisectoral framework. The danger of excessive securitization remains, and a core part of the new framework must therefore be to provide the means of identifying and criticizing counterproductive claims to securitization (including military ones). (Buzan et al. 1998, 212)

**Concluding Remarks**

While situated in the realm of critical security studies and constructivism, the problematization of the state and the framing of security through the securitization approach do not provoke a rupture with the more traditional approaches of realism and liberal institutionalism. Moreover, their advantage consists in that they incorporate these mainstream approaches of IR Theory. Thus, while the state continues in a way or another to occupy a dominant position in security analysis, both institutionalization and the security dilemma should inevitably be addressed. The securitization approach, in turn, provides a cross-sectoral perspective, which is particularly helpful for the periphery, or the Third World to remain faithful to Ayoob’s conceptualization, where sectoral autonomy at the cost of the state and its institutions is much more relevant than in core countries. Within the understanding of the politics as the authoritative allocation of values, the increasing autonomy of the sectors, as well as their ability to establish global links, affects the process of securitization negatively, in the sense that the security dilemma becomes much more complex to define. However, core countries, as I will
discuss in the final, conclusive, part of this essay, are not marginal of the ongoing process in the periphery. To begin with, the globalization of the economy is one of the reasons of the increased sectoral autonomy in the periphery, and, therefore, it is a process that links peripheral countries and societies to core countries at the expense of the weakening of the state. On the other hand, the oversecuritization in the core is nurtured by, and in its turn foments, security issues in the periphery, such as drugs, that are best resolved through multisectoral approach. Finally, oversecuritization in the core ends up blocking effective multisectoral treatment of security issues in the periphery, where the growing instability produces a spillover effect reaching the core, and, sometimes, striking it very hard.

Conclusion: The Reformation and Arms Transfer in the post-Cold War

A clear example of securitization is the U.S. war on drugs, which after a hesitant debut in the 1970s became a dominant national security issue in the 1980s to be included in the foreign policy agenda, and stay so from then on. In fact, during the 1990s, the drug issue has been one of the most controversial topics of American foreign policy, culminating with the much-debated Plan Colombia. The U.S. drugs policy, from the certification process to pressures put on foreign governments to militarize the struggle against the production and smuggling of drugs, became priority in the U.S.-Latin American relations, creating several episodes of crisis, some successes, but mostly failures.

Since the capitalist expansion, drugs have been the epicenter of some of the most remarkable conflicts, of which the Opium Wars of 1839-42 and 1857-60 in Southeast Asia are the frequently cited examples. Interestingly, however, within the context of the
19th century international political economy and the British imperial domination, it is the fee trade perspective and market opening aims that triggered these conflicts (Trocki 1999). The American war on drugs is, by contrast, the global expansion of a strong societal prohibitive attitude toward an “American disease” (Musto 1999), the origins of which date from the end of Civil War. The reigning moral imperatives of the Progressive Era by the end of the 19th century, added to racist-grounded suspicions toward Chinese immigrants and African Americans, accused of diffusing the “disease” through their habits of smoking opium or marijuana, defined the bases of U.S. drug policy, which started taking shape with the Harrison Act in 1914 and grew to become institutionalized with different national agencies that has been created in the twentieth century to enforce the prohibitive approach (McWilliams 1992).

By the time the war on drugs became a national security issue on the American foreign policy agenda, the international political economy was in the process of rapid globalization and the U.S. was rising as world’s hegemon. Within this context, drugs ceased to be an “American disease” to become a global problem. Governments and banks became deeply involved in, depended on, and even facilitating the drug trade (Jordan 1999). This is hardly surprising with the rise of an illicit global economy, defined as “the system of transnational economic activities that are criminalized by states in importing or exporting countries.” (Friman and Andreas 1999, 5) The criminalization of drugs on the U.S. foreign policy securitized the issue with drugs becoming a national security threat. The impact was felt especially in Latin America, where experts warned of a forthcoming “new hundred years war” with the increased militarization of the drug issue (Bagley 1988; 1991). Since the beginning of the 1980s, practically every Latin American country
producing, trafficking, or in a way or another getting involved in narcotics came under U.S. pressure in an effort to eliminate the supply-side by eradicating coca fields (manual or through spraying), dismantling drug cartels, and extraditing drug lords to the United States to be judged in American courts, according to American laws (Bagley and Walker 1994).

From Operation Blast Furnace in Bolivia, to aerial controls in Peru to shoot down drug transporting planes, to Plan Dignidad again in Bolivia, to Plan Colombia and its regional projection through the Andean Initiative, successive U.S. administrations maintained the same policy line of securitizing drugs on the national security threat level. From the securitization framework perspective, drugs clearly are the “referent object” defined as a threat, for which state involvement and extraordinary measures become necessary. The U.S. government is the securitizing actor through the speech act of its policy of the war on drugs. As for functional actors, they form a wide spectrum ranging from the American society, especially those sectors that are strongly for a prohibitive approach criminalizing drugs, to state institutions from Congress to different governmental agencies pursuing their own electoral agendas or bureaucratic interests, to business (chemical companies that produce the herbicides used in the spraying process), to foreign governments or military eager to receive U.S. aid and attention.

But, clearly, the U.S. securitization of drugs has failed on an international scale. Part of the reason is the controversy of the proper war on drugs. Afghanistan, for example, became in the 1990s the major producer of heroine in the world. Yet until September 11, 2001, the country was hardly on the U.S. radar screen; the U.S. “has paid relatively little attention because it believes that Afghan drugs play only a small part in its
own narcotic problem.” (“Central Asia: Drugs and Conflict” 2001) Also, the U.S. drug certification is by itself a complex process of different political interplays, including electoral politics or foreign security priorities; longtime on the U.S. list of decertified countries, Syria, for example, was certified after September 11, 2001 for its cooperation in the war on terrorism. Finally, it is not that other countries, developed and underdeveloped as well, do not have a drug problem, which, by nature, has been ever-present in human history (Escohotado 1999). Yet not all share the criminalization, and therefore the securitization, approach; and, some, the Netherlands for example, are convinced that a world without drugs is possible, in which case the reaction to this inevitable “social illness” needs to be tolerant rather than punitive (Grimal 2000, 220). In sum, with the war on drugs going on since at least 1986, drugs have been securitized on the U.S. foreign agenda; from the securitization approach, the questions to ask is whether this is a good idea, and if the issue is not “oversecuritized.”

More than to any other illicit business, firearms are an intrinsic part of narcotrafficking. According to an insider’s rationalization of the connection of firearms with drugs,¹² it is the marginal nature of the business that makes the coercive force of the firepower that makes deals, based upon the simple word, be respected. Firearms are necessary for the protection of the drug routes and the narcotrafickers and their entourage; they are also used to launch a ‘war’ or expand the territory. For protection and transport, small arms, handguns and assault rifles, are the ideal instruments. But in the case of a ‘war’ grenades and explosives are needed. From the first big confrontation of

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¹² Based on a recorded interview (in Spanish) realized by the author to a former Colombian drug dealer on October 9, 2001, in Miami, Florida. The name of the interviewer and direct quotes are omitted upon his request. Likewise, the interview is mentioned with his permission. The interviewed person is not anymore in illegality, and was about to serve a prison term in the United States after negotiating his rendition to U.S. authorities and being judged in a U.S. court.
the Medellín and Calí cartels in early 1990s, ending with the killing of Pablo Escobar in November 1993, and the dismantlement of the cartels, to the rise of smaller ‘boutique’ cartels, and the involvement of the guerrilla and the paramilitary in narcotics, the black market of arms for Colombian narcotraffickers extended from Los Angeles and Miami in Florida to Venezuela and Panamá, while Ecuador was the source of the explosives – especially dynamite. Arms were smuggled to Colombia through the jungle, or in containers hidden in TV sets, refrigerators, washing machines, etc. Ones in the country and in the hands of the narcotraffickers, they were legalized through corrupt military officers.

Since the early years of the U.S. war on drugs, the drugs and arms connection was well known to U.S. policymakers. Moreover, in a Congressional hearing in 1989, Phil Orsin, special agent in charge from the Firearms Enforcement Branch, Bureau of Alcohol, Tobacco and Firearms (BATF), stated: “To the extent we can see any pattern in successful cases, it appears that procurement of the firearms in the United States is widespread and small in scale.” (U.S. Congress, House 1989, 3) In the same hearing, Dr. Edward C. Ezell, Supervisor/Curator of the Armed Forces History Division of the Smithsonian’s National Museum of American History and a founding director of the Institute for Research on Small Arms in International Security, pointed to the “limited public awareness in the United States about the growing size of this problem.” (U.S. Congress, House 1989, 67) Partly because of lack of media scrutiny, and partly because the exact dimensions of covert arms transfer are always very difficult to establish, the movement of small arms in the world is poorly understood by the public and policymakers. In the summary of his written statement, Dr. Ezell underlined the essence
of the problem, and suggested a series of measures to be considered as the guidelines for a control policy:

From this brief recounting it should be obvious that the basic problem with guns and drugs in the Caribbean is that there is too much drug money and too many easily accessible guns. The United States Government needs to implement policies that will make it more difficult for narcotics-derived revenues to chase available firearms. The government also needs to find ways of reducing the number of small arms that are within the grasp of narcotraffickers.

I would suggest the following for consideration. (1) Creation within the defense security assistant arena a program for aiding friendly nations in the region with securing their national infantry weapons inventories. (2) Creation of an international task force to study improved methods for validating and monitoring the international sale of infantry weapons. (3) Creation of an adequately funded and coordinated intelligence based strike force to spot, track and interdict illicit small arms shipments, whether they start in the United States, Western Europe, Eastern Europe, or elsewhere.

Such a three-pronged arms trafficking reduction enterprise will not be easy, and like drug interdiction, will not be inexpensive. But such an enterprise will eventually save the lives of law enforcement and military personnel throughout the Americas, while making it increasingly difficult for the drug traffickers to protect their illegal industry. (U.S. Congress, House 1989, 75-76)

To what extent the U.S. arms control policy would come close to these guidelines in the 1990s is a question that I will be dealing with in the next chapter. The internal/international consequences of the arms-and-drugs connection are clear in the late 1980s and the 1990s. In the United States, murder by people under 24 began to increase 1985, and for those 18 and younger the homicide rate between 1985 and 1992 more than doubled compared to the rate from 1970 to 1985. More significantly, whereas the 1970-85 rate of homicides with a firearm stayed constant (60 percent), by 1992, the number of murders by juveniles using a gun had doubled, whereas the number of homicides committed without a gun remained steady. According to the hypothesis of the researchers who studied youth violence related to guns and drugs,

As more juveniles were recruited to sell crack, they armed themselves with guns. For those transporting valuable illicit merchandise, whether money or drugs, a gun was seen as necessary for protection, especially because they could not call for police assistance if threatened. Since juveniles are tightly networked in schools and in their neighborhoods, some youths not involved in the drug business felt they had to carry guns to protect themselves from armed juvenile drug sellers. Possibly, many also saw guns as conferring a measure of status and power. Gun possession escalated into an arms race that
diffused the weapons broadly throughout the community. (“Youth, Violence, Guns, and Illicit Drug Markets” 1996)

Despite the war on drugs, the arms-and-drugs connection was basically downplayed, if not totally ignored by the U.S. government; meaning that while drugs were defined as threat and target through prohibitionist policies and foreign pressures including military involvement, arms were left out in this process of securitization. At least in New York, targeting illicit firearms as a threat, along with other factors, did result in a decrease in drugs and firearms deaths from 1990 to 1998 (Galea, Ahern, Tardiff, Leon, and Vlahov 2002). But anti-gun policies did never reflect the perception of a threat coming from guns, as anti-drug policies do in the case of narcotics. In other words,

Drug prohibition ... constitutes national policy in the United States, while gun control flounders. Existing drug laws, passed in the absence of organized resistance, constitute the status quo; therefore supporters of drug control possess all the advantages of a system structured to favor opposition to change. Furthermore, drug users and dealers have been widely demonized, delegitimizing their claims to equal protection with much of the public. Increasing the punishment for criminal conduct enjoys the same advantage over any opposition. (Vizzard 2000, 173)

The reluctance of the main securitizing actor, the U.S. government, to target arms as a threat the way drugs are targeted is partly due to strategic reasons. An arms and drugs connection existed in the process of arming the Contras in their war against the Sandinist government of Nicaragua in the 1980s. Allegedly also the U.S. government, or the Central Intelligence Agency more precisely, turned a blind eye when Contras used the same transportation means, often facilitated by the U.S. government, to transport arms to their troops in Central America and bring drugs to the United States (Castillo III and Harmon 1994). Even with the end of the Cold War, the strategic reason to turn a blind eye on arms trafficking, or use arms dealers for covert operations, persisted.
The Reagan era marked the halcyon days for such “gray-market” transfers, with the U.S. employing numerous brokers to secretly funnel weapons to guerrilla groups in Nicaragua, Afghanistan, and Angola. More recently, the Clinton administration turned a blind eye to covert arms transfer that Iran organized to Bosnian Muslim forces during the war in the Balkans. (Silverstein 2002)

But with the rise of the global arms bazaar, the arms and drugs connection became even tighter. In Colombia, where the dismantlement of the Medellín and Calí cartels was far away from putting end to narcotrafficking, the rise of smaller cartels met with the increased involvement of the leftist guerrilla and the right-wing paramilitary to the drug business (Bagley 2001a). This “new Violencia” (LeoGrande and Sharp 2000) increased the demand for weapons, and while Washington was getting involved in the Plan Colombia episode of the war on drugs, arms flew to Colombia from neighboring countries (Cragin and Hoffman 2003), and the United States (“Colombia Conflict Highlights Impact of Small Arms Trade” 2001). With the Russian mafia expanding to the Caribbean and Latin America (Bagley 2001b), exchanging arms for cocaine (Lackey with Moran 2001; “Arms-for-Cocaine Ring Probed” 2001) became a wide practice taking place in Central America according to the testimony of a DEA Intelligence expert in the Senate as reported in the press (Marenco Tercero 2003). Though the press did also report the left-wing guerrilla being the principal client of gunrunners from Eastern European and former Communist countries (Farah 1999), whereas the right-wing paramilitary preferred ‘shopping’ in Miami (“Miami Dollars Pay Death Squads” 2001), the global arms bazaar did not discriminate ideologically: in July 2001, the Colombian government denounced an arms trafficking pipeline from Miami to the guerrilla (“Conflicto colombiano revela impacto de tráfico de armas ligeras” 2001). According to a human rights report, the rightwing paramilitary have close connection with the Colombian
military and police. The Sixth Division report, released by Human Rights Watch in October 2001, denounced active coordination during military operations between the government and paramilitary units. The report also denounced U.S. policy toward Colombia, mentioning a unit of the Colombian military involved in serious human rights abuses is among the recipients of U.S. aid (“Colombia: paramilitary Groups Closely Tied to Army, Police” 2001).

Plan Colombia did restrict the U.S. military presence in Colombia to 500 personnel, which would not be engaged in fighting and would have a variety of training and monitoring role. Though the letter on American involvement in civil conflicts has not been broken, American ‘security’ companies –at least six- appeared on the governmental paycheck list with funds provided by Plan Colombia. The secrecy about their mission was, apparently, part of their contract, yet it became clear that most of their employees were retired Army soldiers and officials and their armament was American (“Secrecy in Colombia” 2001). Discarding any conspiracy theory, it is clear, however, that the security business in the U.S., along with chemical companies, is interested enough to become a functional actor to maintain the particular securitization perspective that the U.S. government has on the drugs-and-arms connection. Though after September 11, 2001, the war on terrorism did change the U.S. approach to Colombia, in terms of securitizing arms, however, not much has changed. On the contrary, with drugs being connected to terrorist financing, the approach became even tougher. Not surprisingly, therefore, when the once candidate and then president of Colombia Alvaro Uribe campaigned on ending peace talks with the guerrilla and advocated for a military solution, he did not find any trouble for a strong endorsement of the Bush administration. Whether further
militarization of the conflict would resolve it, is yet to be seen; one thing is sure, the arms flow in Colombia did not change very much (Guillen 2003).

The war on drugs did not facilitate the illegal flow of arms only to Colombia. With Mexican drug cartels rapidly becoming key players in narcotics trafficking to the United States by the second half of the 1990s, the Clinton administration has concentrated on providing the Mexican military with firepower sufficient to counter that of the drug bandits. But the Mexican government complained also about illicit gun transfer from the United States to Mexico, to which Washington’s response has been either to downplay the claim, or to label it disingenuous –meaning that it was an effort to deflect attention from Mexico’s official corruption and inept war on drugs. The former Mexican ambassador to Washington, Jesus Silva-Herzog, described the situation as “When we talk about drugs they say it [the problem] is supply, and when we bring up arms they respond that it’s demand. In other words, we can never win.” (Lumpe 1997, 39) Some four years later, president Vicente Fox’s national security counselor, Adolfo Aguilar Zinser, formulated the same complain stating that United States officials “had not put this [guns] issue at the same priority level that they put the issue of drugs,” though arms are being “used by people who are doing exactly those things that most concern the United States, drug trafficking.” Though the precise number of guns smuggled from the U.S. to Mexico is not known, it is estimated that they reached several hundred thousands during the 1990s, and Mexican officials believe that they account for 80 percent of the weapons in their country (Weiner and Thompson 2001).

This is not surprising considering the drugs-and-arms connection: “Drug trafficking earn Mexico a $30 billion a year and accounts for about 10 percent of the
country’s wealth, according to Mexican journalist Carlos Loret de Mola. Two-third of the cocaine smuggled into the United States comes through Mexico.” (“Accord with U.S. Won’t Stop Mexico’s Drug Cartels” 2001) On July 26, 2001, U.S, Attorney General John Ashcroft and his Mexican counterpart Rafael Macedo de la Concha announced a new bilateral initiative to fight drug trafficking, arms smuggling and illegal immigration on the U.S. Mexico border. Accordingly, Ashcroft pledged a tough crackdown on weapons smuggling from the United States to Mexico, whereas the Fox government promised to capture the infamously known Arellano Felix brothers. More than two years later, however, the U.S.-Mexican efforts to curb illegal arms did not make a big difference, as arms and drugs continue to flow across the border. A technical explanation is provided by J.J. Ballesteros, an attaché in Mexico for the U.S, BATF: numerous factors challenge the efforts to curb down guns smuggling; for instance, the weapons are generally moved in small quantities, often by people who cross the border daily (“Made-in-USA Guns Widely Available in Mexico” 2003).

There are, nonetheless, other ways to see the problem. The drugs-and-arms connection was one of the reasons why the issue of small arms was raised on the international arms control agenda:

Reacting to the chaos of Latin America narco-trafficking and the post-Cold War rise of ethnic and secessionist warfare, the UN General Assembly added the issue on its agenda with a resolution passed in 1991. Sponsored by Colombia, the resolution stressed the need to control firearms exports that were making it impossible for Latin American governments to deal with narcotics trafficking. (Karp 2002, 179)

Yet, the U.S. has been reluctant, when not directly opposed to the initiative, and, according to Michael Klare,

… missed a valuable opportunity to address the issue when it failed to form legally binding commitments at 2001 United Nations conference aimed at tightening enforcement of international laws against small-arms trafficking.
“The climate is one of ignoring this problem,” said Klare. “You need more intrusive inspections, and that clashes with the ideology of the National Rifle Association.” (“Made-in-USA Guns Widely Available in Mexico” 2003)

The problem of small arms did, of course, exist during the Cold War. Yet there are structural reasons to consider their threat under a new light. As Cragin and Hoffman explain:

Under the Cold War cost-versus-benefits equation, the benefits of small arms transfers outweighed the cumulative costs associated with the misuse of those same guns. In the post-Cold War world, three new factors impinge on the small arms debate: profitability, globalization, and human rights. However ... none of these three factors is sufficient on its own to portray small arms trafficking as an international security issue. (Cragin and Hoffman 2003, 53)

The next chapter will take a detailed look at the reasons why at least some categories of arms are, in fact —and in opposition to drugs’ oversecuritization-desecuritized. But to complete this overview of the evolution of the security studies, we need to see what impact would the contextual change of September 11, 2001 have on the two pillars of Reformation. In other words, would still state transformation matter, and would still the securitization approach make any sense for a better understanding of all issues related to international security?

On September 11, 2002 the post-Cold War came to its end. Since then, oversecuritization is a trend that little doubts leaves about the return of the military as a primary focus for security analysts. Does this mean that the traditional approach provides a more effective explanation to the actual phase of international security? While oversecuritization is well on its way, both the unipolar structure of international relations and the nature of the threat give arguments to favor a securitization approach as a better analysis of framework. Thus, to start with, the original “tale of two worlds” of the post-Cold War (Goldgeier and McFaul 1992) needs to be refined. On the one hand, the
overwhelming strength of the sole superpower, the United States, leaves to other powers, allies as well as traditional rivals such as Russia and China, with little options other than searching a more institutionalized accommodation with Washington’s dictates. This, however, does not eliminate the argument about an anti-American reaction making its way into more balancing attitudes sometime in the future within the most neorealist understanding of the concept. Nor does it diminish the possibility of the erosion of the American power because of an overexpansion of military spending. On the other, institutionalized security arrangements in the core are no guaranties against the regionalization of security (Buzan and Waever 2003). The spillover effect of regional dynamism can affect the core and make its way to a global conflict. But what is to be refined mostly in the core-periphery conceptualization of the post-Cold War is the fact that in the security realm both worlds are truly embedded, and that the nature of the deadliest threats does not meet the criteria of the traditional understanding of security, as September 11 proved. The tale of the two worlds, therefore, is to be told in the context of the age of globalization.

Thus, problematizing the state in the periphery as an issue of security on the one hand, and focusing the way in which this issue is securitized in the core and the periphery on the other, remain effective tools to explain international security in the age of globalization. The “War on Terrorism,” in this sense, is perhaps the most important speech act to concentrate upon, in order to see how the process of securitization is taking place for securitizing actors –those defining the object of security, as well as the reaction of their ‘audiences.’ It is, also, a terrain to test the other dimension of the securitization approach: the effects of the process and the questioning of its success or failure.
Security analysis, therefore, in the age of globalization is to follow the path of reformation undertaken during the post-Cold War. In all, the post-Cold War did produce an intensive debate of the security studies field leading to a new phase succeeding the renaissance, as defined by Walt. Will there be any reversal of the reformation? Could a new imperial reality lead to another universal/objectivist understanding of security and make it a better tool for analysis? Is a ‘secularization’ of security studies possible? All these metaphors borrowed from historical progress have little, if any, meaning for now. Reformation is here to stay in the age of globalization.
THE GLOBAL ARMS BAZAAR AND THE CHANGING PATTERNS OF INTERNATIONAL CONTROL POLICIES

We’re talking boots, uniforms, poison gas, cluster bombs, chemicals, MREs – that’s meals ready to eat- inertial navigation systems, fighter airplanes, signal pads, pencils, red phosphorus, grenades, torpedoes, custom-built submarines, motor torpedo boats, fly killer, guidance systems, leg irons, mobile kitchens, brass buttons, medals and regimental swords, Metz flashguns and spook laboratories got up as chicken batteries, tires, belts, bushings, ammo of all calibers, both U.S. and Sov compatible, Red Eyes and other shoulder-held launchers such as Stingers, and body bags. Or we were –because today we’re talking glut and national bankruptcies and governments offering better terms than their own crooks.

John Le Carré, *The Night Manager*

And, international constraints –treaties and institutions- are only as effective as the sole superpower allows them to be.

DeAnne Julius, *The Economic Consequences of the War on Terrorism*

The post-Cold War decade of the 1990s saw the proliferation of 118 armed conflicts of which only ten can be defined as strictly inter-state conflicts (Smith 2001, 1). Most of the others were primarily or exclusively internal conflicts, highly concentrated in the Balkans and the Caucasus in the context of the disintegration of Yugoslavia and the Soviet Union. Civil wars have been more common than international conflicts since 1945, yet their “relative importance … from a global perspective has only been generally recognized since the end of Cold War.” (Smith 2001, 5) Because of the changing nature of violent conflicts, analysts often refer to the post-Cold War armed confrontations as “new wars” (Kaldor 1999), or “conflicts of fourth generation” (Rana 2001). Among the common characteristics of these “post-Clausewitzian wars” (Gray 1998, 201) are the blurring line between politics and criminality, the predominance of non-state actors, and
the intensive use of non-strategic, or conventional, armaments, especially weapons labeled “light.” The process of globalization, on the other hand, provides an increasing interconnectedness of geographically very distant conflicts. From Colombia to the Caucasus and Central Asia, it is not uncommon anymore to discover close relationships among guerrillas, paramilitaries, fundamentalist terrorists, and narcotraffickers. Furthermore, the transnational organized crime has become a facilitator of the deepening interdependence of armed conflicts and global illicit markets (Bagley 2001).

The post-Cold War has given rise to a renewed dynamics of black market operations of weapons transfer, often referred to as “gun running” (Lumpe 2000). It is estimated that while annual legal trade in light weapons, or small arms, reached between $4 billion and $6 billion during the last decade of the twentieth century, a large but unknown quantity worth approximately $1 billion has been circulating annually through black market channels (Krause 2001). Arms trafficking, of course, did not emerge in the post-Cold War. In fact, already in the 1980s black-market transactions accounted for a significant segment of the international arms trade (Klare 1997, 44-45). Nevertheless, the volatile combination of (a) the breakdown of the international bipolar structure –which contained and rationalized conflicts since 1945-, (b) the emergence of “new wars” type conflicts, and (c) the triumph of the free-market ideology gave a different dynamics to the international arms trafficking. In fact, the 1990s saw the emergence of a global bazaar for arms, a concept that, Orientalist\textsuperscript{13} style cultural biases beside, indicates a significant change in the logic and grade of state control on market transactions. Indeed, traditionally, major powers, the supply-side of the arms market, were also able to

\textsuperscript{13} I use the concept of “orientalism” as defined by Edward Said in his classical work of homonymous title (Said 1979).
influence the movement of weapons, whereas the demand-side was limited by its capacity to pay. This was especially true when the demand-side consisted of non-state actors. Major control of arms supplies also underlined the strategic orientation of arms transfer. “Today, neither of those constrains seems operational. Weapons are easily available to all who have the ability to pay, and the global explosion of illicit activity has put the means of payment within the grasp of a remarkably diverse set of insurgent groups, paramilitary forces, militant religious sects and unabashed bandit gangs.” (Naylor 2001, 212)

The general procedure of underground transfer of weapons per se did not change much since the 1980s. In the 1990s, it still involved international brokers who obtain an end-user certificate to ship arms either by falsifying the document, or, more often, by bribing a corrupt governmental official. Yet, in the 1980s, arms transfer to state and non-state actors still took place in the context of the Cold War, the structure of which imposed its logic on states’ behavior. The state control factor and strategically oriented decisions, therefore, still dominated arms transfer patterns, even in cases involving weapons shipped to subversive movements. Though government officials were almost always involved in secret -or covert- operations, they in general did it for the geopolitical raison d’État. In the post-Cold War, state actors got involved in arms transfers, including illegal transactions that violated international treaties and engagements, for no obvious strategic reason. Public scandals from Argentina to Peru and former Communist countries showed the highest authority of a supply-side state establishing illicit associations with global networks of gun running in search for new markets. The profit margin in these operations often was given priority over the criteria of the legality of the transactions, or strategic
considerations they involved. Moreover, as deals were secret, they avoided legislative scrutiny and public accountability, and the multimillion dollars profit they generated went to private accounts in offshore banks instead of the public treasury. Because arm trafficking affects international security, the deals involving illicit associations between states and global criminal networks are more than simple cases of corruption. As explained in chapter 2, the very structure of the post-Cold War international relations and the emergence of a global market have created the conditions for the proliferation of courtesan politics, a concept, which defines a yet unexplored characteristic of the power relations in the post-Cold War.

For sure, the strategic motivation for arms transfer did not disappear with the end of Cold War. Arms transfer as an organized form of diplomacy and trade, which along with weapons innovation dates back to 1450-1650, (Pearson 1994, 10) remained a legitimized practice for the states, including secret deals and covert operations.

Economics entails employment and longer production runs at the factory as well as commercial trading, industrial manufacturing, and technological development motives. Strategy entails an array of goals, including (1) homeland defense and the myth of autonomy and self-sufficiency; (2) desires to show the benefits of associating with the arms-supplying state—that is “better” weapons can be obtained from this state than from its rivals; (3) bolstering of favored clients to promote regional power balances, which can mean having to prevent the fall or defeat of those clients; and (4) maneuvering of recipient states to adopt policies preferred by the arms supplier—that is bargaining through arms supply to obtain concessions such as military base rights or votes in the United Nations. (Pearson 1994, 53-54)

However, in the post-Cold War, the economic incentive became increasingly dominant. Moreover, security concerns were reformulated within a free-market perspective of lesser control in arms production and trade. The reform of U.S. arms export control system, which can be traced back to President Bill Clinton’s 1995 issuance of Presidential Decision Directive 34, illustrates well this trend. Free-market concerns are easily
detectable also in the merging process of Russian state-owned defense firms. In late 2000, the Rosvoorunzhenyiye and Promexport middleman firms merged to create Rosoboronexport, which “has contrived to become the maker of state policy on weaponry export,” with a portfolio exceeding $14 billion (Ryabov 2002).

Nor is it true that in the post-Cold War there has been less will to enhance cooperation to control arms proliferation in the world. A careful look at the arms control agenda in the 1990s reveals an accelerated trend to reach agreements and create new tools of verification. Russian-American cooperation has been successful in dissuading Kazakhstan and Ukraine to keep the nuclear warheads deployed on their territory in the Soviet period, and awareness to hold close control on nuclear plants to prevent the smuggling of dangerous materials had practical implications. Though India and Pakistan went nuclear in 1998, whereas North Korea did not hide his intention to follow their path and Iran became under strong suspicion for the same reason, there is no ground to affirm that the post-Cold War arms control agenda is less significant than what it was in the 1960s and 1970s.

Yet, the will to cooperate in international arms control was manifest almost exclusively in the field of strategic weapons. Conventional weapons, in general, stayed out of the spot. Even the 1990 Treaty on Conventional Armed Forces in Europe (CFE), which later was modified and signed at the Organization for Security and Cooperation in Europe (OSCE) summit in Istanbul in November 1999, remains circumscribed to the limitation of armed forces, and aims at reducing the possibility of inter-state wars and violence. It does not address issues related to the control of the production and trade of arms. In other words, there was less political will to impose stricter control on the
production and commercialization of conventional weapons, which, nevertheless, as
statistics show, pose a more imminent threat to security, especially when it comes to
small arms.

This chapter follows the logic of the securitization frame of analysis to focus on
the dynamics of arms transfer in the post-Cold War. It aims at showing that, in addition to
the emergence of a global arms bazaar in the 1990s, it was the failure to create a stricter
international control regime on arms transfer, or, in other words, the failure to expand the
international arms control agenda to include conventional arms and light weapons, that
has encouraged states, especially those on the periphery, to engage in illegal transactions
of arms transfer. Section I focuses on arms transfer dynamics through a historical
perspective to analyze with more detail the emergence of the post-Cold War global
bazaar. Instead of quantifying arms transfer I use the comparative approach to put
forward a structural model that explains the “gray zone” of licit and illicit trades, the
record of the lack of public accountability of commercial transactions, and the
predominance of the “greed” reason over the strategic calculation with the systemic
change in the 1990s. Section II highlights the case of conventional weapons, and
especially “microdisarmament,” on the U.N. arms control agenda to contrast the
increasing international societal demand to include conventional weapons and small arms
on the gun control agenda and the reluctance of major powers to meet this demand.
Section III focuses on the case of small arms as a special category of conventional
weapons. I analyze their emergence as a security issue on the international agenda in the
post-Cold War and the demand/supply dynamics from the perspective of the structural
change. Next I propose a closer look to the Ottawa process of the international ban of
landmines as a model to think about a control regime in the case of small arms. In the conclusion of the chapter, I explain why and how the lack of stricter international control regimes motivated illegal transfer in which peripheral countries were involved. I also try to see the relevance of post-Cold War trends of arms transfer and arms control in the aftermath of September 11. In the end, I make a case of courtesan politics involving the issue of arms transfer and control.

Section I. Arms Out of the Cold: The Emergence of the Global Buyer’s Market

The global arms bazaar characterized the transfer patterns in the post-Cold War decade of transition. Intra-state conflicts, civil wars and the transnationalization of organized crime created the demand for arsenals produced and stocked in the last stage of the Cold War confrontation. Weapons needed to fight this new generation of war were of conventional type, especially those that were labeled “light.” Strategic armament, technologically advanced systems of missiles, warplanes, tanks, or heavy armored vehicles were not much useful. Neither were they available that easily. The supply side of the global arms bazaar consisted of: (a) increasingly integrated American and European defense firms, with an output of high quality production, which was technologically too advanced, too expensive, and more under control to be accessible for the new clientele of the global bazaar; (b) Russia and former Communist countries, which aggressively marketed their products because arms became to get rid of remaining stocks. Additionally, a smaller, yet important, percentage of weapons were made available after the pacification of Central American, African and an important source for the badly needed hard currency; (c) formerly Third World countries, or the peripheral countries in
world economy, which failed to update their arms industry created in the 1960s and 1970s to make it globally competitive, and, hence, were eager to market remained stockpiles aggressively; and (d) leftover weapons from Central American, Middle Eastern and Asian civil wars and conflict, which were offered in the black market as a consequence of poorly implemented demobilization of combatants –guerrillas and soldiers alike-, the failure to disarm properly the society, and the social and economic crisis that followed liberal reforms and left a large number of unemployed people, widespread poverty and few opportunities to improve living conditions, let alone survive, within the legal economy.

From a historical perspective, international arms transfer is closely linked to the emergence of the armament industry in the context of the 19th century second Industrial Revolution.

Creative entrepreneurs armed with the science of guns and explosives revolutionized European wars in the second half of the 19th century. The steel industry developed armor plates that drastically changed both the cannon and naval industries. With the end of the railroad boom in the mid-century, many entrepreneurs, such as Edward Vickers, founder of the British Vickers Company, turned to the armament business. The Prussian Alfred Krupp became known as the “Cannon King” throughout the world. British entrepreneur William Armstrong dominated the armaments world along with Krupp in the second half of the century with the production of armor plates. American steel companies, such as Carnegie Steel of Pittsburgh, also benefited from the growing interest in the military application of the emerging heavy industries. (Perruci 1991, 62)

Free trade and the logic of demand and profit dominated the production and sales of armaments through the First World War. State intervention via export control was minimal. With the growing firepower and complexity of arms industry, however, the state began to pay closer attention to domestic producers. Late 19th century European imperialism, and the arms race that it implied, gave an aggressive boost to the international trade of weapons.
Only after the First World War did the international community start to think about weapons not only as commercial goods, or mere instruments, but also as cause of war. Private manufacturers were labeled “war criminals;” arms dealers were harshly criticized as “merchants of death;” the popular mood strongly favored disarmament; and arms sales were no more negotiated independently by private firms escaping governmental control. Yet, the states were interested in controlling the armament industry to maintain strategic advantage over their opponents. “In turn, producers eagerly embraced the opportunity to monopolize the domestic market.” (Perruci 1991, 64) Nationalism, strategic calculation, and preparation for war, thus, brought together private entrepreneurs and the state in late 1930s and during Second World War. As a consequence, the armament industry that emerged after 1945 contained both elements of private entrepreneurship and state intervention. As science became increasingly important for warfare, the armament industry welcomed government involvement with extended research and development programs. The emergence of two rival camps in international relations, on the other hand, as well as the bipolar struggle for power, imposed major governmental scrutiny on arms production and trade. With the perspective of a nuclear confrontation, the tighter state control was almost a derivative of global survival. Yet, control implied mostly strategic weapons –including weapons of mass destruction (WMD), ballistic missiles, transporting vehicles, airplanes, submarines, etc. Less attention was given to conventional weapons, which, however, fueled the conflicts in the developing world.

With the end of Cold War the bipolar logic of international security became obsolete. Moreover, public pressure increased worldwide to broaden the concept of arms
control to include issues -such as weapons labeled “light”- that till then were considered a
domestic affair for a state. But, despite the significant decline of the international arms
race and the decrease of defense expenditures, neither violence, nor security concerns
disappeared. Ethnic separatism, “failing” states, and the rise of a whole range of non-state
actors involved in illegal activities where weapons are badly needed, made of arms
transfer a lucrative issue. For developed countries with important military-industrial
complexes the cost of dismantling weapons production plants meant facing serious
economic and social problems for the governments in place. Moreover, as international
relations entered a phase of “turbulence” (Roseneau 1997) states faced even more
complex security problems. Despite an initial enthusiasm of strengthening the
international control of arms transfer, and despite the increase in quality and participation
terms of the mobilization of international civil society, the last decade of the 20th century
did not witness the emergence and consolidation of a new control regime to replace the
existing one, which was rapidly becoming obsolete. As a result, the illicit proliferation of
weapons became even more threatening for international security, though this threat
concerned more the internal stability of the states than the outbreak of inter-state wars.
The pattern of arms transfer after the Cold War is, therefore, complex, and the role of the
states even more ambiguous. Simultaneously, arms dealers and traffickers have increased
their role and their ability to escape control mechanisms.

This section deals with the emergence of the post-Cold War global arms bazaar.
More than quantifying transactions, I establish a general model to characterize the
supply/demand dynamics and the motivation of the actors from a systemic approach. I
start with a theoretical overview of arms transfer and its analytical use. Two subsections
about the Cold War arms transfer pattern and how it changed after the end of bipolarity, follow. Next, I emphasize the renewed role of the ‘death merchants’ as a consequence of the emergence of a global buyers’ arms bazaar. The concluding remarks refer to the qualitative shift of arms market dynamics from the demand to the supply side.

Clarifying Theoretical Concepts

Being a commodity that affects international politics, arms transfer lacks the transparency of other trading commodities. A purely empirical approach of measuring demand and supply is, therefore, extremely difficult in practice, especially when most of the transactions are done in the black market. The systemic approach to arms transfer provides a better conceptualization of its overall impact on international security. But, as Edward J. Laurance suggests, instead of using Waltz’s definition of a system, inadequate to explain how changes occur in the international arms transfer, Holsti’s framework consisting of boundaries, characteristics of units, structure and stratification, modes of interaction, and regimes is of far better help (Laurance 1992, 49).

According to this framework, in the post-Second World War period, “units” referred to national governments that used to control the military industry. In the prewar period, however, they denoted firms. The post-Cold War trend of international arms trade shows clearly that “units” involved in this sort of transactions refer more and more to firms instead of states.

This is particularly true for those firms that produce dual-use products such as computers, commercial jet engines, and communicational equipment, since this type of equipment is much less controlled by governmental actors. In sum, at the systemic level, the typical supplier and recipient –both nation and firm- must be described for a given historical period. (Laurance 1992, 51)
The structure and stratification element of Holsti’s framework consists of variables such as the number of suppliers and recipients, and market shares by weapon systems and countries, indicating also the dependent relationship that can be depicted by observing the linkages of these variables. As for the modes of interaction, two are important in an arms transfer system: “How the arms are paid for, and the production arrangements used.” (Laurance 1992, 52) Finally, in the same framework a regime is understood as norms and rules of the system that are more than a temporary arrangement. “This idea looms of importance because an arms transfer regime will be a mix of economics technology, and national security.” (Laurance 1992, 53)

A systemic framework allows studying a social phenomenon within a certain historical context. In this sense, Holsti’s framework is particularly useful because historically arms transfer systems did not follow exactly the changing patterns of the international political system, though they did maintain a close linkage with it. By the end of the 1970s and the beginning of the 1980s, for instance, the bipolar structure regained vigor with the return of the initial Cold War confrontation, whereas by that same period the patterns of arms transfer that reflected a bipolar systemic logic were changing. Major Latin American countries, such as Brazil and Argentina, were among those who participated to the emergence of an arms transfer system, which was different from the former bipolar one.

The Changing Pattern: Arms Transfer during the Cold War...

As was the case for other issues of the post-1945 international agenda, arms transfer was dominated by the East-West confrontation. “As far as regulation of the market is concerned, the best that might be said of the Cold War is that it imposed some
sense of order and predictability.” (Cornish 1996, 107) Bipolarity was absolutely predominant in the 1945-1966 period and then declined. Logically, therefore, the expansion of conventional arms transfer during the Cold War took place in the 1970s. Among the reasons of this expansion are: the nuclear parity between the United States and the Soviet Union leading to Détente; the end of the process of decolonization that expanded the arms market as well as shifted the geostrategic competition from a direct confrontation to the spread of influence for which arms transfer was seen as an important mean; the emergence of a military industry in the Third World; and, as a consequence of the latter, the increased economic competition between suppliers -both traditional ones and newcomers.

Nonetheless, the essentially political characteristic of arms transfer and the predominance of the bipolar logic still counted in the commercial transactions involving weapons:

Arms sales must be seen, essentially, in political terms. The world is undergoing a diffusion of power –political, economic, and military- from industrialized, developed states to the Third World and the so-called Fourth World (poor and without oil). The acquisition of conventional arms, often sophisticated and usually in far greater quantities than the recipient state previously had, is a critical element of that diffusion. (Pierre, 1982, 3-4)

The Stockholm International Peace Research Institute (SIPRI) developed a classical model of arms transfer in 1971 that emphasizes three general aspects of arms exporting pattern to the Third World:

The industrial pattern, which pertains to countries that deliver weapons either for profit or to support their arms industries; the restrictive patterns, which indicates the practice of exporting arms only when such deliveries improve the chances of regional stability and reduce the chances of regional conflict; and the hegemonic pattern, which describes countries that supply arms in order to improve their political and strategic positions in the import region. (Sanjian 1991, 173)
The behavior of major arms suppliers during the Cold War evolved along the lines of this model. Thus, according to an empirical analysis of data from 1950 to 1976, the United States, as a hegemonic exporter, “was also at least moderately attentive to the consequences of its strategies for regional stability … The nexus between regional stability and geopolitical outcomes explains much of this. Arms transfer that destabilize an import environment sometimes have a negative impact on the exporter’s ability to achieve its geopolitical goals.” (Sanjian 1991, 180)

...And After

Overall, during the Cold War a traditional model of arms proliferation and control has been developed based on three assumptions: Most arms production is government controlled or authorized; most transfers are conducted on a government-to-government basis; and recipient states do not produce or transfer significant quantities of arms. “Of course, this simple model never did completely capture the reality of global arms proliferation and control, but it does provide a close approximation of the situation for most major conventional weapons transfer.” (Krause 2000)

This model is not useful anymore for the post-Cold War arms transfer pattern. One reason is the emergence of a global buyer’s market that is increasingly less ordered and less predictable. Despite a contraction from the mid-1980s when the global trade reached $80 billion per year (a decade later this figure was estimated an approximate average of $35 to 40$ billion), Third World countries accounted for a 65 percent of all international arms transfer in the 1990s. What essentially characterize the demand for weapons in these countries are not anymore inter-state conflicts, whether imminent or potential, as much as intra-state conflicts. The weapons used in these conflicts are no more major front-line
combat systems, of which the strong demand of the 1970s and 1980s fell considerably, but small arms. Their global spread

has been facilitated by the emergence in many states, including a dozen or more developing countries, of a domestic capacity for the manufacture of such weapons. Whereas the fabrication of major weapons systems is highly concentrated, with only a dozen or so states capable of producing modern tanks, planes and warships, some 50 nations now manufacture light weapons and/or ammunition of various types. (Boutwell and Klare 1998)

Yet another reason is

the high degree to which major arms-producing nations have become dependent on weapons exports to maintain domestic arms production at economically sustainable levels and to preserve jobs in critical military industries. These motives took secondary place to strategic considerations during the Cold War era, when both the United States and the Soviet Union provided large quantities of arms to their allies in Europe and the Third World, but became dominant in the post-Cold War era, when the NATO and former Warsaw Pact countries began to reduce their domestic military spending. With huge supplies of surplus Cold War weapons, and over-abundance of arms-making capabilities, these countries avidly sought foreign customers for their military products. (Klare and Lumpe 1998, 162)

The post-Cold War arms transfer pattern, thus, is shaped mainly by the global buyer’s market. The essential characteristic of this pattern is that it is not functioning anymore according to a central geopolitical motivation, as was the case during the Cold War. Politics is still a factor behind arms transfer decisions, but, first, it is no more the essential one, and, second, non-state actors also take part of the decision-making processes and their implementation.

The Return of the “Death Merchants”

In fact, the emergence of a global buyers’ market of arms reinvigorated the role of weapon dealers, or “death merchants.” For sure, arms brokers have always been around during the Cold War, and especially in the 1980s, when in a context of increased international tension states started marketing aggressively their product. Yet, at least in
developed countries, they used to have close connections with state security agencies and, often, act upon their consent and even instructions. The risk they ran in the multimillion brokering business was to become escape goats of changes in policy lines.

The fate of Sarkis Soghanalian, a dealer who started a successful 40-year career arming Christian militias in Lebanon at the request of the Central Intelligence Agency (CIA), is typical in this sense. His contacts with U.S. security agencies were impressive to the point that every time U.S. Customs, the Federal Bureau of Investigations (FBI) and other government agencies made a case against him, the sentence would be reduced for the “great assistance” he provided to the United States. Soghanalian used to be a major intermediary for arms sales to Saddam Hussein during the Iran-Iraq war. He felt in disgrace after Washington’s policy shift towards Baghdad in the 1990s, though he continued to rely on “favors,” such as revealing the truth about Peruvian arms sales to the Colombian guerrilla in 2000, to manage less harsh sentences.

After the end of Cold War, arms brokers felt less conditioned by politically driven deals precisely because of the emergence of a global arms bazaar. For one thing, the fall of the Soviet Union gave birth to a whole new generation of former mobsters turned into arms brokers looking for high profits in African ‘blood diamonds’ deals (as is the case of the Ukrainian-born Israeli millionaire Leonid Minin who trafficked arms to Liberia and Sierra Leone), or by providing arms to a rogue state like Afghanistan no matter if it is the Communists who are in power, or the Taliban (as is the case of Victor Bout, a former Russian air force trainee who set up his gun running business with the help of the KGB). For another, international arms brokers became essential in moving
arms to regimes under international embargoes, a dirty job they perform to, sometimes, the satisfaction of great powers, including the U.S. (Silverstein 2003).

Even countries like the United Kingdom (U.K.), where the Labour Government of Prime Minister Tony Blair elected in 1997 pledged, in the words of former Foreign Secretary Robin Cook, an “ethical foreign policy,” as the British Broadcasting Corporation News reported on March 28, 2001, are not exempt of criticism when it comes to the ambiguous role of the state in controlling arms sales. Despite the government’s arms export control bill that, according to the Trade Secretary Patricia Hewitt, would crack down the “dark and unacceptable side” of the arms trade (meaning banning exports involving a clear risk that arms would be used for internal repression), it was “far from clear how Britons who bypass national controls by organizing weapons shipments from third countries will be caught by the legislation, which is vague about monitoring end-user certificates and silent on the issue of overseas production licenses.” (Norton-Taylor 2001) Moreover, according to a Campaign Against Arms Trade NGO report,

Despite promises to the contrary, the Labour government continues to support the proliferation of weaponry, even to countries actively engaged in armed conflict.

Whilst there is a large and growing public antipathy towards arms exports –some polls putting opposition as high as 85% -government support for arms exports remains very high, with the Prime Minister himself actively engaged in promoting specific deals. (Fanning the Flames 2003)

Israel’s reluctance to cooperate with UN officials investigating the Starco Investment and Trade firm based in Haifa, Israel, which was suspected in being involved in arms and diamonds smuggling with Angolan rebels, is another example of shady relations that international arms brokers maintain with state authorities. What truly was
behind Israel’s deputy defense minister Efrayin Sneh’s intervention “on a humanitarian basis” for the release of Shim’on Na’or Hershkowitz, the Romanian born Israeli businessman, a former Israeli Navy officer who had a license to sell Israeli weapons by SIBAT, the Defense Ministry’s defense sales and exports department, and was arrested in 1999 in Romania for arms smuggling to Angolan UNITA rebels, for using forged documents, and contravening a UN embargo. The UN monitoring committee could not get any useful information from the Israeli government about Hershkowitz’s firm (Melman 2004). African diamonds also brought together Israeli arms brokers operating in South America and often involved in arms trafficking to the Colombian drug dealers and Lebanese counterparts in West Africa allegedly involved in guns-for-diamonds deals that helped funding Osama bin Laden’s Al Qaeda terrorist organization, as reported by an Organization of American States (OAS) January 6, 2003 extensive report and published in the Lebanese Daily Star newspaper. According to the report, Ori Zoller, who owns the Guatemala-based Grupo de Representaciones Internacionales (GIR SA) with Uzi Kissilevich and was arrested with Kissilevich and Shimon Yelinek, head of the Panama-based DIGAL SA arms trading company, is a representative of the state-owned Israel Military Industries (IMI) and a former intelligence officer with the Israeli Army’s Special Forces. The report also said that Yelinek and his associates had links with the Lebanese Samih Osailly, arrested in Belgium in June 2001, who was based in Sierra Leone and was involved with the deal the Israeli gunrunners made with the Revolutionary United Front (RUF). Osailly reportedly fought in Afghanistan with the Islamic mujahideen against the Soviet forces and later joined the Lebanese Hezbullah’s struggle against Israeli occupation in Southern Lebanon. His ties with the Kenyan Fazul Abdullah Mohammed, a
senior Al Qaeda operative high on the Americans’ most-wanted list for being involved in August 1998 bombing of the U.S. embassies in Nairobi and Dar-es Salaam, as well as the November 2002 attacks in Mombassa, Kenya, are, therefore, less surprising. Pure profit could explain his connection with the Israelis. Less clear are the links of these later ones with the state’s security organs. The Israeli Defense Ministry denied that any of them were licensed arms dealers, despite evidence mentioned in the OAS report (Blanche 2003).

Whether for pure profit or still hiding obscure political reasons, the increase in the levels of illicit transfers and the state direct or indirect participation to it is perhaps the most important indication of a new emerging pattern of the post-Cold War arms transfer, with its far-reaching impact on international security.

Concluding Remarks

Though linked to political developments in late 1970s and through 1980s, the shift in the pattern of arms transfer in the 1990s was triggered by the structural change of the end of the Cold War and the global expansion of free-market. The paradigm of this shift is the emergence of a global buyer’s market, often referred to as the global arms bazaar, where transactions are performed more according to the supply and demand logic, and less to the imperatives of strategic calculations. As I will proceed showing in the next section, the reluctance of securitizing conventional armament, especially small arms and light weapons, the same way strategic weapons or major arm systems have been in the post-Cold War, loosened international control and opened way to freer demand/supply transactions. The lesser strategic interest and the more “greed” reason for states to get involved in these transactions is symptomatic of the “retreat” of the state in the Age of
Globalization. Yet, as in the case of other performances, this “retreat” is neither involuntary, nor unrelated to the pattern of winners and losers that the global expansion of free-market creates.

Section II. Broken Promises? The Janus Face of Arms Control in the 1990s

On December 2001, President George W. Bush announced the U.S. intention to withdraw from the Anti-Ballistic Missile (ABM) Treaty. For analysts of strategic arms control this was a defining moment. Many predicted that the Bush administration’s decision would have a negative impact on East-West and transatlantic relations, and, by extension, on global peace and stability. But Russia and U.S. allies reacted rather mildly to Washington’s decision of withdrawing from the ABM Treaty, limiting their criticism to mere regrets. Moreover, this mild reaction reflected the broader anxiety about the administration’s unilateralism rather than specific fear of the beginning of the end of the arms control regime. Along with the triumph of the ideological right, the withdrawal from the ABM Treaty was “the culmination of a secular trend tied to the end of Cold War.” (Bohlen 2003, 7)

Arms control has always been related to the international context. In this sense, “the prospect for controlling arms proliferation appeared brighter in the early post-Cold War era than ever before.” (Pearson 1994,71) The post-September 11 international context, as described in the National Security Strategy document of September 2002 and the National Strategy to Combat Weapons of Mass Destruction (December 2002), brought a new approach, popularized as the ‘doctrine of preemption’14:

14 Arthur Schlesinger Jr. dismisses the use of “preemption” and makes a case about “prevention” expressing more adequately the National Security Doctrine of the George W. Bush administration: “‘preemptive’ war
The focus has shifted from eliminating weapons to eliminating certain regimes that have those weapons. It is a strategy of picking and choosing good guys and bad guys. Possession of these weapons by allied or friendly regimes is tolerated, even encouraged, while governments designated as threats must not only disarm, but be deposed. In this strategy, universal norms and treaties are a hindrance to U.S. freedom of action, not strategic levers in the battle against proliferation. (Cirincione 2003, 3)

Critics to this approach underline its insufficiency:

Focusing on cheaters and even removing the cheaters we have identified, is absolutely necessary. However, it will not be sufficient to solve the WMD proliferation problem. When Iraq, North Korea and Iran have more representative governments than they have suffered in the past few decades, the nuclear weapon proliferation will remain. The proliferation challenge stems not just from the villainy of cheaters or treaty outliers. It stems also from regional politics and insecurities and the great value and salience we place on nuclear weapons, which in turn confers status and political power on those who acquire them. (Perkovich 2003)

What has been said for strategic arms control policy in the post-September 11 international context, holds true for conventional armaments—especially small arms—control policy in the 1990s, when reducing stockpiles of strategic weapons, and not just limiting them, was still the working norm. The Janus face of 1990s international arms control is revealed through a significant progress towards global agreements to reduce WMD and create norms and regulation aimed at tightening the control and preventing their proliferation on the one hand, and reluctance to move on in the same direction with respect to conventional armaments on the other. True, major powers expressed some concern about conventional weapons heightening the chances of war. “U.S., U.K., and German rules have spoken vaguely, for example, of resisting the introduction of new or destabilizing weapons technologies to certain regions … But all three have also continued to ship advanced arms to ‘reliable’ friends in such volatile areas as the Persian Gulf and South Asia and have sometimes ignored human rights violations and other annoyances in

\[\text{refers to a direct, immediate, specific threat to the US that must be crushed at once … ‘preventive’ war refers to potential, future, therefore speculative threats.” (Schlesinger 2003, 24)\]
doing so.” (Pearson 1994, 73) This, of course, reflects the dilemma of the twin goals of security and welfare, which makes arms shipments, when profitable, difficult to resist.

This section describes the evolution of arms control in the post-Cold War and reveals the contradiction between the progress in the field of strategic armament and the limited advance of the conventional weapons’ agenda. I start with conceptual definitions of arms control and how they are applied in the international context explaining the differences between strategic weapons, conventional armaments and small arms. I then look to the historical evolution of arms control with an emphasis on the post-Cold War, following which I describe the conventional weapons’ agenda. In my concluding remarks I show how the threat of conventional weapons is downplayed when politics focuses exclusively on WMD.

Defining Arms Control: It’s All About the International Context

Developed in early 1960s by strategic studies pioneers Thomas Schelling and Morton Halperin, the concept of ‘arms control’ included a threefold objective: “reducing the likelihood of war, reducing the political and economic costs of preparing for war, reducing the scope and violence of war if it occurred.” (Larsen 2002, 2) The concept is different, and to some extent opposed, to disarmament, which has a longer legacy. Analysts who embraced arms control as a more comprehensive term, often pointed to the lack of precision and utopianism inherent in disarmament proposals. No matter if arms control is implemented unilaterally, bilaterally or multilaterally, it always involves cooperative measures. Inevitably, hence, any arms control initiative “exposes sensitive national security information and facilities to scrutiny by foreign powers.” (Larsen 2002, 5) However, states engaged in arms control negotiations consider the benefits it allows in
lowering the levels of weapons needed for security much more than if these levels were to be determined unilaterally, as well as better communication, deepened understanding, and reduced hostility. Traditional arms control theory, which developed in the bilateral rivalry context of the Cold War, laid on the following assumptions: (a) arms control was conceived as a way of enhancing national security; (b) both the United States and the Soviet Union shared a common interest in avoiding nuclear war; (c) arms control and military security should work together to promote national security; (d) arms control agreements need not be limited to formal agreements “but could also include informal, unilateral, and verbal agreements.” (Larsen 2002, 7)

Defined along these lines, arms control theory is excessively proper to the historical context of the Cold War. It mainly focused on the nuclear weapons theater, where the actors were the two superpowers and, to a lesser degree, the remaining permanent members of the U.N. Security Council. Civil society did not play any prominent role until the 1980s. Still, the massive mobilizations in Europe to protest the deployment of new warheads during the Reagan administration in the beginning of the 1980s had more to do with disarmament than arms control. In any case, the peace movement could neither effectively reach states nor international forums to make a case for its cause. Following the end of the Cold War, arms control theory faced the challenge of a new international context:

Arms control has changed to accommodate the new international security agenda. The very formal, structured approach to reaching agreement has been broadened to include more informal modes of cooperation. In particular the use of unilateral and reciprocal declarations has resulted in dramatic steps outside formally established negotiating procedures. Security negotiations between states have also developed an increasingly operational focus; they no longer simply pursue agreements to limit types and numbers of weapons. The growing interest in transparency is highlighted by the strict verification provisions written into treaties, as well as new agreements to share data. New international organizations have evolved to implement agreements. (Larsen 2002, 10)
The new security environment, thus, imposed a broadening of arms control theory in
twofold: first, arms control had to include also conventional weapons; second, non-state
actors needed to be taken into account. As Schuyler Foerster argues:

“(1) Much of the historically unprecedented success of arms control during the Cold War
is attributable to an international context that was especially –and perhaps uniquely-
conductive to its success; (2) the years following the end of the Cold War have witnessed
fundamental changes in the character of the international system –the nature of conflict,
the forces at play, the technology of warfare, and actors and their role; and (3) these
changes have, in some circumstances, opened new possibilities for cooperative security,
whereas in other circumstances they have rendered arms control virtually irrelevant.”
(Foerster 2002, 42)

In fact, by mid-1990s it became clear that the accelerated pace of signing
bilateral agreements of arms control between the U.S. and first Soviet Union and then the
Russian Federation, including the ongoing Strategic Arms Reduction Talks (START) III
and the Conventional Armed Forces in Europe (CFE) Treaty, was marking the end of an
era rather than the beginning of a new one. Basically, while the United States and Russia
have ceased to see each other as potential threats for a nuclear interchange, conflicts in
the post-Cold War were being relocated within the borders of a state fueled by ethnic,
racial, religious and/or national passions, were being fought with conventional weapons,
and, often deliberately rather than accidentally, were causing more casualties in the rank
of the civilians rather than the combatants. “What was considered ‘soft’ arms control in
the Cold War, therefore, has become more relevant in dealing with local conflicts in the
post-Cold War period.” (Foerster 2002, 46)

This does not mean that strategic arms, or WMD have lost their importance in
the post-Cold War. Quite the opposite, if arms control traditionally was about preventing
a nuclear war, the doomsday scenario of the post-Cold War might be a possible answer to
the question “what about a world with nuclear weapons and [emphasis in text] war,
whether major or not?” (Foerster 2002, 47) Indeed, the new strategic game includes at least three newcomers (or not so much…) in the nuclear club –Israel, India and Pakistan-, whereas other states are actively engaged in seeking WMD. Yet, if strategic arms control was still an inter-state power play for security, and, hence, the term did not lose its conventional assumptions, non-state newcomers on the international security agenda, including paramilitaries, terrorists and transnational criminals, imposed a whole new perspective. In all, a more, not less, anarchic international system in the post-Cold War has complicated

… the vertical extension of the arms control agenda. Cooperative security efforts now seek to encompass the entire spectrum of weapons, from high-tech information weapons, to ballistic missiles, to landmines, down even to small arms. (Foerster 2002, 52)

A note, however, should be made about the non-state newcomers on the international security agenda. Along with non-state actors, which have emerged as global security threat, civil society, including NGOs, think tanks and transnational activists networks, has joined the efforts to define and implement security measures. As in international trade negotiations, the space that states have given to civil society in the international security agenda is restricted and ambiguous. Some states, such as Canada, have established an alliance with civil society and assumed leadership in the horizontal integration in arms control business. The United States has been more reluctant to abandon the traditional reservation towards non-state participants in security matters. Theoretically these different approaches to a role that civil society can play are related to the search for security as implemented by states:

Ultimately the search for security may be a problem of demand versus supply. If one seeks security through traditional arms control measures of negotiated limits, then the search for security tends to be a demand problem: one enters into negotiations in search of some particular solution to a security problem and demands certain measures from the negotiations as a result. The premise is that your negotiating protagonist has the
means of improving your security but for some reason refuses to so until the proper bargain is struck.

If, on the other hand, one views security as a collective good, with conflict arising from a sense of insecurity, then the search for security is essentially a supply problem. In this approach, the preferred strategy for achieving greater security may in fact be to increase the security of those who can threaten your interest. (Foerster 2002, 53)

Which one of these security-seeking approaches has been adopted in the post-Cold War? Foerster claims that the post-Cold War agenda reflects elements of both approaches, “but the balance has shifted significantly toward the latter in comparison with the Cold War arms control agenda.” (Foerster 2002, 53) Yet, this shift –though questionable- is still more about strategic weapons rather than conventional armament and small arms, except when they are related to terrorism.

Tell Me About Your Weapons, And I’ll Tell You About Mines: Strategic Arms Control in Historical Perspective

For military historians, arms control existed since men went to war. According to the historical context, controlling measures always included competitive and cooperative initiatives seeking to preserve or improve the security of actors involved in international politics. Arms control, in fact, is an institution related to other political institutions that emerged in the West since the Hellenistic-Roman times. Spartan diplomats, as related by Thucydides, trying to convince Athenians not to build walls or to throw down the already existing ones around the city, and the Roman-Catholic Church’s ‘Just War Doctrine’ in the Middle Ages are, among others, classical examples of early arms control processes. However, arms control laws and codifications emerged in the nineteenth century, starting with the Geneva Conference of 1864 up to the Hague conferences in 1899 and 1907.

Certainly these conferences were noteworthy because the included non-European powers and because of the scope of issues they addressed: limitation of armaments and war budget; prohibitions on certain types of arms and military practices; revision and
extension of the codified laws and customs of war; and creation of institutions for mediation, arbitration, and other methods for preventing war. (Wheeler 2002, 21)

World War I, of course, inflicted a serious blow to high hopes on perspectives of human reason and rationality ‘civilizing’ war and limiting its damages. The inter-war twenty-year period of 1919-1939 renewed the emphasis on arms control, without, however, any success. Following six years of preparation, 59 nations representatives attended the 1932 World Disarmament Conference in Geneva under the auspices of the League of the Nations. One year later, Hitler announced the withdrawal of Germany from the talks and the League of Nations. By autumn of 1939, a new war in Europe was on its way.

The advent of the nuclear arm in 1945 changed the strategic landscape of arms control. In fact, after unsuccessful attempts of re-installing disarmament on the international security agenda, arms control initiatives focused on exclusively nuclear deterrence. Strategic arms control dominated the historical period of 1945-1991 along the East-West dividing line and U.S.-Soviet Union power struggle. Retrospectively today the 1950s can be seen as the decade that prepared the Cold War arms control. Successive events from the first Soviet nuclear explosion in 1949 to the Truman administration 1950 review of U.S. arms control policy in the National Security Council (NSC) Decision 112, the Oppenheimer report in 1953 arguing the need to inform the public opinion about the dangers and risks of the nuclear age, the deep schism that the 1956 Suez Canal crisis created in the Western alliance and contributed to France’s resolve to gain its own nuclear deterrent, the Taiwan Strait crisis of 1954-1955 leading China to a similar resolve, and the 1957 successful launch of the first Soviet satellite, “also represented a transitional decade as the world entered the missile age.” (Wheeler 2002, 26)
The Limited Test Ban Treaty that restricted nuclear testing to underground, signed in August 1963 by the Americans, British and the Soviets is arguably the first agreement upon which will be built the history of arms control in the following three decades. Arms control initiatives, of course, were strongly conditioned by threat perception, deterrence theory, technological advance and overall bipolar power struggle. Moreover, while it is fair to assume that as the bipolar structure collapsed without a U.S.-Soviet direct confrontation they have been successful in preventing a Third World War, less is certain about their virtue in limiting the proliferation of nuclear weapons. True, the Non Proliferation Treaty (NPT 1968) has been a major step towards a restricted membership of the so-called ‘nuclear club’, yet since the failure of the Kennedy administration to engage the Soviets in a joint effort aimed at preventing China from becoming nuclear in 1964, superpowers in general were not able to stop any medium size country determined to build a nuclear deterrence force from reaching its objective. The fact that Israel, India and Pakistan went nuclear is the most obvious proof of it; and had not Argentina, Brazil and South Africa suffered deep economic and political crises and internal changes in the 1980s and early 1990s, it is not wrong to speculate that they too would have gone nuclear. The reason of this failure is not the impossibility of more thorough international control regimes, as much as it is the approach to arms control that superpowers had during the Cold War. Indeed, all the bilateral treaties between U.S. and Soviet Union/Russian Federation signed since 1972, including the ABM (1972), Strategic Arms Limitation Talks (SALT) I (1972), SALT II (1974), START I (1991), and START II (1993) to name the major and most influential ones, reflect the ‘security demand’ approach rather than security as ‘collective good’ one.
As noted earlier, the ‘collective good’ approach always existed in arms control initiatives. In fact, the Rush-Bagot agreement in 1817 that demilitarized the North American Great Lakes is one of the first treaties of arms control from a ‘collective security’ approach. Much of the codification of war that has been done in the nineteenth century up until World War I fall also in this category of arms control approach. Critics tend to highlight the utopian component of the ‘collective good’, and as far as war prevention is concerned bases for this critique do not lack. Yet, the ‘collective good’ approach did in fact working some cases, and whenever it worked its benefits are obvious in terms of lasting peace. No less important are the ethical criteria that the ‘collective good’ approach has established in international law. The enforcement, of course, remains the main problem, and, again, it all depends on the states, especially the most powerful ones, to pursue it or not. Interestingly enough, for example, the Geneva protocol (1925) banning the use of poisonous or other gases or bacteriological methods of warfare was respected in World War II, at least on the battlefields.

An early, and failed, attempt to implement the ‘collective good’ approach to arms control in the nuclear age was the so-called Baruch Plan, which proposed to place all global atomic material, weapons, and energy under U.N. control. The plan presented to the U.N. Atomic Energy Commission on June 14, 1946, was vetoed in December of the same year by the Soviet Union. Consequently the multilateral initiatives from the first International Conference on Peaceful Uses of Atomic Energy in Geneva (8-20 August 1955) to the creation of the International Atomic Energy Agency (IAEA) created on October 26, 1956, while not addressing directly the issue of weapons, have a component of arms control as institutions that intervene in supervising the use and controlling the
proliferation of the nuclear energy. The Missile Technology Control Regime (MTCR), signed in April 1987, is the only multilateral missile nonproliferation regime on voluntary bases getting close to the ‘collective good’ approach to arms control. Yet the most direct initiatives to address arms control within the perspective of the ‘collective good’ approach are the nuclear weapon-free zones, which so far include five regions: the Antarctic (1959), Latin America (Treaty of Tlatelolco, 1967), the South Pacific (Treaty of Rarotonga, 1985), South-East Asia Treaty of Bangkok, 1995), and Africa (Treaty of Pelindaba, 1996).

The disappearance of the enemy explains and sustains the rationale to shift from a demand for security to collective good approach in arms control. With no more Soviet missiles targeting the United States, preventing the proliferation of nuclear material and technology became a common interest of both the United States and Russia, in fact a global interest. On November 27, 1991 the U.S. Congress passed the Nuclear Threat Reduction Act to help the former Soviet Union transport, store, safeguard, and destroy nuclear weapons. This act created the Cooperative Threat Reduction Program (also known as the Nunn-Lugar program) in 1993. In virtue to this approach, it is fair to assume that initial –and justified- fears about former Soviet nuclear program rapidly getting out of control soon were vanished. Moreover, on May 23, 1992 Ukraine, Belarus and Kazakhstan, three former Soviet republics with nuclear warheads, signed the Lisbon Protocol to START I and became non-nuclear state parties to START and NPT. With the perspective of chemical and biological weapons becoming the new threat of mass destruction and post-Cold War global terrorism becoming increasingly lethal, there was enough incentive to strengthen the ‘collective good’ approach to arms control. However,
the trend has been reversed since 1998, when in January 14 Iraq expelled the UN weapons inspectors, in May 11-13 India tested its atomic weapons, and in 28-30 May Pakistan followed the suit. From January 1999, when U.S. passed National Missile Defense Act, the gradual but firm return to security demand approach is a fact. Ideological reasons complement the threat perception that predominates in U.S. about the post-Cold War being more chaotic and dangerous than what it was initially presumed. It is a Republican dominated Senate that voted against the ratification of the Comprehensive Test Ban Treaty (the negative was confirmed on October 13, 2000), and it is with the George W. Bush administration that the U.S. rejected the Biological and Toxin Weapon Convention (BWC) on July 25, 2001, and the international BWC review conference that followed in November ended in disarray.

As stated in the beginning of this section, U.S. withdrawal from the ABM treaty has marked the beginning the new era of arms control, with a shift from the focus on armament to regimes. Viewed from a security perspective, Operation Iraqi Freedom seems to be the first implementation of the new approach. Yet, the same year the Bush administration preferred to rely on diplomacy to prevent North Korea from going nuclear (Sanger 2003) rather then applying the same regime change policy in this case too. European efforts to convince Iran to suspend the production of enriched uranium (Sciolino 2003) indicate a similar approach. The Iraqi, North Korean and Iranian cases of risks of proliferation and international reactions to them show that the ‘collective good’ approach is not a norm in arms control policies in the post-Cold War. No collective efforts have been made, for example, to encourage regional treaties of nuclear-weapon
free zones. Strategic arms dynamics in the post-Cold War responds to the logic of power politics shaped in a unipolar structural context.

*Other Weapons, Same Concern: Conventional Armaments on the Control Agenda*

The predominance of the nuclear threat in the Cold War era shadowed the lethality of conventional weapons. Though subject of early arms control initiatives starting with the Saint Petersburg declaration of 1868 prohibiting the use in combats of explosive projectiles weighting less than 400 grams, conventional weapons almost vanished from the agenda of international security after 1945. The fact that “the 130-plus wars since World War II have been fought with relatively unsophisticated and inexpensive weapons,” (Husbands 2002, 164) did not made any impact on superpower negotiations, because both the United States and the Soviet Union used arms transfer as essential tools in their competition especially in the Third World. The economic argument was never absent, of course. Even the drafters of NSC-68 “were influenced by Keynesian thought and saw military spending as a way to bolster economic activity.” (Block 1999, 209) Yet, the strategic argument of arms transfer was stronger, especially in the 1980s. In 1981, for example, the Reagan administration reversed the previous Carter administration restraint policy on arms sales, and listed seven reasons to reconsider arms transfer as a foreign policy tool to help Third World allies in the East-West conflict (Husbands 2002, 170). Soviet military aid for developing countries, on the other hand, reached nearly 80 percent.

Today it is the portion of aid exerting the hardest pressure on Russia’s budget, and it has resulted in chronic indebtedness. The share of the twenty developing countries that have received 97 percent of Soviet arms supplies in the Third World amounts to 96 percent of Third World debt to the Soviet Union. (Krasin 1994, 114)
With the end of the Cold War the economic factor in arms transfer became predominant. Ironically, the economic pressure has been a key factor for the advent of the so-called ‘new thinking’ in Soviet policy during the Gorbachev era.

It was clear that one of the heaviest burdens for the ailing Soviet economy was its security forces and foreign policy commitments, including the cost of strategic and conventional forces, the navy, the security apparatus (KGB), the war in Afghanistan, and assistance to friends and allies in Eastern Europe and the Third World. Under the conditions of Mutually Assured Destruction, all these efforts could provide only a marginal advantage to the Soviet Union, if any. However, they consumed enormous amounts of resources and efforts. (Kremenyuk 1994, 133)

In virtue of the ‘new thinking’ U.S.-Soviet cooperation by the end of Cold War included the first steps of expanding arms control to conventional weapons, especially the decision to halt the sale of military equipment to the warring parties in Afghanistan, and Soviet announcement to virtually eliminate its military commitments to Cuba (Kanet and Alexander 1994, 214). Initial attempts in the Détente era to include conventional arms on the control agenda have not been successful. The U.S. and its allies were particularly concerned with Soviet conventional forces superiority in Europe, as well as Soviet arms transfer to the developing world and insurgent movements. In 1977 talks were hold in Geneva and Mexico City to limit Soviet arms sales, but they ended in 1979 without producing any significant result. Ten years later, in 1989, NATO and the Warsaw Pact began talks on CFE Treaty, which will be signed one year later on November 19. The dissolution of the Warsaw Pact delayed its implementation until 1992. Russia’s objection to the terms of the Treaty for the so-called flank zone (an area including the military districts of Leningrad and the North Caucasus) in 1995 led to a review conference in 1996, and a final version of the Treaty was signed on November 19, 1999. Yet, the conflict in the Balkans (Bosnia 1995 and Kosovo 1999), but especially Russia’s military
intervention in Chechnia (1996 and 1999), as well as Moscow’s reluctance to lose its influence in the Caucasus, has impeded the ratification (McCausland 2002, 203-207).

Though addressing conventional forces, the CFE is still more about military balance than arms control. The U.N. Register of Conventional Arms is the first major effort to expand international control to conventional armaments. It aims at fostering transparency and openness about military spending, arms production, arms imports and exports. “Transparency is not control; instead the hope is that greater openness and knowledge will build trust and encourage restraint.” (Husbands 2002, 171)

The idea emerged in the late 1980s. In 1988, the U.N. General Assembly passed a resolution to create a group of governmental experts to study ways to promote transparency and openness in conventional arms transfer. Based upon the expert group’s finding, on December 1999 the U.N. voted for the creation of a register. Though an important step towards confidence building, because of the inherent limitation of its exercise (countries are required to report the imports and exports for the preceding year in seven major categories of armaments: battle tanks, armored combat vehicles, large caliber artillery systems, combat aircraft, attack helicopters, warships, and missiles and missile launchers) the U.N. Register of Conventional Arms failed to introduce significant improvement in control procedures. The main reason is that some important countries – Saudi Arabia, Syria and Iran, to mention few of them- refuse to submit reports. Another reason is the little interest of major weapon suppliers to enforce the register by pressuring client countries to submit reports. In fact, if the economic factor played a central role in promoting post-Cold War security cooperation between U.S. and Russia, the same is also responsible to the loosening of the joint efforts to strengthen that initial cooperation.
Indeed, both the U.S. and Russia felt compelled to aggressively market their military product more concerned with the maintenance of jobs in defense industry and, in the case of Russia, hard currency incomes, than strategic competition. Thus, the high priority that the Clinton administration gave to nonproliferation

... was primarily confined to WMD and ballistic missiles. Promoting arms transfers as a means of retaining economic competitiveness was an important U.S. policy goal. Such economic considerations seem likely to remain under the George W. Bush administration as it sets its own arms transfer goals, in tandem with the desire to use arms exports to sustain a global antiterrorism coalition in the wake of the terrorist attacks of 11 September 2001. (Husbands 2002, 167)

As I shall emphasize in the next chapter, arms transfer is not alien to the broader U.S. Grand Strategy. For now, no matter what the policy argument for arms transfer, the fact that according to the Congressional report *Conventional Arms Transfer to Developing Nations, 1995-2002* the U.S. remained the leader in total worldwide arms sales in 2002, with about $13.3 billion, or 45.5 percent of total global conventional weapons deals, of which $8.6 billion was to developing countries speaks about the pressure exercised by the economic factor. The same report states that Russia comes second on the top with a total of $5 billion sales to the developing world, aiming, according to Russian analysts, at an increase to $13.5 billion by 2012 (Yegorov 2003). The inadequacy of enforcement for licensing regimes worldwide, including in the case of the United States in spite that it has one of the strongest licensing regimes in the world, is reflected in the frequent diversion of technologies to unauthorized uses and prohibited third parties. Licensing agreements are often violated, especially in small arms trade; and the existence of a large black market for conventional weapons is by itself an indication that many arms transfers go undetected. A fundamental problem of the post-Cold War arms trade policy is the lack of integration of security evaluations and economic imperatives. As most of major arms
supplying countries, the U.S. also has become more reluctant to subordinate the economic aspects of the arms trade to foreign policy security considerations:

In the U.S., despite a new inter-agency working group, the Departments of State, Commerce and Defense still spar over arms trade policy. Reflecting the ascendancy of economic over foreign policy or security concerns, the Department of Defense appears to be emerging as the lead agency in this process, undermining the State Department’s traditional arms control function. (Markusen 2002, 14)

Concluding Remarks

There is no doubt about the potential dangers of strategic weapons; hence the priority they are given is justified. Washington’s concern about WMP in “in the possession of hostile states and terrorists [being] one of the greatest security challenges facing the United States” as stated in the introduction of the National Strategy to Combat Weapons of Mass Destruction, could not be more legitimate. Yet, when compared to the space that conventional weapons and small arms occupy on the post-Cold War international arms control agenda, the U.S. emphasis upon the priority of strategic weapons and their threat suggests that factors other than security motivate Washington’s policy. A major reason is the “meaninglessness” of WMD in terms of their lethality potential. “The phrase ‘weapons of mass destruction’ … obscures more than it clarifies.” (Easterbrook 2002, 23) Leaving out the nuclear devices, which truly are a weapon of mass destruction, chemical and biological agents are “pound for pound” potentially less lethal than conventional bombs. This is not to downplay the nightmare scenarios of any chemical or biological attack, whether conventional or terrorist, but to highlight the historical record of damages caused by them compared to conventional weapons:

The most successful biological warfare to date took place nearly 250 years ago, when the British gave smallpox-laden blankets to French-affiliated Native Americans during the Seven Years’ war.

...
Deliberate, systematic distribution of weapons-grade anthrax in the United States in 2001 killed five people – terrible, but hardly “mass destruction” compared to the jet-fueled explosions that killed 3,000 on September 11 and the conventional bomb that killed 168 in Oklahoma City in 1985.

American fatalities [in World War I] followed exactly this ratio: 2 percent of those gassed during the war died, compared with 24 percent of those struck by bullets, artillery shells, or shrapnel.

A 1993 study by the Office of Technology Assessment found that one ton of perfectly delivered sarin, used against unprotected civilians could kill as many as 8,000 but that even light wind or sunlight would drop the death toll by 90 percent. Eight hundred deaths would be horrible, surely, but not “mass destruction” compared with what conventional arms do all too readily. A single U.S. bomb dropped against one Iraqi bunker during the Gulf War, for example, killed 314 civilians. (Easterbrook 2002, 22-23)

The point here is not that WMD is overemphasized in current arms control policy, but that the real harm and security threat posed by conventional weapons is by large underestimated. This is particularly true in the case of small arms.

Section III. Who’s Afraid of the Small Bad Ones? The Case of Small Arms and Landmines

While the trading off between economic and policy concerns reflects the typical state perspective of arms control, the emergence of small arms on the international security agenda in the 1990s indicated the increased involvement of civil society in re-defining the concept of security, which so far was thought to be a field reserved exclusively to state actors, and proposing policy lines. As in the case of other items on the international political agenda, such as trade, environment, and human rights, small arms and light weapons (SALW), a so far downplayed and even neglected issue in arms control policies, made their way to the negotiations thanks to both the emergence of global networks of activists and the receptivity they have been given by international and regional organizations as well as some governments.
There is, of course, an objective reason for these issues to become an international security concern in the 1990s. According to reports from international institutions such as the World Bank and others:

More than 50 countries have experimented significant periods of conflict since 1980. Fifteen of the world’s 20 poorest countries experienced a major conflict between 1992 and 1997. In a number of cases conflicts led to a complete breakdown of the state. Thirty countries have had more than 10 percent of their population displaced by conflicts, either internally or as refugees in other countries. In 10 of those countries, more than 40 percent were displaced. An estimated 4 million people have been killed in conflicts since the fall of the Berlin Wall. Civilians accounted for at least 90 percent of these casualties. (Husbands 2002, 168)

Common characteristics of the weapons, labeled ‘light’ or ‘small arms’\(^{15}\), used in these conflicts are their availability, low cost, durability, operational facility, easiness to transport and increased lethality. These characteristics make light weapons ideal instruments to both war and crime. In fact, the proliferation of light weapons in proxy wars that the two superpowers fought in the Middle East, Central Asia, Africa and Central America during the Cold War, especially the 1980s, made crime the continuity of war in post-conflict conditions:

The Cold War made small arms and light weapons widely available, and technology has made them cheap, maintainable, and easy to transport – ensuring that they will remain instruments not simply of the military but of militarized crime and economic survival or rebellion. (Bendaña 2001, 64)

This section makes an argument of the threat posed by SALW for the expansion of arms control agenda and the re-definition of security as expressed by a global mobilization of civil society and the rise of regional and international initiatives. As I shall intend to show, the security threat of SALW is not new, but civil society

\(^{15}\) The concept of ‘light weapons’ is used to describe a type of conventional armament that can be carried by a single combatant or transported in a vehicle. From a more technical perspective, a ‘small arm’ is any single-shot, semi-automatic or automatic gun up to 20mm (Louise 1995, 1). For NATO terminology, light weapons include armament up to 50mm.
mobilization to consider it serious enough to include on the international agenda is. I start with illustrating the cases of Iraq and Afghanistan where SALW are part of an ongoing security threat the causes of which are rooted in the Cold War. Then I describe the ‘demand side’ for SALW focusing on Central America where crime has become the continuation of conflict. Former Soviet republics and Russia deserve a special emphasis for the fall of the Soviet Union is a major structural cause for both post-Cold War demand and supply of SALW. Follows the description of the process of making of SALW an issue on UN agenda with a special attention to countries or coalition of countries favoring “microdisarmament.” The context of regional integration, as the next subsection shows, is the best ground to push for universally accepted rules and regulations for SALW transfers; with all the shortcomings of such perspective, Europe, Africa and the Southern Cone have embarked in a trend leading to that end. Last, I examine the ‘success story’ of the case of the ban of landmines as illustrative of civil society mobilization and civil society-state coordination. In the concluding remarks I explore furthermore the state-society link in global politics for an expanded arms control agenda.

The Heavy Burden of the Legacies of the Past: Iraq and Afghanistan

Iraq is a paradigmatic case for the proliferation of weapons as both a legacy of the Cold War and source for new security threats. As Michael T. Klare has shown,

The sale of arms to Iraq during the Iran Iraq War furnished many of the key ingredients for the 1990-91 Gulf conflict: the means (all of the munitions supplied to Iraq); the motive (a desire to eliminate the burden of paying for all those arms); the intended victim (Kuwait); and the necessary international setting (a consistent pattern of U.S. acquiescence to Iraqi misbehavior). (Klare 2003, 21)
According to the U.S. media, declassified documents in Washington revealed that the Reagan and George H.W. Bush administrations authorized the sale to Iraq of numerous items that had both civil and military applications, including cluster bombs and chemical precursors, or simply turned a blind eye when, for example, the Chilean company, Cardoen, sold them to Baghdad (Dobbs 2002). Whether this policy was justified or not is a debatable question. But the George W. Bush administration decided to put an end to the Saddam Hussein regime. What followed the U.S. military intervention and occupation of Iraq after a short war (March 19-April 11, 2003) is paradigmatic about how the spread of weapons becomes a security problem. The most obvious aspect of the problem is the increasingly deadly attacks against American troops since President’s declaration of the end of war on May 1, 2003. According to American military officials, most of the weapons used in these attacks came from some 650,000 tons of ammunition at thousands of sites used by the former Iraqi security forces (Bergman and Schmitt 2003), including at least 5,000 stockpiled shoulder-fired missiles of which fewer than a third have been recovered (Bonner 2003a): despite the $500 reward offered for each and the $100,000 that has been paid by October 2003 for the recovery of 317 of them, “there is a vibrant international black market for the missiles in which a SA-7 can fetch as much as $5,000 – far more than the United States military is offering.” (Bonner 2003b) Media reports had already made a case of Iraq as one of the most heavily armed countries in the world.

The majority of military-style weapons in the hands of civilians in Iraq come from three sources … First, civilians possess weapons from government arsenals that were looted in 1991. Second, weapons have been provided from Iran, which has provided support for the main Shia rebel group. Third, the Iraqi government has provided AK-47s to leaders of Sunni and Shiite tribal leaders from dispersal. (Stohl 2003b)
Immediately after the war, automatic weapons abandoned by Iraqi forces have been picked up and sold in open-air markets in and around Baghdad. AK-47s were sold as low as $25 to anyone with no question asked and little interference from the U.S. military (Branigin 2003). Predictably, after the dismantlement of former Iraqi security forces by the U.S. troops, the number of murders has skyrocketed into hundreds every month. “In 2002 the Baghdad morgue conducted autopsies in 3,500 suspicious deaths; 350 died from gunshot wounds. But in the three months since the fall of Hussein’s government – May, June, and July - the morgue has logged 1,169 shooting deaths out of a total of 1,868 suspicious fatalities, according to the morgue’s director…” (Cambanis 2003) As in any other post-war environment, besides the attacks against the American troops, looting, burglary, carjacking, vigilante justice and sectarian violence have spread another kind of unlawfulness (Rubin 2003). In addition, porous borders and lack of security have increased drug use and trafficking, fomenting further armed violence (Milligan 2003; Al-Shaqri 2003). The vicious circle of the demand dimension is completed with Iraqi middle class taking guns for self-defense (King 2003), and a booming private security industry (Tierney 2003), which by itself is an investment in the demand dimension of light weapons. The U.S. occupation first banned the guns; but the decision

… proved to be more farce than tragedy. First the edict had to be weakened to allow Iraqis to keep Kalashnikov assault rifles, the Model T of self-defense in a country as gun-crazed as the United States. The three-week national amnesty that followed, when citizens were meant to turn in heavier weapons, netted a mighty total of 499 pieces. (Rodenbeck 2003, 15)

“The rationale behind the coalition’s gun policy was helping the citizens stand up to the crime wave that swept Baghdad and other cities in the chaos that followed the collapse of
Hussein’s regime, with well-armed gangs kidnapping wealthy citizens, stealing antiquities, and conducting car-jacking.” (Murphy 2003) But the fact remains that despite the forehand knowledge for many of the problems, including the crime wage, that Americans faced in Iraq, as a State Department 2,000 pages report –the Future of Iraq Project- predicted as early as April 2002 (Schmitt and Brinkley 2003), the security related weapons availability issue has not been a high priority for the planners of Operation Iraqi Freedom.

The fall of the Taliban regime in Afghanistan (October 2001) created a similar situation, with the Northern Alliance soldiers becoming players in one of the world biggest and most unregulated weapons market, and perpetuating the region’s machine war. “What used to be the old silk route is the new weapons route,” according to a Western intelligence official in Kabul (Buchbinder 2002). One analytical perspective to the demand dimension of weapons proliferation in Afghanistan –and by projection Pakistan and other neighboring countries- is the key role the so-called warlords play in Afghani politics. Though the phenomenon have reached the attention of international security observers in the 1990s and is closely related to the crisis of the state in the periphery (Rich 1999), the Afghan warlords “are late-modern creations of the American and Soviet duel for influence in Central Asia.” (Ignatieff 2002) Having lost much of their utility in the 1990s after the Soviet pull-out from Afghanistan and the fall of the Communist regime in Kabul, the Afghani warlords returned at the center of attention for American and Russian strategic planers in the wake of the September 11, 2001 terrorist attacks in U.S. After playing a key role in the toppling of the Taliban, they became indispensable tools for U.S. Special Forces in hunting Al-Qaeda terrorists.
The only people who know where to find Qaeda fighters are the local warlords, and they won’t go looking unless the United States pays them handsomely and provides them with weapons. Some Washington policy makers profess to be untroubled about this: paying the warlords to hunt Al-Qaeda keeps them busy, and keeps them under the control of the Special Forces. Yet the essential contradiction in American efforts to stabilize Afghanistan is that in the south, at least, winning the war on terrorism means consolidating the power of the very warlords who are the chief obstacle to state-building. (Ignatieff 2002)

Then, of course, there is the eternal doubt of who is controlling whom, and if instead of using the warlords Washington is not being manipulated by them. The bottom line is that in one of these dilemmas of the war on terrorism declared by Washington –engaging in state-building while courting the same warlords that undermine any significant initiative of the state-building- lays the explanation of the demand dimension of light weapons as a continuation of Cold War legacies.

*The Demand Dimension: Crime in Central America*

In addition to this continuity of Cold War legacy politics, of which Iraq and Afghanistan are but examples, demand dimensions of light weapons proliferation are inherent to the historical conditions of the rise of a unipolar world and the structural factors of the process of globalization, including: the emergence of gun related culture of violence after the end of armed conflicts, the fall of the Soviet Union, the transnationalization of organized crime and its multiple links with terrorism, and the weakening, and in extreme cases the collapse, of the state in the periphery. All these phenomena of conditions and factors are, of course, inter-related and their isolation obeys only to the need of simplifying the complexity for the sake of analytical clarity.

Central America provides a clear example of how weapons diffusion creates a culture of violence that in turn perpetuates the demand for more weapons. Civil wars in El Salvador, Nicaragua and Guatemala in the 1970s and 1980s plagued the region with
small arms, which were used as the main instruments in the fighting. During the conflicts, both superpowers viewed the arms-supply programs as a means of strengthening the self-defense capability of friendly states. The war on drugs was yet another argument for the U.S. to supply local police and military forces with small arms. All the civil conflicts in Latin America, except in Colombia, ended with the end of the Cold War, and, the Condor War between Peru and Ecuador (1995) notwithstanding, armed political confrontation in the 1990s became history. Yet, as a legacy of civil wars approximately 2 million small arms and light weapons entered in illicit circulation and ended in the hands of ordinary delinquents and members of criminal organizations. The sources of this new proliferation are, according to analysts, the poor implementation of guerrillas and soldiers demobilization, the failure of disarming programs, the widespread economic crises and unemployment following adjustment programs, which made the weapons income-generating assets either through black-market sales or direct use in crime—armed robbery, kidnapping, car-jacking, trafficking, etc. (Klare and Andersen 1996).

According to a survey of small arms proliferation in Central America, El Salvador and Honduras were the largest recipients of weaponry from the U.S. governments in the 1980s and early 1990s; after president Carter’s cut off of all military support to Guatemala, the Israeli military industry stepped in to supply the Guatemalan government with Galil rifles, UZI submachine guns, M-70 grenade launchers, bazookas, and mortars; the Soviet Union and Cuba supplied arms to the Sandinista regime of Nicaragua, as well as to the guerrilla in El Salvador and Guatemala. Until July 2001 at least, Central American governments continued to find abandoned or hidden arsenals, especially near San Salvador (El Salvador) and Managua (Nicaragua), as remnants of the
civil wars. However, according to public U.S. sources, in the 1990s retail sales of firearms and black-market sales surpassed government-to-government deals in terms of quantity and value. Manufacturers and brokers from North and South America, Europe—Spain in particular—China and South Korea became important exporters of firearms to Central America. Moreover, individuals and groups started to make their own weapons; youth gangs, known as the maras established semi-scale clandestine workshops to produce inexpensive, easy to use, and easy to discard guns known as chimbas in Honduras, and armas hechizas in El Salvador. The report concludes that the ‘post-conflict’ era in Central America did not necessarily mean ‘post-violence’ because, precisely, the availability of arms, along with persistent poverty, rampant corruption, continued social inequality, and natural disasters (Godnick, Muggah, and Waszink 2002).

Oscar Menjivar cites the evolution of the international arms trade as a specific development, along with the growth of global markets and the process of “disideologization,” for the transformation of Low Intensity Conflicts (LIC) in Latin America:

> The easing of transactions and the fluidity of global markets, coupled with decreased state controls, has resulted in the transformation of the arms trade into a “buyers market.” In it legal, gray and black clusters harmlessly dovetail and availability of funds, by itself, guarantees the supply of arms to state and non-state actors. (Menjivar 2001, 4)

Thus, by the end of the 1990s, violent crime in Central America has become the major security threat. Huge inflows of Peruvian and Colombian drugs have allowed many Central American gangs to upgrade their arsenals. “As a result, gangs equipped with Ak-47 assault weapons, rocket-propelled grenades and hand grenades are overwhelming civilian law enforcement agencies, according to regional news reports.” (Special Report: Central America Crime Wave 2001-08-29)
The fall of the Soviet Union is perhaps the single most important factor for a booming global offer of arms for the geographic proximity to demand areas and the interconnectedness of the state with criminal structures. Though countries ambitioning to develop an arsenal of WMD showed primary interest in the raw material, know how and technicians that became available after 1991, both the United States and Russia have been alerted enough to cooperate and tighten the control and stop short the proliferation of this sort of armament or the technology to build it. In fact, many smuggling attempts have been uncovered. Less attention was given to conventional arms and the huge supply offered at low prices – T-72 tanks for as little as $70-80,000, BTRs (armored personnel carriers) for $1,000, etc.

Meanwhile, Kazakhstan has cashed in on the bloody conflicts in Africa. Astana has sold surplus weapons systems off for deployment in the regional wars in Angola, Zaire and Bosnia. And during the recent Ethiopian-Eritrean war it sold $1.8 million worth of D-30 howitzers to Adis Ababa.

...Russian experts believe that the miniscule official arms trade figures ($15-20 million a year) do not reflect the much wider trade in “second hand” Soviet material, which is conducted off the books. The proceeds are deposited in the personal offshore bank accounts of officials supervising the lucrative trade. The Kazakhstani opposition claims that in August 2001 a huge fire at the Balkash military storage facilities in Central Kazakhstan was tagged to cover up and write off embezzled weapons illegally sold abroad (Cohen 2001)

An extensive report about small arms proliferation in the Caucasus focusing on case studies including Armenia, Azerbaijan, Nagorno Karabagh, Georgia, Abkhazia, North and South Ossetia, Dagestan, and the Russian factor, traces back the origin of the phenomenon to the political conflicts over ethnic identity, territory and survival that created a sense that weapons were needed and rushed the formation of armed groups in
the South Caucasus, whereas ‘gun culture’ in North Caucasus is the main cause for considering a ‘cool’ thing owning a weapon and made the way up through the exploitation of the prevailing economic anarchy. Overall, however, weak political orders, different in scope and intensity according to the country, where often it is not easy to distinguish between armed groups and official security agencies, are what to blame for ongoing insecurity, not, as it is widely perceived, outside actors’ actions (Matveeva 2003). The same report includes also an evaluation of the Russian factor in small arms proliferation in the Caucasus. According to the findings, immediately after the collapse of the Soviet Union, Moscow tried to withhold the Soviet military property and weaponry, including small arms, under its control by withdrawing them to Russia or concentrating them in military bases, however it came under pressure by local governments to sign bilateral agreements dividing the existing armaments between the three states of Armenia, Georgia and Azerbaijan. The division of the military property was further complicated by the disintegration of the system of central command in the Russian Armed Forces. Overall more than 260,000 units of small arms and light weapons and more than 170,000 wagons of ammunition were acquired by the republics of the South Caucasus, including the non-recognized autonomous entities (Abkhazia, Ajaria and Nagorno Karabagh). The Russian Chief Prosecutor’s Office carried on a three-year long (1997-2000) investigation of Russian arms transfer to the states of the South Caucasus, but the results remain secret and no criminal charges were launched. By the end of the 1990s, Moscow’s policy became more pragmatic focusing on the preservation of national security by preventing the spread of religious fundamentalism and terrorism. Regarding the proliferation of small arms and light weapons (SALW) in the Caucasus, the Russian
government has no definite policy. “This is in part related to the fact that Russia has its own source of illegal SALW proliferation, Chechnya in the north Caucasus.” (Pyadushkin 2003)

The Russian factor in post-Cold War proliferation of SALW is not important merely for Central Asia or the Caucasus, known as the “near abroad” - a geopolitical zone traditionally associated with Russian national security. As a 2003 report of Russian small arms production, exports and stockpiles shows, Russia became a major factor to the global proliferation of SALW for three basic reasons: (a) World’s most famous assault rifle is the Russian AK-47 created by now the legendary Mikhail Kalashnikov in 1947. Though not produced anymore in Russia in its original design, it is estimated that since the first time it was designed, over 100,000 Ak-47 has been produced worldwide, it has been the weapon of choice in armed conflicts, it appears on the flags of Mozambique, the Lebanese Hezbollah, and in the letters of several rap songs. The AK-47, in other words, has become, at the regret of its creator\(^\text{16}\), the symbol of the devastating effects of SALW. (b) Russia is a major weapon producer and the high quality, reliability and value-money of its production is a matter of national pride since World War II, when Soviet weapons are seen as a major contributor to the Allies victory. (c) The fall of Soviet Union and the following crisis in Chechnya impacted the state control over SALW production and transfer; moreover, with the criminalization of the Russian economy, SALW became a major asset in the process of the globalization of Russian criminal organizations.

With the collapse of the Soviet Union, the major customer of the Russian arms industry — the Soviet Army — disappeared and the Defense budget underwent serious cuts.

\(^{16}\) “I’d rather have invented a machine to make life easier for farmers and peasants — something like a lawn mower,” said the legendary inventor in an interview to *Knight Rider Newspapers’* Mark McDonald (Designer of A-47 Assault Rifle Reflects on Weapon’s Past. November 13, 2003).
While previously conceived for essentially political reasons, arms manufacturing shifted its priority and almost overnight business interests became paramount. The multiplication of Russian security agencies in the 1990s soon became a factor of SALW proliferation within the country. Only in 2000 has the government formulated its key objectives in developing SALW and planned restructuring the industry. “However, the main obstacle to the planned restructuring is the absence of a mechanism for integrating government-owned and private companies into one corporate entity.” (Pyadushkin, Haug, and Matveeva 2003, 4) The Federal Law on Arms in 1996 regulated the SALW production the main centers of which remain Tula and Izhevsk. Paradoxically they are also the main source of the illegal proliferation of weapons. The Russian government passed Resolution No. 556 on July 26, 2001 committing itself to report information on SALW within the framework of the Organization of Security and Cooperation in Europe (OSCE), which remains classify. As the Russian political and military elite considers unacceptable any form of international or foreign control mechanism over Russia, the Resolution No. 556 is considered an important progress; yet, transparency in the Russian arms trade and defense industry remains “unintentional.”

New commitments by Moscow to tighten control, even avoiding transparency, on SALW proliferation by the end of the 1990s notwithstanding, during the first half of the same decade, and amidst the weakening of state control and the decentralization of power in Russia, arms made their way onto private hands. In Chechnya alone, after the withdrawal of Russian forces, the Dudayev separatist regime obtained 42,000 pieces of small arms from army depots, including 28,000 AK-47s, 200,000 hand grenades, and over 13.5 million rounds of ammunition. Another region where former Soviet army
weapons made their way into public hands is Transdniestria, where, in 1991, the population seized 21,800 units of small arms from the arsenal of Russian troops in the region. “According to Interior Ministry reports, in 2001, there were 27,000 pieces of small arms missing from Defense Ministry stockpiles (ITAR-TSS, 4 September 2001). Of this figure, over 8,000 pieces had been stolen from the armed forces stockpiles and other troops between 1994 and 2001 (ITAR-TASS, 31 January 2002). The remainder of the total figure was lost prior to 1994.” ((Pyadushkin, Haug, and Matveeva 2003, 31) As for civilian possession of guns, according to the official Ministry of Interior records there are over four million registered arms, including combat and hunting weapons; the illegal flow is estimated between 300,000 to 1.5 million.

As other countries that went through economic collapse, rise in unemployment, poverty and sharp increase in income inequality, the death rate from homicide grew rapidly in the 1990s in Russia; by the end of the decade, it reached the double of what it was in early 1990s, about 20 times higher than in Western Europe, yet comparable U.S. figures. Though one of the rare studies of homicide rates in Russia, which provides the mentioned numbers (Chervyakov, Shlonikov, Pridemore, and McKee 2002), does not specify if availability of guns is an aggravating factor, the case could be hypothesized. What, however, bares little doubt is Russia’s entry in the global narcobusiness (Kupchinsky 2003) and the modality of interchanging guns for drugs. By the end of the 20th century, it became clear that drug trafficking, and organized crime in general, and global terrorism interests converge (Cilluffo 2000; Makarenko 2001; Blank 2001; Farah 2001). Russia’s president Vladimir Putin personally drew parallel between both at a meeting of the Security Council of the Russian Federation on September 28, 2001 (BBC
Monitoring Service September 28, 2001). Arms trafficking from Russia and in general former Communist countries from Belarus to Ukraine, Yugoslavia and Bulgaria has been an intrinsic factor of this process linking organized crime and terrorism (Henriksen and Walker 2003). The fact that front companies often linked to state institutions have been involved in illicit transfers is hardly surprising if the dimension of the state-market-crime nexus that emerged in the 1990s is taken seriously (Los 2003).

Microdisarmament as the Highest Stage of Arms Control: SALW on UN Agenda

As demonstrated in the first chapter of this essay, the post-Cold War global political economy created the business opportunities for such illicit associations. Analysts consider that only international cooperation to address arms trafficking can undermine the global threat of the converging interests of organized crime and terrorism:

The United States and its European allies must work cooperatively to halt the deadly arms dealing. Together they can exert economic pressure and diplomatic leverage over the offending states to curb their hazardous commerce. In the era of global terrorism and the related challenges of proliferation of deadly weapons and materials, anything short of strict compliance to arms control invites the gravest of risks. (Henriksen and Walker 2003)

In fact, global demand for tighter arms control not only for strategic weapons but also SALW emerged in the 1990s: a ‘microdisarmament’ initiative made its way on the UN agenda, a successful deal was reached for the global ban of landmines, regional agreements imposed moratoriums on weapons transfer, and civil society mobilized to address gun control and gun violence issues. The endorsement of these initiatives by states, and especially the U.S., however, has been ambiguous, when not openly hostile.

The rationale to include SALW on the international arms control agenda follows the analytical guidelines of studies that show that there was no dividing line between major conventional armament and SALW on the battlefield, hence the transfer
of SALW should get as much attention as other categories of arms get (Goldring 1997). Moreover, the impact of SALW on security in the post-Cold War, according to some analysts, imposes a paradigm shift for the arms control agenda from proliferation/armament race to diffusion/global violence (Klare 1995, 3). In sum, empirical evidence linking SALW proliferation and loss of life has been crucial to bring international attention on the security threat of this lesser category of weapons. Though initially efforts focused on measures that put SALW in the context of the conflicts in which there were used,\textsuperscript{17} two additional perspectives gained prominence over time. First, the availability of SALW exacerbates the culture of violence and its devastating social effects; and second, SALW obstruct international relief and reconstruction efforts, hence are a major obstacle to development.

All three approaches are lined, and the distinction among them often blur, especially on the ground in conflict-ridden countries. But they do represent different basic motivations for wanting to address the light weapons problems, and they bring different constituencies into the process of developing and implementing policy. (Husbands 2002)

Former UN Secretary General Boutros Boutros Ghali got personally involved in making the SALW an issue for the General Assembly by including the topic in his 1995 Supplement to An Agenda for Peace report. Indeed, the December 12, 1995 UN General Assembly resolution 50/70B asked the Secretary General to prepare a report on SALW. Following the resolution, on August 27, 1997 a group of experts submitted to the General Assembly the UN document A/52/298 General and Complete Disarming: Light

\textsuperscript{17} Aaron Karp conceptualizes this perspective as the traditional formula of “reacting to dire events by calling for peaceful solutions and slapping embargoes on all involved,” which is no less than a dilemma that leaves the better prepared side, usually the aggressor, in an advantageous position: “The dilemma has been well known since the futile efforts to deal with Mussolini’s invasion of Abyssinia in 1935, but the apparent moral perfection of the approach makes it hard to resist even today. As if it had learned nothing at all that time, the UN responded to the war in Bosnia in 1991 by imposing a one-sided embargo that only helped the Serbs. The following year it acted more aggressively in Somalia yet in an equally counterproductive fashion, leading a campaign to disarm the combatants that only exacerbated the fighting.” (Karp 2002, 179)
Weapons, which established the ground for the July 2001 Special Session on Illicit Trade in Small Arms and Light Weapons in All Its Aspects in virtue of the December 4, 1998 UN resolution 53/77E. In addition to studies prepared by experts, regional initiatives supporting major control for the transfer of SALW, a coalition of NGOs, the International Action Network on Small Arms (IANSA), was launched at the Hague Appeal for Peace on May 11, 1992 and took active part in promoting the UN Special Session. From the initial three preparatory committee meetings in February 2000, January 2001, and March 2001, however, analysts were skeptical about the results.

The UN Conference will provide a rare opportunity to raise public awareness about the need to control the spread and misuse of small arms. Serious action by governments, however, is not likely at this venue. Unlike the two legally binding agreements dealing with small arms—the Inter-American Convention on the Illicit Trafficking and Manufacturing of Firearms and the Firearms Protocol to the Convention on Transnational Organized Crime, which created rules on marking and information-sharing for commercially traded small arms—the probable result of this meeting will be a nonbinding political declaration with no enforcement mechanisms. A nonbinding document would allow states to adopt arms-control measures that go beyond the two legally binding agreements. Unfortunately, however, the political will needed to take additional steps forward does not yet exist. (Gabelnick and Firchow 2001)

Indeed, as a study based upon UN First Committee voting records from 1996 to 2001 showed, rather than a global convergence to a single normative principle to build an international consensus about what to do with the SALW proliferation, four different like-minded coalition of states, including “yes” (108), “positively ambivalent” (24), “negatively ambivalent” (24) and “no” (32) categories (Serafini 2001), participated to the Special Session. The results of this first global meeting on small arms have been rather deceptive for adopting and implementing an international nonproliferation regime.

18 Such as the EU Programme For Preventing and Combating Illicit Trafficking in Conventional Arms (December 10, 1996), the European Union Joint Action (December 17, 1998), the Organization of American States’ Inter-American Convention Against the Illicit Production and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (1997) etc.
The meeting’s Program of Action (PoA) left disillusioned pro-control NGOs who were fast to blame the U.S. for the weak agreement (Bondi 2002). For some analysts, though,

Taken together, the measures in the PoA represent the beginnings of a global transparency regime. Such a regime would have many favorable aspects. It would increase public disclosure and discussion of proposed and actual weapons sales. It would bring increased attention to the international trade in small arms and light weapons. And it would make it markedly more difficult for traffickers to operate with impunity. (Goldring 2002, 209)

Others, more optimistic, underline the relevance of controlling the flow of small arms as an integral part of the efforts to fight terrorism:

Disarming ex-combatants, destroying surplus stockpiles of weapons to prevent their theft or diversion, maintaining strict criteria for small arms exports, and incorporating strict end-use monitoring, are all essential in controlling the proliferation of small arms to keep these weapons from ending up in the hands of terrorists. (Stohl 2002, 221)

The UN Security Council discussed the Special Session and on August 31, 2001 requested that the Secretary General submit a report by September 2002 with specific recommendation for Security Council contributions on small arms issues. A Follow-Up meeting of the UN conference was held in Tokyo from January 23-25, 2002, revealed, according to a press release by the Japanese Ministry of Foreign Affairs on February 1, 2002, an ongoing sharp division among the participants with respect to the topic “Exports to Non-State Actors,” with the U.S. representative, C. Edward Peartree from the Department of State raising “concerns about the failure to consider exceptional circumstances under which arms supplies to non-state actors would be necessary. He also noted that the U.S. favored an alternative conceptualization, differentiating between responsible and irresponsible end-users.”19 The Secretary General’s report 02-59170

A broad analysis of the SALW issue on the international agenda and the results of the UN Special Section released in December 2002, welcomed the global progress from a state of “marked indifference to, or denial of” the nature of the small arms problem to “a situation where the generation of policy involves a process not unlike the political bargaining one finds within the states.” However, the study pursues, “recognition of the multidimensional and multidisciplinary nature of small arms problem remains weak.” States are seen as the main reason why transparency and openness are still absent when dealing with the small arms issue:

The need for effective transparency has not been met in any meaningful way. States at the UN Small Arms Conference constantly rejected those measures, which would have provided transparency and openness. Civil society has begun to try to close this gap, but ultimately it is governments that must provide the data that will enable a truly functioning global public policy framework to emerge. (Laurance and Stohl 2002, viii)

No wonder then that on the occasion of the international meeting to discuss the implementation of the UN PoA in July 7-11, 2003, IANSA issued the report Implementing the UN Program of Action 2003 evaluating the progress in 156 countries and concluded that the UN agreement was poorly implemented: a third of all states have yet to establish a national contact point on small arms; only 37 states have established

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national committees to co-ordinate action on small arms; only 65 states have submitted national progress reports to the UN; only 19 states have launched a review of national small arms legislation; progress has been particularly slow in countries in North Africa, the Middle East and parts of Asia, underlines the July 7, 2003 IANSA Press Release *UN Small Arms Agreement Poorly Implemented: New Report*. Moreover, human rights organizations raised their voices to demand governments to address the small arms problem from a human rights-centered approach. “Governments have a long way to go to address the scourge of small arms. They should start by cleaning up their own behavior,” Lisa Misol, an arms trade researcher with Human Rights Watch, is quoted in the Press Release *UN: Global Action Needed on Small Arms* on July 8, 2003.

*Other Worlds Are Possible: the Wassenaar Arrangement and Regional Initiatives*

In the context of global arms control initiatives, the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies –an agreement signed by 28 nations meeting in Wassenaar, Netherlands on December 18, 1995- approved a document during the December 11-12, 2003 meeting in Vienna, Austria. Based on a British proposal, 33 countries set out non-binding guidelines for exporting small arms and light weapons, including the revision of the existing policy on exporting man-portable air-defense systems (MANPADS), such as shoulder-fired missiles; but they could not progress more on the draft largely due to Russian opposition. Participation to Wassenaar Arrangement is voluntary and there is no enforcement mechanism; a single country, therefore, can block initiatives with which it disagrees.
Until the 2003 plenary, in addition to dual-use technology, only seven categories of conventional weapons\textsuperscript{21} were on the regime’s List of Dual-Use Goods and Technologies and the Munitions List. By trying to include small arms on the list, the Wassenaar members aimed at: (a) expanding the practice of reporting official exports, (b) adopting a ‘catch-call’ provision (which requires countries to forbid exports that usually do not need governmental permission if these exports were to be given military use) applied to exports to countries under a UN embargo, and (c) establishing a process by which a country would notify another member if it is reviewing the possibility of making an export that others denied. All the three proposals were opposed by Russia (Boese 2003, 20).

The shortcomings of the process, due to the very nature of the regime, notwithstanding, the Wassenaar group’s initiative proves the existence of a trend in world politics whereas certain countries clearly express the will and the efforts to expand arms control to conventional weapons, including small arms. Yet, so far, regional initiatives in which major weapon exporting countries either have lesser political weight or are bound by engagement to rules the violation of which might be too costly have proven to be more successful.

Indeed, according to analyst Aaron Karp, the small arms issue “arose from a broad desire to do something to ease the carnage of global crime, ethnic strife, and secessionist warfare.” (Karp 2002, 182) The success to attain this aim, therefore, is conditioned by the convergence of different nation-states’ interests and goals into universal norms, which ultimately need to change the rules of international security and

\textsuperscript{21} Including: battle tanks, armored combat vehicles, large-caliber artillery, military aircraft/unmanned aerial vehicles, military and attack helicopters, warships, and missiles or missile systems.
politics and generate a general consensus for a regime in which priority is given to the individual rather than the national interest. This goal, even if set for a long-term range and idealist, or even ideological, in its nature, is clearly formulated in regional integration attempts.

Not surprisingly, therefore, the European process, and more precisely the 53-nation OSCE, included the issue on its agenda. Starting from June 1997 (Council document 9057/97 20.6.1997), preventing and combating illicit trafficking in conventional arms was raised as a concern for the countries engaged in creating a novel political actor in world politics. Other steps followed, including the EU code of conduct, which the General Affairs Council adopted on June 8, 1998 (Council document 8675/2/98 Rev. 2, 8.6.1998), the establishment of a list of military equipment to which the code applies in 2000, and the joint action on small arms on 17 December 1998, which...

... proposes objectives, principles and measures combating the destabilizing accumulation and spread of small arms, contributing towards the reduction of existing accumulations of these weapons to levels consistent with countries’ legitimate security needs, and helping to solve the problems caused by such accumulations. (European Commission 2001, 12)

SALW came on the OSCE agenda as early as 1996, when, during the Lisbon Summit, the member states adopted the Decision No. 8/96, “A Framework for Arms Control.” Decision No. 6/99 of the OSCE’s Forum for Security Co-operation, endorsed by the Heads of State and Government at the OSCE Summit at Istanbul in November 1999, followed. The final document on SALW (FSC.DOC/1/00) was adopted at the 308th plenary Meeting of the OSCE Forum for Security and Co-operation on November 24, 2000. Since the adoption of this document, the topic of SALW trafficking has become part of the OSCE deliberations and seminars. Thus, in preparation for the Economic
Forum in Prague (May 21-23, 2003), the first seminar held in Sofia (Bulgaria) on November 11-12, 2002 dealt with the topic “The National and International Economic Impact of Trafficking in Small Arms and Light Weapons,” attracting, according to the document of the seminar (“Consolidated Summary of the First preparatory Seminar for the Eleventh OSCE Economic Forum” -SEC.GAL/219/02 Vienna: Austria, December 3, 2003), over 150 representatives from 37 OSCE participating States and Partners for Co-operation, 21 International and Non Governmental Organizations and several OSCE Field Offices.

The Preparatory Seminar, as well as the Economic Forum, emphasized the role of business and civil societies in curbing down the traffic of SALW. Another important aspect of the OSCE initiative is the endorsement of the UN PoA during a meeting organized jointly by the OSCE and the UN in Brdo, Slovenia on March 11-12, 2003. An OSCE Secretariat Press Release on March 12, 2003, addressing both the OSCE Document on Small Arms and Light Weapons and the UN global PoA, stated: “Although the two agreements are mutually reinforcing, this is the first time the UN and the OSCE have come together to foster their joint implementation.”

Commenting on the OSCE process with respect of SALW issue, Pierre Batchelor, project director of the Small Arms Survey Project in Geneva and keynote speaker of the Sofia Preparatory Seminar, said in an interview:

The OSCE Document on Small Arms and Light Weapons is one of the most important international agreements on small arms, since the OSCE region includes many of the world’s most important producers and suppliers of small arms and light weapons. Through its annual information exchanges, the development of best practice guide and a range of field projects (e.g. training for customs officials), the OSCE has taken the lead in tackling the issue of trafficking in small arms. The Organization should now concentrate its efforts on the practical implementation of the OSCE Document on Small Arms and

Regional and sub-regional initiatives have proliferated especially in Africa and Latin America (more precisely the Southern Cone) with some considerable successes in setting and implementing universal norms and regulations aiming at a major control of the flows of SALW.

The five subregional initiatives in Africa\(^\text{23}\) “share a broad and comprehensive approach.” (Gamba 2001, 82) The solution to the problem of SALW proliferation must include measures of prevention, reduction, and control.

In doing so, the emphasis is both on improving the quality of controls and in reducing the availability of arms. This is why different subregions have arrived at similar conclusions and recommendations without necessarily having started from a broad mandate for action. Despite this being the case, the similarity in scope and character of subregional recommendations makes implementation very easy to coordinate as well as lays the grounds for improved information exchange from subregion to subregion. (Gamba 2001, 83)

Though Africa is one of the most devastated continents by small arms, which in the 1990s undermined the development prospects, these subregional initiatives, along with the attempts to resolve long-running wars in Angola, the Democratic Republic of the Congo, Liberia and Sudan with the consequent reduction of the demand for weapons, seem to bare fruits: The 2003 Small Arms Survey reports that there are in total likely no more than 30 million small arms in sub-Saharan Africa, whereas previous estimates commonly put the total figure at 100 million. According to Small Arms Survey project

\(^{23}\) Including: the Economic Community of Western African States (ECOWAS) 1998 Moratorium on the Import, Export and Manufacture of Small Arms and Light Weapons; the Southern African Police Chiefs Cooperation Organization (SARPCCO) Declaration on Small Arms and Light Weapons (1999); the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa (2000); the Eastern African Regional Police Chiefs Cooperation Organization’s Action Program to combat small arms proliferation; and the Declaration Concerning Firearms, Ammunitions and Other Related Materials in the Southern African Development Community (SADC) (2001);
director, Peter Batchelor, the new estimate “should renew confidence that the small arms problem in Africa can be brought under control through conventional means, such as increased regulation, strong enforcement and collection and destruction efforts.”

The case of the Southern Cone is different from both Africa and Central America. Though political violence has never been absent during the Cold War and especially in the 1970s in Argentina, Brazil, Chile, Uruguay, Paraguay and Bolivia, the insurgent movements in these countries had never been as important in scope and intensity as they were in Central America. Nor had the Southern Cone any natural resource to become central for transnational criminal organizations, as is the case with ‘blood diamonds’ in Africa. The proliferation of small arms in the Southern Cone became a threat to security in the end of the 1990s as a result of the historically unprecedented spread of violent crime and the emergence of a culture of violence (Der Ghougassian and Piquet Carneiro 1998). According to a statistical analysis, the delinquency that the Argentine daily Clarín characterized as a “geopolitical threat” is a multidimensional phenomenon, yet there is a clear linkage between the increase of crime and unemployment (Arriagada 2001). Arms proliferation is inherent to the rise of criminality and drug trafficking. The phenomenon is much more visible in urban areas, especially big cities. In Rio de Janeiro, Brazil, almost 2% of the arms that the police seized in 2000 were military weapons; the same statistics doubled two years later with 4% of 110,000 sequestered guns being of military type. Ten years ago, no military weapon was found in police deposits for arms seized from criminals (“O grosso calibre das balas perdidas no

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Rio” 2003). A study by the Center for Legal and Social Studies (Centro de Estudios Legales y Sociales –CELS), from 1996 to the first semester of 2003, 1,195 people have died in the capital City of Buenos Aires, Argentina; 460 of them, almost 40%, are killed in shootings (Messi 2003). Little surprise is, then, the fact that after the collapse of the Argentine economy in December 2001 and the rise of delinquency,26 gun sales have increased almost 50% during the four months of 2002 (Barraclough 2002).

Because of its “epidemic” nature (Conte 2002), the problem of SALW needs a regional approach by including the issue within the process of the construction of a ‘security community’ in the Southern Cone (Derghoukassian 2001). Nonetheless, several challenges need to be faced on the institutional level. To start with, Argentina is the country that has the most sophisticated arms law and a system of registration since the early 1970s the rest of the countries are either latecomers in legislating arms possession, or simply lack the law and the mechanism; hence the need to harmonize national legislations (Iootty de Paiva Dias 2002). Brazil, on the other hand, has been the vanguard to start social mobilization against armed violence (Der Ghougassian 2000a). In fact, according to an exhaustive comparative study, only in Brazil, and increasingly in Argentina, the issue has covered top priority in public debates, social mobilization and the political agenda, whereas in Uruguay, Paraguay, Chile and Bolivia is still is treated within the broader security concern (Dreyfus, Iootty de Paiva Dias, Lessing, Godnick 2003, 6).

26 In fact, the widespread delinquency in 2002 is part of a trend that, according to a study by Center for Studies New Majority (Centro de Estudios Nueva Mayoría –CENM), has been increasing an average of 14.4% per year since 1991, as reported in La Nación, Argentina, on July 20, 2003 (Delinquency Increased 166% in eleven years –La delinquencia creció un 166% en once años).
Yet, since the public scandal of arms trafficking from Argentina to drug dealers in the *favelas* of Rio de Janeiro in which Argentine military were involved, Southern Cone governments have taken steps to address the small arms proliferation from a subregional perspective.\(^{27}\) On November 17, 2003, the four Mercosur countries plus Chile and Bolivia gave a further step toward a regional control regime of SALW, when two crucial documents establishing an institutional mechanism to exchange information and coordinate action against illicit fabrication and proliferation of weapons, ammunitions, explosives and other related materials during the Mercosur Firearm and Ammunition Task Force (Grupo de Trabajo sobre Armas de Fuego e Amuniciones del Mercosur –GTAFM) IV meeting in Montevideo, Uruguay.\(^{28}\)

Naturally, the implementation of rules at the regional level is slow. On the national level, however, local initiatives aiming at tighter control and microdisarmament have multiplied since the end of the 1990s. The Argentine city of Mendoza pioneered a voluntary gun buy-back program –Arms Exchange for Better Life Conditions\(^{29}\)- in Christmas 2000.\(^{30}\) The first phase of the implementation lasted six days in which 284 guns were voluntarily turned in by citizens in exchange for vouchers for food or tickets for soccer games with values ranging from US $50 to $100 (Appiolaza 2001). The overwhelmingly positive response to the first phase encouraged the organizers to

\(^{27}\) A first seminar to discuss a strategic plan to contain small arms proliferation was organized in Buenos Aires, Argentina on June 19-20, 2003. In addition to government representatives, NGOs, academic institutions and independent researchers were among the 30 delegates who attended the meeting, in which the harmonization of national laws has been a priority point on the agenda, as informed by Desarme.org on June 30, 2003 ("Seminário propoe mecanismos para harmonizar leis de armas em países do Mercosul" on the web at [www.desarme.org](http://www.desarme.org) Internet access December 10, 2003).


\(^{29}\) Canje de Armas por mejores condiciones de vida.

\(^{30}\) A copy of the buy-back program prepared by the Justice and Security Ministry of Mendoza was sent to the author for review and observations by the coordinator of the program Martín Appiolaza in December 2000.
implement a second phase on April 2001. As a result, after six weeks an additional 2,281 weapons and 6,547 rounds of ammunitions were collected in the Greater Mendoza area, with the town of San Rafael, where 809 weapons were turned in over the course of four days, seeing more weapons turned in per capita than any other program in the world to that date. With 74% of the Mendoza population opposing to use arms for security reasons, “[t]he Arms Exchange Program has once again demonstrated that by focusing on the tangible tools of violence one can obtain the attention of large segments of the population, especially concerned mothers and other women.” (Godnick 2001, 22)

Hailing the success of the plan, an editorial of the Argentine daily newspaper Clarín invited the government to study “rapid implementation of similar initiatives y convincing all the segments of the population that having a gun is by itself a source of insecurity.” The positive impact of the exchange plan, which has been institutionalized, on the security in Mendoza became evident in November 2003, when the provincial government made public crime figures in 2001-2002: in all, homicides with guns decreased 18% in one year, whereas the local police seized a total of 800 arms in 2003. Other initiatives in Argentina include public destruction of illegal arms seized by the police in the town of Rosario and a plan to eradicate illicit guns in the province of Buenos Aires (Carbajal 2003).

31 “… una rápida implementación de iniciativas similares, persudiendo a toda la población de que la tenencia de armas es una fuente de inseguridad.” (Exitoso programa de canje de armas. Editorial note of Clarín, May 12, 2001)
In Brazil, thanks to a very active social mobilization against gun violence led by the grassroots NGO *Viva Rio*, founded in 1993, the State of Rio de Janeiro organized the public destruction of 100,000 guns on June 24, 2001, an event which with respect to the quantity of arms destroyed is so far unique in the world. Other similar initiatives, though with lesser quantities, were undertaken in the following two years (Dreyfus et al. 2003, 30). Yet, the struggle against gun violence is not circumscribed to Rio de Janeiro. With three-quarters of Brazilians favoring banning the sale of guns, in November 2003 a bill made its way to Congress aiming at a referendum on whether to ban gun sales in October 2005. The State of Rio de Janeiro has attempted to ban completely gun sales in 1999, inspiring the then president of the country Fernando Henrique Cardoso to encourage Congress to study ways of implementing the measure on national level. The state law, however, has been derogated. Though more cautiously, Argentina seemed to follow suit with the Justice Minister Gustavo Béliz taking the initiative of a seminar in Buenos Aires on September 2003 to study tighter measures against firearms trafficking, disarming strategies and initiatives to discourage gun ownership.

*When Civil Society Meets Government: The Success Story of Banning Landmines*

Good intentions and will of certain governments notwithstanding, the expansion of international arms control to conventional weapons and, further, SALW came as a result of pressure from below. Indeed, the 1990s saw the unprecedented emergence of a global mobilization of civil society demanding the expansion of the arms control agenda to conventional weapons and small arms. As a consequence of this mobilization, which gave birth to transnational networks, research programs and think tanks dedicated to

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reducing the threat of conventional weapons and small arms, the issue made its way on the international agenda with some remarkable results, such as the ban on landmines. The importance of the civil society factor lies in two important changes in the way politics was understood and practiced in the era of globalization. The first one, already discussed in chapter two, is possibility of global mobilization and the rise of transnational networks. The second change follows the general logic of “securitization” in the societal context and underlines the perception of threats beyond state-centric notions of national interest, balance of power, alliance formation, and so forth. “Human security” is the concept that, generally speaking, tends to expand state-centrism in threat perception (Derghoukassian 2001a).

Obviously there are profound differences between society and market approaches to security in general and SALW in particular. According to an analysis by the United Kingdom-based Omega Foundation, between 1960 and 1999 the number of companies that produce small arms doubled. The fall of Communism in Eastern Europe and the collapse of the Soviet Union in the 1990s are part of the explanation of this increase; yet the growing importance of licensed production agreements, which allow companies to have arms produced under license in another country, have accelerated the trend. The Omega Foundation’s data includes Austria, Belgium, the Czech Republic, France, Germany, Israel, Italy, Portugal, South Africa, Singapore, Sweden, Switzerland, the United Kingdom and the U.S. in the list of countries that have established small arms production agreements with 45 other countries (“Proliferation: Global Growth in Small Arms” 2001). Profit, understandably, is what drives these companies, and profit that arms
sales generate is high in a world where, according to World Bank’s 2003 Human Development Report, for each person $137 is spent on arms (Lopez 2003).

Civil society NGOs’ approach highlights the 500,000 people that each year are killed by 639 million small arms in the world. Excluding armed conflicts, the World Health Organization (WHO) estimates that in the mid-1990s 115,000 people in 52 high- and-middle-income countries died from firearm injury. Moreover, according to 1998 data, the rate of firearm death in low-and-middle-income countries is 42.2 per 100,000 persons, which is more than the double of the rate in high-income countries -17.3 per 100,000 (World Health Organization 2001). Understandably, then, the humanitarian impact of SALW proliferation comes at the center of the stage for civil society (Muggah and Berman 2001). Three are the major humanitarian impacts of SALW, according to IANSA’s Fact Sheet: forced migration, restriction of basic needs and discouragement of development.36

Between market and society states in the post-Cold War have, in general, been more inclined to support competitiveness and less control for conventional arms transfer. Yet, this preference has been, and still is, a matter of policy, which depends on the characteristics of a state, including domestic factors, security perceptions, power status, position in the international system, etc. The Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on Their Destruction, opened for signature on December 3, 1997 and entered into force on March 1, 1998 –also known as the Ottawa Treaty- is a major example of how a successful civil society campaign on a major security issue meets active support on state level and becomes a success story in the drive to expand international arms control agenda. Moreover, five

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years after its opening for signature, 146 countries have adhered to its norms and aims, more than 34 million landmines has been destroyed in 61 countries, the number of landmine victims has fallen sharply, and of 55 countries that produced them only 14 still does (Montella Llauradó 2002).

Indeed, the campaign to ban landmines has initially been the interest of NGOs as early as the 1970s, when the International Committee for the Red Cross (ICRC) proposed its exclusion on humanitarian bases (landmines cause superfluous injury, unnecessary suffering and do not discriminate between civilians and combatants). First minimal international legal restrictions date from 1986, when the Landmines Protocol of the 1980 Convention on Conventional Weapons (CCW) was adopted. The Amended Protocol II was adopted at the final CCW Review Conference in Geneva on May 6 1996. Upset at the lack of universal support for the CCW, the Vietnam Veterans of America Foundation (VVAF) based in Washington D.C. and the German medical NGO MEDICO decided to launch an international campaign for the ban of the landmines. The campaign (International Campaign to Ban Landmines, ICBL) was officially launched by six NGOs in October 1992, and the first NGO-sponsored international landmine conference took place in May 1993. Successfully using the innovative skills of transborder activism, including technological tools, correct framing, leadership games, etc., the ICBL gained engaged support from state leaders and prominent public and political figures, especially: Canada’s former Foreign Minister Lloyd Axworthy, South Africa’s former president Nelson Mandela, the late Princess Diana of the Wales and Democratic senator from Vermont David Leahy. The Ottawa Treaty was the result of coordinated and mutually supportive action of these political figures and the NGOs gathered in the ICBL. Canada,
in particular, took the lead in forming a coalition of like-minded states pushing for an international regime banning landmines.

The success story of the landmines did create an international momentum in security and arms control affairs despite the opposition of crucial players such as the United States, Russia and China.

By transforming the landmine-ban debate from a military and security issue to a humanitarian problem, NGOs created an opportunity to negotiate the landmine issue differently from previous arms-control and disarmament treaties. Changing the issue category also helped NGOs to increase state attention and action toward the landmine issue … Moreover, opening up the debate to humanitarian issues allows significant access to non traditional foreign and security policy actors, such as humanitarian and religious groups, into the public policy-making process. Lastly, the debate transformation expanded the scope of conflict about landmine policy, thereby helping to increase the visibility of the issue to policymakers and the public and, in turn, involving them more actively in policy discourse. (Rutherford 2000, 110-111)

At the sixth anniversary of the Treaty, NGOs gathered in Ottawa considered that the efforts had bear fruit. The positive evaluation as a firm ground of objectivity: unusually, the Ottawa Treaty relies on NGOs to check if the signatories are following the ban and sticking to deadlines for destroying stockpiles. This aspect of the Treaty, which opens door to civilian involvement in security affairs, along with the main reason of an estimated 10.4 million mines across the border between North and South Korea, is what made the U.S. reluctant to sign the Convention (Montlake 2003). Yet, apparently even the U.S., Russia and China could not avoid the structural pressure that the Convention created: on November 28, 2003, the Bush administration joined 92 other countries to sign its first disarmament treaty requiring countries to clean up unexploded mines and other munitions in territory they controlled after a war.37

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Concluding Remarks

The landmines case inaugurated a novel modality of ‘new internationalism’ centered on the collaborative process of NGOs and moderate states. The success story inspired other NGOs to push for the inclusion of other issues on the security agenda. On January 21, 2000, for example, governments, including the U.S., agreed to forbid the use of soldiers under eighteen in armed conflicts, though not their recruitment.38 In particular, NGOs campaigning to include SALW on the control agenda carefully noted the lessons of the landmines issue and tried to apply the foundational principles, albeit with, so far, less success. The impact of civil society mobilization, however, should not be overemphasized. Clearly, there are limitations to the magnitude of the influence NGOs can have on the international security agenda. In a critical view of the NGOs’ role during the 2001 UN Special Session, Aaron Karp notes that

… the activists agenda was dominated by calls for more of what governments were already doing: regional moratoria on small arms imports like the one attempted in West Africa, collection and destruction of unwanted weapons that had been tried in many countries, better oversight of arms brokers, bans on unlicensed sales, and on all sells to insurgencies and rebels. The most original proposal called for marking all weapons so that their place of manufacture and their subsequent history could always be determined. With the latter exception, the NGO agenda consisted almost exclusively of taking ideas from governments and parroting them back. (Karp 2002, 180-181)

The explanation he offers follows the conceptual reasoning of Roberto Patricio Korzeniewicz and William C. Smith about civil society networks in the politics of summity and free trade in the Americas (Korzeniewicz and Smith 2001): “While they

38 The initial campaign for ‘child soldiers’ lasted eight years before the agreement was signed. Still, the problem is very much present in Africa, Central Asia, the Middle East and Colombia. Further details about the ‘child soldiers’ campaign could be found on the Web at www.uschildsoldiers.org Internet access December 10, 2003.
previously had set themselves in opposition to government policy, many key groups in
the small arms process had grown dependent on government financing.” (Karp 2002,
181) In other words, small arms NGOs became “insiders” virtually coped by
governments. Moreover, they lacked of “outsiders” pushing hard for the issue and
attracting media attention as in Seattle (1999) or Durban (2001). For [t]he extremism of
NGOs can be ugly, but t also uniquely fertile, giving birth to a rich spectrum of ideas,
which governments take and turn into something more palatable to the political center.”
(Karp 2002, 181)

A comparative analysis of the crucial question about the conditions under which
civil society mobilization could with more or less success impact the security agenda is
beyond the scope of this study. For now, from this analysis of the process to include
SALW on the international arms control agenda the following primary conclusions are to
be highlighted: (a) for non-traditional security threats, including SALW category of
weapons, to be included on the international agenda, pressure from below, that is the
domestic factor, is crucial; (b) though much depends on the organizational skill of
mobilized civil society sectors to transcend national borders and have an impact on global
politics, the input of the state; (c) states, therefore, remain the ultimate reference for the
securitization of any issue, in particular categories of armaments.

Conclusion: Arms Business in the Global Bazaar and Courtesan Politics

This chapter has shown that in the post-Cold War the nuclear fear –and, in
general, fear of WMD- has acquired a new dimension with threat not coming anymore
from a rival superpower as much as from terrorists and rogue states; hence the priority
was given to strengthen the international control over WMD and their transfer. Despite the expansion of the nuclear states to eight, with India and Pakistan going nuclear and Israel leaving no doubts about its possession of nuclear bombs, non-proliferation efforts has been rather encouraging. Moreover, there was a general consensus about consolidating multilateral efforts in order to prevent the world going more nuclear. The former Soviet republics of Ukraine and Kazakhstan agreed to return to Russia the nuclear warheads on their soil, South Africa and Argentina stopped their programs, several countries signed the NPT, in sum the prediction of a multipolar nuclear world did not come true. From Bush to Clinton and George W. Bush, WMD remained a high priority on the U.S. arms control agenda, though the particular policies to prevent proliferation varied. In all, however, the dominant pattern of strategic arms control did not evolve into the logic of the ‘collective good’ in the post-Cold War despite the end of the bipolar confrontation as many hoped would happen after the end of the bipolar confrontation. Quite the opposite, in the unipolar world of the 1990s and on regime change and coercive diplomacy seem to replace the non-proliferation paradigm, reflecting concerns relevant to power relationships more than any consideration appointing to any “Zero Option” type objective.

Conventional weapons did never raise a serious concern as much as strategic weapons have done. Despite the declining trends of arms race in the post-Cold War and the impact of the “peace dividend,” there was no serious interest in reevaluating conventional arms exports. The interest became lesser after the terrorist attacks in the United States on September 11, 2001. As Gerard Powers, the director of the International Justice and Peace Office of the U.S. Conference of Catholic Bishops (USCCB), puts:
“There are new pressures now to control the weapons of mass destruction, which is good, but there will also be new pressures to ease restrictions on weapons sales and lift human rights constraints given the need to build a coalition against terrorism.” (Clarke 2002) Powers helped writing the U.S. bishops’ 1995 pastoral reflection *Sowing Weapons of War*, in which they state: “That weapons of war are bought and sold almost as if they were simply another commodity like appliances or industrial machinery is a serious moral disorder in today’s world.” (Clarke 2002) In other words, whereas WMD were highly securitized on the international arms control agenda meaning that any transaction involving this category of weapons would require state intervention,\(^{39}\) market forces and economic considerations, along with the ever present strategic reason, were allowed to interplay in transactions concerning conventional weapons.

These factual considerations lead us to focus on the behavior of the states with respect to arms control policies. While little doubts remain with respect of a global consensus to tighten the control on the proliferation of WMD, why are certain states reluctant to expand the arms control agenda to include conventional weapons in general and SALW in particular, whereas others push for it? The global arms bazaar and the predominant concern of competitiveness are part of the explanation. For many arms producing countries the global bazaar provided new opportunities for business. One particular way this business was conducted by certain states; the means the governing elites in power in these states used to conduct this business; and the purposes arms transfer served for the same states and elites in power in these states was conceptualized in chapter 2 as courtesan politics. While courtesan politics refers mostly to a particular

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\(^{39}\) The same, in virtue of CFE and other treaties, is true for conventional high-tech or heavy systems of armaments, such as missiles, warplanes, warships, heavy artillery, tanks, armored vehicles, etc. though the enforcement in this case is not as severe as it is for WMD.
state behavior, it cannot be fully understood without the structural conditions of the post-Cold War unipolar order. In other words, courtesan politics in the field of international arms transfer after the Cold War is related to the position the U.S. as the only superpower assume in the same field. This means that the way the U.S. securitizes arms transfer determines both the opportunities and limitations for arms business in the global bazaar. The next chapter takes a deeper look to the U.S. gun control policy at home to spread further light about the domestic/international linkage in the process of arms transfer securitization.
Chapter 5

THE RELUCTANT CONTROLLER: U. S. DOMESTIC GUN POLICY AND ITS GLOBAL IMPACT

The lobby that is governing the empire is proposing us to be part of a Global Rifle Association…

Manuel Vázquez Montalbán, *La globalización del rifle*

The emergence of the global arms bazaar shaped a new dynamics of arms transfer in world politics. As analyzed in chapter four, strategic arms, and to a lesser degree conventional armament, remained the main security concern in the field of arms transfer in the 1990s. Small arms, however, never made their way on gun control and disarmament negotiations. Paradoxically, while strategic armaments, and even heavy conventional weapons, are meant for balancing and defense purposes, small arms are actually built to be utilized, to perform a killing; and, indeed, small arms do kill much more than strategic weapons or heavy conventional armament. According to best estimates, 500,000 persons in the world die of gunshots each year. Of these, 300,000 lives are stolen in regional conflicts and 200,000 in interpersonal violence and suicide (Graduate Institute of International Studies, Geneva 2002). Their deep impact on development in poor countries is also obvious:

The human costs of small arms misuse have social and economic consequences also –affecting opportunities and productivity of poor communities further still. From Latin America and the Caribbean to sub-Saharan Africa, South and South East Asia, research has shown how scarce household resources are being devoted to the treatment and care of the victims of violence, as well as to informal and unregulated forms of security –such as para-militarism and vigilantism. Small arms misuse is also strongly associated with the increasing lethality of criminality, forced migration, the deterioration of investment and trade and the obstruction of aid delivery and assistance. Both directly and indirectly then, small arms misuse undermines the quality and quantity of development in poor countries. (Muggah 2003)
Still, the threat of conventional arms, especially light weapons, is considered a ‘soft’ or low-priority security issue. While addressing gun trafficking, governments focus too much on the supply side without complementing the top-down control of supplies with increased involvement with affected communities to reduce armed violence. Additionally, many of them “are politically adverse to recognizing small arms control as a development issue, … [and] are reluctant to regulate civilian possession or restrain local markets in small arms.” (Muggah 2003)

The victimization power of conventional arms, especially light weapons, is not circumscribed to conflict zones or developing countries. When it comes to gun victims, the United States, where 4% of the world population possesses 50% of the planet’s privately owned firearms, has more in common with Mexico, South Africa, Colombia, Estonia, an Brazil, than with first world countries:

America’s gun death rate stands head and shoulders above those of 35 similar high and upper middle-income nations. Of the 35, 29 suffer less than half the firearm related deaths in the United States. (Alpers, 2002)

But while local and regional initiatives to curb small arms proliferation scored some success, a global regime of micro-disarmament failed to take shape because of the reluctance of major weapon producing states, and especially U.S. opposition. When the UN Program of Action to Combat the Illicit Trafficking of Small Arms was drawn in July 2001, the U.S. insisted “on focusing the matter only on illegal and not legal trade in small arms, and its refusal to endorse a program, which placed restrictions on supplying non-state actors with arms, or prohibiting civilian possession.” (Muggah 2003) According to one observer, “while most countries are progressing by enacting more stringent gun-control laws, [the U.S.] Congress is horribly regressing.” (Larsen 2003) Among the bills
marking a regression in gun control are cited the gun industry immunity bill (S. 659) and Senator Orrin Hatch’s (R-UT) proposal to overturn the Washington D.C. handgun ban, which has been on books since 1976.

It is, of course, both incorrect and unfair to blame only the United States for this failure. The Small Arms Survey 2003, for example, revealed in the words of Aaron Karp, one of the co-authors of the study released on July 8, 2003, “contrary to the common assumption that Europeans are virtually disarmed, an estimated 84 million firearms are legally held in the 15 member states of the European Union (EU). Of these 80 per cent – 67 million guns- are in civilian hands.” (Small Arms Survey Press Release July 1, 2003).

But a case for more U.S. engagement with the trend to expand arms control to conventional weapons including small arms can be made for the following reasons:

(a) As the one and only superpower, the United States enjoyed unprecedented levels of capacity to exercise pressure or motivate other nations to cooperate. While this does not mean absolute power of control, it gives ample choices to decide where and how to use the leverages. Hence the question: why was the United States reluctant to use the pressure and motivation leverages it enjoyed after the Cold War to expand the arms control agenda beyond the strategic weapons?

(b) Though the U.S. arms industry is important, and internationally is the most competitive one, the trend was to further liberalize it. Arguments that more liberalization of defense industry enhances better national and international security are not convincing. While the perspective to increase economic gains might be the true incentive of defense firms,
what driving force lies behind successive U.S. administrations’ inclination to adopt the liberalization agenda?

(c) The U.S. public position actively supports cooperative measures to stop arms trafficking. Why is it inefficient to close loopholes in gun laws, which seldom are responsible for the black market within U.S. and smuggling from U.S.?

These arguments create a ground to hypothesize that strong domestic factors linked to both the economic and strategic motivations prevented further progress towards tighter regulations in gun policies in the United States in the 1990s, and, by projection, created barriers to international efforts to strengthen control regimes or processes. In this sense, factors relevant to both U.S. Grand Strategy design and the evolution of U.S. democracy, especially what concerns voting coalitions, reveal a domestic-international linkage the analysis of which explain the U.S. position towards conventional weapons much better than the common arguments of economic incentives and strategic reasons. While arguably this international/domestic interplay has been true since ever, it became more relevant in the Era of Globalization and the rise of the United States as the world’s only superpower; hence, understanding the international/domestic interplay in gun control policies in the U.S. case can provide grounds to conceptualize the lack of stricter international controls for certain category of arms, or the failure of a successful securitization of the same on the global agenda.

This chapter continues the analysis of arms dynamics in the post-Cold War with a special focus on the U.S. to illustrate the domestic/international link in transfer and control politics. More specifically, I consider the structural causes and constructs that
made the continuity of the U.S. approach to the issue of SALW to theoretically conceptualize the domestic/international link in the politics of arms transfer in the 1990s and beyond. I deliberately use the term “structural causes and constructs” in an effort to overcome the common wisdom-antagonism between realism and constructivism. I partially endorse the “realist constructivism” view that “would look at the way in which power structures affect patterns of normative change in international relations and, conversely, the way in which a particular set of norms affect power structures.” (Barkin 2003, 337) I, however, rely more on a materialistic understanding of “power structures” closer to Neorealism, which explain better continuities than changes. My argument is that the combination of structures and agencies is ultimately inevitable to understand better the domestic/international interaction.

In what follows, I start explaining the underlining logic of U.S. gun control policies. I continue framing the gun control debate in its cultural, legal and public health aspects. For the first one I ask the question if guns are entrenched in U.S. culture, as it is proclaimed in Bolton’s statement at the 2001 UN conference; for the legal aspect, I briefly inquiry the controversial Second Amendment of the U.S. Constitution, another of Bolton’s argument to reject tighter international controls; as for public health concerns, my aim is see to what extent arms in society are a causal factor of crime and violence. Next, I discuss the political economy aspects of gun control, mainly: the gun industry and market, the mobilization of pro-control and pro-gun civil society groups in a comparative approach, and the state’s role in gun control. The fourth section focuses on the role of arms in U.S. international power projection. In my concluding remarks I conceptualize
the domestic/international linkage of U.S. arms transfer politics in the post-Cold War and discuss its relevance for a courtesan politics framework of analysis.

Section I  The Logic of “Acting Global, Thinking Local:” The U.S. Gun Control Policy after the Cold War

Throughout the 1990s, Washington showed major reluctance, and even resisted, to back international efforts leading to global regimes of conventional arms control. The Clinton administration refused to adhere to the international convention on landmines and the Bush administration opposed to major controls on small arms trade. John Bolton, Undersecretary of State for Arms Control and International Security Affairs, raised as the major opponent to an accord to control small arms during the 2001 U.N. Special Session (Lynch 2001). In his speech on July 9, 2001, Bolton made an argument about (a) the cultural tradition of hunting and sport shooting in U.S.; (b) the Constitutional rights of U.S. citizens to bear arms. Based upon these two arguments, he insisted that the conference should limit with the illicit aspect of arms trade, and expressed the U.S. position in the following terms:

We do not support measures that would constrain legal trade and legal manufacturing of small arms and light weapons.

... We do not support the promotion of international advocacy activity by international or non-governmental organizations, particularly when those political or policy views advocated are not consistent with the view of all member states.

... We do not support measures that prohibit civilian possession of small arms.

... We do not support measures limiting trade in SALW solely to governments.

... The United States also will not support a mandatory Review Conference.
(Bolton, 2001)
As critics rightly pointed, there was a strong component of domestic politics behind the U.S. reluctance to expand the international arms control agenda to SALW. The Washington Post’s July 10, 2001 editorial, Free Fire at the United Nations (p. A20) considered that Bolton’s address “appeared designed to cater to the most extreme domestic opponents of gun control, for whom the U.N. conference gas conjured up the usual paranoid fantasies about international shock troops in black helicopters confiscating handguns and hunting rifles.” Whereas the New York Times’ July 11, 2001 editorial, An American Retreat on Small Arms, wrote “Mr. Bolton’s address faithfully followed the N.R.A. script.” For the Post editorial,

With U.S. support, [the draft U.N. plan] might have made some small headway toward cutting down on the weapons trafficking that is devastating dozens of poor nations. Instead, the Bush administration seems to have chosen to use the U.N. conference as a way to pander to the National Rifle Association, anti-U.N. zealots and far-right conspiracy theorists. Perhaps it makes good domestic politics. But it won’t help much with the administration’s already tarnished image abroad –and it won’t save any lives.

The Times’ editorial, in turn, concluded, “… by signaling its skepticism about small-arms curbs, Washington may have stalled what little momentum there was toward broader international cooperation against the small-arms trade.”

The U.S. opposition to further control of SALW international trade is paradigmatic enough to explore the domestic/international link of arms transfers securitization in the post-Cold War.

Initial Progress in Gun Control Policies with the Clinton Administration

For some analysts, the U.S. position is rather a matter of the worldview of the administration in charge at the White House. From this perspective, for instance, the Clinton administration proved to be more sensitive and cooperative for issues concerning
conventional weapons. Thus, it was initially expressed support for the ban of landmines. In fact, the U.S.

… was leading in mine destruction, having destroyed 3 million of the mines in its own stockpile and provided for more financial support for de-mining around the world than any other country. The United States had also continually extended its moratorium on exports and sponsored a UN resolution calling on all nations to "vigorously pursue" a ban on mines. (Prestowitz 2003, 147)

Yet, “[a]s the Ottawa process moved forward, however, U.S. officials began to express preference for the slower UN process.” (Prestowitz 2003, 147) The Clinton administration accepted to cooperate with the efforts leading to a ban regime, but kept on requesting exceptions. Finally, on September 17, 1997, Clinton announced that the U.S. would not sign the treaty.

In the realm of small arms, the gun control movement in U.S. showed renewed activism in the 1990s, and important pieces of legislation including the Brady Law (1993) and the Federal Assault Weapons Ban (1994), as well as wider societal mobilization campaigns such as the Million Moms March, reflected the Clinton administration’s support to more control on firearms. The U.S. announced its Conventional Arms Transfer Policy on February 1995 advocating the promotion of restraint, “both by the United States and other suppliers, in transfers of conventional weapons that may be destabilizing or dangerous to international peace.” (GAO/NSIAD-00-141 2000, 6). On November 1997, the U.S. adopted the Organization of American States (OAS) Inter-American Drug Abuse Control Commission’s Experts Group’s Model Regulations to Control the Movement of Firearms, Ammunitions, and Firearms parts and Components, which “encourages regulation and licensing of firearms transfers by all OAS member states and seeks to standardize practices throughout the Western Hemisphere.” (Husbands 2002,
On December 17, 1999, the U.S. and the European Union signed a Statement of Common Principles on Small Arms and Light Weapons. “This statement contains a pledge by the parties to observe restraint in their export policies to harmonize these policies and procedures governing small arms.” (Grimmett 2001, 4) The same statement also included a commitment to work together toward an Action Plan for the international community to deal with the problem. Yet, even the U.S. did not favor any expansion of international control on legal trade and made out of limiting the issue to illicit transfers a condition to include the topic of SALW on U.N. agenda.

Little doubts are there about a rigorous U.S. legal code on the export of small arms;40 yet, to paraphrase a *New York Times* editorial -Curbing Small Arms, April 10, 2001- “enforcement has been inadequate.” As detailed by the U.S. General Accounting Office July 2000 Report to the Senate, the Arms Export Control Act and the Foreign Assistance Act establish the licensing, monitoring, and reporting requirements. The State Department’s Office of Defense Trade Controls “issues export licenses for the commercial sale of munitions items,” whereas the Department of Defense is in charge of the transfer of U.S. defense articles, services, and training to eligible foreign governments through its Foreign Military sales program.” (GAO/NSIAD-00-141 2000, 7) This rigorous legal framework for conventional arms transfer did not change with the Bush administration.

In practice, the Clinton administration favored the economic factor and its concern was how to boost the competitiveness of U.S. arms industry. In this sense, it

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40 This point has been rightly made by undersecretary of state John Bolton in his July 9, 2001 address to U.N. conference on small arms: “The transfer of all military articles of U.S. origin are subject to extremely rigorous procedures under the U.S. Arms Export Control Act and International Traffic in Small Arms Regulations. All U.S. exports of defense articles and services, including small arms and light weapons, must be approved by the Department of State.” (Bolton 2001)
promoted sales to countries such as Turkey understating concerns with respect to the use of U.S. weapons in human rights violations (Gabelnick, Hartung, Washburn, Ciarrocca 1999); ended the 20-years moratorium on sales of advanced military equipments to Latin America signaling “the successful conclusion of a three-year lobby effort by American military contractors, underscoring the importance of economics in the post-Cold War arms market” (Cardamone 1997); and introduced significant changes in arms exports on May 2000, loosening restrictions to allies (Stohl 2000). Though the Clinton administration declared to follow the rationale of a U.S. commitment “to strengthening our coordination, promoting disarmament in peacekeeping operations, and improving the enforcement of small arms embargoes,” and, further, expanded it to “refrain from selling arms to regions of conflict not already covered by arms embargoes,” in the words of former Secretary of State Madeleine Albright (Stohl 1999, 4),

… none of these policies have been incorporated into law or statute. The administration has focused on ways to reduce the illicit trade in small arms, such as regulating brokering activities. However, when negotiating international agreements on small arms controls, the U.S. government has been heavily influenced by the National Rifle Association, making the State Department unwilling to link civilian possession of small arms with international efforts to control the proliferation of small arms. (Stohl 2001, 2)

A Republican Engagement?

The Bush administration did not change the essence of this conventional arms transfer legal framework, though it more openly opposed to domestic or international initiatives for further controls. In the domestic context, Justice Secretary John Ashcroft’s endorsement of the interpretation of the Second Amendment as an individual right to bear arms, as well as a counteroffensive in Congress by pro-gun groups to reverse control measures adopted in the 1990s reflect the Republican administration’s clear choice. In foreign policy, John Bolton’s statement at the U.N. 2001 conference is the most obvious sign of the U.S. opposition to expand arms control on SALW beyond the strictly aspect
of illicit transfers. The “tensions inherent in tradeoffs between national security, commercial needs, alliance relationships and economic rationalization” that the Clinton administration faced, as a September 1998 Atlantic Council Policy Paper (Third Party Arms Transfers: Requirements for the 21st Century) defines, are much more present for the Bush administration especially in the aftermath of September 11, 2001. In his remarks to the 14th Annual Export Controls Conference in London, UK, entitled Globalization of Export Controls and Sanctions, Lincoln P. Bloomfeld, Jr., Assistant Secretary for Political-Military Affairs, characterized the challenge in these words:

The Bush Administration recognizes that we need to balance the non-proliferation goal of export controls with the need for defense trade to bolster alliance interoperability and maintain the quality of the defense industry. In fact, we need to do both functions—denying risky exports and approving legitimate ones—better.

Furthermore, he deviated from the economic reason priority of the Clinton administration underlining the security factor:

The threat of terrorism comes not only from embargoed states, but also from transnational criminal organizations that have found shelter in countries that support them and disavow knowledge of their terrorist acts. The participants in the Wassanaar Agreement have targeted export controls against these states, and the Bush Administration wants this multilateral effort to remain resolute, placing security priorities above the commercial aspect.

However difficult the challenge, the burden upon us remains the same. The application of export controls to trade between the allies may be an inconvenience, but we believe it is necessary to prevent diversion of arms and defense technology to terrorist networks and states. The only issue is how to do it well, without getting in the way of our alliance modernization objectives.

Concluding Remarks

In sum, the differences between the Clinton and Bush administrations in their approach to arms control in general and conventional weapons and small arms in particular emanates from their respective ideological preferences (liberal and conservative), policy styles (multilateral and unilateral) and the international context
(post-Cold War decade of transition and post-September 11 era of War on Terrorism). Yet, beyond these differences there are deep structural causes and constructs deeply rooted in the rise of the United States as the only superpower in a globalized world that make also the continuity of U.S. arms transfer policy. This continuity is reflected certainly in the priority given to WMP over conventional armaments and small arms; but also in an approach specific to the issue of combating the spread of SALW that Ambassador Donald J. McConnell of the Bureau of Political-Military Affairs, U.S. Department of State, summarizes as follows:

Ultimately, simple “one size fits all” solutions are ineffective in dealing with the complex, often region-specific problems caused by the proliferation of small arms and light weapons. Focused efforts to identify and curb the sources and methods of the illicit trade via robust export controls, law enforcement measures, and efforts to expeditiously destroy excess stocks and safeguard legitimate government stocks from theft or illegal transfer are the best way to attack the problem. (McConnell 2001, 7)

Hence, bilateral initiatives instead of multilateral agreements toward a global norm of arms transfer is what characterizes the U.S. approach and differentiates it from policy choices that the European Union, Canada and others have adopted. In the words of Joost R. Hiltemann, executive director of the arms division of Human Rights, “[w]hat’s ironic is that the United States has fairly good export practices; it has fairly good laws on the books, but it doesn’t want to globalize them.” (Lynch 2001)

Section II. A “Gun Crazed” Nation? Culture, Law and Public Health

There are more guns circulating in the United States than in any other country in the world. Statistics show that there are nearly 200 million firearms in private hands (National Institute of Justice Research in Brief 1997), of which 65 million are handguns, 49 million are shotguns and 70 million are rifles, with semi-automatics accounting for
40% of all shotguns and handguns (Cook and Ludwig 1996, 13-14). The number of 200 million represents a dramatic increase in gun ownership: since 1970, total sales of new guns have accounted for over half of the total sales in the 20th century; while there is a slight decrease of American household owning a gun (down to 36% in 1999 from 50% in 1980), individual ownership among adults remained constant (about 30%) since 1980. More significant is the fact that the “extra” guns did not enter in the market to satisfy the demand of an expanding population; rather, they went to increase the arsenal of an average owner.

One addition for many gun-owning households has been a handgun. The significance of this trend toward increased handgun ownership lies in the fact that while rifles and shotguns are acquired primarily for sporting purposes, handguns are primarily intended for use against people, either in crime or self-defense. (Cook, Moore, and Braga 2001, 5)

*The Cultural Argument*

Guns are part of the American culture is the classical argument that most pro-gun advocates mention as an explanation for the high number of guns circulating in the country. The argument does have a rational ground in the sense that it does not make an American ‘exceptionalism’: a survey about gun ownership in Yemen reaches the conclusion that

… the demand for small arms is not an automatic or causal reaction to fears of insecurity, the effects of poverty, or even the politics of exclusion. Instead, evidence strongly suggests that the demand for small arms is grounded in local belief systems that are constitutive elements of political and social order. (Miller 2003, vii)

Gun culture in U.S. is not, of course, rooted in tribal rules of behavior as in Yemen; rather, it is the historical legacy of the extension of the English Bill of Rights of 1689 to the United States. Joyce Lee Malcolm makes this argument in her 1994 classical book *To Keep and Bear Arms: The Origins of an Anglo-American Right*. According to
the Bentley professor, the Second Amendment\textsuperscript{41} of the U.S. Constitution is a direct descendent of English Bill of Rights, based upon which the Parliament recognized the rights of English Protestants –about 90\% of the nation- to keep arms and defend themselves. It has been part of the English government’s policy to extend the rights of citizens to the emigrants and their children to lure Englishmen to America’s wild shores; colonial Americans, hence, regarded their rights to be armed as one of their rights as Englishmen. “The perils of frontier life did have an impact on the colonists’ retention of an armed citizenry, but the effect was to modify an old tradition rather than to create a new one. Every colony passed legislation to establish the familiar institutions of the militia and watch and ward.” (Malcolm 2001, 546) Moreover, the Colonial law went beyond the English law and required all colonists to bear weapons. If the concern of individual and mutual protection was well grounded in the dangers all the colonies living in wilderness faced in early 1600, one century later, not long before the Revolution, the arming of the citizenry was still in place:

The emphasis of the colonial governments was on ensuring that the populace was well armed, not on restricting individual stocks of weapons. They had neither the incentives, nor the ability to replicate common law restrictions on the type and quantity of arms a citizen owned based on his condition and religion. Nor was the protection of game a consideration in America … The usual restrictions of the use of firearms in crowded areas or with intention to terrify where put in place, but the emphasis was on the duty to be armed and a freer use of private firearms than existed in England. (Malcolm 2001, 547)

Thus, while the origin of the right to bear guns of both English and American people was similar, the founders of the American republic broadened the language of an English guarantee restricted to Protestants to included the “people” regardless of their religious origin.

\textsuperscript{41}“A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.”
Whatever other differences England and America had, for three centuries they agreed upon the importance of privately owned firearms for self-defense, for the maintenance of public peace, and for constitutional stability. Only in our own century has a sharp divergence in policy and attitude occurred. (Malcolm 2002, 5)

Indeed, a series of regulations in England and Wales concerning individual ownership of guns culminated in a classified 1969 Home Office regulations, which barred possession of firearms for personal protection, the 1988 Firearms Act, which tightened control on shotguns, and the 1997 Firearms Act, which completed ban on handguns.

By contrast, while American jurisdictions restrict specific types of firearms, and an estimated 20,000 state and local regulations control the use of guns, American citizens own approximately 200 million firearms. The National Rifle Association, with its 4 million members, is America’s largest lobby group, and a majority of states now permit law-abiding citizens to carry concealed weapons. (Malcolm 2002, 5)

Different scholars have challenged Malcolm’s main argument and historical perspective, as well as her conclusions with respect to the consequences for crime and criminology, as biased and pro-gun (Saltzman 2002). Yet as far as the cultural aspect of gun ownership concerns, Malcolm seems to give more a foundational justification to the right to bear arms; hence, if on the one hand whether such an aim should be suspected as biased is at least questionable, on the other it does downplay the political agenda that promotes public debates and impacts a social dynamics. In this sense, the cultural argument –and its deconstruction- in the great American gun debate does bear the heavy burden of the American exceptionalism. Writing as early as 1970, Richard Hofstadter underlined the uniqueness of U.S. with respect to gun culture:

Western or otherwise, the United States is the only modern industrial urban nation that persists in maintaining a gun culture. It is the only industrial nation in which the possession of rifles, shotguns and handguns is lawfully prevalent among large numbers of its population. It is the only such nation that has been impelled in recent years to agonize at length about its own disposition toward violence and to set up a commission to examine it, the only nation so attached to the supposed “right” to bear arms that its laws abet assassins, professional criminals, berserk murderers, and political terrorists at the expense

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42 Scotland has its own legal system.
of the orderly population—and yet it remains, and is apparently determined to remain, the most passive of all major countries in the matter of gun control. (Hofstadter 2001, 29)

The reason for such record, according to him, is not some legacy of the 250 years of history when Americans were an agricultural people continuously expanding their frontiers; rather, other factors including the huge surplus of militarily obsolete yet still usable weapons from World War II, the availability of guns in the 1950s and 1960s, and the persistence of racist biases in the South and the Southwest, which, writes Hofstadter, became clear in 1968, when few of the 118 votes from these regions went against a House bill to restrict the mail-order sale of rifles, shotguns and ammunitions:

This with no doubt had something to do with the rural character of these regions, but it also stems from another consideration: in the historic system of the South, having a gun was a white prerogative. From the days of colonial slavery, when white indentured servants were permitted, and under some circumstances, encouraged, to have guns, blacks, whether slaves or free, were denied the right. The gun, though it had a natural place in the South’s outdoor culture, as well as a necessary place in the work of slave patrols, was also an important symbol of white male status. (Hofstadter 2001, 36)

Michael Bellesiles, in turn, questions the cultural argument that sees guns at the very foundation of the American nation. Though, as Malcolm as stated, the right to bear arms predates the Second Amendment, the efforts to arm early Americans failed mostly because guns were relatively rare. Only by mid-19th century, and as a result of industrialization, guns became massively available, relatively cheap and maintainable for Americans. “… [G]un ownership was exceptional in the seventeenth, eighteenth, and early nineteenth century, and … guns became a common commodity only with the industrialization of the mid-nineteenth century, with ownership concentrated in urban areas. The gun culture grew with the gun industry.” (Bellesiles 2001, 5) Hence,

America’s gun culture is an invented tradition. It was not present at the nation’s creation, whenever we fix that point. Rather, it developed in a single generation, among those who experienced the onset of the Civil War and that disaster in itself. All cultural attributes have a starting point, and a path of development. America’s gun culture
Almost no guns were made in America prior to the 1820s. The Civil War became a pivotal point, a historical moment

... when a large proportion of the country tried to replace elections with gunfire, and when millions of Americans first learned the art of war—and how to use a gun.

An exact historic coincidence of increased productivity of and demand for guns occurred during the Civil War. American armsmakers took advantage of the latest technological breakthroughs to mass-produce firearms reaching levels of production that for the first time matched that of Europe. From that precise historical moment emerged a distinctive American gun culture, by which is meant not only a shared and widespread culture idolizing firearms, but also a fascination distinct from and unlike the popular attitude toward guns in all other cultures with which the United States shared basic values. (Bellesiles 2001, 15)

The cultural argument about the connection between guns and Americans has yet another dimension, which is more historical, contextual and proper to the 1990s. As it goes in Michael Moore’s prizewinning 2002 documentary Bowling for Columbine and is more broadly studied by Barry Glasner in The Culture of Fear Why Americans are Afraid of the Wrong Things (1999), the fear dimension of the cultural argument that has made Americans a “gun crazed” nation (Glasner 1999, xix) is symptomatic of a society, which since the 1980s started to ignore its serious problems “even though they give rise to

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43 The Emory University historian’s book won the 2001 Columbia University’s Bancroft Prize for history. But it also immediately generated a passionate debate. Amidst congratulations and positive reviews in The New York Times, The New York Review of Books, The Washington Post, The Chicago Tribune, The Philadelphia Inquirer, and The Economist among others, scholars started to question the validity of his research. “[Bellesiles’] claim of a nearly gun-free America, the real basis of his argument, is more problematic,” wrote Joyce Lee Malcolm in a review article in Reasononline on January 2001 (on the Web at www.reason.com). His “myth busting” findings are not supported by his sources. Moreover, he presents a skewed selection of records, dismisses contradictory information, and even alters the language of quotations and statutes.” In fact, according to an Economist article (Just Another Piece of Furniture. March 9, 2002), several historians including Gloria Main (University of Colorado), Ira Gruber (Rice University), and Melissa Seckora, found serious gaps in his data. Finally, having failed to convince the Investigative Committee that Emory set up especially for this matter, Bellesiles resigned from Faculty on October 2002. Columbia stripped the Bancroft prize from him. The forty pages report of the Investigative Committee, released on July 10, 2002, concluded that Bellesiles was “guilty of unprofessional and misleading work,” yet did not question his integrity as a scholar, meaning that he did not intent any ‘falsification’ (both the report of the Committee and Bellesiles’ statement could be reached on the Web at www.emory.edu/central/NEWS). Bellesiles himself continued defending the central argument of his thesis (Grossman 2002).
precisely the dangers that the populace most abhor.” (Glasner 1999, xviii) Fears of the American society are misplaced because “immense power and money await those who tap into our moral insecurities and supply us with symbolic substitutes.” (Glasner 1999, xxviii) Within this perspective, one of the paradoxes of the 1990s is that crime in U.S. dropped to historical low rates, yet gun possession did not follow suit. In fact, as stated earlier, the purchase of handguns, which are meant to self-defense rather than sport shooting and hunting, increased. Tragic episodes such as the Columbine generated misplaced fears about killer children, whereas “[I]t is the unregulated possession of guns, more than any other factor, that accounts for the disparity in fatality rates from violent crime in the United States compared to most of the world.” (Glasner 1999, 44) However, it seems unlikely that, following Glassner’s recommendation to “politicians, social scientists, journalists, and anyone else who reports on dangers to kids [to] install on their computers a screen saver that shows a revolver, and beneath it, in big letters: IT’S THE GUNS, STUPID” (Glassner 1999, 155), tighter gun control policies gain more attention on the political agenda. In fact, whereas Congress passed the Gun-Free Schools and Gun-Free School Zones acts in 1996, it made an exemption for states that do not expressly forbid the carrying of guns in schools; and, at least in New Hampshire, Oregon and Utah pro-gun groups made an effort to move swiftly to get guns into schools where the law allows. The argument they based on their initiative was to discourage students from planning or committing violent acts. For those who oppose guns in schools, availability of weapons by itself makes fatality more probable; in fact, according to data compiled by

a Cleveland security consultant, Ken Trump45, since mid-August 2003, 26 deaths occurred in schools nationwide, a number that exceeds the totals of the last two years, and eighteen of the deaths are caused by firearms (Dahl 2003).

The Second Amendment Debate and the “Loopholes”

Advocacy for guns in schools is perhaps the extreme evidence of how strong the argument of guns as means and right to self-defense in entrenched in the American pro-gun culture. Yet, even when the right to self-defense is reclaimed, the very source of legitimacy of the claim remains the Second Amendment. The Second Amendment, according to National Rifle Association’s (NRA) officials LaPierre and Baker, is a legacy of the Founders for whom only by being armed and prepared could Americans best preserve their liberties (LaPierre and Baker 2001). Criminologist Gary Kleck and co-author Don B. Kates defend the same view:

The notion that the truly civilized person eschews self-defense, relying on the police instead, or that self-defense disserves the public interest, could not have occurred to the Founding Fathers, there being no police in eighteenth century America or England. In the tradition from which the Second Amendment derives it was not only the unquestioned right, but a crucial element in the moral character of every free man to be armed and willing to defend family and community against crime both individually and by joining with his fellows in hunting criminals down when the hue and cry went up, and in more formal posse, and militia patrol duties, under the control of justices of the peace or sheriffs. In this milieu, individuals who thwarted a crime against themselves or their families were seen as serving the community as well. (Kleck and Kates 2001, 347)

The Second Amendment, thus, concentrates much of the legalist debate about gun rights and gun control. Broadly, it is about either the individual right to possess a gun, as pro-gun groups sustain, or the collective one, which is defended by gun-control groups. The text of the Second Amendment by itself is not clear and it certainly does provoke a debate by opening way to both interpretations in their multiple variants. Supreme Court rulings,

45 Data available on the Web at www.schoolsecurity.org
however, have generally favored the collective right. United States v. Cruishank (92 U.S. 542, 1876), Presser v. Illinois (116 U.S. 252, 265; 1886), Miller v. Texas (153 U.S. 535; 1894), Robertson v. Baldwin (165 U.S. 275; 1897), Patsone v. Commonwealth (232 U.S. 138; 1914), but especially United States v. Miller (307 U.S. 174; 1939) are the cases that gun-control groups mostly quote to deny the unconstitutionality of regulations as advanced by pro-gun groups. Among the principles that these rulings established are: (a) the Second Amendment does not pose any obstacle to at least some regulation of firearms; (b) the Second Amendment pertains only to federal power, not state power (United States v. Cruishank); (c) militias exist only as defined and regulated by the state or federal government, hence the right to bear arms comes into play only in connection with the formation and conduct of the militias (Presser v. Illinois; Miller v. Texas; Robertson v. Baldwin); (d) prohibiting unnatural, foreign-born persons from possessing firearms is constitutional (Patsone v. Commonwealth); (e) citizens could only possess a constitutional right to bear arms in connection with service in the militia (United States v. Miller). Other Court rulings in the 1960s and 1980s provided more clues for the collective interpretation of the Second Amendment, though one particular characteristics of American gun legislation is that “presence or absence of gun laws in the United States rests with the political process involving Congress, the presidency, and state and local governments, not with the Second Amendment.” (Spitzer 2001, 43) Since the 1970s, pro-gun and pro-control groups have engaged in a public debate and research about the interpretation of the Second Amendment. The pro-gun groups, including the NRA, the Citizen Committee for the Right to Keep and Bear Arms and its research arm the Second Amendment Foundation (1971), Gun Owners of America (1975), Academics for the
Second Amendment (1992), and Lawyer’s Second Amendment Society (1994) have produced much of the interpretive literature about the Second Amendment, whereas “[g]un control groups have not matched the NRA and its allied groups in promoting and financing writing” (Spitzer 2001, 77) about the same except for the Legal Action Project for the Center to Prevent Handgun Violence and the 2000 Symposium on the Second Amendment conference organized jointly by the Chicago-Kent Law School and the Joyce Foundation.

The irony of this ever-greater alliance on Second Amendment rhetoric on the part of the NRA and its allies, and the related effort to attach dire warnings of destruction of the amendment to any and every gun control proposal, is that this rhetoric is a relatively new phenomenon. Before the 1960s, the Second Amendment was rarely mentioned in connection with the political debate over attempts to strengthen gun laws. (Spitzer 2001, 77)

In fact, until 1934 hardly was there any Federal regulation for firearms in the United States except for the discriminatory laws that prohibited Blacks carrying guns in the south, and the 1911 New York State’s Sullivan Law, which made it a felony to carry a concealed weapon without a license or to purchase a gun without a certificate. The first Firearms Act was passed in 1920 making it discretionary the granting of a certificate, but the jurisdiction, unlike the English 1903 Pistols Act, was limited to one state and affected only handguns. Nonetheless, the proposed reform to ban pistols in this legislation, which was passed after the Prohibition took effect in 1919, “represents the most extreme and dramatic proposed gun regulation raised the public forums from the 1920s to the present,” (Spitzer 2001, 78) with gun groups, such as the United States Revolver Association, playing an active and affirmative role in supporting tough gun regulations to keep guns out of the wrong hands. During the Prohibition era of the 1920s and 1930s the mobsters’ armed clashes with submachine-guns (the famous “Tommy Gun”) for the
possession of the illegal market resulted in the first Federal gun-control legislation, the National Firearms Act of 1934.

The Roosevelt administration had meant to include a plan for registration of all handguns for a nominal one-dollar fee but dropped the idea when the firearms industry, rural police chiefs, and the National Rifle Association objected to it. (Malcolm 2002, 223)

Only 34 years later, and as a consequence of three political assassinations in the 1960s (President John F. Kennedy in 1963, Martin Luther King Jr. and Robert F. Kennedy in 1968), Congress responded to the rising demand for stricter control and passed the 1968 Gun Control Act limiting mail-order sales, the purchase of firearms by felons, and the import of military weapons. The subsequent enforcement of the legislation in the 1970s, however, did not occur. Moreover, though the federal firearm control agency—the Prohibition Unit created in 1919 and renamed Bureau of Prohibition—was given the status of bureau (the Bureau of Alcohol, Tobacco and Firearms—ATF) in 1972 and was transferred from the Internal Revenue Service to the Department of Treasury, the same year the Congress created the Consumer Product Safety Commission yet, under pressure by pro-gun groups, exempted firearms and ammunition from agency scrutiny. Until today, guns are virtually the only commodity available to consumers upon which the Consumer Product safety Law has no effect. It was yet another attempt of political assassination that triggered the debate about gun control issues in the 1990s. Former White House press secretary James Brady was seriously injured during the assassination attempt against President Ronald Reagan on March 30, 1981. Subsequently, he and his wife, Sarah, became an active advocate for stricter control. It was after him that the bill proposing the enactment of a national waiting period for handgun purchases to allow authorities to conduct a background check on the prospective purchaser in order to avoid
handgun purchases by felons and mentally incompetent persons, as well as to provide a cooling period for those who seek to buy a handgun and perhaps use it impulsively, wad named. The bill was first introduced in Congress in 1987 in the U.S. Senate by Howard Metzenbaum (D-OH) and in the House of Representatives by Edward F. Feighan (D-OH), yet the political battle for its adoption lasted almost six years. One of reasons was the opposition of President Reagan to stronger gun laws. Indeed, in 1986 the Congress passed the Firearms Owners Protection act (McClure-Volkmer bill) that reversed some of the 1968 regulations especially by allowing interstate sales of long guns and eliminating some record keeping requirements for licensed gun dealers.

A series of events in early 1990s had a crucial impact on public opinion and opened way to the enactment of important gun control regulations, especially the Brady Law (1993) and the assault weapons ban (1994). Among these events are the tragic killings of five children and the wounding of 29 others in a schoolyard massacre in Stockton, California with an AK-47 by Loner Patrick Purdy in 1989; the murder of 22 people and wounding of 23 others by George Hennard, who shot himself afterward, in Killeen, Texas, in 1991; the upsurge of militia movement, including Christian fundamentalist millennium cults, neo-Nazi white supremacists and right-wing paramilitary opposed to federal government, leading to further bloodshed.46 The election

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46 In 1992 federal agents laid a siege to former Vietnam War Green Beret Randy Weaver’s cabin located in Ruby Ridge, Idaho. Weaver, who had ties with the neo-Nazi Aryan Nations group, refused to appear before a judge to answer an illegal weapons charge. During the stand off a federal agent as well as Weaver’s wife and son were killed. In February 1993, the leader of the Branch Davidsians religious cult, an offshoot of the Seventh-Day Adventists, the self-proclaimed messiah David Koresh resisted his arrest upon the charge for illegal possession of weapons and explosives. The 51-day siege of the Brach Davidsians ranch in Waco, Texas, ended in a bloodbath on April 19, 1993, when federal agents gave the final assault with armored vehicles. But it was the Michigan Militia member and former Gulf War veteran, Timothy McVeigh’s initiative to detonate a truck bomb in front of a federal office building in Oklahoma City on April 19, 1998 that mostly shocked public opinion. McVeigh planned the bombing, which killed 168 people, one day before Hitler’s birthday celebrated by right-wing extremists. Exactly our years later, on that same April 20 date, two high school boys who did not hide their admiration for Hitler, killed 12 students and wounded a
to the White House of a pro-gun control candidate also facilitated the passage of both laws. Indeed, while President George Bush opposed twice, in 1991 and 1992, the Brady bill if presented separately and not linked with a broader crime bill, the newly elected President Bill Clinton did not objected it in 1993 and, after being approved both in House and Senate, signed it into law on November 30. The second major legislative enactment was the Assault Weapons ban of 1994 under the Title XI as part of the Violent Crime Control and Law Enforcement Act of 1994. The provision banned for ten years the possession of nineteen named assault weapons and several dozen copycat models. The 1990s saw also the escalation of the debate and further entrenchment of the pro-gun and pro-gun control groups. NRA’s opposed to both laws with arguments that went from the Second Amendment to the Tenth (States’ rights), however the basic concern was that any measure of regulation will have a roller cost effect and bring more regulations and, ultimately, violate the right to bear guns. While the NRA invested heavily in political lobbying and, in fact, sophisticated its ability becoming one of the most powerful advocacy groups in Washington D.C., pro-gun controllers chose the street and the social movement perspective for their cause. In 2000, on Mother’s Day, a group of concerned women organized the Million Mom March held in Washington D.C. and numerous cities teacher (who later died of the wounds) at Columbine High School in Littleton, Colorado, before committing suicide. For the sake of this research, the importance of the upsurge of militia movement in the 1990s lays in the fact that militia followers, obviously partisans of the individualistic interpretation of the Second Amendment, opposed to any gun control measure. Their views, evoking the Second Amendment, are expressed in various pro-gun magazines including Soldier of Fortune and American Rifleman, but also in the Congressional testimony before the U.S. Senate Judiciary Committee’s Subcommittee on Terrorism, Technology, and Government Information (June 15, 1995) of the Michigan Militia leader Norman Olson (Spitzer 2001, 105-106). Because of the meetings some NRA members had with militia leaders, or views similar to theirs they expressed publicly, the organization suffered a loss of popularity and membership, especially after the Oklahoma bombing. Even former president George Bush resigned his life membership to protest against NRA’s Executive Vice-President Wayne LaPierre’s six-page fund-raising letter just a few weeks before the bombing, in which LaPierre compared government agents to Nazis (Spitzer 2001, 108). The election of popular actor Charlton Heston to the head of NRA in 1998 with the orchestrated effort of LaPierre was in part an effort to redress NRA’s image, but also to prevent an even more extremist turn of the group.
across the country to support stronger gun laws. The initiative, which later became a social movement, was recorded as the first modern mass demonstration for gun control attracting over 700,000 participants to the nation’s capital.

With the election of George W. Bush in 2000, an “administration much more supportive of the Second Amendment than any recent administration,” (Tonso 2003, 23) the regulatory trend suffered a set back. Moreover, the new Attorney General John D. Ashcroft, himself a lifetime member of the NRA, wrote a letter on May 17, 2001 to NRA Executive Director James Jay Baker stating that “the text and the original intent of the Second Amendment clearly protect the right of individuals to keep and bear firearms. While some have argued that the Second Amendment guaranteed only a ‘collective’ right of the states to maintain militias, I believe the amendment’s plain meaning and original intent prove otherwise,” as was quoted in the press (Eggen 2001). A year later, he reiterated his position to the Supreme Court in a footnote in each of two briefs filed by Solicitor General Theodore B. Olson, cleaning every doubt with respect marking a departure in government policy and challenge to Supreme Court’s 1939 view (Greenhouse 2002). This significant shift had practical consequences immediately, when scores of criminal defendants started to ask federal courts to dismiss gun charges against their clients based on Justice Department’s revised position (Liptak 2002). Other controversial moves from the Attorney General included: his refusal to let the F.B.I check its record to determine whether any of the 1,200 people detained after the September 11 attacks had bought guns, creating, in the words of Mathew Nosanchuk of the Washington-based gun control group Violence Policy Center “a gun-rights exception to the war on terrorism” (Butterfield 2001), and his proposal to shorten from 90 days to no
more than one business day the time during which the government keeps records on people who try to purchase firearms (Holland 2002). Moreover, by virtue of the Homeland Security Act, the Attorney General was given the authority to select the head of the BATF, which was transferred from Treasury to the Department of Justice; though the move makes sense, gun control groups suspected that the NRA, which considers ATF agents ‘jack-booted government thugs,” would be pressuring to name as director of the official agency someone with a strong pro-gun rights record (Cusack 2003).

As expected, with these moves, and the Bush administration’s gun policy in general, the gun control debate heated up. Gun control groups reacted by attacking the Attorney General personally and tried to demonstrate the unconstitutionality of his own declaration with respect the individualistic interpretation of the second amendment. In a July 2001 extensive report, the Washington based Violence Policy Center accused Ashcroft of “presenting in an official letter his personal point of view, which directly conflicts with the duties of his official capacity as Attorney General, by borrowing liberally from a decision he is supposed to be working to have overturned … Attorney General Ashcroft’s efforts to change the Department’s position on the Second Amendment will have dangerous real-world implications that will be measured in increased death and injury from firearms.” (“Shot Full of Holes Deconstructing John Ashcroft’s Second Amendment” July 2001, 34) A more radical report about Attorney General’s first year in office regarded it as “the triumph of right-wing ideology.” (Neas 2002) With respect to Ashcroft’s decision to bar use of gun records in terrorist investigations, the Chair of the Brady Campaign to Prevent Gun Violence, Sarah Brady, considered it a “proof of what we have said since he was first nominated to become
Attorney General: he is beholden to the gun lobby and he places his allegiance to them above the best interests of the United States.” (“Sarah Brady Statement on Ashcroft Decision to Bar Use of Gun Records in Terrorist Investigations” Press Release 12/7/2001) As for the proposal to destroy gun records twenty-four hours after the purchase instead of the usual 90 days that the FBI needs, a General Accounting Report warned that if such a policy went into effect, then it would be virtually impossible for law enforcement authorities to get guns back from felons and illegal aliens who purchase them.” Specifically, during the first 6 months of the current 90-day retention policy, the FBI used retained records to initiate 234 firearms-retrieval actions, of which 228 (97 percent) could not have been initiated under the proposed next-day destruction policy.” (GAO-02-653 2002, 4) Perhaps what is most important, the Supreme Court refused to endorse the Bush administration’s position on the Second Amendment by simply not considering whether the Constitution guarantees people a personal right to own a gun (“High Court Sidesteps Gun Rights Case” 12/1/2003). Gun control groups hailed the decision (“U.S. Supreme Court Deals Major Blow to NRA’s View of the Second Amendment” Press Release 12/2/2003; “EFGV Heralds Supreme Court Refusal to Hear Second Amendment Case” Press Release 12/4/2003), and an editorial in the Christian Science Monitor stated: “The decision sends another powerful signal to those who would use the Second Amendment as an argument for the rights of the individuals to own guns, including the National Rifle Association.” (“Closing Gun-Control Loopholes” 2003).

Though the Second Amendment attracts much of the attention of those who are involved in the gun debate on both parts, it is by no mean the only issue, and not even the
most important one, when discussing gun legislation in the United States. As a Congressional Issue Brief frames the pro/con debate:

In recent years, proponents of gun control legislation have often held that only federal laws can be effective in the United States. Otherwise, they say, states with few restrictions will continue to be sources of guns that flow illegally into restrictive states. 

…

Opponents to gun control vary in their positions with respect to specific forms of control but generally hold that gun control laws do not accomplish what is intended. (Krouse 2002, 1-2)

Federal law aims primarily at insulating “the states from one another, so that the stringent regulations on firearms commerce adopted in some states are not undercut by the greater availability of guns in other states.” (Cook, Moore, and Braga 2001, 28) Federal law also seeks to establish minimum restrictions on acquisition and possession of guns. In addition to federal requirements, states have adopted their own regulations for the commerce, possession and use of firearms. An extensive comparative study of state firearms laws shows a wide variety of regulatory measures. The study scored individually each state on their gun laws out of a possible score of 100%. The summary of the results makes clear that the average score among all states is only 9%, 42 states score less than 20%, 2 states only are high-ranked as having strong gun laws, 6 are characterized as “moderate,” 22 score between 0 and 20, and 20 are on the lowest score. The differences lay in a wide range of regulatory measures including licensing and registration, background checks, legal minimum age for a child to possess or buy a gun, waiting periods for purchases, “one-gun-a-month,” “Saturday night specials,” assault weapons, safe storage, industry immunity from litigation, and preemption of local ordinances. The study concludes:

The most striking results of this survey are (a) the lack of uniformity in firearm regulation across the country; (b) the enormous differential between the top and the bottom of the spectrum; and (c) the poor scores achieved by most states.
A common refrain heard in the gun control debate is that state and federal governments should simply enforce the current laws instead of generating more. This report reveals the limited scope of the existing laws. The fact that the average score is only 9% shows how little there is to enforce. Across most of the country, state gun control is virtually non-existent.

As a practical matter, enforcing many of the existing gun laws is almost impossible in the absence of licensing and registration. These two measures enable other existing laws to achieve their purpose. (“Gun Control in the United States A Comparative Survey of State Firearm Laws” April 2000, 11)

Hence, the most important aspect of the debate concerning gun legislation is the persistence of “loopholes” with their fatal consequences for society –according to pro-control groups. Thus, a series of reports published by Americans for Gun Safety Foundation addresses some of these loopholes, including: lack of requirement for background checks for sales by unlicensed sellers in gun shows in 32 states (“No Question Asked: Background Checks, Gun Shows and Crime” April 2001); ineffective automating of records to allow instant checks for a buyer’s background through the FBI’s National Instant Criminal Background Check System (NICS) (“Broken Records: How America’s Faulty Background Check System Allows Criminals to Get Guns” January 2002); and lack of proper safe storage laws to prevent firearm theft (“Stolen Firearms: Arming the Enemy” December 2002). No wander then that for partisans of stricter gun control laws, “U.S. policies are … weaker than in other prosperous nations … U.S. policy is geared to preserving the legitimate uses of most types of guns for most people while restricting access for people and types of guns that are deemed unacceptably dangerous.” (Cook and Ludwig 2000, 32) Pro-gun groups do not share this view. According to Malcolm, for example,

The peacefulness England used to enjoy was not the result of strict gun laws. When it had no firearms restrictions England had little violent crime, while the present extraordinarily stringent gun controls have not stopped the increase in violence or even the increase in armed violence. By opting to deprive law-abiding citizens of the right to keep guns or to
Hence, what counts for the decline of crime and delinquency is a tougher and more efficient judicial system, with longer sentences in prison for serious offenders, while at the same time being liberal to the rules of self-defense:

Americans today possess the right “to have arms for their self-defense” that the English were guaranteed in the English Bill of Rights three hundred years ago. The English themselves no longer have this right. The decline in violent crime in the United States and its rise in England serve to underline the fact that guns in and of themselves are not a cause of crime. Moreover, there is evidence that armed civilians, as thirty-three states believe, do reduce crime. (Malcolm 2002, 250)

Public Health Concerns

The gun rights as right to self-defense argument is, thus, advanced not only because of the cultural background of the issue, but also in the context of the public health debate. For gun controllers there is an inevitable connection between availability of guns and firearm injury and death (“Gun Violence: Making Connections with Suicide, Domestic Violence, and Substance Abuse” Spring 2002); guns particularly endanger the future of children (“Children, Youth and Gun Violence” 2002); and community mobilization in partnership with law enforcement agencies can successfully end gun violence (“Reducing Gun Violence Results from an Intervention in East Los Angeles” 2003). Stricter gun control laws aimed at licensing handguns are key to close illegal markets (“Closing Illegal Gun Markets Licensing Access to Handguns” 2002). They also could allow applying the existing technology to make guns safer.47 In sum, Cook, Moore, and Braga propose twelve additional steps to extend the existing gun control policy:

47 The Johns Hopkins Center for Gun Policy and Research, for example, have prepared a model law (“A Model Handgun Safety Standard Act” May 2000) allowing to alter the design of guns and make them safer. Drawing a parallel with official interventions to prevent and reduce motor vehicles deaths focusing on changing the design of the car instead of passing laws requiring safe driving behavior and providing penalties for infractions committed by the driver, the study underlines the fact that technology to
1. Raising the federal excise tax on ammunition or guns
2. Establishing a “best practice” industry code of conduct for manufacturers, distributors, and retailers
3. Limiting handgun sales to no more than one per month per customer
4. Requiring that gun buyers pass a test demonstrating their knowledge of the law and good practices in handling a gun
5. Imposing minimum requirements for safe functioning on guns introduced in commerce
6. Trying local drug dealers in the federal courts if they are in possession of a gun at the time of their arrest
7. Organizing a gun buy-back program, offering cash or other considerations in exchange for guns
8. Establishing minimum mandatory sentences for carrying a gun illegally
9. Developing public education campaigns and the cooperation of the television industry to stigmatize storing unlocked, loaded guns in households
10. Giving the police power to revoke gun licenses and search intensively for guns in residences where court-restraining orders have been issued against spouses
11. Using magnetometers to keep guns out of schools and other public buildings
12. Disseminating a “parent compact” to promote parent’s efforts to prevent their children from possessing or carrying guns. (Cook, Moore, and Braga 2001, 30)

While the question whether a gun control policy based upon these criteria could be universalize could not yet be answered properly without an adequate research program, the fact remains that “[t]he distinctive ‘problem’ for the United States is not the volume of violent crime, but its deadliness,” (Cook and Ludwig 2000, 34) in which the “instrumentality” –i.e. guns- matters:

… a gun, uniquely among commonly available weapons, provides an attacker with the ability to kill quickly, with little effort or risk to self. It is the ‘great equalizer’ that conveys lethal power even to those who lack strength or determination. For those who do not have a sustained intent to kill, or who may become squeamish, it negates any need for the sort of bloody involvement required by a knife or bare hands. The robber may pull the trigger almost by accident, but that’s enough. A gun can kill at a distance and poses a risk to all in the vicinity. (Cook and Ludwig 2000, 35)

In sum, for gun controllers and advocates for tighter measures, gun laws in the United States are rather permissive:

personalize a gun so that only the authorized user can operate it does exist. A law promulgating a safety standard would require: ‘(1) A handgun must be personalized so that it can only be fired when operated by that handguns’ authorized user; (2) The technology creating personalized handguns shall be incorporated into the design of the handgun and be part of its original equipment and not an accessory; (2) Personalized handguns shall not be manufactured so as to permit the personalized characteristics to be readily deactivated.” (“A Model Handgun Safety Standard Act” May 2000, 8-9)
Federal law affords most people access to most types of guns; the law is permissive but with delineated exceptions, specifying certain categories of guns that are banned or tightly regulated. (Cook and Ludwig 2003, 7)

Statistics, reasoning and arguments of gun controllers for stricter policies are challenged by those who rally around ‘guns don’t kill people, people kill people’. Broadly, their critics are twofold. On the one hand, they dismiss the statistical accuracy of gun opponents from a public health perspective. In a chapter dedicated to examine the data and the methods of research programs about possible connections between guns and public health, Kleck and Kates conclude:

The antigun health advocacy literature can be described with the derogatory term “sagecraft,” implying that academics have gone beyond the pale. Superficiality of scientific methodology and presentation are used to counterfeit scholarship supporting antigun agenda while the basics of sound research are ignored. (Kleck and Kates 2001, 84)

On the other, they claim that more guns means less crime, to paraphrase the title of economist John R. Lott Jr.’s 1998 book, which became almost a bible for gun rights advocates (Lott 2000). According to the overall results of nineteen consecutive surveys from 1993 to mid-2000 of representative samples of the population, “each year huge number of Americans (700,000 or more) use guns for self-protection. Further, the more technically sound the surveys, the higher the defensive gun estimates are.” (Kleck and Kates 2001, 270) These results, according to analysts, would imply policy measures that

... would not deny guns to any significant number of non-criminals, and thus would not prevent defensive gun use among the law-abiding... Such estimates do, on the other hand, constitute a very serious obstacle to promoting gun prohibition, which would deny guns to criminal and non-criminals alike, and thus would reduce whatever benefits defensive gun use may yield. (Kleck and Kates 2001, 272)

48 The National Self-Defense Survey –NSDS- and the Police Foundation’s National Survey of the Private Ownership of Firearms –NSPOF. Researchers used also data from the National Crime Victimization Survey –NCVS- for comparative purposes, as, according to what somehow rightfully they argue, this set of data cannot meaningfully used to estimate the share of crime incidents that result in defensive gun use (Kleck and Kates 2001, 224)
Other researchers dispute if not the methods, at least the conclusion of these surveys. Cook, More and Braga, for example, underline that the high estimates of 2.5 million self-defense uses that Gary Kleck and Marc Gertz reported in 1995, and, comparing it with the self-defense uses with the gun-crime victimization rate from the NCVS, concluded that guns are used more commonly in self-defense than in crime, could be misleading: “… other authors have noted that when the comparison is made using NCVS data alone for both victimization and self-defense, the criminal uses predominate.” (Cook, Moore, and Braga 2001, 8). As it is quite possible that most self-defense cases occur in chronic violence within a marriage, gang fights, drug dealers, etc. their own conclusion is that “[s]elf-defense conjures up an image of the innocent victim using a gun to fend off an unprovoked criminal assault, but in fact many ‘self-defense’ cases are not so recommendable.” (Cook, Moore and Braga 2001, 9)

But perhaps the most important blow to the theory that guns deter crime came when researchers John Donohue and Ian Ayres revised Lott’s data and found his analysis “deeply flawed.” (Donohue 2002, 1) In his book, which is an expanded version of a 1007 study with economist David Mustard, Lott claims that the 10 states that enacted shall-issue laws between 1985 and 1991 experienced declines in violent crime relative to trends observed in other states that did not pass similar measures. Allowing Americans to carry concealed weapons, Lott concluded broadly, leads to less crime. In his revision of Lott’s data, Donohue observes that in contrast the 13 states that enacted shall-issue laws after 1992 experienced relative increases in crime; he, therefore, reasons that ‘[s]ince it seems unlikely that laws to increase gun carrying would have exactly opposite effects on crime depending n when they were passed, these statistical results must be confounded by
other factors that effect crime rates and vary across states and over time.” (Donohue 2002, 1-2) There are fundamental differences between states that enacted shall-issue laws and those that did not, one of them being the crack cocaine problem that hit states without shall-issue laws in the 1980s and resulted in an upsurge of crime; once this problem has gone away, crime rates decreased. “The best available evidence does not support the conclusion that more gun carrying reduces crime … Whatever the effect of [shall-issue] laws, the demographics of those who obtain gun-carrying permits suggest that the consequences —for good or ill— are likely to be fairly modest.” (Donohue 2002, 2)

Though David Mustard claims that much of Donohue’s criticism has been addressed already and he himself points to flaws he notes (Ludwig and Cook 2003, 325-331), Lott’s research came under attack for other reasons too, including his failure to produce evidence about the phone survey he used in the book claiming that his computer crashed, and pretending to be a woman —“Mary Rosh”- over the internet to defend himself against his critics.50

An overall conclusion of an extended research founded by the Center on Urban and Metropolitan Policy at the Brookings Institution about the prevailing gun policy “suggests that within the generally gun-rich context of the United States, higher gun prevalence is associated with more homicides and suicides, and possibly even more

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49 Donohue’s research was published in Evaluating Gun Policy: Effect on Crime and Violence (Ludwig and Cook 2003, chapter 8).
50 The Mark Karlin & Associates Press Release on March 26, 2003 (accessible through Join Together Online on the Web at www.jointogether.org -Internet access 3/31/2003) draws a parallel between Bellesiles and Lott cases, and observes that while Emory University formally investigated the issue and found that the historian had misled critics, upon which Bellesiles resigned from his position, John Lott, a fellow at the conservative think-tank The American Enterprise Institute continues with his research and authored a new book The Bias Against Guns published by Regnery, an equally conservative publishing house. The American Enterprise Institute has not commented on the accusations made against Lott. Nonetheless, responding to a request from a Join Together Online reader, Amazon.com has removed the phoney self-review by Lott under the pseudonym Mary Rosh (on the Web at www.jointogether.org Internet access 2/19/2003). Further information about the Mary Rosh ‘affair’ could be found on the Web at www.whoismaryrosh.com
residential burglaries, whole having little effect on other types of crime.” (Cook and Ludwig 2003, 17) Yet, stricter control policy measures seem hard to pass on federal level. Though Congress enacted the Brady Law and the Ban on Assault Rifle, other initiatives were simply ignored.

The 106th Congress considered several measures to regulate firearms. They included 1) requiring background checks at gun shows, 2) requiring firearm safety locks, and 3) increasing controls on assault weapons and handguns. None, however, were enacted. With the change in the Senate during the 107th Congress, there was an expectation that gun show legislation would see action, but none has thus far advanced.

(Krouse 2002, Summary)

Moreover, by the end of 2003, a series of proposals aiming at reverting some of the gun control laws of the 1990s made their way to Congress with the support of the Republican Party and the Bush administration, while division within the Democrats facilitated the passing of the bills. Among these reversals are: retaining background checks for 24 hours instead of 90 days, a proposal that was made by Attorney General John Ashcroft in 200151 (“Deal Struck on Gun Buyer Data” 2003); giving gun manufacturers and dealers broad protection from civil lawsuits arising from the misuse of firearms52 (Kenen 2003);
and allowing the ban on assault rifles expire in 2004 without renewing it.\textsuperscript{53} Several states, on the other hand, eased the gun laws to allow law-abiding, mentally competent adults to carry guns in public,\textsuperscript{54} while the Republicans pushed state ban to suit gun manufacturers in Wisconsin (Walters 2003) and passed a bill to prevent police from compiling and maintaining lists of gun owners and sales in Florida (Caputo 2003), and the Cato Institute legal scholars started crafting a legal strategy for challenging District of Columbia law banning guns, one of the most restrictive in the nation (Hall 2002). The gun-rights backers’ efforts, as reported in the \textit{Washington Times}, ultimately aim at reciprocity among states by pushing states to recognize firearms permits issued in other states. The argument put forward by a spokesperson of the NRA is that the more than a dozen states that voted for concealed-carry firearms laws did it convinced of the positive impact of arms in reducing crime; therefore, in the words of Trish Gregory, “Americans agree that the right for self-defense does not stop at state borders, so it only makes common sense that the trend would continue toward reciprocity.” (Dinan 2002).

\textsuperscript{53} “The votes in the House are not there” to continue the ban, declared House Majority Leader Tom DeLay (R-Tex.) on May 14, 2003. As majority leader, DeLay decides which bills are voted on in the House. The 1994 assault weapons ban expires in 2004; the House and Senate, therefore, should have passed a vote to renew it by September 13, 2004. President Bush found a middle road by supporting the extension of the current law but not endorsing stronger measures advocated by many supporters to outlaw many ‘copycat’ assault weapons (Lichtblau 2003), however chose to keep low profile not to alienate a core constituency (King 2003). According to information from the San Francisco, CA based the Firearms Law Center, Senators Dianne Feinstein, D-CA., and Charles Schumer, D-N.Y., have introduced legislation in the Senate to extend the ban; representatives John Conyers, D-MI., and Caroline McCarthy, D-NY, have introduced legislation in the House to both extend and strengthen the statute (information on the Web at \url{www.firearmslawcenter.org} Internet access December 25, 2003).

\textsuperscript{54} According to information reported by the \textit{Chicago Tribune} on March 16, 2003, Missouri, Ohio, Minnesota and other states were expected to approve bills easing weapon-carrying measures (on the Web at \url{www.jointogether.org} March 25, 2003 Internet access March 31, 2003).
A decade after President Clinton signed the Brady bill on November 30, 2003, the tide seems to reverse. According to the Brady Campaign, stricter laws made possible stopping 1 million illegal buyers buying a gun at a gun store (McDonough 2003). Yet the existing loopholes and reluctance to regulate even more the gun trade continued to prevail. “It’s puzzling: a society that figured out that it could not stem the use of alcohol and tobacco by minors without punishing the people who profit from those sales still has not done much to keep the wrong people from owning guns,” writes a *New York Times* editorial (“Illegal Guns and Liability” 2003). Reluctance to regulate the arms trade eases the way a gun bought legally end up in illegal hands and becoming a potential threat. A list of ten worst gun dealers in America released by the Brady Campaign and the Million Mom March effectively shows a high number of legally bought guns becoming a crime instrument (“The Ten Worst ‘Bad Apple’ Gun Dealers in America” Press Release 7/16/2003). This is hardly surprising considering that 70.8% of the U.S. dealers are willing to sell a handgun to the caller regardless of the stated end user of the gun, according to a survey (Sorenson and Vittes 2003), in spite of the fact it is common knowledge that unauthorized persons use “straw purchases” –meaning a person who is authorized to purchase a firearm buys one for someone who is not so authorized. “Straw purchases,” for example, were used in a gun-buying scheme that brought to New York easily purchased Virginia handguns; after the dismantlement of the network, BATF agents traced the weapons recovered in the ring and found out that several of them were indeed used in crimes in New York City, Baltimore and Syracuse N.Y. (“Eighteen Arrested in Alleged Gun-Buying Scheme Involving New York” 1/28/2003).
Concluding Remarks

As stated before, U.S. gun laws and control policy is more permissive when compared to other developed countries. In addition, guns seem to enjoy a privilege in regulatory terms to the extent that they constitute an American ‘exceptionalism’. In an Op-Ed column on October 18, 2003, amidst the loose sniper’s terror in the Washington area, *Washington Post*’s E.J. Dionne finger-pointed the administration’s “twists and turns” about guns; questioning then White House spokesman Ari Fleischer’s initial comparison of the proposed measure of “ballistic fingerprinting,” which, according to experts and police, could make it easier to trace bullets back to the guns that fired them, with fingerprinting every citizen in the United States in order to catch robbers and thieves, the columnist asked: “Why does an absolutist ideology that places gun rights above all other rights hold swat except when he confront the madness of the sort we’re experiencing around here?” (Dionne 2003) Culture, as often cited, provides only a partial answer. In fact, gun laws have changed through the twentieth century, albeit they remained much more loose than in other developed countries. As for the usefulness of guns as deterrent of crime, or their ‘instrumentality’ in crime, it is, at least, a matter of a scholar and public debate much of which is focused on their impact in public health issues. Few, if any, of these arguments-almost exclusive to the U.S. domestic context-can so far give us a useful clue about the connection between domestic and international factors. Next, therefore, I frame U.S. gun policy from the political economy perspective to better understand structures and agencies in market, society and state and get closer to the intermestic nature of international arms control politics.
Section III. U.S. Gun Policy in the Political Economy Perspective: Market Expansion, Social Mobilization and State Interests

The way U.S. gun policy debate is framed through the cultural, legal and public health arguments allows us to visualize the domestic/international connection. These same arguments are found in Undersecretary of State John Bolton’s speech at the 2001 U.N. conference. What, however, are the underlying factors –structures and agencies- upon which the debate is constructed? In what follows, I use an IPE approach and focus on market, society and state in an effort to reveal these factors and highlight their interconnectedness.

The Gun Market: The Logic of Capitalist Expansion

According to Batchelor, “[t]he production of small arms is economically insignificant,” (Batchelor 2001, 6). Even as the world’s largest small arms producer, U.S.’s total output in 1997 was worth $2 billion a year. Neither does the arms-export industry have the impact that it is usually sought that it has on America’s well being. “Though the arms-export trade can mean billions of dollars in sales to specific companies … in the final analysis, the entire arms-export industry represents only a tiny fraction of total U.S. export trade –some $30 billion in annual sales out of a total export volume that typically approaches or exceeds $1 trillion a year,” according to Tamar Gabelnick of the Federation of American Scientists (Clarke 2002) Yet, BATF statistics show that firearms manufacturing increased about 1,000,000 over the last 15 years from a total 3,081,132 in 1986 to 4,030,400 in 1999; in the same period total exports decreased from 241,495 to 238,545, but imports grew from 701,000 to 1,096,782 (“Firearms Commerce in the United States 2001/2002”). In 2000, there were in total 79,531 retailers –firearms dealers
and pawnbrokers- in the United States, a rate of 29.2 per 100,000 inhabitants (“Gunland USA” June 2000). Compared to the United States, in Canada there were 10,197 firearms business permits in 1986 and 4,820 in 1998 (Hung 2000), whereas in England and Wales the total number of firearms dealers stayed roughly the same in the 1990s -a total of 2,560 in 1991, and 2,070 in 2000 (Jenner and Gray 28 June 2001). Hence, little surprising is the fact that 41% of U.S. householders own a gun, compared to 26% in Canada and only 4% in UK (“Firearms and the Experience of Other Countries” April 1999). Comparatively as of 1999 firearm homicide rates per 100,000 inhabitants for the three countries were 6.24 for U.S., 0.60 for Canada and 0.13 for UK (“Firearms and the Experience of Other Countries” April 1999).

Though after the implementation of the Brady Law and the 1994 Violent Crime Control and Law Enforcement Act the number of Type 1 Federal Firearms License holders has fallen 74% -from 245,628 in January 1994 to 66,520 in April 2002 (“No Deal. The Drop in Federally Licensed Firearms Dealers in America” September 2002) for critics of U.S. gun policy, there still is an obvious relationship between the higher number of dealers and firearms homicides. On the occasion of the October 2002 outbreak of long-range sniper attacks in Maryland, Virginia, and the District of Columbia, Tom Diaz of the Violence Policy Center and author of “One Shot One Kill: Civilian Sales of Military Sniper Rifles” (May 1999) saw exposed in the tragic event two long-term trends in gun industry marketing: mass marketing of military and military-style weapons, including assault rifles and sniper rifles and equipment, to the civilian market, and the cultivation of a sniper subculture in the gun community (“Snipers –Predictable Consequence of Gun Industry Marketing” Press Release 10/09/2002).
In order to understand the economic importance of the gun industry and the commercialization of increasingly deadly weapons to civilians, a shift from the classical analysis of the military-industrial complex needs to take place. Since president Dwight D. Eisenhower’s warning in his farewell address in 1960 about the need to strictly control America’s ‘military industrial complex’, much attention has been given to the impact that corporate interests linked to the military and militarism in general have on U.S. foreign and defense policy. As I will emphasize next, arms still played a crucial role in U.S. post-Cold War Grand Strategy, albeit in a different international context. Except for the very broad idea that military corporate interests would almost ‘naturally’ be sympathetic to pro-gun rights groups, analytically it does not make much sense overemphasizing the impact that the military-industrial complex had on the gun culture in the United States. After all, almost none of the multibillion production of high-tech weaponry of the defense industry is meant for civilian consumers, nor do the marketing efforts of these companies target them. The growth of the gun business in the 1990s is the consequence of aggressive marketing efforts that were put in place in the last two decades in the U.S. and created a powerful lobby to preserve an expanding business. These efforts are best understood within the free-market logic of neoliberal economics that predominated U.S. economic policy since late 1970s and, eventually, became the driving force of globalization, as I showed in chapter two. Though aggressive marketing is an inherent logic for almost any consumer product to maintain competitiveness, guns are not the kind of good that needs renewal every few years like cars or computers. The gun business, therefore, needed greater creativity to expand the naturally more restricted limits of its
market. More than demand, thus, it was the supply-side of the gun business that was active in creating incentives for potential buyers.

A particular characteristic of the firearm industry is its secrecy. Guns and ammunitions were exempted from the National Commission on Product Safety’s jurisdiction from the very beginning of the implementation of the law in 1968. It is because of that exemption from public scrutiny that firearms producers have been able to successfully expand their market relying on what Tom Diaz calls the “nicotine of the gun industry”:

Over the last two decades, at least, the gun industry has been deliberately enhanced its profits by increasing the lethality—the killing power—of its products. Lethality is the nicotine of gun industry. Time and time again, the gun industry has injected into the civilian market new guns that are specifically designed to be better at killing—guns with greater ammunition capacity, higher firepower in the form of bigger caliber or power, increased concealability, or all three—and created demand for these new products with the collaboration of the “gun press” and the entertainment media. (Diaz 1999, 15)

Historically, firearms manufacture boomed during the Revolutionary War with the founding of the Springfield Armory in Springfield, Massachusetts. Over the next two centuries, new companies were created and settled in western Massachusetts and Connecticut, which became known as the “Gun Valley.” Samuel Colt invented the revolving cylinder design and won U.S. Patent No. 138 for it in 1836. Horace Smith and Daniel B. Wesson formed a partnership in 1852, but sold the company and its patents to Oliver Winchester who founded the Winchester Repeating Arms Company in 1866. Smith & Wesson reemerged during the Civil War and became worldwide known for its innovations in revolver design, including the .357-Magnum, the .44-Magnum and the first American made 9-mm semi-automatic pistol. Legendary figures such as Buffalo Bill and Annie Oakly helped publicizing the new products, whereas both world wars in the twentieth century assured unprecedented incomes to these companies, with, for example,
Winchester – purchased by Franklin W. Olin by the turn of the century – producing over fifteen billion round of ammunition during the Second World War. New manufacturing companies were founded after 1945 in Florida and California, whereas foreign companies started to get interested with U.S. domestic market. The outburst of violence in the Prohibition Era and later in the 1960s, as stated above, led to gun regulation norms. Yet, while the 1968 Gun Control Act encouraged the restriction of the importation of the “Saturday night specials” – small and easily concealable handguns made of lower quality materials and with poor safety standards – by imposing certain design requirements,

The law did not, however, subject domestic manufacturers to any such standards. This different treatment had two long-term results: domestic companies sprang up to fill the Saturday night special gap, and foreign manufacturers created domestic manufacturing subsidiaries to evade import restrictions and get back to the lucrative U.S. market. (Diaz 1999, 22)

Most importantly, the U.S. market itself underwent through important changes “from a market designed for killing deer and pheasant and punching holes in paper to a market obsessed with guns designed principally to kill people more effectively,” (Diaz 1999, 83) with handgun production outpacing the production of shotguns and rifles since early 1970s. “Over the entire decade, handguns grew to thirty-six percent of the market, whereas rifles and shotguns fell to thirty-two percent each.” (Diaz 1999, 84) As guns are a product that does not need replacement in the absence of extraordinary heavy use or accidental damage, innovation became the way to convince people that they need more guns, as a panel of industry experts reported in 1993 (Diaz 1999, 93).

Reliance on innovation and developing new guns has influenced the way guns are sold in the United States. In an earlier era, “the first-time buyer bought the gun his father used,” according to the manager of public relations for Smith & Wesson. “Now we’re seeing a lot more advertising-driven buying.

This process of first creating more lethal products through innovation and then selling them through advertising and gun press reviews is seen by many – such as Shooting Industry’s Massad Ayoob – as a model of free enterprise. “Find a market, show
them something they need and why they need it, give ‘em a good price, and they’ll buy you. Capitalism in action.” (Diaz 1999, 95)

It is the driving force of innovation that brought yet another important change in the U.S. handgun market during mid-1980s, when high-capacity semiautomatic pistols enjoyed more demand then revolvers. “The number of pistols U.S. gun manufacturers made increased by ninety-two percent from 1985 to 1992, and death by handguns increased forty-eight percent, from 8,902 to 13,220.” (Diaz 1999, 104) Perhaps not so coincidently, while in the 1990s the international arms race cooled down, the domestic arms race heated up. One reason was the demand of law enforcement agencies for more lethal weapons, after the increase of the firepower of armed gangs and drug dealers of which the 1986 gun battle in Miami between an FBI team and two heavily armed felons is an example. The other reason was the invasion of semiautomatic assault weapons –basically a military-style gun with cosmetic design changes that retain the generic features and, for example, without having fully automatic capability is able to accept high-capacity magazines- and so-called “pocket grenades” –pistols and revolvers in increasingly high calibers, engineered down to very palm size for easy concealment. While these innovations nurtured the “Rambo” fantasy of the consumers, they also meant increased lethality of guns in civilian hands, and opened way to manufacturers to evade restrictions:

For example, in 1997 it became known through aggressive reporting by the Los Angeles Times that the ATF had allowed gun importers to slip over 600,000 cosmetically modified assault guns through the import ban since 1994. The somnolent Clinton White House aroused itself to indignation when it learned that, even as the President was considering imposing a moratorium on imports and a review of standards, the ATF had barreled ahead an issued permits for another 150,000 guns to enter the country. (Diaz 1999, 133-134)

Yet, gun ownership in U.S. is concentrated among a minority of Americans; Thus, thought there are some 254 million guns in the United States, meaning roughly one
gun per inhabitants, that is a “terribly misleading” way to look at gun ownership in America, according to Cook for whom the most “remarkable” statistics is that 10% of the population owns four or more guns and they account for 77% for all guns in private hands (“Experts Disagree on Effectiveness of Anti-Gun Tools” 8/28/03). The logic of market expansion for the gun business, therefore, will lead to a situation where more guns will be in fewer hands. Apart the public policy consequences and the debate it generates, this reality has already created an important linkage between the gun owning minority and electoral politics.

*A Powerful Minority and A Fragmented Societal Countermovement*

From those Americans who do not own a gun, 21% believe “guns are dangerous,” 21% say that they chose not to have one because they are worried about the safety of their children, and 17% are generally opposed to gun ownership (“Q&A: Firearm Ownership” 2003, 46). Moreover, according to a survey based on the method known as contingent valuation, “the American public is willing to pay on the order of $24 billion to reduce gun assaults by 30%. If reductions in preventative expenditures are proportional to reductions in gunshot injuries, [these] figures suggest that eliminating the use of guns in assault would produce benefits of perhaps $80 or more to the American public, or roughly $1 million per gun shot injury.” (Cook and Ludwig 2000, 102-103)

Gun injuries cost U.S. $802 million a year, not counting physician fees or follow-up care; because of this cost gun violence affects the society as a whole, and is not an issue isolated to poor people in inner cities (“Gun Injuries Cost U.S. $802 Million” 1/02/2003). A poll by the Child Welfare League in Chicago show that 41% of U.S. teens say they know someone who has been shot and 71% are in favor for tighter handgun control (Issa
2002), and a survey by the Consumer Federation of America found that 62% of the Americans favor renewing the Federal Assault Weapon Ban, with 47% strongly favoring it, and over 50% of the supporters being gun owners (“Americans Want President Bush and Congress to Renew the Ban” Press Release 10/01/2003).

These figures speak of a societal opposition to gun market expansion given the costs that this expansion means for the society. Hence, I conceptualize the gun control movement as the societal countermovement to the gun market expansion. I consider that for an analytical purpose from a political economy perspective this conceptualization is more useful than the traditional division of the society to pro gun and pro control groups as defined from the public gun debate perspective for the following: (a) because of the complexity of the issue, hence the diversity of the debate, it is almost impossible to be non-partisan even in the most objective studies; (b) gun controllers, whether abolitionists and partisan to disarmament or more moderately supportive of tighter regulations, aim at restricting the availability of guns; even those who advocate tighter control of the market as a mean to curb down illicit transfers, are basically opposing to market expansion; (c) gun rights groups, though broadly identified with the cultural argument and the defense of the individual interpretation of the Second Amendment, have created corporate interests between business and politics; moreover, as I explain later, the way leading gun right groups have articulated their policies, there are, with perhaps some exceptions, clear ideological links with political conservatism and economic neoliberalism, in sum with free market expansion.

This perspective is particularly valid for the historical context of the last quarter of the twentieth century, when reacting to the 1973 oil crisis the world economy started
its transformation from the post-WWII embedded liberalism to the current Era of Globalization. The 1990s are but the acceleration of the transformation process, which ends on September 11, 2001. Indeed, Gregg Lee Carter, who studied the gun control movement from the pro vs. against perspective, considers the mid-1970s and the formation of the Handgun Control Incorporated (HCI) as the start of the modern gun control movement in U.S. that achieved two major success in 1993 and 1994 respectively with the passage of the Brady Handgun Control Law and the banning of new sales of selected assault rifles (Lee Carter 1997, 65-66). Again according to him, the NRA in the 1930s was rather moderate in its opposition firearm regulation; it continued the same course well into the 1970s, and started taking today’s “there-is-no-such-thing-as-a-good-gun-control-law” position in the 1980s (Lee Carter 1997, 71). Lee Carter considers NRA’s formerly moderate position to the fact that no serious gun control movement existed. With the same token, the NRA took increasingly a hard stance in the 1980s as a reaction to the emergence of the gun control movement –hence his characterization of the NRA as the “countermovement.” The gun control movement began in 1974, when Mark Boransky founded the National Council to Control Handguns, which later became HCI. His prime motivation has been to help prevent a young person to go through the traumatic experience he had in Chicago, where as a young student he has been robbed at gunpoint.

Boransky and his colleagues, including retired CIA agent Edward Welles and skilled marketing manager Peter Shields seized the political opportunities of the moment, including: the legacy of the spread of social movements in the 1960s; the emergence of the lobbying industry in Washington; the vacuum of an organization devoted specifically
to the control of firearms; and predisposition within the federal government. Though fast in learning the ins and outs of Capitol Hill, the gun control movement could achieve nothing serious in the 1980s, and no gun control measure left committee to be voted by either floor of Congress. “In the late 1970s, HCI and its allies were too small and too inexperienced to have much impact on the legislative process, as they were in no way ready to do serious battle with the pro-gun lobby lead by the NRA.” (Lee Carter 1997, 82) Its membership grew to 80,000 and its budget operated in the millions of dollars, still in spite of the murder of John Lennon in December of 1980, the assassination attempt of President Ronald Reagan in March of 1981, only in 1993 will the Congress pass the Brady Law. Moreover, the 1986 Firearms Owners’ Protection Act dismantled many provisions of the 1968 Gun Control Act, and in that sense was anti-gun control except for the banning of the interstate sale of pistols, which was urged by the HCI.

“Political opportunity reached its peak for the gun control movement during the 1992-1994 period.” (Lee Carter 1997, 84) The pro-control platform of the Democratic candidate and later President Bill Clinton has been crucial to bring back the Brady bill after the 1988 defeat in the House of Representatives in part because of the multimillion-dollar effort by the NRA, and the 1992 Republican filibuster in two opportunities that killed the 1991 House-Senate compromise on a new version. “Presidential power can overcome this kind of problem, and George Bush could have done so if he had found the commitment that Bill Clinton had the following year.” (Lee Carter 1997, 84) Thus, President Clinton’s commitment expressed in intense lobbying and arm-twisting, as NRA chief lobbyist Wayne LaPierre would recognize, opened way to the 1993 and 1994 achievements. Yet, even the November 1993 enacted Brady bill had to be modified and
the waiting period downed from a week to five days in order to avoid another Republican filibuster. Moreover, though these two major achievements boosted the movement’s popularity and quickly raised hope for an extended version of the bill, deemed Brady II by the HCI, the issue did not form part of the 1994 campaign for the 104th Congress (1995-1996).

The passage of Brady II, put together by Senator Howard M. Metzenbaum and Representative Charles E. Schumer, “would put the regulation of firearms in the United States on par with that in many other industrialized democracies.”55 (Lee Carter 1997, 85) Yet, twenty years after James Brady was shot, an event that triggered the social mobilization for the passage of the law baring his name, and despite a public opinion strongly supporting gun control (Lee Carter 1997, chapter 4), “the Brady’s group, Handgun Control Inc., and its allies have lowered their expectations for Washington. They have turned instead to states and cites considered more receptive to stronger regulation of handguns.” (Eggen and Eilperin 2001) Even such a shocking event as the 1999 killings at Columbine High School did not convince legislator to pass the federal restrictions the gun control movement wanted. The simple and moderate proposals of gun controllers, especially closing the gun loophole that allows private sales of firearms at gun shows without the criminal background checks required when the gun is bought from a registered dealer, did not made their way into the legislative agenda. Moreover, according to the historical insight of William J. Vizzard, who for 27 years has been a special agent in the BATF, since 1968, almost every legislative effort to regulate guns has

55 As Franklin E. Zimring states, “[s]pecial attention to handguns is a common characteristic of legal systems throughout the developed world. Even nations with high rates of long gun usage, such as Switzerland and Israel, have low ownership and usually special restrictions on handguns. So the consistent emphasis on handguns is by no means an American invention.” (Zimring 2003, 447)
taken an incremental approach and was followed by a massive unregulated increase in the
gun population; child safety, minimal expansions of the Brady Law and the definition of
assault weapons are all “modest, politically attractive, yet largely ineffective programs”
(Vizzard 2000, 83-84) that, moreover, spread the fear of prohibition, which motivates gun
owners’ opposition to all gun control proposals. Josh Sugarmann, Chairman of the
Washington-based Violence Policy Center, an advocacy group that promotes total ban of
handguns, blames precisely this moderation of the control groups:

America’s gun lobby would be on the run if only gun control advocates would
bother to chase them. Instead, trapped by their perception of the politically achievable,
gun control advocates are always of the defensive. (Sugarmann 2001, )

The point here is not whether moderate –similar to the ‘arms control’ approach in
international security- or abolitionist –conceptually closer to the ‘disarmament’ option-
policies are best for gun control groups. In its so far thirty years of existence, the gun
control movement has in general been defensive and dispersed both geographically and in
terms of its agenda. Though the 1990s seemed to turn the tide, yet, as showed above, the
movement ended up by abandoning the efforts in Capitol Hill for advocacy on state,
county, city municipality and even local community levels, apparently convinced that at
those levels it is easier to achieve the pursued goals.56 Given this panorama of the gun
control movement in the U.S., the fact that it has not globalized in the 1990s comes as
little surprise. To say that the global dimension of SALW is of no interest for U.S. gun
movement is probably unfair. Yet, little, if any, of that aspect of the issue appears on the
agenda of any major U.S. gun control movement. With an agenda too much dispersed, a

56 For example, to reach the goal of closing illegal markets, gun control advocates encourage acting on
state-level laws because –sometimes- their requirements from dealers are tougher than the federal law (Pitts
2003).
focus on narrowly local issues or communities and unable to assume a leading role in transnational advocacy groups, the U.S. gun control community were unable to globalize.

Guns and Electoral Politics: The Costs of Opposing to the NRA

As a matter of fact, “the numerous pro-gun control organizations and lobbyists just did not show up [at the 2001 UN conference]. It is hard to avoid the conclusion that through their absence leading groups like Hand Gun Control and the Coalition to Stop Gun Violence simply gave the NRA a monopoly at the conference.” (Karp 2002, 190-191) Founded in 1871 as a relatively small shooting association, the NRA emerged as the major lobbyist group for gun rights in the 1980s. From the perspective of the gun debate, the NRA –and other pro gun rights groups- has been the status quoits, and became active only with the emergence of the gun control movement –hence, Lee Carter’s characterization of these groups as the “countermovement”- to stop further expansion of gun regulations. In other words, the absence of a relatively pro-gun activism in the United States until the end of the 1970s is a clear indication of the rather permissive U.S. gun laws compared to other industrialized democracies.

In fact, it was the Congress authorization in 1910 to give away surplus weaponry to NRA-sponsored clubs and Congress’s 1912 decision to fund NRA shooting matches that created the link between the state and the association, a link that in the 1980s and 1990s with political conservatism in power and neoliberal market expansion speeding up will create strong corporate interests. Surplus of weapons and home coming demobilize soldiers after both world wars in the twentieth century boosted NRA’s membership. By the time the government got seriously concerned with the numbers and availability of guns in society, reflected in the 1930s gangster wars, the NRA had grown to 35,000
members. Though the NRA opposed regulation when the Roosevelt administration introduced the 1934 Firearms Act, it, nevertheless, recognized the bill’s virtuous aim of fighting gangsterism, and “decided to fight those portions of it that were not directly aimed at gangsters –namely the sections dealing with a system of national gun registration.” (Lee Carter 1997, 67) It even supported the banning of the Saturday Night Specials in 1968. “The voices of moderation coming from the NRA changed in the late 1970s. Two factors were critical: the rise of the gun control movement and the 1977 palace coup by Second Amendment hard-liners who toppled a leadership that has heretofore seen the NRA as primarily a hunting and sport-shooting association.” (Lee Carter 1997, 72) These two factors, however, needs to be placed in the broader context of the political economy of the last two decades of the twentieth century to understand better why the NRA has become by the end of the 1990s “a well-funded gun lobby backed by a single-minded minority.” (North Patterson 2003) In other words, though it is true that the NRA and the gun lobby went through a fast-learning period by the end of the 1970s and perfected the strategy and tactics that were used for the first time in 1934, only by focusing on how the corporate interests were formed can we understand not only its success, but also the reasons and the particular way it got global in the 1990s. Three interrelated processes lead to the formation of theses corporate interests: the radicalization of NRA, the place it occupied in the American political structure, and the compatibility of gun rights defense aim with the expansion of the gun business as described above. These three factors are interrelated as the radicalization of NRA supported market expansion if which the association got the funds to finance the campaign of politicians that would defend gun rights.
The radicalization of the NRA from a rather moderate opposition to gun control to virtually full resistance to any such measure, started with Harlon B. Carter’s July 1972 address to the executive committee. Himself a member of that committee, Carter qualified “a disastrous concept” NRA so far position to separate the good and evil of certain guns from the good or evil intent of persons –thus to agree to the sale and possession of certain kind of firearm-, and limit the use of handgun to sporting purposes. He argued further that “every gun had a legitimate purpose and that every law-abiding person, no matter what his or her age, should have the right to choose his or her own weapon according to what he or she thought best.” (Lee Carter 1997, 78) The turning point came in 1977, when the militant and libertarian faction leaded by Carter and Neal Knox seized control of the NRA at the Cincinnati convention, a fact that will be recalled as the “Cincinnati revolt.” The efforts to organize a “New NRA,” as Carter would call it, gave their results: an organization with a membership of little than more one million swelled to 2.6 million in 1983, and peak at 3.6 million in early 1990s. An example among others of NRA activism in the last two decades of the twentieth century is the boost of scholar articles about the Second Amendment. Robert Spitzer, a political scientist at the State University of New York, Cortland, found that from 1912 and 1999 there were in total 76 articles defending the collective-rights view and 88 supporting the individualist view. Yet, a closer look to this statistical data reveals that the 1990s witnessed the publication of 58 of the 88 total individualist articles, and that 79 of the same have been written since 1980; two lawyers who defend gun rights and arms manufacturers, Stephen P. Halbrook and Don B. Kates, signed roughly 20 of those 79 articles, as for the most of the rest they had large amounts of NRA’s Civil Rights Defense Fund financial assistance
through grants for scholarly research on the Second Amendment reaching a total of $194,345 in 1994 (Mooney 2001, 12).

Along with the radicalization, the NRA established close links with the gun industry. Sugarmann considers that an unofficial trade association has been formed between the NRA and the gun industry. For Spitzer, the links are rather pragmatic and ideological:

The link between the two is, first, pragmatic, in that general gun advocacy on the part of the NRA helps generate and sustain a market for the firearm industry’s products. Similarly, gun sales benefit gun users, who compose the core NRA constituency. Second, the link is also ideological, since both manufacturers and the NRA embrace and extol the gun culture … for emotive, symbolic, and patriotic reasons. Two specific interests have animated the NRA-industry link: the desire to maintain or boost firearms and ammunition sales at a time when the percentage of gun users in America has been declining, and the desire to avoid any gun regulations that might impinge on sales. The first goal is facilitated through the extensive weapons advertising found in NRA publications, the second constitutes the core of NRA’s political agenda. (Spitzer 1998, 73)

Yet in the context of market expansion in the 1980s and 1990s, this pragmatic and ideological link between the NRA and gun business has become a pillar of supply-side neoliberal economics. Vizzard explains the dynamics of the gun business supply-side economics as follows:

Curiously, the demand side of both the legal and illicit markets is influenced by the supply … As guns become more common in a society, the perception of risk from guns and degree of socialization to guns would both logically increase. Both fear of attack and socialization have been noted predictors of firearms possession for the general public as well for criminals. It is also reasonable to assume that criminals and the general population share the trait of impulse acquisition. Thus the presence of more firearms, particularly those designed to appeal to the fantasies of young males, would generate demand among criminals even more effectively than it would among noncriminals. Thus criminal demand, like general demand, most likely increases in response to a large and diverse supply of firearms. In my experience, the interest in and demand for guns by criminals were directly influenced by the general market, and indirectly by the entertainment industry. During the early years of y enforcement career most of the offenders I encountered showed little interest in forearms. Even when they possessed or used firearms, they seemed little concerned with the type or quality. Over time, the quality and numbers of firearms increased and items such as spare ammunition magazines and holsters became more common. Survey data supports the conclusion that this trend has spread to juveniles as well as adults. (Vizzard 2000, 32-33)
The impact of availability of guns being an issue apart, what can be deduced from this is the impact of the supply-side of gun business on demand. As said before, the boost of the supply-side came from the innovation drive of the gun industry, and it is at this point precisely that NRA’s –and gun lobby’s in general- radical position and aims become compatible with the market:

This process of creating more lethal products through innovation and then selling them through advertising and gun press reviews is seen by many in the industry – such as Shooting Industry’s Massad Ayoob- as a model of free enterprise. “Find a market, show them something they need and why they need it, give ’em a good price, and they’ll buy it from you. Capitalism in action.” (Diaz 1999, 95)

The firearms industry’s innovative quest could have taken other paths, including that of developing safer guns. Nonetheless, the gun industry deliberately chose to take exactly the opposite direction. NRA’s close to a dozen publications, including American Rifleman (circulation 1, 480, 074), American Hunter (1,059, 010), and American Guardian (140,000) became the means for the supply-side expansion of gun markets. Moreover, whenever the gun industry had come under public and political pressure, it found in the NRA a bold defender of its interests. Reacting to demand for safer guns, for example, NRA’s director of public affairs, Andrew Arulanandam, was quoted saying “We believe the gun industry has taken every precaution to make sure it produces a safe product. Gun manufacturers are meticulous businessmen. They will do nothing to undermine the public's confidence in their products.” (Claxton 2003a) His words in defense of the gun industry immunity bill were: “This is a common-sense bill to stop frivolous lawsuits aimed at bankrupting law-abiding gun makers. No maker of defective guns will be protected by this bill.” (Claxton 2003b)
Neither the radicalization of NRA, nor the aggressive expansion of gun business would have had the success they had without political intervention. In fact, NRA’s radicalization went parallel to the decision to invest in politics. Thus, buoyed by the victory of defeating two gun control proponents in the Senate, Joseph Clark (D-PA) in 1968 and Joseph Tydings (D-MD) in 1970, the NRA made politics its high priority, and “reconstituted and concentrated its lobbying activities in 1975 with the creation of its ILA [Institute for Legislative Studies].” (Spitzer 1998, 75) Among other functions, the ILA manages the 1976 founded Political Action Committee (PAC), called the Political Victory Fund, the specific purpose of which was to channel campaign contributions to sympathizers. Over the years, NRA’s contributions to political campaigns – either endorsing candidates or engaging in negative campaigning against others, plus independent expenditures and other campaign activities- kept on increasing at the price of decreasing resources for other traditional activities such as hunting and shooting, and running huge budget deficits. Examples of PAC’s campaign spending include figures such as $4.6 million during the 1987-88 election cycle, $5.3 million in 1994, and $6.6 million in 1995-96; in 1980, 19% of NRA’s budget went to hunter safety programs, police training courses, and the like, but by 1988 only 11% of the budget was dedicated to these activities; in 1991, the NRA posted a $9 million in debt, in 1992 $34 million and in 1996 $43 million (Spitzer 1998, 76). The pick of NRA’s campaign contribution came in 2000, when, according to I.R.S. filing, it spent $20.4 to endorse the Republican presidential candidate George W. Bush, though after a decade of heavy spending on political activity has also left the NRA with a budget deficit of $100 million by the end of 2003 (Strom 2003). In spite of this deficit, the NRA seems well determined to pursue the
same trend; the 2004 presidential elections in mind, the group planned to buy a television or a radio station by the end of 2003 and sought exemption from the campaign finance law. Though in the proper words of its executive vice-president, Wayne LaPierre, NRA’s communications reach is extensive enough that it should be considered part of the media, the legal status of a news organization would free the group to say what it wants about candidates and spend corporate money to so, such as for commercials (Theimer 2003). All others being equal, this trend indicates that gun rights would remain a hot topic for the forthcoming years on the U.S. electoral agenda.

NRA’s radicalization seems also to have developed along with the embeddedness of the group with political conservatism, most precisely a close relationship with the Republicans. After all, President Ronald Reagan, himself a lifetime member of the NRA, became the first U.S. president ever to attend an NRA convention in 1983, when the “Cincinnati revolt” had confirmed the new hardliners within the leadership of the group:

It was Harlon Carter’s finest moment, one that vindicated the in-your-face, never-give-an-inch path the brawny Texan had marched the NRA down since his ascension to power. President Reagan’s words bore out the success of that approach again and again in his half-hour keynote address. (Davidson 1998, 38)

Twenty years later, President George W. Bush will make a similar gesture by awarding to actor Charlton Heston and president of the NRA from 1998 to 2003 the Presidential Medal of Freedom for a lifetime memorable film roles and his defense of gun owners (“Bush Honors Heston for “Compelling” Portrayals, Defense of Gun Rights” 2003). In fact, since the 1980s, most of the Political Victory Fund’s money went to Republicans.

During the 1985-86 election cycle, for example, it gave about $644,000 to 139 Republican candidates and $225,000 to 68 Democrat candidates. It spent an additional $750,000 on independent expenditures and $73,000 in negative campaigning against 29 Democrats and 4 Republicans. (Spitzer 1998, 76)
And it is understandable that Florida’s Governor Jeb Bush thanked the NRA for helping elect his brother president in 2000: “Were it not for your active involvement, it’s safe to say my brother would not be president of the United States,” he was quoted saying as the keynote speaker of NRA’s 2003 annual convention in Orlando, Florida, after noting that exit polls showed that 48 percent of the voters in the 2000 presidential race were gun owners (“Brother Thanks NRA for Helping Make Bush President” 2003). Since the 1980 election, the continuing rightward movement of the American electorate did not alternate too much, not even with the Democratic comeback in the 1990s, and this explains good part of the pro-conservative tendency of the NRA:

During the decade of the 1990s gun control progressively has become more deeply imbedded in partisan politics. Identified as a Democratic issue since the election of 1968, gun control has assumed a more prominent place on the Democratic political agenda as party realignment has stripped it of support in the South and West. This geographic realignment, combined with the increase in Republican support among men and social conservatives, has reduced the political costs of supporting gun control for most Democrats. Concurrently, the rise of Republican strength in the South and West and loss of power in the Northeast has pushed the Republicans toward a more socially conservative position that depends on constituencies hostile to gun control. (Vizzard 2000, 73)

For NRA critics, the group is clearly identified with right-wing sectors and agenda issues. This identification became even more critical after 1994 in the light of gun regulation progresses registered during the first half f the decade thanks to the support of a Democratic President and both houses of the Congress controlled by Democrats. For Dick Dahl, for example, the extremist rhetoric of LaPierre’s speech during the 131st annual meeting of the NRA in the last weekend of April of 2002 in Reno, and his description of gun-violence prevention groups as “a shadowy network of extremist social guerrillas” who “form a sort of Taliban, an intolerant coalition of fanatics that shelter the
anti-freedom alliance so it can thrive and grow,” is a faithful reflection of NRA’s drive toward considering itself as an essential element of a wider patriot movement. Thus, in line with the core beliefs of right-wing militias, which emerged in early 1990s in rural America, NRA came close to see the federal government controlled by some kind of special-interest elite involved in some plan to impose massive oppression; and though certainly none of the racist, homophobic and other similar hate-profiles that characterize many patriot groups is applicable to NRA, the group, in the words of Chip Berlet of Political Associates (Somerville, MA) quoted by Dahl, has grown “increasingly tolerant” of that kind of rhetoric “by people who are connected with it or speaking on its behalf:”

While LaPierre’s anti-immigrant statements are probably the most egregious examples at the recent convention, past speeches by the group’s president, Charlton Heston, are arguably worse. In 1997, Heston spoke at the conservative Free Congress Foundation’s 20t Anniversary Gala and said, “Mainstream America is depending on you –counting on you- to draw your sword and fight for them. These people have precious little time or resources to battle misguided Cinderella attitudes, the fringe of propaganda of the homosexual coalition, the feminists who preach that it’s a divine duty for women to hate men, blacks who raise a militant fist with one hand while they seek preference with the other…”

In 1998, Heston told listeners at a Christian Coalition banquet, “Heaven help the God-fearing, law-abiding, Caucasian middle class… They want an America where you can be white without feeling guilty.” (Dahl 2002)

But this embeddedness of the gun lobby with the Republicans and conservatives in general should be put in the context of electoral politics. To start with, there is no automatic connection between gun rights and political conservatism. It was a Conservative government in the United Kingdom that reacting to Dunblane, Scotland, primary school massacre in March 1996 took the initiative to ban the private ownership of all high-caliber handguns. In the United States, the Democratic administration of Jimmy Carter faced demands for action from gun-control groups in January 1977. “Rather than make a repeated attempt at new legislation, the Carter administration opted
for the alternative tactic of expanding the regulations authorized under the GCA and promulgated by the Department of Treasury. Initiative for this action apparently came from the White House, presumably as a less-risky means of achieving some visible movement in policy.” (Vizzard 2000, 115) The Bradys’ conservative credentials played an important role for HCI’s campaign, whereas the proper Reagan first, and then George Bush are two of the prominent conservative politicians, who started to feel uneasy with NRA’s radicalization, if not opposed to it: ten years after his attempted assassination, President Reagan supported the enactment of the Brady Bill apparently repudiating his stand of eight years in the White House; as a response to a fundraising letter circulated by the NRA in which federal law enforcement officers were referred to as jack-booted government thugs, President Bush tore up his lifetime membership; General Norman Schwartzkopf followed his example and qualified the NRA “radical,” whereas Republican candidate of the 1992 elections, Patrick Buchanan, endorsed a Clinton proposal that the NRA donate the revenues from its fund-raiser to the widows of federal agents slain in the course of the duty (Bruce and Wilcox 1998, 4-5). Despite its ideological embeddedness with conservatism, the NRA remains essentially a gun lobby echoing ILA’s director of state and local affairs Richard Gardiner’s declaration “we’re not a conservative organization, we’re a progun organization.” (Davidson 1998, 178) In Spitzer’s words, the NRA “reflects the simple American political reality that single issues rarely decide electoral outcomes. This observation does not, however, mitigate the fear, felt especially by potentially vulnerable members of Congress, that NRA influence can swing an election.” (Spitzer 1998, 91) All its merits of high mobilization capacity being unquestionable, much of its success lie in the fact that the proper political structure of

57 A study of Congressional voting behavior on firearm control legislation from 1993 to 2000 has shown
the American state and its grand strategy do make a space for gun rights and pro-gun groups, even with a pro-control Democrat in the White House. It is, therefore, important to explain the state interest—as reflected through the political structure on the domestic level and the grand strategy on the international one—in making and keeping that space.

Indeed,

Despite the flurry of activity, the policy action of the 1990s are not radically different from those in earlier decades, for neither the assault weapons ban nor the Brady Bill constitutes serious un control by the national government. On the surface, not much has changed in the politics of gun control. For many years this policy arena has been characterized by stalemate between an organized, outspoken minority and an ambivalent majority. (Bruce and Wilcox 1998, 4)

The main reason for this continuity, or lack of serious progress in gun regulation, is the U.S. domestic political system:

Our political structure favors policy deadlock by providing numerous mechanisms of obstruction, including allocation of senators by state, bicameral legislatures, separation of powers, presidential vetoes, and weak party structures. Combined with our immense size and diversity, our preference for individual rather than collective perspectives, and our populist fears of elites and institutions, these structural characteristics have left little choice but to embrace an incrementalist model. Because a pluralist system affords determined minorities numerous means for obstructing policy change, advocates of change frequently compromise away key components of the policy in order to move it through the legislative process. Believing that even an ineffectual and symbolic move in the chosen direction will lead to meaningful change allows policy advocates to maintain legitimacy and self-respect and preserves beliefs in the efficacy of the system. (Vizzard 2000, 172)

Failed to become a national policy such as drugs, and despite the existence of 20,000 laws on federal, state and local levels, only three general-policy aims seem to emerge from U.S. gun policy: “1) denying general access to implements of war, denying felons and other high-risk persons access to all firearms, and 3) limiting the carrying of that effective legislation has been limited. The reason is “the strong relationship between the amount of money legislators received from gun rights groups, especially the NRA, and the voting behavior of these legislators.” (Price, Dake, and Thompson 2002, 430) Moreover, “[g]un violence issues rarely played a prominent role in the 2002 elections, as Democrats tended to shy away from the issue in the belief that gun control had hurt Al Gore in the 2000 presidential campaign.” (Curley 2002) This trend continued in the Democratic primaries to the 2004 presidential elections, with candidates moving delicately to the right on gun control (Montgomery 2003).
concealed weapons to licensed persons.” (Vizzard 2000, 176) More broadly, it is not the commerce of guns that is the object of concern, nor its availability, but “specified classes of individuals.” (Vizzard 2000, 176) Progress in gun control or gun rights depends ultimately on the political environment.

Without a change in the political environment, the gun-control issue will remain indefinitely stalemated. Little or no evidence exists that a natural, incremental process will eventually resolve the issue or bring about comprehensive policy. (Vizzard 2000, 178)

**Concluding Remarks**

As political environments do change, it was Vizzard’s own conclusion by the end of the 1990s that any push or shift of the agenda further to the right would energize gun-control movements. So far, with the White House and Congress in the hands of a Republican administration since 2001, the contrary seems to be true. It is, therefore, important to bear in mind the consistent elements of the gun control debate that a more than thirty years scholar of firearms and violence Franklin E. Zimring considers have exercised significant influences on how policy has been selected since 1970. These five elements are: (a) the symbolic dominance, (b) generality of preferences, (c) the free lunch syndrome, (d) the gender gulch, and (e) the centrality of handguns as the subject and object of the controversy. General attitudes about firearms and their regulation are stable over time; this is what he calls the symbolic dominance.

A substantial majority of the public holds pretty strong sentiments for or against gun control as a whole. Because the symbolic aspects dominate orientation toward specific policy proposals, the details of a program have little to do with the level of support or opposition to it. If most opponents of gun control are dominated by general attitudes, the type of control and the type of gun will not explain or predict much opposition. Similarly, if most citizens who favor controls are motivated from a general sentiment, they will be disposed toward support of a wide variety of approaches. (Zimring 2003, 443)
Within this same line of reasoning, public support for any gun control proposal depends on its substantial costs. “Banning” handguns generated active opposition because it was perceived too costly for gun rights defenders, whereas a measure such as increased prison sentences for firearm criminals with no visible cost to most citizens gained support rates as high as 75 percent. The second consistent element, therefore, the generality preferences, refers to the major premise, not the particular program, being at the center of citizen concern: support is toward the general idea of control with the many different proposals, and opposition is to any type of control even to measures like bans on ammunitions labeled ‘cop killer bullets’ that bear the price of great political embarrassment. Because of the high symbolic value of many issues in the gun debate, pro-control forces tend to pick on small and fairly uncontroversial proposals and invest in these programs with the suggestion that their impact on reducing rates of lethal violence would be large.

This tendency to push small policy increments as if they were major programs is what I call the free lunch syndrome, a tendency to couple small operational changes with the full weight of firearm control symbolism. Free lunch rhetoric is good politics without question, but it removes realistic analysis of the impacts of specific control strategies from public discussion. There is nothing wrong with an incremental politics of gun control, but expecting large benefits from small investments is unreasonable. (Zimring 2003, 444-445)

Out of the five consistent elements of the American gun debate, these three enlighten further why in spite of the public support of most gun regulation remaining constant over time, and in spite of the shift of the gun question from cyclical to consistent public priority in the 1990s, the gun control movement in U.S. failed to globalize, and representatives of gun rights, and not those of the control movement, were sitting with Undersecretary of State John Bolton at the 2001 UN conference, as the highest symbol of the projection of domestic values and criteria on the global level. For, ultimately state
action is what counts in internal and external contexts, and “[t]he symbolic politics of guns will play a prominent role in politics at all levels of government.” (Zimring 2003, 452) In other words,

What will improve the gun debate at the top of the policy community is careful attention to the differences between types and intensities of firearm regulation. If experts start avoiding the silly overgeneralizations that come from assuming that all gun regulations were created equal, there is some hope that a more specific and pragmatic approach to reducing the harms of gun violence might trickle down the intellectual food chain to the powerful and powerfully confused citizenry who will shape gun policy in the fast approaching future. (Zimring 2003, 452)

This still leaves us with the issue of symbolism of guns at the foreign and defense policy level of government. The next subsection will deal with this second component of guns and state interest within the context of U.S. post-Cold War Grand Strategy.

Section IV: Just Symbolism, or More? Arms in the Making of U.S. Hegemony

Progress in gun control policy at home in the first half of the 1990s has not been extended to U.S. foreign and security policy agenda. For one thing, the U.S. gun control movement showed little if any interest to be part of a global movement that was shaping in Europe, Africa, Central America and elsewhere.58 For another, successive U.S.

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58 To be honest, neither did the global SALW control movement pay too much attention to the importance of the United States, not only as a supply-side resource for the illegal market, but also as the rising hegemonic country, the social and political context of which would inevitably impact any major international security prospect. The space and scope of this research does not allow extending the debate to this so far neglected albeit crucial aspect of the post-Cold War arms control process; though one can hypothesize the failure from an theoretical analysis perspective as the missing link between mainstream IR Theory and global social movements. Constructivism in general, and Wendt’s Social Theory of International Politics in particular, has opened the way for further research, and, for sure, the securitization framework of Buzan et al. is an important step toward bridging this gap. By focusing on globalization and the transformation of state power, this essay tries to make an effort to refine the conceptual understanding of state and non-state actors linkages in transnational processes such as arms trafficking where the borders of the licit and the illicit are even less clear. The bi-directional failure of U.S. gun control movement and the transnational advocacy to stop SALW proliferation to meet has lead to the unfortunate appearance of
administrations from George Bush, to Bill Clinton and George W Bush showed reluctance, when not direct opposition to any expansion of the international arms control agenda to embrace SALW. Broadly, while the proliferation of WMD rose as the major concern and the U.S. efforts, including coercive diplomacy and cooperative bilateral and multilateral initiatives, gave tangible results from Argentina to South Africa and – especially- the former Soviet republics of Kazakhstan and Ukraine, conventional weapons, and SALW more specifically, remained a secondary concern, or simply were ignored as a serious threat to international security. In other words, the U.S. did not join the Europeans and other industrialized democracies to securitize these weapons on the arms control agenda.

For the conventional armaments, the U.S. approach dismissed the threat of the weapons to concentrate on to whom they were transferred to. There is a conceptual and practical difference between these two approaches. Generally speaking, focusing on the weapons and their global threat leads to a multilateral approach aiming at the creation and enforcement of international regimes; despite the controversies and differences between the United States and its allies with the Bush administration’s decisions to pull out from the ABM treaty, and other unilateral measures, the Group of Eight industrialized nations are firm in there joint efforts to combat WMD proliferation, and an agreement to raise up anti-American rhetoric in this field too, with the potential of further alienating any positive U.S. participation of a tighter international regime of SALW transfers.

It should be noted, however, that the U.S. was not successful in convincing Israel to get rid of its own nuclear arsenal, nor to stop India and Pakistan completing their own programs and joining the club. The optimistic view of what has been achieved in the 1990s for nonproliferation is that it could have been worst than what the situation is today. Yet, the fact remains that the so-called nuclear club in the post-Cold War has been expanded with two newcomers and the “secret” of Israel’s possession of the bomb becoming increasingly public. The reasons of this failure and its consequences go beyond the scope of this research; but the expansion of the nuclear club does not invalidate the hypothesis that WMD were given high priority on the U.S. securitization agenda, and, as explained in this chapter, the linkage WMD-terrorism, first with the Clinton administration and later, with further emphasis, the Bush administration, has become the major security threat.
to $20,000 million over 10 years for this purpose was reached during the July 2002 meeting of the group in Canada ("Larson Praises G-8 Initiative to Combat WMD Proliferation" 07/25/2002). But when the threat is considered a particular government, or a regime, and not the weapons per se, the approach tends to be more unilateral, unstable and politically conflict-prone; unless there is a global consensus about the threat of a particular government, which is the exception rather than the rule.

In this section I focus on the importance of guns, the defense industry and the singularity of the American democracy in the global projection of the U.S. power. Neither guns, or defense industry, and less certain particular aspects of the exercise of democracy in the United States alone explain the global projection of U.S. power. Nevertheless, I make a case of these factors as intervening variables in the making of the U.S. hegemony in the aftermath of WWII, and more specifically since the end of the Cold War. In other words, from a social constructivist perspective it is not only the structural conditions that have pushed for the global expansion of U.S. power, but also a cultural, almost identity, complex factor where guns, defense industry and powerful minority groups’ lobby are closely interconnected. I start making a case of the U.S. approach to arms transfer highlighting the Iraqi example. Next I separately discuss the two mutually enforcing explanations of the U.S. reluctance to expand arms control agenda to conventional weapons and small arms based on the variable of domestic/electoral politics. In my concluding remarks I show how these mutually enforcing explanations are related to the making of the U.S. hegemony.

_Ban Not the Gun, but the (Rogue) Owner_
The Iraqi example is illustrative to show the U.S. approach to international arms control related to conventional weapons. Though the Saddam Hussein regime was accused of pursuing plans for the acquisition of WMD, hence framed as a major threat, any transaction of conventional weapons transfer to Baghdad was also condemned. Months before OIF, and within the proper logic of the coercive diplomacy to isolate Iraq, the United States denounced publicly all weapon transfer to Baghdad. As it became clear from information released in the press, in spite of the UN embargo, illicit transfers of arms to the Iraqi regime were common. Belarus, Ukraine, Bulgaria, Serbia, and Bosnia in spite of their good relations with the United States and aspiration to join NATO, provided Saddam Hussein antiaircraft missile training, radar units, armored vehicles and tank engines, lessons in missile technology, spare jet parts and rocket propellant (Williams and Wood 2002). As reported, no trace of WMD technology was found, yet all the countries became under severe U.S. scrutiny, and though those who were on the NATO track were not removed, severe warnings were issued –especially to the Yugoslav federal government- by Americans and Europeans alike, such as High Representative Paddy Ashdown’s to Belgrade asked to choose between “Brussels and Baghdad.” (Moore 2002)

For the approving of ‘Kolchuga’ early warning systems clandestine transfer to Iraq in July 2000 by president Leonid Kuchma, the U.S. suspended some of its aid to Ukraine in September 2002, when the Bush administration concluded that the recording by the former Ukrainian presidential bodyguard, Mykola Melnychenko, was authentic (“U.S. Suspends Some Aid to Ukraine Over Kolchuga Sale to Iraq” 2002). The problem is that, as American officials in Baghdad revealed later, even American businesses and
individuals—“at least 30”—were involved in third party arms transfers to Baghdad (Lichtblau 2003b).

The Iraqi example reveals (a) the existence of a global arms bazaar; and (b) the importance of tightening international control on arms transfers. Unfortunately, however, whereas post-Cold War U.S. approach of international control with respect of WMD developed a multilateral consensus and universal norms-based regime creation trend where the threat of the weapons are at the center of the attention, when it comes to conventional armaments, and SALW in particular, the focus was on the threat that rogue regimes posed, not the weapons themselves. True, the WMD potential threat of destruction is far greater than that of conventional armaments, yet, as it has been showed several times in this essay, conventional armaments and SALW caused far more damage than WMD since 1945. If until the end of Cold War the balance-of-power concerns made “normal” arms transfers and proxy wars—albeit short-sited as the potential terrorist threat of the missing Stinger missiles that the Reagan administration forwarded to Afghan Mujahideen in the 1980s illustrates clearly—, the need for global stability in the post-Cold War makes the expansion of arms control to conventional armaments and SALW an arguably rational policy. In absence of a multilateral effort to create and enforce an expanded regime of arms control, all other initiatives, especially the processes of disarming combatant fractions after a conflict, would have limited impacts and short duration.60

60 Weapon collection and destruction programs became common in the post-Cold War. The United States, where gun buy-backs are common, did take part of these efforts along with other industrialized nations, investing both know-how and economic contribution (Faltas, McDonald, and Waszink 2001). The efforts to disarm, demobilize and reintegrate former combatants, along with destroying collected weapons are an integrated part of peace-building and peace-keeping efforts from Africa, to Central America, the Balkans and East Asia. Yet, while these efforts are without any doubt positive, even in post-conflict societies the potential demand for SALW, mostly for criminal purposes, remains high. An extended survey of the
The Power of the Faction: U.S. Foreign Policy in Times of a Jacksonian Government

There are two mutually enforcing explanations of the U.S. reluctance to expand the arms control agenda to conventional weapons and small arms. The first one is the impact that small, single-minded, and well-organized interest groups have on American political decision-making in domestic and foreign policy. Fareed Zakaria labels these groups as “factions,” and illustrates his view with the example of U.S. policy toward Cuba:

Anti-Castro Cuban Americans have controlled the issue because they are more determined about it than anyone else and live in two electorally significant states, Florida and New Jersey. Although a majority of Americans may have a different opinion, only Cuban Americans organize, donate, and vote on it. Thus a handful of Americans in two states have been able to dictate American foreign policy. As with other issues on which a vocal minority overwhelms a silent majority, the cost to the public interest is small. But it adds up. (Zakaria 2003, 179)

It is the dominance of a Jacksonian view of government repudiating “the Federalists’ model of government by gentlemen, but also the idea of government as an autonomous realm above party and interests.” (Judis 2000, 27) The Jacksonians replaced the Federalist model with a “spoils system,” in virtue of which governance is assured by loyalists of the victorious party. Though the “spoils system” did not survive the Pendleton Act of 1883, “the basic Jacksonian view of government has endured in the conservative rejection of government and in the popular distrust of experts and civil servants –who were given the title of ‘bureaucrats’.” (Judis 2000, 28) The Progressive Era first, the New Deal then, and finally the 1960s in the twentieth century made of the initially elitist view

initiative to demobilize the Kosovo Liberation Army concludes that the threat of SALW is ever present, and that the issue has not gained the attention it deserves (Heinemann-Grüder, and Paes 2001). The “gun culture” continues to be a challenge is Kosovo (Farnam 2003) and Afghanistan (Morris 2003), long after the conflict is over, undermining lasting stabilization.
of government by The Federalist a liberal and progressive concept, whereas the
Jacksonian heritage made its way to the conservative ethics.

The republican view of government as the repository of elite values was, of
course, the ideology of the antidemocratic Federalists, but in the twentieth century, it
became, ironically, the rallying cry for progressives and liberals who wanted government
to throw its weight behind the public and behind labor and consumer to balance the power
of the great corporations. It was seen as integral to maintaining rather than subverting
democratic pluralism. By contrast, the referee theory of government became the
instrument of a more conservative pluralism that sought to insure the supremacy of
business over other interest groups. (Judis 2000, 29)

During the first Clinton administration –when, actually, progress on gun
legislation was made- there were hopes of new reform era comparable to those of the
beginning of the twentieth century and the Roosevelt administration.

Sadly, these were delusions of grandeur. There were striking similarities between the
economic, social, and diplomatic conditions of the early 1900s and the 1990s, but there
were equally striking differences between the way Americans of each era responded to
those conditions.

The two periods faced similar far-reaching challenges. In the 1890s, America
emerged as a global power amid a world being divided up by European imperialism. It
had to replace an obsolete model of American diplomacy that went back to Washington’s
Farewell Address. In the 1990s the nation has yet to adjust to a post-Cold War world
lacking in immediate military threats, but fraught with unstable international economic
arrangements and driven by ethnic and national conflicts that had been submerged during
the Cold War. (Judis 2000, 227)

Much in contrast with the democratic reforms in the Progressive Era, the New Deal and
the 1960s, the 1990s were an era of caution for the liberals despite all their good
intentions. With the booming economy, unemployment below the 5 percent rate, the
United States knew an exceptional decade of prosperity when the economy finally
recovered from the 1991 recession.

Some American leaders had difficulty adjusting to the prosperity of the late
1990s. They were overcome by caution. But the main reason for failure was that the
political system was dysfunctional. It continued to be dominated by lobbyists and
irresponsible elites backed by conservative Republicans. Their presence on Washington’s
K Street discouraged reform and discouraged active public participation in politics. As a
result, while the economy hurtled forward, political America sleepwalked into the next
century. (Judis 2000, 229)
Within this changed context of the American political structure and a general mood of voters with a lack of interests or involvement in political affairs\textsuperscript{61} reflecting “in part a certain complacency born from economic recovery, but … equally, if not more, driven by cynicism about government and democracy,” (Judis 2000, 234) NRA’s electoral power acquired increasing impact on domestic as well as foreign policy decision making.

There are many parallels between the impact of the gun lobby on political decision-making and that of the tobacco industry, including the common characteristic of being goods that are exempt from the overseeing of the Consumer Product Safety Commission. Winning a long battle for tobacco sales’ regulations gave hope to the gun control movement to apply the same procedures in suing arms manufacturers. Thus, when Washington showed reluctance to regulate guns, gun-control advocates went to the courts, just as the anti-tobacco activists launched a $249 billion suit against the tobacco industry during the second Clinton administration. When former Assistant General Counsel for the NRA Robert Ricker decided to blow the whistle and testify against the gun industry publicly exposing some well-guarded secrets that would help the lawsuits, many thought about Michael Mann’s 1999 movie, \textit{The Insider}, in which a former tobacco industry scientist reveals the inclusion of addictive ingredients in cigarettes. Among the declarations that Robert Ricker made on February 2003 are: the wide knowledge within the industry about straw purchases supplying arms to the criminal market; the industry also knew for a long time that gun traffickers often acquire firearms through multiple or large-volume purchases from licensed dealers, but has decided not to monitor or question such sales; and firearm manufacturers and distributors have long known that the current

\textsuperscript{61} “In 1970, 52.8 percent thought it was important to ‘keep up to date with political affairs.’ By 1997 only 30 percent did.” (Judis 2000, 234)

Blowing the whistle, however, did not stop the Bush administration push forward the changes on gun regulations discussed above. There is yet another similarity of the impact on the decision-making between the gun lobby and the tobacco industry. The international campaign to regulate tobacco sales led to the drafting of an international treaty on tobacco controls on October 2002. The United States, along with Germany, objected the ban on tobacco ads arguing that such a move would violate the First Amendment. The real reason, however, was world’s largest Phillip Morris’ concern with the ban, which would restrict its expansion to the developing world, the only attractive market for cigarettes. World largest tobacco company, on the other hand, has become one of the largest donors of the Republican Party since 1989, with no less than $14.3 million of contribution. Press reports about the reluctance of the Bush administration to sign the treaty without several modification underlined that for the 2002 legislative campaign, Phillip Morris gave $2.7 million to the Republicans, compared with $538,000 to the Democrats (Lazarus 2002). The United States ended up joining the 191 nations at the World Health Organization meeting in Geneva, Switzerland, on May 21, 2003, and signed the Framework Convention on Tobacco Control (“U.S. Reverses Course on Key Tobacco Treaty” 6/9/2003). No matter what the reasons behind the U.S. decision, tobacco is politically a far less complicated issue than guns: “Few politicians outside the Carolinas and Virginia were prepared to defend the tobacco business. Guns, however, are much more popular with politicians of both parties.” (“From the Hip” 2002, 30-34)
The impact of the gun lobby on the decision-making process also reflects a deep trend in U.S. political structure, which Fareed Zakaria characterizes as “the suicide of the elites.” Though Americans never liked to talk about elites, the small percentage of the country that actually runs most of the institutions has always existed.

The old elites were a closed circle, based on bloodlines, birth, and ethnicity. The new system is more democratic, with people rising to the top because of money, brains, or celebrity—all in all, a much better and more open process of selection. Another great difference, however, is that the old elites were more socially responsible in part because they were utterly secure in their status. The new ones operate in a far more open and competitive world. CEOs of major companies today wield enormous power but feel insecure, pressed on all sides, and forced constantly to survive, stay ahead, and bolster the bottom line. Their interests are not wide-ranging but narrow; their horizon not long term but tomorrow. In sum, they do not think or act like elites, which is unfortunate, because they still are. (Zakaria 2003, 228)

A clear sign of the shift is the way elites become involved in causes they support:

Today, when elites involve themselves in issues it is entirely from a partisan perspective, often one related to some issue that affects them. Almost every institute and think-tank created in the past thirty years is deeply ideological. This was partly the result of a concerted effort by American conservatives to create a “counter-establishment” to the one epitomized by the Brookings Institution and the Council on Foreign Relations, which they believed—legitimately—had drifted leftward in the 1960s and 1970s. But rather than rectifying this tilt by creating more independent institutions, conservatives decided to create ones that pushed their own partisan line. (Zakaria 2003, 229-230)

As a result, public policy making in Washington over the last thirty years “has undergone a dramatic shift, with a steep rise in aggressive advocacy in support of narrow interests, whether by intellectuals or by lobbyists. Instead of seeking—even as a goal—to go beyond pure partisanship, Washington’s new elites simply use it to their advantage.” (Zakaria 2003, 230-231)

The Defense Industry, The Private Enterprise, and the Rise of the U.S. as the Only Superpower

The second explanation of the U.S. reluctance to expand the arms control agenda to conventional weapons follows the same analytical line of a domestic issue defining a
foreign and security agenda item, yet it comes from a Neorealist perspective. The reason why domestic issues could make their way on the foreign and security agenda more easily from the 1990s on is the absence of international structural constrictions. As Kenneth Waltz explains:

Emphasizing the effect of international conditions on states’ behavior leaves open the question of how much difference is made by the internal disposition of states and how much by the structure of international politics. Obviously states matter and international conditions matter, but which matters more? The answer varies with conditions. Some international structures constrict actors more than others do. Anyone who had not noticed this could hardly fail to see it as the world moved from bipolarity to unipolarity. In a bipolar world, two states check and balance each other. In a unipolar world, checks on the behavior of the one great power drop drastically. Unipolarity weakens structural constraints, enlarges the field of action of the remaining great power, and heightens the importance of its internal qualities. (Waltz 2003)

Thus, to a well-organized, single-minded and highly effective gun lobby’s efforts at home to make of guns an American exceptionalism corresponds a unipolar international structure, which put lesser constraints on following a foreign and security policy where domestic concerns gain increasing importance. The reluctance of the Clinton administration to join international efforts to expand the arms control agenda to SALW and the negative of the Bush administration to consider the issue except when strictly limited as a matter of illegal transfer and not tighter regulation of legal transfers follow the logic that the Slovenian intellectual Slavoj Zizek labels as “acting global, thinking local.” (Zizek 2003)

Yet, this still leaves us with the question of why guns are an issue that are more resisted than any other to be controlled multilaterally. The domestic/electoral and corporate interests perspective does not explain it fully. After all, the same could be said for the tobacco industry, or the agricultural subsidies, and in both cases systemic pressures weighted much more than domestic lobbying efforts. Only by considering the
importance of arms and military industry in the rise of the United States at first the superpower status, then to the hegemonic position after the fall of the Soviet Union can we understand fully why arms control policy was in fact limited in the 1990s and probably will stay so until either domestic or international structural changes take place.

According to Aaron L. Friedberg, it is only after 1945 that the American armed forces come to rely on private entities to design, develop and build their weapons. Private enterprises have always been more efficient than public ones, yet until WWII the U.S. military had taken care to maintain high degree of self-reliance and turned to commercial suppliers for a significant fraction of their weapons only in wartime. Moreover, the privatization of American arms production is a post-war phenomenon. Part of the explanation lies in the strong anti-statist sentiments in the 1940s and 1950s, within a highly ideological climate of discrediting anything reminding socialism.

Popular attitudes on the specific issue of arms production mirrored these more general intellectual trends. In the 1920s and 1930s, commercial munitions manufacturers had been widely reviled as “merchants of death,” whose greedy machinations helped drag the nation into an unnecessary and ultimately fruitless war. Between the wars, widespread suspicion of industry’s motives and fear of its presumed hidden power worked to the benefit of the government-controlled arsenals and shipyards.

The conduct and conclusion of the Second World War, by contrast, cast the private arms makers in a far more favorable light. American industry could now style itself as the “arsenal of democracy,” and the prodigious flood of weapons that it produced was widely credited with having saved the world from fascism. On the other hand, the military ordnance bureaus were subject to criticism for having failed to keep pace with advances in technology before the start of the war and, at least in its early stages, for having sent American men into battle with inferior to those of their opponents. (Friedberg 2000, 248)

To the ideologically political climate and the shift of public perception ought to be added Congress’ role as a powerful proponent of private arms production based on reasons of political principle, as well as of practicality. As a result, “the story of the first fifteen years of the Cold War is basically one of convergence toward the norm of privatization.” (Friedberg 2000, 249-250) This, of course, could well be an analysis of
why the military-industrial complex was formed. Yet, Friedberg’s thesis is a different one. He is supportive of the anti-statist approach of arms acquisition because he considers that private business has been less costly and more innovative in arms production than what this later would have been had the American armed forces, in the wake of the Second World War, reverted to their traditional peacetime practice of building most of the weapons they needed in federally owned ad operated arsenals and shipyards. He is right in stating that it is not the arms industry that started the Cold War, and “big American defense firms probably played as small a role in perpetuating the Cold War as they did in starting it.” (Friedberg 2000, 295) Moreover, as experiences other than the American have shown, “it is hard to believe that a large, deeply entrenched public bureaucracy with nowhere to go but out of business would have been a less effective opponent of peace.” (Friedberg 2000, 295) The international structure, therefore, is an independent factor in U.S. arms production and transfer policy.

For Friedberg, the defense industry played a crucial role in shaping the U.S. grand strategy during the Cold War, and helped winning it. Andrew Bacevich sees a continuity of the importance of arms and arms transfers in U.S. Cold War Grand Strategy.62 The much-publicized speech of president Clinton’s national security advisor, Anthony Lake, about ‘engagement and enlargement’ at Johns Hopkins University on September 21, 1993, identified several large ‘facts’ shaping the Clinton administration’s worldview.

First, freedom had prevailed. As a consequence, democracy and “market economics” (Lake resolutely avoided the term capitalism) were on the march. Second, the United States had emerged without questions as the world’s dominant power, economically and militarily and as the model of a “dynamic, multiethnic society.” Third, the information

62 In fact, American Empire sustains that the U.S. grand strategy has been pro-active, and not reactive, ever since 1898. The common wisdom that the United States—unlike other nations—achieved preeminence simply as an unintended consequence of actions taken either in self-defense or on behalf of others is just a “myth,” which survived the Cold War era “less because it is true than because it is useful.” (Bacevich 2002, 8)
revolution was accelerating the pace of global exchange. One notable result of that revolution was to create “new and diverse ways for us to exert out influence.” (Bacevich 2002, 98-99)

Put in other words, the spread of democratic capitalism is inevitable and the process would be frustrated unless the United States exercised leadership commensurate with its position. U.S. leadership, on the other hand, is not meant to be a crusade in pursuing grandiose ideals, or a revival of Wilsonianism, but to serve concrete national interests. The end of the twentieth century left no causes, mostly bad ones, for which men slaughtered one another with unprecedented ferocity. Under U.S. leadership, globalization would combine with the widening democratic capitalist nations and cooperative economic interaction will replace antagonistic political competition.

And should that cooperation on occasion break down, the United States would retain the prerogative of setting things right. Absent from Lake’s presentation was any reference to two goals that had long been at the center of the liberal internationalist agenda: worldwide disarmament and the creation of an effective global collective security organization. Both had figured prominently among Wilson’s famous Fourteen Points. Both had regularly received lip service from U.S. administrations ever since. Neither figured in Lake’s strategy of enlargement. It was not difficult to see why: to pursue disarmament would forfeit the ultimate expression of American authority. Similarly, to revert to the original conception of the United Nations would necessarily diminish American freedom of action. Lake could not say so directly, but his strategy of enlargement required that the United States retain its position of unquestioned military superiority and its ability to act unilaterally. They were essential to expanding and perpetuating the Pax Americana, which was the strategy’s unspoken purpose. (Bacevich 2002, 100-101)

Long before September 11 and the Bush Doctrine of preemption, military intervention was and remained central for U.S. grand strategy. It sometimes was done directly, others through proxies, and most of the times through a combination of both. Arms transfer, therefore, continued to play a crucial role in U.S. grand strategy from the Balkans to Africa, the Middle East, Central Asia, and Latin America, no matter how inherently ambiguous and controversial, and how its short-term benefits engender long-
term threats and costs. One clear example is the role that the Pentagon played in the Balkans, in early 1990s. As the Appendix II of the official Dutch inquiry into the 1995 Srebrenica massacre—“Intelligence and the War in Bosnia, 1992-1995” by professor Cees Wiebes of Amsterdam University—revealed, a secret alliance between the Pentagon and the radical Islamic groups made possible a vast secret conduit of weapons smuggling through Croatia, which was arranged by the clandestine agencies of the U.S., Turkey and Iran, together with Islamic militant groups, including the Afghan Mujahedeen and the Lebanese Hizbullah.

Light weapons are the familiar currency of secret services seeking to influence such conflicts. The volume of weapons flown into Croatia was enormous, partly because of a steep Croatian “transit tax.” Croatian forces creamed off between 20% and 50% of the arms. The report stresses that this entire trade was illicit. The Croats themselves also obtained massive quantities of illegal weapons from Germany, Belgium and Argentina—again in contravention of the U.N. arms embargo. The German secret services were fully aware of the trades.

Rather than the CIA, the Pentagon’s own secret service was the hidden force behind these operations. The U.N. protection force, UNPROFOR, was dependent on its troop-contributing nations for intelligence, and above all on the sophisticated monitoring capabilities of the U.S. to police the arms embargo. This gave the Pentagon the ability to manipulate the embargo at will: ensuring that American Awacs aircraft covered crucial areas and were able to turn a blind eye to the frequent nighttime comings and goings at Tuzla. (Aldrich 2002)

Almost a decade later, Bosnia-Herzegovina turned out to be involved in secret arms transfer to the Saddam Hussein regime of Iraq. Though many more countries were involved in the same scandal, the Bosnian case was of particular concern for the U.S.

For Bosnia-Herzegovina, however, the connections with Iraq and other Islamic extremists appear more recent and might end up being much more substantial—and therefore of greater concern to the United States and its allies.

These concerns, fed by a vibrant secret arms trade and the presence of Islamic radicals in Muslim parts of Bosnia, could lead Washington to view the government in Sarajevo with increasing wariness. (“Arms Scandals Could Affect U.S. Position on Bosnian Muslims” 2002)

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63 Available at www.srebrenica.nl
After September 11, the inherent controversy of U.S. arms transfer policy has become even clearer, marking continuity with the existing trend. While on federal and state levels new anti-terrorism bills were passed, firearms and forearms rights remained the big exception. “Attorney General John Ashcroft has said he is prepared to use every means available to track down and confine potential terrorists –but not, it appears, the proceeds of background checks that would help determine whether people detained in the government’s anti-terrorism investigation had ever bought guns,” wrote the Washington Post editorial on December 8, 2001, referring to the denied permission to the FBI to use the background checks to see if detainees had bought guns in the country (“When Terrorists Bear Arms” 2001). The anti-terrorism bill passed in the Washington state House of the Representatives excluded an amendment including firearms as weapons of mass destruction to the original proposal by Gov. Gary Locke and state Attorney General Christine Gregoire, who called for the creation of six new terrorism-related crimes, including possession of a weapon of mass destruction, making terrorist threats, and providing material support to terrorists (“Firearms excluded from Washington Anti-Terrorism Bill” 2003).

The gun industry, on the other hand, was quick to jump in, and use the September 11 terrorist attacks to sell weapons. As denounced by the Gun Industry Watch group, Beretta started selling the “United We Stand” pistol with a percentage of proceeds to go to victims of the attacks; Ithaca Gun started selling a “Homeland Security” model rifle, claiming that it is “up to the demanding tasks, which lay before us as a nation;” and the Tromix gun manufacturers publicized a 50 caliber rifle nicknamed “Turban Chaser” (“Gun Industry Uses Sept 11 to Sell Weapons” Press Release 2001). In fact, gun
manufacturers, or the defense industry in general, were motivated by the war on terrorism that the Bush administration launched after September 11. Defense spending for FY 2002 totaled $343.2 billion, a $32.6 billion increase above 2001 levels. It constituted nearly half of the total military spending in the world in 2002, which neared $794 billion - a 6 percent increase since 1998 representing 25% of world GDP (“La lupa del terrorismo” 2003). The long-term plans envisioning an increase of the U.S. defense budget to $469 billion in FY 2007 –11% higher than the Cold War average - reflects the funding of “two military strategies at once, one for the Cold War and one for the future.” (Ciarrocca 2002)

No wonder, then, that arms manufacturers would be highly motivated. “The big boost in the defense budget is good news for major Pentagon contractors, who were among the few companies to show increases in their stock prices when the market reopened after the September 11 attacks.” (Ciarrocca 2002) The Bush administration’s new policy of unrestricted arms sales and military assistance to countries willing to join the war on terrorism will, experts say, trigger a new arms race with its expected potential blowbacks. According to Natalie Goldring, “We are already facing the possibility that the Taliban will use our own weapons against us, and we think the answer is: transfer more weapons to this region, with less oversight?” (Deen 2001)

Concluding Remarks

“Americans like to think of domestic politics and foreign policy as two distinct topics, kept in separate boxes,” writes Bacevich. “People abroad are not quite so naïve. They take it for granted that American statecraft grows out of domestic imperatives – indeed, that the two are inextricably linked.” (Bacevich 2003a) This link is obvious when focusing on interest groups lobbying in Washington (“Paying the Price How Tobacco,
Gun, Gambling, & Alcohol Interests Block Common Sense Solutions to Some of the Nation’s Most Urgent Problems” 2000). From this analytical perspective, the domestic/international link in the case of firearms is not too different: in 1997, arms companies spent a total of $2,484,632 in contributions to both Republicans and Democrats; the amount of Pentagon contracts that same year was of $54.195 billion (“Military-Industrial Complex Revisited: How Weapons Makers are Shaping U.S. Foreign and Military Policies” 2000). Another empirical sustain to this perspective is the ties that sponsors of gun rights bills in general have with the arms industry (“Sponsor of Gun-Immunity Bill Has Ties to Gunmaker” 2003).

Yet, guns are not similar to any other product. The political structure, including the decision-making process in domestic and foreign policies, in this case has an inherent security dimension. Hence the need to broaden the analytical perspective to determine the impact of domestic factors on U.S. policy of arms control. In other words, what is the politics of securitization of arms control? The question, of course, is relevant only to conventional weapons and small arms, for which, as extensively analyzed so far, the free-market perspective became predominant in the post-Cold War. As the U.S. reluctance to expand the international arms control agenda to conventional weapons in general and SALW in particular excluded the illegal trade, it makes sense to start with the licit/illicit linkage in firearms transfers and see how this linkage is connected to the domestic/international linkage. The fact is that in the case of firearms, the distinction of licit transactions from illicit ones is much more confuse than in the case of, for example, drugs. For one thing, it is not possible to distinguish readily between conflict and
violence and criminality: networks that distribute weapons to “combatants” do the same to “criminals,” for they are concerned with profit rather than end use.

The vast majority of firearms recovered in crime were at one time legally owned. Consequently, the interplay between licit and illicit markets coupled with the durability of firearms and uneven national regulatory standards results in very different market dynamics. This interplay also illustrates the need for multi-faceted intervention strategies. Finally, while effective crime prevention rests on addressing root causes of violence—the demand of weapons, if you will—there are also opportunities to reduce the lethality of violence by restricting access to firearms. (Cukier 2001, 10)

In this conceptual linkage of the licit and the illicit in firearms transfer appears the domestic/international factor:

Because almost all weapons start their lifecycle legally, we have to focus on regulating the legal production and the trade. But we have to start at the national level. Governments need to tighten their home legislation, implement and enforce it. We also need more transparency about the legal trade in small arms. Decades of secrecy have created an information gap. Even major senior officials in government do not know all about small arms in their own country. Without adequate information we cannot build a clear picture of the nature of the illicit market, let alone begin to tackle it. (Batchelor 2003)

Illegal production of weapons is very rare. Massive illegal production of guns, as is the production of drugs, is almost impossible. The black market of guns is originated from the legal market. Hence, lesser regulation and law enforcement in legal markets—the so-called ‘loopholes’ in U.S. gun legislation—creates more opportunities for illegal transfers. This is mostly true in the United States, where more than 100,000 are licensed by the BATF to sell firearms in the country.

Theoretically, the bureau inspects them all to make sure they properly document every sale. Each violation can earn a dealer as much as a year in prison. In practice, the bureau has only a few thousand agents to police those dealers, and prosecutions are rare. (Skolnik 2002)

Add to it is the dealers’ willingness to sell to anyone without checking if the purchase is a “straw” one (Kessler and Hill 2004). Understandably, therefore, the U.S. especially
states with loose gun laws- has become a major international supplier of weapons (Bergman and Reynolds 2002; Eggen and Farah 2003).

Domestic impediments to arms control existed as early as the topic made its place on the international agenda. Advocates of arms control should address not only the usefulness, but also the feasibility of any agreement. In the formative years of 1958-1961, three substantive questions troubled theorists and policymakers: “1) Could arms control be accepted as an instrument of security policy with a role to play in helping to address important security problems? 2) Would it be possible to monitor compliance with arms control treaties? 3) Would the Soviet Union be willing to play a constructive role in arms control negotiations?” (Miller 1984, 73) In subsequent years, all these questions met with affirmative answers. Yet, by 1984, despite the achievements, arms control diplomacy left also disappointing aspects, in particular: failures have been as numerous as successes; the impact of arms control has been modest compared to the efforts invested in it; and the failures have gone far toward discrediting arms control, as the efforts did not bring the arms competition under some form of limitation. As for the question of what went wrong, a “major part of the answer lies in the ability of internal politics to shape and limit the results of arms negotiations.” (Miller 1984, 79) The disappointing results of arms control, therefore,

… seem to be a consequence of the effects of an imposing set of political impediments: policy formulation, the ratification process, electoral politics, congressional politics, bureaucratic politics, public opinion, even international politics have to be aligned properly or managed effectively if arms control is to be pursued successfully. And it is not enough to have only some pieces of the puzzle in place … Hence, arms control progress requires that all the internal political factors be brought into positive alignment; any agreement will have to run the gauntlet of these political impediments. (Miller 1984, 88-89)
Conceptually, arms control negotiations, as any other negotiation, follow the logic of ‘two-level games’ developed by Robert D. Putnam:

The politics of many international negotiations can usefully be conceived as a two-level game. At the national level, domestic groups pursue their interests by pressuring the government to adopt favorable policies, and politicians seek power by constructing coalitions among those groups. At the international level, national governments seek to maximize their own ability to satisfy domestic pressures, while maximizing the adverse consequences of foreign developments. Neither of the two games can be ignored by central decision-makers, so long as their countries remain interdependent, yet sovereign. (Putnam 1988, 434)

Yet, the field of arms control –and security in general- has not been immune from the impact of globalization, which “by reshaping the structural context of rational choice itself … transforms the ways that the basic rules of the game work in politics and international relations and alters the increasingly complex payoff matrices faced by actors in rationally evaluating their options.” (Cerny 1995, 595-596) The two-level game remains very much a state-centered framework, whereas the new circuits of power that emerged with globalization “have not merely challenged the state but instead overlap with it, cut across it, and fragment it.” (Cerny 1995, 607-608) It is difficult to explain the expansion of international arms control agenda to conventional weapons, including landmines and small arms, without the independent variable of transnational movements and grassroots organizations, which if ever can be fitted in the two-level game framework then the framework itself needs to be expanded.

If, therefore, following Jennifer E. Sims, four domestic factors -“strategic culture; the political and legal institutions for negotiating, concluding, and sustaining arms control agreements; prevailing economic and technological conditions; and the role of public opinion, particularly key interest groups” (Sims 2002, 56)- are of the greatest importance for arms control, then in order to understand how they interplayed with U.S.
grand strategy in the post-Cold War to produce the policy of arms control, we need to see the impact of globalization on these factors.

**Conclusion: About “The Poor Regulation of Supply”**

Considering the end of the Cold War a watershed event, we take it as a starting point for a new era during which states experienced challenges and transformations both internally and externally. This holds true especially for security matters: with the end of bipolar confrontation, globalization brought new threats; security policies, therefore, including arms transfer, had to be redefined both conceptually and practically. Because of the dominant position the United States reached in the unipolar world, much of how future trends in arms control and transfer would be shaped depended upon Washington’s policies. The securitization of international arms transfer in the post-Cold War, therefore, involved the interplay of U.S. domestic and international policies, involving a complex pattern of state and society interaction. Considering that in “twentieth-century America, the growth of government power and of civil society occurred in tandem rather than in opposition to each other,” (Judis 2000, 249) comparing this state/society interaction in the context of globalization with other countries, allows a better understanding of the post-Cold War global pattern of arms transfer. Sims points to a paradox typical to arms control in the post-World War II era:

The intensity of America’s fascination with arms control is explained part by the public’s mid-century discovery of nuclear fear. Yet in a polity gripped with nuclear fear, what kind of logic permitted decades of arms control accompanied by exponential growth, diversification, and proliferation of weapons arsenals? How have domestic forces contributed to a process at once both morally compelling and yet arcane and seemingly inconsequential in its outcomes? How has the U.S. public “done” arms control, and why have they done it for so long? (Sims 2002, 60)

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64 “Small arms are made easily available in large part because of the poor regulation of supply” (The Terror Trade Times 06/2001. Selling Out Human Rights. At www.amnesty.org)
Combining Sims’ proposed domestic factors - strategic culture; institutions; economic and technological conditions; and the role of public opinion- with the foreign policy analysis framework, we can compare the post-Cold War U.S. arms control policy with other nations, and understand better the predominant pattern.

To start with, “U.S. strategic culture rests on a mix of scientific rationalism, political realism, and unilateral preferences – albeit often tied to concepts of U.S.-led internationalism.” (Sims 2002, 60) Closely related to unilateralism is the faith in U.S. exceptionalism “based on confidence in the advantages of free enterprise and the American work ethic.” (Sims 2002, 61) If Soviet competition during the Cold War was a serious challenge to U.S. unilateralism and faith in exceptionalism, then with that competition simply disappearing in the 1990s, the U.S. strategic culture gains further importance as a factor shaping Washington’s arms control policy. This, in turn, explains why, indeed, the arms trade very paradoxically became a “security exception” – exempted from WTO rules in that the government is allowed to protect the national defense industry, yet requires no international oversight to promote it (Staples and Pemberton 2000). This paradox appears also in the way Joel Johnson, a lobbyist for arms industry, sees the U.S. should take a leading role in promoting multilateral controls:

Currently the U.S is not engaged in an ongoing export-controls negotiation being conducted among the world’s other arms manufacturing heavyweights: Germany, Great Britain, France, Sweden, Italy, and Spain. Johnson thinks the U.S. should more enthusiastically join such negotiations, partly, he admits, so U.S. manufacturers don’t end up out of specific markets altogether.

Ultimately, though, Johnson believes the U.S. can continue to go it alone and establish its own code of conduct. He’s not convinced European nations set higher standards than the U.S. and wonders how long their commitments on paper survive in the messier reality of the arms market. (Clarke 2002)

The system of checks and balances, which characterizes the U.S. institutional setting, while certainly providing, at least theoretically, a greater degree of transparency
and consensus-building in the process of governmental decision-making, can also successfully block any initiatives. As shown previously in this chapter, what constitutes ‘state interest’ heavily depends upon electoral politics and the ability of issue-minded groups to make a case of their claim.

The 1990s were also characterized with exceptional economic growth and technological advance; the defense industry and arms manufacturers have not been an exception, and U.S. weapons from “smart bombs” down to increasingly lethal and small handguns had their share of admiration as symbols of the American power. Additionally, whereas the defense industry and gun manufacturers has been engaged in lobbying efforts and established close tight with single-minded activist groups, pro-control groups did not enjoy such a wide financial support from business. Research or community activist grants for pro-control groups come through official assignations, foundations, or special contributions. While it would not be correct to downplay the input that, for example, the Soros Foundation had made, hardly would the relation between pro-control groups and their founders come close to the corporate interests characterizing the military procurement industry with an annual business of approximately $800 billion.

As for public interest, citizens’ engagement in arms control and its impact on a particular issue “is primarily felt through activists and interest groups, many of whom have informal ties to government.” (Sims 2002, 70) Again, much depends on how efficiently is organized a lobbying group, for no matter the quality of intellectual input about a given issue, it is the ability to make out of it a political interest. This became particularly true in the 1990s, when “there was no shortage of brilliant social scientists and journalists, but the political journals lost their focus on larger questions, and the
Sims considers that the United States is moving into an era in which domestic factors will shape arms control in new ways. “Three of the more salient trends include the new dominance of the U.S. unilateralist impulse; the revolution in information, biogenetic, and manufacturing technologies; and the rise of the law enforcement community in the national security establishment.” (Sims 2002, 72) The new U.S. unilateralist impulse is due to the fact that the international institutions Washington helped creating after World War II “have developed independence from U.S. control.” (Sims 2002, 72) As technology advances, the dual use of consumer products becomes inseparable from the threat of the weapons themselves. “Arms control efforts to constrain the threat will be dealing with capabilities that are, more than ever before, tied to concepts of public good as opposed to militarism. And monitoring efforts will involve civilian industries, not only defense-related one.” (Sims 2002, 73) Finally, and precisely because of the increase in trafficking of dual-use technologies, arms control initiatives “will require the active involvement of federal law enforcement agencies.” (Sims 2002, 74) For some analysts, however, the reverse trend—the increasing involvement of the military in civilian affairs—is true, either because of the widening “gap” in civil-military relations (Feaver and Kohn 2004), or because of the policing functions the U.S. military are assuming since the war on drugs, but increasingly in patrolling the borders, the war on terrorism, and controlling social disturbances (Kraska 2001, chapters 1, 3, 5, 6). In any case, conventional arms transfer—an example of which is the provision of police forces with military surpluses including automatic rifles and armored personal carriers in the
home front, as well abroad- is likely to remain free from constrains imposed by control agendas.

Regarding foreign policy analysis as a distinct area of inquiry, it is useful for the conceptual study of arms control and arms transfer policies and trends because it “connects the study of international relations (the way states relate to each other in international politics) with the study of domestic politics (the functioning of governments and the relationships among individuals, groups, and governments) … Thus, the study of foreign policy serves as a bridge by analyzing the impact of both external and internal politics on states’ relations with each other.” (Kaarbo, Lantis, and Beasley 2002, 2-3)

In the past, the distinction between foreign and domestic policy was easier to make than it is in the Era of Globalization; yet the lines are not completely blurred, and a distinction is still useful. Comparative foreign policy allows to discover similarities and differences across foreign policies; the methodology involves comparing multiple factors that can be grouped in two broad categories: those dealing with factors inside the state, and those dealing with factors outside the state.

The first category points to the international environment as the explanation for countries’ foreign policy. In other words, factors external to the state –how the international system is organized, the characteristics of contemporary international relations, and the actions of others- can lead the state to react in certain ways. The second category points to factors internal to the state. In other words, characteristics of the domestic political system –citizens and groups within that system, the government organizations, and the individual leaders- can be the source of a state’s foreign policy. (Kaarbo, Lantis, and Beasley 2002, 8)

The external factors focus on a presumed drive for self-interest in an anarchical international system. The realist perspective of this drive is the quest for military power, the creation of alliances, and the submission of states to more powerful actors. For liberals an interdependent international system will result in more cooperation, support
for organization that help coordinate policies, and submission to economically weak states to the global market. For analysts who point to foreign policy as the outcome of interaction of factors internal to the state, the great diversity of political systems, cultures and leaders drives states in different directions, even though they are facing the same external pressure.

What are the linkages between internal and external factors? The relationship is sometimes additive in nature, meaning that external and internal factors work directly and independently to influence a state’s foreign policy; in other circumstances external constraints are internalized into domestic factors, they may shape the domestic landscape, alter the internal structure of a domestic political system by shifting power away from the central government and into the hands of private actors such as business or by decentralizing policy making within the state (Beasley and Snarr 2002, 341-343).

Two issues, in addition, have become important to focus on when analyzing the internal-external linkages of foreign policy. The first issue involves the strength of the state, or its ability to meaningfully conduct a foreign policy. The second question is whether “foreign policy” will be relevant in the future with the increased transnationalization of international politics. “Although he line between [“foreign” and “domestic” policy] is often blurred, the transnational issues that dominate much of the world political agenda today may mean that any major differentiations will cease to exist.” (Beasley and Snarr 2002, 345)

Clearly, transnational issues are a field where global norms rather than the pursuit of narrowly defined national interests prevail. Yet, the transnationalization of security is among the most controversial topics of world politics. Much depends on how a
security issue is securitized on the global level. The only indicator if an issue is
securitized globally is the existence of international norms, or a regime, regulating
transactions related to that issue. A step further, of course, would be the creation of
international institutions capable of enforcing a regime’s norms. Moreover, for a global
world, international institutions seem the only reasonable way of maintaining control
over issues and transactions that national states have increasing difficulties to dominate.

Yet, on the one hand, for the U.S. globalization never meant “social work:”

The pursuit of openness is first of all about Americans’ doing well: that an open world
might also benefit others qualifies at best as incidental. An open global order in which
American enterprise enjoys free rein and in which American values, tastes, and lifestyle
enjoy pride of place is a world in which the United States remains preeminent. (Bacevich
2002, 102)

On the other, though the 1990s presented an unprecedented opportunity to build global
institutions, and though both the Bush administration first, and the Clinton administration
later did engage in consolidating, expanding and enforcing multilateral organization, the
U.S. behavior has not been too different from the hypothesis proposed by G. John
Ikenberry: “the United States organizes and operates within international institutions
when it can dominate them and resists doing so when it cannot.” (Ikenberry 2003, 50)

With respect to arms control, so far only WMD have made their way onto an
agenda of transnational security subject to state intervention for any concerning
transaction. In fact, arms control started with the securitization of nuclear weapons on the
global agenda. Yet, only in the 1990s, with the increased danger of non-state actors
accessing these weapons, have the WMD become a transnational issue. The U.S. pushed
hard for this, in part because WMD are in fact functional when conceptualizing security
and state behavior within the broader U.S. grand strategy. Conventional armament is
general, and light weapons in particular, though much more a transnational threat, failed to be securitized on the international level. The small arms process

… never found the single normative principle required to build an international consensus and guide its long-term action. The role of norms in international action has been studied for decades and is well understood. The strongest omen that something was seriously amiss for the small arms issue was the inability to promulgate such normative principles. To be sure, universal norms are not the *sine qua non* of all international action. If the issue permits, enormous progress can be made without normative principles, a point illustrated by the law of the Sea. However, in matters related to the security of states and deadly violence, norms are irreplaceable. (Karp 2002, 182)

One reason why conventional armament and light weapons have less chances to be included on the international control agenda is that, relatively to WMD, they occupy a lesser space in the global power struggle; hence, the failure to major engagement for tighter control on their transfer, leaving space for trafficking to become easier. Yet, a more comprehensible explanation is found when comparing the domestic factors of arms control of those who favor a broader agenda, and those who oppose it. Comparing the U.S. with Europe, in this sense, is particularly useful given that Germany, France, Great Britain, Italy and Spain also are arms producers. In economic and technological terms, Europe is U.S.’s competitor though understandably lies behind it. Assuming therefore, that the economic and technological factor is not a critical variable, what explains Europe’s support to include conventional armament and light weapons on the arms control agenda and constrain their transfer within international rules instead of letting market forces operate is the difference with the U.S. at the level of three domestic factors: strategic culture, political institutions, and public opinion.

Indeed, as Robert Kagan observes:

American and European perspectives are diverging. Europe is turning away from power, or to put it a little differently, it is moving beyond power into a self-contained world of laws and rules and transnational negotiation and cooperation. It is entering a post-historical paradise of peace and relative prosperity, the realization of Immanuel Kant’s “perpetual peace”. Meanwhile, the United States remains mired in
To these two different self-perception and worldviews (Pond 2003) correspond two different institutional settings in which policies are defined: the nation-state in U.S. has never been as strong as at the end of the Cold War, and its power projection debates the next level in terms of ‘empire’ albeit a very special one (Bacevich 2003b); the ‘rebirth of Europe’ –to paraphrase the title of Elizabeth Pond’s book (Pond 2002)- meant the gradual nonetheless firm transnationalization of domestic political institution to a unique model of regional integration, which, having reached its highest stage has shifted much of the making of foreign policy from governments to the European Union.

The small arms issue “also emerged as part of a broader, mostly European project to change the rules of international security and international politics after the end of the Cold War, one that guided European foreign policy throughout the 1990s.” (Karp 2002, 182) In practical terms, this project stressed the role of universally accepted principles as the only legitimate base for action. No matter how symbolic, the 53-nation OSCE’s accomplishments, including pressure against the death penalty, the International Criminal Court, treaties against child soldiers, the ban on anti-personal landmines, and the three policy instruments –the EU Program for Preventing and Combating Illicit Trafficking (1997); the EU Code of Conduct on Arms Exports (1998); and the Joint Action on Small Arms (1998)- expanding the arms control agenda, express the political willingness of changing the rules of the game in international security and politics. This contrasts the U.S. “own reassertion of the primacy of sovereign national interests, a process that began under Bill Clinton but culminated after George W. Bush’s swing to the right soon after
becoming President.” (Karp 2002, 188) Thus, retreating from his initial aggressive internationalism, the Clinton administration became extremely cautious with respect of the small arms issue. “Determined to contribute, but fearful of domestic criticism, it stressed domestic reforms minimizing the danger of U.S. involvement in the illegal gun trade. The United States supported international action, but refused to lead.” (Karp 2002, 189) Hence, Undersecretary John Bolton’s speech during the UN 2001 conference was just the culmination of larger trend, albeit its tone, not the message, surprised the participants:

Staking out an extreme position, almost gleeful in his repudiation of the conference he was addressing, Bolton was joining the global tidal wave of sovereign reassertion. The fate of the Small Arms Conference was incidental to this larger trend. Meanwhile, a number of other governments, ranging from China to Switzerland had been discretely expressing similar views. A few, especially among the Arab block, would become just as outspoken later on, while others grew quieter, safe behind U.S. brazenness. (Karp 2002, 189)

To this drive for the reassertion of sovereignty is opposed, for example, the proposal of former foreign secretary of Britain’s Labor government, Robin Cook, who set as a goal an ethical foreign policy on arms sales, and, in 1997, the government introduced its new arms export guidelines. 65 Another example is Canada’s leadership in promoting

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65 In a highly critical note to Tony Blair’s government, London’s The Guardian welcomes Cook’s “laudable effort to challenge the argument that it was in Britain’s economic interest to sell guns and much else to dictators, states with appalling human-rights records or into areas of instability.” But, the note continues, the British gun lobby has been highly efficient in Whitehall, and Britain remained world’s second largest major conventional arms exporter since 1990. According to the paper, September 11 and its aftermath would be used to curb ethical guidance on arms sales, even though Ministry of Defense economists in 2001 urged decisions on arms sales should be based ‘on non-economic considerations.’ (“Legitimate Defense?” 2003) Obviously, neither Great Britain, nor Europe in general is in a position of denying arms transfer. Human rights organizations, Oxfam and Amnesty International among others, do target also the E.U. where circulate approximately 84 million firearms, for its lack of laws controlling arms dealers (“Las normas de la UE controlan más los plátanos que las armas” 2003), or helping countries with poor human rights records, such as Turkey, to build arms factories (“Turkey: European Companies to Help Construct Arms Factory” 2001). My argument here is not to make out of Europe’s policy and ideal model of arms control, but to emphasize the political will of moving toward the direction of expanding the international arms control agenda and include conventional weapons and small arms. After all, it is the European Union during the British presidency that adopted the codes of conduct and proposed them as a model to other countries (McLean and Piza-Lopez 1998).
universal norms of arms control based on a human security perspective. Canada’s position reflects its strict domestic gun laws, which are founded on the premise of gun possession being a privilege, not a right.66

The universal norms approach does, of course, target, threatening regimes, but it also is about controlling arms in general and not just those to whom they are destined. The rise of a global arms bazaar and the transnationalization of security in the post-Cold War provide the rational ground for this normative approach as opposed to Washington’s reassertion of national sovereignty. Moreover, the increasing threat of terrorist attacks in which light weapons are used is apparently putting some constraints on Washington’s approach. An example of this is the ManPAD (Man-Portable) surface-to-air shoulder missile, which was used by terrorists against civilian airplanes. In addition to search operations for lost ManPADs in Iraq and Afghanistan –legacy of the 1980s and the Saddam Hussein regime-, the U.S. pressured Nicaragua to destroy some 2,000 missiles accumulated when the Sandinistas were in power fearing that they could eventually end up in terrorist hands (Slevin 2003). ManPAD’s lethality for civilian airplanes is well known:

In the last 25 years, there have been 35 attacks on civilian aircrafts using ManPADS, 24 of which resulted in crashes with over 500 casualties. It is estimated that there are over 500,000 of these infrared-tracking ManPADS in circulation throughout the world today. ManPADS are easy to conceive, relatively inexpensive ($25-80K on the black market), widely available, and difficult to protect against because of their range and altitude capability. The footprint of possible launch sites around an airport may encompass over 300 square mile area. The engagement zone –three miles oneither side of the flight path and twenty-five along both the departure and arrival path- would be very difficult to patrol or reasonably restrict access. (“Missile Defense Systems of the American Commercial Airline Fleet” 2003)

66 Based on notes from author’s research on Canada’s gun policy in 1999 with the grant of the Faculty Research Program on Canadian Studies 1999/2000 Award. Gun policy is but one of the many differences on social policy issues between Canada and the United States. According to ABC News broadcaster Peter Jennings, “Canada as it is with some of the European countries, is trying to balance some of the market forces with public policy, which is not apparent in the United States, where the pursuit of Happiness and individualism are very much alive.” (Krauss 2003) This certainly is true with respect to gun policy.
In Nicaragua, the ManPADs were used by the Sandinist Army to down several transports owned by the Contras since 1981, and the Contras also got them—foremost SA-7s, but reportedly also some Blowpipes (Cooper 2003). Nicaraguans protested the US pressures arguing that before the destruction of the missiles the balance of the military forces in the region should be discussed. But public pressure in US rose. “Ridiculous” is what the Nicaraguan argument was considered in a *Los Angeles Times* editorial, echoing Secretary of State Collin Powell’s reply to Nicaraguans during his November 2003 visit pointing that “the risk of having these weapons far outweighs any military value they may have.”

In fact, as he and others note, there’s a flourishing global black market for these and other incredibly destructive arms, and many legitimate governments struggle to maintain control over them. It goes without saying that the would-be buyers are among the planet’s most disreputable and dangerous. Two years ago, 3,000 AK-47 assault rifles that had been stored in Nicaragua mysteriously appeared in the hands of an irregular paramilitary band, the self-described United Self-Defense Forces of Colombia. Imagine the havoc that could occur if thousands of missiles—each of which is small enough to fit in a car’s truck and lethal enough to down an airplane flying 15,000 feet overhead—disappeared in similar fashion, jeopardizing not just U.S. but hemispheric and global air traffic (“Nicaraguan Missile Danger” 2003)

The 3,000 AK-47s’ ‘disappearance’ to later be found in the hands of Colombian paramilitary was revealed in an investigation by the Organization of the American States in January 2003. The same investigation, according to news reports, revealed that a Lebanese arms broker, captured in Europe and allegedly linked to Al Qaeda, planned to acquire weapons from the Nicaraguan army, including 20 SA-7 missiles (Sanchez 2003). There is little doubt about the fact that it is the threat of these missiles against American troops in Iraq that triggered the Bush administration’s decision to include ManPADs in arms control agreement. In fact, the pressure on Nicaragua followed a deal the U.S. reached in October 21 with governments across Asia and the Pacific Rim to sharply
restrict the use and transfer of shoulder-fired missiles. The agreement engages the Asian and Pacific Rim countries, including the United States, to adopt formal controls over their inventories of small surface-to-air missiles and to ban any transfer of the weapons to non-state end-users, as well as to impose “strong national regulations on the production, transfer and brokering of these systems.” (Shenon 2003)

This agreement seems to come closer to the universal norms approach and distance from the more common national sovereignty reassertion approach to arms control. Moreover, U.S. officials hope to make out of the agreement a model that can be adopted in other regions. Should the political will to expand the agreement persist, it would mean an important reversal of U.S. arms control policy. Yet, the fact is that such an agreement has only a minor impact on U.S. arms industry, and would not affect exports to allied governments.

In addition to the differences between the U.S. and Europe in strategic culture and political institutions, public opinion and pro-control social mobilization on both sides of the Atlantic have been very different, if not in terms of objectives yet surely in terms of scope and global projection. Holger Anders shows that European non-state actors made significant contribution to the emergence of the European regime of conventional arms control by assisting and facilitating the emergence of governmental cooperation, and had significant input in the formulation of the regime (Anders 2003). Moreover, the European arms control networks expanded outside the continent to assist and provide financial aid, as well as expertise and political support to NGOs in Africa and Latin America. IANSA, for example, played a crucial role in Viva Rio’s campaign against the
proliferation of small arms in Rio de Janeiro (“Em busca da rota das armas: da origem legal a destino illegal” 2002).

The role of social mobilization for gun control policy gains a major importance in countries like Brazil and Argentina, where economic and social crisis periods have also crime and gun violence, as in late 1990s. Initially, both countries’ arms laws were far away different. Whereas Argentina’s gun laws dated from 1973 and a national registration system was established in 1975, Brazil voted its gun laws in February 1997. Nonetheless, social mobilization against gun violence has been much more active in Brazil than in Argentina (Der Ghougassian 2000). From an initial attempt to restrain severely the circulation in the state of Rio de Janeiro, the pro-control social movement in Brazil led by the NGO Viva Rio scored a major victory when the Brazilian Congress voted a law, which is considered among the more restrictive ones in Latin America. In a country, where gun violence caused 40,000 deaths in 2002 (109 a day), and where cities like Rio de Janeiro score 239 deaths out of 100,000 inhabitants (20 times higher than the rate in the United States and 2000 times higher than in Japan), 82% of the public favored the measure known as Disarmament Act, which was supported by the leftist government of Luiz Inacio “Lula” da Silva.

According to the new law, gun owners were required to register their guns within 180 days after its signing into a law by the President (which he did on December 22, 2003); anyone illegally possessing an arm would face a four-year term prison; only police, security officials, target shooters and transport companies will be able to obtain a gun license; the legal age of owning a gun is being raised from 21 to 25. Moreover, in October 2005, a national referendum will ask if Brazilians want to ban all together the
possession of guns and ammunitions in homes. The law is significant for two important reasons: more than 50 other gun control bills failed to pass in Congress over the years, and Brazil is world’s sixth largest arms exporter, hence a strong gun lobby in the past blocked any progress in the existing law (“Brazil Passes Strict New Gun Law” 2003; “Brasil adoptó una de las leyes de armas más duras de la región” 2003; “Diputados de Brasil financiaron sus campañas con dinero de las armas” 2003). It is impossible not to see the domestic/international link in Brazil’s gun control policy: the government of Lula –as his predecessor’s- not only supported strong gun control laws at home, but also projected its position globally with President Lula proposing at the June 2003 G-8 summit meeting a tax on all arms sales to provide funds to abolish global hunger. Analyst Lora Lumpe correctly observes that the Brazilian President was “building on the efforts of a powerful local movement.” (Lumpe 2003, 11)

Interestingly in Argentina, it was the head of the national registration agency (RENAR) for ten year, José Genaro Baez, the major lobbyist for major flexibility in gun laws, arguing that citizens have the right to arm for self-defense (“Jefe argentino del Registro de Armas, duro contra defensores del desarme” 2003; “Jefe del Registro argentino de armas continua la polémica desde el sitio oficial del RENAR” 2003). After the social and economic collapse of December 2001, and amidst widespread crime and armed robbery, a congressman tried to modify the existing law and make legal access to guns more flexible; but social organizations successfully opposed the move claiming that within the existing condition more and not less restriction to gun access was needed (“Acción en el Parlamento argentino por flexibilización de requisitos parar tener armas” 2003). Later on, RENAR was subjected to a governmental investigation allegedly for
corruption and political favoritism (“Investigan presuntas maniobras en el Renar” 2003). Finally, as a result of a campaign by the pro-control NGO Espacios, the Head of RENAR was dismissed and replaced in June 2003 (“Finalmente remplazaron al cuestionado director del Registro argentino de armas.” 2003). Baez has been the head of RENAR during the Carlos Saúl Menem government in the 1990s, when Argentina was involved in arms trafficking to Croatia and Ecuador, a case that will be studied in the next chapter.

Whether Argentina and Brazil will finally reach a regional agreement for arms control based on the European model is something that is to be seen yet. What for now is important to stress upon is the global projection of local gun control movement. It is a fact that gun control and antiviolence NGOs from countries with tighter gun laws from Europe to Latin America and Africa were actively participating in the U.N. 2001 conference, where the American gun control movement was notably absent. “Instead, it was the National Rifle Association (NRA) that completely overwhelmed domestic lobbying.” (Karp 2002, 190) According to Karp, the NRA was not opposed to the conference; it went as far as supporting proposals like a universal system for weapon marking. But it grew extremely concerned with defending the rights of the Americans to bear guns after it discovered international interest in small arms in 1997. Paradoxically, the conference gave the NRA an international profile for the first time, and it was the U.S. official position that made a victory for the NRA “far exceeding their original expectations, courtesy of the Bush administration.” (Karp 2002, 190) Originally the NRA usually refused to get involved into the issues of small arms in other countries; hence its ‘globalization’ happened, whether consciously or not, through governmental action,
marking yet another aspect of the domestic/international linkage of U.S. arms control policy.

The other side of the U.S. gun control debate, the numerous pro-gun control organizations and lobbyists, just did not show up. It is hard to avoid the conclusion that through their absence leading groups like Hand Gun Control and the Coalition to Stop Gun Violence simply gave the NRA a monopoly at the conference. Among prominent U.S. gun control supporters, only Senator Diane Feinstein made well-publicized public statements criticizing the U.S. position at the conference. Even senator Feinstein, though, never made so much as a ceremonial appearance there, a gesture which could have been instrumental. The enigma of the absence of gun control supporters, still not publicly explained, deserves greater investigation. (Karp 2002, 191)

Whether NRA’s globalization is for good it is too early to say, though there are signs that the U.S. gun lobby discretely is involving in foreign countries’ politics of gun control: it assisted Brazil’s gun lobby in opposing the Disarmament Act (Jeter 2003). If as according to DeAnne Julius “the most effective constraints on US foreign policy are likely to be its own domestic forces,” (Julius 2003) then with the globalization of NRA there probably would be none for the current U.S. arms transfer policy.

To sum up, the end of the Cold War left a considerable amount of weapons out of control, and more capacity to produce even more, much more than the demand needed or could afford. With the path of globalization speeding and states losing their capacity of controlling the market, these weapons made their way into a global arms bazaar. The pressure of the supply side –excess of weapons plus production capacity- created a structural need for redefining international control mechanism. The developed world was quick to restructure its defense industry, with firm in both sides of the Atlantic merging and internationalizing their productive activity.

Understandably, the developed world and Russia rapidly reached a consensus to tighten the control of the production and transfer of WMD, fearing major security disasters if non-state actors, mainly terrorist, acquire them. The U.S. played a leading role
in assuring that WMD remain under the stricter possible control. Despite India and Pakistan going nuclear and Israel not hiding anymore its own possession of nuclear bombs, the global securitization of WMD –and therefore their control- has been rather successful. Moreover, though the United States, first not ratifying the Comprehensive Test Ban Treaty, then walking out of the IBM treaty modified the existing nonproliferation regime toward yet an unknown direction, the consensus of maintaining securitized WMD held. The few states that did not abandon their nuclear programs were put under U.S. and international pressure.

As for the conventional weapons, their international securitization reached the top of the CFE Treaty and the U.N. Conventional Arms Register, with all their flanks and limitations. There was no real political willingness to limit conventional armaments production, because of the predominantly economic approach and priority. This was certainly the case of Russia and some former Soviet republics and East European countries; but the economic concern was also a factor in the U.S. decision to be less restrictive for the production and trade of conventional weapons. In addition, weapons and weapon transfers were instrumental for the U.S. rise to the hegemonic position. Still, high tech systems of weapons and heavy conventional armaments remained under control, especially when they were transferred to regimes and states that the U.S. considered rogue.

Yet, the weapons that proved the most deadly, the most used, the most demanded, and the most offered were those labeled small or light. All the “new wars” in the 1990s were fought with SALW, which were also used in transnational criminal activities, especially drug trafficking. Moreover, SALW became closely associated with
drug trafficking not only as “working tools” for the traffickers, but also as exchange merchandise. SALW were not perceived as a real military threat by the states but societies shattered by civil wars and crime. Thus, by mid-1990s, a global societal movement to expand international arms control agenda and include SALW started to pressure states to regulate the international transfer of this category of weapons too. Governments in Africa, Central America, Europe and the Southern Cone reacted positively to the societal demand. Measures from tightening national gun laws to adapting regional agreements regulating, and even putting a moratorium on the circulation of SALW reflected a new normative approach in which national sovereignty in its traditional understanding was considerably modified. Some like-minded governments, like Canada and Norway, took the lead to push for universal norms based on human security considerations. A first success was the Ottawa Treaty banning the use of landmines. Building on the landmines success story, and encouraged by the process going on in Europe, gun control and nonviolence NGOs pushed for a U.N. conference to expand the conventional arms register and include SALW. The first post-Cold War U.N. Secretary General Butros Butros Ghali supported the effort and proposed a process of “microdisarmament.” Because of all the domestic and international reasons analyzed in detail in this chapter, the United States has been reluctant to expand international arms control agenda to include SALW. Because of the reluctance of world’s superpower –soon joined by other arms producing states-, conventional arms have not been securitized on the international agenda. In practical terms, the lack of a global consensus on conventional arms production and transfer following the universal norms approach, the inherent ‘gray zone’ of the licit/illicit in conventional arms transfer remained and even
got wider with the rise of the global arms bazaar. Understandably, conventional arms trafficking became the second most lucrative black market after drugs.

The supply-side pressure of excessive arms and production capacity was felt mostly by “second-tier” arms producing states, which include

… industrialized countries possessing small and/or bounded but often sophisticated defense industries, such as Australia, Japan, and Sweden. It also contains a number of developing or newly industrialized countries containing modest military-industrial complexes, such as Brazil, Iran, Singapore, South Africa, South Korea, Taiwan, and Turkey. Finally, the second-tier includes China and India—states with large, broadbased defense industries but still lacking the independent R&D and industrial capacities to develop and produce highly sophisticated conventional arms. (Bitzinger 2000)

Understandably, defense industries in these countries became highly exposed to global forces, and much depended on their survival capacity. Some countries, like Argentina and Peru, would have been in this second-tier producers’ list, yet either their industries were not sophisticated enough to survive the fall of the demand in the 1990s, or they simply took the political decision to stop arms production, or reduce it considerably abandoning past dreams of grandeur. But they still had excess of production and know-how on the international market. Within a post-Cold War context in which conventional arms followed were more or less left to follow the logic of supply-side economics, these states became involved in illicit arms transfers, of which the Argentine arms trafficked to Croatia and Ecuador, in chapter six, will be studied in chapter six, whereas as Peru’s involvement in arms trafficking to the Colombian guerrilla and Pakistan’s A. Q. Khan’s network in nuclear smuggling in the conclusion will provide further arguments.
The concept of courtesan politics in international relations should be understood in its two interrelated dimensions. It mainly refers to a behavior that characterizes certain peripheral states, and in that it is an agency theory. But the courtesan behaviour is the child of the post-Cold War unipolar world and the global political economy; hence, it is defined in a given structural context. Moreover, the analytical use of the framework should not be circumscribed merely to a policy; else, its utility as a theoretical tool would be limited to almost descriptive, if not merely metaphorical, purposes; courtesan politics is more than just the policy of a government, or “wise guys” in that government, trying to seize the moment for personal profit. Such phenomenon could also well fit in any analysis of power corruption, which is as old as politics itself. If only conceived as yet another variant of power corruption, the concept of the courtesan politics could well overlook all the features detailed in chapter two. Though corruption is an intrinsic part of the courtesan politics, this latter, the analytical framework meant to refine IR theory should include more than the study of the phenomenon of corruption. For the purpose of this study, I conceptualize the “courtesan state” as a government involved in courtesan politics. This conceptualization does not imply a structural character of state institutions, which, as I discuss in my conclusion of this study, is a yet debatable issue; it simply avoids using the term “a state involved in courtesan politics.”
Courtesan politics as an analytical framework enhances: (a) the international structure of power politics and political economy, which determines the criteria of the licit and the illicit in international transactions, and, hence defines the grade of what is tolerable, and to what degree; (b) the institutional setting of the state in society, which is relevant to the weakness or strength of that same state and society, albeit in a dynamic, and not static, understanding; (c) the elite in power with its own political culture and values; (d) the double aim of power and profit, which appears in an international illicit transaction that the traditional perspective of the “national interest” or “strategic reason” explains only partially.

As a policy, arms transfer per se is not an indicator of courtesan politics. Nor is a courtesan state a trafficker. Arms transfer implies an international security dimension; the strategic reason for any arms transaction, therefore, is inevitable when analyzing a state’s involvement in it. Nor does the sometime illicit nature of arms transfer make it an indicator of a courtesan politics. In fact, covert arms transfer operations, albeit illegal from a juridical perspective, have always been a legitimate aspect of the international power struggle. Yet, within the structural conditions of the post-Cold War and the emerging global political economy, arms transfer operations sometimes have lacked any strategic reason relevant to security concerns, or a broader national interest of the state involved in them; they, rather, reveal a complex interplay of power and private profit of the elite in the government. Thus, it is the relationship of arms transfer with international security that makes their study from the conceptual perspective of courtesan politics intellectually more challenging.
Applying the analytical concept of courtesan politics to the independent, intervening and dependent variables of the hypothesis formulated in the introduction of this study, the following framework is set: for the case study proposed in this chapter.

The independent variable “post-Cold War conflict,” as the demand source for weapons, and the two intervening variables -“arms trafficking” and “international control failure”- are parts of the international power structure and the global political economy. I label these variables “structural” because they create the conditions in which courtesan politics operates. The global arms bazaar, the conditioning variable “availability of weapons” to arms trafficking, is the result of “excess of production” and increased activism of “transnational organized crime” consisting of the gunrunners and the web of related illicit activities including money laundering, corruption, drug trafficking, etc. Yet, in ideal conditions, without “international control failure” arms trafficking would not take place; hence, failure of international control creates a window of opportunity for states, usually peripheral ones, to get involved in illicit transactions.

The dependent variable, “state involvement in illicit arms transfer,” is studied within the institutional setting of the state in society; the political culture and values of the elite in place; as well as the double aim of power and profit of the transaction. The analytical perspective is essentially that of an agency theory; however, considering the domestic structure –institutional setting and state/society interaction-, and the long-term consequences of courtesan politics, a structural approach gives better insights for a deeper understanding of the phenomenon. The structural approach is also relevant to the positioning of the courtesan state in world politics, and its perceptions of limitations and opportunities that are translated into foreign and security policy speech acts. Naturally,
what first and foremost counts for courtesan politics is the particular relation of a copurtesan state with the superpower. For the institutional setting of the state in society, the questions should address the process of decision-making in the formulation of foreign and security policies, and the public scrutiny of it. I do not limit the study of the political culture and values of the ruling elite in terms of identity politics; I also consider their functionality in the transformation of the state power. Finally, the double aim of power and profit of a courtesan state involved in arms trafficking is what defines the core of a courtesan politics. Yet, analytically it is important to consider the double aim of power and profit at the double-level game of the courtesan state: to bandwagon with the superpower, and, simultaneously, to establish an “illicit association” with transnational criminal entities –mainly gunrunners- in the global political economy.

An inherent difficulty in the study of state involvement in illicit transaction, especially arms trafficking, is the juridical trouble to find a consistent meaning of the term. I borrowed the term “illicit association” from the judicial indictment of Argentina’s former president Carlos Saúl Menem in the venta de armas case, though many jurists have questioned its juridical validity stating that a government cannot establish an “illicit association.” States are sovereign entities, and, as goes the argument, it is difficult to bind legally its behaviour in the international arena. The behaviour of a state usually receives symbolic condemnations in international legal instances. Inter-state relations are by nature power relations in an anarchical system; hence, it is only in the international context that the study of courtesan politics and the term “illicit associations” make sense analytically. Therefore, the effort to show the utility of the concept of courtesan politics in analytical and practical terms cannot be reduced to investigative or normative purposes
to categorize the behaviour of states on the basis of empirical proofs, or a criterion of right and wrong. Aiming at a refinement of IR theory, the concept and the analytical framework of courtesan politics should say something about the transformation of state power.

This chapter puts in the spot the *venta de armas* episode of arms trafficked from Argentina to Croatia and Ecuador in 1991-1995. For all the reasons detailed in chapter one, the case is paradigmatic to study the concept of courtesan politics. Despite the partial closing of the court case, there are enough evidences to assume that the Menem government was involved in the transaction, and the decision was taken at the highest levels of the executive power.

By violating a UN imposed embargo to arms transfer to the former Yugoslavia torn in an interethnic conflict, as well as dishonoring the 1942 Rio Protocol between Peru and Ecuador of which it was a guarantor of the peace accord between the two countries along with Brazil, Chile and the United States, Argentina broke the international law. It was not the only country to do so; many countries, as was later on revealed in the international press, got involved in trafficking arms to the belligerent parts in the Balkans. There was no international blame put on Argentina, or, as a matter of fact, any other country that violated the UN embargo. The *venta de armas* episode has been a national, not international scandal. No serious crisis broke out when the illicit operations were exposed publicly. It did not affect Argentina’s international relations. Moreover, the *venta de armas* case, as a state-sponsored covert operation of arms transfer, was not an unusual enterprise in Argentina’s foreign and security relations. Even in the domestic context, the case was seen as just another chapter among a long series of major public
scandals of the Menem years. True, the venta de armas case reached the higher stage of indicting the head of the state; but when Menem was released from house arrest in November 2001, and with the social and economic collapse of Argentina the next month, the affair lost its momentum in the mass media, even though the judicial follow-up did not end. In fact, the way the Argentine Supreme Court decided to close the case, and the grounded suspicions that the Fernando de la Rúa government favored such a decision, if not pressured for it, became itself part of the scandal.

All this does not diminish the consequences of Argentina’s involvement in the illicit arms transfer episodes in Croatia and Ecuador. At the minimum level, no matter how secondary in importance, arms illicitly transferred from Argentina did play a role in bloody conflicts. Moreover, using gunrunners and their networks for the covert operations, the Argentine state did take part in creating opportunities for actors in the global illicit economy instead of combating them, in spite of all the engagements that the government had assumed in multilateral instances to strengthen its image as a truthworthy country. The impact of the venta de armas episode in Argentina has been even worst. The arms transfer operations were planed and executed without any transparency, nor scrutiny. Though the strategic reason was not absent, it nevertheless did not convince, at least not for arms transferred to Ecuador. Were the decisions taken for Argentina’s national interest? Though the executive power claimed that it represents, or at least is the responsible to formulate, the country’s national interest, its arguments were hardly convincing. What makes the ambiguity of decisions taken even more confusing for the national interest is the impossibility for the executive power to explain where did the income of the exported arms go to; hence, the suspicion that the operations were more
for the personal profit than for any strategic reason, or the national interest, found a solid ground. Furthermore, in addition to the lack of financial transparency, the suicide in very suspicious circumstances of a military involved in the planning of the operations, the non-accidental explosion of the military industrial plant in Rio Tercero from where the arms and the ammunitions came, and other cases of yet not explained suicides and homicides of people related to the venta de armas case, enforce the criminal dimension of the affair.

To analyze the venta de armas as a courtesan politics case study I follow the four broad indicators I mentioned in the beginning: the international context; the institutional setting of the state in society, including domestic and foreign policies and the decision making process; the elite in power; and the double aim of power and profit of the transaction. I frame the discussion within the analytical guidelines of these indicators, highlighting the different variables defined in my hypothesis:

For the international context I discuss: (a) the demand for weapons in the Balkans and Ecuador (independent variable); and, (b) the international failure to control transfers of weapons (research variable). In both cases I focus on the U.S. policy, which, as the policy of the only superpower, provides a partial explanation for the intervening variable of failure of international control.

For the institutional setting and Argentina’s domestic and foreign policies in the 1990s related to the venta de armas case I consider the rise and fall of the local defense industry from a historical perspective to highlight the essence of the decision – paraphrasing Allison- for state involvement in arms trafficking. The two conditioning variables, “excess in production” and “transnational organized crime” referring to the
intervention of arms dealers and their global networks with suspicious links with criminal organizations, are thus analyzed providing an explanation for the second intervening variable, “arms trafficking.” More concretely, I focus on the faith of Fabricaciones Militares (FM); then I study and compare past Argentine arms transfers to see both continuities and changes with the venta de armas case. Within the institutional setting, I analyze the dependent variable in two dimensions critical to the venta de armas: the special relationship with the U.S. and the decision-making process.

The elite- in- power indicator refers to the state in society conditions in Argentina of the 1990s. Critical to this line of inquiry are the deep transformations of the economy and state power with the insertion of the country in the process of globalization. It is in these conditions that the ‘Menemismo,’ rooted in the cultural context and political values of the ruling Peronist party, played the role of both shaper of the changes and the profiteer of them. Civil society, and especially the press, finally, did not remain marginal: if the economic boom of the 1990s explains the tolerance of the Argentine society to several corruption cases, including the venta de armas, in which the Menemismo was involved, the press assumed the role of a sort of “guardian of democracy and the rule of law” by denouncing the cases and providing the first public proofs, which later would lead to a judicial inquiry.

The double aim of power and profit of the venta de armas, finally, provides the concluding argument for a case of courtesan politics. I borrow from the indictment of Menem the concept of “illicit association” and discuss it through the judicial process of the venta de armas, to see its usefulness as an analytical term from a social science perspective.
For the remaining, I organize the chapter in the following form:

In section I, I reconstruct the case based upon the investigation done by Argentine reporters. Stating as the independent variable the demand for weapons that the conflicts in the Balkans and the Peru-Ecuador war generated in section II I discuss the research variable “states’ failure in control.” More concretely in this case: the U.S. position with respect of both conflicts and third party arms transfer, which provides part of the explication for the intervening variable “failure of international control.” For the analysis of the dynamics of the second intervening variable, “arms trafficking,” in section III I look to the two conditioning variables: “excess in production” and “transnational organized crime.” For the first one I focus on the Argentine military industry, the FM, its rise, decline and the consequences of its privatization during the Menem years. As for “transnational organized crime,” I study and compare past Argentine arms transfers with the involvement of international gunrunners in the venta de armas case to see both continuities and changes in the behaviour of state actors, particularly the role of the military.

Next, in section IV, I analyze the dependent variable, which is critical for the validation of the concept of courtesan politics. I start with an inquiry focusing on Argentina’s foreign and security policy in the 1990s, and the special relationship that the Menem government established with Washington. My aim in this first part of the inquiry is to see to what extent within the logic of this special relationship justifies the the strategic argument of the venta de armas case.

For a better understanding of the role the elite-in-power has played in the venta de armas, section V analyzes the state-in-society context of Argentina in the 1990s,
especially the deep transformations of the economy and state power with the insertion of the country in the process of globalization. I do not pretend determining the responsibility of each actor in this process, nor do I question Supreme Court’s decisions; I just want to see how non-state actors were connected with the highest levels of the executive power, and what role did they play. For that, I look at the transformation of the state within the context of market reforms, as well as the phenomenon of the Menemismo in the cultural context and political values of the ruling Peronist party.

To make the case of a courtesan state, finally, in the conclusion of this chapter, I discuss the judicial case of the former President accused of being the head of an “illicit association.” I argue that while legally the term could be questionable, it, nevertheless, is proper to coin a state’s involvement in illegal transactions from a social and political analysis. I also sustain that the venta de armas, while proper to a given power elite and its political values, affected deeply the state because it weakened its institutions. The continuity of courtesan politics was seen in the Alianza government, which came to power after Menem’s second term ended in 1999; though an opponent to the Menemist government, De La Rúa did not bring any change in the major policy lines set during the 1990s. In other words, his government at least failed to avoid the predictable outcome of courtesan behaviour: the weakening of state institutions, which reached a threatening level and led to the social and economic collapse of Argentina on December 20, 2001.

Section I. Argentine arms in the Croatian Pipeline and the Amazon Jungle

The venta de armas case was first denounced and then thoroughly investigated by the Argentine reporter Daniel Santoro in the daily newspaper Clarín. For his
investigation, Santoro received the King of Spain International Award for Journalism in December 1995. He then published it in a 1998 book, the title of which —venta de armas— became the nickname of the Argentine state involvement in arms smuggling to Croatia and Ecuador. In what follows, I make the reconstruction of the case I make in what follows is largely based on the facts and the narrative of the book, with additional material from Santoro and other reporters who also investigated the case. I also include exerted from an extensive interview with Santoro about his investigation, as well as reflections and conclusions he drew from it. I make an argument about courtesan politics characterizing the behavior of the Menem administration based on facts this investigation made public.

*The Croatian Pipeline: Helping the Painful Birth of a Country...*

In 1991, while the war in the Balkans was at its hottest stage, Argentine arms made their way to what has become known as the ‘Croatian pipeline’ –a vast network, which facilitated clandestine arms transfer to Croatia, and from Croatia to Bosnia-Herzegovina, violating the embargo imposed by the U.N. Officially destined to Panama, a country that after the American military intervention of 1989 had dissolved its armed forces, the list of the arms transferred to Croatia in the secret presidential decree 1697 signed by Menem, his Minister of Defense Erman González, the Foreign Policy Minister Guido Di Tella, and the Minister of Economy Domingo Cavallo, included: 12,000 9mm FM “HP” model M90 handguns; 8,000 9mm FM “HP” military model automatic pistols; 8,500 9mm FMK3 automatic pistols; 100 9 FMK5 semi-automatic rifles; 9,000 FAL model IV; 6,000 FAL model paratrooper; 100 FAP heavy machine guns; 4,000 semi-automatic FSL light rifles; 2,500,000 bullets for 9mm handguns; 15 million bullets for
FAL; 500,000 bullets for FAL; one million 5.56mm bullets; and other military goods. The total price rounded $15,878,500 dollars. One month after the decree was signed, on September 20, 1991, a first shipment summing a value of $4,397,196 dollars of arms and ammunitions made its way to the Croatian port of Rijeka, though officially the Opatija cargo ship of the Croatia Lines was to head to the port of Critóbal in Panama. Operación Panamá, as this first illicit arms transfer was named, became the “baptism of fire” of those in the Menem administration who initiated the battle of selling the excess of production of the once ambitious Argentine military-industrial complex of Fabricaciones Militares (FM) (Santoro 1998, 140).

Five days after the first shipment of Argentine arms to Croatia, on September 25, 2001, the U.N. Security Council, of which Argentina at that time was a non-permanent member, voted for Resolution 713 requesting every member state to stop supplying weapons and military goods to the warring factions in the Balkans. Resolution 713 is recognized as the first U.N. resolution dealing with an arm embargo. But, since early 1991, arms were flowing to the former Yugoslavia: the Bosnian Minister of Interior started purchasing AK-47s and ammunition in Vienna; American M-16 rifles, anti-tank grenades and rocket launchers destined for Yugoslavia were intercepted; weapons delivered to Lebanon were sold off by this country; and the German intelligence service was involved in arms supply to the Croatians via Hungary. Resolution 713, however, did not imply that member states also had to stop the supplies from third party countries to the region. An enforcement mechanism was adapted only one year after, in November 1992, via resolution 787, which called member states to stop weapon supplies by sea. Earlier, on May 30, 1992, the U.N. Security Council had established a No Fly Zone in
virtue of resolution 781 that had tightened the embargo by imposing a ban on military flights to Bosnia.

Argentina recognized the independence of Croatia on January 16, 1992, following the recognition of Germany, the Vatican, and the United States, and upon an official demand from Germany and the Vatican. The Croatian community in Argentina, in turn, was quick to mobilize both to put political pressure on the government for the recognition of the independence of their motherland, and to facilitate arms transfer. Several members of the community were in fact involved in the process, in which, supposedly, the Croatian Minister of Defense, Gojko Susak, a man with close connections with the Croatian diaspora and recognized as the brain of arms transfer to the Balkan republic, played a role during his visit to Argentina in 1991. It is publicly known that Susak asked the Argentines of Croatian origin to mobilize for the recognition of the independence of Croatia. Right after his visit, on October 31, 1991, and in spite of the U.N. embargo, Menem, González, Cavallo, and Di Tella signed the secret decree 2283 authorizing the sale of arms and ammunitions to the police and security forces of Panama for a total of $28,892,716 dollars, including: 2,300 9mm FMK3 machine-gun pistols; 2,875 semi-automatic light rifles; 2,300,000 9mm bullets; 20,700,000 7.62mm bullets type common; 575,000 7.62mm bullets (trazante type); 1,035,000 7.62mm bullets (perforante type); 125 81mm caliber FM grenade launchers (mortero); 63 120mm caliber FM grenade launchers; 5,000 shots for 120mm grenade launchers with normal destruction capacity; 18,750 shots for 120mm grenade launchers with high destruction capacity; 125,500 shots for 81mm grenade launcher with normal destruction capacity; 6,250 shots for 81mm grenade launchers with high destruction capacity; 3,450 non-
metallic antitank landmines; 54,050 FMK2 hand grenades; 10,925 grenades for common FAL rifles; 4,830 grenades for FAL GEAT 62 rifles; 10,005 anti-riot grenades (granadas de hostigamiento); 9,430 3.81mm anti-riot bullets; 52 tear gas launching pistols; 250,000 12.7mm bullets (trazante type); 805 105mm Pampero land-to-land missiles; 23,000 PAM I and PAM II pistols refurbished for 9mm ammunition; 200 antitank missiles for the CIBEL 2K launching system; and other military goods.

This second shipment of Operación Panamá, however, complicated Argentina’s situation. The arms transferred to Croatia not only violated the U.N. embargo, but also posed a security risk to 5,000 Argentine military who integrated the United Nations Protection Force (UNPROFOR) through the Argentine Army Battalion (Batallón Ejército Argentino BEA), which renewed every six months. “Serbs knew about Argentine arms shipments to Croatia and could have taken retaliating measures against the BEA.”

Our Man in the Underworld: Diego Palleros, the Gunrunner

A key figure of Operación Panamá is the Argentine retired military lieutenant colonel Diego Palleros, who made the contacts with FM, obtained the false document from Panama to justify the sale, and later created the network that took care of the details of the transfers, including the shipping and delivery of the arms, and the laundering of the money. Palleros was not a newcomer in the gunrunning business. He was an active government official when Argentina in the 1990s tried to sell armaments to Iran. As later I will elaborate, covert arms transfer operations are nothing new for Argentina; yet during the military regime of 1976-1983 and the Radical government of Raúl Alfonsin in 1982-

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67 Original text in Spanish: “Los serbios sabían de la llegada de armas argentinas a Croacia y podrían haber tomado represalias contra el BEA.” Non-official translation of the author. The same procedure would apply for all not-English quotes, the text of which will be reproduced in the footnote.
1989 after the transition to democracy, covert arms transfers, whether for ideological, strategic or economic reasons, were state to state operations. It was in the 1990s, in the context of the post-Cold War and the deep economic reforms including the privatization of public firms and the deregulation of trade, that arms transfer initiatives involved non-state actors operating in the global illicit economy including gunrunners and drug traffickers. Palleros and his phantom-firm DEBROL International Trade located in Montevideo, Uruguay – home of some 75,000 similar non-existent companies controlled by Argentines for tax evasion, money laundering and other illicit financial transactions – organized the first phase of Operación Panamá, after the former military received the demand for arms from the Croatians (Santoro 1998, 133-137).

The representative of DEBROL in Montevideo is known to be Roberto Blankleder Lachterman, a public accountant, who, according to an Argentine intelligence report, would have connections with the so-called “Hungarian circle,” an international criminal organization involved in arms and drug trafficking on the Interpol list and with connections with the Iranian government. Uruguay refused to submit the DEBROL documents to the Argentine justice. Nor did the Uruguayan justice respond positively to a demand by Argentina in 1997 to extradite Blankleder as a witness to the venta de armas case. It is, however, known that the public accountant has been investigated in 1996 for an international gold trafficking case, the murder of a Uruguayan businessman in the so-called ‘old city’ part of Montevideo, as well as the mysterious death of the judge who was in charge of the case. Palleros had also other partners, mostly wealthy and well-connected businessmen, who, according to press reports, had suspicious honesty
credentials, and were, in a way or another, linked to the \textit{venta de armas} case (Santoro 1998, 143-145).

Palleros and DEBROL, along with other shadowy personalities linked or suspected to have links with the \textit{venta de armas} case, are the visual part of the illicit aspect and the criminal connections of the arms transfer operations to Croatia. Legally, Palleros through DEBROL received a 10 percent commission for the total delivery of the arms; but his lion’s share of the business came from the overprice that the Croatians had to pay for the arms because of the clandestine nature of the transfer in the context of the international embargo. Apparently the Argentine official counterpart, high-ranking officials in charge of FM through the Dirección General de Fabricaciones Militares (DGFM) involved in the operation, have not been happy with this unfair distribution of the income… To take the business off the hands of Palleros, as characterized by a military source, a new Presidential secret decree, the 1633, was signed in 1992 allowing arms sales for a total of $51 million dollars to Bolivia, which, by that time, was in deep financial and economic troubles, and with no intention of spending such an amount to purchase arms. This episode of the \textit{venta de armas} revealed to be crucial for the outbreak of the future scandal.

To begin with, the whole operation “\textit{vender armas a Bolivia},” as it was described in official circles, began in early 1991 when Nicolás Abraham Granillo Ocampo, the brother of the future Justice Minister of the Menem government, Raúl Granillo Ocampo, headed DGFM. The Granillo Ocampos are from Menem’s province, La Rioja, and in the 1990s three brothers served in different periods as officials in the executive power. But after a series of corruption scandals in 1991-1992 and the removal
of several important employees from charges, finally it was another businessman from La Rioja, Luis Eustaquio Sarlenga, who was named as *interventor* at the head of FM. Sarlenga was in the import-export business of olives and knew nothing about finances; less about arms. His great virtue was to be a loyal follower of Menem. Yet, it will be Sarlenga who after six years of silence when the *venta de armas* case made its way to the court would break down and make confessions leading to the indictment of Menem.

Second, for the first time the Presidential secret decree included in the list of arms to be sold 18 155mm refurbished canons. Third, the contacts with the Bolivian government for the end-user certificate started when Jaime Paz Zamora, a personal friend of Menem, was in power. In fact, the end-user certificate that DGFM received on January 8, 1991, bore the signature of the Army Division General Augusto Sánchez Valle, who figures as the general manager of Corporación de las Fuerzas Armadas de Bolivia para el Desarrollo Nacional (COFADENA). In the same document, the representative of DGFM in Bolivia appears to be some “G. Chavez.” Interestingly, it is a department of the Defense Minister the official Bolivian agency in charge of arms acquisition, not COFADENA where arms were destined to.

The problems started when in 1992 Paz Zamora lost the elections to Gonzalo Sánchez de Lozada, who was not aware of his predecessor’s negotiations, and, moreover, had no intention in getting involved in arms transfer to a third party. Despite the change of government in La Paz, Argentina did not abolish the certificate for reasons of “oblivion,” according to the official explanation. The suspicions, however, remain that the juridical validity of the end-user certificate was maintained to justify the transfer of at least part of the arms listed in decree 1633 to the third party to which they really were
destined. In a political move in 1996 to harm the opposition asking an investigation for the arms transfer scandal, the Menem government made public the decree along with other decrees of arms sales to Bolivia during the Radical administration. The initiative provoked a diplomatic reaction when the Bolivian Ambassador in Buenos Aires, Julio Garret Aillion, asked the Argentine Foreign Minister Di Tella to clarify publicly that Bolivia had never bought arms from Argentina. Moreover, representatives of the former Bolivian president, Paz Zamora, declared that during his presidency Bolivia had bought arms only from China and for an amount of just $5 million dollars (Santoro 1998, 154-162).

In addition to the links to criminal organizations, as revealed through the involvement of Palleros during Operación Panamá, the initiative of “vender armas a Bolivia” reveals two other aspects of the venta de armas that make the case paradigmatic for the courtesan state analytical framework. The first is the greed factor; apparently, the motivation of those who planned the operation was to avoid sharing the profit with an arms dealer. The question is whether excluding the involvement of a gunrunner and its illicit links in an operation makes the arms transfer a common covert operation that could be justified as a sovereign decision. To some degree it does; yet both the aim and the procedure of the venta de armas as a whole make it hard its justification as an initiative for the national interest. The operation “vender armas a Bolivia” is part of a wider project to get rid of the excess of production of the dismantled and privatized FM as it was formulated publicly by one of Menem’s most intimate collaborators and a member of
his administration Alberto Kohan: “… as long as we can, we are going to sale arms to
others countries in the world.”68 (Santoro 1998, 135)

Expanding the Business to Bosnian Muslims

In any case, venta de armas could not proceed without the intermediation of
international gunrunners. The following episodes of what reporter Daniel Santoro calls “a
political decision of the government mixed with the need to do business,”69 (Santoro
1998, 185) from the arms transferred to Bosnian Muslims to those sent to Ecuador later,
arms dealers, including Palleros, reentered the scene as executioners –and co-profiteers-
of a State initiative to use illicit means in arms transfer operations. In addition, when on
April 5, 1993 Defense Minister Erman González resigned to assume a seat in Congress,
his successor, Oscar Camilión,70 wanted to restructure the Ministry but has not been able
to remove Sarlenga from DGFM and replace him by a man he trusted. The instruction to
leave the olive businessman at his job came directly from the President, and was
transmitted to the new Defense Minister by Esteban Caselli who at that time was Deputy
Secretary General of the government, and, later, would become Argentina’s Ambassador
to the Vatican. Sarlenga’s continuity as an intervenor at the DGFM revealed to be a
“grave mistake”71 that Camilión committed. It also showed that Sarlenga “was but a
piece in a chess game conducted by Menem’s most trusted men who left no trace of their
performance in it.”72 (Santoro 1998, 185)

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68 “… en la medida en que podamos vamos a colocar armas en otros países del mundo.”
69 … una decisión política del gobierno mezclada con la necesidad de hacer negocios.
70 Camilión was an international relations expert who served as Foreign Minister under the military
government of Roberto Viola, and, for five years before assuming the new post in the Menem
administration, was the UN Secretary General representative for the conflict in Cyprus.
71 grave error
72 … sólo un peón en un ajedrez que manejaban, sin dejar huellas, los hombres de más confianza de
Menem…
The demand for arms to the Bosnian Muslims came from a French gunrunner, Georges Starckmann, through a former Argentine Armada Commander, Rubén Oscar Franco. When democracy was restored in Argentina, Franco left the military carrier to become the representative of some arm firms. He, therefore, had become quite familiar with the global arms bazaar. It is known that Starckmann was expelled from Paris in 1993 accused of drug trafficking and illegal possession of arms and explosives. One of his two firms based in Geneva, Switzerland – Star Production S.A. and Erkis S.A. - has been active from 1978 to 1993, and, according to sources connected with the Interpol investigation, was used to launder drug and arms trafficking money (Santoro 1998, 169-170). After the first contact, however, DGFM negotiated directly with the Bosnian government through a secret correspondence between the retired Argentine Navy Captain Horacio Carlos Debernardi and Alija Delimustafic, a representative of Bosnia-Herzegovina’s Foreign Ministry, who gave to Debernardi green light to handle the negotiations. Thus, by the end of 1993, the same ships that were used for Operación Panamá transported Argentine arms and ammunitions to Bosnian Muslims. But if Croatia or the rich Croatian diaspora could pay for the multimillion purchase of arms, the small Bosnia-Herzegovina could in no way meet the requirements of the overprice, not even the price, of these arms. “The millions of dollars needed for these purchases, therefore, were provided by Muslim countries like Iran and Saudi Arabia who had the hard currency to do so.”73 (Santoro 1998, 176) It is known that the support that Iran gave to Bosnia-Herzegovina amounted $160 million for arms purchased in different countries of the world. The role of Starckmann and other dealers has been to accept the money from the

73 Entonces, los millones de dólares necesarios para estas compras seguramente provinieron de países musulmanes con divisas fuertes como Irán o Arabia Saudita.
Iranians and other real buyers, and after taking their commission handle it to the suppliers. What in the *venta de armas* case became known as the “Iranian connection” included not only this peculiar rapprochement of both countries, but also its consequences, mainly the suspicion that the July 18, 1994 car-bomb, which exploded in front of the Argentine Jewish mutual AMIA in Buenos Aires causing 86 deaths, was at least indirectly an obscure aspect of the arms transfer initiative.

Right after arms shipped to Bosnian Muslims, and to avoid yet another frustration after the abortion of operation “*vender armas a Bolívia*,” Sarlenga contacted Palleros to concrete what will become phase two, three, four and five of *Operación Panamá*. Sarlenga not only agreed to pay the 10 percent commission Palleros asked for, but also gave him exclusivity to represent FM in Panama. The former military, thus, monopolized every arms transfer operation to be concreted through the Canal country. On June 1993, the Senj of Croatia Line shipped from the port of Buenos Aires to the Balkans with 14 containers totaling 293 tons of armament, and few days later, the KRK of the same marine company completed the phase with 12 other containers of a total of 210 tons. On November 14, 1993, Opatija of Croatia Line headed to the Mediterranean Sea with 112 containers of 2,000 tons of armaments for a total F.O.B. price of $7,140,660 dollars. Thirteen days later, Grobnick followed with 23 containers of a total of 355 tons, for which Palleros paid $7,140,660 dollars. The sixth ship since the beginning of *Operación Panamá* in 1991, the Ledenice, left the port of Buenos Aires on March 12, 1994 with 112 containers of 1,867 tons of armaments for a total value of $8,243,508 dollars. The Argentine customs at the port failed to register what type of armaments were sent with each ship. Only after the scandal became public it was known that the shipments included
155mm CITER cannons, which have a range of 30 kilometers, and the gun powder – some 200 tons- for the projectiles of these cannons; a further detail: the presidential secret decrees 1991, 1696, and 2283 included only portable weapons, short range missiles and ammunitions, not cannons and gun powder for projectiles (Santoro 1998, 187-189). Whereas, as I shall show, the U.S. has been at least tolerant for conventional and small arms to be shipped to the Balkans, and in that sense there is a compatibility between Menem’s presidential decrees and the American grade of tolerance, it is to question whether the inclusion of heavy weaponry has been a Creole smart-guy trick –viveza criolla-, or a break in the chain of command in Operación Panamá.

**Getting Heavy: The Episode of the Cannons and the Gunpowder**

The next episode of particular interest for the venta de armas case is the smuggling of several tons of M$4 A2 type gunpowder, which is used to fire 155mm projectiles. The interest of the gunpowder episode for the scandal lies in that it indicates that the Menem government was willing to take more risks in the smuggling business by moving from small arms to heavier weapons.

The gunpowder episode of the venta de armas started on July 14, 1993, when Colonel Antonio Angel Vicario, Director of Production of DGFM, sent a written order to Lieutenant Colonel Enrique Pavón, director of the Villa María Gunpowder and Explosives plant in the province of Córdoba, to burn several tons of M4 A2 gunpowder used to fire 155mm projectiles. According to the argument advanced by Vicario, the gunpowder, which was fabricated in 1984 with the intention of selling it to Iran, showed signs of “abnormality in its chemical stability,” hence endangering its use. As a document signed by the technicians of the plant indicates, the order has been executed the same day
when 25,036 charges of M4 A2 has been burned in the “Sierras Grandes” firing polygon near the Serrezuela village. The truth was that nothing of the sort has been done. Instead, in the night of August 4, 1993, 24 trucks belonging to a private company loaded 200 tons of gunpowder, and transported it to the port of Buenos Aires, where it was handled to the Opatija ship; this later would not head to Panama, as initially registered, but would make its way to Rijeka (Croatia) after visiting Montevideo, Santos, Rio de Janeiro, Bilbao, Barcelona, Genoa and Livorno. DEBROL paid for the gunpowder $2,500,000 dollars, an amount that DGFM did not register. In other words, the money went directly to some private account. Moreover, the 200 tons of gunpowder left the port of Buenos Aires without any official authorization, without even any inspection from the Customs, “which gives an idea of the impunity insurances that those who participated in these activities had received.”74 (Santoro 1998, 190) The maneuver was discovered only four years later, in 1997, when one of the former technicians of the Villa María plant, Luis Tagni, who had lost his job in virtue of a governmental decree reducing DGFM personnel, denounced it to the local El Diario newspaper, and later officially to the federal judge Edgardo Filippi. After this latter declared his incompetence, the case passed to judge Julio Speroni.

Judge Filippi’s initial investigation revealed that the gunpowder case was part of a larger smuggling chain including an undetermined number of CITER L 33 155mmm cannons, which were transported from the Río Tercero plant in 46 trucks and shipped to Croatia and Bosnia, along with other undetermined quantity of Otto Melara 105mm cannons of Italian origin bought by the Army in the 1970s during the Beagle conflict with Chile with the official engagement of not re-exporting them. The CITER 155mm cannons

74 … lo que da una idea de las garantías de impunidad que tenían los que participaron de estas actividades.
are a FM production; they measure 10m long, 3m wide and nearly 2m high, and weight some 8 tons. The Otto Melara cannons, in turn, are ideal for mountain operations, as it is easy to dismantle and transport them. According to the 1998 testimony of Omar Gaviglio, chief mechanical operator in Río Tercero, by mid-1994 the Army sent nine 155mm cannons and ten 105mm cannons to the plant ordering to raise the trademark and serial number. The operation was given the codename “makeup.” Moreover, Gaviglio supervised the task of covering the cannons with an anti-infrared substance bought from the Glasurit firm in Buenos Aires, to make it harder to the enemy detecting them. Another official of the plant, the head of the Center for Armaments Luis Zuza, testified about how the wheels of the cannons were removed in order to accommodate them in containers. According to Zuza, three cannons were sent on the first round, seven or nine on the second, and six on the third.

Once the cannons were handled to the Croatian military in 1993 a new problem emerged: technical assistance was needed to assemble the artillery. It was then that Sarlengo asked two technicians in Río Tercero, Luis Lago and Santiago Callejas, to travel secretly to Zagreb and help the Croatians to put together the artillery pieces. They were paid each $5,000 dollars and flew on September 19 to Montevideo where Palleros received them. From Montevideo the two technicians made to Zagreb via Madrid with Wlademir Sagore, who served as their interpreter and contact with the Croatian military. Lago and Callejas avoided Immigrations so that their passports would not have any seal and their trip would remain secret. They went back to Argentina on October 5, and only on February 1995 Menem signed the secret decree 103 authorizing the sale of eighteen 155mm and eighteen 105mm cannons to Venezuela.
The scandal was made public in March 1995 in a note that Santoro published in *Clarín* along with photos of CITER 155mm cannons in a Croatian military parade on May 30, 1995. The government first denied its implication. Then, however, when a lawyer, Ricardo Monner Sans, denounced it officially in a court, Defense Minister Camilión, who was among the suspects, formulated an argument stating that the cannons could have been some of the twenty similar ones lost in the 1982 war of Malvinas, and sold to the Croatians by the British. The very next day of Camilión’s public statement London denied the charge. Moreover, in the so-called Rattenbach report that a special commission for the evaluation of the outcome of the Malvinas war produced in 1983 was clearly stated that only four 155mm cannons were sent to the islands. The only Argentine artillery piece that the winners took from the battlefield is a 105mm cannon, which is exposed as a war trophy in the imperial war museum in London (Santoro 1998, 195-196). But it was not only Camilión who was affected in the episode of the cannons; when the Argentine justice started to investigate the case, the head of the Argentine Army Chief Staff, General Martín Antonio Balza rapidly became one of the suspects. To the extent that Balza, who had political ambitions, took the spontaneous initiative to visit judge Urso in an attempt to avoid any linkage with the case. Balza, however, will not be exempted from the suspicions and, along with other officials, was indicted later.

Not only the “makeup” of the cannons, the lack of official records, a presidential secret decree that was emitted long after the armament was delivered and the implications of a Minister and the head of the Argentine Army in the illicit transfer underline the
obscure connections of a criminal operation with the highest authorities of the government. On November 3, 1995, an explosion destroyed the Río Tercero plant and caused seven deaths and hundreds of wounded persons. The same day of the explosion Menem flew to the sight and without interviewing any official from the plant characterized the fact as a “regrettable accident.” The judicial investigation sustained the President’s argument, excluding any criminal intention in the explosion. The argument lasted for eight years, but upon the insistence of Ana Gritti, the widow of one of the victims of the explosion, the Argentine justice reconsidered the case. A new investigation concluded on November 2003 that the fire that provoked the explosion was intentional, and, therefore, characterized it as a criminal act. “Neither the initial fire started by accident, nor did the explosions followed the fire; they were the results of the cold-blood calculation of people with a lot of power. May be a case of state terrorism.” 75

As no presidential secret decree had included heavy artillery in the arms shipped to the Balkans, the Palleros–Sarlenga cooperation –symbolizing the linkage of an illegal, if not criminal, global enterprise of arms smuggling with the government- maneuvered to construct a legal basis justifying the sale, while simultaneously preparing yet another shipment of arms to Croatia and Bosnia. In virtue of that cooperation, on February 8, 1994, Palleros sent to Sarlenga a demand for arms and ammunition totalizing more than $34 million dollars destined to the African country of Liberia under UN embargo since

75 Ni el fuego inicial comenzó por accidente ni las explosiones obedecieron al fuego, sino al frío cálculo de personas con mucho poder. Tal vez, un caso deterrorismo de Estado.
1992 for the civil strife that was devastating the country. For some reason, Palleros did not use the DEBROL to set the end-use certificate, but another ghost-firm MADERYL S.A. INTERNATIONAL TRADE headed by his second wife, Alicia Barrenchea, located in Montevideo. Though the address of this new company was different from that of DEBROL, both had Palleros’ phone numbers in Buenos Aires and South Africa. The end-user certificate was emitted on October 11, 1993, and supposedly signed by the Liberian Ambassador in Paris, Aaron George II. The falsification of the document was so unsophisticated that beside the incorrect denomination of Liberian security agencies, it contained striking errors of spelling despite that English was the official language of Liberia since 1860 (Santoro 1998, 207).

Eighty trucks loaded with defense material, including 18 L33 CITER 155mm cannons and 6 OTTO MELARA 105mm cannons, for a total of $34,190,000 dollars made their way to the port cities of San Nicolás and Bahía Blanca, even before the decree was signed by Menem, Cavallo and Di Tella. By that time the scandal had made its way to public opinion and members of the opposition members in the Congress of the Nation were questioning the performance of the government. Alarmed by the magnitude of the scandal, both Camilión and Di Tella refused to allow the shipment. The maneuver of laundering the arms smuggling using Liberia as the destiny of the shipment, hence, failed. Tens of containers remained in the military plant of San Martín in the province of Buenos Aires waiting for new opportunities. Meanwhile, however, the original demand for arms to Liberia was lost in the Defense Ministry, though photocopies made their way to the press. It is also known that the Ledenice ship of Croatia Lines left the port of Buenos Aires on March 12, 1994, with 112 containers weighting in total 1.867 tons. According to
the documents of the Customs, the shipment was authorized by the presidential secret

decrees of 1991. It remains unknown, however, whether arms supposedly destined to

Liberia were not on the Ledenice (Santoro 1998, 209-210).

*Guarantor in Peacetime, Arms Dealer During the War*

The conflict in the Balkans had created the opportunity for the Menem
government to sale a total of 6,500 tons of armaments from 1991 to 1995 through

*Operación Panamá* and the decree authorizing sales to Venezuela for a total FOB value

of $33,868,764 dollars. The conflict between Peru and Ecuador in 1995 offered yet

another opportunity to continue the same procedure of illegal arms sales. In terms of

quantity and quality, arms sold to Ecuador were a minor detail compared to the shipments
to former Yugoslavia. Yet, this last episode of the *venta de armas* is significant for the

analysis of the courtesan state for two reasons: first, it marked the continuity of a

behavior that violates the norms of international legality that a government is supposed to

observe in two senses: first, Argentina was one of the guarantors of the 1942 pact

between Peru and Ecuador; and, second, if in the Balkans the green light of Washington

offered an argument for the strategic justification of arms sales in covert operations, the

same is strongly questionable in the case of arms sold to Ecuador. Most probably, as I

will try to show, the success of arms sales to Croatia and Bosnia tolerated by the U.S.

encouraged the Menem government to free-ride this time. Moreover, several analysts

underlined the notable dilemma for the Argentine national interest that arming Ecuador

involved: since the struggle for independence in early 19th century, Argentina and Peru

have been close allies both for the legacy left by San Martín, considered a *Libertador*
(liberator) in both countries, and the territorial controversies they had with Chile. Hence, for the sole analytical purpose of the courtesan politics framework, the last episode of the venta de armas offers rich arguments and empirical proofs.

The demand for arms rose immediately after the so-called Condor War started in January 1995. The demand came to Argentina via a French arms dealer, Jean Bernard Lasnaud, who on February 4, 1995 visited the Domigo Matheu military plant near the town of Rosario specialized in the fabrication of portable (light) weapons. Two other persons were accompanying Lasnaud. One of them was a retired Ecuadorian military, Albino Macchi, a “special envoy of the joint command of the Ecuadorian armed forces;” the other was identified as Víctor Morón. The three visitors were interested in 9mm semi-automatic pistols, FAL IV assault rifle, and other similar arms produced in the plant. After firing shots and expressing their satisfaction for the quality of the armament, Lasnaud and his colleagues went back to Buenos Aires to start negotiating the purchase of 8,000 FAL assault rifles and 10 million 7,62mm bullets for the Ecuadorian armed forces. In Buenos Aires, Lasnaud contacted Palleros and former captain of the Armada Horacio Pedro Estrada, a known repressor during the 1976-1983 military government, to start negotiating the arms sale. While DGFM was trying to seize the opportunity of the war to sale arms, on February 6, two days after Lasnaud’s visit to the military plant, Menem received his Ecuadorian colleague, Sixto Durán Ballén, who was touring Latin American capitals seeking an honorable end of the undeclared war with Peru. On this occasion, the Argentine head of state declared that war would lead to nowhere and that it was necessary to put an end to the hostilities and reinitiate the negotiations. To avoid a diplomatic embarrassment for Argentina without losing an overpriced contract, DGFM
used the presidential decree authorizing arms sales to Venezuela. The assault rifles, from which the seal of the Argentine Army has been erased, were sold to the Uruguayan ghost-firm Hayton Trade belonging to Palleros, who, supposedly, was going to handle them to Venezuela. Instead, Hayton Trade sold the arms to Lasnaud’s Caribbean Group of Companies, Inc., who sold them to the Ecuadorian company Prodefensa of Roberto Sassen Van Elsloo, and this latter to the Superior Command of Ecuador’s Armed Forces.

Lasnaud’s criminal antecedents, including arms smuggling to Somalia in 1979, falsification and use of false documents in 1980, and attempt of fraud in 1993, did not stop Sarlenga in doing business with him. A deal was reached in fourteen days, and in virtue of the presidential decree 103 signed by Menem on January 24, 1995 authorizing sales to Venezuela, 5,000 FAL assault rifles and 75 tons of ammunition ended in Ecuador. The decree 103, including armaments for a total FOB value of $33,142,800 dollars, allowed both to sale arms to Ecuador and “legalize” the sale of cannons to Croatia. Hayton Trade, or Palleros, received for this operation a legal commission of 13 percent. The armament included in the decree was enough to train a 50,000-men Army for several years. “Precisely, after the abolition of the obligatory military service in 1995, the [Argentine] Army was left with this total number of soldiers.”76 (Santoro 1998, 223)

The Venezuelan involvement was orchestrated by Palleros, whose Hayton Trade firm represented FM in the Caribbean country. Hayton’s intermediary was the Venezuelan company Metales Restor S.G.A. Headed by Milton Alexis Pirella Avila. Metales Restor S.G.A. had a capital of $600 dollars, an Olivetti writer, a Casio calculator, a small archive, two desks and two chairs. Yet, in less than 60 days Pirella Avila had a

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76 Justamente, tras la abolición del servicio military obligatorio en 1995, el Ejército quedó con esa cantidad de hombres.
document signed by Colonel Edgar Tomás Millán Zabala, the head of the armament section of the Venezuelan Defense Ministry, asking for prices of grenade launchers, 105mm cannons and 7.62mm ammunition. “It is not known why Millán Zabala asked (innocently?) for prices of arms that he was not going to buy, and knowing about the use that the document could have been given in the black market.”77 (Santoro 1998, 225) FAL prices were not included in the document. The Venezuelan inquiry reached DGFM through Palleros.

Who Cares About A Diplomat in Lima? In Ezeiza Manda Lasnaud...

The operation, however, did not go unnoticed. Alerted by the Peruvian intelligence, the Argentine Ambassador in Lima, Arturo Ossorio Arana, sent a confidential letter to the Foreign Ministry informing about Argentine arms and military officials in Ecuador, when, precisely, the Foreign Ministry was trying to reach a cease-fire between Peru and Ecuador. Yet, the Foreign Ministry did not take any preventive measure, either because it did not believe that FM would undertake an initiative that would harm Peru, or because it did not want to interfere in a sphere where close collaborators of the President moved. Thus, in spite of the Peruvian advertence DGFM continued sending arms to Ecuador. Lasnaud supervised personally the operation in the Ezeiza airport, where in the morning of February 17, 1995, an American Douglas DC8 plane of Fine Air –a company that did not have authorization to operate in Argentina- landed to, later, fly to Caracas, Venezuela, with a previous landing in Guayaquil, Ecuador, where the FAL assault rifles and the ammunition were delivered.

77 No se sabe por qué Millán Zabala pidió (¿inocentemente?) la cotización de armas que no iba a comprar y sabiendo el uso que se le da en el Mercado Negro a ese documento.
Along with the Peruvian reaction –significantly mild, however-, the last episode of the venta de armas involved yet another embarrassing scandal. In Ezeiza, and before the Fine Air plane takes off, a representative of the Ecuadorian military complained that the assault rifles were not new, and the dates of the lifeline of the ammunitions varied between 1972 and 1984. The Ecuadorians did not know that FM stopped producing FALs in 1992, yet were obliged to accept the delivery after Lasnaud’s persuasive intervention with a handgun pointed to the head of the complaining representative… (Santoro 1998, 237) Further inquiry about the Fine Air flight showed that Argentine Air Force officials alerted high authorities, including the proper Defense Minister, on the landing of the plane in Ecuador, yet received no instruction to interfere (Santoro 1998, 238). The poor quality of the Argentine arms provoked a backlash; Ecuadorian military complained to Prodefensa, who tried to seek compensation from Argentina. Palleros sought satisfying their demand with further deliveries, but by mid-1995, and after Clarín denounced the venta de armas scandal publicly, the government’s maneuvering space was significantly reduced.

In a move to distance itself from the scandal, the government fired Sarlenga on March 30. Disputes between the Foreign and Defense Ministries about the responsibility of the scandal irrupted, and to save Argentina’s international reputation Di Tella presented a self-denouncement to the U.N. Sanctions Committee for arms sold to Croatia and Bosnia avoiding, thus, further diplomatic complications including an eventual condemning of Argentina for violating the embargo. The U.N. report, prepared after Yugoslavia and Montenegro denounced the violation of the embargo, failed to identify the violators properly because, as formulated in the document, sophisticated means of
smuggling were used. In other words, using a false end-user certificate allowed Argentina to avoid international sanctions. Of course, arms made their way easily to the Balkans because the enforcement of the embargo, a responsibility NATO had assumed, was not done properly. Not to say that there was a political decision in Washington to turn a blind eye on frequent violations on the embargo…

As for the compensations that Ecuadorians were asking, Palleros activated his old contacts with Iran, a country that, at that time, was accused of masterminding the terrorist attack on AMIA, and eventually sent 3,000 FAL assault rifles and 9,200,000 7.62mm bullets on the Hormestrand ship, which parted from the Iranian port of Van Bannar-Abbas on July 30 and arrived the port of Guayaquil on November 3. Apparently, the compensation did not satisfy the Ecuadorian authorities that, reportedly, threw the assault rifles and ammunitions in the sea. On February 1996, the Ecuadorian military ended the contract with Prodefensa and threatened to sue Sassen. On April 2, Sassen and General Villa Jaramillo met with the Argentine military attaché in Quito, Colonel Hugo Juan Molinari, and submitted him a detailed report. That report, along with the observations of the military attaché, who was surprised with what he was hearing, was submitted to Argentina’s Ambassador in Ecuador, Esther Bondanza, and faxed to the head of the Army Intelligence II, General Jorge Miná. Molinari’s report, which revealed Sarlenga’s negotiations with Sassen and the initiative to compensate the Ecuadorians with Iranian arms, were published in Clarín on April 18. Weeks after, and as a result of his frustrated meeting with Camilión, Sassen sued the Argentine state and became a denouncing part in the court investigation that judge Urso was conducting. “In Ecuador, however, a lawsuit never made its way to the court. According to some sources, this was due to the fact that
the Ecuadorian military that bought the weapons from Sassen received bribes and did not want any investigation to find out what happened with the money that the Ecuadorian state, affected by corruption more than the Argentine state, paid.”78 (Santoro 1998, 267)

Concluding Remarks

There is little doubt that the Menem government was involved in the scandal. But only after the confession of Sarlenga, and based on it, could the Argentine justice determine to which level in the official hierarchy the responsibility of state involvement in arms smuggling had reached. The second edition of Venta de armas (Santoro 2001a) includes large extracts of Sarlenga’s confession to which Santoro had exclusive access. Following the confession, a lawsuit was brought against president Menem, who consequently was indicted until the Supreme Court dictated his release in November 2001.

Despite Menem’s release, the venta de armas case is paradigmatic to study the concept of courtesan politics. It is not the covert arms transfer operation per se that is unusual; nor is it surprising that a state gets involved in arms transfers essentially for economic reason. The innovative aspect of the phenomenon that could be of interest for IR Theory is the concept of an “illicit association” that the Argentine prosecution proposed and judge Urso accepted to indict former president Menem. However polemical this statement, it is relevant for the study of courtesan politics, because the illicit

78 Pero nunca se abrió un juicio en Ecuador. Segú algunas fuentes, esto se debería a que también los militaes ecuatorianos que le compraron a Sassen se quedaron con coimas y ahora no quieren que se investigue qué pasó con la plata que pagó el Estado ecuatoriano, más afectado que el argentino por la corrupción.
association of a state with the dark side of the global political economy is at the heart of the analytical framework this study formulated.

As Santoro explains, the accusation of forming illicit associations referred to some officials in the government, who abused their position for personal profit. It, therefore, did not implicate the whole government (Santoro 2001b), and, in any case, this study is not concerned with the judicial aspect of the venta de armas, nor does it intent to determine personal responsibilities. However, based on the conceptual analysis of the courtesan politics discussed in chapter two, there are sufficient elements in the venta de armas phenomenon to argue about a case of courtesan behavior on behalf of the Argentine state. For the purpose of this chapter, of particular relevance are the following ones:

First, the main motivation of the venta de armas has been business –“un negocio” (Santoro 2001b), not strategic reasons. An argument could be made for arms transferred to Croatia and Bosnia based upon the special relationship of Argentina with the United States. Nothing, however, seems to justify arms sold to Ecuador, a move of which the most concerning damage has been Argentina’s traditional relation with Peru, the only Latin American country that secretly helped Argentina during the 1982 Malvinas war (Santoro 2001b).

Second, though managed on governmental level, the venta de armas business was set up for individual profit. To the lack of transparency –perhaps justified in the initial phase given the confidential nature of the transaction, but not when the government avoided providing meaningful explanation to legislators- should be added above all the lack of accountability for the sums paid by foreign purchasers. “It is extremely difficult to
find out where the money went to.”\textsuperscript{79} According to a wide estimation, Croatia, Bosnia and Ecuador paid some $100,000,000 for arms purchased from Argentina. Of that sum $40,000,000 is officially registered in the government account. The destiny of the remained $60,000,000 is unknown (Santoro 2001b; Santoro 1998, chapter IX).

Third, most importantly, the people involved in the \textit{venta de armas} business were among those who formed the close circle of the President, including his brother-in-law, Emir Yoma, a key player in the arms transfer initiative. They had Menem’s absolute confidence and were extremely loyal to him. They were, more generally, the people of the “Menemismo,” as the circle of power in Argentina became known in the 1990s. Even if any governing entity is formed by a group of loyal people, the particular trend of the Menemismo, deeply rooted in the Peronist political culture and tradition, is its complete seizure of the state, including the legislative and, above all, the judicial powers. Indeed, if in 1995 the Menemismo did not hesitate to take the risky step of selling arms to Ecuador, it did so, according to Santoro, because for the past five years the mechanism put in place for the \textit{venta de armas} –among other businesses of the same nature- was able to proceed without any fear of being indicted (Santoro 2001b).

Fourth, because of the necessary links of this mechanism with global arms dealers and their obscure world of crime, erasing the traces of illegal activities became inevitably part of the process, implying, as expected, security risks. True, none of the several episodes of the \textit{venta de armas} brought any external security threats –in the traditional meaning of the concept- to Argentina (Santoro 2001b). Even the diplomatic complications were minimal. This in the case of Croatia and Bosnia is explained most

\textsuperscript{79} Es difícil saber dónde fue a parar el dinero.
probably by the U.S. green light, if not support: the seven demands that judge Urso sent to the Department of Justice asking for the collaboration for the venta de armas case never made their way to a U.S. judge (Santoro 2001b); procedural, legal or juridical arguments notwithstanding, it is fair to hypothesize that the political will to collaborate was at least not interesting for Washington. As for Peru and Ecuador, the lack of any initiative on their behalf to start a diplomatic scandal is most probably explained by the grade of corruption both countries were as well suffering: as we have seen, the Ecuadorian military did not initiate any lawsuit against Prodefensa fearing that their own bribes would be discovered, and though Peru’s case is less easy to speculate about any direct reason, the Fujimori-Montesinos couple, as events later showed, were not less involved in large scale corruption affairs. Yet, to the venta de armas case is directly linked the criminal explosion of the Río Tercero military plant, which resulted in seven people’s death, and, indirectly, the terrorist attack against the Jewish mutual AMIA in Buenos Aires, not to mention yet the suicide of Captain Astrada and other fatal accidents and deaths of persons having connections with leading players of the case, such as Lourdes de Natale, Emir Yoma’s private secretary, one of the first witnesses of the case. The proper Santoro confessed having received death threats in 1995 after the publication of the first press reports revealing the arms deals, whereas the government threatened to sue him (Santoro 2001b).

Fifth, the Argentine context of the 1990s, including the sea changes in foreign and domestic policies, itself provides the arguments for the political, economic and social conditions for the rise of a courtesan state. More concretely, the free market reforms –a necessary step, which, however, was taken without the solid legal/institutional setting to
insure the transparency and accountability of the process- created golden opportunities for people in power for rapid enrichment, even at the expense of legality and decency. Moreover, in terms of state weakening and institutional failure, Argentina’s collapse in December 2001 says a lot about the deep transformations that the state went through during the Menemist era of the 1990s. Though no directly related to the institutional crisis that Argentina suffered as a result of the policies in the last decade of the twentieth century, the venta de armas case is part of the overall process. The consequences of officials involved in arms smuggling created a dangerous antecedent as the involvement of Argentine military in arms smuggled to narcotraffickers in the favelas of Río de Janeiro in 2003 suggests.

Sixth, as courtesan politics is understood only through the interaction of agency with structure, the post-Cold War transition to a unipolar world and the globalization of world economy are crucial causal factors for the venta de armas to take place. Indeed, to start with there is the U.S. role in tolerating the violations to the U.N. embargo to former Yugoslavia, a politics that encouraged, among other supply-siders, Argentina to seize the opportunity and sell its supply of production. Then the special securitization of international arms transfer that dominated Washington’s arms control policy, as showed in chapter three, four and five, left a broad field for “gray” –both legal and illegal-operations –typical in arms trade- to take place. Except for the 105mm and 155mm cannons, which, probably, had the buen visto of Washington, the arms that Argentina transferred were all of light weapons category, which was not a security concern for the world’s only superpower. And last, the lack of cooperation of countries where the arms dealers have created their ghost-firms, took refuge and transferred their money, has been
a crucial factor for the *venta de armas* operations. For sure, neither the United States, nor Switzerland-or Uruguay or South Africa- were interested in supporting arms dealers and their links with criminal organizations; yet all were either uncooperative or extremely reluctant to cooperate in the ‘follow the money’ procedure to reveal what Santoro calls the “route of the commissions” (Santoro 1998, chapter IX). Their reluctance is explained by the sanctity of the secrecy of global flow of capital, itself a pillar of what analysts has characterized as the Second Great Transformation. “It would have opened the Pandora box,” explains Santoro referring exclusively to Uruguay: to cooperate and reveal the truth about the finances and real transactions of DEBROL and other non-existent firms would have created an antecedent to start looking at the taxes that Argentines evade to the Oriental Republic, the economy of which strongly depends from the capital flows into its banks (Santoro 2001b).

### Section II. The International Context: The U.S. Politics of Looking the Other Way

The conflict in the former Yugoslavia is typically considered a “new war,” in which arms needed to be supplied covertly. This is especially true for the Croats and the Bosnian Muslims, who after the break-up of the country had to create their armies from zero given that the Serbs, who dominated the military, had appropriated all the weapons. But, because of the U.N. embargo, arms supplies for the Serbs, especially Bosnia-Herzegovina’s Serbian population, also became problematic and they too looked for non-legal channels. The demand for arms generated by the conflict in the Balkans, thus, fomented black market transactions. Yet, arms could not have reached so easily the former Yugoslavia had the U.N. embargo been reinforced properly. Today it is all too
clear that the political will to enforce the embargo, for which NATO had a special role, did not exist for a clear geopolitical consideration: impeding that arms reach to Croats and Bosnians would have created a tremendous imbalance of power in favor of the Serbs.

Because of a global and well-organized diaspora, the Croats enjoyed a competitive advantage over the Bosnian in the task of creating their armed forces and fighting the war. Successful businessmen of Croat origins became key players in Zagreb’s efforts to gain international recognition and find arms suppliers. As for other cases, it was a businessman of Croatian origin that initially contacted Palleros for the purchase of Argentine arms, whereas the Croat community in Argentina, established mostly after WWII when the first Peronist government opened the country to immigrants from Europe, including sympathizers and collaborators of the Axis powers, mobilized to facilitate Argentina’s recognition of the independence of Croatia and future collaboration. It was, then, the need to arm the Croatian military that created the incentive and necessary networks for illicit arms transfer to the Balkans. Later, in 1992, the Bosnian government established the ‘Croatian pipeline’ in a deal with Iran, Turkey and Saudi Arabia, despite the opposition of the parties to assistance from Iran. By 1993, Islamic countries were in the process of collecting money to provide the Bosnians with a serious offensive capability.

In this section, I discuss the U.N. arms embargo to the former Yugoslavia and the reason why has it been possible to violate it so openly. My aim is to show that while the demand for arms was generated because of the war in the Balkans, it could not have been met if those who voted the embargo also cared about its enforcement. I use this
argument as an empirical proof of the conceptual discussion of the terms “security” and “arms transfer” in chapters three and four.

An Embarrassing Embargo

The UN embargo was established in virtue of the Security Council resolution 713 on September 25, 1991, requiring, for the first time in U.N.’s history, its member states to stop supplying weapons and military goods from their own territory to the warring factions. It also created a special peacekeeping force for the former Yugoslavia (UNPROFOR). By that time, the clandestine purchase of arms, or intents of purchase, by Serbs, Croats and Bosnians, was a known fact. Not only weapons used in other conflicts, especially Lebanon (1975-1991), which had cooled down or ended, had made their way to the Balkans, but also, as it was known publicly, for example the German foreign intelligence service was secretly arming the Croats (Wiebes 2003, 158). As resolution 713 did not imply that member states should also stop the supplies from third party countries to the region, a series of further resolutions tried to tighten the embargo. On October 9, 1992, resolution 781 imposed a ban on military flights that were not authorized in advance over Bosnia establishing, thus, a No Fly Zone, and resolution 787 (November 1992) called the member states to stop the import by sea.

Despite all these resolutions, UNPROFOR was not given the mandate to monitor or enforce the embargo on land. The enforcement of the same at sea was trusted to NATO and the West European Union (WEU).

On 31 March 1993, the Security Council adopted resolution 816 to enforce the earlier resolution 781. It permitted the military action by the UN against ‘fixed wing and rotary aircraft’, if permission was given by UNPROFOR. NATO Council imposed a No Fly Zone above the former Yugoslavia to monitor flight movements, and within the framework of Operation Sharp Guard, a fleet on the Adriatic Sea attempted to apprehend and inspect all suspicious vessels. Nonetheless, all the warring factions attempted to purchase weapons, ammunition and military equipment from abroad and to import them into the region. (Wiebes 2003, 159)
The key here, of course, is the US position with respect of the UN embargo.

The UN embargo was established during the 1991 Presidential campaign in the United States. The Democratic candidate Bill Clinton argued for lifting the embargo, considering that it was favoring one side—the Serbs—at the expense of the others. When Clinton was elected president, opinions differed in his administration about the US involvement in the Balkans: some having Vietnam in mind opposed to it; for others the 1938 Munich framework served as a reference to advocated the arming of the Muslims. “Everyone realized that the Balkans would provide the United States with a better access to the Middle East. They also looked at the United Europe and constantly asked why the United States always had to take care of everything.” (Wiebes 2003, 161) Clinton’s National Security advisor, Anthony Lake, an advocate for a tougher policy in the Balkans, favored lifting the embargo as the right path for the Americans. “Training must be provided by a third party, which must certainly not be the United States, but preferably a non-radical Arab or Muslim state. As far as Lake was concerned, any country except Iran could supply arms to the [Army of Bosnia Herzegovina – Armija Bosna i Hercegovina] ABiH, preferably by lifting the arms embargo, but if necessary illegally.” (Wiebes 2003, 161-162)

In a book reflecting his memoirs, Lake describes the dilemmas of peacekeeping for the US in the following words:

The congressional hawks wanted no part of American ground involvement, as our allies were always quick to point out. These hawks wanted instead to lift our participation in the U.N. arms embargo insofar as it applied to the Bosnian Muslims. This was a painful issue for us. On the one hand, the President rightly felt very strongly that the embargo, which dated back to 1991, was a mistake. It penalized the victim as much as the aggressor. But our allies were somewhere between strongly opposed and apoplectic about our violation of the embargo, since, like heavier bombing, such a measure could imperil their troops in UNPROFOR. We had reach an uneasy compromise with the
Congress—that we would no longer help enforce the embargo, but would not violate it—and had not objected to Croatian violations. (In 1994 we had helped broker a federation between the Bosnian Croats and Muslims that was of fundamental, strategic importance in maintaining any kind of military balance with the Serbs. We could not ask Croatia to imperil it by denying arms to its allies in Bosnia. (Lake 2000, 145)

By not helping the enforcement of the embargo, therefore, the US simply tolerated the arms flow to the Balkans. In fact, the decision of not enforcing the embargo was simply another way of helping the Croats and the Muslims to arm, an issue that was seen crucial for their self-defense and the preservation of the balance of power among the three ethnic groups. Moreover, Clinton’s advisors even discussed the option of shifting position and encouraging UNPROFOR to withdraw. The US representative to the UN Madeleine Albright went even further suggesting both the withdrawal of US and its allies and the arming of the Muslims. “The memo to the President noted that we all agreed on a new diplomatic effort along the lines of an attached NSC paper, although State had some reservations. There was also agreement that if diplomacy failed and UNPROFOR collapsed, we needed to provide some degree of support for the Muslims and Croats.” (Lake 2000, 148)

The Invisible Hands that Armed the Warring Factions

The arming of the Bosnians would start with small arms. London and Paris opposed, arguing that moving along this path would enable everyone to arm other parties. Ottawa joined them, concerned with the safety of its soldiers serving as peacekeepers. Lake, however, was not concerned that much about the safety of the U.N. troops, nor estimated the Serbian reaction to lifting the embargo. There was expectation in the Arab world (especially Saudi Arabia) that Washington would support Bosnian Muslims; during his meeting with Clinton in June 1993, the head of the Saudi Arabian intelligence, Price
Turki al Faisal, a close advisor to the King, his uncle, urged Washington to take the lead in the military assistance to Bosnia. The Americans hesitated for fear of a drift within NATO. However, the Saudi concern—and signal—was taken into account, and Richard Holbrooke was assigned to look for a way to arm the Bosnian Muslims. The Croatian pipeline demonstrated to what extent Bosnia was dependent on Croatia. The Bosnian intelligence was involved in the arms transfer through the Cengic family, “who were described by Western intelligence services as ‘Mafia’.” (Wiebes 2003, 177-178)

Countries that directly supplied weapons to Bosnia included Pakistan, the sultan of Brunei, Saudi Arabia, Turkey, Iran, and Malaysia. The religious link among other geopolitical considerations was a key factor for these countries to help the Bosnian. The same would difficult to prove for other countries, like Belgium, Hungary, Uganda and Argentina, which seized the occasion of a good business. In the Argentine case, as we shall see, at most an indirect strategic reason might be argued. But the multimillion $negocio$ was far more important.

The American government could do nothing towards supplies by third party countries, because Congress had removed that possibility. A law drafted by senators Nunn and Mitchell banned the use of government funds for the support of the assistance in enforcing the arms embargo. It is the firm conviction of Dame Pauline Neville-Jones, who in 1993-1994 was chairman of the British Joint Intelligence Committee, that American personnel themselves were not involved in the purchase and transport, but were responsible for the funding. According to her, these supplies definitely were a flagrant violation of international law: the actions of these bodies meant that the American government violated Security Council resolutions. (Wiebes 2003, 214)

Although concerned with the increasing influence of Iran, Washington correctly thought that, ultimately, for Sarajevo it is the relation with the US that will weight more than the ideological link with Islamic fundamentalism. In fact, despite strong reservations from other Islamic countries, especially Turkey and Saudi Arabia, which had assumed a role in arming the Bosnians, about Iran, the Bosnian leader Alija Izetbegovic maintained
close relations with Teheran until 1996. Only them, and under heavy US pressure, he put an end to Bosnia’s close ties with Iran. As for Turkey, its long historical involvement in the Balkans, which was part of the Ottoman Empire until the beginning of the twentieth century, an active role was predictable. Within the logic of ethnic solidarities, and given the traditional links between the Orthodox Serbs, Greeks and Russians, as well as the support Athens and Moscow provided to Belgrade, Turkey was the perfect candidate to supply arms to the Bosnians. Indeed, most of the arms supply operations conducted by the Turks parted from the occupied part of Cyprus, using the American ‘logistic patronage’ to insure that the flights to Tuzla remain ‘unseen’. What was, however, the rationale of the US role in arms supplies to the Muslims of Bosnia-Herzegovina?

The indirect American support for the ABiH by looking the other way in the presence of direct arms supplies and the Croatian pipeline were described as a sort of ‘Vietnamization’ of the war. In other words: a strong ABiH was created, which was able to compensate for the lack of American ground forces with a robust mandate. Something similar happened at the end of the war in Vietnam. It is not strange that different views existed within the Clinton administration on arms supplies to Bosnia and the influx of Mujahedin. There were also greatly divergent views within the CIA on a comparable operation during the Reagan administration, when Stinger missiles were supplied to the Mujahedin fighters in Afghanistan. The then Head of Operations for the Middle East at the CIA, T. Twetten, described the supporters of collaboration with the Mujahedin fighters within the Reagan administration as ‘strange people developing strange ideas’ at the time. Now too were there dangers attached to illegal arms supplies, which some certainly did recognize. (Wiebes 2003, 215)

As for the logic of why mostly small arms made their way to Bosnia through the Croatian pipeline, it has to do mostly with Zagreb’s fear that “the Bosnian Muslims would terminate the Muslim-Croat Federation sooner or later, and would turn on Croatia with these ‘Iranian arms’. ” (Wiebes 2003, 216) The security consequences, finally, of arms supplies to the warring factions are all too clear. Wiebes explains:

The arms supplies to the warring factions increased the instability in the region and allowed the armed conflict to flare up. It is no coincidence that offensives by the
ABiH, VRS or Croats took place a few weeks after the military material was delivered. A common pattern was as follows: clandestine supplies, training – whether or not supervised by instructors- and after that the start of offensives. New arms mostly facilitated, the VRS complained, renewed sorties from the enclaves into Serbian villages and military positions, which in turn provoked a response from the VRS. Finally, the reconstruction of secret arms supplies shows that divergent views existed in the various NATO member states on the possible consequences for the UNPROFOR troops in the former Yugoslavia. Washington had different ideas on this from most European capitals, but then Washington had no ground forces in Bosnia. (Wiebes 2003, 218)

As mentioned before, the volume and quality of Argentine arms sold to Ecuador in 1995 is relatively insignificant compared to the shipments to the Balkans. Yet, for a better understanding of the motivations and the consequences of Argentina’s involvement in arms trafficking to Ecuador with the strategic and diplomatic risks it included, we need to put the pattern of arms supplies in Latin America in the historical context of the 1990s and the US position. It is useful to remind that a US arms embargo to Latin America since mid-1970s prevailed, though with ups and downs, through the 1980s and, in fact, the first half of the 1990s. Only in 1996 did Washington decide to lift the embargo, for essentially economic motivations and driven by the concern of losing an important share of the global arms bazaar to the Russians, Chinese, Europeans and even Israelis. In support of this decision, and arguing against major American restraints for arms sales to Latin America, Patrice Franko mentions several reasons: “there are too many unpredictable actors in the international arms market, major weapons system may not be the biggest threat to instability, such restrictions might serve to undermine the legitimacy of democratic regimes, and the likelihood of misbehavior is relatively low.” (Franko 1999, 125) In fact, he shows that greater US self-restrictions are not and will not prevent reequipment.
A War in the Backyard

The Peru-Ecuador war broke out when Latin America was undergoing a process of deep changes that started by the end of the 1980s. The impact of democratization along with the economic crisis upon defense and security policies has been notable. The end of Cold War accelerated the trend toward the dismantlement of territorial controversies and the deepening of the regional integration with the clear mark of neoliberal economic reforms. As a consequence of these changes, the pattern of arms procurement in Latin America differed considerably from the predominant trend since at least WWII. In the past decades threat perception and conflict hypothesis underlined the often grandiose and irrational projects of weapons procurement leading to regional arms races -a trend that was particularly true for Argentina, Brazil and Chile, the three countries that, along with the US were the guarantors of the 1942 Rio Protocol between Peru and Ecuador. The end of past distrusts, the dismantlement of conflict hypotheses, the peaceful resolution of territorial disputes, and, in all, a new era of close cooperation in the region had reinforced the guarantor status of these countries. Within this new context of South America, the war between the two Amazonian countries looked like almost a vestige from another era, an accidental exception to an overall process of a cooperative behavior replacing the conflict-prone relations of the past. In fact, shortly after the Condor War, the Williamsburg meeting in July 1995 defined some novel principles for the promotion of security and stability in the region, including:

... the promotion of democracy; subordination of the military to democratic governments; reliance on negotiations to resolve and prevent disputes; recognition of the legitimate role of the armed forces in defending sovereignty; enhanced transparency in defense matters, including published defense plans and budgets; notification of exercises and acquisitions; and cooperation in international peacekeeping and combating narcoterrorism. (Franko 1999, 123)
The long-term impact of these novelties and the broader discussion about security trends in Latin America is a separate topic of analysis and discussion. Whether a minor incident relative to the broader trend in the 1990s, or an event that was determinant in defining the Williamsburg principles, the Condor War is clearly a traditional military conflict; hence, the analysis of its causes might be framed according to a balance of power approach. Thus, for Franko,

Prior to the 1995 conflict, Peru’s relative state of military unpreparedness, combined with Ecuador’s advantages in readiness and strategy, tilted the military balance in favor of Ecuador, at least temporarily, especially in the Cenepa theater of operations. These conditions provided support for the argument, advanced by various Peruvian commentators and strategists, that the shabby condition of Peru’s military forces (notably the air force) left them unprepared to deal with a far more sophisticated Ecuadorian military capability. (Franko 1999, 131)

The post-conflict pattern of arms procurement for both countries is not a particular concern for this research. The important point here is that neither Peru nor Ecuador suffered an international embargo during the conflict; hence, as sovereign states they had all the right to purchase the arms they needed. The status of guarantor of the 1942 Rio Protocol puts legal, and moral, restrictions on Argentina in its relations with both countries; hence, while Ecuador’s demand for arms was not a violation of the Protocol, Argentina’s involvement in responding to this demand constituted a strongly objectable behavior. In the case of arms sold to the warring factions in the Balkans, as I explained, the US secret encouragement has been an important incentive for supply-siders to jump-in and seize the business opportunity. The question is whether the policy of turning a blind eye to the covert arms transfers to the warring parties in the Condor War characterized Washington’s position.
Another Eye Blink, or Just Viveza Criolla?

Argentine defense and security affairs analyst Luis Tibiletti, who heads the SER en 2000 (Seguridad y Estrategia Regional en 2000 –Regional Security and Strategy in 2000) think-tank, believes that Argentine arms transfer to both the Balkans and Ecuador had the United States’ green light: all the states that wanted to be NATO members had to pay the price of it. In the particular case of arms to Ecuador, his personal opinion is that it is idealistic to think that the US committed logistic support and money for MOMEP [Military Observer Mission to Ecuador and Peru] just because Washington understood the importance of peace and stability for the region. “For me, there is too much of coincidence of MOMEP and Fine Air … The United States knew that if it did not stop the war Peru was going to defeat Ecuador. So, I wonder whether there was not an eye blink from Washington to help arming Ecuador. Did the United States really not have any interest in this conflict?”80 (Tibiletti 2001) This hypothesis can make sense only in the broader consideration of the US-Argentine special relationship in the 1990s.

In other words, if the venta de armas has been done following, as Tibiletti is convinced, a state logic –in a sense that I analyze later in this chapter-, than whomever in Buenos Aires took the decision to triangulate arms to Ecuador had surely considered the US factor. Now, as the arms sales to Ecuador generated a serious conflict within the government confronting almost publicly the Foreign Ministry and the Defense Ministry, the decision must have been taken at the highest level, which means the President himself. As the special relationship with the United States was a policy line that

80 Para mí es demasiada coincidencia la MOMEP y Fine Air. Estados Unidos sabía si no paraba la guerra Perú le pasaba por arriba al Ecuador. ¿Acaso no hubo un guiño para que ayuden a Ecuador? ... ¿Realmente no había ningún interés de Estados Unidos en este conflicto?
particularly characterized Menem’s foreign policy, and a one that the President considered very much his own initiative and success, to the point that he made out of it an almost personal matter, there are little doubts that the green light to sell arms to Ecuador did certainly considered the Washington factor. This, however, could mean two things. Either, as Tibiletti believes, the US wanted to indirectly support Ecuador, or simply for Washington the matter –the quality and quantity of arms transferred- was not important enough to pay attention to it. Indeed, the assault rifles and the ammunition sold to Ecuador were neither going to affect the balance of power, nor were they going to impact negatively on the mediation efforts in which Washington was involved as one of the guarantors of the 1942 Rio Protocol.

Further analysis of the Peru-Ecuador war (Scott Palmer 1997; Herz and Pontes Nogueira 2002) and, in general, US defense policy in the Western Hemisphere (Buchanan 1996) highlight more an American concern for the failure of the Rio Protocol mechanism and new security threats rather than the contours of a classical balance of power politics. In all, the US factor seems to have weighted much more for decision makers in Buenos Aires than a possible crisis with Peru, or the damage caused to the guarantor status reputation. Nevertheless, these decision makers seem to conclude that arms triangulation to Ecuador would not hurt Argentina’s relations with the United States. This calculation also indicates that despite that among the primary emphases of the US military policy toward Latin America, as mentioned in a Department of Defense (DoD) 1995 document, was “containing the spread of conventional arms and weapons of mass destruction in the region, be they employed by states or subnational and transnational actors with no formal affiliation to governmental bodies,” a task that,
moreover, would have been done “via promotion of a network of arms control and disarmament agreements,” (Buchanan 1996, 13) such a mechanism was not in place. In any case, such a “noble and altruistic” strategic objective in theory has never been translated into “an effective praxis, that is, a strategy of action that melds theory and organizational practice into a coherent instrument for addressing the strategic problems as defined.” (Buchanan 1996, 20) The US “tolerance” for arms transfer should be understood within the context of this asymmetric logic of rhetoric and practice of arms transfer.

Concluding Remarks

As quoted by Santoro, the US policy of turning a blind eye, and even encouragement as admitted by Lake, on arms transfer to the Balkans appeared in the American press well after the guns have shut down. In May 1996, the Los Angeles Times revealed that Clinton had authorized arming the Bosnian Muslims in spite of the UN embargo, and later the Washington Post quoted a State Department official admitting that the administration knew that arms were transferred from Iran, Argentina, Hungary and other former Soviet countries to Croatia and Bosnia. The US Senate established a Special Commission in April 1996 to start an inquiry; when invited to declare before that Commission, President Clinton simply said that the US had not committed any mistake in not controlling the UN embargo to Bosnia-Herzegovina. The Argentine government, in the persons of two successive Deputy Foreign Ministers –Fernando Petrella and Andrés Cisneros- denied any demand, or green light, from the United States to Argentina to arm the Croats and the Bosnians (Santoro 1998, 214-215). Yet, when after Sarlenga’s
confession the judicial investigation started to accelerate, the dimension of the US-
Argentine special relationship appeared more clearly.

In his confessions, done after two years of silence behind the bars, the former
head of FM said that former US Ambassador in Argentina, James Cheek, intervened in
February 1995 to facilitate the landing of the Fine Air plane, which would transport 5,000
FAL rifles and 75 tones of ammunitions to Ecuador. No further information was made
public with respect of the reasons that pushed the US Ambassador to intervene: was it
because Fine Air was an American airplane and, officially, was bringing parts of tractors,
or for a hypothetic covert operation in which the CIA was involved. The doubts about
Ambassador Cheek’s favors pointed in two directions: (1) Fine Air’s DC8 was not
authorized to land in the Ezeiza airport; and (2) the French-American arms dealer Jean
Bernard Lasnaud, the main broker in the Ecuador episode of the venta de armas,
contracted the company through Airline Equipment Specialists (AES) known for helping
the Contras in the 1980s with a green light from the Reagan administration. Both the US
Embassy and the former Ambassador denied the charges. Previously, in 1999, Menem
had mentioned that Lasnaud’s friend, Diego Palleros, was on CIA’s payroll, whereas
Palleros in an interview with Channel 13 admitted consulting his “north American
friends” before the arms transfer operations to Croatia and Ecuador (Santoro 2001c).

Only when the judicial situation of the ex president started to complicate did he
tried to involve the United States suggesting in a popular TV show that the US was
enforcing the embargo and “not one arm could have entered [to Croatia] without being
intercepted.”81 (“Por primera vez, Menem intentó apoyarse en EE.UU. en el tema armas”
2001) The US press did report Menem’s indictment (Krauss 2001), but scarcely referred

81 No podía entrar una sola arma sin que fuera detectada.
to the US implication ("Judge Indicts Former Argentine Leader" 2001), or the denial of the State Department about prior knowledge of support to any Argentine weapons deal with Croatia, as made public by spokesman Richard Boucher as a reply to Menem’s above mentioned suggestion (Faiola 2001). Also, after his indictment, Menem sent his closer collaborators to the United States in an attempt to gain support. According to analysts, the strategy was the brainchild of Menem’s former Minister of Justice, Rodolfo Barra, whose “doctrine” consisted of underlining the non-judiciable aspect of the venta de armas considered a state affair. Yet the court rejected the argument for two reasons: it does not consider a state affair and, even though it might be, it does not justify the involvement of a criminal dimension including traffickers, bribes and false decrees. One thing is sure: the State Department’s reaction to Menem’s strategy was simply denial (Schurman 2001). Transparency International reacted positively to the detention of the former President, considering it, along with the court case against Peru’s Valdimiro Montesinos, as evidence that in many countries corruption and small arms sales are linked (Baron 2001), whereas former president George H. Bush expressed anger and sent a support letter to his “dear friend” ("El ex presidente Bush siente “odio” por la prisión de Menem” 2001)

In summary, Argentina was not the only country that violated the UN embargo to former Yugoslavia, nor an exception in transferring covertly arms to Ecuador. It is not clear to what extent did Washington encourage arms transfer to both war theaters, but it certainly tolerated it. In the case of Croatia and Bosnia-Herzegovina Washington’s main reason to silently encourage the violation of the U.N. arms embargo seems to be strategic; the US wanted to preserve the balance between the warring fractions, hence turned a
blind eye to arming the Croats and Bosnians even when countries like Iran were involved. In Ecuador’s case, the reason for US tolerance is less clear. It could simply be that the type of armament smuggled from Argentina to Ecuador—small arms—was not considered a security threat in Washington’s agenda, except when the transfer is done to or from a rogue regime, which neither Ecuador nor Argentina were. In both cases, clearly international norms, resolutions and even engagement as guarantor of peace did matter much less than other considerations, including strategic reason, economic concerns, and greed for personal profit. US collaboration with Argentine Justice, therefore, has been understandably almost non-existent. However, after September 11, 2001, and the growing threat of money laundering correctly connected to global terrorism, the Bush administration did send signals of willingness to cooperate with Argentina. I will analyze this aspect of the US role in the venta de armas when dealing with the so-called “route of the bribes” (la ruta de las coimas).

Section III. Auctioning Fabricaciones Militares

The venta de armas could not have occurred if along with the pressuring demand for arms Argentina did not have supplies to offer. From a supply-side approach, thren, the growing competition in the global arms bazaar and the crisis of Argentina’s defense industry urged the necessity to find adequate markets to sell the Argentine defense production. Because the defense industry was a national enterprise, and because the export product was directly linked to security concerns, the venta de armas should be seen as a state affair. In other words, the decision to sell arms needed to be taken on the highest levels of authority, where, in theory, it is the national interest that prevails as
prime motivation for the decision. Two are the arguments that support the strategic reason that motivated the Menem government to embark in the venta de armas. The first one is economic: FM needed to sell its production else it could become a burden for a government that had embraced a program of market liberalization and privatization. The second is strategic and links the arms sales to the special relationship Argentina established with the United States.

However, none of these two arguments can justify the implication of arms dealers with suspected criminal connections in a state affair; less could they provide a convincing explanation to where the money –at least a good part of it- went. Hence, the court’s refusal to characterize the venta de armas as a state affair similar to those initiatives of former Argentine governments. If on the one hand the venta de armas is justified as a state affair, hence non-judiciable as some argued, on the other the criminal dimension of the case spreads serious doubts and questionings about the rational validity of the prevalence of the national interest in the decision. Especially, when there are wide suspicions that the affair benefited primarily to individuals in the power elite and linked to them; even though part of the income did eventually go to the public treasury. In addition, the venta de armas reveals also a democratic deficit as the whole transaction lacked of minimum transparency and accountability, and only an alerted press made it a public scandal after which the Justice was involved.

In what follows I analyze the venta de armas as a state affair. The broader context is the phenomenon of arms trafficking, which in my hypothesis is the second intervening variable. This, however, cannot be understood without the two conditioning variables: excess of production and transnational organized crime. The first refers to the situation of
Argentina’s defense industry, whereas the second reflects essentially the arms dealers who intervened in the *venta de armas*. State involvement in arms trafficking, my dependent variable, is understood in this case in two critical dimensions: the strategic reason for the decision –economic concern and special relations with the United States- and the institutional setting in which the decision was made. I start with focusing on FM, its relation with the state and, above all, the military institution. This gives me the opportunity to discuss the nature of the involvement of the Argentine military at its highest level: was it because of a breaking of the “chain of command,” or, quite the opposite, the military were just an instrument and their involvement is but the proof of their total submission to the civilian government? I, then, discuss the causes and consequences of the crucial role that arms dealers assumed in the *venta de armas*. I also highlight the *ruta de las coimas* as the most jealously guarded secret of the criminal dimension of the affair.

*When Fabricaciones Militares Meets Open Markets*

Argentine political analyst and reporter Rogelio García Lupo traces the origins of FM back to 1941 when an industrialist-minded General, Manuel Savio, founded the initial plant in the province of Jujuy to produce steel. The initiative attracted international investors, technicians and arms dealers. One of them was an Austrian industrialist and businessman Fritz Mandl, who was not a newcomer in the business of war: it had sold arms and ammunition to warring camps in Spain during the civil war, as well as to Paraguayans and Bolivians in the War of Chaco. Mandl arrived to Buenos Aires in 1937 and showed interest for the projects of future military plants in Rio Tercero and Villa Maria. He was not the only one. The American metallurgic giant Armco also has shown
interest for the same projects, and according to the Canadian historian Ronald C. Newton, played a role in revealing Mandl’s Nazi connections. Beside this, neither the United States nor Great Britain wanted an independent Argentine arms industry, which they considered a security threat: Washington was concerned with the perspective of a more independent Argentine diplomacy, to which could eventually lead an autonomous production of arms; to London, the most immediate concern was the perspective of losing a market for its own arms production. Yet, sovereignty and independent decision-making was pretty much what the Argentine military had in their mind. Mandl, on the other hand, was telling them not to worry with the American blockade imposed to Argentina in 1944 because within a year it would be self-sufficient in arms production. Though there never was any concrete proof that Mandl was investing Nazi money in Argentina and endangering peace in South America, the presence of the Austrian businessman in the country offered yet another argument to the US ambassador Spruille Braden in his campaign against the ascending political star of General Juan Domingo Peron. Finally, under US pressure Mandl never fabricated arms in Argentina, instead invested in civil production. His armament plant in Austria was put under US control after the war and remained so until 1955, when it was restored to him under the condition that it produces arms destined only to the Austrian military (García Lupo 2001).

Mandl’s performance is just a minor detail in the long history of military-run arms industry and military-run civilian industries in Argentina. But it is useful in that it shows the US opposition to the self-sufficiency in arms production that the Argentine military aimed at. It is not a secret that after World War II, along with Nazi criminals and collaborators, Argentina also hosted, in fact invited, Third Reich scientists to employ in
the national defense industry, especially the fabrication of airplanes (Klich 2000). Yet, it was because of pragmatic reasons that the Argentine military decided to give the first steps towards the direction of creating FM: World War I had left them without their two arms suppliers, England and Germany, and private businessmen were reluctant to invest in fields that were considered important by the military (oil, aviation and steel). Only later, in the 1930s, and under the influence first of fascism and then Keynesianism, that the idea of a state run military industry acquired an ideological and organizational dimension. Not surprisingly, therefore, the argument to invest in military business (milbus) always involved import substitution industrialization (ISI) dimension. “It was either direct arms production, where ISI assured the supply of weapons needed for the defense of the nation; or they were key industries important for the country because they produced inputs into the arms sector, or because such an industry was considered a “strategic” sector (e.g. steel, communications, railroads, airlines.” (Sheetz 2001a, 2) Thus, from 1922 on the Argentine military took the leading role in promoting milbus with the gradual undertaking of key sectors, including petroleum (1922), military aviation (1927), steel (1935) and ended up building the large military industrial holding company founded by the army, DGFM, in 1941.

Up through the late 1970s the number of military enterprises continued to increase, including the production of major weapon systems (beginning in the late 1970s): tanks and armored vehicles, conventional submarines and surface ships, and missiles (both tactical and medium-range –the notorious Condor II, funded in part from Saudi Arabia, and destined for Iraq and Egypt. (Scheetz 2001a, 4)

The Argentine milbus industry reached its high point during the 1976-1983 dictatorship, and continued on through the 1980s. However, because of its inefficiency the fiscal burden became unsustainable for the government. Fabricaciones Militares was
sold off, liquidated, or transferred to provincial or private hands from 1990 to 1997. Despite the irony that it was a Peronist government that planned to get rid one of the state enterprises closely linked to the name of Peron, the Menem government had a strong rational to privatize the plant. It was, to start with, an inefficient industry that required constant subsidies from the national treasury; it also was incompetence in the global market; yet the main reasons lied in the neoliberal agenda of the government, as well as the U.S. pressures to dismantle the programs for the development of strategic weapons, especially the Saudi (and possibly Iraqi) funded Condor II (Barcelona and Villalonga 1992). As for the Argentine military, “[h]aving lost the Malvinas War in 1982, having left the national economy and treasury in disastrous conditions, and widely disgraced for their violations of human rights during the 1976-1983 dictatorship, [they] were in no position to politically oppose these privatizations.” (Scheetz 2001a, 5)

The economic reasons, and the overall rationale, to privatize the Argentine milbus being convincing enough, the way the privatization was carried out is a major problem. In general, the neoliberal reform policy that was implemented in Argentina was plagued with corruption, lack of transparency and accountability. The way FM was liquidated was not an exception. Moreover, for a sector closely linked to the national security no public debate was launched for the future of defense production (Santoro 1998, 351). To be sure, in Argentina of the 1990s military Keynesianism could not promote industrialization as it did in the heydays of ISI. In 1998 the Argentina military-industrial complex was operating with 80 percent less of the total installations that were in place in 1983 when the government passed into civilian hands (Santoro 1998, 352), and the main reason was its unsustainability from an economic perspective. However, little if any was
debated during the whole decade in which the liquidation of FM took place about the ways Argentina would satisfy the basic needs of its defense. Though the predominant neoliberal approach in the government is mostly responsible for the lack of this vital public debate, the Argentine civil society did not particularly show any interest with the topic. Moreover, the only debatable question about military affairs seemed to be the claims for justice for the violation of human rights and atrocities committed by the military in 1976-1983. This is understandable for a society with wounds still open; yet this oblivion of the military question in the 1990s, its lost of “visibility” in Latin America in general (Agüero 1999, 69) and Argentina in particular, did not help, among others, rationalizing the privatization of FM.

The unsustainability of FM, and, hence, the economic reason for its privatization, is hardly questioned. However, there are discrepancies with respect the way FM was dealt with. How and why was it privatized? In other words, the critics to the privatization of FM address, directly or indirectly, the overall approach of the Menem government to state affairs with respect to FM and related questions, such as the role of the military institution, the foreign and defense policy of Argentina, the involvement of arms dealers, and above all the impact it had upon the country’s international reputation and credibility. For Tibiletti, the official incentive behind the decision to sell arms to Croatia and Ecuador lies either in the economic logic or the special relationship with the United States. With respect to the first, the venta de armas has was thought as a salvation for FM; as for the second, arms were sold to Croatia because Washington silently asked for: “Assuming non-conspiracy logic, [the arms sell was done] to save FM using any means; else the plant would have been closed! The other [logic] is an eye blinking from the
United States: is there anything to sell?" (Tibiletti 2001) Indeed, with arms sold to Croatia, the government was able to pay the salaries of FM’s employees. Nevertheless, it is one thing to consider the *venta de armas* a state affair, another is to consider that there was a state policy with respect of FM. Tibiletti, in particular, is in general highly critical for the incapacity of Argentina to design and implement a state policy. More precisely for the *venta de armas* he finds that the incapacity is highlighted in the fact that

... business mixed up [with politics]. It is not anymore an issue of political complicity, but complicity in... robbery! One thing is to be part of a state policy, good or bad, that you cover thinking that the image of the country is in question, another is to be part of a conspiracy because of money. The national interest was mixed up with personal interest: this is good for the state, and what is good for me is also good for the state. (Tibiletti 2001)

For Retired General Brigadier Augusto J. B. Alemanzor, who heads the Forum of Retired Generals (*Foro de Generales Retirados*), the growth of FM since its foundation was not related to a pre-existing state logic in economic policy. Initially conceived to satisfy the needs of the armed forces, FM expanded and got involved in civilian production because at that time the Argentine industry was not able to do so, and the private capitals were not interested in investing in the industry:

The issue is important as a historical antecedent, to, above all, show the capacity that the country had at that time to do things inedited in the world, and to independently find solutions to problems it faced because of the circumstances it lived. Throughout the time, FM became something very big, and, perhaps, the initial reasons of its creation, which were to satisfy the demands of the armed forces, were diluted a little bit. (Alemanzor 2001)

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82 Uno, asumiendo la lógica no conspirativa, ¡hay que salvar Fabricaciones como sea! Hay que vender, sino se cierra la fábrica. El otro un guiño de Estados Unidos ¿tienen algo para vender?

83 ... se mezclaron los negocios. Hay complicidad ya no de política sino de... ¡robo! Es una cosa ser cómplice de una política estatal, buena o mala, que la tapes porque decís que está en juego la imagen del país, otra cosa es ser cómplice porque hay plata en el medio. Mezclaron el interés nacional con el interés personal: es bueno hacer esto para el estado y lo que es bueno para mi es bueno para el estado.

84 El tema vale como antecedente histórico, sobre todo para mostrar la capacidad que tuvo este país en su momento de hacer cosas inéditas en el mundo, y que las circunstancias coyunturales las que [el país] fue viviendo agudizaron el diseño para encontrarles solución a los problemas en forma independiente, y se fue construyendo algo que a lo largo del tiempo se hizo muy grande. Quizás a lo largo del tiempo se diluyó un poco el objetivo inicial, central de la creación de FM que era satisfacer primariamente las necesidades de las fuerzas armadas.
Yet, the privatization of FM was not related to the dismantlement of conflict hypotheses with neighboring countries. It rather had a political motivation:

The dismantlement of conflict hypotheses, the current situation of Argentina with respect to its neighbors has nothing to do with the dismantlement of FM. Absolutely nothing. It was the result of the animosity against the armed forces that started in 1983. Argentina had an Army that needed equipments. As any developing country, Argentina needed armed forces with dissuasive power. To equip the armed forces and to assure its dissuasive power, Argentina needed to produce materials that it could not buy on the international market. In fact, Argentina sold arms to Chile, Bolivia and other neighboring countries. The objective was not arms race, but industrial development. (Alemanzor 2001)

The need to export came later, following the necessity of making FM a profitable enterprise and have a better quality production. At one point, the Argentine armed forces were no more able to assure a minimum demand for the production of FM, and below this minimum the output would become unsustainable. But Alemanzor is critical to the use of arms brokers to export defense production; he considers it a mistake, because arms brokers do not follow the international rules of engagement in arms sales. “In opposition, a serious state has to be careful about how the things that has to be done.” (Alemanzor 2001)

Until recently Argentina used to export defense material in the light of the day. What happened in the venta de armas? First of all, arms were sold according to end-users’ certificates that were not licit. There lies the responsibility of the Foreign Minister. We officially are marginalized from international law, or rules of engagement, which is politically punishable. The venta de armas, thus, discredited Argentina and became an international embarrassment. But, additionally, the historical reputation of FM was damaged. (Alemanzor 2001)

85 En cambio, un estado serio tiene que cuidarse para hacer las cosas como corresponde.
86 Hasta ahora la Argentina exportaba material bélico todo a la luz del día. ¿Qué pasó acá? En la venta de armas, primero, se vendió con certificados de destino final que no eran lícitos. Y ahí viene la responsabilidad del ministro del exterior. Estamos oficialmente al margen de la ley o de las reglas de juego.
For Thomas Scheetz, FM was a stimulation of ISI. Arms production in Argentina did not have any of the two basic orientations that any export policy should assume: a country exports arms either for primarily political reasons, which characterized Washington’s approach; or for a policy of price, which was proper to France (Scheetz 2001b). Hence, the privatization of FM was correct, though “for wrong reasons.” The two countries in Latin America that have real capacity for arms production are Chile and Brazil, and in both the state has a leading role, including in allocating subsidies to the enterprises. Even Chile, which is always considered the exemplary Latin American case of successful economic reforms, subsidized the arms production at least from 1987 to 1991. As for Brazil, the defense industry has a dual purpose one of which is the technological progress in space exploration. Argentina, for instance, could well associate with Brazil in this project; however, it lost all its missile production capacity under US pressure. Following its alinement with Washington, Argentina committed the mistake of selling arms to Ecuador and betraying Peru, its “best ally” in South America. That step should not have been taken, with or without any signal from the United States (Scheetz 2001b). But a mistaken policy approach explains only partially the way the venta de armas was done. Another factor is the lack of control that the Argentine legislature had to exercise on the executive power, because “the institions of the state are not functioning.”

Supposedly the Congress has the Auditoría General de la Nación at its service to exercise the control on intelligence and defense issues, whether to ratify a decision, or to look if the money was spent correctly. Last time the Congress looked to investments was in 1993, during Cavallo’s reforms. And let us not even talk about exercising control on intelligence or defense issues, where everything is done secretly. Yet, in democratic countries secrecy also has to have limits in both behavior and number of people involved.
in the knowledge of an operation. These limits exist in the United States, not in Latin America. I am not even sure that they exist in France or Germany because they also are involved in the black market of arms.\footnote{El Congreso tiene la Auditoría General de la Nación a su servicio supuestamente para ratificar políticas o averiguar gastos hechos por el poder ejecutivo. La última vez que miraron, supuestamente, fue en 1993, el año de la reforma de Caballo. Desde entonces ninguno. No hablemos que no tienen control sobre la inteligencia, no tienen control sobre la defensa donde todo se maneja con un criterio de secreto. Ahora, el secreto para países democráticos debería tener límites tanto en la actitud como en el número de gente involucrada en el conocimiento de una operación. En Estados Unidos estos límites existen, no en América Latina, y no sé si existen en Francia o Alemania, porque ellos también se involucran en el mercado negro de armas.}

Scandals for arms sales in which the state was involved and of which high-ranking officials had personal profits occurred also in Europe. Compared to these scandals, a hundred million dollar scandal is meaningless, “not even the price of a gunboat…” Therefore, what needs to be emphasized is the usefulness of having an arms industry and the rationale for it; this, in turn, needs to follow certain criteria:

First, long range strategic and force planning is required. Second, long range investment funding must be assured. Third, they must establish clear rules of policy behavior acceptable to all the country’s major political parties. These should include a clearly defined position with respect to the payment of bribes and the sale of arms to countries considered pariahs in the international arena. Fourth, before founding any business the country should be sure that key inputs and skilled labor are assured. Fifth, an attractive opening in international markets should exist, such that economies of scale (or dual use products or production capabilities) can be assumed … Sixth, the producer should have the capacity for both manufacturing and marketing (including access to lines of credit for prospective purchasers). Seventh, the enterprise should offer competitive wage rates so as not to lose skilled labor. Moreover, excessive intromission by the military should be avoided. Rank should not be sufficient reason to give a voice in any enterprise, and if a soldier is to work in the enterprise, care should be taken not to limit his commitment to a short tour of duty. Eight, the country must accept a certain level of technological dependence. Attaining independence in this area is an illusion, though one should try to negotiate the technology’s acquisition through tough negotiation. And finally, there must exist at least partial (stock) ownership in the private sector, above all in order to obtain financing. (Scheetz 2001a, 10-11)

These conditions did not exist by the time FM was going bankrupted; hence, the privatization became inevitable. Without the above-mentioned conditions for an arms industry to exist in a country like Argentina, the cost, including the political one, of the venta de armas becomes too high.
Within the logic of supply-side economics in the global arms bazaar, the venta de armas episode is intimately linked to the decline, bankruptcy and privatization of the Argentine arms industry. While there is little doubt that FM was unsustainable, hence structurally the decision to privatize it was inevitable, the way the privatization was done, the the reasons fir which it was done, and the lack of public debate about the process question the venta de armas as a state policy: even if it was part of an effort by the state to save FM, why did it violate the rules of engagement assuming all the costs that such a decision involves? Or is it that ‘the route to hell is paved with good intentions,’ and that ultimately what counted was business for personal profit, not the economic or political reasons that were put forward indirectly by the government to justify the decision and cut short any further discussion about the way it was implemented? In any case, the state institution that created, expanded and sustained FM, the Argentine military, was the most silent spectator of the episode. Nevertheless, with the indictment of the Commander of the Chief Staff of the Army (Jefe del Estado Mayor del Ejército) Lieutenant General Martín Balza, the scandal reached also the military institution.

(Not) A Role for the Military

A scandal was the last thing that the Argentine military needed in the 1990s. They were defeated in a war (Malvinas 1982), discredited for the gross human rights violations in 1976-1983, blamed for the failure to develop the country the way their pairs in Chile and Brazil have done, and lost every possibility to recover their negotiating power with the civilian government after the military risings in 1987 and 1990. In fact, the decline of FM was the extreme situation of an institution that was struggling for a minimum budget for survival. For the generals, the only way of saving the institution from total isolation
and restore its prestige in the Argentine society lied in the total and complete acceptance of the constitutional rule and submission to civilian authority. To do that, however, the institution needed a deep reform and a redefinition of its role. Paradoxically, the man who initiated the reform became also one of the state actors involved in the scandal of the venta de armas. Lieutenant General Martín Balza assumed the post of Commander of the Army on November 4, 1991. He was a Lieutenant Colonel during the Malvinas war in 1982. After the defeat, he surrendered to the British on June 11, and remained a prisoner of war for a whole month. The Malvinas experience left a profound impact on Balza; he became critical to the lack of professionalism of the Argentine military, which was the consequence of the politicization of the armed forces. After assuming the highest responsibility in the institution, “[o]ne of my objectives became ‘to citizenize the military profession’ through the demilitarization of the military participation in politics, along with ‘malvinazing it’ professionally.”89 (Balza 2001, 248) Four years later, on April 25, 1995, Balza went to a popular TV program and made public a message that is considered as the first self-criticism of the Army for the violation of human rights in 1976-1983. More importantly, Balza ended its message ordering the military not to feel obliged to obey an immoral order or one that does not follow military rules and regulations. He also declared a criminal the military who “weakens the National Constitution; gives immoral orders; follows immoral orders; for an end believed to be just uses unjust and immoral means.”90 (Balza 2001, 262)

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89 Uno de mis objetivos fue “ciudadanizar la profesión military”, desmilitarizando la participación de la Fuerza en la política, a la vez que “malvinalizándola” profesionalmente.
90 Delinque quien vulnera la Constitución Nacional. Delinque quien imparte órdenes immorales. Delinque quien cumple órdenes immorales. Delinque quien, para cumplir un fin que se cree justo, emplea medios injustos, immorales.
Balza, not anymore Commander since the end of Menem’s second term, was accused of “illicit association” and “ideological falsity” of public documents on May 19, 2000 by judge Urso for an agreement with FM that was used to dissimulate the missing cannons and arms in the Army. The missing armament was sent illegally to Croatia and Bosnia. One year later, on April 9, 2001, Balza was indicted, and on June 6, 2001 arrested. But, seven month later, after the Supreme Court stopped the judicial procedure of the venta de armas, Balza was liberated on December 27, 2001, and the charges against him were dropped. Though he remained under judicial investigation for minor charges -mainly improper investment of public funds- for two more years, on September 9, 2003 he was relived from any link with the venta de armas, and three months later named Ambassador of Argentina in Colombia. In his declarations, and his memoirs where a whole chapter deals with the venta de armas, Balza systematically sustained that he and the Army were absolutely unaware of the arms sales: “Neither the Army nor I did participate to absolutely anything and we ignored –I still ignore- what exactly happened, though today I have no doubt about the illegality of the arms sold to Ecuador.”

He also accused former ministers of Defense, Foreign Affairs and Economy, Camilión, Di Tella and Cavallo, as those who might have known about the venta de armas. However, these are the highest officials that Balza points to. He is careful not to involve former president Menem, who “has not been well advised or was deliberately not well informed to when he signed virtually made-up decrees.”

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91 Ni el Ejército ni yo participamos absolutamente de nada al respecto y desconocíamos –y aún desconozco- lo exactamente ocurrido, aunque hoy o tengo dudas de la ilegalidad de la venta de armamento a Ecuador.
92 No fue bien asesorado o fue engañado; por eso firmó decretos virtualmente dibujados.
the issue of the arms,” though added that in 1999 he had a “violent discussion” with Menem’s Secretary General of the Presidency Alberto Kohan about the same topic, and when this later insisted that the whole responsibility was of the arms brokers who served as intermediaries, Balza answered that there was no triangulation of arms because the decrees were made-up (Santoro 2001d). Yet, in his book, the former head of the Army leaves doubts about Menem’s knowledge with respect of the whole issue: “Some suggested that it was “a question of state reason”: I ignore that. The only one who could absolutely clarify the issue is the former President of the Nation.” (Balza 2001, 327)

Military personnel were involved in the venta de armas. The armament was transport in military trucks. Those who were driving the trucks or loading and unloading the armament were following orders. Who gave these orders? Either the highest command of the Army knew about it and at least decided to look the other side, or at some point the command chain was broken. As stated above, Balza denies categorically the first scenario, even when he is asked directly if he just chose to look the other side:

- Some value your administration as the head of the Army and say that you had nothing to do with the arms trafficking, however you looked the other way.
- They ignore absolutely everything. Is it that we do not believe in our Justice? It is proved that neither the Army, nor Balza had any knowledge with respect the Río Tercero plant activities. (Mendelevich 2003)

Yet, doubts remain with respect of his ignorance of what was going on. If Balza chose to follow orders given by the Commander in Chief of the Argentine Armed Forces, the President of the Nation, then this proves that the Army indeed has accepted the civilian government as the highest political authority without questioning its decisions. On the

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93 Nunca hablé con el presidente Menem el tema de las armas.
94 - Hay quienes valoran su gestión al frente del Ejército y dicen que en el contrabando de armas usted no fue participe, pero miró para otro lado.
- Desconocen absolutamente todo. ¿Ni siquiera creemos en la Justicia? Está probado que ni el Ejército, ni Balza conocían las actividades de la fábrica de Río Tercero.
other hand, as Tibiletti thinks, it is the very credibility of Balza and the Army that has been questioned with his arrest: Balza declared that he who follows immoral orders is committing a crime; his indictment and arrest undermines the sincerity of Army’s self-criticism for the 1976 military coup and its aftermath (Tibiletti 2001). Nonetheless, assuming that the final verdict of the tribunal reflects the truth about Balza’s personal involvement in, and/or knowledge about, the venta de armas, the second hypothesis, the breaking of the command chain, raises questions that are far more important for the courtesan politics framework.

Indeed, if for the judicial logic what counts is the personal responsibility of individual actors, from a social science perspective, the concept of courtesan behavior is more concerned about the impact of a certain policies on state institutions, civil society and international relations. Hence, in a decade that revealed to be crucial for the Argentine Armed Forces in terms of self-criticism for their past, their reinsertion in the democratic society, their search for legitimacy, and the redefinition of their role and mission, did the venta de armas scandal harm the institution and the process of change of which Balza himself was the architect and leader? Without the whole truth about who really was behind the decision, it is almost impossible to establish any meaningful equation including dependent and independent variable to determine the impact of the venta de armas upon the Argentine military institution. A broader conceptual analysis, however, is possible and inevitable for several reasons.

To start with, according to Balza’s testimony and memoirs, when the scandal broke up and became public, he and his family received several threats to keep his mouth shut. The criminal organization involved in the venta de armas, therefore, did not hesitate
to expand its Mafiosi behavior to reach the head of the Army. This hardly is surprising, as from the infamous “task groups” during the Proceso period to the degradation of the military in the 1980s and, last but not least, the arms brokering profession that former officials embraced not hesitating to take the risk of being part of a criminal underworld or have relations with it, “the moral health” 95 –to paraphrase Balza (Balza 2001, 338)- of the Argentine Armed Forces was seriously damaged.

Second, Balza’s initiative to denounce past violations of human rights and criticize the Armed Forces for the 1976-1983 dictatorship obsessed many high-ranking officers and provoked internal disagreements. A former minister of the Proceso, Retired Division General Ramón Genaro Díaz Bessone, condemned for several crimes during the dictatorship but released after Menem’s indult on October 10, 1989, was particularly critical of Balza’s revisionism, and, in Balza’s word, became the “censor” of his public declarations and messages as the head of the Army (Balza 2001, 208). After his retirement in 2000, Balza was expelled from the Círculo Militar club of Argentine officers, headed in the 1990s by Bessone.

Third, as FM and other state institutions in times of budgetary restrictions, the Army was in a constant search for resources. True, so far nothing in the venta de armas case suggests that any percentage of the sales income was officially asigned to the Army or the defense budget. There never have been proofs, not even doubts, about Balza having increased illegally his personal wealth during his actuation as the head of the Army. Yet, only the truth about the “route of the money” can show if other minor ranking military officers were not involved for personal profit as a mirror-image of a case where business for individual gains and political-strategic decisions were mixed.

95 La salud moral.
To proceed on the conceptual analysis of the impact that the *venta de armas* could have had on the Argentine military institution, we need to discuss a possible breaking of the chain of command in the Armed Forces. The concept is formulated as “weakened chain of command” by David Pion-Berlin in his institutional analysis of the civil-military relations in Argentina in the 1990s (Pion-Berlin 2001). His argument goes as follows:

There has been a compensation for ministerial frailty in the form of other civilianized centers of power in the executive and legislative branches of government. While lacking formal authority over the military, these centers have used their institutional strengths to chip away at the military’s influence, leaving it in a weakened state and unable to exploit vulnerable defense organizations. Moreover, the public has distanced itself from political contacts with the military. Hence the armed forces can no longer rely on support from societal interest groups as counterweight to “unfriendly” forces inside the state. As a result, there has been an undeniable shift in the overall balance of power in favor of governing officials. But this is not tantamount to full civilian control because policy makers have not used this advantage to demonstrate forceful leadership on defense issues in the state’s defense organizations. And since the military has been unable to occupy those institutional spaces vacated by civilians, there exists an odd power vacuum at the core of the political military relationship. (Pion-Berlin 2001, 136)

What Pion-Berlin is suggesting here is a situation of power vacuums in civil-military relations. The question is if these power vacuums create opportunities for breaking the chain of command. In other words, is the *venta de armas* a case where certain sectors of the military followed orders of the executive power without the approval or knowledge of the highest command of the Army?

This being the case, the phenomenon conceptually would have been framed as “subjective control.” Ernesto López, however, thinks that the “subjective control” case was true during the Alfonsín presidency, and, on the contrary, the civilian authority established “objective control” in the 1990s. The terms “subjective” and “objective” control of the military by the civilians, are of course, the classical Huntingtonian approach that López revises in the Latin American context and historical experience. This latter, he sustains, distances itself from the Huntingtonian model on three levels: the
validity of the principle of subordination; the military sector’s relative power and the nature of its potential autonomous actions; and professionalism, which lacks on the level of social responsibility.

In Latin America, ... there has not been any basic historical consensus over military subordination to the public powers that be. This absence is perhaps the most important determining factor in military interventionism, unconditional autonomy, and deficient professionalism. All things being equal, consensus building will clearly be a single sine qua non for the development of the kind of civil-military relations that will make civilian control possible. (López 2001, 97)

Weberian logic of rational bureaucratic behavior, for López, provides the most appropriate general frame of reference for handling issues on consensus and political action.

Civil-military relations in Latin America have on the whole been characterized by the combination of excesses and defects in this interrelated system. Subordination has been hit doubly hard: from one side by interventionism, autonomy, and insufficient professionalism; from the other by the limitations and the repeated capitulations of the political classes (as example of this was Fujimori’s autogolpe). On one side, the excessive behavior of the military has tended to prevail, while on the other, there has been the inconsistent, permissive, and even obliging conduct on the part of the politicians. (López 2001, 98)

Based on the Weberian notion of domination, he proposes a conceptualization of subjective and objective civilian control based on the Latin American experience:

Subjective control must be understood as an attempt to draw up, attain, and sustain military subordination to public authority on the basis of the uniformed classes’ particularistic adherence to some civilian group or sector. This adherence could, among other things, be founded on the coincidence or similarity of opinions; personal loyalty; material, institutional, or individual expediency; and accords. Objective civilian control must be understood as an attempt to draw up, attain, and sustain military subordination to public authority based on rational/legal legitimization. In this case the obedience of the military is the fruit of its attachment to the letter of the law. The uniformed classes owe allegiance to public authority because an abstract and interpersonal normative order respected by all its citizens applies. This order, among other things, is what ordains that the armed forces be subordinated to the state’s political management. (López 2001, 99)

The difference with the Huntingtonian model notwithstanding, objective civilian control is what assures a strong institutionalization of civil-military relations in democratic
norms. Subjective control “runs the risk of becoming circumstantial and episodic.” (López 2001, 100) Applied to the Chilean case, this framework does not provide any insightful information. There is, according to Lopez, no question of civilian control either subjective or objective in Chile; just a balance of power. In Argentina, however, subjective control was the rule during the Alfonsin presidency, whereas the Menem administration applied successfully objective control of the military.96

The problem of the institutional approach to civil-military relations is that its inherent state-centrist logic leaves no room for the motivations of the civilians and the military when engaged in a controversial issue, which questions the nature of their relationship. Pion-Berlin’s 2003 essay provides some answer for this concern. According to him, from the power vacuum created in the weakening chain of command in Latin American civil-military relations a new “pragmatism” emerged (Pion-Berlin 2003). Though he analyzes the restrain of the Argentine military to intervene during the December 2001 popular rebellion and social unrest against the De La Rúa government as a case of study for his framework, he, nevertheless, considers that this pragmatism emerged throughout the 1990s. The idea of this new “pragmatism” is reflected also in Rut Diamint’s analysis of the transformation of the Latin American military in the post-Cold War, though broader than just the field of the civil-military relations. While civilian governments in general have failed to formulate defense policies as public policies, the

96 In a personal exchange of emails and phone conversation with the author, Ernesto López insisted that even in the venta de armas case the civilian control over the military has been “objective.” All others being equal, an “objective control” of the military when arms were smuggled from Argentina to the Balkans and Ecuador suggests precisely what Balza denied: the Army was aware of what was going on, however decided to look the other way. This also strengthens the opinion of those who consider the venta de armas a state affair, in which case the overall analysis should follow the criteria of evaluating it as a rational policy for the sake of the national interest. This, however, still leaves open questions with respect of who defined, how and why the “national interest,” and if the way the policy was implemented allows justifying the “national interest” argument, assuming that in a democracy the definition of this controversial term follows the normative criteria of transparency, accountability and control of the acts of the executive power.
military readapted themselves to the laws of the market according to the hegemonic neoliberal model (Diamint 2001a). This readaptation that took place throughout the 1990s is giving to the military a new power, though not necessarily for the purpose of overthrowing the civilian rule. Economic concerns are rather at the center of this process of Latin American military readaptation. The Argentine situation, nonetheless, is a peculiar one.

The Argentine military is not struggling for an economic space, but for certain legitimacy in the public decision making process. They want to be recognized as an institution that has the capacity and the right to intervene in public decisions.\footnote{Los militares argentinos no están peleando por un espacio económico, sino por cierta legitimidad en la toma de decisión pública. Quieren ser reconocidos como una institución que tiene capacidad y derecho para intervenir en la toma de decisión pública.} (Diamint 2001)

How would these conceptual frameworks of “new pragmatism” and the “struggle for legitimacy in public decision” be applied in the case of the venta de armas? Again, we have only Balza’s word assuring that neither him, nor the Army knew or were consulted about the case, which, as I seldom mentioned, raises the question about the breaking of the chain of command. Rut Diamint, for example, thinks that Balza and Menem together intervened in the venta de armas case. Balza did not do it for personal profit, but according to a corporatist-institutional logic: his help was needed; in exchange the Army would receive the legitimacy that he was looking for. Therefore, he “accepted the rules of the game.” (Diamint 2001b) So, if Balza and the Army knew about the case but decided not to interfere even if the transaction was considered “immoral,” should this be characterized as pragmatism, or a strategy to assure a legitimate space in public decision-making by restraining to question what was seen as a state policy? So far, only a counterfactual exercise, based upon Balza’s own position to denounce immoral orders, allows some considerations about the impact of the venta de armas on the military
institution. The exercise, which is out of the context of this research, is important because from the venta de armas scandal the military institution got nothing, yet lost further credibility in the sincere efforts that Balza and others undertook to revise the past and open the way to full reconciliation with the Argentine society. In other words, even if the military non-intervention in a state-decision is a virtue, the scandal did nothing but to harm the military institution and weaken it further. This impact of the venta de armas on the military in the conceptual framework of courtesan politics is yet another indicator of the negative effect that a courtesan behavior or policy has on state strength in general. Furthermore, this harmful impact on the institution, as I shall analyze later, apparently had a structural dimension too as in 2003 Argentine military got involved in arms trafficking to drug dealers in Rio de Janeiro.

When Argentina Exported Arms Seriously

At least since mid-1970s, Argentina was an active arms exporter country. It did so for both political and economic reasons. In 1978, the Proceso government secretly created the Foreign Tasks Group (Grupo de Tareas Exterior GTE) to help arming and financing the Nicaraguan Contras, as well as provides technical assistantship to Honduras, El Salvador y Guatemala. Ideological motivations to help right wing governments defeat leftist insurgencies were the prime concern of the Argentine military. But business was never ignored, even when dirty money was involved. Thus, one of GTE’s first missions has been to handle to the Argentine Army the money that the Bolivian narcotrafficker Roberto Suárez Levy paid for Argentine arms bought to support the Bolivian narcogenerals Luis García Mesa and Luis Arce Gómez military coup against the democratic government of Lidia Gueiler on July 17, 1980 (Santoro 2001a, 20).
Fabricaciones Militares, then headed by Retired General José Martinez Waldner, proposed Argentine arms to Honduras soon to find out that it cannot compete with the United States that was offering better quality armament and better conditions of financing (Santoro 2001a, 22).

Though strong anti-communist convictions and rhetoric characterized the military dictatorship approach to arms sales, business, including personal profit, has always been in the mind of some Argentine Generals. As early as in 1982, one of the most hard line members of the Proceso, General Suárez Mason, who along with Admiral Emilio Massera has been a member of the Masonic Lodge Propaganda Due of the Italian Licio Gelli and headed the Latin American Anticommunist Confederation’s IV Congress in Buenos Aires in 1980, created in partnership with the former chief of the Buenos Aires provincial police force Retired General Ramón Camps, the mysterious trading company SMC S.A. Officially dedicated to the import and export of fruits and metallurgic goods, SMC S.A. soon “asked permission to sell arms outside the supervision of FM.”98 (Santoro 2001a, 36) Only General Alemanzor, the alma mater of FM in the 1980s, opposed to grant authorization on the ground that “no comrade should exploit for personal profit plants that were built for the defense of the Nation,”99 as he replied to Camps when asked about his position. Another Proceso member who tried to launch his own arms brokering company was Retired General Antonio Bussi, the de facto governor of the Province of Tucumán in 1979, in partnership with his comrades Reynaldo Benito Bignone (the last de facto president of Argentina in 1982) and Adán Jorge Alonso. MAPASA Exportaciones S.A. was created in 1982, obtained a

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98 Vender armas al exterior del directorio de Fabricaciones Militares.
99 Ningún camarada, ..., debe usufructar personalmente con las fábricas construidas para la defensa de la Nación.
representation of FM and tried –unsuccessfully- to sell arms to Central America (Santoro 2001a, 38-39).

These few examples bear the early signs of FM’s future crisis. To start with, ideological motivations notwithstanding, since early 1980s the Argentine arms production faced tough competition with the defense industry of the developing world. In addition to the eventual problems of quality of production and financing facilities was the structural disadvantage of FM, a project conceived first and foremost to satisfy the demand of local armed forces and operating within the already agonizing logic of ISI. Second, the exemplary position of some military like General Alemanzor with strong moral and missionary convictions has not been enough to maintain the defense industry and arms trade under state control. Suárez Mason, Camps, Bussi and other Generals in the junta used the absolute control that they had on the state seized by the military to start their own arms trading business.

These are not the typical arms brokers that will become active internationally from mid-1980s on with first the Iran-Contra affair and then the global spread of the “new wars,” but virtually the all-powerful people mastering the destiny of a country without any control except the one that their own colleagues exercise often in terms of internal power struggle. Thus, as early as 1982 state policy and personal profit mixed up in the Argentine arms export pattern. Whether the creation of SMC S.A., MAPA Exportaciones S.A. and other private companies precisely in 1982 was a mere coincidence with the Malvinas war is a question apart. In other words, is it that some of the high-ranking military started already to think about the aftermath of the dictatorship, or did the decision to unofficially “privatize” the arms trade come as a result of their
witnessing of the difficulties of FM to insert in a market that was already changing? In either case, the return of democracy harmed considerably their perspective of exploiting the Argentine arms export still very much controlled by the state. Only those former military like Palleros who decided to go global in arms brokering business succeeded economically. The secret of their success probably lies in that they did not foresee their activity in the mere exploitation of the national industry; rather, they established the functional links with the emerging vital aspects of the global economy, and inevitably with the dark side of it.

There is a third feature of early 1980s Argentine arms export pattern where the state policy mixes with private profit that gains significance for the 1990s: though by the end of the 1970s the leaders of the Proceso decided to interfere in Central America in clear challenge to the Carter administration and its policy of human rights, the Central Intelligence Agency (CIA) has never been totally absent in the process of arming and training the Contras. With the Reagan administration, the covert cooperation became official. Common interests in ideological and geopolitical terms, however, did not mean common economic interests. As the frustrated intent of FM to sell arms to Honduras has shown, for the Americans both logics—the political and the economic ones—were separated, and it was only naïve to think of any linkage between the two. Moreover, as the Malvinas adventure clearly shows, not even in the geopolitical field the linkages were necessarily automatic as, wrongly, the Galtieri government thought. This feature of U.S.-Argentine relations reappeared a decade later in the special relationship that the Menem government sought with Washington, and, once again, Argentina paid the price of its
naivety in the frustrating intent of selling a nuclear reactor to Egypt after under U.S. pressure renouncing to a previous deal with Iran.

Politics also was at the heart of the initial motivations for arms sales of the democratic government of Alfonsín that came to power on December 10, 1983, though from a different ideological position. The consolidation of democracy became a central concern of Alfonsín’s domestic and foreign policies, at least until 1987, and the concern was expanded to the field of arms sales and military aid and cooperation. Thus, to distance itself from the Proceso and its involvement in Central America as a way of improving Argentina’s international reputation, Alfonsín’s government started by ending all assistance to the Contras. The decision was officially transmitted to then president of Nicaragua Daniel Ortega, through a secret meeting that the new Argentine foreign minister, Dante Caputo, hold with his Nicaraguan counterpart father Miguel D’Escoto in Buenos Aires, hours after Alfonsín swore as the new President of the Nation (Santoro 2001a, 49). Moreover, Argentina declared publicly that it would not violate international arms embargos imposed by the United Nations.

To these justifiably self-imposed international restrictions to sell arms soon was added the decision to shrink the military budget from the 4% of the GDP to 2.5%. As a result, the Army dropped its commands of tanks and other arms and ammunition from FM. With a restricted domestic market, and in order to save a state enterprise that still was receiving a subsidy of $300,000, a figure that represented 13% of all the subsidies to public enterprises, the democratic government had no other option but to increase the exportations. Once the decision made, FM received tens of demands sent to Buenos Aires by the representatives of the enterprise. The problem was that all of these representatives
were named during the Proceso, hence not trustworthy. After canceling their licenses, Raúl Tomás, who was in charge of the major twenty-five FM plants, centralized the arms sales operations. Soon it became clear how difficult will it be selling arms to countries that were not in conflict; almost all of them preferred to buy directly from the developing world and not Argentina that was producing, for example, the FAL assault rifle under Belgian licence and the TAM tank under a German one.

Market pressure, therefore, led the Argentines to turn to countries in war, of which, Iran, a major client of Argentine grains, showed interest for the Santísima Trinidad and Hércules missile carrier ships, the remaining Exocets, Rowland missiles, long distance radars and conventional submarines of German design. Such a demand, of course, was a potential diplomatic bomb with Washington. After consultation, and Secretary of State George Shultz’s unfavorable opinion for armament that would break the balance of power in the Persian Gulf, Alfonsín ordered to freeze the transaction of ships, missiles and radars with Teheran, and only 18 155mm CITER cannons, 200,000 projectiles for the same, 100 land surveillance equipments and 100 radios were shipped to Iran. Soon after, Iran’s enemy, Iraq, showed interest for the Argentine Pucará warplanes, some 20 of it, an operation of about $80 million. The demand divided the Alfonsín government between those who like the governor of Córdoba (where the plant to make the planes is) Eduardo Angeloz and the Commander of the Air Force –the main ally of the democratic government in the armed forces- Brigadier General Ernesto Crespo favoring the sale, and Caputo, Tomás, defense minister Raúl Borrás and the governor of grain producing province of Entre Ríos Sergio Montiel opposing the deal concerned with a possible Iranian reaction. The President favored the sale, which, finally, failed for
economic reasons. With both Iran and Iraq Argentina continued to negotiate arms deals during the Alfonsín period, but also the first Menem years.

Only one episode in the years of the first democratic government involved an illicit pattern of arms transfer and caused a potentially diplomatic scandal with Brazil and Ghana. This happened by the end of 1985 and the beginning of 1986, when a group of U.S. mercenaries, supported by the CIA, planned a military coup against Ghana’s elected government. According to Santoro’s investigation, the contact of the group with the CIA advised them to buy Argentine light weapons including FAL and MAG assault rifles, ammunition, hand grenades and anti-tank grenades for a total of $194,365 dollars. The six mercenaries, who were going to join some three hundred Ghanaians in an operation planed and financed by the exiled Ghanaian former state functionary Godfrey Osei against the socialist president Lieutenant Colonel Jerry Rawlings, sailed with the arms from Buenos Aires apparently without the knowledge of the captain of the ship about the real objective of the trip. This later, scared from the danger to him and his marines, stimulated a mechanical problem to stop in Rio de Janeiro, where the mercenaries were arrested and jailed.

The incident provoked a diplomatic headache for Argentina with Brazil and Ghana, which was along with Argentina a member of the Non Allied Movement. However, as the 6 tons of armaments were less than 30,000 gold pesos in value, the false end-user decree authorizing the sale did not require Alfonsín’s signature (Santoro 2001a, chapter II). With the exception of the Ghanaian case, what characterizes the arms deals negotiations, including those with respect of the development of the Cóndor II missile, is that they were government-to-government operations. In almost every instance of them,
the Argentine government faced the economic imperative to sell the products of FM that the Army was not able to buy because of budgetary cuts, and the political restrictions, whether proper to Argentina’s foreign relations—for example Caputo’s refusal to sell arms to Iraq—, or because of pressures from the United States.

Who Called Them Anyway?

The important change in the Argentine arms sale pattern that occurred during the Menem government and characterized the venta de armas is the relevance that the arms brokers acquire in arming the deals and conducting the operations. There, is at a first glance, a lot of pragmatism in this approach. For the reasons mentioned above, Alfonsín’s efforts to sale Argentine arms were not successful. The international situation, on the other hand, was changing rapidly in 1989 when Menem won the elections, and in the middle of a chaotic social and economic situation assumed power six months before the end of his predecessor’s term. A new leadership in Moscow had decided to put an end to the last period of the Cold War and started unprecedented reforms in the Soviet Union. Two years earlier, in 1987, Moscow had agreed to end the war in Afghanistan opening, thus, the way to the renewal of arms control negotiations. Though not necessarily related to the U.S.-Soviet final rapprochement, ongoing major wars and conflicts, the main sources for weapons demand for a government-to-government pattern of arms transfer, started to cool down and, eventually, came to an end.

Most importantly, the Iran-Iraq war, almost the unique source for demand of Argentine weapons in the 1980s, ended in 1988. With its ups and downs, this longest war in the Middle East became a field for the experimentation of new weapons. Clearly, none of the superpowers had any serious intention of ending the carnage. For one thing, such a
perspective needed serious cooperation between Washington and Moscow, which at that
time were rather in a tense situation. For another, in a context of superpower rivalry, both
Iraq and Iran had better perspective of maneuvering with the U.S. and the Soviet Union,
as, indeed, both did. The result was a perpetual game of balance of power rather than
serious mediation to end the war. Arms transfers became the central feature of this game,
while the war itself alimented the fears of neighboring countries, especially the oil-rich
Arab monarchies of the Persian Gulf, creating more incentives for demand for weapons.
This ‘paradise’ for arms brokers ceased to exist in 1988, and for countries like Argentina
starving for a piece of the market, the situation became worst. Meanwhile, from the
Balkans to the former Soviet Union and Africa ‘new wars’ broke creating a demand that
in existing international conditions could hardly be met through government-to-
government deals. In sum, the role of arms dealers became crucial especially for any
peripheral country like Argentina eager to sell its military product. Using their services
was not only pragmatism for the Menem government, but also a rational decision.

Using the services of these intermediaries, however, added a new dimension to
the arms transfer pattern that did not exist when the deals were done following the
government-to-government mode. That dimension is closely related to the links that
every and each one of the arms brokers that intervened for the deals to Croatia, Bosnia
and Ecuador had with the illicit global economy, especially obscure financial operations
using the free flow of capitals. Coupled with the pressing ideology of free market that
became predominant in Menem’s government, this dimension of illicitness of the venta
de armas constitutes the main argument for questioning the nature of this state affair
starting with the yet the hidden “route of the money.” Even with the Argentine Supreme
Court’s decision to close the case, with which the argument of the non-judiciable nature of the affair seems to take the lead, the court cases dealing with the “route of the money” are still open and the investigation is ongoing. Moreover, as Washington’s international pressure against money laundering has increased, even Switzerland started to show signs of cooperation and revealed some hidden accounts of the former Argentine President.

Whether these accounts are related to the venta de armas, or, as another hypothesis suggests, to cover up the terrorist attack against the Jewish mutual AMIA in 1994, or, as the proper Menem declared publicly, are simply the compensation he received for being jailed during the Proceso and later forgot to declare as part of his wealth when he assumed power, is not clear yet. However, the leading role that arms brokers assumed in the venta de armas, the involvement of major ministers during the Menem government in the affair, and the uncovered “route of the money” are the main arguments to discuss the concept of “illicit association” from a social science perspective and put it in the framework of courtesan politics. A closer look to who the arms brokers were, what relations are they suspected of having with the criminal world, and what became of the major part of the money generated by the venta de armas helps us to clarify the second conditioning variable “transnational organized crime” in the general framework of the courtesan state.

The performance of gunrunners in the venta de armas is related to the post-Cold War conditions of international relations and the characteristics of the global arms bazaar. As analyzed in previous chapters, the rise of the United States as world’s only superpower brought also in broad terms more restrictions and tighter control on the proliferation of strategic weapons on the one hand, and more tolerance for the trade of
conventional weapons and small arms. Argentina’s difficulties to insert the global arms bazaar during the 1990s were due to the incompetence of the military industry on world market. In fact, whereas this was true for conventional weapons, where developing countries had better quality armament and best financing plans to offer, Argentina was fairly advanced in the missile technology. By 1987, the year the U.S. and its allies created the Missile Technology Control Regime (MTCR), Argentina had developed the short-range missile Condor I, and was developing the project for the medium-range Condor II – an 18 meters long, two-phased missile, for which a budget for $1.5 billion was needed. Coupled to this was Argentina’s progress in the production of enriched uranium had given to Buenos Aires the capacity to become a nuclear power. The same, by the way, was true for Brazil. Both countries, however, decided not to take the step and kept the Southern Cone a nuclear free zone (Carasales 1999).

One of the first countries to show interest for the project Condor II was Iraq. Though concerned with the project, Washington, prior to 1987, did not pressure to end the program. After all, Saddam Hussein was still considered if not an ally, at least not a foe, and, in any case, better than the mullahs in Teheran. It seems that in a situation where the U.S., along with its European allies, has sold weaponry for $160 million to Baghdad and turned a blind eye on gazed Kurds and massacred Shiites, much room to pressure Argentina was not left in the American diplomacy. In 1989, however, the international conditions had changed considerably, and the United States was much more vigilant for any developing country able to produce technology goods of dual-use. By the time Menem assumed the Presidency on July 8, 1989, Argentina was capable of producing and selling Condor II missiles, with an estimated price of $300-500 million for
each one, much more than the whole income of the *venta de armas*. Libya figured as a possible client despite Colonel Muammar Khadafi’s bad international reputation as a sponsor of terrorism. But, after a meeting in Belgrade with the Libyan leader, Menem decided to abort the project. According to Cavallo, the reason was because Khadafi had invested in Menem’s campaign and was demanding a retribution that Menem was not ready to make. Alberto Kohan, however, denies any contact with the Libyans (Santoro 2001a, 98-99).

Still, until the end of 1989, selling the Condor II remained a project cherished by Menem. According to some rumors, the frequent visits of the Syrian-American gunrunner Sarkis Soghanalian to Buenos Aires were related to the Condor II. Soghanalian, known as one of the major arms brokers to both major warring factions in Lebanon during the 1975-1991 civil war, and, in the 1980s, as one of Saddam Hussein’s weapon supplier, had particularly good contacts in the Middle East. He traveled in his private jet, and, according to what he said, met with Menem in the Sheraton of Buenos Aires, where the gunrunner used to stay in a suite. Both men called each other “*paisano*” for their common Syrian origin, and, initially, it seemed that Soghanalian was about to play an important role in helping Argentina sell his armament. Yet, no deal came out from these visits, and no further visit of Soghanalian to Buenos Aires in the 1990s was reported.100

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100 Personal testimony of the author, who, as the editor of Argentina’s Armenian newspaper ARMENIA at that time, met twice with Soghanalian. Once when the gunrunner assisted to a dinner that the Armenian community gave in honor to him, and the second when he received a delegation of the Armenian community in his suite in presence of a U.S. Congressional delegation to Argentina headed by Senator Robert Dole, to whom the Armenians thanked for his long time support of the 1915 Genocide resolution. The “*paisano*” embrace of Soghanalian and Menem was reported by Soghanalian in a conversation that the author witnessed. As for the probable interest of the gunrunner for the Condor II, it is only a rumor that at that time circulated in the Argentine media circles without any official or non-official report about it. In fact, not even Santoro mentions Soghanalian in his book. Nonetheless, all the elements are there to at least assume as a hypothesis that he was not in Buenos Aires for just a tourist trip…
Finally, the Condor II was dismantled. From 1990 on, the new U.S. Ambassador in Argentina, Terence Todman, following Washington’s guideline, increased the pressure to destroy completely the project, fearing the interest of rogue regimes for it. The pressure divided the Menem government and, in general, the Argentine political circles. Those who, like foreign minister Guido Di Tella and minister of economy Domingo Cavallo, argued for the dismantlement prioritized Argentina’s relations with the United States. Those who opposed it, including former defense minister in the Alfonsín government Horacio Jaunarena, Menem’s first defense minister Erman González and the head of the Argentine Air Force Brigadier General José Juliá, argued about the technological input that the project meant for Argentina. On May 28, 1991, González announced the end of the project, along with Argentina’s adhesion to the MCTR. Menem’s secret decree 995, on the other hand, took off the control of the Air Force the La Falda plant where the project was ongoing and put it under the auspices of the newly created National Commission for Space Activities with the idea of recycling parts of the Condor. This perspective, nonetheless, did not come true because the La Falda plant was too specific for the Condor II. The U.S. Ambassador wanted the Argentine government to dynamite the plant, however, the Menem government refused such an act that would alienate the Air Force. On September 1993, and in virtue of the secret decree 1903 that Menem signed upon Di Tella’s demand, the most strategic parts of the missile were sent to the American base of Rota in Spain, where they have been destroyed (Santoro 2001a, 101-103).

The dismantlement of the Condor II is fully understood within the logic of the special relationship that Argentina in the 1990s wanted to establish with the United
States. More detailed discussion about this aspect of Argentina’s foreign policy will follow in the forthcoming section. For now, however, we can think about two broad consequences of the dismantlement of the Condor II. First, the decision to abandon the project of selling the missile deprived Argentina of an important source of income. As said above, the missile technology field was where Argentina was competitive in the global market. Assuming that there was an option of reinventing the project in terms and conditions that would avoid any diplomatic harm to Argentina, most probably the government-to-government pattern of arms sales would have prevailed in the 1990s. On the contrary, the venta de armas responded to a desperate need of selling whatever was left and using gunrunners because the only field in which Argentina was able to become competitive in world markets simply stopped to exist.

Did Di Tella and Cavallo assumed the silent role of complicity in the venta de armas because of their role in backing the U.S. pressure? Or, were they convinced that the armament transferred through the venta de armas was not to cause any problem with Washington, whereas the Condor II would certainly have done, as, indeed, is the case? Moreover, had Washington’s green light to Argentine arms to Croatia and Bosnia to do with a sort of “compensation” to the dismantlement of the Condor II? Second, the virtues of abandoning a project that would not have helped Argentina’s relations with the United States notwithstanding, was there a naivety in the government with respect of the relationship with Washington similar to the one the military had in early 1982? The question is related to the issue of autonomy that I shall discuss in my analysis of Menem’s special relationship with the U.S. But, specifically for the Condor II, it is at least debatable whether the level of the compensation, including tolerance, for the venta
de armas that Argentina received was even with the level of absolute compliance with Washington’s demand to completely forget about any recycling of the project. Anyhow, one thing is sure: because of Washington’s intolerance for the proliferation of strategic weapons and the political will to enforce international regimes of arms control in the same field including through diplomatic pressure, no gunrunner would have been able to sell the Condor II. Had the Menem government decided other destiny to the project, any international transaction would have remained in the hands of the Argentine state and the government-to-government pattern would have prevailed.

Gunrunners were not unfamiliar with Argentina during the Proceso. While Argentina was suffering the U.S. arms embargo and during the Malvinas war, the military used their services to buy weapons. Though formally opposed to arms sales to Argentina, several countries were also eager to test their new weapon systems on the battlefield. The story of the French Exocet missile during the Malvinas war is relevant in this sense. The Argentine military purchased the Exocet on the jet-set arms black market and used it against the British Sheffield battleship and sank it. The result of this successful use of the Exocet was that its price went from $600,000 to $4,000,000 on the black market. The Syrian arms trafficker Monzer Al Kassar’s relations with Argentina dates from the Malvinas times, when, according to him, he sold arms to the military. Born in Syria, in the same village of Menem’s ancestors, Al Kassar started a career in the smuggling business with luxury cars, then hashish, and, finally, arms during the Lebanese civil war. From 1975 to 1988, Al Kassar managed to accumulate problems with the British, Italian, American and German justices for drugs and arms trafficking, as well as falsification of documents. He, therefore, had good credentials for contacts with the global illicit
economy, and, as a proof of it, lived a luxury life in a castle in Marbella, Spain, that he had bought and were he was settled. Al Kassar’s link with Argentina was reestablished after Menem’s election.

In several occasions the former President received the Syrian in the Presidential Palace –Casa Rosada. Al Kassar obtained formal authorization from then defense minister Humberto Romero to sell seven Argentine submarines. Officially, Poland, a country that lacks a navy including aircraft carriers and destroyers, a condition that from a military point of view is necessary to conclude any deal involving botas and submarines, was interested in buying the submarines. Most probably, these latter were going to be destined either to Iraq or Taiwan. The operation never culminated; nonetheless, Al Kassar was later involved in other sales including Argentine tanks and Pucará and Pampa airplanes. Al Kassar’s name is connected to the venta de armas only indirectly. He is mostly famous for obtaining in a record time –three months- Argentine residency and passport, transactions that normally take from eight to ten months. Though later on, when the affair became a political scandal, the Argentine justice took away from him the residency, the suspicions that he used the Argentine documents for illicit operations never went away. Moreover, Al Kassar appeared on a list of persons related to the Saudi magnate Gaith Pharaon and his Bank for International Commerce and Credit (BICC), shut down by the American government under charges of money laundering. The Menem government never answered the questions that the opposition asked about Al Kassar and his affairs in Argentina. The President himself defended the Syrian and denied any wrongdoing until 1998, when in an interview he said that Al-Kassar was “a CIA man” and that the United States knew the truth about him (Santoro 2001a, 117-131).
Al Kassar was but one on the long list of gunrunners that became involved in the venta de armas. Though his role in the scandal is not clear, he probably is the most paradigmatic in terms of the obscure relations that the Menem entourage had with the illicit global economy world. His ethnic origin and the immediate access that he had to the President make even more visible the Mafiosi caricature of the whole affair. Neither sharing a same ethnic origin, nor being born in Menem’s ancestors’ village, nor the easy access to the Casa Rosada he had are solid empirical proofs of the illicit association that Menem was charged for by the court. Nevertheless, none of the several aspects of this relation was ever clarified, and the ground for suspicions about the true nature of the relationship still holds. The only person who accused Al Kassar as the chief of the gang in the venta de armas was former economy minister Domingo Cavallo, to whom Al Kassar answered in an interview to the Argentine press that since 1991 he was not involved in arms business (Algañaraz 2001).

Like Al Kassar, the other gunrunners that were involved in the venta de armas had connections with the global illicit economy and problems with the justice of different countries. The main role of the gunrunners in these operations is threefold: the creation of ghost companies through which the details of the operation would perform; obtain false end-user certificates; and facilitate the laundering of the money generated by the transaction. In sum, it is their expertise of how business is run that is put at the service of the government. In this sense, the example of Rubén Osvaldo Ormart, who in addition to the already mentioned former Argentine military Diego Palleros and the French-American Jean Bernard Lasnaud, assumed a leading role in creating the necessary infrastructure to make possible the operations, is significant. Of Ormart it is known that
he started his political career in 1955, during the so-called Revolución Libertadora military coup that derogated the second Peron government. Ormart, therefore, was an anti-Peronist, but that apparently has not been a problem when he established his links with the Menemist entourage. Ormart was first the editor of the Buenos Aires newspaper El Ciudadano from 1957 to 1970, then, he moved to the province of La Rioja as an advisor to the mine exploitation project Jagüel. It is La Rioja that he knew Menem and Alberto Kohan, who at that time was working as a geologist in the same province.

Among the businesses that Ormart run in La Rioja was the secret sale Nettis Impianti, 240,000 hectares of the provincial zone of the Jagüé village in 1990 to an Italian company. The purchase, to the great indignation of the 500 inhabitants of the village, was known only seven years later when it was published. The media investigation that reported the Jagüel affair underlined its linkage with the venta de armas: it was in 1990 also that Kohan declared the interest of the government to sell arms. Because in the 1970s Ormart lived in Brazil and Venezuela, he had good connections both in Sao Paolo and Caracas. The false end-user certificate which Menem used to sign the secret decree 103 authorizing the arms sale and, thus, gave to the operation the needed legal covering, was obtained in Venezuela in 1995 by the company Metales Reston the owner of which is Ormart. The other links that Ormart had with the venta de armas include the following facts: he was the partner of the son of Colonel Edberto González de la Vega, the right hand of Sarlenga in FM, in the company Agromaquinarias Argentinas that they owned; two other partners of Ormart, the Brazilians Milton Alexis and Quadros Pizzini, figure as the directors of the Uruguayan ghost company Hayton Trade that Palleros used to deviate arms to Ecuador; both Ormart
and Palleros have more than business relations, as the former military was the best-man of Ormart’s daughter’s second wedding; finally, and perhaps the most important aspect of Ormart’s link to the venta de armas, his company International Metal Corporation had in Panama the same address than RH Alan, the company that intervened in the process of arming Croatia. “All this allow to assume that Ormart, 68, was the mastermind of the ghost companies Hayton Trade and Debrol that operated for FM, that Palleros worked for him, and that may be all the power that he had was due to his connections with Menemism.” (Santoro 2001e)

During the judicial investigation of the venta de armas, the court testimony of the gunrunners that intervened became, as expected, crucial. However, at least until 2001, judge Jorge Urso was virtually unable to have them declare, because Ormart, Palleros and Lasnaud lived outside Argentina and the governments of the countries where they resided, or took refuge, refused to extradite them. The Interpol even detained Ormart in Sao Paolo upon a judicial order of judge Urso, however, because Ormart had also Brazilian citizenship, Brazil denied his extradition. More disturbing is the suspicion that the Menem entourage helped the arms brokers to escape from Argentina when it became clear that they would be indicted. This, at least, is the case of Palleros, according to the testimony of Menem’s former wife, Zulema Yoma, to judge Urso. The hypothesis was never confirmed, however, because of another judicial procedure Palleros could not leave Argentina and was denied a passport until November 1994. The court has designated a $250,000 dollar fee for a case related to the bankruptcy of one of his companies; the last part of the fee was paid in December 1995, and only after that Palleros was authorized to leave the country. He did without worrying too much about the loss of $250,000, and
after wondering in several countries ended in South Africa that refused to extradite him. Palleros’ escape coincided with a change of the official rhetoric about the venta de armas; whereas so far Menem was denying any wrongdoing in the procedure, he started to blame Palleros for the smuggling. This founded suspicion about the help the gunrunner received from official circles confirms at least that “Palleros could not have been the person that negotiated the maneuver, as sustains a sector of the Menemism, because only in 1994 did he obtain his passport.” (Santoro 2001f)

From South Africa, Palleros sent a written statement to judge Urso in July 1996 saying that the venta de armas operation was implemented following the directives of the executive power. As for his refusal to return to Argentina and testify, Palleros argued that his security would be endangered because of the death threats that he received (“Las sospechas por la fuga del traficante de armas Palleros” 2001). Eight years later, still in South Africa, Palleros reiterated his statement in even clearer words saying that the President and his ministers knew where the arms were going and he got insurance from Sarlenca about it (Urien Berri 2004). After Switzerland arrested Lasnaud on May 25, 2002, and agreed to extradite him to Argentina, this later flew to Buenos Aires, and, on December 6, 2002, declared for five hours in the court headed by judge Julio Speroni. Lasnaud testified that Palleros, his partner in the arms transfer to Ecuador, assured him that the Menem government knew about the operation (“El traficante ratificó que el gobierno de Menem estaba al tanto de la venta de armas” 2002).

Lasnaud, finally, was released for lack of element to charge him. By the end of 2003, the Argentine Justice derogated the international order to capture Palleros to facilitate his return to Argentina and declare for the case of the arms. Yet, according to
Urien Berri, a reporter who followed the court case, Palleros’ court appearance could not possibly complicate Menem’s situation, if he reiterates what he already had declared to the press (Urien Berri 2003b). From the relations that Ormart had with Menem’s entourage and the testimony of Palleros and Lasnaud it is not difficult to conclude that the government knew about the venta de armas. As the Supreme Court had already decided to end the case, the testimony of the gunrunners with respect Menem’s government knowledge of the destiny of the arms is not, apparently, an argument to make of the venta de armas a court case. In other words, the non-judiciable aspect of a state affair seems to confirm. That, however, does not disqualify the argument of an “illicit association” from an analytical perspective. Two more aspects of the venta de armas sustain this argument. The first is the relation of arms and drugs that appear though tangentially in the venta de armas, and the other is the so-called “route of the money.” In fact, it is only in the aspect of obscure financial transactions that the case in 2004 was still open and the former President could face yet another judicial process.

Dirty Connections

A distinguishing aspect of the global arms bazaar from historical patterns of arms smuggling is the close connection of weapons and drug trafficking, an issue with which I have dealt in previous chapter. Not surprisingly this linkage appears also in the venta de armas case, though only indirectly and is not included in the judicial procedure. In other words, the venta de armas is not a case of arms and drugs exchange, a modality practiced by the Russian Mafia, among others. Nonetheless, at least Al Kassar and Lasnaud are known to have been prosecuted for drug trafficking cases. Press reports, on the other hand, revealed other indirect linkages of the venta de armas and drug trafficking.
According to the Croatian reporter Antun Masle of the weekly *Globus* paper of Zagreb, it was the official Croatia Line shipment company that realized the transfer of arms to the Balkans during the conflict. Three years after the end of the war, in 1998, Croatia Line was caught transporting 650 tons of cocaine. The investigation was unable to reveal who had shipped the drug, but there were strong suspicions in Croatia that the same lobby that provided arms to the Croatian army during the war was also involved in drug trafficking. Moreover, while the war was ongoing and the Serbs had occupied 30% of the Croatian territory, the same group did not hesitate to smuggle Croatian oil to the Serbs. The motivation, no doubt about it, was money, which, in Masle’s characterization was “the machinery” behind the arms sales (Urien Berri 2001a).

Other yet unclear links between the Menem government and the activity of drug cartels were reported in the press when the Colombian Fernando Oscar Cuevas Cepeda, accused of laundering money for the Calí cartel, disappeared on April 6, 2001, the day he came out with a special permission from the La Picota national detention center where he was jailed for more than a year. In his efforts to find his son, Cuevas Cepeda’s father Oscar Cuevas Gamboa, himself a suspect of money laundering, made public declarations to show how well connected he was. Among those who he named was former president Menem, who, according to Cuevas Gamboa, used to stay at his place every time he visited Colombia. Argentina’s name related to the Calí cartel was first mentioned in 1994, during the Chimborazo Operation realized simultaneously in six countries where the drug cartel used to launder money through companies created by Cuevas Gamboa. One of the companies created by Cuevas Gamboa is the South Pacific Trade, which appeared again in 2001 when in the Argentine Congress a special commission started to
look at the money laundering and corruption cases in the 1990s. According to two members of the commission, South Pacific Trade was on the list of suspicious companies that the U.S. Senate sent to the Argentine Congress in cooperation with the efforts of the mentioned commission (Vales 2001).

The suspicion about a relationship between Menem and Cuevas Gamboa is not exclusive to press investigations. Juan Miguel Ponce Edmonson, the former head of Interpol Mexico, also considers it valid after he found a photo of Menem with Oscar Cuevas Cepeda during an investigation on money laundering in Mexico. The Cuevas family operated in Argentina through the financing company Mercado Abierto of Aldo Ducler who also had an offshore bank, the MA Bank, in the Caiman Islands, where the Mexican cartel of Juárez used to launder its drug money. Operation Chimborazo discovered the link between Mercado Abierto and the offshore trading company, South Pacific Trading, the representative of which in Colombia is Cuevas. Through South Pacific Trading, the Colombian drug traffickers channeled $90 million dollars of drug trafficking, says Ponce (Obarrio 2001).

For those who studied the phenomenon of the mafia in Argentina, little if any surprise is the linkages between state structures and organized crime. For sociologist José María Simonetti of the Universidad de Quilmes, “we can talk about mafias when crime establishes an alliance with the political and/or economic power.”101 The venta de armas is but one of the many Mafiosi manifestations in Argentina of the 1990s (“La mafia del tercer milenio” 2003). The typical embeddness of organized crime with state structures is, of course, the situation in Russia in the Yeltsin years, an issue I shall deal with in the next chapter. If Argentina, or Peru, or any other country in the 1990s is comparable with

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101 Se puede hablar de mafias cuando el crimen establece una alianza con el poder político y/o económico.
Russia is a topic apart. Nevertheless, it is the one of the main arguments of this research that the end of Cold War, the speeding of the globalization of world economy, the transnationalization of organized crime, and free market reforms in developing countries and transition from state planed economies have created a structural situation for the criminalization of state structures, the interpenetration of crime and state power, and, in some cases, an interdependence of crime and weak states. Peripheral countries, or former Soviet and Communist republics, differ from each other according to the strength of the civil society, the power position they occupy in the international system, and the circumstantial relations they have with the superpower.

Yet, a common characteristic of all these countries is the “impunity” that the governing elite enjoyed. This is how Retired Colonel Jean Charles Uranga, to whom former president Menem named Secretary of Defense Production and head of FM on February 1990, describes the arms smuggling to Croatia and Ecuador. Uranga resigned in the end of August 1990, and one year later started the venta de armas. In an interview to La Nación, he confirmed that the former President had to know about the operation because of the very engaging nature of the transaction. Before his resignation, however, he proposed a legal measure, adopted as Resolution 871 on June 29, 1990 and published in the Boletín Oficial on July 11 of the same year, according to which any representation of FM, or intermediation to sell Argentine arms should have the approval of the Minister of Defense. According to Uranga’s court testimony, despite the official Resolution, Menem ordered him that any Argentine representative to sell arms in the Arab world must be approved by his brother-in-law Alfredo Karim Yoma, who at that time was designated as Secretary for Special Affairs in Argentina’s Foreign Ministry. At that time,
Argentina was trying to sell tanks to Iran and Abu Dhabi, and Menem’s argument for such a disposal was that Karim Yoma spoke Arabic. The deal was unsuccessful, as was the $1.2 billion dollar deal to sell two submarines to Taiwan. For the failure of this later deal, Admiral Edmundo Schaeer and Deputy Commodore Tomas Medina blamed Karim Yoma and is brother Emit, who asked for unusual commissions. In his court testimony Uranga also mentioned a demand for arms that Bolivia made in 1990, but the weapons mentioned in that demand had nothing to do with those that figured on the secret decree 1633 that Menem signed in 1992. “I would have denied [the demand authorized by decree 1633],” said Uranga in the same interview. “The type and quantity of armament asked for would have created problems with Chile and Paraguay.”

What is to be underlined in Uranga’s testimony is the concept of “impunity,” which rarely, if ever, is used for state actions and decisions that are related to the national interest or strategic reasons. “Impunity,” a concept that I shall discuss in the section where I focus on the elite in power, is used mainly for criminal actions. Moreover, Uranga does not hide that the decisions of the venta de armas were not, according to his views, anything near to the national interest. On the contrary, the national interest would have been to sell the submarines to Taiwan, yet what prevailed was the interest of those in power who were dealing with the issue, ad the deal failed. The official version would probably denied the accusations that Uranga and other military had done to the Yoma brothers, and as there is no way to prove the whole truth, the least that we can say is the

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102 Yo lo hubiera rechazado. El tipo y cantidad de armamento hubiera creado problemas con Chile y Paraguay.
mixture of personal profit with state interests, to which refers the above-mentioned definition of “mafia” that Simonetti proposes.

From a conceptual approach of exclusion/inclusion, Guillermo O’Donnell describes “impunity” in terms of those who are included in the context of law, yet use their power to exclude themselves, meaning to be above the law without being outlaws. In this category are those who almost do not pay taxes, have their private security, their private schools, and if they have any problem with the state they resolve it through their direct access to chief’s office. Based on O’Donnell’s framework, José Pablo Feinmann accuses the Argentine “political class,” which… dismantled the state apparatus, auctioned the country and sold it to the financial capital. In addition, it created another state, the Mafiosi state, which is an unending source for the impatient and immediatist ambition of the new conquering bourgeois. (Feinemann 2001)

The passionate language of the Argentine philosopher and political analyst notwithstanding, tax evasion and the mixture of business, including of illicit nature, with state affairs are related to the global free flow of capital, which, as analyzed in chapter two, became in the 1980s and 1990s the most efficient way of enrichment and entry to the new global capitalist class. Despite the emphasis on punishing severely tax invaders during the economic reforms in the 1990s, a tax collectors’ study in the Province of Buenos Aires in May 2001 found that one out of every four of 400 luxury country club houses was not registered and the owners evaded annually $120 million propriety tax dollars (Montenegro 2001).

Dirty Money

As for how the international flow of capitals, including dirty money, penetrate peripheral countries like Argentina and establish links with state power, the example of
Gaith Pharaon, the banker accused of laundering money of arms and drug trafficking, is illustrative. In early 1980s, Pharaon was a shareholder of the agro-commercial Tradigrain Company, founded in 1978, which opened a branch in Argentina. In 1987, the Saudi banker used his credentials as the owner of Tradigrain to apply for the Argentine citizenship. Of Pharaon what mostly is visible in Buenos Aires is the pharaonique Hyatt hotel, suspicious of being a living proof of how illicit money is laundered, and the acquisition of Banco Finamérica, which then was renamed the Bank of Credit and Commerce. These financial operations were made late 1980s when Argentina was starving for capitals. So far, Pharaon was known to be an active operator of the Argentine 1982-1984 Treasury Bonds, which had a market value very much below of its nominal value. He also made multimillion investments in different projects in Argentina. This entire rich portfolio, however, ended when BCCI was accused of money laundering and its branches shut down in the world (“El otro adiós de Gaith Pharaon” 2002).

Eager to attract capital flows, Menem, as his predecessor, welcomed Pharaon’s activities in Argentina. He even received him in the Casa Rosada. Yet, with the BCCI scandal, when in August 29, 1991, the banker shouted in a Buenos Aires tribunal that all banks launder money “but only Arab banks are targeted,” former President’s situation became uncomfortable. Menem admitted his mistake for hosting Pharaon and encouraging his investments. With the “avalanche” of investors in Argentina, he explained according to a press report, I could not investigate the origin of these millions (“Excusas de Menem” 2002).

Gaith Pharaon’s activities in Argentina and his relations with government officials were investigated and reported in a lengthy document of 400 pages dealing with major
illicit affairs related to money laundering, the first draft of which for presented for
discussion in the Argentine legislature on August 12, 2001, and immediately provoked a
strong controversy. The commission to investigate corruption and money laundering
issues in Argentina was created on May 9, 2000. Congresswoman Elisa Carrió, a
longtime campaigner against corruption, headed the task force, which prepared the first
draft. Carrió at that time was a member of the Civic Radical Union (Unión Cívica Radical
–UCR), one of the two parties that formed the Alianza electoral coalition that came won
the 1999 presidential elections after the end of Menem’s second term and a decade of
Peronist rule in Argentina. She later broke with her party over increased disagreement
with president De La Rúa’s policies –himself a member of the UCR-, and formed her
own center-left party of which she became the unsuccessful candidate of the 2003
presidential elections.

The commission was created in virtue of law 25.246, which broadened the
spectrum of the crime of money laundering so far related only to narcotrafficking. The
investigation, therefore, as is written in the introduction of the draft report, had to
“analyze deeply the models of investment, the forms of evasion, the use of offshore or
ghost companies that were used for the circulation of illicit money or simply to hidden
non-declared incomes.”103 (Carrió, Gutierrez, Ocaña, and Vitar 2001, 1) These
modalities, say the authors, have been taking place in Argentina for the last 15 years,
using other countries such as Uruguay, Panama or the Caribbean Islands where the
money was hidden. They also reveal the existence of an illegal system parallel to the
legal one through which the evasion of capitals was realized and the sums paid as bribes

103 Un análisis de fondo de los modelos de inversión, las formas de la fuga, la utilización de compañías
offshore o empresas fantasmas para hacer circular el dinero ilícito o simplemente ocultar dinero no
declarado.
were occulted. According to the calculations of the commission, the level of money evasion in Argentina during this period equaled the level of the foreign debt the country contracted. Among the money laundering facts that Carrió and her colleagues investigated was the hidden money of corruption, arms smuggling and narcotrafficking.

... and there, we found that the persons, banks and ghost accounts in all the cases we investigated were interconnected, a fact that surely would allow us in the final report describe clearly not only a matrix, but also the existence of a mother illicit organization that seemed to be involved in all serious crime that has been investigated. (Carrió et al. 2001, 2)

At the end of the introduction, the members of the commission broadened their vision and found similar patterns of corruption throughout Latin America, of which “if corruption is one face, the other is necessarily the unending poverty of its people.”104 (Carrió et al. 2001, 3) The analysis, therefore, extended to include the cases of Paraguay’s controversial military Lino Oviedo and Peru’s Montesinos.

The most controversial issue that the draft report produced was the connection that Senator Eduardo Menem, brother of the former President, along with another Peronist legislator, Omar Vaquir, had with Gaith Pharaon in his debut in Argentina in early 1980s. The second chapter of the draft report deals with models of foreign debt and investments capitalization in Argentina. More precisely, it mentions three models: the Gaith Pharaon model of BCCI and money laundering; CITICORP’s model; and a model of investment funds according to the performance of the EXXEL Group. According to Carrió’s report, when Pharaon landed in Argentina in 1980, Eduardo Menem and Omar Vaquir received him in the Ezeiza airport as advisors of Roberto Viola, the de facto President of Argentina at that time. The congresswoman refused to reveal her source,

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104 Si una cara de América Latina es la corrupción, la contracara es necesariamente la infinita pobreza de sus pueblos.
and, hence, was accused of being partisan and biased. Her accusation, indeed, suggested at least two things about Menem’s connections: while he had always made of his arrest and imprisonment during the Proceso a political capital, his brother was holding a high-ranking post in the military government; moreover, at a time when he was put under house arrest for, precisely, his connections with international illicit circles, his same brother actually was the one who guided Pharaon in his first steps in Argentina.

The controversy never came in terms, and most probably affected the credibility of the draft report. The least that can be said is that the draft report failed to create consensus among congressmen, and, therefore, shake Argentina’s domestic politics. Despite the Alianza government’s campaign against corruption and initial support that it gave to the commission headed by Carrió, the political will clearly lacked to make out of the draft report a turning point in the struggle against corruption. The reason was the proper weakness of the Alianza government, which, by the way, was not immune from corruption charges. The weakness of De La Rúa was made explicit during the legislative elections later in October 2001, when the Alianza lost the popular vote and the Peronists won majority in both chambers. Moreover, as I shall discuss later, the government silently favored the release of Menem and Supreme Court’s highly questionable decision to end the venta de armas case, hoping, wrongly, a political retribution. Finally, after two years of presidency that produced mostly frustration for the Argentine society, and amidst a popular rebellion, De La Rúa resigned on December 20, 2001 marking the debut of Argentina’s social and economic collapse.

Carrió’s report’s controversy notwithstanding, the investigation provided a factual ground upon which the venta de armas case remained open in its most secret yet
revealing aspect: the so-called “route of the money,” the $60 million out of a total of $100,000,000 that Croatia and Ecuador paid for Argentine arms that did not figure on FM’s accountability. In fact, the “route of the money” was the greatest enigma of the case since 1995, when the prosecutor Carlos Stornelli and judge Urso started their investigation. The major obstacle was the lack of cooperation of the U.S., Switzerland, and Uruguay. From 2001 on Washington decided to cooperate with the Argentine justice. In fact, most of the evidence that Carrió produces with respect of the venta de armas in part 3 of chapter 8 of the draft report\textsuperscript{105} is based on the documents sent from the U.S. Senate and analyzed by experts of Argentina’s Central Bank (“Un equipo de expertos ayuda a investigar una cuenta clave” 2001). Though from his home arrest the former

\textsuperscript{105} The other cases with which the draft report deals in this chapter include major corruption cases related to money evasion during the Menem government involving ministers and influential people close to the Executive Power: the bribes that IBM paid to actualize the information infrastructure in the Banco de la Nación; the case of gold smuggled in and out of Argentina; the terrorist attack against the Jewish mutual AMIA and the so-called Syrian path; the Chimborazo operation; the case of Ducler and the Juárez cartel; and the case of Yoma referring to unusual credits given to the business of Menem’s former brother in law. Along with the venta de armas, the gold case and those related to narcotrafficking are the most revealing of connections with organized crime. The IBM-Banco de la Nación case, the Yoma case, and even the AMIA case are closer to classical corruption transactions, albeit the later has clearly a criminal and security dimension. I already discussed the cases related to narcotrafficking and money laundering. It is worth mentioning here the so-called Caso de Oro, which created a pattern of corrupt business involving the fraudulent exportation of gold and other precious metals for total of $30 million dollars. The Argentine businessman, Enrique Piana, the owner of Casa Piana an Argentine traditional manufacturer of medals, along with U.S. partners established the transnational network that bought Swiss gold bars in Argentina free from import taxes, export it to the United States in form of overpriced medals to receive reimbursement from the Argentine customs, triangulate the then melted metal to Switzerland, and restart the whole operation. Piana was arrested in 1997, in U.S. and extradited to Argentina. While in prison, Piana co-authored with reporter Sergio Ciancaglini the book \textit{Confesiones de oro} (2002) and revealed the hidden aspects of the affair. In an interview to the local \textit{La Nación} newspaper, Piana named Secretary General of the Presidency Alberto Kohan and former Secretary for International Relations in the Foreign Ministry, Jorge Campbell, and “people in Customs” to whom he supposedly paid $30,000 for ten months to Kohan, $200,000 to Campbell, and $1.5 million to people in Customs. Though the financial circuit Piana and his partners used included Multicambio, Banco Montevideo and MTB Bank all involved in the venta de armas, Piana says he ignored everything about this affair. He also avoids involving personally the former President and declares not knowing if the Americans paid him $10 million, however he certifies that the Customs knew, Secretary of Mines Angel Mazza knew, Alberto Kohan knew, and Domingo Cavallo knew (O’Donnell and O’Donnell 2002). The \textit{Caso de Oro} is yet another episode involving the government with transnational organized crime. As expected, people close to Menem treated Piana of lier, and no official was prosecuted. As for Piana’s American partners, all of them were found guilty for minor charges and did not serve prison terms.
President accused Carrió of “mythomaniac”\textsuperscript{106} and denied any accusation of illicit enrichment, or owning, along with his former private secretary Ramón Hernández, the company Mallorca Enterprises Ltda. in the homonym Spanish island with a capital and bank accounts of more than $24 million dollars (“ Según Menem, la acusación de enriquecimiento “es absurda””\textsuperscript{2001}), the commission ended up handling the result of the investigation including the evidence with respect of half of the money of the venta de armas being paid for bribes to Prosecution (Santoro 2001g), and opened way to the deepening of the investigation of the “route of the money.”

\textit{Where is the Eldorado?}

The press reports concerning the court investigation of the “route of the money” reveals a close connection among the financial companies that were involved in major public scandals of corruption, tax evasion and money laundering and the venta de armas. In fact, the names of exchange agencies, banks, bankers and other financial operators, such as José “Puchi” Rohm and Pedro Stier, are identical to agents involved in the network through which the money of the venta de armas was channeled. In particular, the documents sent from the United States revealed at least that the account of Daforel in the New York MTB bank, where presumably the bribe for the arms was paid, was in the name of Pedro Stier, the former head of Multicambio, who, at the same time, was the owner of the ghost company (Santoro 2001h). Further court investigation revealed two other mysterious accounts in the names of “Romina” and “Josefina” that appear in an internal account transfer of Daforel realized through MTB, mostly to complicate a possible reconstruction of the “route of the money” and hide the true identity of the person that received the bribe (Santoro 2001i).

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For six years Stier denied knowledge of any financial transaction relating him with the *venta de armas*. Only when the case made its way to the court, did he, on November 5, 2001, admit that a bribe of $200,000 dollars paid by Palleros went to the leather processing company -Yoma S.A.- that belonged to Emir Yoma. In his written statement to judge Urso, however, Stier says also that Multicambio did not participate in any operation related to the *venta de armas*, in a move, as press analysts following the case, to avoid a possible charge of being the chief financial operator of the illicit association that realized the arms transfer (Santoro 2001j).

On the other hand, when asked about their personal fortune, specific accounts or transactions that appear to have some links with the financial agencies investigated in the arms case, neither Menem, nor members of his cabinet or people in the immediate entourage of the President could provide concrete answers. An early case was Menem’s former brother-in-law, who when indicted by judge Urso was not able to answer how some $20 million dollars made their way to different accounts that he owned or operated with (Tagliaferro 2001a). The suspicion about illicit enrichment was so strong that after Menem’s house arrest the judge ordered an investigation of his personal fortune, after the Prosecution denied the relevance of two previous investigations in 1997 and 1998, when the former President was cleared of any charge of illicit enrichment. Interestingly, of the first investigation and the resolution was in charge judge Miguel Morales of Menem’s native La Rioja province. On the basis of judge Morales’ resolution, the second court case initiated by opposition congressman in the capital Buenos Aires one year later was dismissed (“El fiscal pidió investigar a fondo los bienes del ex presidente” 2001).
Prosecutor Stornelli based his demand to investigate the personal fortune of the former President upon a report from the Federal Administration of Public Incomes (Administración Federal de Ingresos Públicos –AFIP), that have found several irregularities in Menem’s 1999-2000 public declaration of his personal goods (Tagliaferro 2001b). With respect of offshore accounts linked to the former President’s name, despite Switzerland’s initial reluctance to cooperate in revealing bank secrets, once the cooperation started -albeit very cautiously-, the Swiss Justice declared the existence of an account in the name of Menem’s former wife Zulema Yoma and his daughter Zulemita (Santoro and Gasparini 2001). The former first lady expressed astonishment for the account and said having no idea about who was the person who made such a generous contribution to her.

Switzerland’s decision to cooperate became crucial for the continuity of one aspect involving the “route of the money” of the venta de armas after the Supreme Court decided to close the case. Moreover, after Menem’s release from the house arrest, Switzerland started a judicial investigation headed by judge Claude François Wenger, who immediately blocked two accounts supposedly in the name of the former President (“Nuevo juez suizo para investigar a Menem” 2001), while in Argentina judge Julio Speroni was designated as the new head of the investigation dealing with the economic and financial aspects of the venta de armas (“Disponen que el juez investigue la ruta de las coimas” 2001). With parallel investigations in both countries, the case entered a new, and perhaps judicially more grounded, phase. From January 2002 on, the events followed a course that so far is not over. First, the Swiss Justice confirmed that Menem eventually had an account of $650,000 dollars in the Geneva branch of the UBS bank, at the same
time the Swiss weekly newspaper *L’Hebdo* revealed the existence of two accounts less than $10 million dollars, one of which apparently belonged to a company owned by Menem’s private secretary (“La justicia suiza confirmó que Menem tiene una cuenta secreta” 2002).

Six months later, while press reports alluded to a presumed multimillion bribe paid to Menem to cover the terrorist bombing of the Jewish mutual Amia, the former President admitted in an interview with CNN in Spanish that he, indeed, had deposited $600,000 dollars in a bank account in Switzerland. The money, he said, was what he received as a retribution for his imprisonment during the military dictatorship. The $200,000 dollars that he earned from a trial for damages to the Argentine state were deposited in Switzerland in 1986, and with the interest rate they ascended to $600,000 (Zommer 2002). Denying that by omitting to declare this account publicly he had committed any crime, Menem said that the account was for “the insurance of all my family.”107 (“Fue para el resguardo de toda mi familia” 2002) By the same time, the Argentine press reported that Menem’s private secretary, Ramón Hernández, was the person who administered an account of $5 million dollars of the ghostly Red Spark Foundation Incorporated opened in a Swiss bank in 1996 (Santoro 2002a).

As Prosecution accused Menem of “ideological falsity” for omitting to mention his offshore accounts in his public declaration, judge Norberto Oyarbide started to investigate this new chapter of the “route of the money” asking for cooperation from Swiss authorities based upon the 1911 Argentine-Swiss bilateral agreement of cooperation. Among the testimonies that judge Oyarbide received was that of a lawyer, Juan Carlos Iglesias, who stated that Menem’s entourage, including his daughter

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107 “Fue para el resguardo de toda mi familia.”
Zulemita and former government officials Armando Gostanian, Alberto Kohan and Ramón Hernández, was, in fact, administrating his offshore accounts. The mentioned persons, Iglesias denounced, often traveled to Zurich from Montevideo or the United States (“Señalan que el entorno de Menem manejaba sus cuentas” 2002). After more than a month of delays due to technical mistakes in the demands that the Argentine judges sent to the Swiss Justice (“Errores de los jueces ayudan la estrategia de Menem” 2002), in early September 2002 Switzerland confirmed that at least two accounts, one opened by Menem in 1986 in the name of his former wife and daughter, and another in the name of Red Spark Foundation Incorporated, were being investigated by judge Christine Junod. Of this second account, a press report revealed that The Spark Foundation Inc. was registered in Miami in December 2000 and closed down on September 21, 2002, just three days after the press informed about an account that Menem had opened in Switzerland in 1996 (Santoro 2002b). On September 11, judge Speroni ended his investigation and declared the lack of proofs to prosecute Menem for the 1995 secret decree 103, which authorized arms sales to Venezuela while the arms were destined to Ecuador (“Armas: dictaron una tercera falta de mérito para Menem” 2002).

The defense of the former President, however, could not convince Swiss authorities to maintain the bank secrecy on the accounts that were being investigated, nor did judge Oyarbide think that the case should be closed. In fact, after the Kirchner government assumed power in May 2003 and Gustavo Béliz, a former Interior Minister of Menem who resigned after denouncing the government of corruption, assumed as Justice Minister, contacts with the Swiss authorities became more frequent. After a visit Béliz paid to his Swiss counterpart Ruth Metzler in Zurich in November 2003, judge
Junod decided to send to Argentina information about an account that would presumably bring new paths to reconstruct the route of the bribes paid for the *venta de armas*. The Argentine Justice Minister expressed interest for no less than 18 investigations concerning accounts of former President and his entourage (Santoro 2003). By the end of January 2004, 200 Argentines with accounts in Swiss banks and somehow connected to the *venta de armas* were being investigated, as judge Junod declared in an interview to *La Nación* (Alconada Mon 2004). In March 2004, judge Oyarbide forbided the former President to sell any of his proprieties, or buy new ones (Ginzberg 2004).

*Thou Shall Not Launder Money*

Whether the investigation of Menem’s account in Switzerland will end up re-oppening the *venta de armas* case and help the truth to come into light is yet to be seen. So far, and for the sake of this research, two aspects need to be highlighted: first, as in any illicit transaction in the global political economy, the financial dimension is the most jealously guarded secret, yet the most revealing about the mixture of national and private interests; second, even this most jealously secret, especially when involving state intervention, can be dismantled when the political will for cooperation exists. As the world superpower, the United States can facilitate this cooperation. With regards to the *venta de armas*, it is interesting to observe that the Swiss-Argentine cooperation accelerated after Washinhton decided to help Argentina investigate money laudering cases in the 1990s. Though the U.S. collaboration was prior to September 11, 2001, the terrorist attack on the Twin Towers and the Pentagon played a key role in Washington’s determination to increase the control on the global flow of illicit money for security reasons. With all the structural restriction that such an enterprise faces in the globalized
world, it, at least indirectly, helps revealing some truths, as probably is the “route of the money” in the *venta de armas* case, if, of course, different governments show political determination to investigate controversial cases.

Until April 13, 2000, Argentina’s money laundering regime was based on the Drug Law 23.737 enacted on October 10, 1989. The law criminalized money laundering related to narcotrafficking. Based on it, the Central Bank of the Argentine Republic (Banco Central de la República Argentina –BCRA) issued a series of communications aiming at the prevention of money laundering activities through the banking sector. Only on April 13, 2000 Congress passed the Bill on Money Laundering, which became Law 25.246. The law, in virtue of which the Finantial Information Unit (*Unidad de Información Financiera* –UIF), an agency under the Ministry of Justice and Human Rights that leads Argentina’s anti-money laundering efforts, was created, extended the money laundering offence to include all existing crimes in the Penal Code. The Finantial Action Task Force (FATF) on Money Laundering, a mission of which visited Argentina in February 2000, two months before the money laundering bill was presented in Congress, considered that “Law 25.246 provides a sufficient serious crimes money laundering basis for Argentina to meet the first pre-condition for plenary membership in the FATF.” (Finantial Action Task Force 2000, 9) The agency considered that Argentina has done enough for the expansion of suspicious reporting requirements for financial institutions and know your customer, the second pre-condition for full membership. Accordingly Argentina was admitted as a full member in the FATF.

As mentioned above, Law 25.246 has been crucial for the Carrió commission to investigate money-laundering activities in the last two decades of the twentieth century,
and the findings created evidences that the court included in the indictment of Menem and members of his government for the venta de armas case. The law expanded also Argentina’s international commitment in this field, which, as said, was so far related to drug trafficking. Since the liberalization of the financial markets in early 1960s, but fundamentally from the 1980s on, and in difference with capital flight and tax evasion, two other forms of global illicit financial activity, states showed more concern with money laundering. This concern led to the creation of two important international regimes to prevent money laundering: the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (the “Vienna Convention”) and a code of conduct for banks issued by the Bank for International Settlements; and the 1990 Forty Recommendations of the FATF, a free-standing body that the G-7 has created the previous year to address specifically money laundering issues. Not surprisingly the United States, the avant-garde country in shaping the globalization of financial markets, took the lead in the efforts to prevent money laundering, an activity related closely to drug trafficking, which became a national security issue with the war on drugs (Helleiner 1999).

Concluding Remarks

Anti-money laundering efforts in Argentina in the 1990s were related to the severed Drug Law 23.737, enacted one year after the Vienna Convention. There is no doubt that the Law constituted an important step in the efforts to insert Argentina in the international economy. A second reading, albeit not necessarily unrelated to the first one, points to the Argentine compliance to an issue, drug trafficking, which became priority for Washington. The question is why only in 2000, after the end of Menem’s second
term, were anti-money laundering efforts expanded beyond drug trafficking and Argentina embraced FATF’s Forty Recommendations? Could Law 25.246 have prevented, or at least made more difficult, money laundering related to the *venta de armas* and other criminal activities in which, according to Carrió’s commission, the government was involved, if adopted in early 1990s? While any answer to this question is possible only counterfactually, the fact remains that the severed and extended Drug Law did not prevent money-laundering activities in Argentina, either because it is difficult to really separate this kind of financial crime from the two others, and/or there was limited political will to enforce the law. Money laundering activities were intense in Argentina since mid-1980s and did certainly not stop with the Menem government. Country’s starvation for international capital is part of the explanation, the other, especially in the 1990s, being the mixture of private profit with state affairs and the opportunity that economic reforms and globalization brought to the elite in power to use the state as a vehicle for rapid and extensive enrichment, even when illicit transactions were involved. Foreign banks and other financial agencies provided the means for money laundering, and no wonder that they actively supported Menem’s intentions for a third term when in 1997 the idea was channeled to the public opinion (Zlotogiazda and Balaguer 2003, 278). Though the UIF has investigated intensively banking activities related to financial frauds in Argentina of the 1990s, it received scarce collaboration from U.S. Embassy as a high source in UIF complains.

By mid 2001, however, the U.S. position with respect to money laundering collaboration changed. After years of declining to answer the claims of the Argentine Justice about accounts in U.S. banks assumingly related to the *venta de armas*,...
Washington presented formal apologies for not responding judge Urso’s seven demands, and promised to help the judicial investigation (Gerschenson 2001), and, indeed, as mentioned above, sent valuable documents that shred light on accounts related to the “route of the money.” The Argentine press linked the change of the U.S. position with the triumph of George W. Bush in the 2000 presidential elections and the new Republican administration (“Ahora EE.UU. promete ayuda” 2001). One reason could be the initial intention of the new administration of less involvement in international affairs. During his presidential campaign, the Republican candidate and future President promised in particular to disengage the United States from the Balkans. Accordingly, one reading of the decision to help the Argentine Justice in the venta de armas case is that it showed the new administration’s effort to distance itself from the former’s foreign policy, which, supposidely, facilitated international arms trafficking to Croatia.

A second reading concerns the more orthodox approach to economic policy of the Bush administration in times of economic downturns, clearly reflected in the new Secretary of Treasury Paul O’Neil’s public discourses. Argentina, in this sense, was no more the “poster child,” (Pastor and Wise 2001) hence the Republican administration had started to take a tougher, less tolerant position toward its financial transactions. An early signal to this change of heart came in July 2001, when a secret mission of the National Security Council (NSC), headed by Johanne Wallace, Director of the Western Hemisphere affairs in NSC, visited Buenos Aires on 23-24. The mission met with several high-ranking officials of the De La Rúa government, including three ministers. The report that Wallace presented to her chief, Condoleezza Rice, was extremenly critical to
Argentina for political, as well as ethical issues and economic mismanagement (Bonelli 2001).

A third reading concerns the Bush administration’s commitment to push further the global battle against money laundering. Initially it was Russia that the Republicans targeted when, in June 2001, the U.S. and its economic allies pressured Moscow along with the Philippines and the Pacific island nation of Nauru to crack down on money laundering or face tighter sanctions. Again, according to the Republicans, the Clinton administration has been too tolerant toward Yeltsin’s Russia, and they declared willing to change that policy. Reviewing federal rules designed to fight money laundering was one way of changing the policy, and no wonder that several Democratic lawmakers at that time expressed concerns about new measures saying “they may be burdensome for U.S. banks without achieving their goal.” (Gordon 2001) The new emphasis on using anti-corruption and anti-bribery international measures that, in the words of E. Anthony Wayne, Assistant Secretary for Economic and Business Affairs, “undermine good governance” (Waye 2001) was another extension of Washington’s increased intolerance for money laundering. After September 11, money laundering was closely associated with terrorism and its national security dimension became even more pressuring.

A final reading of the reasons behind the Bush administration’s decision to help the venta de armas investigation has to do with the “fall in disgrace” of Menem in the United States. Despite former president George H. Bush’s solidarity to him when he was put in house arrest, the mood in the State Department was clearly hostile to his return to politics. Though neither his archenemy Eduardo Duhalde, who came in power on

108 Interestingly enough, Clinton did not show an sympathy to Menem after his arrest, or at least there have been no public report for any support on his behalf to the Argentine former President.
December 31, 2001, after five attempts in the Argentine Congress to find a replacement to De La Rúa who had to resign after the popular revolt on December 20, enjoyed any sympathy in White House circles, Menem was not favored as an alternative for the 2003 elections. The former Argentine strongman did not hide his intentions to return to power, when in June 2002 he visited the United States (Obarrio 2002), but the mood in Washington has changed. Even Arturo Valenzuela, a former national security adviser on Latin America during the second Clinton administration, characterized Menem as “widely disliked and distrusted in Washington.” Congressional sources also warned that his re-election would send a negative signal, because many in the U.S. capitol blamed Argentina’s collapse on his two presidencies “marked by widespread corruption and a fiscally undisciplined regime that allowed government debt to jump from 29 percent to more than 41 percent of GDP.” (“Argentina: Peronist Presidential Leader Mistrusted in U.S.” 2002) After the Monterrey Extraordinary Summit of the Americas in January 2004, during which 34 countries in the Western Hemisphere adopted the Declaration of Nuevo León regarding anti-corruption measures, the Bush administration made clear that the United States will deny admission to any corrupt politician as mentioned in one of the articles of the above-mentioned declaration. Though during his visit to Buenos Aires on January 28 of the same year, the U.S. Ambassador to the OAS John Maisto declined to answer whether Menem, who was already being investigated in Switzerland for corruption, was on a list on corrupt politicians, he also said that if the former President wanted to travel to U.S. his case would be studied by the Secretary of State (Galak 2004). Since then, Menem has not traveled to the United States. Along with the claims for Argentina’s fate, the re-emergence of the AMIA case with the freshly discovered
accounts that came under scrutiny seems to have an impact on the mood change in the United States. The allegation that Menem received $10 million from Iran to obstruct the investigation of the terrorist attack against the Argentine Jewish mutual did have an impact on political circles and public opinion. “In a post-Sept. 11 world focused on terrorism, the case contributes to renewed concern about Iran’s alleged sponsorship of Hezbollah and other terrorist groups.” (Rotella 2002)

The change in U.S. policy had its indeniable impact on other key-countries, especially Switzerland and Uruguay, the cooperation of which was needed, and vainly asked for five years, for the venta de armas judicial investigation. In fact, it is because Switzerland decided to cooperate in December 2001 that the financial aspect of the case remained open despite Argentine Supreme Court’s decision to close the case definitely. Of course, by that time Washington has done enough to reveal that the Daforel account in MTB Bank (New York), where the bribe money for the arms sale was deposited, belonged to Pedro Stier and his partners, an information that was in the documents sent to Carrió’s commission and forwarded to judge Urso (Santoro 2001k). Switzerland’s decision became clear in an interview to Clarín by the head of the Economic and Financial Division of the Swiss Foreign Ministry, Bernard Jaggy, and the number two in the Swiss Embassy in Buenos Aires, Paul Seger, in December 2001, when both officials were in Argentina in preparation for a preparatory meeting of the UN Special Commission that was debating a new international convention against corruption. Though, in the same interview, the Swiss officials attributed to the length of the search process the change of their government’s position, and, when asked if Bush’s anti-terror law could eventually end up closing fiscal paradises in the world, they denied that
Switzerland was a fiscal paradise (Santoro 2001). Switzerland also cooperated by extraditing Jean Bernard Lasnaud to Argentina, after the U.S. declined to intervene and arrest the gunrunner, who has also American citizenship and lives in, and operates from, Deerfield Beach, Florida.\footnote{The \textit{New York Times} reported the frustration of the Argentine Justice from the Justice Department’s refusal for an arrest that “was rarely denied.” According to a press investigation, Lasnaud had helped the U.S. try to acquire top-secret Chinese radar equipment. The Justice Department denied any special treatment to the 60 year old arms broker, reclaiming from the Argentine Justice a “clear indication” for an evidence of Lasnaud’s involvement in the arms smuggling to Ecuador. Apparently, for the Justice Department, the handwritten memos that Lasnaud faxed to customers in Ecuador to apologize for the poor quality of weapons he shipped from Argentina were not a “clear indication” for his involvement (Bergman 2002).}

Section IV. The “Special Relationship:” Its Rationale and Its Usefulness

The “state affair” nature of the \textit{venta de armas} is the major argument of considering it a non-judiciable case. The argument goes twofold. The first one concerns the strategic reason for a secret transaction within the logic of the special relationship that Argentina established with the United States, either because there was a demand from Washington –this being true at least in the case of Croatia and Bosnia; or even if there was no explicit demand, a green light was given from the U.S. administration for an operation that would benefit Argentina economically as a premium for its new pro-American foreign policy. The second line of the argument concerns the involvement of almost all the Ministries related to an arms transfer operation. In other words, the Defense, Foreign and Economy Ministers not only knew the truth about the \textit{venta de armas}, but they approved it by signing the false decrees along with the President.

Each Minister could have had his own reason to approve the operation, even if presumably they could have objected certain aspects of it, or disagreed publicly with each other especially when the scandal became public; but two factors seem to create a
common denominator for their participation in the legalizing the formal aspect of the *venta de armas*. The first factor is their loyalty to the President, not necessarily for ideological reasons but rather as a rational choice to keep their posts; and the second is their perception that the operation would not create any international risk to Argentina. Indeed, except for strategic weapons and certain conventional armament that can affect the balance of power, there is no international regime preventing state involvement in arms trafficking, nor are states that practice such an illicit transaction sanctioned if they are not categorized as “rogues,” and do not sell to clients that are considered a security threat, such as terrorists or global criminals. This, of course, does not mean that the strategic reason of state involvement in arms trafficking is risk-free security wise. Less is this true in Argentina’s case, as the *venta de armas* implied security risks, as I shall analyze later. But, again, in the international context, threats are socially constructed, and whether an action undertook by a given country is or is not conceived as a security threat depends upon the position that the same country occupies in the system and the relations it has with dominant powers.

From this Neorealist perspective, for a peripheral country like Argentina the relations with the United States became even more relevant to ensure a better position in the international system of the post-Cold War unipolar world. Whether the assumption that automatic alignment with Washington led or could lead to a better position in the system, or, as it was more common to characterize in the language of the 1990s, was a precondition to a better insertion in the international economy, was right or wrong is a topic apart. The fact remains that this argument formed the underlining logic of the special relationship that Argentina established with the United States in the 1990s, and
introduced substantial changes in its traditional foreign policy. How Argentina’s automatic alignment with the United States is related to the venta de armas from the foreign policy perspective? Though the chapter has dealt indirectly with this question, in what follows I analyze more closely Argentina’s foreign policy and the venta de armas to see whether the later derives directly from the strategic logic of the former, or should the relation be characterize within a different approach of reasons and motivations of the agent—in this case Argentina.

*When Argentina Was a “Realist of the Periphery”*

In classical texts about Argentina’s foreign policy analysis (Lanús 1984; Puig 1984; Figari 1993; Paradiso 1993) United States start to occupy an important place only in the Second World War. Until then, the so-called Drago Doctrine, named after Luis María Drago, Argentina’s foreign minister, who, in 1902, made of non-intervention the central norm in the inter-American relations, guided Argentina’s policy toward the Northern power. Fear of Washington’s interventionism in the Caribbean and Latin America was at the heart of this policy that made of the preservation of autonomy one of the main objectives of the foreign policy. Washington’s own approach to Latin American affairs changed in 1933, with the inauguration of the “good neighbor” policy by the Roosevelt administration. When the U.S. decided to participate in the Second World War, it tried to involve Latin American countries. Argentina, which in the 1930s had rejected Washington’s pan-American policy and reiterated the special relationship with Great Britain in 1933 with Roca-Runciman agreement, remained neutral until the near end of the Second World War. Despite that Argentina’s neutrality was preferably “a) pragmatic; b) integral; c) non-armed; d) active; e) permanent; f) voluntary; g) imposible and distant,”
(Russell and Tokatlian 2000, 43) compared to the neutrality of other countries, including Chile, Spain, Ireland, Portugal, Swiss, Switzerland and Turkey, it triggered Washington’s hostility toward Buenos Aires seldomly accused, though not always incorrectly, of pro-Nazi sympathy and even collaboration.

Following the election of Juan Domingo Perón in 1946, the U.S.-Argentina relations became more tensed, partly because of the personal confrontation of the then U.S. Ambassador in Buenos Aires, Spruille Braden, and the popular –and populist- military who founded the Justicialista movement seldom known as Peronism (Rapoport 1999, chapter 2). Autonomy was still at the heart of Argentina’s foreign policy during the Cold War. Conceptually defined as “realism of the periphery” and inspired by Raúl Prebisch’s ideas and the ISI economic policy (Russell and Tokatlian 2003), the foreign policy based on the search for greater autonomy enjoyed a vast consensus from the left to the right on the Argentine political spectrum. Despite their ideological adherence to anti-Communism and seeking security cooperation with the United States, even military governments in general favored non-alignment as a guideline principle for foreign policy. Search for autonomy in the 1960s and 1970s reflected in the nationalization of oil and trade with the Soviet Union (Rapoport 1999, chapter 4).

Reagan Appreciated Argentina, ma non troppo...

Even ideologically, the Argentine military anti-Communism sought autonomy from the United States. When, in 1977, the Proceso government decided to involve in Nicaragua’s civil war and provided arms military training and advises to the Contras, the move was a clear defiance to the Carter administration, which has made of human rights a centerpiece of the U.S. foreign policy. Moreover, the anti-Communist crusade of the
military, who sought expanding it through Latin America, had, along with the ideological zeal, an internal component: the internationalization of Argentina’s counterinsurgency apparatus and know-how, an intent to insure worldwide legitimacy for the military dictatorship, which came under harsh criticism in the United States and Europe. Only after Ronald Reagan’s election as President of the United States in 1980 and its decision to give full-fledged support to the anti-Sandinista program that Argentina emerged as a U.S. surrogate in Central America:

Argentina’s anti-Communist intervention in the hemisphere was consistent with the military’s claim that the nation had faced Soviet-sponsored aggression via Cuba. Based on a perception that the Carter administration’s human rights policy was yielding terrain to Communist expansionism, the Argentine military decided to fill in for the United States. This decision was guided by, among other factors, a conviction that Argentina could expand its influence in Central America, Bolivia, and elsewhere in Latin America if it capitalized on its experienced counterinsurgency apparatus. The military high command also sought to increase sales of Argentine arms and know-how to other national security states. Following the inauguration of President Reagan, the United States became involved with the Argentine counterrevolutionary program in Central America. The two administrations shared the view that popular unrest was largely a result of international Communist action intent on deepening indigenous sources of discontent. (Armony 1997, 172)

Along with the importance of the Proceso involvement in Central America in terms of arms transfer patterns, discussed earlier in this chapter, there are other considerations to bear in mind when analyzing the Argentine-U.S. special relationship in the 1990s. Though historical parallels are always risky, and, along with the historical international context, the difference between the political process of a dictatorship and that of a democratic government makes certainly the comparison even more difficult, there are at least four consequences of the surrogation of Argentina to U.S. in Central American politics to withhold for the analysis of the Argentine automatic alignment in the 1990s.

First, the military assumed that Argentina’s involvement in Central America would insure at least U.S. neutrality in the Malvinas war, which, of course, proved to be a
huge mistake of perception; not only did the U.S. support its ally during and after the Malvinas war, but also, years after, when the Menem government had announced its alignment with Washington and sought to normalize relations with the United Kingdom, the first Bush administration used the British to pressure for the total destruction of the Condor II missile project (Santoro 1992, 53).

Second, the “participation of veterans of Argentina’s dirty war in a CIA covert operation evidenced that the United States could sanction state terrorism if it proved to be effective against a regime perceived as a threat to U.S. values and democracy.” (Armony 1997, 173) This leaves open the doubts about the venta de armas operation being a U.S. indirect demand based upon strategic considerations of arming Croatia through third parties.

Third, there is strong linkage between the Proceso involvement in Central America and the legitimization of the military rule at home. The Reagan administration’s sympathy for the Argentine military anti-Communism became another element of this external/internal linkage for the legitimization of the dictatorship. The special relationship with the U.S. figures as an important discursive element in Menem’s justification of the venta de armas. This “internalization” of the foreign policy, as Rut Diamint explains, is particular to the rationality of the Argentine government’s decision-making. In difference to the United States, “the Argentine policy seems to have its origins in a game the aim of which is to increase the influence [of the government] for the sake of growing transitory capacity of a man, and may be his team, to impact the political
process. This extreme concentration of power derives from the fragility of the institutions and favors the strengthening of individuals.”

Fourth, Argentina’s involvement in Central America strengthened the clandestine state during the authoritarian period. “Backed by an international network of foreign intelligence services, religious sects, secret lodges, and rings of gunrunners and drug dealers, it emerged an invisible power that conspired against democracy.” (Armony 1997, 174) Those involved in Central America participated in military uprisings, terrorist actions and organized crime in Argentina. Though concrete proofs still lack, there are strong suspicions about the linkages of the venta de armas with the explosion of the Río Tercero plant, several suicide/homicide cases and even the terrorist attack against the Jewish mutual AMIA. Moreover, it is yet to be seen whether any network loosely connected to the venta de armas is behind the arms trafficking to the favelas of Río de Janeiro in which Argentine military was involved, or the theft of 2,820 kilos of explosives, the same type used in the AMIA case, from the military plant of Azul in January 2004 (“No hallan los explosivos” 2004).

The Utilitarian Turn of the “Peripheral Realism”

To compare the foreign policy of the democratic government of Menem with that of the Proceso is certainly unfair for those who conceived it conceptually, as well as those who implemented it. Moreover, not only the democratic and human rights credentials of those involved in the making of the Argentine foreign policy and the special relationship with the U.S. cannot be questioned, but also at the heart of the special relationship are

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110 La política argentina parece originarse en un juego por incrementar la influencia para aumenta la capacidad transitoria de un hombre y tal vez su equipo, de incidir en el proceso político. Esa extrema concentración de poder deriva en la fragilidad de las instituciones a favor del fortalecimiento de las personalidades.
deep moral arguments and engagements that the military despised. The comparison, nonetheless, makes sense for two reasons. The first one concerns the four points analyzed above.

A second reason for the comparison lies in the fact that the Argentine foreign policy of the 1990s was conceived conceptually from a critique to Alfonsín’s continuity with the traditional search for autonomy in the decision-making process, which, as we have seen in this chapter, is found also in cases related to arms sales or military projects. This at least is clear in Alfonsín’s refusal to dismantle the Condor II, despite Washington’s intensive campaign. This search for autonomy, for the critics of Afonsín, was not pragmatic, and ended up harming the national interest. For those who advocated the automatic alignment with the United States, Argentina’s condition as a peripheral state imposed a foreign policy line that seeks avoiding any confrontation with Washington in international politics and security issues to gain more space for those related to the well-being of the country, mainly trade and insertion in world economy.

Conceptually the most important change in Argentina’s foreign policy has been a shift toward a more utilitarian understanding of “autonomy.” Whereas the “realism of the periphery” has sought greater autonomy to reverse the peripheral condition of the country, the utilitarian approach rejected the political confrontation with great powers and sought the maximization of the country’s welfare and power base. The Argentine scholar, and a longtime critic of what he saw as a useless confrontationist line with great powers’ international policy, Carlos Escudé, who became Di Tella’s advisor, conceptualized Menem’s foreign policy as “peripheral realism,” which is also the title of the book where he explains the rationale of this new policy line (1992). The alignment with the United
States “in terms of accepting realistically its leadership in the Western hemisphere”\textsuperscript{111} (Escudé 1992, 31) is the first parameter that characterizes, according to Escudé’s conceptualization, Menem’s foreign policy. Others include: rapprochement with the United Kingdom, ending border delimitation conflicts with Chile, economic integration with Brazil and other Southern Cone countries, high profile in peace operations, conflict mediations, defense of human rights and democracy, etc., and restricting confrontations with great powers only to those issues on the agenda that affect directly Argentina’s economic interests.

Each one of these parameters implied concrete policies, which, indeed, have given to Argentina a considerable prestige on the international level. But none of these parameters and their practical implementation became under sharp criticism as much as the alignment with the United States and its consequences in the external, as well as domestic context. Among initiatives that Argentina took following the policy guideline of the alignment with the United States are: participation to the 1991 Persian Gulf war; supporting a U.S. motion in the U.N. to investigate the human rights situation in Cuba; and the abandonment of the Movement of the Non Aligned Countries. From the very beginning of the alignment policy, critics raised the question of the national sovereignty. “Independence and security are priorities [in foreign policy] because they assure the historical continuity of a nation and its survival in the international concert,” wrote Atilio Borón, for whom the questions related to autonomy, national self-determination and sovereignty are not simply a “caprice from the sixties.” (Borón 1993, 14)

\textsuperscript{111} Alineamiento con Estados Unidos, entendido en terminus de aceptación realista del liderazgo norteamericano en el hemisferio occidental.
One of the issues that brought at the center the debate about the issue of national sovereignty was the decision to dismantle the Condor II missile and destroy the project. Several well documented press investigations (Santoro 1992; Barcelona and Villalonga 1992; Granovsky 1992) and academic analysis (Busso 1999) have already addressed the question whether the decision was the result of primarily U.S. pressure, or was it a conviction of the proper makers of the Argentine foreign policy that without giving the crucial step to comply with a major demand of Washington, it would be impossible for Argentina to insert in the international economy and end the crisis. Though the MTCR was created in 1987, it was the end of the Cold War and the U.S. perception of new threats that accelerated the decision to prioritize counter-proliferation efforts (Busso 1999, 51). Argentina was not the only country to decide to end with a ballistic project; South Africa, and later on Brazil, followed the same path, which has both an ethical and a rational ground. As Escudé explains, the Argentine government resigned to the destruction of the missile because of the “country’s economic vulnerability and the prohibitive costs of going on with the ill-fated project.” (Escudé 1998, 58) Moreover, according to him, both the government and the society were against paying that cost:

“To continue with the project as originally conceived by the Alfonsín administration and the Argentine Air Force would have been very costly, with negative commercial and economic consequences for the population. Both the government in particular and Argentine society in general were against such costs, and this was probably also true of the Radical party (during whose administration the project was launched). Alfonsin had signed the original agreement to produce the Condor II partly because of Air Force pressures and partly because of his own convictions regarding the meaning of national independence and sovereignty, but probably without a realistic appraisal of what the eventual costs stemming from great power opposition and the drain on Argentina’s resources would be.” (Escudé 1999, 58-59)
The destruction of the missile was an imposed solution, nevertheless it was a rational decision to accept the imposition, and, hence, to the pressure of the systemic-level analysis is complementary the bottom-up approach of state/societal level of analysis. In other words, “despite the fact that the destruction of the Condor II was the product of U.S. pressure, it ended as it did because of Argentina’s structure of social preferences (and the government’s perception of this structure).” (Escudé 1999, 69)

Whereas the systemic level is understandable easily, it is on the state/society level analysis that the destruction of the missile raises some important questions that are relevant to the venta de armas. The decision to destroy the missile did in fat produce tensions and fractures within the government, the military, Congress, and, to a lesser extent, the society. To begin with, it is true that after the disastrous hyperinflation of the 1989 and the final submission of the armed forces to the civilian rule, the Menem government had a greater margin of decision making. The President himself did not hesitate to act decisively and use its power to implement policies in all crucial issues even with the potential costs that these policies implied for him. The argument to get rid of the missile not only because of U.S. pressures but also, and fundamentally, because of an economic project for the country existed as well. Both Di Tella and Cavallo were firm partners of the complete destruction of the missile, as the U.S. asked, because they considered it a condition for the successful insertion of the country in the international economy. In fact, they considered it necessary for the special relationship with the United States making a parallel with the historical Argentine-British alliance of 1880-1930, which in Argentina’s history is known as an era of extraordinary growth. “In those years, the country had an open economic system, embraced with enthusiasm the principles of
laissez-faire, and aligned unconditionally—in different ways according successive governments—with the United Kingdom to the point that London considered Argentina an informal member of the British Empire.”\textsuperscript{112} (Borón 1993, 19)

Of course, both economically and politically the context was totally different. The international labour division, to start with, was based upon the center-periphery model of trade, very different from the global market of the 1990s. Second, at least until World War I, and even during the 1920s, the gold standard provided relative stability to the financial markets, whereas the global free flow of capitals in the 1990s became, as facts show, a major factor of vulnerability for peripheral countries like Argentina. Third, the Pax Britanica was based upon a strategy of balance of power, while America’s worldview in the 1990s is that of primacy, or world hegemony, and, as a corollary, the arms control and arms transfer policies of the two world powers are different. Fourth, “Argentina today is a very open democracy; [whereas the 19\textsuperscript{th} century country] was a restrictive republic.” (Botana 2001) For all these reasons, the state/society approach sounds incomplete if foreign and security policies are analyzed strictly from the perspective of strategic decisions for the national interest. According to Borón, the proper cosmovision of the President has been a primary factor in determining the peculiar perspective of Argentina’s insertion in the world. In conditions of automatic alignment with the world superpower, “the “eye blincking” or “green light” of the United States appear as the

\textsuperscript{112} En aquellos años el país configuró una economía abierta, adhirió con entusiasmo a los principios del laissez-faire y se alineó incondicionalmente—con matices distintos según los diferentes gobiernos—con el Reino Unido, a punto tal que la Argentina era considerada por Londres como un informal member del Imperio británico.
possibility conditions of any policy that Argentina tries to implement with minimum chances of success.”

Rationally – that is from the strategic perspective of the national interest-, therefore, Menem’s foreign policy was thought as entirely at the service of economic development, due to the country’s profound crisis and the need to reestablish its international credibility.

The end of the Cold War left a world strongly dominated by the principles of economic and political liberalism, with the United States occupying the most powerful position in key liberal international institutions, such as the International Monetary Fund, the World Bank, and the United Nations. Thus, despite Argentina’s greater trade compatibility with Europe, the United States now became Argentina’s most important ally. To prove its credibility, the government sought to reverse prior practices in both economic and security policies emphasizing on both fronts Argentina’s interest in being a “good citizen” of the new liberal order. However, ... U.S. recognition of Argentina’s efforts came primarily in the security arena. In contrast, Argentina’s economic reforms failed to entirely convince the United States and, in the end, also failed to ensure Argentina’s prosperity. (Norden and Russell 2002, 3)

**Concluding Remarks**

How is, then, to be interpreted the “U.S. recognition of Argentina’s efforts” in the security arena? What does it imply for the venta de armas? Within the logic of the perioheral realism, the U.S. recognition of Argentina’s good behavior in the security arena would simply avoid confrontation and probable sanctions. None of those scholars and diplomats who thought along the conceptual guideline of the peripheral realism in utilitarian terms did have any illusion that “good behavior” would imply economic rewards. Moreover, in ethical terms, “good behavior” in the international arena is first of all healthy for Argentina’s democracy and values. Only would there be secondary impacts in reward terms, such as becoming a “normal” country – a concept that Di Tella loved to repeat especially when he met the foreign press. Even so, economic growth is

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113 El “guiño” o la “luz verde” de los Estados Unidos aparecen como las condiciones de posibilidad de cualquier política de éxito que se intente getar en la Argentina.
much more conditioned by concrete policies rather than any grade of “normality” of the country.

Hence, as an issue of foreign and security policy, the venta de armas is only partially explained by the broad rationale of the peripheral realism. “Partially,” because part of the income generated by the operation did in fact help paying the salary of state employees at FM. But, beside the crucial question of what happened to the rest of the money, Argentina did not have a constant, stable and transparent policy of arms sales compared to other issues on the foreign policy agenda, such as voting with the United States or participating to U.N. peacekeeping missions, which marked a consistent pattern and reflected the general consensus in the Argentine political elite as early as the return of democracy in 1983. The venta de armas appears as an isolated issue in Menem’s foreign policy, an opportunistic move with motivations and perspectives totally different from the broad vision of Argentina’s insertion in the world at which, it is to be reminded, aimed the special relationship with the United States.

It had nothing to do with the alignment with the United States, nor defense and foreign policy in general, which “has been very coherent and very articulated,”¹¹⁴ says the Argentine analyst Roberto Russell pointing to the professionalism of Argentina’s diplomacy. The fact is that the most serious alerts [for the venta de armas] came from Argentine diplomats abroad, “where the state existed.” (Russell 2001) The venta de armas was an opportunity to do business, the international context allowed it, and because “the state/private linkage opens a space for a Mafiosi aspect of politics that characterized Menemism. The appropriation of the state for personal profit is the concept of power that Menem had. Therefore, on the one hand there was an official policy of

¹¹⁴ muy articulada, muy coherente.
pragmatic accommodation with economic entities, very clear and without any breach, and, on the other, these other initiatives, very unclear, of which we do not know much.”\footnote{Hay una vinculación estatal-privada que abre un espacio para el costado mafioso de la política. Esto es algo típico del menemismo. Es la apropiación del estado para el beneficio privado, que es una concepción que tiene Menem del poder. Hay por un lado una política oficial de alineamiento y acomodamiento pragmático con las entidades económicas, que es muy clara y sin fisura, y por el otro lado todo esto, muy turbio, y mucho más que por ahí no sabemos.} Within this logic, it becomes very doubtful that the U.S. asked Argentina to sell arms to Croatia, and, therefore, the \textit{venta de armas} followed the logic of alignment. “I think the argument was put forward later to cover the operation. Of course, the United States denied everything.”\footnote{Creo que este argumento se lanzó para cubrir el operativo. Por supuesto EEUU negó todo.} (Russell 2001)

In sum, the overall analysis of Argentina’s foreign and security policy, especially the alignment with the United States, weakens rather than strengthens the strategic argument of the \textit{venta de armas}, which neither followed the logic of a U.S. demand to arm Croatia and Bosnia, nor the primacy to put the foreign and security policy at the service of economic growth. Conceptually separated from the foreign policy, the \textit{venta de armas} still lives two questions. The first one refers to what above was characterized as the “U.S. recognition” to Argentina’s efforts in the security arena. Clearly, smuggling arms is not an initiative that would deserve “recognition.” The “U.S. recognition,” therefore, should be understood in terms of tolerance for an illicit transaction that was not securitized on Washington’s agenda because it did not involve strategic weapons, and because it was done by a country that was aligned with its policy and “behaved” properly in other –securitized- issues. This tolerance was correctly perceived by those who in Menem’s government planned, executed, and benefited personally from the \textit{venta de armas}. The second question is related to the state as an institution getting involved in an illicit transaction, and with it I deal in the next section.
Section V. The Privatization of State Power: Who Sold the Arms?

Nobody knows what Peronism is. And because nobody knows what it is, Peronism is a perfect expression of the country.  
Tomás Eloy Martínez. *El duelo de Borges y Perón*

The secret decrees that Menem signed in 1991-1995 to authorize the shipment of the arms bore also, as prescribed by law, the signature of three other ministers: Defense, Foreign Relations and Economy. Along with Menem, accused of heading the “illicit association,” the ministers who occupied these charges, Erman González and Oscar Camilión respectively in Defense, Guido Di Tella in Foreign Relations, and Domingo Cavallo in Economy, were indicted, accused of forming part of the same “illicit association.” The “state affair” nature of the *venta de armas* appears also in that it was not important who occupied the charge at that given moment; the person in charge had to put his or her signature on the document authorizing the shipment. Moreover, only Erman González, who interestingly did not come from Peronism, but Social Christianism, was an “unconditional” of Menem, a politician who always followed the orders of the *jefe* according to the needs of the moment.  

Cavallo and Camilión were not related to Peronism, and, in fact, both were replaced during the second term of Menem. As for Di Tella, though he lasted until the end of Menem’s second mandate, he was closer to what the Argentine intellectual Tomás Eloy Martinez described in 1991 as “the almost

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117 Nadie sabe qué es el peronismo. Y porque nadie sabe qué es, el peronismo expresa el país a la perfección.
118 During Menem’s two terms, González has been Minister of Health, Economy, Defense and Labor, also Vice-president of the Central Bank and Argentina’s Ambassador to Italy.
aristocratic Peronism of today” rather than to the working class tradition Peronism from
where Menem came, or so was some time the perception (Eloy Martínez 1991, 48).

All the indicted ministers pretended that they did not know about the true
destination of the arms, and, when their personal situation became too complicated, they
started to play blame games. However, no one ever involved directly the President. Even
González, whose case was the most complicated one, only suggested that Menem should
be interrogated, along with Cavallo and Di Tella (“Armas: Erman cree que también
debieran ir a la Justicia Menem y Cavallo” 2001). He was arrested on May 23, 2001, and
released on December 28. “Yes, of course there has been an illegal maneuver,”119
declared Di Tella to judge Urso, whereas his lawyer, former judge León Carlos
Arslanian, sustained that there was absolutely no proof that his client knew the truth
about the real destination of the arms (Hauser and Mayer 2001). Di Tella also pointed to
the Defense Ministry as the major responsible for the decrees, continuing, thus, a
personal duel with his former colleague Camilión. Because of psychologic problems, the
Court did not order Di Tella’s detention. Nor was detained Camilión.

As for Cavallo, though he came under spotlights since the beginning of the case,
his indictment and detention happened after the Supreme Court ordered the release of all
the detainees for the case. Interestingly, he was the first one to suggest that only the
Supreme Court, or a “special tribunal” should judge the former President for the venta de
armas (“Cavallo consideró “ligeras” las acusaciones contra Menem” 2001), for which he
has been harshly criticized (“Cavallo sólo cosechó críticas por haber sugerido la vía de la
Corte” 2001). Once called the “superminister” of Menem and considered the savor of the
Argentine economy thanks to his “convertibility” plan (the “fatherhood” of which he

119 “Sí, claro que existió una maniobra illegal.”
disputed with Menem...), Cavallo falled in disgrace when he was asked by the former President to resign, and from that day on he became a target for Menem’s followers. When the court investigation was progressing and the indictment of the former head of the state becoming inevitable, the Menemists increased the political pressure to include him too in the case. By that time, Cavallo was again Minister of Economy in the De La Rúa government, and the interpretation of the maneuver left no doubt about the real intention of pressuring the government to intervene and prevent Menem’s arrest (“El menemismo retoma la idea de apuntarle a Cavallo” 2001).

When in April 2002, almost a year later the case exploded publicly, judge Speroni indicted the twice former Minister of Economy and unsuccessful presidential candidate, the question that most analysts asked was why him and why now. Though Cavallo, as the other members of the cabinet, probably knew about the arms, the responsibility of the Minister of Economy in the decrees was the minimum: because of the “secrecy” of the decrees, Customs officers did not have authorization to check the containers. In his 1997 book, *El peso de la verdad* (The Weight of the Truth), Cavallo pointed to Menem’s former Secretary General of the Presidency Alberto Kohan and Erman González as the responsible for the *venta de armas*. He does not mention Emir Yoma, because, as in a 2001 TV show he declared, “Because Emir Yoma is Menem.” (Urien Berri 2002) He too was arrested, but later released. Not surprisingly, Cavallo’s indictment and arrest had more repercussion in the U.S. press (Rohter 2002; Tobar 2002) than those of his former colleagues. His situation ended up confirming the highly politicized nature of the Argentine Justice system (Blanck 2002; “Cavallo y la causa de las armas” 2002; Nudler 2002), but it also reopened a case the closure of which Menem’s followers had celebrated
five months before with the decision of Argentina’s Supreme Court (Fernández Moores 2002; “Un fallo que apunta hacia arriba” 2002).

*Behind the Silence of the “Men of the Government”*120

Despite the blame game and the “I did nor know” argument of the indicted ministers, little doubt is there that they indeed were aware of what was going on. Whether this implies any grade of responsibility is a matter of Justice and outside the scope of this research. The question is why did they choose to close their eyes? Why did not object for an explicitly illicit transaction, or questioned some aspects of the decrees such as shipping arms to a landlocked country like Bolivia, or to one who does not have armed forces like Panama? The most immediate answer that we can think of is that they wanted to keep their jobs, and, probably, considered that the issue was not that important, or cannot really harm the country. Except for González, to whom the Argentine press discovered unusual incomes related to official jobs he withhold –and, still, the case was not that of corruption, but abuse of position and privileges-, neither Di Tella, nor Cavallo or Camiñón were later on indicted or even questioned for illegal enrichment. They are not under the spotlights for the investigation of “the route of the money,” and almost certainly they did not receive any bribe, and less were they directly involved in the *venta de armas*. In other words, they did not want to keep their job for personal profit. Both Di Tella and Cavallo were convinced that Menem was the leader that would stand firmly behind the market reforms of which they were true believers. Both were economists, had close relations with the political and financial establishment in the United States, and the fact that they occupied positions that linked together the special relationship with the

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120 Paraphrasing the title of the first edition of Santoro’s book *Venta de armas: Hombres de gobierno.*
United States, the foreign policy and the market reforms is not a coincidence. As analyzed in section IV, Argentina’s foreign policy was in fact designed to be at the service of economic growth.

Though the collapse of Argentina in December 2001 leaves open the question of the heritage left after a decade of deep changes (Novaro 2002), it is incorrect to deny the successes of the transformationist process under Menem’s leadership that ended the hyperinflation, realized the imprescindible structural reforms and assured several years of economic stability and growth. These changes are the legacy of the Latin American late modernizers that Jorge Dominguez calls the “technopols” (1997), among whom he includes only Cavallo from Argentina, but it is not fair to deny the role that Di Tella and his team of foreign policy played in the modernization of the country in the era of globalization. Firm believers the virtues of free markets, these reformers however either did not see or just downplayed the impact of the other, darker, side of globalization on the state and society. A decade later of these structural reforms in Argentina and Latin America in general the impact of neoliberalism on democratic governance is seen as a mixture of more stable, yet minor quality democracies.

The available evidence suggests that neoliberalism has affected Latin American democracy in opposite, even contradictory ways. By exposing the region’s countries to greater external pressures and by changing the internal balance of forces so as to preclude threats to domestic elites, market reform has bolstered the survival of democracy. Yet in exactly the same way, namely by imposing stronger external constraints and by changing the internal balance of forces through a weakening of domestic intermediary organizations, market reform has abridged the quality of democracy. (Weyland 2004, 151-152)

121 When Domingo Cavallo was Menem’s Foreign Minister, Guido Di Tella was Argentina’s Ambassador in Washington. He was replaced when he was assigned the position that Cavallo occupied as this later was named Minister of Economy.
This mixed balance, perfectly observable in Argentina of the 1990s, leads to two questions. The first one refers to the transformation of the state power from an institutional perspective, and the second to the linkage of this transformation with the process of globalization. For an adequate answer to the first question, a state in society approach from comparative politics provides a better analytical framework than IR theory, because it allows to expand the analysis to variables such as institutional deficiency, political culture, and societal control that the classical state as unitary actor in the international system generally assumed in IR theory ignores. Thus, among the underlining questions about the mutual impacts of state and society that Joel S. Migdal formulates for theoretical and methodological considerations, two interrelated questions are of particular relevance for the purpose of this study:

When and how have states been able to establish the economic agenda for their societies—to appropriate resources and to shape patterns of investment, production, distribution, and consumption? And when have other social forces, whether entire social classes or tiny cliques, large ethnic groups or resourceful clans, thwarted or co-opted the state and had their own way in devising effective symbolic systems, molding daily social behavior, and shaping the patterns of economic life? (Migdal 1994, 7-8)

Accommodatingly, which of the four ideal types of the outcome of the junctures of the state and other social forces characterizes best the change in Argentina in 1990: total transformation, state incorporation of existing social forces, existing social forces’ incorporation of the state, or the state failure altogether in its attempt at penetration? Of course, this framework is primarily thought for a historical perspective of transformations, whereas in Argentina’s case, as well as Latin America, it is merely a decade of transformations, which might well not ended yet. Perhaps one way of addressing the issue is to look to the 1990s from a historical perspective, but the risk in this case is to divert too much from the specific topic, which is the state involvement in
an arms smuggling case. All these difficulties to apply the analytical framework notwithstanding, the approach itself and the question raised do provide a useful starting point for the following analysis, which looks at the venta de armas through the broader picture of the institutional setting, the corruption and the phenomenon of the Menemismo.

*The Other Institutionalization that the venta de armas Needed*

As in other Latin American countries, neoliberal reforms in Argentina were implemented by a populist leadership, “which claims an electoral mandate from “the people” but determines the content of this mandate at will.” (Weyland 2004, 149) First distrusted in the international arena for their unpredictability—in 1986, after Reagan attacked Libya’s Qadafi, Menem called to break the relationship with Washington, and during his presidential campaign did not hesitate to suggest the Malvinas should be recuperated through bloodshed if needed—, these leaders soon became the darlings of the international financial institutions, as well as the U.S. administration and European countries for their will, determination and capacity to implement market reforms without hesitating to impose to their societies “chirurgic operations without anesthesia,”¹²² a phrase that Menem loved to repeat. Likewise, as other Latin American societies, the Argentine society showed willingness to support painful stabilization and market reform, hence gave to the neopopulist leaders the political backing their predecessors lacked.

¹²² Cirujía sin anestesia.
leaders to eliminate their predecessors’ appointees, who might use their bureaucratic power to block presidential initiatives. (Weyland 2004, 150)

This novel combination of neoliberalism and neopopulism explains the “institutional insufficiency,” which appears, as political analyst Natalio Botana states, in the lack of control that the state should exercise in certain areas of its competence (Botana 2001). “In other words, there is a power that is not controllable. What complicates this situation further is that we have agencies [within the state power] that do not exercise the adequate mutual control. Moreover, there is yet another, more serious, problem of the vertical control. To what extent does the state have enough capacity and organization to know, investigate, persecute, and some times punish [a criminal activity]. Paraphrasing to Elias Cannetti, [I would say that] these are the democracies where the area of secrecy is still very large.”123 (Botana 2001) In democracies with an adjective – “illiberal,” “delegative,” “incomplete,” etc. - there are two types of institutionalization: “The public institutionalization, defined as the norms of what ought to be – meaning this is the way institutions should work. But there is also a covert institutionalization based upon a vicious and routine repetition of the criminal behavior.”124

The lack of vertical control due to “institutional insufficiency” and the “covert institutionalization” provide the conceptual basis to understand the institutional setting that made possible the venta de armas.

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123 Es decir que tenemos un poder que en realidad no se controla. Y lo que es mas complicado aun es que tenemos agencias dentro de los poderes que tampoco tienen el debido control entre ellas. Pero además hay otro problema mas serio de los controles verticales. Es decir, ¿en qué medida el estado tiene la suficiente capacidad la suficiente organización para saber, investigar, perseguir y en algunos casos sancionar? Parafraseando a Elias Canetti, son democracias donde el área del secreto sigue siendo muy grande.

124 La institucionalización pública que es la normativa del deber ser –asi deben funcionar las instituciones. Pero hay una institucionalización encubierta basada en el comportamiento vicioso y rutinario de la repetición del delito.
The Supreme Corruption

It is impossible to analyze the *venta de armas* without considering the phenomenon of corruption. To start with, the most obscure and still open case of “the route of the money” is simply bribes that were paid for the illicit transaction. The court investigation so far has proven the only part of the money paid for the arms figures on the accounting sheet of the government. If proven that the rest of it indeed went into some private bank account of any state actor involved in the case, then probably most of the truth would be discovered. Even so, however, a broader conceptual understanding of the phenomenon of corruption manifested in the *venta de armas* needs to put the phenomenon in the context of the post-Cold War globalization. In this sense, the research concerning the process of transition of former Communist countries is also helpful to understanding the nature of corruption manifested in the implementation of market reforms in Latin America in general, and Argentina in particular. This broader analysis and understanding of the corruption is important from the social science perspective because it is an indicator of a more structural change concerning the transformation of state power, whereas the simple consideration of illicit enrichment abusing the authority of a public office remains rather conjectural. The *venta de armas*, on the other hand, is only an episode of several other known and unknown public scandals of corruption. Hence, it needs to be situated in the broader context that creates the conditions for corruption in peripheral states in the era of globalization. The conceptual framework, I argue, that best explains the post-Cold War phenomenon of corruption that accompanied
market reforms, is a variant of the practice of “state capture,” which characterizes the nature of corruption in the process of transition in former Communist countries.

From a historical perspective, public concern about corruption is closely related to the broader context of the end of the Cold War, which “had provided political actors with ideological and geostrategic reference points.” (Heywood 1997, 3) For some, political corruption is simply another manifestation of the contemporary crisis of the nation-state. For others, the growing public concern over corruption reflects the changing circumstances of the economic process, tied mainly to globalization and regional integration. There are, furthermore, cultural interpretations of the phenomenon viewed in terms of non-Protestant ethics. But nearly all corruption-related literature to date has viewed the issue from within a domestic political context. Few analysts have recognized corruption’s link with foreign policy, and even fewer have studied the impact of external factors on the process of the emergence of corruption. The phenomenon, moreover, captures the attention in general when it already has taken a structural characteristic, and the dynamics of its formation is studied retrospectively.

It is, of course, very difficult to establish a causal relationship between external factors and corruption, let alone to study it empirically. What is interesting, however, in both past and current dynamics of corruption is its role in transitional periods. In his classical *Political Order in Changing Societies*, Samuel P. Huntington associated corruption “with rapid social and economic modernization.” (1968, 59) Current work on corruption also deals with the dynamics of the emergence of corruption as a phenomenon particular to the transitional period of the 1990s decade. The difference is that while Huntington understood modernization as essentially a domestic mobilization of social
change, the post-Cold War transition became virtually synonymous with the process of marketized globalization. While this does not necessarily downplay the foremost domestic aspect of corruption, it does, however, suggest a closer link between the impulse of homogenizing the economic process of the transition with the global standards and the particular interests driving the engine of globalization. Interestingly enough, both Huntington and current analysts share the perception that the solution rests with strong institutions. For Huntington the keys were strong political parties as the vehicles toward modernization, whereas the World Bank placed major emphasis on the relationship between governance and development.

After underlining the correlation between corruption and modernization, Huntington sustains that the absence of effective political institutionalization is the cause of corruption. “When the leaders of military juntas and revolutionary movements condemn the ‘corruption’ in their society, they are, in effect condemning the backwardness of their society.” (Huntington 1968, 59) Three connections stand out for the relation between corruption and modernization. The first one is the change in the basic values of the society that occurs with modernization. The gradual installation of new allegiances and universal norms qualifies the traditional standards as corrupt ones. This is particularly true when the public role and the private interest are differentiated. “Corruption is thus a product of the distinction between public welfare and private interest, which comes with modernization.” (Huntington 1968, 61) Second, modernization gives rise to new groups with new resources who then seek to make themselves effective within the political sphere. The most obvious example lies in the new wealthy classes who trade money for political power and is matched by the
immigrants who use their new ballot power to barter for jobs. “There is thus the corruption of the poor and the corruption of the rich. The one trades political power for money, the other money for political power. But in both cases something public (a vote or an office or decision) is sold for private gain.” (Huntington 1968, 61) Third, modernization expands government authority and increases activities subjected to governmental regulation. “The multiplication of laws thus multiplies the possibilities of corruption,” (Huntington 196, 62) and, perhaps most ironic, is the fact that the passage of anti-corruption laws serves only to create new opportunities for corruption.

Much of Huntington’s ideas can seen reflected in the processes of post-Cold War transition. Nevertheless, “modernization” –an eternally controversial concept– in the context of neoliberal globalization is understood as economic liberalization, less and not more state in any case. Particularly in the process of transition of former communist countries, the dynamics of corruption is framed through the theory of “state capture.” Here the attention is shifted from the state to the firms and the influence they exert on the state. Corruption is seen essentially as the result of powerful economic players in the market conspiring against the strengthening of institutions. “After only a decade of transition, the fear of the leviathan state as been replaced by a new concern about powerful oligarchs who manipulate politicians, shape institutions, and control the media to advance and protect their own empires at the expense of the social interest.” (Hellman, Jones, and Kaufman 2000, 1)

In contrast with Huntington, corruption here is not the result of the expansion of the state, but more tied to its weakness. Moreover, “state capture,” defined as “shaping the formation of the basic rules of the game (i.e. laws, rules, decrees and regulations) through
illicit and non-transparent private payments to public officials,” (Hellman et al. 2000, 2) is but one form of corruption exercised by the firms along with influence, and administrative corruption. These rent-seeking opportunities bring substantial private gains to individual firms, but generate significant negative externalities to the economy and society as a whole.

Captor firms seek to purchase advantages \textit{a la carte} directly from the state, including, but not limited to, individualized protection for their own property and contract rights in environments where the state continues to under-provide public goods necessary for effective entry and competition. (Hellman et al. 2000, 3)

The external factor is obvious in the dynamics of state capture.

Once a country has fallen into the trap of a capture economy, foreign direct investment can magnify the problem. In high-capture economies, some types of foreign investors –those with local partners and domestic headquarters- are nearly twice as likely to engage in state capture as domestically owned firms. (Hellman and Kaufman 2001)

This dynamics of “state capture” is, obviously, not what characterized corruption during market reforms in Latin America in general, and Argentina in particular. A major difference is that whereas in Communist countries the economy was centrally planed, state intervention in ISI meant to protect the national capital. Though not liberal, ISI growth was a capitalist mode of production. “State capture” à la neopopulist in Latin America meant the appropriation of state institutions of a power elite, which will use the state as a vehicle to open the country to the global flow of capital. It is in the realm of the global finances, and not the national productive apparatus, that the elite power finds the way to rapid enrichment and rise to the new global capitalist class. As María Seoane reports in her well-documented book \textit{El saqueo de la Argentina} (2003) -The Pillage of Argentina-, the process of liberalization started with the military dictatorship in 1976, but it is in 1989-1995, the first term of Menem, that “the most extreme process of
privatization in Latin America took place:” $40 billion for more than 65 state enterprises that were sold to a selected group of international firms. For the same period, these firms earned a yearly income of $2 billion (Seoane 2003, 253). Along with this process of privatization, Argentina entered the era of “casino capitalism” celebrating until 1998 a typically Menemist “pizza and champagne” party; but when after the recession the collapse became imminent, between March and November 2001 more than $17 billion, almost 20% of the total of bank deposits, flew out the country (Seoane 2003, 39).

For Ricardo Sidicaro also, the neoliberal reforms implemented during the 1990s speeded up the dismantling of the state that the Proceso has started in 1976. In particular, the liberalization of the economy was undertaken within a context of institutional deficiency and state agencies that were unable to meet the market criteria. One interesting example is the Argentine Customs where the opening of the economy to international trade, the simplest and most usual neoliberal reform, met with the crisis of the state. Not only the deficient Argentine Customs was unable to tax properly the importations that were competing with the national production, but also lacked the technical capacity to face cases of international dumping and other similar practices. Thus, “good part of the commercial globalization was left to a bureaucracy alien to the objectives of modernization.”125 (Sidicaro 2002, 44) The systematic violation of the law and the generalized practice of corruption in those years, were, according to Sidicaro, one of the consequences of the disorganization of the state.

This “disorganization,” which only reflected the crisis of the state, was either a deliberate policy pushed by the economic groups that mostly gained from liberalization,

125 La globalización comercial quedó, en buena medida, librada a una dinámica burocrática ajena a los objetivos modernizadores.
as a traditional Marxist approach would claim, or simply the mistake of those modernizers, who, though well-intended, were unable to properly evaluate the consequence of the neoliberal reforms without the proper institutional strength because of a blind faith to the magic of the market. In either cases, men in the immediate entourage of the President were involved in the systematic violation of the laws, as several famous public scandals, never properly investigated, have shown. In the early years of Menem’s first term, for instance, it was usual to walk through the Customs in the Ezeiza airport and be stopped by an officer who would ask the usual questions a Customs officer do ask without knowing how to speak Spanish properly. That officer turned out to be some Ibrahim Al Ibrahim, a circumstancial “husband” of Menem’s former sister-in-law Amira, herself unsuccessfully investigated for money laundering, at the same time when her brother, Amir Yoma, was masterminding the arms sales from his position of Secretary for Special Issues in the Foreign Ministry…

The venta de armas and the corruption related to it are to be understood within this restructuring of the economy done by the Argentine variant of “state capture,” intrinsic to which is the submission of the Judicial Power to the Executive. No matter how ambiguous the theory of “judicial independence,” it remains extremely important for democracy and “good governance.” As the Italian Mani Pulite has shown, in situations of democratic deficiency, judicial activism rises as its “counterface.” (Calceglia 1998) In Latin America in general, though institutional frameworks of court systems written in constitutions matter, public confidence is much more significant to assess judicial independence (Shaw 2003). In the 1990s, the Argentine political arena became highly “judicialized:” the amount of cases entering the Supreme Court rose from approximately
6,000 cases per year between 1984 and 1994 to over 36,000 cases at the end of 1997. The general impression of the Court throughout much of the Menem era has been that the judges were subservient to the government of the day (Helmke 2003). This impression is not ungrounded: Two of the nine members of the Supreme Court, Julio Nazareno (the President) and Adolfo Vázquez, were Menem’s business partners. Whether in judicial terms the decision of the Supreme Court dismissing the legal significance of the figure of “illicit association” is or is not correct matters little for this research. The fact remains that it was this supreme instance of the Judicial Power perceived as a subservient institution to the Menem government that released the former President and the other detainees, and tried to close down the case. Thus, if with a subservient Court, politics in the 1990s was “judicialized” and, as expected, favored Menem’s government, the venta de armas case, rightly or wrongly, left the impression that the political loyalties of the judges were far stronger than the automatic alignment with the Executive Power in place. In fact, politics, as in the conclusion of this chapter I shall point out, was not absent in Supreme Court’s November 20, 2001 decision to dismiss the case and release the detainees.

When the venta de armas case made its way to the tribunals, congresswomen Elisa Carrió and Graciela Ocaña from the commission that was investigating money laundering in Argentina asked that Nazareno and Vázquez abstain from intervening in the case because of their “manifest friendship” with Menem and Emir Yoma, the Supreme Court refused the demand. According to a press report, as early as November 6, 2001, only one week after Menem appealed judge Urso’s sentence, and hence the Supreme Court had to examine the case of 60,000 pages and 100,000 annexed documents recently
photocopied, one of its members had already written the draft of the resolution dismissing the legal validity of the concept of “illicit association.” (Santoro 2001m) Without any “illicit association” in which, according to judge Urso, Emir Yoma was involved, the former brother-in-law of Menem would be released and, by extention, the release of all the other detainees would follow. To the analysts who followed the decision-making process of the Supreme Court for the venta de armas case did not escape the coincidence of the resolution with the Congress of the Justislialista Party during which Menem’s archrival Eduardo Duhalde was about to propose his expulsion from the leadership of Peronism (Boschi 2001). The Supreme Court, hence, favored Menem not only during its two terms, but also in the internal power struggle of the Peronists.

The Supreme Court resolution in the venta de armas case is just an episode of the highly controversial relations between the Justice and the Executive Power in Argentina. In fact, in 2002, during the short Presidency of Duhalde, the Congress initiated the political trial of the Supreme Court. Among the eight main arguments for a political trial is the Supreme Court decision with respect of the venta de armas, in which, according to the congressmen pushing for the trial, the highest tribunal used a virtual per saltum to release Menem. The congressmen also criticized the warning in paragraph 10 of the resolution that the Court addresses to judges, prosecutors and reporters investigating the case to be cautious when framing legally cases of corruption involving public officials (“Cuáles son las principales imputaciones de los legisladores” 2002). Despite the Court’s effort in 2002 to reverse its negative image, a survey showed that nine out of ten Argentines favored the change of all nine members (Kollman 2002).
Nevertheless, the confrontation itself was just another indicator of the institutional instability in Argentina (“La Corte Suprema y nuestra cultura juridical” 2002). At the end the political trial in 2002 did not prospere because the proposal failed to winn the required two third of the votes in Congress. The legitimacy of the Court, nevertheless, remained questioned (“El juicio a la Corte y el deterioro institucional” 2002). Obviously, the defenders of the Court were the congressmen loyal to Menem. For some analysts, the Duhalde government retracted from the pressure because the IMF asked some predictable numbers of the economic performance, and the confrontation with the Court would have obstracted such a perspective. Overall, however, saving the Court from a political trial has been “the perfect culmination of the destruction of an institution, which started more than ten years ago when the former president Menem increased its members and created a proper majority.” (Morales Solá 2002) Finally, after the election of Nestor Kirchner in 2003, and under heavy pressure from the public opinion, the most controversial members of the Supreme Court resigned.

The balance of the judicial reforms during the 1990s, including the creation of a Ministry of Justice, is yet to be done. But few think that these reforms improved the Justice in Argentina (Zommer 2003). The strongly controversial Supreme Court of these years bears part of the responsibility. The judicial reasoning of its resolutions, including in the venta de armas case, being an issue apart, it overall symbolized the institutional deficiency that made possible high levels of corruption. Neither the anti-corruption crusade of De La Rúa, nor Duhalde’s push for a political trial could remove the members of an institution, which proved to be so crucial for the continuity of Menem in power. This situation, of course, suited also to the proper members of the Supreme Court. In
addition to the power they withhold, apparently they also benefited personally in material terms (‘Averiguarán si se pagaron sobresueldos a juices’ 2004), in which case the nature of corruption the Court is suspected with, would be more than the submission to the Executive Power. The Supreme Court, thus, is yet another indicator of the structural continuity of the courtesan state long after the referent agents of the same abandoned the official arena. If the resignation of the most controversial members of the Court means also the structural improvement of the institutional health of the Argentine Justice is yet to be seen.

*Seducing the Capital: Peronism in Times of Menem*

Those who with Menem in power “captured the state” and used it as a vehicle for personal profit involving in licit as well as illicit transactions on the local and global levels were his loyal followers, who never questioned anything the *Jefe* said or asked. The markedly personalistic leadership of Menem is, of course, a characteristic proper to populism in Latin America and elsewhere, rooted in the deep tradition of the political culture of Peronism, albeit in a very different national and international context the philosophical and political ground of his presidential leadership differed a hundred and eighty degree from those of the *General*, and even more of Evita (Bosoer and Leira 2003). Admired by many, even by those who Peronism despised as oligarchs and fought them, for his pragmatism and determination, and considered simply a “traitor” to Peron’s legacy by others, Menem became a figure that in Argentina for many years will remain as controversial as Peron himself. Considered a great modernizer along with other Latin American leaders who embraced neoliberalism, such as Color di Melo of Brazil, Salinas

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126 For a good review of recent books about Peronism, see the review article of Lila Caimari (2002).
de Gortari of Mexico and Fujimori of Peru, Menem, in difference with all these mentioned politicians did finish his second term. The collapse of Argentina, still say his followers, occurred two years after he left the Casa Rosada, therefore it is De La Rúa and the Alianza government that are to be blamed for the crisis, not him. Superficial or not, these facts gave credibility to his candidacy in 2003, and, not surprisingly, he ended up as the most voted in the first round of the elections.

The personality of the leader is a central piece in populism in general; however, the personality cult in the case of Peronism should not be understood only as the cult of leader who founded the movement. The fact is that in difference from other populist movement, Vargas in Brazil or Nasser in Egypt to give some examples, Peronism survived is founder’s death. The “culture of power” as an independent variable therefore, provides a better explanation for the perpetuation of Peronism in Argentina (Paradiso 2001). The political party that Peron created became instrumental to establish the crucial class alliances for gaining power, maintaining power and expanding it. After Peron, only Menem was able to project successfully his leadership on a national level. To understand his success therefore, it is necessary to look at the transformation of Peronism from 1946 to the 1990s, and see how the mass movement the backbone of which has always been an internationally admired labor movement that no dictatorship could repress, has been disciplined and did not protest, not until 1998 at least, the neoliberal reforms of the elite in power. The disciplining of the masses is, on the other hand, a key variable for the “state capture” to take place in Argentina, and helps understanding the result of the state-society juncture in terms of Migdal’s ideal types.
Before that, however, a cautious note is needed for the term “elite power.” As I had the opportunity to mention before, the deep motivations of Di Tella, Cavallo, Camilión and even Balza in turning a blind eye on the venta de armas, and, in fact, silently admitting all the other scandals of corruption, have been their conviction that the country needed Menem’s leadership to come out from the crisis and start to grow. These were true modernizers and albeit all can be blamed for their attitude their democratic and moral credentials are not questioned in general. In other words, it is incorrect to apply the concept of “state capture,” which in the Argentine context is closely related to the use of a public office for personal profit, to all those who formed the “elite power” in the 1990s. The term, hence, for the purpose of this study, applies to those indicted and not indicted followers of Menem who were involved in the masterminding of the venta de armas, and are currently under court investigation for presumably having benefited personally from the sums paid for the arms. It does not apply to those who have been accused of covering the operation or turning a blind eye knowing its illicit nature. Of course, the truth about the “route of the money” might well end up showing that even those who today are under investigation for supposed bribery charges are innocent. Still, the argument of “state capture” would hold because of the co-existence for a decade or more of an official state, and a power structure that functioned parallel to it and used it for personal profit.

Thus, the confessions of Luis Sarlenga (Santoro 2001a, 401-408) led to the arrest of Menem’s former brother-in-law, Emir Yoma, who appeared to be the central figure in the venta de armas. It is after his arrest that judge Urso has been able to accuse also the other members of Menem’s cabinet, and the former President himself. As in any typical thriller involving a closed circle, it is the confession, or the “betrayal” –“I am a traitor, I
am a traitor”¹²⁷ cried Sarlenga during his confession to Prosecution (Santoro 2001n), knowing well the meaning of his act in a culture that, in the words of a Peronist writer, intellectual and former representative of Argentina in UNESCO, Jorge Asís, was “closer to crooks than to collaborationists”¹²⁸ (Tibiletti 2001) - of one of the closest to the power beholder, in this case Sarlenga, that dismantled the network. But the venta de armas episode for Emir Yoma was only part of a larger enterprise reflecting the phenomenon of state capture. The relationship of Emir Yoma and Menem, both of Syrian origin and from La Rioja, started in early 1970s with a close friendship between a successful businessman and an ambitious politician. Yoma’s leather business provided the necessary funding for Menem’s career, first as a governor of La Rioja and then as President of the Nation. For some analysts their Arabic origin, the cultural factor, partly explains the mutual loyalty. Menem’s immediate entourage came to be popularized as the “minicarpa” (small tent), in reference to his ethnic Arab background projected in the political culture of Peronism. Nonetheless, this approach does not avoid the difficult questions that cultural theory has so far left open: “if you imagine some desirable outcome depends on a bunch of policy variables … do cultural variables also matter? Does the impact of different policy choices depend on aspects of the sociocultural setting?” (Klitgaard 1997, 191-192) The Fuchian perspective from a network-location helps better evaluating the cultural variable (Collins 2003), especially in the relationship between Menem and Emir Yoma, for it is difficult, from a mere cultural understanding, to explain how it lasted long after Menem’s scandalous divorce with Emir’s sister, when the sense of family honor is so strong in the Arab society.

¹²⁷ “soy un traidor, soy un traidor.”
¹²⁸ “más cerca de los chorros que de los botones.”
A better explanation is the mutual interests forged through a network where business and politics are interrelated. Indeed, Yoma became the chief guardian of Menem’s agenda of personal interests that he run both when he was a Presidential advisor, and when left the government but hired an office in Buenos Aires to continue with his task. His personal business, as expected, benefited from every privileged connection that his position could have provided to him. In his words, “the power consists in having friends.”129 (Young 2001) These friends were not only in the national context involving almost every important official and politician in the Menem government, as his personal agenda showed. They also extended internationally as early as the 1980s, when the leather business of the Yoma expanded to Marbella, Spain, the meeting point of various famous gunrunners, including Adnan Kashoggi and Monzer Al Kassar (Viau 2001). This perspective of network-location of the cultural theory explains also Emir’s angry warning to Menem during his detention: “If I’m going down, then we’re going down all.”130 (Pérez de Eulate 2001a)

After Emir’s arrest, and when it became clearer that the court case would reach the former President, the internal division threatened Peronism. Before Menem’s arrest, however, his followers were able to align the party behind the former President, a move that allowed later, after his arrest, to increase the political pressure on the De La Rúa government. Future crises notwithstanding, the Menemist sector once again proved the leverages that it has in the Argentine political arena and the power it accumulated in the 1990s. In fact, without the disciplining of the Peronist mass movement (Martucelli and Svampa 1997), and especially the labor unions (Senén González, and Bosoer 1999),

129 El poder es tener amigos.
130 “Si caigo yo, caemos todos”
hardly would the “state capture” of the power elite be such an easy enterprise. After all, this mass movement had not hesitated to take arms against the withholders of power to defend the interests of the most excluded sectors (Gillespie 1987), and traced the doctrinal justification of the right to rebellion in its founde’s writings which later would be complemented with the most revolutionary ideas of the sixties and seventies (Feinmann 1999); moreover, the labor unions had made impossible the slightest market reform that the first democratic government wanted to implement in the 1980s, with nothing less than 14 general strikes against Alfonsín.

Only the transformation of Peronism from 1946 to the decade of the 1990s could provide a thorough understanding of the disciplining of the mass movement that Menem successfully realized. Of the three (1946-1955, 1973-1976, and 1989-1999) Peronisms, only the one that came into power with Menem embraced an anti-statist position with the implementation of market reforms. It did so, as explains Sidicaro, because the Argentine state was bankrupted and there were no resources available to continue with the traditional populist policy of clientelism (Sidicaro 2002). Using the state it captured, the elite power opened the economy to national and international firms, and, in turn, found fresh resources for both the personal profit and the continuity of the traditional clientelistic practice, which became the most efficient means to discipline the mass movement. In his study of a typical underclass neighborhood in Greater Buenos Aires, Javier Auyero has shown how in conditions of the retreat of the welfare state and the increase of unemployment, both a consequence of market reforms, clientelistic practices of the ruling party with a populist tradition become the survival means of the excluded from the economy. Within these conditions, it is to expect that personal political
mediations continue to be seen as the solution for the problem of survival. “This way of resolving problems, in turn, enforces the part organization at the grassroots level and through its access to social assistance programs promoted by the state. This leads to further organizational deserting and to the recreation and/or reinvention of “populist” traditions.” (Auyero 2001, 42-43)

Concluding Remarks

Focusing on the state in society and the phenomenon of corruption in Argentina, the analysis of the venta de armas highlights the phenomenon of “state capture” by the power elite. This, in turn, is made possible thanks to a subservient Supreme Court and a disciplined mass movement through the continuity of the clientelistic practices. From this perspective, the result of the state/society junctures in the 1990s in Argentina is closer to the ideal type of total transformation. Not only did the Menemismo lasted for a whole decade, but also its power structure remained in place and enabled to the former President to plan his return in 2003 and score a remarkable forthrunning place in the first round of the presidencial elections. This, in turn, reflects the enduring aspect of the courtesan state, a deeply structural construct of which the “political culture,” reflected in the practices of a government “calling the bribes “commissions” and assuming it as something natural because in this mercantilist concept everything, including politics, ought to be a good business deal,” (Bruschtein 2004) is only the outside aspect. The “total transformation” result, however, could mislead. After all, an opposition congressman denounced the

131 Esta manera de resolver problemas, a su vez, refuerza a la organización partidaria a nivel de base y su acceso a programas de asistencia social solventados por el Estado. Esto conduce a una desertificación organizativa aun mayor y a la recreación y/o reinención de tradiciones “populistas”.
132 … llamaba comisiones a coimas y que las asumía como algo natural porque en esa concepción mercantil todo debía ser un buen negocio.
fraudulent arms sales; the Prosecution followed the case; and, above all, the press played a central role in the investigation and the divulgation of the truth. All these aspects of the venta de armas affair reveal also the strength of civil society in Argentina and the undeniable progress of democratic governance.

The state in society approach, on the other hand, should not shadow the importance of the international linkages. True, the state in society approach rather show how states are severely constrained by their domestic environments, but “the strength [the states] draw from an international environment that continually thrusts them into critical roles and offers resources to play those roles bolsters their position, particularly on issues such as diplomacy, war making, and transfer payments.” (Migdal 2002) After all, the elite power has been able to do everything it did also because “Menem accepted to participate in a much disciplined manner in this globalization.” (Sassen 2002) In the words of Argentine writer Pablo Capanna, Menem personified a type of power that served to international financial entities and speculators, he was ideal to their interests (Capanna 2004).

Conspiracy theories sound always suspicious for social science. Nonetheless, Andrés Oppenheimer, who has investigated the global links of corruption, state involvement in illicit transactions and the private financial sector, says having asked Transparency International’s Executive Director, Jeremy Pope, why has not his NGO created also a list of corporations that encourage corruption practices in Latin America. Because, argued Pope, “a list of corrupted corporations would be a too risky project.” (Oppenheimer 2001, 16)

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133 Menem aceptó participar de manera muy disciplinada en esta globalización.
134 Una lista de corporaciones corruptas sería un proyecto demasiado arriesgado.
Conclusion: From the Controversy of the Concept of “Illicit Association” to the Open Veins of the Legacy of Courtesanship

Menem has been accused of heading an “illicit association” and arrested upon this charge. He has also been released, because the Supreme Court dismissed any legal validity of the concept, and, hence, the case was dropped. Most of the court documents including the formal accusations, sentences, defense statements and the final decision of the Supreme Court have been available on the Internet and the webpages of the Argentine press. They can be downloaded at www.seprin.com. Legally the case is closed, despite that the former President is still under investigation for undeclared accounts and money transfer operations that, as it is suspected, could lead to the “route of the money.” This research is not concerned with the legal framing of the accusation, not the author has the competence to discuss a topic proper to experts in law. The reading of the court process I propose here including the arguments and the counterarguments for the legal validity of the “illicit association” is from a political perspective. In other words, assuming the Supreme Court’s resolution and the judicial invalidity of the concept, I still ask whether from a social science perspective it makes any sense. In what follows I conclude the case study showing that within the conceptual framework of the courtesan state, the “illicit association” is a valid category for an explicative variable. For that, I start by discussing briefly the judicial debate, then broaden the scope to the performance of the state in general, and, based upon my analysis in this chapter, see if its transformation in the 1990s indicates the pattern of a courtesan state.
The prosecutor of the case, Carlos Stornelli, based his argument upon a quote from Giuseppe Maggiore, who reminds that a simple agreement to commit crime becomes an illicit association only when the organization acquires a character of stability. Between 1991 and 1995, Argentina had two Defense Ministers and at least three persons succeeded in heading FM, nonetheless the shipment of the arms did not stop. Thus, it was not a government that the court was judging, but possible crimes committed by officials and non-officials close to the government; and the argument of the illicit association was not made based upon the fact that the accused persons were part of the government; but because they agreed to commit a crime (Urien Berri 2001b). Stornelli, moreover, did not have any doubt that it was the former President who was the chief of the “illicit association.” (Tagliaferro 2001c)

As expected, judge Urso’s resolution and Menem’s arrest initiated a strong public debate. Those who supported the resolution argued that the law should be applied to all citizens equally (Sabsay 2001a), whereas those who opposed to it sustained that the act is of political nature, hence not judiciable (Arslanian 2001a; 2001b). Legal technicalities notwithstanding, what is dificil to argue about is, according to an editorial of Clarín, that corruption was involved in the venta de armas and that the episode has not been an isolated case (“El procesamiento de Carlos Menem” 2001) As Menem’s arrest, his release also generated a huge debate. Those who supported it argued that the Supreme Court is the highest interpreter of the Constitution (Badeni 2001), whereas for the expert of Costitutional Law Daniel Sabsay, the resolution has created a dangerous antecedent of impunity because it dismisses the possibility that officials alo could establish illicit associations (Sabsay 2001b). Two former Justice Ministers, León Carlos Arslanian and
Ricardo Gil Lavedra, who, furthermore, are lifelong friends, interpreted the resolution in two radically different ways. For Arslanian it was technically perfect, and the judge had acted under the pressure of the mass media, which simply exaggerated and mislead the case. For Gil Lavedra, the question goes beyond the technicality of the decision, which assented a deep feeling of impunity, because it was not the press that invented the arms sale, it did really happen (Muleiro and Ferreyra 2001). One thing is sure: when a month later a popular rebellion led to the resignation of De La Rúa, for the first time in Argentina’s history the Supreme Court came under harsh criticism during a social protest. On December 29, 2001, a crowd organized a “cacerolazo” in front of the Tribunals demaded the destitution of the Supreme Court. Among the posters the protesters were carrying one said: “We fired Cavallo and De La Rúa, now it is the turn of the corrupt Court Menem’s ‘alcahueta’.”135 (Santoro 2001o)

There is no way to establish the objectivity of Supreme Court’s decision. In a way, by definition the Supreme Court is the highest reference for the objectivity of any interpretation of the law. But the Court itself was highly controversial, and no matter how technically right the decision that tried to burry the *venta de armas* case could not escaped the suspiscion that it was extremely politicized. Analyzing the resolution in the context of highly tensed social and economic situation of Argentina, Julio Blanck explains that Emir Yoma’s warning to open the Pandora box of well-guarded secrets was the detonator of the process that ended with his release and the release of the former President. But, in fact, it was the whole political corporation including the proper government of De la Rúa that objected applying the concept of “illicit association” to members of a cabinet.

135 Ya echamos a Cavallo y De la Rúa, ahora le toca a la Corte corrupta y alcahueta de Menem.
It looked like a way of self-protection for the future. But, above all, they defended an idea that is deeply rooted in them: they cannot conceive the idea that a politician pays for crimes committed when exercising a public function during another government’s term.^{136} (Blanck 2001)

For 167 days during which Menem was under house arrest, his followers made of his release their reason of being. The Peronist governors considered Menem’s arrest an obstacle to the negotiations with the government; union leaders went further and conditioned any dialogue with the liberation of the Peronist leader. As for the government, further weakened after the Peronist victory in the October 2001 legislative elections, it assumed that the release of Menem would make of him an ally. With it, Fernando De la Rúa “lost one of his comparative advantages with a past that he had promised to remove for ever.”^{137} (Blanck 2001)

Indeed, the Alianza government, and the proper De la Rúa, started to worry about the consequences of the judicial investigation as soon as Emir Yoma was detained. According to a press investigation, after the arrest Menem called to De la Rúa to tell him “this [Emir’s arrest] is bad for us all”^{138} (Guagnini and Young 2001) Events showed that the “us” was prophetic. The political tension has left the country in a situation of anxiety, wrote Clarín’s political analyst Eduardo Van Der Kooy. Was this really the beginning of detaching the Justice from politics and put an end to impunity? (Van Der Kooy 2001a) Though officially the government tried to project the image of neutrality and non-intervention in the judicial investigation and said to respect the independence of the judiciary, it also started to wish that the case to end up in the Supreme Court. For well-

^{136} Pareció una manera de protegerse a futuro. Pero, sobre todo, defendieron una idea que tienen arraigada: no conciben que un político pague con cárcel, bajo el gobierno de otro político, por delitos cometidos en la función pública.
^{137} Una de sus pocas ventajas comparativas con un pasado que había prometido remover para siempre.
^{138} Esto nos perjudica a todos.
intentioned observers, the inquietude of the government went beyond the concern of an eventual confrontation with the opposition, or the fact that its Minister of Economy, Cavallo, appeared involved in the case; it was the impact that the eventual complication Menem would have on the institutions and the stability of the country that was at the heart of the government’s inquietude. After Menem’s arrest, the first reactions of the government did not change. De la Rúa reiterated the official position not to intervene and let the Justice do its job, yet any agreement with the Peronism now looked harder. Polls, on the other hand, showed 77% of the people supporting the arrest of the former President (“Menem: 77% apoya el arresto y 47% dice que no tiene garantías” 2001), and the news made echo in the world: it is not everyday that a President is accused of heading an “illicit association.”

The neutrality position might have been a good argument to claim a healthy continuity of the non-interventionist policy when the Supreme Court released the former President too, however it boomeranged. By November 20, the credibility of the government was so low that press reports strongly suggested that De la Rúa favored Menem’s release expecting that in return the former President would help him reaching a deal with Peronism (“Optimismo por la liberación de Menem. En el gobierno creen que los beneficiará el regreso del ex presidente a la política” 2001). Nothing was so far from truth. The proper brother of Menem, Senator Eduardo Menem, declared firmly that the former President was not going to support the government (“No apoyará al Gobierno” 2001). The statement was indirectly confirmed by the released Menem, who in his first press conference in La Rioja declared that the country lacked leadership (Pérez de Eulate 2001b) For advereted observers, from the public declarations of the Presidential
spokesperson Juan Pablo Baylac about the negative impact of the image of the detention for Argentina in the world (Cibeira 2001), to the abstention of a Prosecutor to appeal judge Speroni’s decision annulling the case against Menem in the court investigation with respect of the smuggled gunpowder (“De la Rúa: “No tenemos nada que ver, no hubo influencia política”” 2001) there was no lack of evidence for the indirect involvement of the government favoring the release of Menem.

If De la Rúa’s political calculation was that, once free, Menem would instrumental to the government either because he would help cutting a deal with Peronism or he would be too busy with the internal struggle, it proved to be very wrong. Yet, the collapse of Argentina on December 20, 2001 had little to do with any political calculation. It was not a question of “if” the country was going to collapse, but “when.” Menem’s release, fairly or unfairly, discredited even more the government if only because the suspicions of the political calculation related to the event were too well grounded. Though the collapse had deep structural causes, the way the venta de arma court case ended up not only damaging further the political credit of the Alianza, but, in fact, it showed the continuity of the politics of the 1990s. Indeed, since its emergence in August 1997 through the electoral pact of the Radical party and the center-left FREPASO (Frente País Solidario), the Alianza forged a political identity based upon a strong commitment to the struggle against corruption.

When it assumed the power, the Alianza took popular initiatives to implement the promises of its electoral campaign. The money laundering law and the creation of the anti-corruption office (Oficina Anticorrupción) are among the most concrete and audacious measures that De la Rúa undertook with a strong support from his followers
and the public. As a result, many suspicious affairs involving officials of the former
government made their way to the courts. In the Congress, as narrated in this chapter, the
Carrió commission went even further in an attempt to discover the broader picture of
corruption and money laundering in Argentina. In less than a year, however, the
Executive Power started to put a limit to the anti-corruption initiatives. The pressure of
international financial agencies amidst an economic recession that was not ending and the
imperative to cut deals with the Peronist opposition, which withheld fourteen provinces,
including Buenos Aires, and the majority in Senate have been determinant factors for the
retreat of the government from the fervor of the anti-corruption crusade. But in doing so,
the Alianza government could not avoid falling in the “routine” corruption practice
starting from when it bribed some opposition Senators to pass the law of labor reform.
Despite its efforts to deny any deviation from transparent and ethical politics, the Alianza
government saw its image deteriorate and the anti-corruption identity practically
destroyed. In June 2001, Argentina ranked 57 on the Transparency International list, five
points worse than a year before. Corruption, finally, became the detonator of the political

Whether the Alianza could not implement a policy that would justify its claim to
be different from the Menemismo, or it did not want to do is irrelevant. Both are related.
And the failure of the anti-corruption policy, moreover the destruction of a political
identity that gained considerable popular support, has shown all but the discontinuity of
the coutesan politics of the 1990s.

Having resolved to be ambiguous with respect to the continuity of the practices, which
have efficiently strengthened Menem’s power, could only annul the President as a public
figure. Not only was he unable to build political fortresses that would have allowed him to
respond to the economic demands of his voters, but also, in his attempt to build these
fortresses he gave up to the symbolic resources, which have made of his “boredom” personality a republican virtue. (Charosky 2002, 250)

If De la Rúa has been less successful than Menem in politics, goes the common wisdom, it is because he simply did not know how to do things. Ironically this could also mean that he could not mix politics with business, or the national interest with the private profit. A more serious analysis of why Menem “did it”, reveals the importance of the historical context and, of course, the political culture of both presidents and the elite power of each one. The international context in 2001 –that is the year when the image of the Alianza started to deteriorate and the corruption scandals came into light- has changed with the election of George W. Bush, as analyzed lengthly in this chapter. Argentina, therefore, could not expect to continue relying on external borrowing without serious adjustments in home. These adjustments, however, were impossible, because of the weakness of the state reflected in the deep institutional deterioration of Argentina. Along with the continuity of the institutional deterioration, and as a corollary to it, the power structure that the Menemismo had put in place and functioned as a parallel, for some Mafiosi, state remained intact. The continuity of the courtesan state is to be understood in this co-existence of weakening public institutions on the one hand, and a parallel power structure that once was identified with the state on the other.

With the exception of the elite in power, almost nothing, neither the economic, nor the domestic, and less the foreign policy, changed with the Alianza. True, the elite in power did not get involved in global illicit transactions partly because of its political culture and identity it forged, and partly because the international context has changed and the end of the 1990s did not offer the same opportunities the immediate post-Cold

139 A reference to a campaign slogan “Menem lo hizo.”
War offered. Even so, because the new elite in power did not change the structure of the courtesan state, this later continued albeit accentuating more the crisis. Only the state in society dynamics explains the change that probably came with the election of Nestor Kirchner and observable differences with the 1990s. True, the popular uprising against De la Rúa failed to find a concrete political expression, and the crisis continued throughout 2002. But with the uprising what reemerged was the pressure from the bottom on the power elite, which lacked, or was dismantled, during the 1990s. With all the controversy they raised, the novel expressions of social organization and mobilization in Argentina (Anguita 2003; Svampa and Pereyra 2003) reflect the inner strength of the Argentine democracy. Particularly in the venta de armas case, hardly would anything have been discovered without the consistent, albeit dangerous, labor of the press. This is not to underestimate the role that the opposition Congressmen played in denouncing first in 1995, and then helping the court investigation; nor to forget about the Prosecution and judge Urso himself, who, the whole debate about the polemical resolution notwithstanding, acted disregarding the whole pressure that was put on them during the court process. Very little, however, about the truth and the details of the venta de armas would have been made public without the importance that the press gave to the issue and followed it up.

Had it been merely a covert operation justified for a strategic reason, or a corruption case, the venta de armas would not have constituted a strong case for the courtesan state. But it implied also a security risk. Not in the international arena, because the arms smuggled were not securitized on the U.S. agenda. As analyzed in this chapter, Argentina did not traffic arms that would have generated an immediate reaction from
Washington. Nor did it sell it to states or actors considered “rogue.” Hence, the U.S. was at least tolerant even if it knew about the imminent illicit transaction. From a diplomatic perspective, Argentina’s “special relationship” helped considerably both to save the prestige of the country and to insure the private profit that those who were involved in the transaction sought. Even when the U.S. started to help the Argentine Justice, it was not for the arms sold, but the money laundering, which in 2001, and especially after September 11, came high on Wasington’s security agenda. But the criminal aspect of the venta de armas appeared also in events that jeopardized public security. Along with the suspicious “suicide” of individuals related to the case, two events show the security risk the operation implied.

The first one is the explosion of the Río Tercero plant, from where the armament for Croatia came out. The government, Menem personally, assured that it was an accidental explosion and for years the version was this. Only during the court investigation did the suspicion that it was a premeditated act make its way to a hypothesis to follow, and, with proofs appearing, it was gradually strengthen. Still, only two years later, in November 2003, did a new investigation definitely confirmed the hypothesis of an intentional act. The confirmation revealed even more the complicity of the Justice with the Menem government: as early as November 3, 1995, an official of the plant had presented the case to a Judge, Luis Martinez, in the neighboring town of Río Cuarto, but the Judge had rejected it. During eight years, the widow of one of the seven victims of the explosion had vainly insisted upon the hypothesis of an intentional explosion, but her complaint had reached nowhere (Urrien Berri 2003). “This is a deeply concerning fact,” wrote an editorial of Clarín about the truth revealed, “because it supposes a crime of huge
proportions, the motivation of which would have been to cover up another one, the smuggling of arms from FM to Ecuador and Croacia.”¹⁴⁰ (“El sabotaje en Río Tercero” 2003)

The other event that is related to the venta de armas –albeit the links are much more obscure- is the terrorist attack against the Jewish mutual AMIA in Buenos Aires in 1994. Initially the investigaton of the case did not indicate any connection with the venta de armas. The masterminding of the attacks officially was hypothesized as Iran, though the press reported also indications that Syria might be behind it. Initially there was also no direct connection between the suspected motivation of the attack and Argentina. Some highly speculative analysis pointed to Argentina’s special relationship with the U.S. and its participation to the first Gulf War. But, in general, it was sought that the attack was planed in Argentina more for “technical” reasons –it was doable, as it was said- than for any anti-Argentine policy. Islamic fundamentalism, the Middle Eastern conflict and anti-Semitism, all mixed, appeared as the prime motivations for the massacre of more than eighty people.

Nonetheless, when Switzerland decided to cooperate with the investigation of the venta de armas and handled proofs of bank accounts directly or indirectly related to Menem, a link between the venta de armas and AMIA started to appear. The key testimony was that of a former Irani official, known as the “witness C” because his identity was kept secret, who related that Teheran had paid a $10 billion bribe to Menem to cover up the attack. Menem, of course, denied any connection with the account, which, true, has –so far- not been proven to be his. The details of one of this bloody affair do not

¹⁴⁰ Se trata de un hecho gravísimo ya que supone la comisión de un delito criminal de grandes proporciones cuya motivación habría sido ocultar el contrabando de armas de Fabricaciones Militares para su venta ilegal a Ecuador y Croacia.
concern this research. However, “witness C,” who the press speculated to be Abdolghassem Mesbahi, said to judge Juan José Galeano in charge of the case, that Argentina in the 1990s trafficked arms to Iran, and in that operation was involved the Irani agent Hamid Nagashan, who, according to the testimony, was also one of the major planners of the terrorist attack. The investigation of the venta de armas has not revealed any arms shipped to Iran. Nonetheless, it is widely assumed that Iran paid for the arms that went to Bosnian Muslims (“Dos causas y el patrimonio de Menem” 2002). After a thorough investigation, La Nación concluded that indeed Argentina had trafficked arms also to Iran and the government covered up the operation (Urien Berri 2003d). Moreover, the Justice was not alien to the manipulations of the case (Ventura 2003).

The investigation has yet to reveal the truth about AMIA and its obscure connections with the venta de armas. But there are several partial conclusions that need to be highlighted. The first one is the security consequences of any arms transfer operation that a government needs to include in its calculations if the operation is done for strategic reasons. Second, it strengthens the domestic/international linkages of the courtesan state. Third, it might explain in part Washington’s decision to help the Argentine Justice and the fall in disgrace of Menem. If the connection with Iran is proven, then clearly the Menem government would have crossed the border of tolerance that the U.S. securitization of arms transfer had drawn in the 1990s.

Another security consequence of the venta de armas is the strange death of Emir Yoma’s former secretary, Lourdes Di Natale, who cooperated with the Justice and gave to prosecution his former boss’s agenda where all the contacts were written down. On March 1, 2003, Di Natale found fall down from her apartment on the tenth floor, and
died. The incident happened when she was yet to declare about the Río Tercero explosion, which was once again under the spotlight. Moreover, she was about to make some declarations to the press, “very important” as she said to the reporter she called 22 hours before her death (Urrien Berri 2003e). The “accident” hypothesis became very suspicious, when the press reported several mysteries rounding her falling down from the tenth floor; another detail: her cellphone was never found (Urrien Berri 2003f). Not comparable in proportions with the explosion of Río Tercero or the terrorist attack against AMIA, Di Natale’s strange death, nonetheless, uncovers once again a pattern of behavior typical to the organized crime, which in this case appears linked to a state affair.

Finally, at the end of 2002, the Brazilian NGO Viva Rio denounced arms, including hand grenades, are being smuggled from Argentina to the narcotraffickers in the favelas of Rio de Janeiro. The investigation that followed the denouncing revealed that Argentine officials were involved in the smuggling pattern, of which the Argentine secret service knew since May 2001… Nonetheless, the head of the secret service at that time, Carlos Becerra, feared that the dossier would explode in the hands of De la Rúa, already in decline and in the midst of the ongoing investigation of the venta de armas. Furthermore, Viva Rio’s analysis showed that in the 1990s, Argentina occupied the third place in arms smuggling to narcotraffickers in Rio, behind the United States and Spain (Gosman 2003). There are no direct connections of arms trafficked to Rio de Janeiro and the venta de armas case, except that both patterns originate in FM. Even though they might well be two different issues, the fact that military officials are involved in both reveals an institutional deterioration that is deeply concerning.
The security threat related to the venta de armas cannot be understood in the traditional concept of military security. Except for the AIA case, the threat seems to be more internal than international, and the analysis cannot avoid the state as a factor of insecurity. Only by expanding the conceptual analysis of security to the directions suggested by Buzan, Ayoob and others already discussed in chapter three, are we able to understand the nature of the threat—in this case the state. Hence, the courtesan state that emerges in the 1990s implies also a security dimension, which is primarily internal. García Lupo characterizes this security dimension as the “privatization of the state crime in the 1990s.” Whereas so far the assassinations related to the state were essentially of political nature, in the 1990s

… entered in scene new actors, determined to create a proper space in the design of the new country. The mafia of the arms reached the Casa Rosada through Monzer el Kassar, who also is a drug trafficker. The Chinese mafia also installed in the country as a parasite that came with the Asian immigration. Today both are autonomous.

… The extension and depth of the crime in Argentina is an unwanted yet inevitable product of the last decade of the twentieth century. It is part of the transformation of the society that cannot reverse its course, as some believe it could. The privatized crime is part of the Argentine landscape as are part the villages abandoned by the train and the hunger in the provinces.¹⁴¹ (García Lupo 2003)

For the Argentine sociologist Horacio González, the episode of the venta de armas discovers also the crisis of the classical paradigm of capitalist accumulation. So far, the theory of economic accumulation has been written within the paradigm of the law. Contemporary governments, however, are exhibiting the new faculty of reinforcing their proper illegality under the cover of state legitimacy, which was built upon the ideas

¹⁴¹ En los 90 ingresaron nuevos protagonistas, criminales dispuestos a hacerse un lugar en el diseño del nuevo país. La mafia de las armas llegó a la Casa Rosada de la mano del también traficante de drogas Monzer Al Kassar. Y como parásito de la inmigración asiática también llegó la mafia china. Ambas, hoy, son autónomas. (…). La extensión y profundidad del crimen en la Argentina es un subproducto indeseable aunque inevitable de la última década del siglo veinte. Forma parte de una transformación que no puede recorrerse en sentido inverso, como algunos dicen creer. El crimen privatizado conforma el paisaje argentino, lo mismo que los pueblos abandonados por el ferrocarril y el hambre en las provincias.
of the human rights and the regulated public life. This “new mercancy” still lacks a proper theory, but it is broadly “the knowledge of the production of illegality.”142 (González 2001)

The courtesan politics is the expression of this “production of illegality” on the global scale, tolerated within the context of the post-Cold War unipolar politics and the expansion of free market. Its consequences are primarily negative for the country with an elite in power engaged in courtesan practices. It leaves as I have shown in my case study, open veins, a metaphor symbolizing the weakening of the state. At a first glance, it is the society that pays the price of the bleeding that the courtesan state provokes. Yet, if the bleeding is not stopped, the suicidal might well transform into a zombie, another metaphor to characterize one of the most imminent threats to international security in the era of globalization: the failed state.

142 El conocimiento de la producción de ilegalidad.
CONCLUSION: EXPANDING THE COURTESAN POLITICS FRAMEWORK – SOME CONSIDERATIONS FOR THE REFINEMENT OF IR THEORY

Can the analytical framework of courtesan politics be expanded to other cases? Is it applicable to other research programs? Does it mean any progress in IR Theory? Is the concept itself useful for the refinement of IR Theory? Is it helpful to understand international politics and security issues beyond the context in which it was first formulated and later developed further in chapter two of the current dissertation? These are the questions that I briefly address in this final stage of my study. I do not pretend to propose a final answer to each question; nor am I suggesting any theory of courtesan politics in the strict academic sense of theory in social sciences. My aim rather is to formulate an argument sustaining the validity of the concept of courtesan politics for a new venue that might be useful for further refinement of IR Theory. The argument sustains that at a minimum level the concept of courtesan politics, as well as its derivatives –courtesan behavior, courtesanship, and even courtesan state-, is helpful for a better understanding of the political dynamics in the era of globalization; yet, on a higher level, it also is useful to design analytical frameworks for broader; for now, therefore, the concept of courtesan politics can at most aim at converting into a research program helping the refinement of IR Theory.

Epistemologically, my approach in this conclusive chapter assumes a Lakatosian rather than Kuhnian perspective for the evolution of IR as a field of studies following the argument Katzenstein, Keohane and Krasner formulate in their conceptual considerations
for the study of world politics. Focusing on IPE and its evolution yet broadening their view to the IR field in general, Katzenstein et al. distinguish between “General theoretical orientations” and “Specific research programs,” and explain their connection:

The connection between generic orientations and research programs means that the intellectual standing of generic orientations is affected, though not entirely determined, by empirical evidence, and also due to shifts in world politics itself, some hypotheses, and research programs in which they were embedded, have received more support than others. Generic orientations that sheltered productive programs benefited at the expense of competitors: those that seemed to illuminate new developments in the world also gained adherents. Dissatisfaction with existing orientations and research programs, coupled with changes in the world, has created openings for alternative conceptualizations. This evolutionary process is often indirect and imperfect: there are no “decisive experiments” in international relations that discredit a research program much less a generic approach that has spawned research programs (Katzenstein, Keohane, and Krasner 2000, 7)

As for the term “progress,” for the sake of this study I rely on the discussion in the study edited by Waltz, Elman and Elman, which, precisely, applies the Lakatosian understanding of research program to the field of IR. (2003) The concept of courtesan politics, indeed, is meant to make an input in the cumulative sense of the progress in science, and any framework, or research program designed following its logic should target specific subfields that, in turn, might strengthen the more abstract understanding of the phenomenon. Whether this path could lead to a future conceptualization of courtesan politics in the sense of a General theoretical orientation is yet to be seen.

In fact, my research started with an interest with the transformation of the state in the post-Cold War within the context of the globalization. I found the concept of “courtesan state” coined by Mittleman an interesting approach to study this process in its interaction with the expanding market and societal reaction. I observed, however, that the IPE approach, or the comparative analysis from a state-in-society perspective, failed to address issues related more specifically to power politics and international security. I found little, if any, theoretical elaboration in the specific IR field, despite the broad
debate and conceptual innovations of the 1990s. Moreover, focusing on specifically the field of security and arms transfer I found that the concept might provide a useful insight to understand state involvement with illicit transactions. Though this involvement does not deny the basic motivation of any state or political actor in terms of gaining, withholding and expanding power, it nevertheless questions the traditional understanding of power politics in terms of the national interest. States involved in these sort of transactions, I reasoned, might have assumed a courtesan role, which confuses the further more the both the internal/external division of the dynamics on international relations and the separation of the national interest from the private profit of the elite in power. Nevertheless, courtesan behavior could not be explained as merely a conjuncture, or the behavior of a specific government, in which case a simple framework of corruption would have been enough. I realized that without both domestic and international facilitating conditions on a structural level, courtesan behavior could not become a sustained state policy. I therefore coined the concept of courtesan politics from both the structural and agency understanding of theory, much in the line of the Wendtian social constructivism without, however, deriving to identity politics. Along with the transformation of the state in the context of globalization, my interest lied in the specific dynamics of states involved in courtesan behavior and the reaction of the United States. My argument sustained that even though the rise of the United States as the only superpower in the post-Cold War does not lead to the conclusion that Washington enjoys an effective global hegemony, it nevertheless has become the main rule-maker in world politics, especially what concerns the security agenda. Hence, no state can just ignore the
US reaction to any initiative that is directly or indirectly related to, or affects, the field of international security.

Following this line of reasoning, I formulated my research questions and hypothesis in the first chapter. My research design addressed specifically three issues: states involvement in arms trafficking in the post-Cold War; the US reaction; and the overall security implications of courtesan politics. I found helpful the term of “illicit association” to study the connections of a state with illicit transactions, as well as the reaction of the superpower, and the broader security impact of this dynamics. My hypothesis addressed all the three aspects of courtesan politics: the primary hypothesis defines the concept; the explanatory hypothesis contextualizes it structurally highlighting the domestic/global interconnection; and the research hypothesis outlines the four possible outcomes of the US reaction to a courtesan behavior. Focusing on the dynamics of arms transfer, I proceeded to elaborate the concept of courtesan politics in chapter two where the emphasis was on the transformation of the state. Chapter three, in turn, detailed a new understanding of security for the study of courtesan dynamics in international politics. Chapter four and five dealt with arms transfer and its relationship with the security agenda. These chapters meant also to provide further insight about the structural conditions of the post-Cold War that facilitated a courtesan behavior in arms transfer both to rationalize the behavior of the state and to underline the possible US reactions to it. Chapter six focused on my case study. For all the reasons I formulated in chapter one, the intensive research about the nature of the venta de armas offers an well-grounded empirical proof to interpret the phenomenon according to the courtesan framework. It
also demonstrates two of the four possible US reactions formulated in my research hypothesis.

When elaborating my case study I argued that the *venta de armas* is paradigmatic for the study of courtesan politics. My research, however, did not extend to demonstrate the third and fourth possible outcome of US reaction to a courtesan behavior affecting international security. As explained in chapter one, neither the Peruvian nor the Pakistani case so far provide a ground as solid as the *venta de armas* to argue for an empirical proof. They, nevertheless, bear enough elements to at least propose a venue of expanding the courtesan framework to other cases. In what follows, therefore, I first argue for an application of the framework to the Peruvian and Pakistani cases to illustrate the third and fourth outcomes of the research hypothesis. Then I discuss the courtesan politics concept within the perspective of a design for research programs either for particular projects, or the broader study of IR subfields. I end up concluding about the usefulness of the concept for the refinement of IR Theory.

**Completing the Demonstration of the Hypothesis: The Case of Sanctioning Courtesan Behavior, and the Securitization Dilemma**

By the time this research was undertaken, Peru’s former National Security chief Vladimiro Montesinos’ trial for several criminal charges, including arms trafficking to the FARC, was going on. The case might provide enough arguments to study the changes of U.S. behavior to a government that once was considered an ally, but after an intolerable courtesan behavior felt in disgrace, and hence was “sanctioned.” Indeed, not only did Washington object Fujimori’s third reelection, thus forcing him to seek refuge in
Japan, but also contributed to the international search of his former strongman and helped bringing him back to face a trial in Peru. I presume that the progress in the court process could provide further primary documents to make a case of an “illicit association” if not in legal terms at least from a social science approach. Peru’s case is contextually the most similar to Argentina’s. Though it does not involve a direct responsibility of the head of the state, the main protagonist, Montesinos, was the most powerful man after the President. Hence, it permits to make an argument of state involvement in an international illicit transaction, more specifically, as in the Argentine case, in arms trafficking. Moreover, though Peru did not align itself with the U.S. as Argentina did during the Menem presidency, it was considered a close American ally and an example of successful transition to democracy, market economy and effective struggle against narcotrafficking and subversion.

Designing a research project to study the Peruvian case from a courtesan framework bears some similarity with Argentina. To begin with, Peru went through a deep transformation in the 1990s. Certainly the election of Alberto Fujimori, not only an outsider in Peruvian politics but also a total unknown is a phenomenon by itself. Fujimori defeated both Alan García and Mario Vargas Llosa and manage to withhold power throughout all the 1990s. Overall, as other Latin American leaders, Fujimori followed a neoliberal agenda and gained, at least in the beginning of his mandate, wide popularity. The particularity of Peru, however, lied in the performance of one of the most powerful guerrilla movement in the continent. Fujimori’s greatest challenge, and good part of his popularity, is due to his victory over Sendero Luminoso –Shining Path- and the capture of its leadership. Fujimori’s victory gave him a political capital that he thought could/should
perpetuate him on power. Nevertheless, under Fujimori Peru suffered a deep democratic deficit and the rise of a unique kind of authoritarianism. (Levitsky 1999; Weyland 2000; Schmidt 2000; Youngers 2000; Conaghan 2001; Kahhat 2003; Levitsky, Cameron 2003)

Having failed to legitimize his third term election in 2000, Fujimori sought refuge to Japan, where he continued pushing for his political comeback. In fact, he tried it for the 2007 presidential elections and established his headquarter in Santiago, Chile. Yet upon a demand from Lima, the Chilean government decided to extradicate the former President who currently is facing charges for two cases for human rights violation and six others for corruption. (“Fujimori enfrentará a la Justicia en Perú” 2007) Fujimori’s authoritarian turn did not make the US-Peruvian relations easy for the Clinton administration, which had linked free-market reforms and democracy. (McClintock and Vallas 2003, 39) Yet, the two countries cooperated during all the 1990s (McClintock 2000) and the Fujimori government apparently was all too sure of a special relationship of its own kind with Washington.

The events took another turn by the end of the post-Cold War decade when the war on the drugs rose as a top priority on the Clinton administration. Probably not by coincidence it was in 2000 when the Clinton administration was pushing hard for the implementation of Plan Colombia and looking for international support that it dropped its support to Fujimori. Of course, concerns for democracy and human rights might well be guiding principles when the Clinton administration decided to question Fujimori’s second reelection and the third mandate the way it failed to do when the Peruvian President implemented an autogolpe in 1992 and shut down the Congress. Nevertheless, the case that triggered US hostility towards Fujimori’s regime was the 10,000 FAL automatic rifles his
National Security advisor, Vladimiro Montesinos, smuggled to the Colombian guerrilla – the FARC. Though Montesinos and Fujimori tried to deny any implication and blamed the Jordanian government for the scandal, the revelation of Sarkis Soghanalian, the arms dealer who intervened in the purchase, left no doubt about Lima’s complicity. (“Perú compró las armas que fueron a las FARC” 2000) Montesinos had to fly the country, but ultimately he was caught and faced a trial that is still going on while these lines are written.

Sally Bowen and Jane Holligan had thoroughly investigated Montesino’s rise and fall. (2003) For the sake of this research it is not only the way he build his power and corrupted the whole Peruvian state system (McMillan, Zoido 2004) that matters, but, first, his relationship with the United States, and more precisely with the Central Intelligence Agency (CIA), and, second, to what extent Fujimori was aware of his plots, and especially if he had any knowledge about the arms transferred to the FARC. With respect to this latter issue, it is known that Montesinos, one of the 98 witnesses against Fujimori, had already declared that the he acted following orders received from the President. (Noriega 2007) What the court would decide matters little for this research. No matter what his grade of autonomy within the structure of the state, Montesinos could never acted with complete ignorance on behalf of Fujimori. It is, therefore, safe to assume that the decisions any of them made were state decisions. More interesting, however, is the relationship of Monetesinos with the United States. “The CIA and SOUTHCOM were supportive of the Fujimori government in part because U.S. security officials cooperated effectively with Montesinos and other Peruvian officials for many years on numerous issues.” (McClintock, Vallas 2003, 44) Their primary concern was the
struggle against *Sendero Luminoso*, in which “the CIA provided significant support to the Fujimori government’s intelligence capacities.” (McClintock, Vallas 2003, 44) The cooperation extended later on during the Condor War, the seizure of the Japanese Ambassador’s residence by a group of MRTA guerrilla warriors in 1996, and to advance Plan Colombia.

The irony is that Montesinos’ involvement in drug trafficking, including his relations with the Colombian cartels and Pablo Escobar personally, is almost as old as his career in the Peruvian intelligence community. (Bowen, Holligan 2003, chapter 3) Yet, “in the Andean nations in the 1990s, counterterrorism and counternarcotics activities often converged. It seems possible that, while overall the CIA valued Montesinos first and foremost because of his cooperation on intelligence problems, the agency publicly justified its relationship with him on the ground of U.S. narcotics control objectives.” (McClintock, Vallas 2003, 44-45) It now is well known that there was no lack of information in Washington about Montesinos’ past, his illegal activities and his relations with the underworld of the illicit economy, in particular drug trafficking. (Paéz 2002) Tim Johnson of *The Miami Herald* reported about a closed congressional hearing on June 1, 2002 during which Oscar Benítez Linares, a longtime DEA informant, confirmed that the DEA “knew everything” about Montesinos’ personal authorization to illegal cocaine shipments in the early 1990s. (2002) Moreover, according to documents submitted to Congress by Charles Acelor, a US nationalized French arms dealer who handled the transaction of the FAL rifles to the FARC, the CIA was fully aware of Montesinos’ responsibility in the affair. (“La CIA lo sabía” 2003) Though according to Tim Golden of *The New Times* the Agency alerted the Clinton administration about the arms deal, until
Acelor’s testimony it was not all too clear the grade of its knowledge. Moreover, in Golden’s words, American official said “the C.I.A.’s handling of the case has raised new questions about the agency’s ties to Mr. Montesinos, deepening a rift in the Clinton administration over how closely it should deal with an official who has been linked to human rights abuses and other crimes.” (2000) In addition, on January 7, 2002, the U.S. Embassy in Lima posted 38 unclassified secret documents in response to a request from the Townsend Commission that was created to investigate the activities of the former intelligence chief. These documents reveal that the Clinton administration was permanently notified about the domestic situation in Peru. (Feinstein 2002) As Montesinos trial started, however, the former head of the C.I.A. in Lima refused to declare in court. ("Ex jefe de CIA en Lima no testificará en Perú sobre tráfico de armas” 2002)

According to Bowen and Holligan, it is not at all clear who had the idea to sale arms to the FARC. Was it that the C.I.A. suggested to Montesinos, or is it that this latter conceived the idea about which the Agency knew but did not intervene. “It is factible that some C.I.A. agents have formed part of the plot from its very start.” (Bowen, Holligan 2003, 408) It is nevertheless now of public knowledge that it involved arms brokers, guerrillas and drug dealers. The FARC wanted to pay the 10,000 AK 47 assault rifles with cocaine –a kilo for each rifle. The Brazilian drug dealer Luis Fernando da Costa, known as Fernandinho, agreed to pay to the Peruvians a total of 11.5 million dollars in cash, whereas in turn he would have the control of the cocaine. The Peruvians had bought 2.500 rifles for 55 dollars each and 7.500 rifles for 75 dollars each. In total, according to the criminal investigation of the case, the total cost of 10.000 assault rifles was of
It is fair to assume that Montesinos was mainly motivated by greed, and assumed that both his power position and close relations with the C.I.A. would insure his impunity. However, and even though it is not clear the Agency’s role in the affair, saling arms to the FARC was an intolerable violation of the limits of U.S. tolerance to illicit transactions linked to sensitive security issues. In this case, it was neither the quantity of arms smuggled, nor its category; furthermore, probably if the buyers where not the FARC the issue would not have attracted Washington’s attention. But the Colombian guerrilla movement was heavily involved in narcotrafficking, which in 1999 had become a top priority for the Clinton administration. Business transactions with the FARC, therefore, had no chance to receive any tolerance. Hence, the courtesan behavior of the Peruvian state reflected in the Montesinos orchestrated arms deal with the FARC had to be sanctioned.

The Peruvian case suits well for the argument of the “illicit association” that characterizes a courtesan behavior. The Pakistani involvement in nuclear trafficking, and the malaise it created in U.S.-Pakistani relations, is more controversial for an empirical proof of the last assumption of the research hypothesis. First, so far there is no access to primary documents, therefore the sources to be used to make a case of it are exclusively press information and secondary documents consisting of different analytical interpretations of the matter. Second, it is not clear whether Pakistan undertook the nuclear technology transfer to North Korea, and presumably Iran, primarily for strategic reasons, or for lucrative purposes. The affair is too much part of the current international political agenda to pretend to have any solid empirical argument beyond interpretative analytical exercises. Nevertheless, ever since Abduk Qadeer Khan, the so-called ‘father’
of Pakistan’s nuclear weapons program admitted publicly that he shared the technology with other countries and asked for forgiveness, (Rhode 2004) the U.S.-Pakistani relations have entered in a turbulent phase. Not less because immediately after Khan’s public declaration Pakistan’s president, Gen. Pervez Musharraf, granted him a full pardon. Moreover, in a 90-minutes news conference a army headquarter in Rawalpindi, Pakistan, Musharraf refused to hand over documents to international nuclear inspectors; refused to order an independent investigation into the Pakistani Army’s role in the proliferation; and refuse to allow United Nations supervision of Pakistan’s nuclear technology. He justified his decision to pardon Dr. Khan considering him a “hero,” even though he acknowledged that the latter clearly benefited financially from his dealings. (Rohde 20024a)

For many, the episode of Khan’s confession and Musharraf’s pardon was an effort to satisfy minimally Washington, who would then drop further pressure for conducting a very open investigation. (Tohid 2004) “And why is this personal act of nuclear proliferation being so quickly brushed under a dirty rug? Because the United States needs the goodwill of the Musharraf government and the Pakistani military in the continuing fight against Al Qaeda and in stabilizing post-Taliban Afghanistan.” (“A Pardoned Proliferator” 2004) Yet, Khan’s confession was nothing but “the tip of an iceberg” in an illicit nuclear supply network that has connections in many countries,” as immediately warned Mohamed El Baradei, the chief of the U.N. International Atomic Agency. (Slevin 2004) His warning was confirmed later by the discovery of new illicit channels to upgrade nuclear weapons programme. (“Pakistan reviving nuclear black market, expert say” 2005) In all, there is now enough ground to assume that within the
last two decades of the twentieth century, along with the acceleration of the process of globalization, and international black market for nuclear trafficking has risen. (Langewiesche 2008)

As the Security Correspondent for BBC News Gordon Corera reports in his book, the prime motivation of Abdul Qadeer Khan to undertake the creation of the nuclear trafficking network has been nationalism. He made his own mission helping Pakistan to get the nuclear bomb, a decision the country’s political elite took as early as in the aftermath of the 1971 catastrophic defeat and accelerated further after the Indian test of a nuclear explosive in 1974. While working out of patriotism, Khan found out the lucrative aspect of the enterprise, and, thus, by the end of the 1980s he already developed autonomy in both the production and the finance of nuclear material and technology. Nevertheless, the Khan Research Laboratories (KRL), as President Zia Ul Haq renamed the Engineerinf Research Laboratories on May 1, 1981 after realizing the progress the scientist made, “might have been autonomous from political control but it was tightly integrated into Pakistan’s military-industrial complex with its intensily close connections between the military, government engineers and scientists, and private contractors. The military in Pakistan had become a major player in the economy as well as government, running large business conglomerates and providing additional income … There was much money to be made from this line of work with kickbacks to line the pockets of generals along the way and make them amenable to Khan. It would also serve as useful for cover for his other, less public activities.” (Corera 2006, 42-43)

Khan’s network illustrates yet another case for courtesan politics where private profit and power politics for strategic purposes are mixed up. It is also all too clear that
Washington was well aware about Pakistan going nuclear since the 1980s. In opposition to small arms, and even some category of conventional armament, nuclear proliferation is clearly defined as a global threat by Washington. Nuclear proliferators were labeled as “rogue” states, and, after September 11, 2001 they were linked to the other main security threat: terrorism. Nevertheless, military intervention against Pakistan to prevent nuclear proliferation has never made its place on US security agenda. The reason is the geopolitical importance of Pakistan since the 1980s, first as a key country to provide aid to the Afghan Mujahedeens who fought the Soviet occupation, and later, in the context of the War on Terrorism, as a close ally against the Taliban and other Islamic fundamentalists. The Pakistani government seems to be well aware of the US limitations and enjoys autonomy in the double-level game as no other courtesan has so far enjoyed. (Husain 2006) Indeed, though under US pressure the Musharraf government has to act to curb the activism of Islamists in his own country, and though he needs Washington’s support to remain in power, the US demands in the War on Terror, nevertheless, “threaten to ruin Islamabad’s geopolitical interests in Afghanistan and to strain Pakistan’s delicate political and sociological balance domestically.” (Bordonaro 2007) It resorts, therefore, to a constant maneuvering both at home and abroad. “Inside Washington, the frustration of doing business with Pakistan’s president, Gen. Pervez Musharraf, is matched only by fear of living life without him. For years, the notion that Mr. Musharraf is all that stands between Washington and a group of nuclear-armed mullahs has dictated just how far the White House feels it can push him to root out Al Qaeda and Taliban operatives who enjoy a relatively safe existence in Pakistan.” (Mazzetti 2007) This situation is emblematic to Washington’s “securitization dilemma,” whereas an expected
strong reaction to a problematic courtesan behavior is contained because the state actor that is involved in the illicit –threatening- transaction happens also to be a crucial ally in another security priority issue -the war on terrorism.

The Epistemological Discussion: The Perspective of the Framework as a Research Program

In this study, the courtesan politics framework was used to understand and explain cases of arms transfer whereas an association is established between a state and illicit structures. The aim of this research design is twofold: first, to characterize a transaction sensitive to security issues where the national interest and strategic calculations proper to a traditional approach of power politics are embedded with private profit; and, second, as the strategic calculations are relevant especially to the relationship of the state involved in the transaction with the world superpower –the United States- as the main ruler maker in international security agenda, the framework also explains possible US reaction in a 2X2 matrix.

The framework could certainly be useful to study the emergence of Russian global networks of arms trafficking in the 1990s, a case I mentioned in chapter four. The rise of criminality in the post-Soviet transition during the Gorbachov-Yeltsin years (Duhamel 1994; Shelley 1995; Volkov 2002), the implementation of free-market reforms, and, particularly, the way the economy was privatized (Freeland 2000; Goldman 2003; Klein 2007) had a deep impact on the Russian state (Plekhanov 2003; Satter 2003), which underwent a structural transformation. It is in this context that arms, one of the few industrial products that still enjoyed competitiveness in world market, flew out of Russia
to anywhere they met a demand. The person of Victor Bout became the paradigmatic, albeit caricaturized, personification of the post-Cold War ‘merchants of death’ inspiring Andrew Niccol for his 2005 movie *Lord of War*. There certainly is much more than Bout in the analysis of arms transfer from Russia to the world in the 1990s from the courtesan framework perspective; especially if we consider the yet obscure role some US entities, above all banks, played in the post-Soviet transition. Moreover, when dealing with US reaction following the research hypothesis, the status of Russia as a nuclear superpower and the priority it got on the Clinton administration agenda are singular aspects of the case that should gain special attention.

In all, the courtesan framework proves its usefulness for projects dealing with arms transfer. Beyond the specific cases already mentioned, the framework could lead to a major research program for the subfield of arms transfer and international security through the conceptualization of a broader design the aim of which is to compare N number of cases leading to theoretical generalizations using the deductive method.

But is the framework helpful to study the security subfield in general? In other words, is it possible to conceive other issues on the security agenda that can found a better understanding and explanation using the concept of courtesan politics? Such a perspective would certainly require a modification of the hypothesis formulated in this study. However, there are at least two issues on the security agenda where the basic dynamics of courtesan politics, state transformation and interaction with the superpower, could provide better insight for the understanding and explanation of the social phenomena. The first one is state involvement in drug trafficking where the cases of Colombia, México and Afghanistan gain special interest. The second topic is the rise of
Islamism in the context of the War on Terror, and, as suggested above, Pakistan but also Saudi Arabia, Algeria and Egypt, to name some, provide a solid ground for research projects.

**An Input for the Refinement of IR Theory**

The last aspect of the courtesan politics to discuss in the context of this study is its input in the field of IR Theory. Any consideration in this sense disregards, at least for now, the General theoretical orientation perspective. Following the epistemological approach assumed in this research, the concept of courtesan politics is meant to add knowledge and build upon already constructed generalizations. Indeed, the concept is conceived as a Specific research program designed following the theoretical conceptualizations of the Age of Globalization and the coming of the unipolar world. It, therefore, combined several theories and approaches explaining this particular historical context. In other words, courtesan politics is a concept useful for the post-Westphalian world of international relations, in the sense that it does not deny the persistence of the state as the main actor in politics yet it proposes a critical approach to the traditional assumptions of mainstream IR Theory –Realism, Liberalism and, including, Marxism. From a methodological perspective, the concept of courtesan politics, primarily an IPE approach to the dynamics of international politics, advocates for a combination of IR Theory with Comparative Analysis to transcend the traditional domestic/international division. It is, therefore, a concept proper to a global worldview of international politics, and there lies its possible input for the refinement of IR Theory.
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