Challenging the U.S.-Led War on Drugs: Argentina in Comparative Perspective

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CHALLENGING THE U.S.-LED WAR ON DRUGS: ARGENTINA IN COMPARATIVE PERSPECTIVE

By

Sebastián Antonino Cutrona

A DISSERTATION

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CHALLENGING THE U.S.-LED WAR ON DRUGS: ARGENTINA IN
COMPARATIVE PERSPECTIVE

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This dissertation analyzes the cases that have resisted the U.S. pressure to adopt the standard security model (SSM) to fight against drug-trafficking in Latin America and the Caribbean. Since more can be learned by examining phenomenon that deviate from the modal pattern, this dissertation focuses on Argentina. Existing research, by contrast, has revolved around Bolivia, Peru, Ecuador, Colombia, Mexico, and the Caribbean; countries where the U.S. securitized drug-trafficking by presenting it as an existential threat, justifying the militarization of counter-narcotics policies. In seeking to fill this theoretical and empirical vacuum, this dissertation answers three main research questions: Why have some countries succumbed to the U.S. pressure for a SSM while others resisted? What specific factors explain the different trajectories followed by these countries? And, finally, what alternative policies, if any, have these countries chosen to replace the SSM?
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Introduction

The U.S. counter-narcotics strategy in the Americas

Between 2000 and 2010, more than one million people died in Latin America as a result of criminal violence. The murder rate in the region grew by 11 percent, registering more than 100,000 homicides per year (United Nations Development Programme, 2013). Latin America and the Caribbean are home to eight of the top ten most violent countries and 40 of the world’s 50 most dangerous cities. Just Brazil, Colombia, Mexico, and Venezuela account for one in four violent killings around the world each year (Muggah, 2015). This trend has transformed Latin America into the world’s most violent region, according to the United Nations Development Programme (2013). Only in Mexico, for example, the number of homicides increased by 24 percent during the Calderón administration (2006-2012) (Molzahn, Rodriguez Ferreira, & Shirk, 2013), accounting for approximately 70,000 deaths in six years (Proceso, 2013). Even though the vast deterioration of security has been grounded on multiples and diverse factors, perhaps one of the most critical driving-forces behind this regional trend has been the transformation of the drug trade.

Yet drug-trafficking is not the only force fueling violence in Latin America and the Caribbean. The way governments have framed and responded to this phenomenon has been a critical part of the story. Indeed, before the U.S. internationalized the so-called
‘war on drugs’ in the mid-1980s, the levels of violence in the region were practically insignificant. Despite billions spent on counter-narcotics efforts, however, the consequences of Washington’s strategic choices are visible: consumption has globalized, the areas of cultivation have proliferated, and organized crime has fragmented (Bagley, 2012). Furthermore, the U.S. approach to illicit drugs has produced several collateral damages, including negative impacts on democracy, political instability, human rights, civil-military relations, the economy, and even the environment.

The U.S. hard-line counter-narcotics policy dates back to the mid-1980s when the country witnessed the explosion of crack cocaine consumption and its related violence (Youngers & Rosin, 2005; Isacson, 2005; Carpenter 2003). As Bagley and Tokatlian (2007) highlight, concerns about the economic and social consequences of the drug problem in the U.S., the growing power of the international drug cartels abroad, coupled with the fact that almost all narcotics smuggled into the U.S. were cultivated and processed in Latin America and the Caribbean, drove both the U.S. executive branch and the Congress to regard narcotics trafficking as a national security problem.

In 1986, Ronald Reagan declared drug-trafficking as a national security threat and authorized the U.S. military and U.S. intelligence agencies to become involved in counter-narcotic efforts (Carpenter, 2003). The militarization of the U.S. counter-narcotics policy nonetheless officially started in July 1986 when Reagan launched Operation Blast Furnace, a joint military effort against cocaine-processing facilities in Bolivia (Mora, 1996). The new strategy was further accelerated in 1989 when George H. W. Bush pushed through the Andean Initiative, the first major increase in counterdrug foreign military assistance (Isacson, 2005). By the 1990s, the U.S. counter-drug programs
were the center peace of the U.S. policy, representing more than 92 percent of U.S. military and police aid to the Western Hemisphere (Andreas & Nadelmann, 2006).

As the Soviet enemy disappeared, drug-trafficking became the top priority for Washington’s foreign policy officials. In 1995, Bill Clinton reaffirmed the U.S. new strategy by declaring international organized crime as a threat to the national security interest. By occupying the vacuum left by the Soviet enemy, the Decision Directive No. 42 laid out the main foundations of the U.S. new moral imperative for the last decade of the twentieth century. Re-assessing foreign policy priorities, of course, implied some fundamental redefinitions in the domestic realm, including the CIA involvement in police work; the availability of military equipment and technologies originally designed to deter military invaders to address new transnational threats; and the deployment of the U.S. military personnel in a policing mode (Andreas & Nadelmann, 2006).

Even though foreign policy officials’ concerns for drug-trafficking gradually decreased after September 11, 2001, it never went away. Indeed, after the terrorist attacks on the World Trade Center, the U.S. repackaged the war on drugs as part of the war on terrorism (Andreas & Nadelmann, 2006). Similar to Washington’s approach during the Cold War, when anti-Communism took center stage in Latin America and the Caribbean, the U.S. has tended to view the region through the lens of international terrorism (Lowenthal, 2009). As Pizarro and Gaitán (2006, p. 61) point out, Washington was no merely fighting against drug-trafficking but against guerrillas, “who were no longer considered insurgent forces, but terrorist movements financed by drug-trafficking.”

Overseas, the U.S. has sponsored the adoption of the Standard Security Model (SSM), defined as a set of policies that promotes the expansion of the military’s role in
counter-narcotics efforts, applied irrespective of the nature of the target country’s drug problem. Underpinned by a harsh counter-narcotics legislation, this model provides aid grants for security purposes; the training of armed and civilian police forces in military operation and strategies; advice, intelligence, and logistical support; and the transfer of weapons, equipment, and services to fight against drug-trafficking. Most important, the SSM frames the drug problem as one analogous to traditional national security preoccupations, often overlooking its economic, social, and cultural dimensions.

The Colombian example is representative of the SSM. Similar to other source-countries such as Bolivia and Peru, Colombia has succumbed to the U.S. pressure, thereby adopting a security-based approach while involving its military in counter-narcotics efforts. A country’s role within the political economy of illicit drugs, however, has not been necessarily an obstacle when pushing for the SSM. Countries where the production of illicit drugs is minimal, including Ecuador and the Caribbean region, have nonetheless followed the same trajectory than Colombia. Most important, the lines that separate countries that supply, serve as trafficking routes, and consume illicit drugs in Latin America have blurred with the course of the years (Youngers & Rosin, 2005).

Although governments throughout Latin America and the Caribbean have faced increasing resistance to a range of U.S. imposed security policies (Loveman, 2006), most countries have succumbed to Washington’s pressure to adopt the SSM. Conversely, Argentina has not complied with the U.S. agenda in the region. Despite the South American country briefly developed a drug policy that meet the main features of the SSM in the mid-1970s, it was rapidly reversed with the recovery of democracy in 1983. Why have some countries succumbed to the U.S. pressure for a SSM while others resisted?
What specific factors explain the different trajectories followed by these countries? And, finally, what alternative policies, if any, have these countries chosen to replace the SSM?

This dissertation explores the cases that have resisted the U.S. pressure to adopt the SSM to fight against drug-trafficking in Latin America and the Caribbean region. Since more can be learned by examining phenomenon that deviate from the modal pattern, this dissertation specifically focuses on the Argentine case. Existing research, by contrast, has revolved around Bolivia, Peru, Ecuador, Colombia, Mexico, and the Caribbean; that is, countries where the U.S. securitized drug-trafficking by presenting it as an existential threat, thereby justifying the militarization of counter-narcotics policies.

Drug policy and its determinants: theories and propositions

Domestic and international politics are often approached separately. While the domestic realm is defined by the presence of a central authority and hierarchy, the international system is thought to be decentralized and anarchic (Waltz, 1979). Within the field of political science, therefore, two distinct subdisciplines have been developed: comparative politics and international relations. Although each level of analysis encompasses different theories and methodological tools, the reciprocal influence between domestic and international affairs demonstrates that the two spheres are frequently entangled (Putnam, 1988). Decisions such as the rejection (or not) of the SSM, for example, are often influenced by forces operating within and beyond the borders of nation-states. Since drug policy is sensitive to both domestic and international-level variables, this dissertation is located at the intersection of comparative politics and international relations. By developing an analytically eclectic approach, this study aims at illuminating slightly
different elements of Argentina’s drug policy, thereby revealing aspects and details that are not particularly evident by following a singular theoretical perspective.¹

_Systemic forces_

In the field of international relations, relative power considerations have been at the forefront of realist analyses of alliance formations. Whether states balance against military capabilities (Morgenthau, 1948; Waltz, 1979; Mearsheimer, 2001) or against threats (Walt, 1987), most realists contend that states act rationally to maximize security or power in anarchic systems without a higher authority to regulate disputes, resulting in balance of power formations (Levy, 2004). Balancing could be achieved through military tools (hard balancing) or through other mechanisms aimed at delaying, frustrating, and undermining a major power’s unilateral decisions (soft balancing) (Pape, 2005). Neoclassical realism, in particular, provides additional insights to understand how other relevant factors such as leaders’ perceptions, calculations of power, and prestige influence foreign policy, limiting the significance of systemic forces (Rose, 1998). That is to say, they recognize some intervening variables between the international system’s pressures and the nation-state’s policy response (Sterling-Folker, 2006).

Drawing on realist theories of international relations, it is plausible to argue that relatively larger capabilities help countries to loosen the stranglehold the U.S. has on their freedom to act both domestically and internationally. The rationale underlying this proposition indicates that Argentina’s national capabilities are higher vis-à-vis other Latin American countries such as Peru, Bolivia, Colombia, Ecuador, or the Caribbean region. Greater national capabilities, the logic suggests, are likely to be translated into some kind

¹ On the advantages of analytical eclecticism see, for example, Katzenstein and Okawara (2001).
of balancing with the U.S., whereas less powerful states may be limited to follow Washington’s main dictates to fight against drug-trafficking within their own territories.

Commonly overlooked by realist scholars, the literature on economic interdependence offers an alternative, albeit complementary, account to understand balancing behaviors towards the hegemon. According to this perspective, economic interdependence among countries constrains balance of power politics, meaning that states intertwined by trade, investment, and commercial flows are less likely than those least tied economically to engage in balance of power politics or in aggressive behavior (Paul, 2004). As Cooper (1968, p. 4) puts it, “international economic intercourse both enlarges and confines the freedom of countries … by embedding each country in a matrix of constraints.” Following Keohane and Nye (1977), the theory indicates that less dependent countries are often capable of bargaining over a great variety of issues, thereby using their lower levels of asymmetry as a source of power against the hegemon.

Based on the liberal strand of relevant theorizing, there is reason to believe that a greater diversification of a country’s domestic economy away from U.S. influence, resulting in less asymmetric relations, requires lesser adjustment in the conduct of domestic policy. Here the rationale suggests that Argentina’s relatively high diversified economy, at least when compared to other Latin American countries and the Caribbean, has resulted in a more flexible economic context to develop its own counter-narcotics policies. Lower levels of asymmetry, in other words, becomes another source of power.

Domestic forces

In the field of domestic politics, studies of democratization stress the continuing relevance of the transition outcome in democratic consolidation (Viola and Mainwaring,
The modes of transition, Friedheim (1993, p. 483) explains, is commonly conceived as “a founding moment the legacy of which helps to shape the new democratic regime for years.” As opposed to those countries that experience a “transition from above,” where the new democratically elected government has to afford a significant level of continuity with most of the authoritarian practices of the past, a “transition after regime collapse” limits the armed forces’ forthcoming role in politics (Viola & Mainwaring, 1985). As Stepan contends (1988), the military could go from a position of high prerogatives to relatively low prerogatives without major episodes of contestation in circumstances where the armed forces have previously faced a transition from a position of weakness.

Following the democratization literature, it is hypothesized that the transition outcome directly influences the dynamics of a country’s civil-military relations, conditioning the role of the armed forces’ extramilitary prerogatives such as the exercise of counter-narcotics operations. This proposition is likely to explain why Argentina’s “transition after regime collapse,” as opposed to those Latin American countries that experienced a “pacted transition,” has been so decisive in limiting the military’s domestic operational capabilities and decision-making prerogatives, particularly when dealing with the country’s drug policy. Along these lines, it is also plausible to argue that a further reduction in military prerogatives, together with a visible decline in military contestation, ultimately constrains the national government’s opportunities to push for the securitization of a country’s drug policy.

Scholarship on democratization also sheds light on post-transition arrangements (O’Donnell, 1994; Przeworski, 1988; Hunter, 1997b). From this perspective, the retention
of democratic government after the transition does not necessarily ensures the consolidation of a democratic regime, as democracies are not free from a set of destabilizing conditions (O’Donnell and Schmitter, 1986; Huntington, 1991; Valenzuela, 1992). The absence or weakness of horizontal accountability, in particular, has been widely considered to analyze many Latin American democracies, especially after the so-called democratization’s “Third Wave.” O’Donnell (1994), for example, contends that while decision-making in representative democracies tends to be slow and incremental, “delegative democracies” have instead the apparent advantage of allowing swift policymaking, but at the expense of a higher likelihood of gross mistakes and hazardous implementation. In other words, while “pure” presidential regimes increases the likelihood of executive-legislative gridlock (Linz, 1990, 1994; Mainwaring, 1993, Stepan & Skach, 1993; Arato, 2000; Samuels, 2007), the Latin American version of hyper-presidentialism, commonly referred as delegative democracy, has the opposite effects.

Drawing on the “quality of democracy” literature, particularly the theories that revolve around the system of check and balances, it is plausible to argue that policy changes are more likely to be slower and less dramatic in the presence of higher levels of horizontal accountability. The rationale behind this proposition indicates that Argentina’s drug policy is carried out by a series of relatively autonomous powers, meaning that the system of check and balances certainly affects both the process and policy outputs. By contrast, structural changes such as involving the military in the fight against drugs in other Latin American countries have been characterized by an increasing unilateralism.

More recently, the “quality of democracy” scholarship has also developed an abundant work on alternative modes of accountability (Waisbord, 1996; O’Donnell,
Civil society-based theories, in particular, have contributed to understand Latin America’s democratic deficits by complementing the classic repertoires of electoral and constitutional institutions for controlling the government. Along the lines of O’Donnell’s (1994) path-breaking notion of vertical accountability, Smulovitz and Peruzzotti (2000, 2003, and 2006) explain that societal accountability is a nonelectoral, albeit vertical, mechanisms of control aimed at exposing governmental wrongdoing. Underpinned by the role of the press, civil society-based theories illuminate how different actors such as human rights movements, nongovernmental organizations (NGOs), moral entrepreneurs, and epistemic communities mediate the relation between the state and civil society, often helping to transform the political scenario “from below” (Brysk, 1994).

It follows from the argument posed by civil society-based theories, particularly the scholarship focused on societal accountability, that *the widespread presence and activism of citizens’ associations and movements constrains the government’s policy-making prerogatives*. The rationale behind this proposition suggests that Argentina’s significantly higher levels of civil society mobilization were largely dependent upon the mode of transition and the nature of the preceding authoritarian regime, considered highly repressive and economically destructive. Argentina’s radical rupture with the past, in other words, gave civil society a higher capacity to organize and mobilize, especially when dealing with topics that were somehow related to the violation of human rights.

**The argument**

In the pages that follow, this dissertation develops a nuanced approach to explain why countries deviate from the modal pattern. *Grosso modo*, the logic demonstrates that
Argentina’s drug policy is driven first and foremost by domestic factors. The impact of the international context, which is by no means irrelevant in semi-peripheral countries such as Argentina, is nonetheless influenced by internal dynamics. The central argument of this dissertation, in other words, does not neglect the relevance of the international system, but it identifies key domestic constraints as the most relevant sources explaining either resistance/balancing or acceptance/bandwagoning vis-à-vis the modal pattern.

While the levels of economic interdependence and the countries’ national capabilities certainly influence the context in which drug policy occurs, systemic-level variables by themselves do not explain variation from the modal pattern. In the case of Argentina, systemic forces have high explanatory power when the country is placed in the Latin American context. That is to say, Argentina has exhibited greater national capabilities and lower levels of economic interdependence with the U.S. vis-à-vis countries such as Colombia, thereby confirming both liberal and realist propositions. Nevertheless, the relevance of systemic forces decreases when Argentina’s is analyzed individually. Both the levels of economic interdependence and the national capabilities varied significantly during the four presidential administrations, but the outcome persisted, suggesting that the impact of the international system is indirect and complex. Key domestic actors such as the president, the opposition, social movements, or even the display of the institutional architecture affects the strength of external forces. President Menem’s (1989-1999) relaciones carnales (carnal relations), for example, illustrates how Argentina expanded dramatically its economic ties with the U.S. while having its national capabilities stable without adopting the SSM. By the same token, Argentina’s sharp
decrease in its national capabilities vis-à-vis the U.S. did not force the Alfonsín administration (1983-1989) to bandwagon with Washington’s main dictates.

Argentina’s drug policy has been mostly determined by domestic factors. The evidence shows that the presidents’ profiles changed but deviance persisted, suggesting that powerful actors cannot automatically translate preferences into policy because their will is mediated by different domestic forces. Even President Menem’s firm intention to adopt the SSM during the 1990s was not totally successful due to the presence of different domestic constraints. The system of check and balances, illustrated by the opposition at the National Congress, was of paramount importance when limiting the executive’s alternatives to deal with the drug problem. The role of the legislative power, however, was eventually limited by the growing concentration of power in the executive and the opposition gradual fragmentation. In other words, while the National Congress became an active player during the Alfonsín (1983-1999) and Menem administrations, its relevance decreased with the consolidation of Argentina’s hyper-presidentialism.

This dissertation demonstrates, therefore, that the rejection of the SSM did not come solely “from above.” In this model, the relationship between state and civil society was mediated by social movements, moral entrepreneurs, epistemic communities, and the media. By developing society-centered channels of influence, these actors were capable to amass enough power to pressure Argentina’s policy makers in a direction diametrically opposed to the SSM. Unlike the control posed by the legislative power, civil society actors were active during the four presidential administrations. As a result of their pressure, together with the role of Alfonsin and the emergence of a multi-party consensus, new democratic institutions and a new legal system were established, thereby
insuring the final adoption of a more flexible approach against illicit drugs. Most important, the new organizational scheme gradually developed since 1983 was not entirely contested because the military’s prerogatives were drastically reduced and they did not perceive to have an acquired right to perform counter-narcotics operations.

Yet neither the current institutional framework nor the mechanisms of societal accountability appeared out of the thin air. By contrast, the dynamics of the civil-military relations, the actions of civil-society actors, and the role of political parties at the National Congress were part of a broader trend of Argentina’s democratization process. Argentina’s significantly higher level of civil society mobilization, for example, was largely dependent upon the mode of transition—that is, transition “after regime collapse.” As opposed to those countries that experienced “transitions from above,” were the new democratically elected government has to afford a significant level of continuity with most of the authoritarian practices of the past, Argentina’s radical rupture with the dictatorship gave civil society a higher capacity to organize and mobilize against the state apparatus. Not surprisingly, therefore, the political costs of reversing the path initiated in 1983 became extremely high throughout the years, ultimately reinforcing a tendency toward continuity rather than change. Simply put, the findings of this dissertation demonstrate that Argentina’s institutional framework and social consensuses became so “sticky” and resistant that ultimately inhibited the adoption of the U.S.-led SSM.

Each of the constraints analyzed in this dissertation, operating at different levels, is neither individually sufficient nor mutually exclusive for the outcome of interest. While the executive power played a vital role during the Kirchners’ administrations, the National Congress became a relevant actor during the presidencies of Alfonsín and
Menem. By the same token, the presence of a more flexible international context may have contributed to loosen the stranglehold the U.S. has on Argentina, but this situation was drastically reversed during the neoliberal turn of the 1990s. Perhaps the only determinant factor during the four administrations analyzed was the role of civil-society actors. More generally, therefore, this dissertation demonstrates that each determinant influenced differently the path towards defection during the four time periods analyzed, thereby suggesting that we have a case of equifinality.

**Methodology**

This dissertation is primarily exploratory in character, using process tracing to elucidate the causal mechanisms and processes that explain in detail deviation from the modal pattern. By using this theory-oriented method, this dissertation identifies the intervening special factors which have prevented the adoption of the SSM in Argentina. Since well-specified explanations are scarce and the case selected is thought to be deviant, process tracing proceeds inductively through the analysis of evidence gathered from the fieldwork conducted in Argentina. The goal is not to provide a complete history Argentina’s drug policy, which would be impossible within the limits of this dissertation, but rather to examine the modern features of this deviant case along critical junctures.

This dissertation develops two levels of analysis, using in both instances the logic of structured, focused comparisons. In the first level of analysis, Argentina is placed in the Latin American context by contrasting it with Colombia, perhaps the most representative country that adopted the SSM in the region. In order to guide and

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2 See George and Bennett (2005).
3 Colombia does not represent, at least in strict methodological terms, a case in this dissertation. Rather, it helps to illustrate the SSM within the broader context of Latin America and the Caribbean.
standardize data collection, making comparison and cumulation of the findings possible, general questions that reflect the research objectives and theoretical focus of this dissertation were asked. Although alternative hypotheses arose during the research, the questions dealt only with relevant aspects of the historical cases under consideration.

Despite Argentina has historically resisted the U.S. pressure to adopt the SMM, it has deviated from the modal pattern in different ways. Hence, a second level of analysis in this dissertation is developed to examine in detail the different trajectories followed by each presidential administration since the recovery of democracy in 1983. Similarly to the first stage of assessment, therefore, each of the country’s administrations is compared in order to identify the key causal mechanisms that explain variation. In other words, while the first level of analysis help to understand why Argentina did not adopt the SSM, the second stage of assessment contrasts each presidential administration in order to grasp the historical specificities of Argentina’s model to fight against drug-trafficking.

Broadly speaking, a single-case study has some limitations. King, Keohane, and Verba (1994), for example, criticize research designs in which there is no variance on the dependent variable while discouraging “single-observation” research designs. According to the scholars, a single case observation can lead to indeterminacy in the face of more than one possible explanation, favoring the appearance of incorrect inferences if there is measurement error. However, as George and Bennett (2005) urge, a case study can involve many observations, limiting the problems of over-generalization and selection bias. No-variance research designs such as the deviant, indeed, can be quite useful in theory development and testing using multiple observations from a single case.
The observable implications of this dissertation, particularly in Argentina, were tested through the analysis of scholarly literature and the goal was to uncover the sequence in which domestic actors pushed for decisions to reject the SSM. Interestingly, the evidence on hand was sufficient and widely available to illustrate the special conditions which allowed the rejection of the SSM. Other rigorous forms of data analysis include official reports and statistics developed by governmental institutions, academic journals, newspapers, and data provided by world drug monitoring organizations and NGOs. Additionally, this dissertation develops speech act analysis of authoritative speakers and content analysis of relevant documents. In most of the cases, speech act and content analysis are developed in a diachronic fashion based on critical junctures in Argentina’s history.

**Organization of the dissertation**

In the chapters that follow, this dissertation develops a historically grounded narrative aimed at examining the main international and domestic forces that explain Argentina’s decision to defect from the modal pattern to combat drug-trafficking in Latin America and the Caribbean. Since each of the chapters except the initial one focuses on different historical aspects of Argentina’s drug policy vis-à-vis the U.S. role in the region, relevant literature reviews are opportunely included throughout the corpus of this dissertation.

Chapter one of this dissertation explores the origins of the SSM from an historical perspective. Beginning in 1914, when Congress passed the Harrison Act, this chapter shows how the U.S. has progressively internationalized its moral imperatives. Although the 1961 United Nations’ Single Convention consolidated the multilateral drug control system, it was not sufficient to guarantee the punitive paradigm’s full
implementation abroad. The U.S. needed a foreign policy specifically designed to combat illicit drugs internationally, especially in Latin America and the Caribbean: the Standard Security Model (SSM). The Colombian case, therefore, is used to illustrate the main features of the SSM. Specifically, empirical evidence is presented to demonstrate how the U.S. promoted the expansion of Colombia’s armed forces in counter-narcotics efforts; the training of armed and civilian police in military operation and strategies; the transfer of weapons, equipment, and services to combat drug-trafficking; and the arrival of large aid grants for security purposes. Most important, this chapter shows how the U.S. influenced the Colombian government’s decision to frame the drug problem as a national security threat, overlooking its economic, social, and cultural dimensions. Chapter one closes with a brief assessment of the SSM in Colombia, specifically suggesting that despite the achievement of some limited results, the Andean country’s overall situation after more than ten years of militarized counternarcotic policies is far from successful.

Chapter two starts with the analysis of Argentina’s domestic politics from the recovery of democracy in 1983 to the beginnings of the Menem administration. The chapter suggests that the rejection of the SSM during Alfonsin’s presidency did not come solely “from above.” In the model presented, indeed, the relationship between state and civil society was mediated by social movements, moral entrepreneurs, epistemic communities, and the media. By developing society-centered channels of influence, these actors were capable to amass enough power to pressure Argentina’s policy makers in a direction diametrically opposed to the SSM. Defending human rights and campaigning to subordinate the armed forces to civilian authority, of course, constrained Argentina’s policy-makers alternatives to deal with the country’s drug problem, thereby ruling out
those initiatives that could reverse the achievements of Alfonsín’s democratization project. In other words, the rejection of the SSM was part of a broader trend of Argentina’s democratization process, in a context were the country’s drug problem was still not considered a top priority by national government officials.

Chapter three continues with the study of Argentina’s domestic politics, starting from 1989 to the end of the Menem’s administration in 1999. In particular, this chapter shows how the president’s conservative ideology favored the adoption of the SSM in Argentina. Menem presented the country’s drugs problem as an existential threat, justifying the militarization of counter-narcotics policies. Although his initiative was originally backed by different high-ranked government officials and members of the military in a context where Argentina-U.S. bilateral relations improved dramatically, this chapter identifies the main obstacles operating at the domestic level. Menem’s own institutional reforms aimed at subordinating the armed forces and the presence of an effective system of checks and balances, particularly the opposition at the National Congress, were of paramount importance in restraining the president’s discretionary and personalistic profile. Moreover, similar to the Alfonsin administration, the traditional voices of the epistemic community and the human rights movement were raised every time the national government tried to revert some of the main achievements of the democratization project, thereby ruling out repressive policies such as the SSM. More generally, this chapter shows how the absence of unprecedented levels of violence such as those present in countries like Colombia did not offer president Menem the opportunity structure to effectively securitize the drug problem as the SSM suggests.
The period between 1999 and 2015 is explored in chapter four. After briefly analyzing the failed experience of the Alianza coalition (1999-2001), this chapter examines the three Kirchenerist presidencies. Unlike the experiences of Menem and Alfonsín, where insecurity and drug-trafficking were not considered top priorities, chapter five identifies a series of domestic driving forces that paved the way for the adoption of the SSM, including high crime rates and increasing drug-related problems. This chapter shows that despite the population’s request for mano dura, neither Kirchner nor Fernández decided to adopt the SSM. Endowed with a growing concentration of power and boosted by its confrontation with the U.S., resistance came from the national government itself rather than from other political institutions within the system of check and balances. Limited horizontal accountability, particularly from the National Congress, was underpinned by the fragmentation of Argentina’s party system. Most importantly, therefore, this chapter suggests that the nationalist ideology of kirchnerism and their alliance with different progressive and human rights groups, together with the role of consolidated and well-organized epistemic community were the most critical mechanisms behind Argentina’s rejection of the SSM promoted in Latin America and the Caribbean.

Chapter five is devoted to describe the current situation of Argentina’s drug problem. It seeks to answer, in particular, the “so what” question—that is, it looks at analyzing what alternative policies, if any, has Argentina chosen to replace the SSM. Specifically, this final chapter shows that rejection has not resulted in the development of a national plan to combat drugs. By contrast, empirical evidence is presented to demonstrate that Argentina has become a “full-cycle-country:” it supplies, consumes, and serves as a transit route for narcotics smuggled to Europe and West Africa. Argentina’s
new role within the political economy of illicit drugs eventually changed the structure of
domestic organized crime, thereby altering the dynamics of power within and among
local criminal networks, the state, and civil society. The situation in Rosario is presented
to illustrate how the transformation of the country’s drug trade, coupled with its own
institutional setting, characterized by the presence of weak law-enforcement, corruption,
and economic instability, has fostered the upsurge of violence. Notwithstanding Rosario
has been the city that most intensely felt this change, this chapter shows how violence is
rapidly spreading throughout Argentina’s biggest metropolitan areas.

The main findings of this dissertation are summarized in the conclusions. Without
downplaying the international context, which is slightly different for all Latin American
countries and the Caribbean region, this section pinpoints the relevance of each domestic
constraint for each presidential administration since 1983. Although this dissertation
relies on country-specific analyses and measures, coupled with the fact that Argentina is
considered to be deviant, this section also presents the most relevant theoretical
implications of this historically-grounded narrative, paying special attention to both
internal and domestic forces. More specifically, lessons from democratization and civil-
military relations, congressional-executive relations, societal accountability, and the
international context are identified in the last part of the conclusions.

This study closes with an epilogue, where the first months of the Macri
administration are briefly presented. In particular, the political ideology of the newly
elected president, the national government’s shift to the right, and Argentina-U.S.
rapprochement suggest the presence of a break with the recent past. Although President
Macri may attempt to adopt some of the main provisions of the SSM, this section
contends that the real possibilities that these proposals finally prosper are scarce. Similar
to the past, the legal and institutional framework, particularly the National Defense and
Internal Security laws, and the opposition of different human rights organizations and the
epistemic community would be critical when limiting the adoption of the SSM. Instead,
ad-hoc initiatives that circumvent the Argentina’s institutional architecture may appear.
The emergence and consolidation of the Standard Security Model: Exploring the Colombian case

The punitive paradigm against drugs became consolidated in the U.S. after Congress passed the Harrison Act in 1914. Even though it was internationalized through the 1961 United Nations’ Single Convention, the multilateral drug control system was not sufficient to guarantee the punitive paradigm’s full implementation abroad. Thus, the U.S. sponsored a foreign policy specifically designed to combat illicit drugs internationally, particularly in Latin America and the Caribbean: the Standard Security Model (SSM). This chapter briefly explores the emergence, consolidation, and main features of the SSM. The Colombian case, in particular, is used to illustrate these specific set of policies that have promoted the expansion of the military’s role in counter-narcotics efforts by framing the drug problem as a national security threat.

The origins of the punitive paradigm

In 1900, most narcotics were legal in the U.S. Prescribed by doctors or purchased in groceries, substances such as cocaine, heroin, and marijuana were widely available. Most of these narcotics, particularly cocaine and opium, were imported and no restriction other than a tariff disrupted their entry. In this context, by 1900, the U.S. had approximately
250,000 addicts and narcotics were a popular item in everyday life (Musto, 1973). Despite drug consumption was present along every socioeconomic stratum, most addicts were nonetheless identified with foreign groups and internal minorities. While cocaine was associated with African Americans, opium and marijuana were linked to the Chinese and the Mexicans respectively. This biased approximation of the problem, of course, influenced the nature of U.S. drug policy in the forthcoming years.

Not surprisingly, concerns about drug use started growing fast after a great awareness of the harmful potential of narcotics proliferated at the end of the nineteenth century. This process was fostered, in part, by a group of moral entrepreneurs that began to pressure the federal government in order to avoid “the consequences of other countries’ drug trade” (Andreas & Nadelmann, 2006). American missionaries in Asia, in particular, played a vital role in shaping drug control legislation during this period. Also influential was an emerging medical community, particularly physicians and pharmacists, whose professional consolidation involved the regulation of patent medicines. Willing to restrict the supply and prescription of narcotics, physicians and pharmacists were indeed extremely effective in promoting a drug control regime in the U.S. Underlying these forces was a puritanical strain in American culture that demanded public control against vice. Bertram et al. (1996) suggest that such beliefs were often based on rural nineteenth-century Methodism, Baptism, Presbyterianism, and Congregationalism.

Despite initial setbacks, conditions for federal drug control legislation were ready by the end of 1914. It is not surprising, therefore, that in December the Harrison Act was passed, prohibiting the sale of heroin, cocaine, and their derivatives. From this point onwards, the federal government used its taxation powers to impose the law, particularly
because prescribing narcotic drugs concerned states’ rights (Chawla, 2004). According to Musto (1973, p. 68), the Harrison Act “was the triumph of those who believed that law had a moral effect and was designed to prohibit the use of narcotics for the maintenance of ‘mere’ addiction.” The development of the punitive paradigm, of course, also brought a transformation of the U.S. institutional architecture against narcotics. A small drug enforcement section, for example, was created in the Treasury Department until the institution was ultimately incorporated into the Prohibition Unit in the 1920s.

During the 1920s, attention shifted to the alcohol problem. Even though most of U.S. national efforts were directed towards alcohol prohibition, some government officials, especially those working at the state level, continued lobbying to advance a more comprehensive legislation against drugs. Marijuana, in particular, became the focus of drug policies in the 1920s when the ban on the sale, production, importation, and transportation of alcohol reached a turning point in the American history. Indeed, half of the states in the U.S. passed a law outlawing the possession and sale of marijuana (Goode, 1997). This legislation was further advanced in 1937 when the Marijuana Tax Act was enacted and prohibition finally became a national issue.

The internationalization of the punitive paradigm

The U.S. campaign to promote a punitive paradigm against drugs was not restricted to its national territory. By contrast, a substantial part of U.S. efforts were directed towards the international system. Despite the fact that the Standard Security Model (SSM) was consolidated after the 1980s, the internationalization of the U.S. approach dates back to the early twentieth century when the federal government started promoting a series of international conferences. As Andreas and Nadelmann (2006) note, the main impetus for
a multilateral approach during the first years of the twentieth century was provided by American missionaries that returned from the Far East. Particularly influential in this respect were Charles Brent, Hamilton Wright, and Richmond Hobson, whose determination allowed the development of the Shanghai Conference⁴ and the successive International Opium Conferences that a few years later met in The Hague and Geneva.

The U.S. crusade to internationalize its drug approach gained momentum in 1961 when the United Nations passed the Single Convention on Narcotic Drugs. This international control mechanism established the main foundations that have regulated the production and supply of narcotics by coordinated international action, unifying prior control elements under one single regime. The Single Convention was further complemented by the 1971 Convention on Psychotropic Substances and the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. Since these international control mechanisms have a mandatory nature, requiring countries to enact domestic legislation following international standards, the U.S. has successfully internationalized many of its moral imperatives to fight against illicit drugs.

Yet this multilateral drug control system has been incremental and progressive, evolving in response to changing conditions (Chawla, 2004). In other words, while international trade became the first target, the system evolved to cover the supply side of narcotics, including cultivation and production. By the same token, it began with organic drugs, including opium, cocaine, and marijuana, to ultimately incorporate psychotropic substances. The focus of multilateral regulation also changed, shifting from production and consumption to precursor chemical control and money laundering. Most of these

⁴ The Shanghai Conference is known as the first international control system.
important transformations, nonetheless, reflected the concerns of U.S. policy-makers and the country’s own epidemics of illicit drugs during a particular period of time.

According to Andreas and Nadelmann (2006, p. 43), “the U.S. success in globalizing its drug prohibition policy was dependent, however, on both the absence and widespread opposition elsewhere and the existence of common perspectives on drug control, moral, and otherwise, in many states.” The presence of sympathetic societies, fears of minorities, the newness of some types of drugs, and the absence of a real threat against powerful constituencies in any but a few countries in the world, the scholars also point out, created the breeding grounds for the later development of the punitive paradigm in a great variety of countries, particularly during the second half of the 1980s when the SSM became a reality in Latin America and the Caribbean.

**The punitive paradigm revisited**

The battle against illicit drugs revived during the 1960s, particularly after Richard Nixon became president of the U.S. Relying on three primary instruments, that is, the power of public persuasion, the possibility to launch legislative initiatives, and the direct control over the federal bureaucracy, President Nixon made drugs a central national-policy concern (Bertram et al., 1996). In 1969, indeed, Nixon stated that drugs were a “national threat,” thereby declaring a “war on drugs.” His approach to narcotics was revealed in June 1971 when he noted that “drug traffic is public enemy number one domestically in the United States today and we must wage a total offensive, worldwide, nationwide, government-wide, and if I might say so, media wide” (Epstein, 1990, p. 178).

The revival of the punitive paradigm was underpinned by a growing bureaucracy. Together with the Federal Bureau of Narcotics (FBN) created in 1930, a second agency
became involved in the fight against drugs in 1965: the Bureau of Drug Abuse Control. These agencies merged in 1968, during the Johnson administration, to form the Bureau of Narcotics and Dangerous Drugs. Most important, in 1973 President Nixon created the Drug Enforcement Administration (DEA), an internationalized agency that has presence in almost every country around the world. Simultaneously, harsh counter drug legislation was passed, including the 1970 Comprehensive Drug Abuse Prevention and Control Act, merging previous federal regulation under one single statute. Moreover, this mechanism placed narcotics and other drugs under federal jurisdiction, closing a loophole in previous legislation by outlawing it directly (Mares, 2006). All these major changes, of course, had important consequences for the federal budget for drug enforcement, increasing national expenditures from $43 million in 1970 to $321 million in 1975 (Andreas, 2013).

Overseas, the U.S. began sponsoring different campaigns against illicit drugs. According to President Nixon, the primary goal was to “strike at the supply side of the drug equation—to halt the drug traffic by striking at the illegal producers of drugs, the growing of those plants from which drugs are derived, and trafficking in these drugs beyond our borders” (1971, p. 95). Following these lines, President Nixon launched “Operation Intercept,” the U.S. first modern attempt to stop illicit drugs at their source. By deploying 2,000 customs and border patrols along the U.S.-Mexican border, the Nixon administration developed what was officially described as the nation’s largest peacetime search-and-seizure operation (Carpenter, 2003). Most important, this initiative shifted the focus away from heroin-source countries such as Turkey, paving the way for a greater involvement in countries that produce cocaine: Colombia, Peru, and Bolivia.
Despite the presence of some major policy changes and the use of a harsh antidrug rhetoric, the “war” was nonetheless waged sporadically. Furthermore, neither Gerald Ford nor Jimmy Carter continued with Richard Nixon’s approach to narcotics. By contrast, both administrations appeared less committed to develop fundamental changes and drug policy remained relatively stagnant. This process was possible, in part, due to the gradual emergence of a more tolerant attitude towards drug use in the U.S., particularly with regard to marijuana. During the 1970s, for example, eleven states decriminalized marijuana use and others even discussed the option of legalization. As Carpenter notes (2003), nevertheless, Washington did not deemphasize the international phase of the war on drugs. Increasing pressure on Mexico to eradicate marijuana and opium poppy crops, together with the growing development of interdiction measures in Colombia, Peru, and Bolivia, illustrates the U.S. dynamism in the international front.

This situation changed dramatically with the arrival of Ronald Reagan. During his administration the war on drugs escalated as never before, setting the stage for the development of the SSM in Latin America and the Caribbean. Several forces, most of them operating domestically, gave Reagan the strength to accelerate its fight against narcotics. According to Bertram et al. (1996), three factors were particularly relevant in this respect: the resurgence of conservatism, the organizational strength of a moral majority that rejected permissive attitudes towards drugs, and the absence of a strong anti-prohibitionist force. Underlying this process was the explosion of crack consumption and its related violence. This newly developed cocaine derivate changed the domestic market, generating a new social reaction against illicit drugs in the U.S. Similar to marijuana and opium, drugs that were historically linked to the Mexican and the Chinese
respectively, the U.S. popular imaginary tied the use of crack cocaine to the poor African Americans. The U.S. drug boom during the 1980s, Gootenberg (2008, p. 307) point out, did not emerge out of a vacuum created by easier availability but it was a politically constructed phenomenon, especially by the regime of the “cold warrior Richard Nixon.”

These domestic developments where exacerbated by some major changes in the political economy of illicit drugs, particularly with regard to the production and trafficking of narcotics. Specifically, the growing power of international drug cartels abroad and the fact that almost all narcotics circulating in the U.S. were cultivated and processed in Latin America and the Caribbean, reaffirmed President Reagan’s decision to adopt a more aggressive policy against drug-trafficking (Bagley & Tokatlian, 2007). Not surprisingly, many drug trade entrepreneurs, particularly those operating in the Andean Ridge, rapidly became the main target of Washington’s escalating interdiction policies. In his 1983 State of the Union speech Reagan confirmed this trend by stating that “the administration hereby declares an all-out war on big-time organized crime and the drug racketeers who are poisoning our young people” (Marion, 1994, p. 147).

The birth of the Standard Security Model

Even though the U.S. successfully promoted the punitive paradigm domestically and internationally, the multilateral drug control system was not sufficient to guarantee its full implementation abroad. Washington needed a foreign policy specifically designed to combat illicit drugs internationally, particularly in Latin America and the Caribbean: the Standard Security Model (SSM). As already noted, in this dissertation the SSM is defined as a set of policies that promotes the expansion of the military’s role in counter-narcotics efforts, applied irrespective of the nature of the target country’s drug problem.
Underpinned by a harsh counter-narcotics legislation, this model provides aid grants for security purposes; the training of armed and civilian police forces in military operation and strategies; advice, intelligence, and logistical support; and the transfer of weapons, equipment, and services to fight against drug-trafficking. Most important, the SSM frames the drug problem as one analogous to traditional national security preoccupations, often overlooking its economic, social, and cultural dimensions.

In this context, in 1986, Ronald Reagan declared drug-trafficking as a national security threat, authorizing the U.S. military and intelligence agencies to become involved in counter-narcotic efforts. A critical point in this respect was the amendment of the *Posse Comitatus Act*, a mechanism that outlawed military involvement in civilian law enforcement issues for more than a century. Building on this renewed approach, Reagan launched “Operation Blast Furnace” in July 1986, the first manifestation of the SSM. This joint military effort against cocaine processing facilities in Bolivia was supported logistically and with troops from the U.S. Army Southern Command (SOUTHCOM). Aimed at disrupting drug-trafficking, “Operation Blast Furnace” was nonetheless of dubious constitutionality with no congressional clearance (Lehman, 2006, p. 140).

Washington’s new strategy was further accelerated in 1989 when George H. W. Bush unleashed the Andean Initiative, the first major increase in counterdrug foreign military assistance. As Youngers and Rosin (2005) indicate, the goal of this program was to empower Latin American military and police forces to carry out counterdrug initiatives, providing significant U.S. training and support. Although this five-year aid package was not restricted to the military, by 1990 the Andean Initiative funds totaled

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5 Other legal and policy restrictions include the U.S. Code Title 10, the Mansfield Amendment, fiscal constraints, the Anti-Drug Abuse Act, and the human rights statutes of the Foreign Assistance Act of 1961.
U.S. $231.6 million, of which all but U.S. $48.6 million were military and police assistance (Isacson, 2005). By the 1990s, the U.S. counter-drug programs represented more than 92 percent of U.S. military and police aid to the Western Hemisphere (Andreas & Nadelmann, 2006). Colombia, in particular, will become the largest recipient of U.S. foreign assistance to fight against drug-trafficking in Latin America and the Caribbean.

**Diffusion mechanisms**

The U.S. has successfully guaranteed the diffusion of the SSM throughout the Americas. Beginning in Bolivia and the Caribbean region, the SSM was subsequently adopted in Peru, Ecuador, and Colombia. Most recently, Central American countries such as Mexico have succumbed to the U.S. pressure and followed Washington’s main premises to fight against drug-trafficking. Despite the U.S. has openly contend that imitation was based on “success,” diffusion was accomplished through a specific mechanism: certification.

Enacted by Congress in 1986, the certification process began under the Reagan administration in a context where crack cocaine consumption and its related violence expanded dramatically. Through this legal mechanism, the U.S. Congress required the executive branch to certify countries in order to ensure that they were complying with Washington’s standards in the fight against drug-trafficking. Most important, countries that were “decertified” were prohibited from receiving export-import bank credits and economic assistance and support in multilateral institutions such as the World Bank and the IMF depended upon their behavior in the fight against drug-trafficking. Moreover,

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6 The certification process was made into law with the 1986 Anti-Drug Abuse Act and subsequently modified by the 1988 Anti-Drug Abuse Act. As Crandall (2002) shows, however, this mechanism traces back to the Foreign Assist Act of 1961, where the notion of reviewing the counter-narcotics efforts was initially established.
decertification also allowed the U.S. to impose different discretionary economic sanctions or even other retaliatory measures such as visa cancelations (Thoumi, 2003).

Certification, hence access to credit, became the cornerstone of Washington’s strategy in the Americas since the mid-1980s. Due to this arm-twisting mechanism, for example, the Mexican president, Miguel de la Madrid Hurtado (1982–1988), declared drug-trafficking as a national security threat in early 1988, thereby authorizing an expanded military presence in counter-narcotics efforts. As Boullosa and Wallace (2015) assert, Mexico’s full-blown economic crisis left the president with little choice but to pursue a more aggressive strategy against drug-trafficking. Decertification, in other words, would have limited access to credit and loans though the multilateral financial system at a moment when Mexico was facing a relatively severe economic downturn.

Yet certification was not only a threat. By contrast, the U.S. applied this mechanism several times. Bolivia, for example, was decertified in 1995 after President Gonzalo Sánchez Lozada (1993-1997) missed eradication targets set in Law 1008 by wide margins. As a consequence to sanctions, the national government finally decided to send the army into the Chapare region “to restore Bolivia to Washington’s good graces” (Lehman, 2006, p. 134). By the same token, Colombia was decertified in three occasions between 1995 and 1997. As Thoumi (2003) claims, the Samper administration (1994-1998) had no alternative but to respond by launching harsh counter-narcotics operations, including eradication campaigns, interdiction initiatives, or the search for kingpins.

Vulnerability, of course, varies from country to country. Not surprisingly, the U.S. has commonly applied decertification only where there was economic interdependence or at moments where access to credit and loans was decisive for the recipient’s economy.
Empirical evidence suggests that countries such as Colombia and Mexico, for example, have been highly vulnerable to this mechanism, particularly because the U.S. became its largest trading partner. More diversified economies, by contrast, has resulted in a more flexible economic context to develop its own counter-narcotics policies.

**The political economy of illicit drugs and the SSM**

The U.S. traditional focus on the supply of illicit drugs may suggest that pressure to adopt the SSM has been higher in source-countries such as Colombia, Peru and Bolivia. By the same token, there is reason to believe that countries where the production of illicit drugs is minimal such as Argentina, Ecuador, or even the Caribbean, have not been exposed to the same levels of pressure from Washington’s counter-narcotics specialized agencies. While not totally downplaying the relevance of a given country’s role within the political economy of illicit drugs, two fundamental weaknesses with this hypothesis are apparent.

On the one hand, several scholars have indeed documented that the U.S. pressure existed in countries that have not been historically characterized by the supply of illicit drugs. In Argentina, for example, U.S. diplomats pushed for an increase in military involvement while simultaneously demanding the adoption of a security-based approach to combat the proliferation of narcotics (e.g. Barcelona, 1990; Sain, 2002, Herz, 2006; Isacson, 2005, Verbitsky, 2015). Despite Washington’s encouragement to adopt the SSM varied throughout the years, all presidential administrations since the recovery of democracy in 1983 have been exposed to diplomatic pressure in different ways.

On the other hand, the evidence shows that the SSM was adopted in Ecuador or other trafficking countries of the Caribbean, thereby suggesting that pressure existed regardless of their role within the political economy of illicit drugs. Furthermore, in Latin
America and the Caribbean, the lines that separate countries that supply, serve as trafficking routes, and consume illicit drugs have blurred with the course of the years. As Youngers and Rosin (2005, pp. 4-5) assert, “since the Andean Initiative was launched in 1989, the global and regional scope of the drug trade has expanded significantly. Notably, the distinction between producer and consumer countries has blurred … Now, both production and consumption of illicit drugs take place across the globe.”

**The Colombian Case**

The Colombian example is representative of the SSM. Similar to Bolivia and Peru, Colombia’s history has been increasingly shaped by the drug problem (Thoumi, 2004). Considered as a cocaine trafficking country during the 1980s, Colombia also emerged as the world’s leading coca producer in the 1990s, supplying around 90 percent of the cocaine and a significant proportion of heroin consumed in the U.S. (Ramírez Lemus, Stanton, & Walsh, 2005). Additionally, guerrilla groups, drug-traffickers, and paramilitaries have made Colombia one of the most violent countries of the world (Holmes, Gutiérrez de Piñeres, & Curtin, 2008). As Pizarro and Gaitán (2006) explain, Colombia is the only Latin American country that has been unable to resolve the most pressing issues of the Cold War’s security agenda while not being capable to overcome the challenges of the new international security agenda.

This process began in the late 1960s when the international demand for illicit drugs increased dramatically. Before this period, indeed, Colombia’s cocaine and marijuana production was limited. As Thoumi (2003) notes, a relatively stable domestic and international demand explains the incipient stage of the Colombian drug industry. Yet a market for domestic consumption was already present long before increased crop
growing spiraled to satisfy the American demand at the end of the 1960s and 1970s. Empirical evidence suggests, for example, the existence of marijuana fields in the Magdalena Department since 1940 (Sáenz Rovner, 2007). Its size and development, however, was limited when compared to countries such as Mexico, especially before the U.S-led interdiction campaigns. By the same token, narcotics use remained stable before the 1960s drug boom. Unlike Bolivia and Peru, indeed, coca chewing was practiced in only a few highland regions where Indian communities survived and the use of other illegal drugs, including cocaine and heroin, was relatively limited (Thoumi, 2003).

In this context, Colombia’s involvement in the political economy of illicit drugs began with marijuana production. Originally grown in the Caribbean coast, particularly in the Sierra Nevada de Santa Marta, marijuana became a profitable business after the domestic and international demand skyrocketed. Furthermore, this process was accelerated by a displacement of marijuana crops from Mexico to Colombia due to U.S.-led eradication programs (Tokatlian, 1990). This new environment, in turn, allowed Colombia’s marijuana emerging organizations to expand production in order to meet the international demand. While at the beginning U.S. entrepreneurs provided seeds to poor peasants from whom they obtained marijuana to be placed in the American market, Colombian organizations eventually gained control over export activities, thereby replacing their American counterparts (Thoumi, 2004). By the late 1970s, indeed, large-scale international cartels were consolidated and the cocaine trade expanded dramatically.

The internal armed conflict

Colombia’s internal conflict traces back to the bloody ten-year civil war that shocked the country between 1948 and 1958. During this period, which is also known as La Violencia
(the Violence), the two main political parties, Liberals and Conservatives, confronted in the rural countryside over land rights. Violence receded with the arrival of Gustavo Rojas Pinilla, who imposed a military dictatorship in 1953. Although Rojas Pinilla left power in 1957, his repressive approach towards communists stimulated discontent among rebel groups. Following the military coup, Liberals and Conservatives came to a political agreement: the National Front. By alternating in power, however, the two parties excluded other groups willing to participate in the political process for the presidency, thereby creating the main conditions for the development of guerrilla movements (Ramírez Lemus, Stanton, & Walsh, 2005). As Pécaut (1992, p. 227) notes, “the (relative) immobility of the National Front and its related institutions gave rise to an opposition that, lacking a means of expression, turned toward a plan of radical rupture.”

The international context also contributed to the gradual emergence of guerrilla movements in Colombia. Similar to many Latin American and Caribbean countries, the Cuban revolution had a strong impact on the formation of various political-military organizations in Colombia. According to Pizarro (1992), two specific factors were decisive in this respect: on the one hand, the ideas of Che Guevara and Debray, which promoted a revolutionary struggle for the control of political power based on the \textit{foco}\textsuperscript{7} theory and, on the other hand, the Chinese-Soviet rupture during the 1960s and the ultimate division of the pro-Soviet Communist parties into two main wings.

The EPL (Popular Army of Liberation or \textit{Ejército Popular de Liberación}), ELN (Army of National Liberation or \textit{Ejército de Liberación Nacional}), M-19 (19th of April

\textsuperscript{7} The \textit{foco} was a strategy for revolution that posits that it is not necessary to wait until conditions are right to launch an insurrection. Instead, revolutionaries can launch small-scale warfare at any time, thereby serving as a focus and inspiration for the growth of a general insurrection.
Movement or Movimiento 19 de Abril), and the FARC (Revolutionary Armed Forces of Colombia or Fuerzas Revolucionarias de Colombia), in particular, emerged out of this context. Even though the political ban established during the power-sharing agreement of the National Front ended in 1974, several guerrilla movements were already operating in many regions of Colombia, especially in the countryside. The dominant guerrilla, however, was the FARC. Consolidated after the Colombian military launched an attack on the Marquetalia Republic in 1964, the FARC has its origins in the agrarian revolts of peasant organizations against big landowners in the 1920s and 1930s. These early agrarian struggles became the breeding ground for the formation of self-defense groups that eventually connected poor peasants with communist movements. Yet it was only after the Marquetalia attack that the organization transformed into a guerrilla group. In Manuel Marulanda’s own words, “Marquetalia was the spark that set a fire in a crucial moment in history that is now impossible to extinguish” (Holmes et al., 2008, p.53).8

Colombian paramilitary organizations also emerged during the 1960s. The legal basis for the creation of these civil-defense groups were Decree 3398 and Law 48, passed in 1965 and 1968 respectively.9 Underlying these legal instruments was the spirit of the U.S. National Security Doctrine which “expanded greatly the concept of security, making it virtually synonymous with political, social, and economic development… This was essentially a call for a permanent and total war by the state against the enemies threatening la patria as well as a call for direct military involvement in the tasks of national development” (Isacson, 2005, p. 56). Rivas Nieto and Rey Garcia (2008) contend that the three main pillars of the paramilitaries were landowners and farmers who

8 Manuel Marulanda Vélez, also known as “Tiro Fijo,” was the founder of the FARC.
9 The paramilitary groups were made illegal in 1989, although they continued to operate until demobilization began in 2006.
wanted to defend themselves from the guerrilla; drug-traffickers that recruited these seditious groups; and the military, eager to end the insurgency by any means. Likewise, their lack of organization was partially reverted in 1996 when Carlos Castaño coordinated the action of different right-wing paramilitary organizations by founding the AUC (United Self-Defense Groups of Colombia or Autodefensas Unidas de Colombia).

Holmes et al. (2008) suggest that the historical settlement pattern, the distribution of the population, and Colombia’s physical geography has facilitated the proliferation of violence, providing a strategic landscape ripe for guerrilla conflict. According to Isacson (2015a), the country’s long coastlines on two oceans, making it a key bottleneck between Andean coca fields and U.S. markets, has given Colombia a distinctive attribute when compared to other Latin American countries. The presence of weak institutions makes the landscape even more difficult. As Pizarro and Gaitán (2006, p. 70) argue, “the Colombian state has always been small, poor, and weak.” The fact is that almost a quarter of a million Colombians have been killed in the country's internal conflict, up to 5.5 million people were displaced, and approximately 27 thousand were kidnapped, according to a government-funded report (Grupo de Memoria Histórica, 2013). Most of them were civilians and the bulk of the killings occurred after right-wing paramilitary groups emerged in the 1980s to counter the growing power of the FARC and other leftist rebels. More specifically, out of 220,000 Colombians killed, 177,300 were civilians and 40,787 members of the armed forces, paramilitary, and rebels groups.

Leading cocaine production

Colombia consolidated its preeminent role in the political economy of illicit drugs during the 1980s, even though some illegal entrepreneurs began to export small quantities of
cocaine to the U.S. in the mid-1970s (Arango & Child, 1987). International cartels, which managed the marijuana trade during the 1970s, expanded their activities to further incorporate the production of cocaine. As a consequence of manual eradication and aerial fumigation campaigns, together with a gradual increase in U.S. domestic production, the marijuana industry became less attractive to Colombian organizations. In particular, two incidents undermined the country’s marijuana market: on the one hand, the eradication campaigns launched by Julio César Turbay (1978-1982) in the late 1970s and, on the other hand, President Belisario Betancur’s (1982-1986) decision to spray marijuana crops after Colombian Minister of Justice Rodrigo Lara-Bonilla was assassinated in 1984.\textsuperscript{10}

The growth of the cocaine industry eventually changed the landscape in Colombia. The development of large-scale smuggling methods increased the gains dramatically, setting the stage for the development of large international cartels (Thoumi, 2003). Bagley (2012) suggests that in Colombia, unlike Bolivia and Peru where peasant cooperatives or guerrilla organizations predominated, the absence of intermediaries paved the way for the rise of major criminal organizations such as the Medellín and Cali cartels. These large international cartels bought coca paste from Bolivian and Peruvian peasants to ultimately refine cocaine along different laboratories located in Colombia. Since coca paste transactions occurred in Peru and Bolivia, international cartels had to develop sophisticated distribution networks to move the substances through the Andean Ridge back to Colombia. Similarly, international exports, particularly to the U.S., generated an expanded logistical architecture that gave these major criminal organizations a

\textsuperscript{10} Rodrigo Lara-Bonilla was assassinated by orders of Pablo Escobar because of his decision of going after the Medellin Cartel when he served as Minister of Justice under President Belisario Betancur.
comparative advantage over its competitors. Money-laundering specialists, lawyers, sicarios (hired assassins), and other actors allowed international cartels to prosper.

The expansion of international cartels was also facilitated by the development of major transformations in the U.S. Originally dominated by Cuban criminal organization, cocaine distribution networks in Florida successfully connected source countries with the American market. This situation, however, began to change during the 1960s. As López Restrepo and Camacho Guizado (2003) observe, the flow of immigrants from Colombia to the U.S. grew significantly during this decade, giving way to ethnic transnational networks that eventually served as the foundations for different criminal organizations operating in the U.S. Although Colombians initially performed as suppliers of Cuban dealers, they gradually began to gain territory in the U.S., expanding their businesses from production to trafficking. By rebelling against subordination, therefore, Colombians used violence to eliminate their Cuban counterparts, particularly in the state of Florida. Since this process evolved simultaneously to the expansion of the U.S. cocaine market, Colombian organizations were able to gain most of the profits of this emerging industry.

By the end of the 1980s Colombian international cartels dominated cocaine production in Latin America. The Cali and the Medellín cartels, in particular, took center stage in Colombia, contributing to the spread of violence throughout the country. During the early 1990s, for instance, Colombia ranked among the world’s most violent countries, corresponding to a homicide rate of approximately 80 per 100,000 inhabitants. This situation spiraled out of control in 1989 when Liberal Party presidential candidate, Luis Carlos Galán, was assassinated by the Medellín Cartel. As a result of this incident, the government decided to dismantle international cartels by going after their leaders. Garzón
Vergara (2015, p. 119) defines this approach to transnational organized crime as the “kingpin strategy,” assuming that “removing cartel leaders hurts criminal organizations and often weakens the drug trafficking business cycle.”

Despite the government attempts to destroy international cartels, Colombia’s drug industry continued to prosper in the forthcoming years. Furthermore, over the years both guerilla and paramilitaries groups became increasingly engaged in drug-trafficking activities, filling the vacuum left by the disappearance of the Medellín and Cali cartels.\(^{11}\) By the 1990s, for example, the country supplied approximately 80 percent (220 metric tons) of the total cocaine imports (approximately 300 metric tons) smuggled into the United States (Rosen, 2014). By the same token, over the ten-year period from 1989 to 1998, the production of coca leaves in Colombia grew from 33,900 to 81,400 metric tons, representing a 140 percent increase (Bagley, 2001a). Yet cocaine was not the only illicit drug produced in Colombia. International cartels also supplied 2 percent of the heroin consumed in the world and they also smuggled into the U.S. approximately 4,000 metric tons of marijuana in one year (Bagley, 2001a). It is not surprising, therefore, that by 2003 Colombia supplied around 90 percent of the cocaine and a significant proportion of the heroin consumed in the U.S. (Ramírez Lemus, Stanton, & Walsh, 2005).

**Applying the model to Colombia**

The U.S. involvement in Colombia expanded dramatically in the late 1980s, although the Andean country already received counterinsurgency and military support during the Cold War. Specifically, the first major increase in counterdrug foreign military assistance came

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\(^{11}\) By the mid-1990, the Medellín and Cali cartels, led by Pablo Escobar and the Rodríguez Orejuela brothers respectively, were dismantled, their leaders killed, captured, or extradited.
with the approval of the Andean Initiative in 1989. This $2.2 billion five-year aid package was launched by George H. W. Bush to counter the increasing power of Colombia’s criminal organizations, particularly the Medellin cartel. The rationale behind the plan became clear when President Bush declared that “we have a responsibility not to leave our brave friends in Colombia to fight alone … our message to drug cartels is this: the rules have changed. We will help any government that wants our help. When requested, we will for the first time make available the appropriate resources of America’s armed forces” (Swartz, 2012, p. 223). In 1990, for example, the Andean Initiative funds totaled U.S. $231.6 million, of which all but U.S. $48.6 million were destined to the military and the police (Isacson, 2005). As Youngers and Rosin (2005, p. 3) point out, “the centerpiece of the Andean Initiative was to empower Latin American military and police forces to carry out counterdrug initiatives, and significant U.S. training and support was provided to those forces willing to collaborate.”

Even though the Andean Initiative included other cocaine source countries such as Peru and Bolivia, Colombia rapidly became Washington’s top priority. Under these circumstances, U.S. military and police assistance for Colombia jumped from U.S. $18 million in 1989 to U.S. $ 93 million in 1990, thereby surpassing El Salvador as the region’s largest recipient of military and police aid (Isacson, 2005). By the same token, during the 1990s Colombia also became the Latin American top recipient of Section 1004 funding, administered by the deputy assistant secretary of defense for counter-narcotics

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12 During the Cold War, the U.S. funded foreign military assistance under three main nondrug aid programs authorized by the 1961 Foreign Assistance Act (FAA): the Military Assistance Program (MAP), the International Military Education and Training (IMET), and the Foreign Military Financing (FMF) program. Additionally, the 1968 Arms Export Control Act governed U.S. State Department foreign aid and sales. Throughout the 1990s, however, much of these aid programs lost strength and the biggest funds were developed under the counterdrug rubric. This was the case of the International Narcotics Control (INC) program and Section 1004 of the National Defense Act (Isacson, 2005).
and managed on the ground by Southcom (Table 1.0). In addition, U.S. Special Forces and military advisers eventually settled in Colombia to coordinate Washington’s efforts to combat drug-trafficking organizations operating in the Andean ridge.

**Table 1.0: section 1004 aid, top ten recipients and regional total, 1997-2001 (thousands of U.S. dollars)**

<table>
<thead>
<tr>
<th>1004 Total</th>
<th>1997</th>
<th>1998</th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colombia</td>
<td>10,321</td>
<td>11,775</td>
<td>35,887</td>
<td>68,710</td>
<td>150,042</td>
<td>276,735</td>
</tr>
<tr>
<td>Mexico</td>
<td>37,236</td>
<td>20,317</td>
<td>13,591</td>
<td>13,303</td>
<td>18,391</td>
<td>102,838</td>
</tr>
<tr>
<td>Peru</td>
<td>12,411</td>
<td>14,462</td>
<td>9,443</td>
<td>8,463</td>
<td>7,295</td>
<td>52,074</td>
</tr>
<tr>
<td>Ecuador</td>
<td>1,980</td>
<td>2,746</td>
<td>7,010</td>
<td>11,245</td>
<td>16,493</td>
<td>39,474</td>
</tr>
<tr>
<td>Bolivia</td>
<td>4,141</td>
<td>3,285</td>
<td>3,045</td>
<td>6,713</td>
<td>5,450</td>
<td>22,634</td>
</tr>
<tr>
<td>Venezuela</td>
<td>4,093</td>
<td>6,427</td>
<td>3,333</td>
<td>2,326</td>
<td>2,148</td>
<td>18,327</td>
</tr>
<tr>
<td>Brazil</td>
<td>2,888</td>
<td>3,436</td>
<td>1,313</td>
<td>534</td>
<td>1,257</td>
<td>9,428</td>
</tr>
<tr>
<td>Panama</td>
<td>2,384</td>
<td>2,591</td>
<td>638</td>
<td>645</td>
<td>1,054</td>
<td>7,312</td>
</tr>
<tr>
<td>Bahamas</td>
<td>507</td>
<td>549</td>
<td>608</td>
<td>1,765</td>
<td>1,851</td>
<td>5,280</td>
</tr>
<tr>
<td>Guatemala</td>
<td>743</td>
<td>869</td>
<td>787</td>
<td>1,087</td>
<td>1,166</td>
<td>4,652</td>
</tr>
<tr>
<td>Other</td>
<td>66,051</td>
<td>66,888</td>
<td>58,450</td>
<td>76,547</td>
<td>66,288</td>
<td>334,224</td>
</tr>
<tr>
<td>Other regional total</td>
<td>142,755</td>
<td>133,345</td>
<td>134,105</td>
<td>191,338</td>
<td>271,435</td>
<td>872,978</td>
</tr>
</tbody>
</table>

*Source: Isacson (2005).*

The U.S. involvement in Colombia accelerated with Plan Colombia and the Andean Regional Initiative (ARI). Signed into law in July 2000, Plan Colombia shifted the U.S. focus from the police to the military, accounting for U.S. $1.3 billion to combat drug-trafficking. While the military component originally represented only 7 percent of the budget, it ended up as the bulk of the funds available. That is, between 70 and 80

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13 Section 1004 is one of the largest sources of military and police assistance to Latin America and the Caribbean.

14 The ARI was an expansion of the Plan Colombia approved in 2001. The name change, according to Pizarro and Gaitán (2006), was a response to two specific circumstances. On the one hand, pressure from the countries in the region troubled by the possibility that the Colombian conflict would worsen and they would not be able to contain it. On the other hand, these countries were also fearful that if Plan Colombia was successful in reducing coca and poppy cultivation, production would increase in other places.
percent of the resources went directly to military assistance (Pizarro & Gaitán, 2006). The plan also included at least 95 UH-60 and UH-1N helicopters, aerial herbicide fumigation of 3.5 million acres, the training of over 75,000 soldiers and police, numerous cargo planes and patrol boats, and advice, intelligence and logistical support (Isacson, 2015b). Moreover, the U.S. led the creation of two counterdrug military units: the First Army Counter-narcotics Brigade and the Navy Riverine Brigade—forces that became the U.S. military’s principal partners during the internal armed conflict (Isacson, 2005).

Yet the composition of Plan Colombia has been shaped far more by Washington’s agenda than by Colombian interests and preferences (Ramírez Lemus, Stanton, & Walsh, 2005). Indeed, President Pastrana’s (1998-2002) proposal, which was developed in 1999, was radically reformulated by U.S policy-makers. While Pastrana prioritized peace, then development, and finally drug-trafficking, Washington decided to focus instead on counter-narcotics issues. The need to combat drugs and not to become involved in Colombia’s internal conflict, in particular, was the rationale behind the U.S. final version of the plan (Rosen, 2014). Another major transformation came in the framework of post-September 11, 2001. The terrorist attacks on the World Trade Center and Álvaro Uribe’s approach to the problem opened the doors to a greater U.S. involvement against guerrilla movements. Accordingly, Washington’s enemies were no longer perceived as drug-traffickers but as “narco-terrorists,” the new category intelligently created by Uribe to justify the survival of the plan in a different international landscape.

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15 As noted, the first beneficiary of counterdrug aid was the Colombian police. In 1997, for example, 90 percent of the aid went to the police, especially for interdiction efforts and fumigation campaigns (Ramírez Lemus, Stanton, & Walsh, 2005).
16 Plan Colombia was originally written in English, a fact that illustrates Washington’s dominant role during the elaboration and implementation of the plan.
17 The role of the Director of the Office of National Drug Control Policy (ONDCP), the ‘drug czar’ Barry McCaffrey, was critical in altering Pastrana’s original formulation of the plan.
The SSM in Colombia: success or failure?

Colombia received almost $8 billion in U.S. aid over a decade (Bagley, 2012). Since 1999, the country became the world’s third largest recipient of U.S. military aid, only surpassed by Israel and Egypt (Pizarro & Gaitán, 2006). In 2003, for instance, seven of every ten dollars in military or police aid to the entire hemisphere went to Colombia, accounting for U.S. $600 million (Isacson, 2005). In this context, is the country producing less cocaine than before? Is the internal conflict finally over? Has Colombia’s rising tide of violence receded? And, more generally, have the U.S.-sponsored policies developed in Colombia achieved the expected results? Certainly, there are no clear-cut answers to these questions, although a few considerations can be made.

First, the overall cocaine production in Colombia decreased since the implementation of Plan Colombia. Coca bush cultivation, which remains limited to Bolivia, Peru, and Colombia, has been declining since 2007. This trend has been mainly driven by a 25 percent decrease in Colombia.18 As a result, the estimated global production of pure cocaine in Colombia also declined, reaching the lowest level since 1996 (UNODC, 2014). These figures, however, have been partially offset by increases in the areas under coca cultivation and the manufacture of cocaine in Bolivia and Peru respectively (UNODC, 2012). This process, also known as the “balloon effect” (Bagley, 2012) or the “push-down/pop-up factor” (Nadelmann, 1988), casts doubts on the overall success of Plan Colombia, particularly when the whole Andean region is considered. Furthermore, the significance of the recent decline in Colombia’s cocaine production is

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18 According to UNODC (2014), the Pacific region remained the region with the largest coca cultivation, representing 42% (25,680 ha) of the national total, followed by the Central (25% or 15,310 ha) and Meta-Guaviare regions (14% or 8,710 ha).
tempered by improvements in the efficiency of the manufacture process that are believed
to take place over the long term (UNODC, 2014). Not surprisingly, cocaine and heroin,
the two illicit drugs that have their origins in Colombia, remain cheaper and more readily
available than ever before (Rosen, 2014). According to the U.S. Department of Justice’s
2012 Cocaine Signature Program, 95.5 percent of the cocaine in their sampling system
seized in the U.S. originates in Colombia (Bureau for International Narcotics, 2014).

Second, the internal conflict clearly decelerated, although it is not over. Today,
the FARC and ELN are weaker and less numerous than they were in 2002. Recent
estimates suggest that FARC members were reduced to about 7,000 from approximately
20,000 in 2002 (Isacson, 2015a). The FARC also lost control of coca-growing areas and
experienced a significant reduction in kidnappings, meaning a decrease of their income
by 90 percent (Yaffe, 2015). Similarly, around 31,000 pro-government paramilitary
groups demobilized by 2009, representing a fundamental shift in the search for peace
(Restrepo, 2012). Under these circumstances, Colombia’s peace dialogs with the FARC
are perhaps the best illustration of the country’s new landscape. Since Juan Manuel
Santos took office in mid-2010, the government’s approach to the internal armed conflict
changed dramatically. Unlike his predecessor Uribe, who denied the presence of an
internal conflict by arguing instead that Colombia had a terrorist problem, President

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19 Other caveats about Colombia’s lower levels of cocaine production includes the presence of year-to-year
variations due to climate factors and short-term disruptions; the development of innovations in more
productive hybrid plants, yields-perhectare, and processing that can produce higher levels of refined
cocaine production than anticipated by UN analysts; and the ongoing decentralization and dispersion of
cultivation in Colombia, which makes accurate mapping of the total number of hectares under cultivation a
very problematic endeavor (Bagley, 2012).

20 Peace dialogues began in Habana, Cuba, in November 2012. The agenda presented by President Santos
includes six points: land and rural development; the political participation of the FARC; an end to the
conflict; drug trafficking; victims’ rights; and implementation of accords.

21 Uribe’s Democratic Security Policy focused on military authority as the main mechanism to address
Colombia’s decades-old armed conflict.
Santos recognized guerilla’s status of belligerents, paving the way for the peace talks (Rosen, 2014).\(^{22}\) As of mid-2015, indeed, the FARC and Colombia’s government are engaged in their fourth attempt to negotiate an end to their conflict. The Havana talks, however, have advanced much farther than the three previous efforts and there is a growing sense that a final peace treaty is now likely (Otis, 2014). As Yaffe (2015, p. 85) observes, “Colombia contemplates for the first time in five decades a serious possibility of resolving the internal armed conflict and achieving peace.”

Third, certainly there have been wide security gains since the implementation of Plan Colombia. Drug-related violence is far from the levels seen when homicides spiraled out of control during the 1990s. The country’s homicide rate in 2013, for example, was 32.3 per 100,000 inhabitants, representing a reduction by over half since 2002. By the same token, kidnappings dropped by 90 percent, whereas forced disappearance and displacement also decreased significantly (Isacson, 2015a).\(^{23}\) While the minor role of the FARC, ELN, M-19, and AUC has contributed to this trend, the disappearance of large international cartels has been decisive in this respect. Yet, the dissolution of the Medellín and Cali cartels, together with other violent organizations such as the AUC, has facilitated the emergence of smaller narco-criminal groups. As Isacson (2015a, p. 153) suggests, “the actors that generate Colombia’s violence have mutated, but they remain quite active.” Today’s drug organizations are mainly groups with low-profile leaders such

\(^{22}\) In 2012, the Colombian Senate passed the Legal Framework for Peace. Among other important things, this constitutional reform sets that BACRIM members are criminals, as opposed to other actors participating in the internal armed struggle (Rosen, 2014).

\(^{23}\) Despite these achievements, Isacson (2015a) observes that extortion, non-violent crime, and guerrilla attacks on infrastructure are still up in Colombia.
as Bandas Criminales (BACRIM)\textsuperscript{24} or smaller drug-trafficking organizations commonly known as “cartelitos.”\textsuperscript{25} Moreover, as another unintended consequence of the implementation of the SSM in Colombia, international organized crime shifted northwards into Mexican territory. According to Bagley (2012, p. 5), “Mexico’s current drug-related bloodbath is, in part, directly attributable to the partial victory in the war on drugs achieved in Colombia in recent years via Plan Colombia.”

In short, although there have been some major gains since the approval of Plan Colombia, particularly when the country is considered in isolation, caution must however be exercised in the interpretation of results. As noted, today’s cocaine is purer, cheaper, and more readily available. Colombia may have reduced its production capacity but Bolivia and Peru could be following an inverse path. Similarly, while security in Colombia has improved significantly in recent years, many scholars suggest that Mexico’s rising violence is a direct consequence of the U.S.-sponsored policies developed in the Andean country. Moreover, empirical evidence indicates that security in Colombia has been achieved at the expense of its democratic institutions, respect for human rights, the population’s health, and the environment (Ramírez Lemus, Stanton, & Walsh, 2005). In this context, former U.S. Defense Secretary Robert Gates’ optimism when defining the Colombian case as “a linchpin of security and prosperity in South America … a unique source of experience and expertise” (U.S. Department of Defense, 2010) must be tempered by extreme caution.

\textsuperscript{24} BACRIM participate in drug-trafficking and many other illegal activities. Most of their members were part of the AUC before they demobilized in 2006. Some of the most well-known BACRIM are Los Urabeños, Los Rastrojos, and Las Águilas Negras.

\textsuperscript{25} Unlike the BACRIM, cartelitos emerged after the dissolution of the Medellin and Cali cartels. According to Bagley (2012), there are approximately 300 cartelitos operating in Colombia.
1983-1989: The Alfonsín administration

Focusing on the presidency of Raúl Ricardo Alfonsín (1983-1989), this chapter shows that despite the mode of transition strongly influenced the country’s drug policy, the rejection of the SSM did not come solely “from above.” Civil-society actors such as epistemic communities, moral entrepreneurs, and social movements, strengthened by the emergence of watchdog journalism, promoted the defense of human rights and the subordination of the armed forces to civilian authority. This process, in turn, affected the government’s policy alternatives to deal with the country’s nascent drug problem by ruling out repressive initiatives that could reverse some of the achievements of the democratization project led by Alfonsín. Argentina’s significantly higher level of civil society mobilization, of course, was dependent upon the mode of transition—that is, transition “after regime collapse.” Although the president’s original agenda was partially reversed by the end of his mandate, the institutional architecture developed since 1983, especially the 1988 National Defense Law, would last for decades. More generally, therefore, this chapter suggests that the rejection of the SSM was part of a broader trend of Argentina’s democratization process in a context were illicit drugs were still not
considered a top priority by government officials and the country still benefited from relatively high levels of autonomy vis-à-vis the U.S.

The legacies of the past: the armed forces and the SSM

Argentina experienced a process of increased militarization during the second half of the twentieth century. Between 1955 and 1983, the South American country underwent several regime changes, alternating civilian governments with military juntas. Indeed, none of the four democratically elected presidents (Frondizi, Illia, Cámpora, and Perón) since 1955 completed their term due to different military coups. Despite some aspects of state terrorism were present during most of the country’s authoritarian regimes, the Proceso de Reorganización Nacional (National Reorganization Process) was largely considered the bloodiest dictatorship ever experienced. The military junta that ruled Argentina from March 1976 to December 1983 was particularly known for the vast violation of human rights and the disappearance of around 30,000 people. Other salient characteristics include the progressive deterioration of the economy, the suppression of most of the country’s democratic institutions, the suspension of the Constitution, and the decision to bring Argentina into a devastating war against Great Britain in 1982.

In a context of increasing political and economic difficulties, the population also witnessed the expansion of the country’s security agenda. In addition to the proliferation of domestic subversive groups, other “enemies” that were previously ignored gained momentum. The drug problem, in particular, began to be widely publicized by the facto government of Alejandro Lanusse (1971-1973) and a group of experts as the new enemy within. Commonly framed as a national security threat, drugs were constructed as a danger to “the future of the fatherland” (Cámara de Diputados de la Nación, 1974). As
Touzé (2006) contends, drug users were often depicted as hazardous, rebellious, and young people questioning the established order. This approximation, Manzano (2015, p. 38) suggests, “created a visible link between youth, deviance, and subversion.” In other words, the use of illicit drugs was not only considered a social or medical problem but also a political one, requiring emergency measures outside the normal bounds of politics.

Concerns about drug use were opportunely reinforced by the mobilization of different moral entrepreneurs. Police agents, together with a growing group of phsyiatrists specialized in toxicology, joined ranks with the national government to promote a harsher approach to drugs in Argentina (Manzano, 2015). In 1971, for instance, the Servicio de Toxicomanía (Toxicology Service) was inaugurated at the Borda Hospital and the Centro de Prevención de la Toxicomanía (Center for Substance Abuse Prevention) was eventually created in the Department of Toxicology of Universidad de Buenos Aires’ Faculty of Medicine. Altogether, these different institutions would play a vital role in shaping the forthcoming drug control legislation in Argentina.

The prevailing discourse, of course, was backed by a new government-appointed architecture. A bureaucracy specifically arranged to deal with the drug problem was rapidly created and the national state became increasingly involved in counter-narcotics politics. Founded in 1971, for example, the División de Narcóticos (Narcotics Division) became the first relevant actor in the making of Argentina’s drug problem. The new institution’s growing relevance became evident four years later when its operation

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26 According to Becker (1963), moral entrepreneurs are individuals who attempt to persuade others to adhere to a particular symbolic-moral universe. Along similar lines, Finnemore and Sikkink (1998, p. 896) define moral entrepreneurs as “agents having strong notions about appropriate or desirable behavior in their community.”

27 The only antecedent of the Narcotics Division was the Alkaloid Brigade, an institution that operated between the 1920s and 1970s. According to Manzano (2015), this agency had no more than five agents to deal with all its drug cases.
capacity was significantly expanded to encompass a total of six special brigades (Manzano, 2015). The creation of the Consejo Nacional de Toxicomanía y Narcóticos (National Council of Toxicology and Narcotics) in 1972 complemented the consolidation of this process by coordinating every single aspect of Argentina’s drug policy.

Not surprisingly, in 1974 the administration of María Estela Martinez de Perón (1974-1975) passed Law 20.771, penalizing the use of drugs. Accordingly, drug users were no only considered ill persons but also criminals (Kornblit, Caramotti, & Di Leo, 2010). The new legislation was passed at the time when drug use was not a major problem in Argentina and drug-trafficking was not a significant illegal activity in the country. As Manzano (2015, p. 54) notes, the new legislation, which was the first instrument fully dedicated to narcotics, “marked the start of a repressive project aimed at restoring state authority at all levels of social and cultural life.” This legal instrument was underpinned by Law 20.840, unfolding the so-called “National Security Doctrine;” that is, the legislation used by the military during the Proceso de Reorganización Nacional to fight against the proliferation of subversive groups in Argentina.

All these institutional developments coincide with a rapid expansion of the cooperation between Argentina and the U.S. in the field of narcotics, reversing a trend of relative autonomy from Washington’s dictates. In fact, long before the Bureau of

28 Article 6, in particular, mandated imprisonment for personal-use drug possession.
29 The “Third Position” dominated most part of Argentina’s foreign policy during the Cold War. This doctrine emphasized the national government’s opposition to any kind of imperialism, placing Argentina as a third position in the confrontation between capitalism and communism. The Third Position was internationally consolidated in 1973 when Argentina joined the Non-Aligned Movement (N.A.M.) as a full member. Even though the South American country had already established numerous contacts with representatives of the organization, its formal incorporation came into effect at the Fourth Conference held in Algiers in September, 1973. According to Saavedra (2004), Argentina’s admission was perceived as a way to reduce its dependence, to promote development, and recover the international prestige that the country enjoyed in the past. Most important, there is consensus among scholars suggesting that the national
Narcotics and Dangerous Drugs (BNDD) had set up offices in Colombia and Peru, Argentina already harbored an advanced outpost of the American institution (Manzano, 2015). The formal links between both governments, however, gained momentum in 1973, when the Ministry of Social Warfare and the U.S. embassy signed a counter-narcotics bilateral agreement. In a televised press conference, the Minister of Social Welfare, López Rega, declared together with the U.S. Ambassador, Robert Hill, that “we hope to wipe out the drug traffic in Argentina … this anti-drug campaign will automatically be an anti-guerrilla campaign as well” (Blum, 2003). According to both government officials, the drug problem was intimately connected to the activity of guerrilla movements.

All these episodes signaled the national government’s disposition to adopt the SSM. As a matter of fact, most of the main features of the SSM were present during the mid-1970s. That is, the military’s role in counter-narcotics efforts was expanded, harsh counter-narcotics legislation was passed, and aid grants and training for security purposes to fight against the drug problem increased. Moreover, the use of drugs was framed as one analogous to traditional national security preoccupations, often overlooking its economic, social, and cultural dimensions. Unlike other Latin American countries, however, the implementation of the SSM would not last long in democratic Argentina.

**The effects of democratic transition**

One may have expected a further consolidation of the SSM in Argentina, particularly because the war on drugs intensified in the U.S. with the explosion of crack cocaine consumption and its related violence during the 1980s. Nevertheless, Argentina’s drug government’s decision to participate in the N.A.M. did not improve Argentina’s international integration. By contrast, it isolated the country even more from the U.S. influence (Tokatlian, 2000a).
policy did not follow the regional trend. While countries such as Colombia, Bolivia, Peru, and the Caribbean region embarked on a process of increased militarization to combat drug-trafficking, Argentina deviated from the modal pattern and resisted the U.S. pressure to fully adopt the SSM. Furthermore, the process initiated by the Lanusse administration during the 1970s was gradually reversed with the recovery of democracy.

Civil-military relations and drug policy in democratic Argentina

The Malvinas war, together with the growing presence of economic problems, prompted large protests against the military government, hastening its downfall. Under these circumstances, President Bignone’s (1982-1983) failed to contain the proliferation of internal divisions within the ranks of the military and called for elections in October, 1983. The Unión Cívica Radical’s (UCR) presidential candidate, Raúl Alfonsín, who campaigned on a platform based on the protection of liberties and human rights, took advantage of Argentina’s social discontent against the armed forces and unexpectedly defeated the Peronist candidate, Ítalo Luder. By the end of the year, democracy was finally restored and the newly elected president began to develop a process of democratic consolidation that would have several consequences on the country’s drug policy.

The transition outcome, of course, was directly influenced by the nature of the preceding authoritarian regime, considered economically destructive and highly repressive (O'Donnell, 1992). Unlike other Latin American countries, the military junta that governed Argentina between 1976 and 1983 entered the transition process from a position of weakness.\(^30\) The growing erosion of their legitimacy, couple with the fact that they picked the wrong candidate when trying to reach out to the opposition during the

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\(^{30}\) Agüero (1998) contends that Argentina’s military regime was indeed the weakest among other South American countries such as Brazil, Chile, Peru, and Uruguay.
country’s democratization, hindered the development of a political compromise between the armed forces and the emerging constitutional regime.\footnote{The military junta approached the Peronist party in order to reach a political compromise that could guarantee a conciliatory transition.} Despite the military tried to clear themselves from any responsibility in terms of human right violations before the return of democracy in 1983, their exit was not safeguarded as it happened in countries such as Brazil, Chile, and Ecuador.\footnote{In Argentina, the armed forces passed three main documents aimed at protecting themselves from the atrocities committed during the Dirty War: the Documento Final (Final Document), the Acta Institucional (Institutional Act), and Ley de Pacificación Nacional (National Participation Law).} Not surprisingly, this process was described by Viola and Mainwaring (1985, p. 193) as a “transition after regime collapse,” as opposed to “transitions from above,” were there is a significantly high level of continuity.

Alfonsín honored the promises made during the political campaign and rapidly focused on the armed forces, aiming at pairing down the institution’s size, power, and privileges (Pion-Berlin, 1991). The first measures, however, were intended to prosecute the military chiefs implicated in the Dirty War. Shortly after Alfonsín took office, the National Congress revoked the so-called Self-Amnesty Law and the President signed Decree 158, which mandated the initiation of legal proceedings against top military officers. The Radical Party’s newly elected president, for the first time in Argentina’s history, prosecuted the military juntas for participating in human rights violations, stressing Alfonsín’s fervent commitment to restore the country’s rule of law.\footnote{The Juicio a las Juntas (Trial of the Juntas) proved the crimes of the military during the Proceso de Reorganización Nacional and top officers such as Jorge Rafael Videla, Emilio Eduardo Massera, Roberto Eduardo Viola, and Leopoldo Galtieri were sentenced to life imprisonment.}

The consolidation of a civilian-led institution situated between the President and the military command was of paramount importance for the consolidation of democracy (Huntington, 1957). Building on these grounds, Alfonsín successfully inserted the
Ministry of Defense into the chain of command between himself and the armed forces. The decision-making autonomy of each branch of the military was drastically reduced and the heads of each service were formally downgraded from commanders to chief of staff (Pion-Berlin, 2001b). Furthermore, traditionally military prerogatives in central areas such as budget, arms production, and defense policy were directly transferred to the Ministry of Defense, whereas other functions often performed by the armed forces such as drug interdiction operations were virtually dismissed.

The military spending was also drastically reduced, implying not only the progressive confinement and limitation of the armed forces’ operative capacity, but also the deterioration of its salaries, and the overall number of its active personnel (Smith & Acuña, 1995). Defense expenditures decreased 40 percent between 1983 and 1986, representing the world’s largest reduction for any country whose total defense budget exceeded $100 million (Table 2.0). More specifically, the deepest cuts were made in operations (42 percent) and equipment (50 percent), whereas salaries fell 25 percent between December 1983 and October 1984 alone (Pion-Berlin, 1991). By 1986, only 2.3 percent of the total budget was allocated to the military, thereby representing the lowest level in more than 15 years (Gargiulo, 1988). Such budgetary cuts, together with the government’s attacks on the military as an institution, dangerously reduced the already low morale of Argentina’s armed forces, Stepan (1988) suggests.

The overall size of the armed forces was also diminished during the Alfonsín administration. The military personnel went from 153,000 in 1983 to 78,000 in 1986, with the army leading the downward trend with 45 percent of the cuts experienced. By the same token, the navy lost 30.1 percent of its manpower, whereas the air force 11.8
percent (Pion-Berlin, 1991). As a consequence of this process initiated in 1983, the armed forces’ operational capacity was considerably damaged and traditional tasks had to be reassigned in order to deal with the growing personnel shortage. Under these circumstances, critics to the Argentina’s decreasing military capabilities often referred to the Ministry of Defense as the “Ministry for Disarmament.”

Table 2.0: military expenditures in Argentina, 1983-1989

<table>
<thead>
<tr>
<th>Year</th>
<th>Military expenditures</th>
<th>% of GDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>1983</td>
<td>6.167871393</td>
<td>3.5</td>
</tr>
<tr>
<td>1984</td>
<td>5.305161213</td>
<td>2.3</td>
</tr>
<tr>
<td>1985</td>
<td>4.914777951</td>
<td>2.3</td>
</tr>
<tr>
<td>1986</td>
<td>5.308153537</td>
<td>2.3</td>
</tr>
<tr>
<td>1987</td>
<td>5.386184154</td>
<td>2.3</td>
</tr>
<tr>
<td>1988</td>
<td>4.914777951</td>
<td>2.1</td>
</tr>
<tr>
<td>1989</td>
<td>4.085904056</td>
<td>1.9</td>
</tr>
</tbody>
</table>

Source: author based on Pion-Berlin (2001b)

Yet the most radical transformation of the civil-military relations, particularly because it would greatly affect the country’s drug policy, came in April, 1988, when the National Congress passed Law 23,553 (National Defense Law), thereby annulling previous defense legislation crafted by President Onganía in 1966. Unlike the prior legal instrument, which expressly allowed the military force to confront domestic threats such as drug-trafficking, the new legislation formally divided the spheres of internal security and external defense, restricting the role of the military to external aggressions.

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34 Military expenditures are calculated in 1997 Argentine pesos.
35 Law 16,970 was the basis of the National Security Doctrine applied by the military during the Dirty War.
36 Specifically, Articles 2 and 4. In the parliamentary debate, the radical congressman, Antonio Berhongaray, defined the concept of ‘aggression’ as “the invasion, the attack of the armed forces of a state against the territory of another state; the bombing of the land, sea or air forces against the territory of another state or the use of any weapons by a state against the territory of another state; the blockade of the
Radical institutional changes like this, of course, occur in the aftermath of significant crisis such the wake of a war or depression (Skocpol, 1985). The point is that this new regulation certainly marked a turning point in Argentina’s civil-military relations, as the emerging institutional organization promoted a solid conceptual differentiation between law enforcement agencies on the one hand, and the military, on the other.37

In this context, the armed forces’ mission options were considerably reduced, limiting their influence in domestic politics. Out of the four major duties the armed forces had in Latin America at this time—namely conventional defense, international peacekeeping, internal security, and civic action—Argentina’s military only retained one: conventional defense.38 While in countries such as Bolivia, Colombia, and Peru the armed forces were deeply involved in a wide variety of internal security functions such as drug interdiction operations, in Argentina they were only constrained to combat conventional threats. In particular, the National Defense Law stripped the military of the two legal instruments that allowed the development of different drug interdiction initiatives: the National Security Doctrine and Law 20.771. Most importantly, this new institutional framework would have enormous consequences on Argentina’s political trajectory, as it would constrain the policy preferences of future political elites trying to adopt the SSM by reinforcing continuity and discouraging change.

ports and coasts of a state by the armed forces of another; the attack by the armed forces of a state on the land, sea or air forces of another state against its merchant fleet or air; the use of armed forces of a state who are in the territory of another state with the agreement of the receiving state in violation of the conditions laid down in the agreement or any extension of their presence in such territory beyond the termination of the agreement” (Cámara de Senadores, 1986).

37 The legal framework was further advanced by presidents Menem and De la Rúa through the Internal Security Law 24,059 and the National Intelligence Law 25,520 respectively.

38 For a detailed approach to the military’s mission options in Latin America see Hunter (1996).
The military’s restricted role was not always resisted by members of the armed forces. In a meeting held in Mar del Plata on November 13, 1987, the Argentine army agreed with other Latin American representatives on the main disadvantages of involving the armed forces in domestic affairs, particularly in the fight against drug-trafficking (Malamud-Goti, 1994a). According to Alberto Rodríguez Giavarini, at the time Alfonsín’s Secretary of Defense, several reasons were given for keeping the armed forces out of counter-narcotics operations. On the one hand, some feared that contact with drug-traffickers would eventually affect the military’s formal discipline. On the other hand, others argued that the American version of the national security doctrine led some Latin American armies to embark on a “dirty war” against insurgent left that ultimately generated confusion about the roles of the police (Malamud-Goti, 1994b).

Following Stepan (1988), the armed forces’ uncaring attitude towards the restrictions posed by the National Defense Law may suggest that the military did not assume that they had an acquired right or privilege to perform counter-narcotics operations. In fact, empirical evidence indicates that the military in Argentina did not strongly resist the new democratic government’s initiative to reduce their prerogatives in the field of illicit drugs. As Stepan (1988, p. 98) asserts, “the military might accept a reduction of their prerogatives without contestation if such a pattern of low prerogatives were seen as an integral part, by both the military and the civilian leaders, of the overall model of governance and of civil-military relations that is being restored.” In other words, while there was an intense dispute between the armed forces and the government on key issues-areas such as the violation of human rights by the previous authoritarian
regime, it seems that there was a substantial agreement or at least accommodation in terms of the military’s restricted role to perform counter-narcotics operations.

As already noted, the landscape in countries that adopted the SSM was completely different. Colombia, for example, has remained a democracy since the only military coup in 1953. After experiencing a “pacted transition” in the late 1950s, the armed forces retained a considerably high degree of autonomy. According to Ramírez Lemus, Stanton and Walsh (2005), the military’s autonomy lies in the perception of neutrality gained during La Violencia, as the army initially declined to participate in the conflict between Liberals and Conservatives. In exchange for controlling the government, the armed forces were granted with enough authority to design and implement the country’s national security policy away from civilian oversight. The military’s power grew, the authors further suggest, as the consequence of the executive branch’s frequent invocation of the state of siege during the counterinsurgency campaigns of the 1960s and 1980s. The 1978 Security Statute, in particular, legalized the armed forces right to fight against the “internal enemy,” opening the gates for the arrival of the National Security Doctrine.

Consequently, the use of the military in domestic affairs has not become unpopular like in Argentina, although Colombia’s armed forces avoided assuming political leadership (Mares, 2001). The 1980s, in particular, witnessed an increased role for the military in domestic politics due to the emergence of different drug cartels and left-guerrilla groups. Indeed, the consolidation of the SSM, especially since the

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39 Between 1984 and 1989, in the context of the war against drug-trafficking, the state of siege was invoked 139 times, thereby extending the military’s extraordinary powers over the Colombian government (Ramírez Lemus, Stanton, & Walsh, 2005).
40 Other legal mechanisms underlying the military’s prerogatives to intervene in matters of internal security include Decree 3655 of 1986, Decree 3671 of 1986, and the 1988 Defense of Democracy Statute.
administration of President Belisario Betancur (1982-1986), paved the way for the armed forces’ involvement in internal security functions such as drug interdiction operations. Even though the Security Statute was revoked in 1982, the military doctrine characterized civil society actors as the “internal enemy” (Ramírez Lemus, Stanton, & Walsh, 2005).

Pressures “from below”

Alfonsín confronted pressures from concentrated interests and civil society in general. In fact, the aforementioned institutional outcome was possible, in part, due to the presence of a broad social support demanding a further consolidation of democracy. Discussions around the drug problem, indeed, were not divorced from Argentina’s prevailing social climate. As Manzano (2015, p. 61) writes, by the mid-1980s, “wide segments of Argentines thought that it was possible and desirable to rethink the drug problem, thanks in part to its association with authoritarian projects.” Therefore, a highly repressive approach to narcotics such as the war on drugs was not only hampered by the emerging institutional architecture crafted by legal mechanisms like the National Defense Law but also because it represented a highly expensive alternative in the eyes of a population terrified by the results of the National Security Doctrine applied during el Proceso.

Human rights organizations, in particular, were at the forefront of civil society-based politics in Argentina since the recovery of democracy (Friedman & Hochstetler, 2002). Even before 1983, human rights movements successfully focused public outrage against the military junta, capturing the attention of similar organizations working to restore the constitutional regime. As Brysk (1994) notes, this trend helped to transform Argentina’s political scenario “from below.” Although the role of government-appointed
institutions such as the National Commission for Forced Disappearances (CONADEP)\(^{41}\) was critical in this respect, society-based movements were also exceptionally effective in containing the attempts to restore any repressive policy in democratic Argentina. Composed by grieving families of victims, principled civil libertarians, and religious figures, they contributed to shape the country’s democratization process (Brysk, 1993).

The human rights movement in Argentina was extremely large. Some of the most historical organizations include Madres de Plaza de Mayo (Mothers of the Plaza de Mayo), Abuelas de Plaza de Mayo (Grandmothers of Plaza de Mayo), Hijos e Hijas por la Identidad y la Justicia contra el Olvido y el Silencio (Children of the Disappeared), and Movimiento Ecuménico por los Derechos Humanos (Ecumenical Human Rights Movement). By participating in debates, bargaining with the state, providing information, and mobilizing civil society, these human rights organizations framed the rights that were deemed integral to democracy (Bonner, 2005). While key decision-making took place outside the bounds of drug policy, the effects of their mobilization would permeate the nature of Argentina’s drug policy for many years. Other organizations, by contrast, did work specifically in the field of drugs, contributing to reject the SSM in Argentina. This was the case of Asamblea Permanente por los Derechos Humanos (Permanent Assembly for Human Rights).\(^{42}\) In February, 1989, the Asamblea released a report supporting the defense of human rights when dealing with the country’s drug problem (1989).

\(^{41}\) CONADEP was created in December, 1983. The institution aimed at investigating the fate of the desaparecidos (missing people) and other human rights violations. Most of its work was published in the Nunca Más volume.

\(^{42}\) The Permanent Assembly for Human Rights was founded on December 18, 1975.
The human rights emerging regime in Argentina was both encouraged and supported by the development of different epistemic communities. These networks of knowledge-based expert played a critical role in helping both the national government and human rights movements to frame the collective debate on drugs, thereby hampering the development of any state repressive policies in Argentina. The mobilization of NGOs such as Centro de Estudios Legales y Sociales (Center for Legal and Social Studies or CELS) and Coordinadora contra la Represión Policial e Institucional (Coordinator Against Police Repression or CORREPI) illustrates the strength in which citizens have exercised control over both the military and law-enforcement agencies (Smulovitz & Peruzzotti, 2000). According to Hass (1992), epistemic communities like those operating in democratic Argentina since 1983 often contribute to the creation and maintenance of social institutions that guide the government’s behavior.

Organizations like CELS, in particular, eventually became an authoritative claim in Argentina, monitoring the activities of the Alfonsín’s administration. As Gastón Chillier (2014) explains, one of the organization’s main goals since its origins in 1979 was to democratize the armed forces. In doing so, CELS devoted its attention to control the promotions and purging of the military, on the one hand, and to outlaw the intervention of the armed forces in matters of internal security, on the other. Through different initiatives such as the organization of public conferences, the publication of op-eds, and research papers, the organization openly rejected the proliferation of different repressive policies because they were “violating human rights worldwide.” According to

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43 Following Haas (1992, p. 3), an epistemic community is “a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy relevant knowledge within that domain or issue area.”
Horacio Verbitsky (2015), during the Alfonsin administration, CELS was determined to promote an alternative policy to deal with the country’s alleged drug problem. The consequences of the war on drugs promoted in Latin America by the U.S. during the 1980s, Verbitsky further notes, were “more harmful than drugs themselves.”

Furthermore, in the mid-1980s, when the Southern Command began to pressure the government of Raúl Alfonsín to join the war on drugs launched by President Ronald Reagan, CELS proposed a “reversal of the terms to deal with the drug problem” (Verbitsky, 2015). Illustrative of the punitive approach in Argentina was the proliferation of different legislative projects aimed at criminalizing drug possession for personal use, Verbitsky noted in an op-ed published by Página/12 in April, 1989. From this perspective, this trend would not only hamper the constitutional right that prohibits the intervention of the magistrates in the private actions of individuals but would also increase the profits of different drug-trafficking organizations (Verbitsky, 1989).

Another chief NGO working in the field of drugs was Fondo de Ayuda Toxicológica (Toxicological Relief Fund or FAT). Created in 1966 by Professor Alberto Italo Calabrese, FAT was the first institution committed to understand and provide solutions to the increasing levels of drug use in Argentina. By offering free treatment to addicts and their relatives, the institution framed the use of drugs from a health and human rights perspective. Alternatives to the punitive paradigm, the organization contends, included prevention, assistance, training, research and consultancy initiatives. Through the promotion of harm reduction campaigns, for example, FAT provided an alternative approach to deal with the increasing rates of HIV/AIDS.

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44 Horacio Verbitsky is perhaps the organization’s most representative figure. He is the current president of CELS.
Altogether, human rights organizations and epistemic communities have contributed both to reverse the consolidation of the SSM and to limit some isolated attempts to develop a repressive drug policy by increasing the levels of societal accountability. The actions of these multiple array of citizens’ associations and movements shaped the national debate on drugs, constrained the state alternatives to deal with the issue, and, in some cases, reversed some policy decisions promoted by different public officials. Overseeing government officials and domestic institutions such as the armed forces, indeed, has become one of the most distinguished characteristic of Argentina’s political regime since the consolidation of democracy in 1983.

Argentina’s significantly higher level of civil society mobilization, at least when compared to other Latin American countries and the Caribbean, was largely dependent upon the mode of transition—that is, transition “after regime collapse.” The presence of a radical rupture with the past, in other words, gave the South American country’s civil society a higher capacity to organize and mobilize vis-à-vis the states that experienced “transitions from above.” In the latter case, by contrast, the government has to afford a significant level of continuity from the preceding regime (Viola & Mainwaring, 1985).

*Visualizing contention*

To be effective, however, the mechanisms of societal accountability in Argentina required media visibility (Smulovitz & Peruzzotti, 2000). As O’Neil (1998) contends, media not only links state and society but also impart information that can ultimately constrain the centralization of power and the obfuscation of illicit or unethical actions.

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45 According to Smulovitz and Peruzzotti (2000, p. 150), “societal accountability is a nonelectoral, yet vertical mechanism of control that rests on the actions of a multiple array of citizens’ associations and movements and on the media, actions that aim at exposing governmental wrongdoing, bringing new issues onto the public agenda, or activating the operation of horizontal agencies.”
performed by state officials. The expansion of democratic politics since 1983, indeed, created a fertile ground for the gradual emergence of watchdog journalism in Argentina. Certainly, this trend reversed the press’ complacent relation with state interests that prevailed during the rule of the military junta (Blaustein & Zubieta, 1998).

It is not entirely surprising, therefore, that the press’ new thematic agenda in democratic Argentina revolved around new topics such as official corruption and human rights violations. The new muckrakers portfolio was packed with stories about the violation of human rights, drug-money laundering, and government officials involved in influence-peddling and kickbacks (Waisbord, 2000). According to Kitzberger (2009, 2012), Argentina’s media market was relatively strong, developed, and media credibility was high compared to the rest of the region. Most importantly, the country’s leading newspapers such as *Clarín*, *Página/12*, and *La Nación* were not closely identified with traditional political parties after the recovery of democracy. The separation between press and government, Waisbord (2000, p. 4) suggests, has been “the only ticket for arriving at press freedom and making concrete the ideal of a watchdog press.”

The left-center daily *Página/12*, in particular, was responsible for portraying the views of different academics, politicians, and popular figures, resisting the attempts to develop a repressive approach to deal with the country’s drug problem. More importantly, the newspaper also became the perfect place for politicians willing to influence the government’s public policy. In April, 1989, for example, the Radical legislator, Lucia Alberti, warned Argentines about the “*cascada autoritaria*” (“authoritarian waterfall”). According to Alberti (1989), “the advancement of punishing legislation does not solve the [drug] problem.” Similar to the Radical congressman, the
writings of Adolfo Pérez Esquivel, Atilio Borón, Horacio Verbitsky, among others, illustrate the epistemic community’s commitment with Argentina’s emerging human rights agenda, especially when dealing with the drug problem.

Argentina’s watchdog journalism seemingly contradicts the Colombian case. While the media market in the former country embraced the Western liberal tradition with the recovery of democracy, media was strongly identified with party interests in the latter. According to Waisbord (2000), partisan media was more likely to survive in countries such as Colombia because political parties have been able to maintain a longer presence.46 The partisan press model, in fact, was invigorated by the consecutive administration of the Liberal and Conservative parties since the last military coup in the late 1950s. As Waisbord (2000) shows in his research, in the early mid-1980s, for instance, Bogotá’s newspaper El Espectador lost advertising revenue and entered on an economic struggle because they decided to pursue an investigation on fraud involving Grupo Gran Colombiano, at the time one of the major corporations in Colombia.

The situation in Colombia was worsened by the country’s upsurge of violence. As the power of drug cartels and left-wing guerillas increased during the 1980s, practicing investigative work became riskier. El Espectador, for example, was continuously targeted by the Medellín cartel due to different editorials against the Liberal representative at the Congress and kingpin of the cartel, Pablo Escobar. Public intimidations, death threats, bombing attacks, kidnapping, and even the murder of prominent journalists such as

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46 As Waisbord (2000) notes, the origins of leading newspapers in Colombia dates back to late nineteenth-century and early twenty-century political battles. In fact, confrontations inside and between the Liberal and Conservative parties created today’s premier newspapers, including the cases of El Espectador in 1887, El Colombiano in 1912, El Tiempo in 1911, and Vanguardia Liberal in 1921. This process indicates, the author further suggests, that the fate of the partisan press in Colombia has run parallel to the up-and-downs of political parties, trade unions, and other organizations.
Guillermo Cano and Sylvia Duzán were some of the vast array of violent tactics used by these criminal organizations to intimidate the local press. El Tiempo, Vanguardia Liberal, and El Colombiano suffered a similar faith. The result was shocking: forty-seven reporters were killed in the late 1980s (Waisbord, 2000). As the director of El Tiempo newspaper would assert a few years later, the 1980s “was the worst period for the Colombian press in recent decades” (Santos, 2004).

Unlike Argentina, therefore, both the lack of journalistic autonomy from the political party in office and the use of violence against the press affected the Andean country’s levels of societal accountability by limiting Colombians’ exposure to governmental wrongdoing, especially when dealing with the spread of drug-related violence. The deterioration of the bounds between state and society, in turn, restricted the scope of local mobilization that ultimately keeps the government in check. As Thoumi (1995, p. 224) explains, this environment produced “a damaging psychological effect on Colombia and generated widespread fear and a feeling of insecurity among the citizenry.”

Yet the equation was not that simple. Media institutions are very complex: they are opinion-makers, but they also are very sensitive to public opinion. In other words, newspapers and television programs in Colombia could have not raised concern about the problems of adopting the SSM if society was not receptive. While in Argentina the presence of a recent military experience and the vast violation of human rights created social awareness of the abusive potential of harsh laws, the situation in Colombia was very different. By the mid-1980s, drug-trafficking and its related violence slowly became a priority in the Andean country and society demanded the adoption of harsh measures. Although this counterfactual claim is necessarily harder to establish, it suggests that the
domestic contexts in Argentina and Colombia were different and the role of media was not unidirectional but dependent upon many factors.

**Not a top priority**

The arrival of drug related problems in Argentina was relatively recent compared to most Latin American countries and the Caribbean. Bordered by Paraguay, Bolivia, and Peru, respectively marijuana and cocaine producers, the country was used as a corridor by large foreign cartels that smuggled illicit drugs, particularly cocaine, from the Andean sub-region to Europe and, to a lesser extent, West Africa. Argentina’s domestic market during the 1980s was relatively small, as only a limited amount of the narcotics passing through the country remained for local distribution (Cutrona, 2015a). Although the most popular illicit drug was marijuana, the use of other narcotics such as heroin, cocaine, and amphetamines eventually increased at the beginning of the 1980s when the country entered a stage of multiplication of drug types (Kornblit, Caramotti, & Di Leo, 2010).

Even though Argentina was already inserted within the political economy of illicit drugs as a transit country, narcotics were still not considered a top priority by the Alfonsin administration. As a high-ranked government official remarked, other social issues such as increasing rates of child mortality and childhood illnesses were at the forefront of the national government’s agenda (Malamud-Goti, 1994a). Liliana Chamo, the director of Centro Nacional de Reeducación Social (National Center for Social Reeducation or CENARESCO) endorsed this view when declaring that Argentina was still a “transit country” (Página/12, 1988b). That is to say, drugs were not commonly framed as a national security threat, reversing the trend initiated during the presidency of Lanusse. Furthermore, no significant rates of drug-related violence were experienced
during the 1980s. Since illicit drugs were smuggled by large foreign cartels and the national cocaine market was relatively small, domestic criminal networks maintained a relatively low profile, although they were involved in a wide variety of illicit activities, including the smuggling of marijuana from Paraguay (Cutrona, 2015a).

Alfonsín’s approach to drugs became clear at the Second Conference of Heads of National Drug Services for America held in 1988. During the meeting, the Argentine president questioned the First World’s “double standards” in the fight against drug-trafficking. According to Alfonsín, “it cannot be harsh in one part and permissive in another.” Tackling production needs complementary measures to deal with consumption, demanded the national government. The controversy began after Raimond Kendal, the Secretary General of the International Criminal Police Office, had suggested that “Latin America and illicit drugs had become synonymous.” While recognizing the relevance of drugs, Alfonsín claimed instead that part of the problem was the First World’s lack of policies to fight against drug use. As an attempt to play down the security approach to drugs, Alfonsín contended that “poverty, marginalization, and stagnation” were also parts of the international economic order that damaged Latin America (Página/12, 1988c).

The Argentine landscape visibly contradicted the situation in Colombia, Bolivia, Peru, and the Caribbean region. By the mid-1980s, for example, Peru supplied roughly 65 percent of the world’s supply of coca leaf while Bolivia produced approximately 25 percent, and Colombia 10 percent or less (Bagley, 2012). Moreover, traditional criminal organizations such as the Medellín and Cali cartels, together with left-wing guerrillas like the FARC were already operating in Colombia, whereas the Shining Path was controlling vast portions of the Peruvian territory. Mostly smuggled through the Caribbean route,
many countries of the region were already immersed in unprecedented waves of violence due to different territorial disputes aimed at controlling the market of illicit drugs.

**A complex international context**

Raúl Alfonsín (1983-1989) continued to develop a relatively autonomous foreign policy. Although Argentina’s human rights agenda brought the country closer to the U.S., the newly elected democratic government managed to escape from Washington’s main dictates, particularly during the reactivation of the Cold War (Paradiso, 2007). Russell and Tokatlian (2002) describe Argentina’s foreign policy as competitive.47 Rather than engaging in traditional hard-balancing measures aimed at directly confronting with the U.S., the South American country’s international behavior during the Cold War resembled what some realist scholars depict as “soft balancing.” That is to say, a tacit balancing behavior through non-military tools that attempts to delay, frustrate, and undermine the unilateral decisions of a major power such as the U.S. (Pape, 2005). It is through different international institutions, economic statecraft, and diplomatic arrangements that lesser countries such as Argentina have opposed Washington’s increasing preponderance along the Latin American region and the Caribbean.

The national government, for example, refused to ratify both the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and the Nuclear Nonproliferation Treaty (N.P.T.); it embarked on a joint project with Saddam Hussein for the development of a ballistic missile known as “Condor II;” and continued to develop its capacity to enrich uranium. Argentina’s refusal

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47 According to Russell and Tokatlian (2002), Argentina’s foreign policy paradigm was “globalist.”
to cooperate in the field of international security was topic one on Washington’s list of issues dividing the two countries, according to American officials (Schumacher, 1984).

The multilateral system, in particular, became a confrontation arena between Argentina and the U.S. Before the administration of Carlos Saúl Menem (1989-1999), for example, only five countries voted in the UN more often against the U.S. than Argentina (Cisneros, 1998). Not surprisingly, the South American country increasingly reinforced its sense of commitment towards the Third World rather than the West. As Tokatlian (2000a) shows in his analysis of the UN voting system, in 1986 Argentina coincided with Brunei (17%), Cape Verde (16%), and Ghana (16.1%), whereas the following year it did the same with Bangladesh (12.6%), Ghana (12.5%), and Guinea (12.6%).

According to Neto and Malamud (2015), Argentina’s national material capabilities are not a good predictor of voting behavior. The lack of correlation between the South American country’s sharp decrease in its national capabilities and the voting convergence with the U.S. illustrates this point. As the Composite Index of National Capability (CINC) demonstrates, Argentina lost “power” vis-à-vis the U.S. after the recovery of democracy (Figure 1.0).48 This trend, however, did not force the South American country to bandwagon with the U.S., as the realist tenets broadly suggest. Other factors such as Alfonsin’s leftist ideological position, often characterized by a mixture of liberal ideas and progressivism, together with other domestic constraints, influenced the government’s balancing strategy within the multilateral system, thereby affecting the relevance of systemic forces such as the distribution of material capabilities.

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48 The CINC is a statistical measure of national power that uses an average of percentages of world totals in six different components, representing demographic, economic, and military strength (Singer et al., 1972).
A softer approach to drugs

In this context, Argentina’s general atmosphere slowly began to change. The social image of drug users shifted from criminals to patients, thereby distinguishing between sick people and drug-traffickers. Furthermore, the government helped to legitimize new preventive speeches, expanded and diversified healthcare provision, and revived the legislative debate, placing the drug issue into the public agenda (Kornblit, Caramotti, & Di Leo, 2010). These changes led to a gradual reversal of the repressive trend of the 1970s and to a more tolerant attitude towards drugs. Through the “Bazterrica” case, for

49 Gustavo Bazterrica is an Argentine musician, composer and guitarist. He has been part of bands of great importance in the history of Argentine rock, as La Máquina de Hacer Pájaros, led by Charly Garcia, La
example, the Alfonsín’s Supreme Court declared the unconstitutionality of Article 6 of the drug law.\footnote{Through this decision, the Court modified the criteria followed during the last dictatorship; that is, in cases “Colavini” and “Valerio,” which recognized the offense of possession of small amounts of drugs for personal consumption. Likewise, the “Bazterrica case” would be reversed in 1990 by the case “Montalvo.”} According to one of the judges involved in the case, Enrique Petracchi,

> Our country is emerging from 50 years of political vicissitudes, during most of which prevailed the authoritarianism and intolerance in the rules of social organization; they have put at serious risk the possibility of placing us as a nation within the framework of the ideals which gave foundation. That succession of authoritarian periods were characterized by the proliferation of prohibitions as a resource to control social relationships ... the damage it can cause to the current Argentine society any impairment to the system of individual freedoms is surely less risky than that posed by the social danger of drug addiction... (Bazterrica Gustavo Mario / Sobre tenencia de estupefacientes, 1986, pp. 1391-1392).

Debates around legalization also arose. Several voices calling for a reform in the drug law proliferated, including political movements, magazines, among others. Often based on the arguments posed by moral entrepreneurs like judge Petracchi, political figures such as Adolfo Gass joined the quest for a more flexible approach to drugs. In 1986, the radical senator presented the first project decriminalizing coqueo (coca chewing) and drug possession for personal use since the recovery of democracy. This initiative was later accompanied by a similar project promoted by Matilde Fernández de Quarracino, Lucia Alberti, Néstor Golpe, and Ricardo Felgueras. As one of its authors publicly admitted, “either with harsh laws or soft laws, the drug problem has increased. Solutions lie in a multidisciplinary approach” (Página/12, 1988a).

Most of the claims in favor of marihuana legalization or decriminalization were grounded on the Constitution’s Article 19, which establishes that “the private actions of
men that in no way offend public order or morality, nor injure a third party, are reserved only to God, and are exempt from the authority of the magistrates.” The arguments presented by judge Petracchi and district attorney Malamud-Goti\(^{51}\) buttressed the emergence of softer stances on drugs by building up a consistent body of case-law (Página/12, 1988a). According to Manzano (2015), this trend was part of a broader opening of the country’s culture after years of repression and censorship.

**A truncated agenda**

The proliferation of different army rebellions hindered the development of Alfonsín’s original agenda. Sanctions against the military, indeed, reinforced the armed forces’ perception that the national government would not stop the prosecution strategy initiated in 1983. As Norden (1996) contends, the trials against military officers for human rights violations were the basis of the armed forces munities during the Alfonsín administration. By the middle of January 1987, for example, 487 cases had been presented to courts against some 130 soldiers (Pion-Berlin, 1991). As a consequence, between April 1987 and December 1988, junior and mid-level officers, often known as *carapintadas* (painted faces), reacted by organizing different rebellions.\(^{52}\) According to Stepan (1988, p. 115), “Alfonsín was facing a military that had not fully reconciled themselves to the loss of their prerogatives, and which were beginning to recompose themselves after their post-Malvinas disarray.” Although most of the uprisings were pursued by a minority of the armed forces’ officer corps, the Alfonsin administration slowly began to lose strength while having its political credibility challenged by many Argentines.

\(^{51}\) Similar to Petracchi, the ruling of district attorney Malamud-Goti was consistent with a more flexible approach to illicit drugs.

\(^{52}\) In particular, two rebellions were important: the “Eastern rebellion” and the attack on *La Tablada* Regiment.
The national government reacted by conceding some privileges to the military, even though they never recovered the position they enjoyed during \textit{el proceso}. Two central measures, in particular, were promoted to appease the armed forces’ growing threat to democratic stability. On the one hand, the \textit{Punto Final} (Law of Fullstop) was passed in December, 1986, ordering the end of the investigation and prosecution process of people accused of political violence during the Dirty War. On the other hand, the \textit{Obediencia Debida} (Law of Due Obedience) was passed in June, 1987, which excluded all officers and their subordinates from legal punishing for the crimes committed during the dictatorship as they were supposed to be obeying orders from their superiors.

The concession of political privileges was coupled with the adoption of different measures intended to neutralize future attempts to overthrow the government. Soon after the attack on \textit{La Tablada}, Alfonsín announced in a national transmission “two decrees aimed at creating working areas and instruments of action that … are the most appropriate to deal with this kind of aggression” (Comas, 1989). Through decree 83/89, the president created the “Security Council,” composed of the Ministers of Interior, Defense, and Foreign Affairs; the Secretary of Intelligence; the heads of Joint Chiefs of Staffs and General Staffs of the armed forces. The new institution’s goal was “to advise the president … with regard to the adoption of measures to approach events of organized violence that threaten the security, life, property, or the freedom of the inhabitants of the nation…” (Article 3). Similarly, decree 327/89 established “the organic and functional bases for the preparation, implementation, and monitoring of measures aimed at preventing and averting the formation or activity of armed groups who have capacity to
jeopardize the Constitution or that could endanger the life, liberty, property or safety of the inhabitants of the nation” (Article 1).

Despite the president declared that these initiatives would be developed “within the framework of the law,” both decrees were violating the provisions of Law 23,553, as the armed forces were indirectly allowed to perform traditional law-enforcement activities such as intelligence operations. According to Verbitsky (1989), these legal instruments increased the military’s control over society while favoring repression, producing a “perverse” effect upon the achievements of democracy since 1983. It was surprising, the author further noted, that none of the measures promoted by the Alfonsín administration, particularly decree 327, the antiterrorist law, and article 227 of the Penal Code, were opposed by the Peronist party at the National Congress.

The Alfonsín’s administration suffered similar constrains when dealing with the drug issue. Under pressure of the U.S., for example, the Radical president created in 1985 the Drug Abuse and Drug Trafficking Control National Commission (CONCONAD). Under the direct control of the Ministry of Health and Social Welfare, however, the national government successfully resisted the U.S. pressure and framed the drug problem outside the bounds of security. By 1986, the organization presented its first official document, considering Argentina as “a country of transit for illicit drugs and producer of essential chemical precursor substances” (CONCONAD, 1986, p. 1). Most importantly, and unlike other Latin American countries and the Caribbean, the report clearly acknowledged that “the national government decided to confront the problem of drug-trafficking and drug abuse … from a preventive perspective” (1986, p. 1).
A similar situation occurred on September 15, 1987, when Argentina’s foreign minister, Dante Caputo, and the U.S. ambassador, Theodore Gildred, signed a cooperation agreement to fight against drug-trafficking. Through this legal mechanism a system of covert operations and monitoring was officially launched. By improving the overall capabilities of the Federal Police, National Gendarmerie, Customs, and Argentine Naval Prefecture, the main goal was to “achieve a substantial reduction in the production of cocaine, marijuana, and its derivatives, as well as the circulation of illicit drugs.” The cooperation agreement also aimed at “strengthening the role of the Drug Abuse and Drug Trafficking Control National Commission.” In exchange, the Argentine government committed to submit a biannual report to the U.S. Embassy, specifying the law enforcement measures taken to confront the violation of the drug law, as well a comprehensive list of the seizures and destructions of smuggled goods performed by the national government (Ministerio de Relaciones Exteriores y Culto, 1987).53

Moreover, a second cooperation agreement was signed on May 24, 1989. Aimed at reducing the demand, preventing abuse, and combating illicit production and traffic of illicit drugs, the U.S. government agreed to provide information, equipment, technical assistance, and human and financial resources. Specifically, the contracting parties committed themselves to make coordinated efforts to eradicate illicit drug crops, conduct enforcement and interdiction activities, identify and destruct drug-processing

53 The 1987 bilateral agreement was extended for another year by an amendment signed by Gildred and Caputo on August 26, 1988. Through the new document, the U.S. government agreed to send $360,000 while Argentina accepted to use the funds to fight against drug-trafficking. More specifically, the document acknowledged “the special importance of the northern border region to the authorities of the República of Argentina to interdict the flow of cocaine and marijuana into and through Argentina” (Ministerio de Relaciones Exteriores y Culto, 1988, p. 6). In particular, the agreement provided U.S. financial assistance channeled by the institutional support of CONCONAD to the anti-narcotics units of the provincial police in Salta, Formosa and Corrientes.
laboratories, regulate chemical precursors, reduce the demand for drugs, and to develop new legal instruments (Ministerio de Relaciones Exteriores y Culto, 1989).

In a context of social instability and a serious economic situation marked by a growing hyperinflation, Alfonsín decided to anticipate the date of elections, setting them on May 14, 1989—that is, nearly seven months before the official transfer of power. The Peronist candidate, Carlos Saúl Menem, won the elections with 47 percent of the votes over his contender, the Radical Eduardo Angelóz. Despite the President’s decision to anticipate the elections, Argentina’s social and political turmoil continued. The situation became uncontrollable and Alfonsín ultimately decided to hand over power before the official end of his mandate. On July 8, 1989, Menem took office, representing the first peaceful transfer of power from one political party to another since 1916.

Understanding rejection

Argentina’s experience during the Alfonsín administration suggests that the rejection of the SSM did not come solely from above. Although the nature of the preceding authoritarian regime and the transition outcome strongly influenced the dynamics of the civil-military relations, thereby hampering the development of any initiative linked to the armed forces, drug policy was also dependent upon factors lying outside the confines of the state. In this model, indeed, the relationship between state and civil society was mediated by social movements, moral entrepreneurs, epistemic communities, and the media. By developing society-centered channels of influence, these actors were capable to amass enough power to pressure Argentina’s policy makers in a direction diametrically opposed to the SSM sponsored by the U.S. in Latin America and the Caribbean. Argentina’s significantly higher level of civil society mobilization, of course, was
dependent upon the mode of transition—that is, transition “after regime collapse.” The presence of a radical rupture with the past, in other words, gave civil society a higher capacity to mobilize vis-à-vis the countries that experienced a “transition from above.”

The defense of human rights and the subordination of the armed forces to civilian authority logically affected Argentina’s policy-makers alternatives to deal with the country’s drug problem, thereby ruling out those initiatives that could reverse some of the achievements of Alfonsin’s democratization project. This process, in turn, contributed to the establishment of new democratic institutions, the development of a new legal system, and the consolidation of different mechanisms of societal accountability that ultimately insured the adoption of a more flexible approach to drugs. Perhaps surprisingly, the military did not strongly contest the new democratic government’s initiative to reduce their prerogatives in the field of illicit drugs since the evidence suggests that they did not perceive to have an acquired right or privilege to perform counter-narcotics operations as other armed forces had in Latin America. Although the president’s agenda was somehow reversed by the end of his mandate, most of the institutional achievements would last for decades. Particularly important was the sanctioning of the 1988 National Defense Law, a legal mechanism that prohibited the participation of the armed forces in internal security operations. In other words, the rejection of the SSM was part of a broader trend of Argentina’s democratization process, in a context were the South American country’s drug problem was still not considered a top priority by national government officials and Argentina’s foreign policy was still marked by a relatively high autonomy from the U.S.
Chapter 3

1989-1999: The Menem administration

Unlike the Alfonsin administration, Menem explicitly favored the adoption of the SSM in Argentina. High-ranked government officials and members of the military, particularly the Army, backed this initiative in a context were Argentina-U.S. bilateral relations improved dramatically. Despite relaciones carnales (carnal relations) with the U.S., the general neoliberal turn, and Menem’s persistent efforts to securitize narcotics, drug-trafficking was never perceived as a political priority by Argentines as it happened in other Latin American countries such as Colombia. The logic suggests that a further reduction in military prerogatives, together with a visible decline in military contestation, limited the national government’s opportunities to push for the securitization of Argentina’s drug policy. Most importantly, the role of opposition at the National Congress and the voices of the epistemic community were also of paramount importance when constraining the national government’s alternatives to deal with the country’s drug problem. In other words, Menem’s neoconservative ideology and personalistic profile was not totally sufficient to counteract the incidence of the country’s institutional architecture, the still robust system of check and balances, and the growing consensus built around the importance of defending Argentina’s human rights.
Structural reforms

Throughout the 1990s Argentina underwent structural transformations. Underpinned by a neoconservative ideology, the Menem administration approached the country’s economic crisis by pursuing a series of market-oriented reforms, including programs of privatization, trade liberalization, and monetary and fiscal restructurings.\textsuperscript{54} The Convertibility Plan of 1991, indeed, marked the beginnings of a new era in Argentina’s economic policy.\textsuperscript{55} Menem’s economic reforms were opportunely accompanied and encouraged by different measures aimed at concentrating power in the hands of the executive. The president was vested with sweeping powers, the number of judges in the Supreme Court sympathizing with the national government was expanded, and the Constitution reformed. Furthermore, Menem enjoyed a parliamentary majority far greater than Alfonsín, controlling both houses of the National Congress.

Relaciones carnales

Argentina’s foreign policy during the 1990s changed dramatically. The country’s bilateral relations with the U.S., in particular, experimented deep transformations with the administration of President Menem. Unlike the classical soft balancing that characterized both countries’ relations since the late-nineteenth century, Argentina developed close ties with the U.S. by the thawing of the Cold War. This newly rapprochement with the world’s only superpower was defined by Argentina’s foreign minister, Guido Di Tella, as “carnal relations.” According to Di Tella, (1998, p. 15), “what has been done since 1989

\textsuperscript{54} Although Menem appealed to diffuse proposals during his political campaign, often mixing the defense of the lowest sectors of society and a greater role of the market, the new administration’s ideological position once in office was clearly closest to neo-conservatism. Not surprisingly, O'Donnell (1994) describes Menem’s administration as a “delegative democracy.”

\textsuperscript{55} The Convertibility Plan fixed the Argentine peso at parity with the U.S. dollar in a currency board-like arrangement.
until now was to return the country into its normal position, into the alliances that correspond due to its history, vocation, and interest. This means cooperation with the countries of the region and positioning Argentina on the West, sharing democratic values, respect for human rights, the market economy, and free and open trade.”

This radical turn in Argentina’s foreign policy was particularly evident in the economic realm. Similar to other countries in the region, Argentina strictly followed the economic agenda set by the “Washington Consensus.” That is, the goals of this package of economic measures aimed at stimulating growth through market-oriented reforms were fully met by the national government, transforming Argentina into a paradigmatic case in Latin America. In this context, trade between Argentina and the U.S. during the 1990s grew at an average annual rate of 12.4 percent, almost doubling the world trade’s rate of expansion (Table 3.0). Total bilateral transactions increased from an average of 3.301 million dollars in 1991/1992 to 7.774 million in 1999-2000 (Bouzas et al., 2002). By the same token, the U.S. consolidated its position as the first foreign direct investor in many sectors of the economy, including communications and energy (Colombo Sierra, 2004).

Argentina’s new diplomatic profile was not restricted to the economic realm, however. By contrast, the national government implemented a series of foreign policies that reversed the tendency of confronting against Western powers (Escudé, 2012). Argentina’s participation in the Gulf War and the Haiti crisis, the ratification of the Treaty of Tlatelolco and the N.P.T., the withdrawal from the N.M.T., and the abandonment of Condor II, illustrate the national government’s commitment to build a

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56 Argentina’s foreign policy during the 1990s has been described by Escudé as “peripheral realism.” According to the scholar, peripheral realism is based on the idea that “the principal function of a peripheral state’s foreign policy is to facilitate [economic] development” (1997, p. 133).
different international image. As a consequence of Argentina’s contribution in the international security realm, particularly its direct involvement through peacekeeping efforts in Haiti, the U.S. designated Argentina as a major non-N.A.T.O. ally in 1997.\(^{57}\)

### Table 3.0: Argentina’s trade with the U.S.

<table>
<thead>
<tr>
<th>Year</th>
<th>Exports</th>
<th>Imports</th>
<th>Trade balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1991</td>
<td>1,244</td>
<td>1,498</td>
<td>-254</td>
</tr>
<tr>
<td>1992</td>
<td>1,349</td>
<td>2,511</td>
<td>-1,162</td>
</tr>
<tr>
<td>1993</td>
<td>1,278</td>
<td>3,124</td>
<td>-1,846</td>
</tr>
<tr>
<td>1994</td>
<td>1,737</td>
<td>4,373</td>
<td>-2,636</td>
</tr>
<tr>
<td>1995</td>
<td>1,804</td>
<td>4,207</td>
<td>-2,403</td>
</tr>
<tr>
<td>1996</td>
<td>1,973</td>
<td>4,749</td>
<td>-2,776</td>
</tr>
<tr>
<td>1997</td>
<td>2,204</td>
<td>6,096</td>
<td>-3,891</td>
</tr>
<tr>
<td>1998</td>
<td>2,212</td>
<td>6,227</td>
<td>-4,051</td>
</tr>
<tr>
<td>1999</td>
<td>2,653</td>
<td>4,996</td>
<td>-2,434</td>
</tr>
<tr>
<td>2000</td>
<td>3,166</td>
<td>4,732</td>
<td>-1,566</td>
</tr>
</tbody>
</table>

*Source: Bouzas et al. (2002)*

The Menem’s administration reaffirmed the country’s new approach to foreign affairs at the multilateral level by voting the same than the U.S. at the United Nations’ General Assembly (Table 4.0). In other words, the coincidences between both countries tripled by 1991, reaching the highest levels in 1995 (Tokatlian, 2000a). Perhaps the most paradigmatic example was Argentina’s vote in favor of the American proposal to investigate alleged human rights’ violations in Cuba, while the rest of the Latin American countries voted against or abstained from voting this initiative—with the exception of Panama. Most important, the national government’s decision reversed Argentina’s historical support to Fidel Castro’s administration (Busso & Bologna, 1994).

\(^{57}\) By that time only Israel, Jordan, Egypt, Japan, South Korea, Australia, and New Zealand were non-NATO members.
Table 4.0: voting coincidences between Argentina and the U.S.

<table>
<thead>
<tr>
<th>Year</th>
<th>%</th>
<th>Year</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985</td>
<td>16.4</td>
<td>1992</td>
<td>44.4</td>
</tr>
<tr>
<td>1986</td>
<td>16.4</td>
<td>1993</td>
<td>53.8</td>
</tr>
<tr>
<td>1987</td>
<td>12.4</td>
<td>1994</td>
<td>67.9</td>
</tr>
<tr>
<td>1988</td>
<td>10</td>
<td>1995</td>
<td>68.8</td>
</tr>
<tr>
<td>1989</td>
<td>13.3</td>
<td>1996</td>
<td>60.7</td>
</tr>
<tr>
<td>1990</td>
<td>12.5</td>
<td>1997</td>
<td>56.1</td>
</tr>
<tr>
<td>1991</td>
<td>41</td>
<td>1998</td>
<td>50</td>
</tr>
</tbody>
</table>

Source: Tokatlian (2000a)

Similar to the Alfonsín administration, Argentina’s national material capabilities were not a good predictor of its voting behavior at the UN during the 1990s (Neto & Malamud, 2015). While the country’s national material capabilities remained relatively stable during the “neoliberal decade,” Argentina’s voting coincidences with the U.S. tripled (see Figure 1.0). Rather than “hard power” considerations, therefore, it seems that the Menem administration was directly motivated by strict economic factors. As Keohane and Nye (1977) assert, asymmetries in interdependence not only restrict autonomy but also provide sources of influence for actors in their dealings with others.

Early signs of change

Soon after Menem took office, the national government also began to show signs of change in domestic politics. With the shadow of el proceso far away, free of electoral obligations, and strengthened by the concentration of power in the national executive, the president found enough room to move to pursue a harsher approach to narcotics. Under these circumstances, the government radicalized the discourse, framing the drug problem as a national security threat. Newspaper headlines continuously portrayed the views of
different high-ranked government officials, demanding the adoption of repressive policies to deal with the country’s drug problem. The use of narcotics was “jeopardizing Argentina’s lifestyle,” many top politicians affirmed (Malamud-Goti, 1994a, p. 16). Furthermore, the president himself contributed to the growing hysteria by openly requesting the application of death penalty for drug-traffickers (Alaniz, 2000).

In this context, Menem also pushed for a harsher legislation. In 1989, the Congress passed Law 23,737, replacing the 1974 narcotics law. Although the new legal instrument retained most of the wording on drug-trafficking crimes, it increased the length of the prison sentence to between 4 and 15 years.58 Most importantly, the new legislation made possession for personal use an offence that may lead to prison, thereby reversing the spirit of the 1986 Bazterrica’s sentence.59 Specifically, in cases of small quantities of marihuana possession, the second paragraph of Article 14 stated that “the prison sentence will range from one month to two years when a small quantity of drugs and other circumstances suggest unequivocally that possession is for personal use.” Similarly, through the 1990 “Montalvo case,” Menem’s Supreme Court also reversed the Bazterrica’s precedent, reaffirming the criteria put forward by the dictatorship in 1978.

Law 23,737 also created the Secretaría de Programación para la Prevención de la Drogadicción y la Lucha contra el Narcotráfico (Secretary for the Prevention of Drug Addiction and the Struggle Against Drug-trafficking or SEDRONAR). The new institutional architecture developed by the Menem administration merged the fields of

58 Since the implementation of Law 23,737, demand for treatment by court referral rapidly increased. This process was accompanied by state financing through a system of scholarships and mandatory coverage by state-run health insurances and prepaid medicine (Touzé, 2006).
59 According to the law, however, a prison sentence can be replaced by treatment and/or educational “safety measures.”
health and security by approaching the problems of drug use and trafficking simultaneously. The organization gained momentum with its first secretary, Alberto Lestelle, who remained in office from 1989 to 1995. During this period, SEDRONAR became increasingly active, receiving an annual budget of approximately $70 million dollars (Burzaco & Berensztein, 2014).60 Despite its dual profile, however, SEDRONAR was particularly focused on the security realm and the secretary’s personal imprint rapidly permeated the organization’s overall configuration. Similar to Menem, for example, Lestelle also declared that the national government should consider the possibility of applying capital punishment to drug-traffickers (Federico, 2012).

Other concrete measures reaffirmed Menem’s firm decision to change Argentina’s drugs policy. On October 10, 1990, the president attempted to reform the country’s penal code to impose the death penalty for drug-trafficking and “aberrant crimes,” reaffirming his original plan presented during the 1989 presidential campaign.61 As many newspapers opportunistically highlighted, it was the brutal assassination of Guillermo Ibañez, son of the leader of the oil workers’ union, the event that gave the president the strength to relaunch the project. “It is the adequate measure for the serious situation in the country,” Menem declared (Comas, 1990). Although the initiative eventually came into the Senate, the opposition at the Congress, the church, and different sectors linked to the defense of human rights joined forces to reject the president’s legislative proposal.

Most importantly, Menem passed decree 392/90, allowing the military force to confront domestic threats. This time, however, the enemies were not only

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60 The other three secretaries during the Menem administration were: Gustavo Green (1995-1996), Julio César Aráoz (1996-1998), and Eduardo Amadeo (1998-1999).
61 Kidnapping and rape followed by death were considered ‘aberrant crimes.’
“ultraizquierdistas” (extreme left groups), as Alfonsín admitted when passing decree 83/89 (Comas, 1989), but a wide variety of actors that may contribute to situations of “social unrest.” Specifically, Article 1 set the “organic and functional foundations for the preparation, implementation and monitoring of measures aimed at preventing and averting the formation or activity of armed groups who have capacity to jeopardize the validity of the Constitution.” It was the National Defense Council created by Law 23,554 the institution in charge of advising the president when approaching these problems, although the law also guaranteed the assistance of the Internal Security Committee.

The president’s strategy to resort to a decree, as it happened during the Alfonsín’s administration, suggests that the National Congress’ political composition was not favorable for the adoption of a law that could reverse some of the main achievement of the democratization project initiated in 1983. Altering the dynamics of Argentina’s civil-military relations required the political support of different political parties. Opposition from different Radical legislators, in particular, constituted the main obstacles when trying to involve the armed forces in domestic security (Laleff Llief, 2012). Under these circumstances, the government developed ad-hoc institutional arrangements to circumvent the limits established by the National Security and National Defense laws.

**Expanding drug cooperation**

Menem’s political profile paved the way for the development of closer ties with the U.S. The two cooperation agreements, and their respective memorandums, sanctioned during the last years of the Alfonsín administration, were rapidly complemented by new legislation promoted by the Peronist president. Soon after Menem took office, on August 17, 1989, the national government signed in Washington D.C. the first memorandum to
fight against drug-trafficking. The agreement guaranteed a contribution of $120,000 from the U.S. government for the purchase of laboratory analysis equipment intended to improve Argentina’s Federal Police control and interdiction capabilities (CARI, 2000). Similar agreements were successively signed on August 31, 1989; September 28, 1990; September 30, 1991; September 1, 1992; June 24, 1993; August 23, 1994; September 29, 1995; and September 28, 1999 (CARI, 2000). Although the list is not exhaustive, it illustrates the government’s predisposition to strengthen the cooperation with the U.S.

Despite the expansion of Argentina-U.S. bilateral cooperation, the U.S. support would never reach the levels experienced in the Caribbean or in other Latin American countries such as Colombia. By 1996, moment when the U.S. significantly increased its counter-narcotics assistance to the region, for example, Argentina only received $274,000 while Colombia $64,321,000 (Table 5.0). Furthermore, Argentina did not even appear among the first 15 recipients of military aid in Latin America and the Caribbean. Even smaller countries like Paraguay received a total of $2,131,000, whereas Argentina’s military and police aid only accounted for $763,000 for the period 1996-1999.

In this context, by 1991, Colombia became the region’s largest recipient of military and police aid, even surpassing El Salvador.62 Out of the total amount of money received during this period, approximately 90 percent of the U.S. financial support went to the Colombian police for interdiction efforts and fumigation of illegal crops (Ramírez Lemus, Stanton, & Walsh, 2005). The equation, however, will change dramatically in the aftermath of Plan Colombia, moment when the Andean country’s military rapidly became

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62 By the beginnings of the 1990s, the U.S. was deeply involved in the Salvadoran Civil War (1979–1992).
the main recipient of U.S. assistance in Latin America and the Caribbean. Not surprisingly, militarization would accelerate with the Uribe administration (2002-2010).

Table 5.0: top ten recipients (and Argentina) of military and police aid through counter-narcotics programs, 1996-1999

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Colombia</td>
<td>64,321,000</td>
<td>56,471,000</td>
<td>114,276,000</td>
<td>307,983,000</td>
<td>543,051,000</td>
</tr>
<tr>
<td>Mexico</td>
<td>40,186,000</td>
<td>74,236,000</td>
<td>26,646,000</td>
<td>26,661,000</td>
<td>167,729,000</td>
</tr>
<tr>
<td>Perú</td>
<td>38,511,000</td>
<td>33,486,000</td>
<td>35,685,000</td>
<td>70,966,000</td>
<td>140,137,000</td>
</tr>
<tr>
<td>Bolivia</td>
<td>17,441,000</td>
<td>22,091,000</td>
<td>38,231,000</td>
<td>33,759,870</td>
<td>111,522,870</td>
</tr>
<tr>
<td>Venezuela</td>
<td>16,486,000</td>
<td>5,368,000</td>
<td>5,190,000</td>
<td>3,432,000</td>
<td>30,476,000</td>
</tr>
<tr>
<td>Ecuador</td>
<td>2,223,000</td>
<td>2,255,000</td>
<td>4,586,000</td>
<td>11,781,000</td>
<td>20,845,000</td>
</tr>
<tr>
<td>Brazil</td>
<td>2,888,000</td>
<td>3,238,000</td>
<td>2,855,000</td>
<td>730,000</td>
<td>9,711,000</td>
</tr>
<tr>
<td>Guatemala</td>
<td>2,268,000</td>
<td>1,953,000</td>
<td>2,573,000</td>
<td>2,639,000</td>
<td>9,433,000</td>
</tr>
<tr>
<td>Panama</td>
<td>2,384,000</td>
<td>2,384,000</td>
<td>2,591,000</td>
<td>913,000</td>
<td>8,272,000</td>
</tr>
<tr>
<td>Argentina</td>
<td>274,000</td>
<td>274,000</td>
<td>215,000</td>
<td>0</td>
<td>763,000</td>
</tr>
</tbody>
</table>

Source: Author based on Security Assistance Monitor (2015)

Advancing on military subordination

Despite the national government’s attempts to follow the SSM in Argentina, Menem further advanced on the disarticulation of the military opposition. The Peronist president, however, decided to follow a completely different strategy. Rather than directly confronting with the military, as Alfonsín did during his mandate, Menem tried to appease them by conceding certain privileges at the beginning of his mandate. In return, the government expected the military’s full obedience. In 1989 and 1990, for example, the president issued two pardons, one for officers that were still facing trials, and another for those already convicted. As a result, over 200 officers and junta members involved in the violation of human rights walked out of prison. According to Acuña and Smulovitz
(1996), by rolling back the prosecutions, Menem was trying to make clear that he was willing to forgive past rebellions while punishing present and future disobedience.

The concession of amnesties did not prevent Menem from suffering the last *carapintadas* uprising on December 3, 1990. Yet this bloody military coup attempt was ultimately neutralized by the national government, thereby inaugurating a period of uncontested military cooperation. The crushing of the mutiny, indeed, accelerated Menem’s firm decision to advance on the political isolation of the armed forces. In a context were the “communist threat” finally disappeared, the military industrial complex was privatized and different defense industries were downsized or sold off. *Fabricaciones Militares* (Military Industries), the country’s main producer and exporter of steel (SOMISA), and numerous plants that manufactured weapons under the control of the military suffered the same faith at the beginnings of the 1990s (Kessler, 1991). Furthermore, military participation in chief agencies not strictly related to its institutional role were eventually removed (Franko, 1996).

Defense spending also dropped (Table 6.0). Between 1989 and 1993, military budgets declined from 18.2 percent of government expenditures to 10.6 percent (Trinkunas, 2001). Substantial cuts in the armed forces personnel were also advanced: army cadres were cut by more than a half, navy and air forces suffered a similar policy, and general and flag officers were cut 25 to 30 percent (Zagorski, 1994). The military’s recruitment and promotion processes also changed, as well as their long-rooted training traditions. Most notably, through the presidential Decree 1537/1994, approved on August 31, 1994, Menem terminated the conscription system, marginalizing even more the
military forces from the country’s political landscape. Shortly after, Law 24,429 was passed, thereby inaugurating the Voluntary Military Service in Argentina.

Table 6.0: military expenditures in Argentina, 1989-1997

<table>
<thead>
<tr>
<th>Year</th>
<th>Military expenditures</th>
<th>As a % GDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>1989</td>
<td>4.085904056</td>
<td>1.9</td>
</tr>
<tr>
<td>1990</td>
<td>3.15091773</td>
<td>1.5</td>
</tr>
<tr>
<td>1991</td>
<td>3.562707621</td>
<td>1.5</td>
</tr>
<tr>
<td>1992</td>
<td>3.654088609</td>
<td>1.4</td>
</tr>
<tr>
<td>1993</td>
<td>3.588948006</td>
<td>1.3</td>
</tr>
<tr>
<td>1994</td>
<td>4.254625124</td>
<td>1.4</td>
</tr>
<tr>
<td>1995</td>
<td>4.116517838</td>
<td>1.4</td>
</tr>
<tr>
<td>1996</td>
<td>4.124343918</td>
<td>1.4</td>
</tr>
<tr>
<td>1997</td>
<td>4.016390056</td>
<td>1.2</td>
</tr>
</tbody>
</table>

Source: Pion-Berlin (2001b)

The armed forces’ institutional limitations to perform law-enforcement functions were further advanced with the Internal Security law, passed by the National Congress in January, 1992. Similar to the 1988 National Defense legislation, Law 24,059 was approved with the support of most of the country’s political forces (Laleff Llieff, 2012). Although the new legal instrument authorizes the military to play logistic missions, the responsibility of safeguarding the country’s domestic security rests with law-enforcement agencies such as the Federal Police, Naval Prefecture, National Gendarmerie, and local police forces. Most important, the armed forces’ involvement in domestic security matters was subject to certain conditions, including the provision that indicates that “the conduct of the armed forces remained in the hands of the President” (Article 31, Inc. a).

63 The murder of Omar Carrasco, a young conscript receiving training at the Zapala barrack, triggered a nationwide debate about the usefulness of compulsory military service.
64 Military expenditures are calculated in 1997 Argentine pesos.
65 The role of Radicalism, in particular, was of paramount importance in the course of lawmaking.
The 1994 constitutional reform consolidated the country’s civilian preeminence over the military. The new constitution transformed the president into the commander in chief, deciding on posts and promotions with the consent of the senate. It also gained the capacity to determine the military’s overall organization and deployment. According to Trinkunas (2001), however, the government was unable to fully assure civilian control of the armed forces because of Menem’s penchant for favoring noninstitutional channels. It was the Ministry of Defense, in particular, the institution that suffered the most Menem’s discretionary and personalistic profile. This trend was illustrated, for example, by the president’s decision to bypass the authority of the minister of defense through the establishment of personal relationships with the armed forces’ commanders, on the one hand, and by the rapid succession of six ministers between 1989 and 1995, on the other.

Certainly, the institutional framework crafted during the Alfonsín administration had enormous consequences on Menem’s political strategy towards the military, as it constrained his policy preferences by reinforcing continuity and discouraging change. That is to say, the Menem administration could not reverse the overall institutional configuration of the civil-military relations, even though Argentina’s alignment with the U.S. was further advanced during this period. The international context, in other words, was not sufficient to reverse the consensus built since the recovery of democracy in 1983.

The militarization dilemma

The dynamics of Argentina’s civil-military relations during the Menem administration suggests that a further reduction in military prerogatives, together with a visible decline in military contestation, limited the national government’s possibilities to push for the
securitization of Argentina’s drug policy. It may seem surprising, therefore, that in a context where the armed forces were increasingly weakened, Menem called for their intervention in a wide variety of internal security functions. With the military “absolutely subordinated” to civilian authority, the president considered that Argentina needed to rethink the dynamics of its civil-military relations (Clarín, 1990a). On this occasion, however, a certain agreement emerged within different areas of the national government, demanding the involvement of the armed forces to contend the country’s ‘increasing security problems.’ The proliferation of “new threats” such as drug-trafficking and terrorism buttressed the militarization discourse during the two Peronist administrations.

Soon after Menem took office, voices were raised in favor of greater role of the military forces. On November 2, 1989, the president himself declared that “the Army must be prepared and trained to fulfill their role within the institutions of the nation ... The Argentine Army, under the established political power, should contribute to the peace and stability of republican institutions” (Sain, 2002, p. 269). Yet Menem was not alone in this crusade; his position was backed by high-ranked government officials, including the vice president, Eduardo Duhalde, and the ministers of defense, Italo Luder, and his successor, Humberto Romero. Most important, the national government also founded support from some members of the military. The Army chief, Isidro Cáceres, for example, stated that “it is necessary that the armies seek to ensure the essential freedoms of the people, respect the people’s will, confront threats that attempt to subvert the systems of government and life of our peoples, and contribute to the stability of the institutions that each country sets in their constitutions and laws” (Sain, 2002, p. 269).
According to Sain (2002), the armed forces’ motivation to intervene in domestic affairs during the Peronist administration was the consequence of their identity crisis, together with their intention to neutralize further budget cuts or to obtain money from foreign organizations willing to finance counter-narcotics operations. By the beginnings of the 1990s, indeed, the military chiefs in Argentina were in the midst of a tense salary negotiation with the national government (Ambito Financiero, 1991). With the “communist threat” faded away, the fight against drug-trafficking and terrorism appeared as the main rationale behind their institutional survival in a context where the armed forces’ popularity was still affected by their political role during the military dictatorship.

Not surprisingly, Menem’s militarization discourse was encouraged by different U.S. counter-narcotics specialized agencies. In May, 1990, General Maxwell Thurman, head of the U.S. Southern Command, visited Argentina with the goal of strengthening their counter-narcotics bilateral programs. During his meeting with the country’s Minister of Defense, Humberto Romero, Thurman insisted on the need of creating a multinational force composed of the Argentine military to confront the actions of drug-trafficking organizations in the region. Nevertheless, the strategy presented in front of the members of both countries’ armies, as it happened during the meeting held in Mar del Plata by the end of the Alfonsin administration, did not prosper as General Thurman expected. As a consequence, from this point onwards, the U.S. decided to follow a bilateral approach rather than persuading all Latin American countries together (Barcelona, 1990).

A few years later, two other U.S. high-ranked government officials, Assistant Secretary for Inter-American Affairs, Michael Skol, and the head of the Southern Command, William Clark, visited Argentina in March 1994 and March 1997
respectively. Throughout different meetings held with specialists from the national government, both U.S. representatives strongly defended the idea of involving the South American country’s armed forces in the development of different counter-narcotics operations. In his speech before the Argentine authorities, Michael Skol, openly admitted that “his country expected that the [Argentine] armed forces develop both intelligence and logistic support initiatives in the fight against drug-trafficking” (Sain, 2002, p. 270). Washington’s strategy towards Latin America and the Caribbean was delineated by the U.S. Secretary of Defense, William J. Perry in 1995. According to Perry (1995), the “military forces can provide needed support to our civilian law enforcement agencies in fighting the drug trade. We hope to see this cooperation between the police and the military and between nations wherever narco-trafficking crosses borders.”

While most of the initiatives launched by the Menem administration informally circumvented the main provisions of the Argentine legal system, others were instead aimed at directly reforming the 23,554 National Defense Law. In February, 1990, the national government announced that a group of specialists were working on a legislative proposal to allow the military’s involvement in the fight against drug-trafficking. As the government’s spokesman, Humberto Toledo, declared, “the reforms that are under consideration include modifying the article of the National Defense law talking about the participation of the armed forces in the area of internal security” (Clarín, 1990a). This initiative was originally launched by Humberto Romero in a meeting with the heads of the military, Emilio Oses, Isidro Cáceres, Jorge Ferrer, and José Juliá (Clarín, 1990b).

Underlying the national government’s militarization discourse was the alleged threat posed by the emergence of “new enemies.” In his official visit to the White House,
Menem acknowledged to President Clinton that terrorism and drug-trafficking were the two main “challenges” the armed forces had to face in Argentina as well as in the Latin American region (Clarín, 1996a). The Menem administration’s rationale behind the expansion of the military’s main prerogatives was confirmed a few days later by Jorge Dominguez, Argentina’s last Minister of Defense during the second Peronist administration. Along the lines of his predecessors, Italo Luder and Humberto Romero, Dominguez confirmed that “President Menem wants to make a qualitative step regarding the fight against drug-trafficking: we will intensify our military role” (Clarín, 1996b).

Even though the president eventually moderated his discourse, in his annual speech before the Military College in 1997, he urged the military to be prepared to confront drug-trafficking organizations and other new threats. Involving the armed forces in matter of internal security, according to Menem, “was the only way to be prepared, not only to defend the sovereignty, but also to address, within the framework of the law, the onslaught of new threats: fundamentalisms, the plundering of natural resources, drug-trafficking, and international terrorism” (Clarín, 1997c). This pronunciation was, indeed, the first time the president openly demanded the militarization of internal security.

Institutional constrains

Despite the national government’s position in favor of militarizing the fight against drug-trafficking gained momentum by the mid-1990s, some dissident voices began to emerge. The strongest opposition came from members of the Unión Cívica Radical and Frente por un País Solidario (Front for a Country in Solidarity or FREPASO). While the Radical party interpreted this trend as “an attempt to impose a new version of the National Security Doctrine,” members of FREPASO considered that “the role of the
armed forces is not to repress internal disorders for which they are unprepared, but to ensure the national defense” (Clarín, 1997b). Under these circumstances, the Radical congressman, Mario Losada, went further and demanded the adoption of the “Republican requirement,” which mandates that national legislators have to be involved in the design of the functions of the Argentine armed forces (Clarín, 1997b).

The president’s speech at the Military College in 1997 was critical in this respect, raising strong criticism from the Radical party and FREPASO. The Radical senator, Antonio Berhongaray, and the Frepaso Deputy, Juan Pablo Cafiero, respectively, were some of the most fervent opponents of Menem’s initiative. Berhongaray, on the one hand, affirmed that “disorientation must have occurred in young graduates when hearing their Commander in Chief [President] assigning them tasks of a police nature, beyond their training and forbidden by law” (Clarín, 1997c). Cafiero, on the other hand, contended that Menem’s speech at the Military College “reaffirmed the suspicion under which [the government] wanted to use the military restructuring project to finance the employment of armed forces in internal security missions and repression…” (Clarín, 1997c).

Even though most of the voices against militarization were raised from the opposition, members of the Peronist party were not absent from the debate. On the contrary, popular Peronist figures such as Miguel Angel Toma, the head of the Defense Commission at the National Chamber of Deputies, openly declared that “one thing is the armed forces performing logistic activities for drug control (for example, operating radars to detect airplanes or ships entering the country illegally) and quite another task is involving them in intelligence operations (infiltrating “narcos” or gathering information
about them)” (Ambito Financiero, 1991). Toma was reacting, several newspapers acknowledged, to Duhalde’s intention to militarize Argentina’s internal security.

Equally important was the position of key members of the Menem administration. Although the president’s first defense ministers were agreeable with expanding the military’s mission options, Antonio Erman González claimed that “the military will not intervene in the fight against drug-trafficking nor they will conduct intelligence because these activities are prohibited by law” (Ambito Financiero, 1991). By the same token, Menem’s last Defense Minister during his first presidential mandate, Oscar Camilión, rejected the idea of transforming the national legislation to allow the armed forces to perform law-enforcement missions, arguing that “the armed forces cannot become sophisticated police forces … here the armed forces do not have a role in the fight against drug-trafficking” (Sain, 2002, pp. 270-271). Other obstacles emerged even within the armed forces themselves. Unlike his predecessor, Martín Bonnet, the Army Chief of Staff, noted at the beginnings of the 1990s that “I do not think that at this point [fighting against drug-trafficking] is the most important function of the institution because the Army is aimed at safeguarding the highest interests of the republic” (Clarín, 1990c).

The system of check and balances

Before the 1994 Constitutional reform, lawmaking authority was only reserved to the National Congress, even though the executive could initiative bills and also vetoes them (Corrales, 2002; Negretto, 2004; Mark, Hwang, and Micozzi, 2009). After the 1994 reform, however, the president was vested with additional prerogatives such as the power to issue decretos de necesidad y urgencia (need and urgency decrees or NUDs) on very exceptional circumstances and to partially promulgate bills passed by the National
Congress, gaining law-making authority vis-à-vis the legislative power. The new constitutional text, in other words, proved inadequate in checking the president, who could ignore or interpret the text in his own interest (Rose-Ackerman, Desierto, & Volosin, 2011). This situation reversed some of the main provisions of Argentina’s original balance of power dynamics as well as the inter-party interactions at the Congress.

Notwithstanding the executive-congressional relations formally changed after the 1994 Constitutional reform, favoring the consolidation of hyper-presidentialism, Argentina’s National Congress still maintained strong legislative prerogatives. As Calvo and Tow (2009, p. 452) show, indeed, “the Argentine Congress has been responsible for initiating, modifying, and approving the majority of the laws passed since 1983,” challenging the notion that describes the country’s legislative power as a mere escribanía (clerk’s office). Illustrative of this point is the fact that the Congress has passed around half of the presidential initiatives over the last 25 years, in contrast to countries such as Brazil, Mexico, and Chile, where the legislative power approves about 80 per cent of the legislation proposed by the executive (Alemán & Calvo, 2008; Calvo & Tow, 2009).

Under these circumstances, the discourse of high-ranked government officials against the militarization of the country’s drug policy was directly influenced by the institutional constraints within the democratic regime, particularly the system of check and balances. Similar to Alfonsín, who faced a divided government, the Menem administration did not count with an absolute majority in the Chamber of Deputies (Table 7.0 & 8.0). It is not surprisingly, therefore, that the two post-dictatorship presidents mostly avoided major confrontations with the legislative power by resorting to different

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66 Despite the president’s authority to issue DNUs was formally introduced in the constitutional reform, several presidents recurred to this legal mechanism before 1994.
ad-hoc mechanisms (Mustapic, 2002). Decrees 83/89, 327/89, and 392/90, for example, illustrate the presidents’ strategy to circumvent the main provisions of the National Defense and Internal Security laws respectively, escaping from what Linz (1990) considered as one of the main perils of presidentialism: institutional gridlock.67

Table 7.0: Makeup of the Chamber of Deputies, 1983-1995

<table>
<thead>
<tr>
<th>Chamber of Deputies</th>
<th>Alfonsin Presidency</th>
<th>Menem presidency</th>
</tr>
</thead>
<tbody>
<tr>
<td>UCR</td>
<td>129 (50.8)</td>
<td>129 (50.8)</td>
</tr>
<tr>
<td>PJ</td>
<td>111 (43.7)</td>
<td>101 (39.8)</td>
</tr>
<tr>
<td>Others</td>
<td>14 (5.5)</td>
<td>24 (9.4)</td>
</tr>
</tbody>
</table>

Source: Mustapic (2002)

Table 8.0: Makeup of the Chamber of Senators, 1983-1995

<table>
<thead>
<tr>
<th>Chamber of Senators</th>
<th>Alfonsin Presidency</th>
<th>Menem presidency</th>
</tr>
</thead>
<tbody>
<tr>
<td>UCR</td>
<td>18 (39%)</td>
<td>18 (39%)</td>
</tr>
<tr>
<td>PJ</td>
<td>22 (48%)</td>
<td>22 (48%)</td>
</tr>
<tr>
<td>Others</td>
<td>6 (13%)</td>
<td>6 (13%)</td>
</tr>
</tbody>
</table>

Source: Mustapic (2002)

67 According to Linz (1990), one of the risks to executive-legislative relations in presidential regimes is that legislators can also claim democratic legitimacy. Since both derive their power from the votes of the people, a conflict between the president and the congress is always possible.
Despite President Menem recurred to different decrees to allow the armed forces’ temporal involvement in counter-narcotics operations, the overall constraints posed by the legislative power were strong enough to ultimately restrict any attempt to reform the core legal architecture that regulates the country’s civil-military relations. In addition to the president’s intention to avoid a gridlock, of course, external factors such as the pressure of different civil-society actors and the multi-party consensus against militarization were of paramount importance to understand the relevance of Argentina’s National Congress. In other words, conditions for centralized decision-making process did not take place within the realm of civil-military relations, as O’Donnell (1994) showed in his path-breaking “delegative democracy.” Perhaps not surprisingly, therefore, the aforementioned decrees’ effectiveness and durability were limited compared to major legislation such as the National Defense and Internal Security laws.

While chief executives in Argentina must gain approval from the National Congress to adopt structural policies such as the SSM, the political process in other Latin American countries and the Caribbean has been instead characterized by unilateralism. In Colombia, for example, the president’s party commonly retained a majority of seats in the legislature, meaning that the national government was unified (Table 9.0) (Negretto, 2006). Less institutionalization favored the appearance of corruption and patronage politics, according to Bagley (2001b). As Leal (1984) explains, Colombia’s elitist and exclusionary political system favored the adoption of clientelistic practices aimed at co-opting the opposition. Political parties at the National Congress, the author further states, became increasingly desideologizados (with not ideology). With no ideology or party

68 A critical appraisal to Linz’s (1990 & 1994) arguments against presidentialism is provided by Mainwaring and Shugart (1997).
differentiation programs, an estimated 60 percent of the Colombian Congress received illicit campaign contributions to guarantee their cooperation on issues related to the fight against drug-trafficking in the 1980s and 1990s (Bagley, 2001b).

Table 9.0: Presidents in Majority and Minority Situations in Argentina and Colombia, 1983-2003

<table>
<thead>
<tr>
<th>President</th>
<th>Term</th>
<th>Party</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Argentina</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alfonsín</td>
<td>1983-89</td>
<td>UCR</td>
<td>Minority</td>
</tr>
<tr>
<td>Menem I</td>
<td>1989-95</td>
<td>PJ</td>
<td>Minority</td>
</tr>
<tr>
<td>Menem II</td>
<td>1995-97</td>
<td>PJ</td>
<td>Majority</td>
</tr>
<tr>
<td>Menem III</td>
<td>1997-99</td>
<td>PJ</td>
<td>Minority</td>
</tr>
<tr>
<td><strong>Colombia</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bentacur</td>
<td>1982-86</td>
<td>PC</td>
<td>Minority</td>
</tr>
<tr>
<td>Barco</td>
<td>1986-90</td>
<td>PL</td>
<td>Majority</td>
</tr>
<tr>
<td>Gaviria</td>
<td>1990-94</td>
<td>PL</td>
<td>Majority</td>
</tr>
<tr>
<td>Samper</td>
<td>1994-98</td>
<td>PL</td>
<td>Majority</td>
</tr>
</tbody>
</table>

*Source: author based on Negretto (2006)*

Although the Gaviria administration (1990-1994) tried to tackle the growing crisis of political representation and the lack of accountability by drafting a new Constitution in 1991, Colombia’s system of check and balances never consolidated. 69 Even in cases were the political debate at the National Congress finally arose, the U.S. succeeded in obstructing the enforcement of strong laws that contradicted Washington’s interests. Illustrative of this trend is the fact that Colombia’s consecutive decisions against

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69 The main goals of the 1991 Constitution were to “modernize” Colombia and promote democracy, especially through the establishment of mechanisms that encourage political participation and the development of grassroots organizations (Thoumi, 2003).
extradition were in practice reversed by the U.S. pressure.\textsuperscript{70} Not even the leverage from drug-trafficking organizations at the National Congress offset Washington’s influence over the Colombian government.\textsuperscript{71} A similar situation occurred with Samper’s (1994–1998) historical advocacy for the legalization of drugs. As expected, Samper moved away from the legalization thesis during the 1990s. According to Tokatlian (2000b), it was unthinkable that a president’s anti-prohibitionist claim would be accepted by the U.S.\textsuperscript{72}

\textbf{The blue warrior}

With the military out from the fight against drug-trafficking, law-enforcement institutions gained grounds in Argentina.\textsuperscript{73} Their prominent role, however, traces back to the country’s different military dictatorships. As Sain (2009) claims, Argentina’s police was historically controlled by the armed forces and used as mechanisms of internal repression. During \textit{el Proceso}, for example, the police performed different repressive activities, including kidnapping, extortion, public intimidation, and torture. Often uncontrolled by a civilian authority, law-enforcement institutions eventually acquired a strong militaristic profile, being more responsive to the interests and political orientations of high-ranked government officials than to the dictates of law themselves.

\textsuperscript{70} The Turbay administration (1978-1982) signed an extradition bilateral agreement with the U.S. in 1979. Nevertheless, the treaty was appealed and the Supreme Court declared unconstitutional the law ratifying the extradition treaty in June, 1987. Although the 1991 Constitution endorsed the Supreme Court’s decision and made extradition of nationals unconstitutional, the Legislative Act 01 of 1997 amended that provision, allowing the extradition for criminal prosecution.

\textsuperscript{71} As Thoumi (2003) notes, drug-trafficking organizations were particularly concerned with extradition legislation. As a consequence, they leveraged politicians to request favorable votes at the Congress.

\textsuperscript{72} Ernesto Samper presented two different initiatives to legalize drugs in 1979 and 1980 respectively.

\textsuperscript{73} Law 18,711, passed in 1970, set functions and jurisdictions of Argentina’s security forces. According to the legal mechanism, the principal law-enforcement institution is \textit{Policía Federal Argentina} (Federal Police). \textit{Policía Federal} has jurisdiction in the national capital, although it also intervenes in preventing and investigating federal crimes in the provinces. The other federal police authorities are \textit{Policía de Seguridad Aeroportuaria} (Airport Security Police), \textit{Gendarmería Nacional} (National Gendarmerie), and \textit{Prefectura Naval Argentina} (Coast Guard). The majority of policemen in Argentina, however, correspond to the Provincial forces.
The relative position of Argentina’s law-enforcement institutions was considerably improved with the recovery of democracy in 1983. In a context were the consequences of military repression were still fresh in the population’s collective memory while the human rights agenda was progressing rapidly, different government officials refused to participate in national security policy-making. With the course of the years, indeed, the national government’s apathy towards police matters exacerbated, favoring the political mismanagement over public security affairs (Sain, 2009). Under these circumstances, the organization and control of public security was eventually delegated to different law-enforcement agencies. Sain (2009) called this phenomenon as the *policialización* of Argentina’s public security. That is to say, a pact between the national government and different police forces emerged, meaning that the governance of public security ultimately remained in the hands of law-enforcement institutions.

Concerns about insecurity began to grow in Argentina in the 1990s, when crime rates increased dramatically (DerGhougassian & Cutrona, 2015b). The trend towards the *policialización* of public security, however, did not change. By contrast, police forces strengthened their autonomy in designing the country’s national security policy. In the framework of the aforementioned “political-police pact,” the national government agreed to concede the control and regulation of crime to law-enforcement institutions. Crime, Sain (2013) notes, became the police’s jurisdiction. Most importantly, the granting of crime as a responsibility of different police forces fostered the further development of a new pact: the “police-criminal pact.” According to Sain (2013), the police applied a strategy of criminal control through direct criminal involvement, resulting in the appropriation of a portion of the profits generated by illegal activities.
While the dynamics of Argentina’s civil-military relations favored the empowerment of law-enforcement institutions, the situation of the police in Colombia was relatively different. Often considered corrupt and incompetent, police forces were bypassed by the U.S. government (Pizarro & Gaitán, 2006). Although Colombia’s law-enforcement institutions received substantial support from different U.S. counter-narcotic agencies during the 1980s, this situation changed dramatically by the end of the century. As already noted, the military would become Washington’s main ally in the fight-against drug-trafficking, particularly since the beginnings of Alvaro Uribe administration.

The epistemic community activates again

Similar to the 1980s, the role of the Argentine epistemic community was determinant in exposing the actions of government officials willing to revise the dynamics of the country’s civil-military relations. Horacio Verbitsky, in particular, continued to challenge the Menem administration’s predisposition to militarize Argentina’s drug policy. In 1999, for example, Verbitsky (1999) criticized the attempt of the Minister of Interior, Carlos Corach, to involve the armed forces in the fight against what he called “the real challenges of the decade:” drug-trafficking, terrorism, and organized crime. Corach’s standpoint was presented at the Organization of American States (OAS) General Assembly held in Guatemala in 1999. According to Verbitsky (1999), the militarization proposal revealed that politicians in Argentina ignored the possible consequences of this trend, suggesting that if the government continued to promote initiatives that alter the country’s civil-military relations drugs policy “may end up in the wrong hands”.

Another voice against militarization was raised by former president Alfonsín. In an op-ed titled “The armed forces do not have to repress drug-trafficking,” the Radical
party’s leader tried to pressure the Menem administration by arguing that combating drug-trafficking with the military “would not only be illegal but counterproductive” (Alfonsín, 1997). According to Argentina’s former President, “[the] armed forces have no education, doctrine or equipment for this kind of conflict … We do not want arms and [military] practices to become a sort of national guard or foreign funding agencies …” As happened during the first years of the Alfonsín administration, Radicalism became one of the most active political parties that opposed the involvement the armed forces in the development of different counter-narcotics operations.

A similar position was defended by Argentina’s Nobel Peace Prize, Adolfo Pérez Esquivel. In a document addressed to the delegates of the first continental meeting of the “drug czars” convened by the U.S. and OAS, Pérez Esquivel claimed that the U.S. war against narcoterrorism “undermines the democratic development in the hemisphere.” “The prohibition approach enforced by a militarized drug war is fundamentally flawed,” according to Esquivel (Serracin, 1999). Under these circumstances, the Nobel Prize winner demanded that “it is time to admit that after two decades the U.S. war on drugs is a failure.” The open letter was also signed by former presidents of Colombia and Nicaragua, Belisario Betancur and Violeta Chamorro respectively; the Nobel Peace Prize, Oscar Arias; and the Peruvian writer, Mario Vargas Llosa (Serracin, 1999).

While the voices of Argentina’s epistemic community were made visible by newspapers like Página/12 and Clarín, in Colombia the press continued to be linked to political parties. During the 1990s, indeed, many leading politicians exhibited journalistic credentials, including César Gaviria and Andrés Pastrana (Waisbord, 2000). In Argentina, by contrast, the press became increasingly involved in exposing the scandals of high-
ranked government officials. Accusations pointing at the Menem administration proliferated, including cases of drug-money laundering. The “Narcogate,” for example, illustrate the strength of watchdog journalism during the 1990s (Lejtman, 1993). The case that later became known as the “Yomagate” involved different relatives of President Menem, suspected of participating in a gang that smuggled cocaine into the U.S. and Europe. Although the revelations did not have the strength to overthrow the national government, it certainly harmed Menem’s reputation as several stories connected to the scandal were periodically published by newspapers such as Página/12 and Clarin.

Yet the media’s changing role was not totally unconnected to a greater trend such as the crisis of the state and the party system. As a result of the neoliberal policies promoted by the Washington Consensus, politics began to lose legitimacy and prestige in the eyes of society. This crisis of representation, however, had different consequences in South America. While in Argentina this trend improved the media’s relative position as it gained grounds as opinion-makers, in Colombia this phenomenon was not totally capitalized by non-state actors. In other words, the strong discredit of Argentina’s political parties transformed media enterprises such as Grupo Clarín into key political player. This situation certainly differs from Colombia, where media did not take advantage of the 1990s crisis of representation.

The human rights movement

Unlike the Argentine experience, where the human rights community was totally consolidated by the late 1980s, the human right movement in Colombia gained strength only by the mid-1990s. By litigating specific cases of human right violations and socializing their campaigns internationally, the human rights community in Colombia
began to participate actively in politics (Ramírez Lemus, Stanton, & Walsh, 2005). Some of the most popular organizations working in the Andean country were the Colombian Commission of Jurists, the Free Country Foundation, Colectivo de Abogados José Alvear Restrepo, the Committee in Solidarity with Political Prisoners, Minga, the Association of Family Members of Disappeared Prisoners of Colombia (ASFADDES), Somos Defensores, and the Consultancy for Human Rights and Displacement (CODHES).

Yet the human rights movement in Colombia was not homogeneous, their actions did not reach a truly national coverage, and they were often accused of being too passive in front of the violations of the international humanitarian law (Romero, 2001). Their limited permanence in time, in particular, led some scholars to call them “social protests” rather than “social movements” (Archila, 2001). Under these circumstances, Romero (2001) claims that human rights organizations in the Andean country faced two major obstacles: budgetary constraints and the risks to the lives of activists. Certainly, the multiplication of assassinations of human rights defenders and peace activists ultimately constrained their mobilization during the armed conflict that shocked Colombia during the 1990s. Since 1996, for instance, an average of more than one human right’s defenders was killed in the Andean country on a monthly basis (Gallón-Guiraldo, 2001).

Despite these difficulties, however, Colombia’s human rights organizations achieved some limited objectives, including the 1993 Supreme Court’s decision to strike down military jurisdiction over civilians (particularly with regard to human rights violations and crimes against humanity), the participation in international human right
networks, and the enforcement of limitations on security forces. Most important, human rights organizations played a vital role in the development of the 1991 Constitution. The recognition of a full range of human rights, the development of a strong constitutional court or other spaces to ensure the protection of human rights, the establishment of the ombudsman, and the creation of la tutela were mechanisms shaped by the involvement of human rights organizations (Ramírez Lemus, Stanton, & Walsh, 2005, p. 127)

Still Colombia’s emerging human rights community never had the political capacity to influence the national government’s approach to drug-trafficking as it happened in Argentina, particularly during the 1980s. While in the latter country the human rights agenda brought the Alfonsín administration closer to a softer stance on illicit drugs, in Colombia the mobilization of human rights groups did not evolved within the framework of a broader democratization process. The absence of a military dictatorship involved in massive human rights violations, of course, increased the national government’s available alternatives to deal with Colombia’s drug problem, thereby favoring the adoption of harsher policies such as the U.S.-sponsored SSM.

Moreover, in Argentina new organizations involved in the defense of human rights entered the scene over the course of the years, further strengthening the country’s civil society-based politics. This was the case, for example, of Intercambios. Founded in 1995, Intercambios became a leading institution promoting a softer stance on drugs in Argentina. Emerging from a team conformed within the framework of the Fondo de Ayuda Toxicológica (Toxicological Relief Fund or FAT), Intercambios developed

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74 The 1993 Supreme Court’s decision confirmed the 1987 rule, declaring the military jurisdiction over civilians and the secret hearings unconstitutional.
75 Based on the Constitution’s Article 86, la tutela is the right to request the immediate intervention of a national court if an individual believes his rights are being violated.
substantial research and field work on the intersection between HIV/AIDS and drug consumption. In this context, the organization framed the country’s drug problem from both a health and human rights perspective, thereby promoting alternative strategies such as the implementation of harm reduction programs.

In 1998 Intercambios conducted the country’s first survey on drug injection. Grounded on extensive fieldwork, the organization also launched the first harm reduction program developed in Argentina, which in 1999 included the delivery of injection equipment in the conurbano bonaerense (Greater Buenos Aires). The organization’s health perspective was very different from that promoted by the national government’s different institutions during the 1990s. Under these circumstances, Intercambios also began to work with different national congressmen and some specific areas of the executive power to abolish the criminalization of drug possession for personal consumption, an issue that was part of the organization’s original agenda.

In addition to new organizations like Intercambios, of course, traditional institutions such as CELS continued to pressure the national government in search of a softer stance on drugs and crime in Argentina. In a joint official document published together with Human Rights Watch in 1998 (p. 5), for example, CELS considered Menem’s iron first policy against crime as “worrisome,” particularly after the Peronist president openly declared that “some organizations defending human rights may complain, but I think here a criminal has more protection than a policeman or people in general.” Menem’s approach to crime “[was] a clear example of an erroneous and repeated formula: privileging easy answers, ignoring the complexity of the problem and the danger that these policies may entail for coexistence under the rule of law,” the

Not a fertile ground

Governmental decisions such as adopting the SSM are not made in a political vacuum. Menem’s continuous attempts to frame drugs as a security problem were not totally successful, in part, as a consequence of Argentina’s national context. Unlike countries like Colombia, where there were approximately 80 homicides per one hundred thousand inhabitants, in Argentina the efforts aimed at involving the armed forces in the fight against drug-trafficking were not encouraged by an unprecedented wave of violence. In Colombia, by contrast, the militarization process during the 1990s was fostered by the presence of skyrocketing levels of violence—reaching the world’s highest homicide rates. While only regular crimes characterized Argentina’s national landscape, the situation in Colombia was much more complex. In addition to large drug-trafficking organizations such as the Medellín and Cali cartels, the Andean country also witnessed the rapid expansion of different left-wing guerrillas and paramilitary groups. As Bagley (2001b) contends, these criminal organizations grew so rich and powerful that they were able to mount a direct threat to Colombian state security. Not surprisingly, media surveys showed that public opinion supported strong government actions (Thoumi, 1995).

Although President Menem had enough social capital and intelligently constructed a plot that presented drug-trafficking as an existential threat, the absence of a referent object that uncontestably held to be threatening hampered the securitization

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76 A total of 498,290 crimes of all types were registered in 1991 (Dirección Nacional de Política Criminal, 2008).
77 By 1995, for example, Argentine registered eight homicides per 100 one hundred thousand inhabitants (World Bank, 2015).
process in Argentina. Requiring emergency measures such as the militarization of the country’s internal security was more difficult in the absence of extremely high levels of violence such as those registered in Colombia during the mid-1990s. As Sain (2009) notes, where the police system is not operatively exceeded by crime or has not been co-opted by organized crime the demand for military involvement is limited. Rather than the population requesting the government “to do something,” it was the Menem administration trying to frame the drug problem from a security perspective. Nevertheless, as Buzan, Waever, and Wilde (1998, p. 25) accurately contend, an issue such as drug-trafficking “is securitized only if and when the audience accepts it as such.” In other words, unlike Colombia, insecurity in Argentina did not become a major source of claims and national mobilizations, thereby limiting the opportunities for the adoption of a tougher policy against illicit drugs such as the SSM.

The price of deviance

Between 1995 and 1997, the U.S. decertified Colombia in three occasions, arguing that the Andean country did not comply with the U.S.-set requirements. Decertifying Colombia for three consecutive years, of course, had enormous consequences. Even a president that was a priori considered to be “soft” on drugs was forced to follow Washington’s recipe to fight against drug-trafficking. As Thoumi (2003) explains, the Samper administration had no alternative but to respond to annual decertifications by launching strong counter-narcotics operations. Eradication campaigns, interdiction

Securitization is the move by which a public issue “is presented as an existential threat, requiring emergency measures and justifying actions outside the normal bounds of political procedure” (Buzan, Waever, & Wilde, 1998, pp. 23-24).
initiatives, or the search for kingpins such as Escobar or the Orejuela brothers were some of the results of the U.S. pressure through the application of this legal mechanism.

The consequences of the certification process, of course, vary from country to country. While empirical evidence suggests that Colombia was highly vulnerable to this mechanism, particularly because the U.S. became its largest trading partner, other countries remained less exposed to its negative effects. Argentina’s more diversified economy, for example, has resulted in a more flexible economic context to develop its own counter-narcotics policies.79 Even during the mid-1990s, moment were the U.S.-Colombia bilateral relations deteriorated to historically low levels, Argentina’s exports towards the U.S. only accounted for 1,760 million, whereas Colombia doubled this figure with 3,701 million (U.S. Census Bureau, 2015). Following Keohane and Nye (1977), therefore, the Latin American experience indicates that less dependent countries are often capable of bargaining over a variety of issues, including the development of their own counter-narcotics policy, using their lower levels of asymmetry as a source of power.

Understanding rejection

Unlike the Alfonsin administration, Menem explicitly favored the adoption of the SSM in Argentina. With the shadow of el proceso far away and strengthened by the concentration of power in the executive, the president presented the country’s drugs problem as an existential threat, justifying the militarization of counter-narcotics policies. His initiative

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79 The certification mechanism distinguished from ‘major drug-producing countries’ and ‘major drug-trafficking country.’ The former is defined as one in which “1,000 or more hectares of illicit opium poppy are cultivated or harvested during a year; 1,000 or more hectares of illicit coca are cultivated or harvested during a year; 5,000 or more hectares of illicit cannabis are cultivated or harvested during a year. The later is defined as “being a significant source of illicit narcotics or other controlled substances significantly affecting the United States; or a country through which such drugs or substances are transported” (Crandall, 2002, p. 43).
was originally backed by different high-ranked government officials and members of the military in a context where Argentina-U.S. bilateral relations improved dramatically. The vice-president, ministers of defense, and even the Army chief supported Washington’s strategy to fight against drug-trafficking in Latin America and the Caribbean.

Despite relaciones carnales with the U.S., the general neoliberal turn, and Menem’s persistent efforts to securitize drugs, the effort to move towards the SSM ultimately failed. Domestic obstacles such as the president’s own institutional reforms aimed at subordinating the armed forces certainly constrained his possibilities to militarize the country’s drug policy. The logic suggests that a further reduction in military prerogatives, together with a visible decline in military contestation, limited the national government’s opportunities to push for the securitization of Argentina’s drug policy. The presence of an effective system of checks and balances also hampered the executive’s discretionary and personalistic profile, especially when dealing with the country’s civil-military relations. The role of the opposition at the National Congress, in particular, was of paramount importance in restraining the president’s growing power. In addition to the mechanisms of horizontal accountability, the traditional voices of the epistemic community and the human rights movement were raised every time the national government tried to revert some of the main achievements of the democratization project, thereby reinforcing the consolidation of a multi-party consensus around the role of Argentina’s armed forces. More generally, the absence of unprecedented levels of violence such as those present in countries like Colombia did not offer president Menem the opportunity structure to effectively securitize the drug problem as the SSM suggests.
Unlike the experiences of Alfonsín and Menem, the national context during the Kirchners’ administrations provided a fertile ground for the adoption of the SSM. High crime rates, public opinion demanding *mano dura*, and growing drug-related problems due to the country’s new role within the political economy of illicit drugs became some of the main driving-forces that opened the gates for the arrival of the SSM. Nevertheless, despite the fact that both presidents implemented some specific measures that partially militarized Argentina’s internal security, the U.S.-led model to fight against narcotics in Latin America and the Caribbean was not totally adopted. Perhaps surprisingly, resistance came from within the government itself rather than from other political institutions within the system of check and balances, in a context where the executive concentrated a lot of power, the party system became highly fragmented, nationalism exacerbated, and the U.S.-Argentina bilateral relations deteriorated. This process, of course, limited the effectiveness of the mechanisms of horizontal accountability that were decisive in the past. In other words, it was Kirchnerism’s strong alliance with different progressive and human rights organizations, together with the always-present role of the epistemic community, the most critical mechanisms behind the rejection of the SSM.
The Alianza transition

Fernando de La Rúa (1999-2001) took office in December, 1999, putting an end to a decade of Peronist rule. The Alianza (Alliance) formula, conformed by De la Rúa and Carlos Alberto Alvarez, obtained 48.5 percent of the votes, followed by Peronist Eduardo Duhalde with 38.09 percent. In the partial legislatives elections, the Alianza became the most voted alternative with 43.6 percent of the ballots, surpassing for the first time Partido Justicialista (Justicialist Party or PJ) in the number of seats in the Deputy Chamber, although it did not reach the absolute majority. In the Senate, the Alianza had 22 seats while PJ 39. Under these circumstances, the UCR kept eight out of ten of the ministries while FREPASO only obtained the ministries of Labour and Social Action.

De la Rúa assumed office in the midst of a deteriorating economic situation: GDP dropped 3.4 points, unemployment reached 14 percent, and poverty was about 30 percent. A high fiscal deficit and a growing foreign debt were also part of the national landscape by the end of the century. This heavy economic legacy was later acknowledged by De la Rúa in his inaugural speech before the Legislative Assembly on December 10, 1999. “The situation is worse than that announced by the outgoing government, which speaks of a financial order that does not exist,” affirmed the President (La Nación, 1999). Other pressing problems, De La Rúa further noted during his discourse, were the budget deficit, the provinces’ public debt, and difficulties with the retirees’ social benefits.

As a response to the crisis, De la Rúa rapidly decided to implement a comprehensive program of economic adjustment, mainly consisting of tax increases,

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80 The Alliance for Work, Justice, and Education, better known as Alianza, was a political coalition formed in 1997 between UCR and the Frente País Solidario (FREPASO).
81 The Alianza counted with 127 members out of a total of 257. Having its own quorum, however, required 129 seats.
greater fiscal discipline, and major cuts in salaries. These orthodox economic measures not only provoked discontent among Argentines in general but also within the own ranks of the Alianza coalition. Even influential members within the Radical party, including former President Raúl Alfonsín, began to question De la Rúa’s political credentials while disapproving his main governmental decisions. Most of the critiques raised at the beginning of his mandate pointed out that the Alianza was stripping the Radical party of the social and popular imprint that characterized the Alfonsín administration.

**Drug policy and the militarization debate**

In a context of growing economic and political instability, the drug problem did not become a priority for the Alianza. In addition to the lack of policies intended to confront the use of narcotics, the government’s apathy was illustrated by the subsidiary role of SEDRONAR. While Lorenzo Cortese was in office (2000-2002), indeed, the organization almost disappeared, registering the lowest budget in Argentina’s history: $12 million pesos (Burzaco & Berensztein, 2014). Furthermore, by October, 2001, SEDRONAR stopped paying stipends to 380 addicts who have no other means to access to their medical treatment. The debt the organization maintained with the 45 private centers offering therapy reached $540,000 pesos. The situation worsened when Cortese resigned in January, 2002, leaving the institution without a secretary. By the end of 2002, SEDRONAR had no budget and rumors indicating that the organization would be finally dissolved began to circulate in different newspapers (Barbano, 2002).

Yet the apathy towards the drug problem did not prevent the emergence of an intense debate around the militarization of Argentina’s internal security. Different politicians and high-ranked government officials confronted each other when discussing
the military’s functional limits. President De la Rúa inaugurated the controversy when asking the armed forces to perform “foreign intelligence” missions in the fight against drug-trafficking (La Nación, 2000a). De la Rúa’s first defense minister, Ricardo López Murphy, went further and included drug-trafficking as one of the main threats society was facing in Argentina, demanding the military “understand the changes in the nature of conflict” (Verbitsky, 2000). Similar to his predecessor in the Ministry of Defense, Horacio Jaunarena endorsed the idea of tackling new threats such as drug-trafficking and terrorism by using the military. “We need to rethink traditional definitions because terrorism is no longer an attack of domestic origins. It is increasingly necessary to link domestic and foreign intelligence,” Jaunarena said (Nora & Yapur, 2001).

Most of the attempts aimed at enlarging the military’s mission options, however, found several obstacles. The minister of interior, Federico Storani, the UCR president, Raúl Alfonsín, and the minister of foreign relations, Adalberto Rodríguez Giavarini, where some of the most popular figures rejecting the initiative proposed by the defense cabinet (La Nación, 2000b). At the National Congress, resistance emerged from FREAPSO and the legislative blocks of Alternativa para una República de Iguales (Alternative for a Republic of Equals or ARI) and Frente para el Cambio (Front for Change or FC). Jorge Rivas, a congressmen from ARI, for example, declared that “we oppose any intervention in the war decided by the U.S. and we want to warn against the danger of allowing again the armed forces to perform missions of domestic intelligence” (Nora & Yapur, 2001). A similar position was opportune offered by SEDRONAR’s secretary general, Loreonzo Cortese, who openly stated that “the rejection of the
intervention of the armed forces in the fight against drug-trafficking is grounded in current regulations and in our own political convictions” (Sain, 2002).

Even though the debate around the militarization of Argentina’s internal security persisted, the President himself ultimately opposed to any transformation of the country’s civil-military relations. “[The national government does not expect, consider, or has resolved or thought that the armed forces must act in the fight against drug-trafficking … The armed forces have another mission,” declared De la Rúa before 240 armed forces’ senior officers during the comradeship dinner prior to Argentina’s independence day (Tagliaferro, 2000). The President’s unambiguous declarations eventually dispelled doubts about the national government’s approach to the drug problem, particularly because De la Rúa himself had previously asserted that the military had to perform certain “foreign intelligence” missions to combat drug-trafficking.

**Early departure**

The militarization debate was unfolding in a growing context of crisis. The first symptoms appeared in August, 2000, when the executive was accused of bribing different national congressmen in order to move forward a controversial labor market reform.\(^{82}\) As a consequence, the vice-president resigned, arguing that the *Alianza* was born instead to confront corruption. The president not only lost credibility among the ranks of the Radical party but also in the eyes of society. In the short span of a year, the Argentine financial position went from a relative normality to an unprecedented crisis. A very sharp deterioration of public credit, a low credibility in the peso against the dollar, as well as a major run on bank deposits against the Central Bank reserves are some of the indicators

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\(^{82}\) Among other major transformations, the labor market reform suppressed union control over social security.
illustrating the crisis (Gervasoni, 2002). Successive changes in the Ministry of Economy could not prevent the national government from suffering different strikes and riots while the country’s economic situation continued to deteriorate. The October legislative elections weakened the President even more as the *Alianza* lost the majority at the National Deputy Chamber. Even though Domingo Cavallo, De la Rúa’s last minister of economy, tried to recover control by promoting a series of new economic and financial measures such as *corralito*, Argentina’s overall situation was virtually uncontrollable.bé

In the midst of several protests, lootings, and harsh street clashes between police forces and rioters that left 23 dead, De la Rúa finally resigned, leaving office on December 20, 2001. As many pundits opportunely suggested, Argentina was going through one of the worst social, economic, and political crises in its modern history. On December 21, the National Congress gathered and finally accepted the President’s official resignation, thereby opening deliberations on his replacement. Because the vice-presidency was still vacant since 2000, De la Rúa was replaced by Ramón Puerta, Adolfo Rodriguez Saá, Eduardo Camaño, and Eduardo Duhalde in a span of a few days.

**Failed expectations**

The 2001-2002 economic collapse had enormous consequences in Argentina. The international community, particularly the U.S. government and the International Monetary Fund (IMF), practically ignored the South American country’s devastating economic crisis (Arnson & Taraciuk, 2004). As a Foreign Affairs’ headline put it, Argentina went from being a “poster child” to a “basket case” (Pastor & Wise, 2001). Furthermore, Argentina’s economic crisis unfolded only a few months later than the

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83 “*Corralito*” was an economic measure that froze bank accounts and forbade dollar withdrawals.
terrorist attacks of September 11, 2001. This situation, of course, reinforced Washington’s growing apathy toward the Argentine government. As the Secretary of the Treasury, Paul O’Neill, admitted before the Senate’s Banking Commission on a public conference, “a week ago, Argentina was at the top of our priorities; now it is no longer there, not in the same way as before” (O’Donnell M., 2001).

In the international realm, the U.S. approach toward the South American country, especially over the course of the crisis, caused some friction in the bilateral relation. Despite the U.S. finally supported Argentina in the negotiations with the I.M.F. in 2003, many government officials, and the population in general, believed Washington was somehow responsible for the country’s economic problems (Tokatlian, 2004). According to a survey developed by Pew View Attitudes, 49 percent of the Argentines had a negative image of the U.S. by 2002 (Corigliano, 2011). Yet Argentina’s foreign policy did not experimented substantial transformations after the economic crisis. Neither the administration of Fernando de La Rúa (1999-2001) nor the following four interim presidents in office implemented substantial changes to Menem’s foreign policy.84

The presidency of Néstor Kirchner

Nestor Kirchner was elected in a climate of political fragmentation and uncertainty. Since the Santa Cruz’s former governor won the elections in the aftermath of public protests characterized by the slogan “que se vayan todos” (“away with them all”), Kirchner rapidly had to show signs of change and break with the past.85 Based on an export-led

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84 After De la Rúa’s resignation, Argentina had four presidents in less than two weeks: Ramón Puerta, Adolfo Rodriguez Saá, Eduardo Camaño, and Eduardo Duhalde.
85 Kirchner won the elections with the lowest percentage of votes in Argentina’s history. In fact, the Peronist candidate lost the general election with 22.2 percent of the votes, defeated by Carlos Menem with
economic model and conservative fiscal policy, the Peronist President set a competitive exchange rate that ultimately benefited from extremely high commodity prices. The results did not take long to appear. Between 2003 and 2007, the economy grew at an average of 9 percent, unemployment fell 11 percent, and the poverty rate fell from nearly 50 percent to 27 percent (Levitsky & Murillo, 2008). Other significant measures such as Kirchner’s firm decision to negotiate the country’s external debt with international organizations showed that Argentina was following a different trajectory.  

On the political front, Kirchner deepened Menem’s strategy aimed at concentrating power in the hands of the executive. The President did not only avoid the suspension of the emergency powers delegated by the National Congress during the 2001 crisis, but he was also granted with a vast discretionary authority to modify the budget while enhancing its control over the judiciary power by promoting a reform of the Magistrates’ Council (Levitsky & Murillo, 2008). Moreover, the implementation of different financial measures such as a system of retenciones (export tariffs), together with the discretionary application of the co-participation regime, increased the national government’s control over the provinces. A blend of nationalism and laborism, often expressed in the rhetoric of political sovereignty, economic independence, and social justice, buttressed Kirchner’s main political measures at the beginning of his mandate.

This process was simultaneously accompanied by an increasing fragmentation of Argentina’s political opposition. The Radical party, in particular, suffered enormous

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24.5 percent. However, since Menem withdrew from the runoff election, Kirchner became president on May 25, 2003.

86 Argentina ultimately cancelled all its obligations with the I.M.F. in 2005.

87 Incorporated into the 1994 constitution, the Magistrate Council is the institution responsible for overseeing the appointment and removal of federal judges.

88 Since this tax’s revenues were not ultimately distributed among the states, the president used them regularly to align most of the country’s governors with the executive on a great variety of issues.
difficulties after the *Alianza’s* disastrous experience. Popular figures such as Ricardo López Murphy, Elisa Carrió, and Margarita Stolbitzer left Radicalism and founded their own political parties. *Recrear para el Crecimiento* (Recreate for Growth or RECREAR), ARI, and *Generación para un Encuentro Nacional* (Generation for a National Encounter or GEN) were all manifestations of the two-party system’s growing crisis in Argentina. Under these circumstances, five of the Radicalism’s six governors and more than a third of its 476 mayors backed the new Peronist government, thereby earning the popular label of “K Radicals” (Levitsky & Murillo, 2008). Most importantly, this trend ultimately favored Kirchner’s concentration of power, as none of the other political parties were able to dispute the Peronist predominance on a nationwide basis.

**Soft balancing revisited**

This situation, however, began to change with the arrival of Nestor Kirchner (2003-2007). Primarily focused on domestic politics, the Justicialist party governor distinguished himself from previous Peronist leaders. Unlike his predecessors, indeed, President Kirchner set autonomists, institutionalists, and neo-developmental guidelines from the beginnings of his administration (Simonoff, 2009). Without directly confronting the U.S., the national government slowly brought Menem’s carnal relations to an end. Notwithstanding the country’s foreign minister, Rafael Bielsa, declared that the goal was to establish a “mature relationship with the U.S.” (2003), Argentina began to show some signs of antagonism toward Washington’s foreign policies in the Latin American region. As Arnson and Taraciuk (2004) point out, Kirchner developed a firm foreign policy, confronting with the George W. Bush administration is certain issues of the agenda.

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Yet Kirchner’s first foreign policy was aimed at cooperating with the U.S. on fighting terrorism, the most pressing issue for Washington’s international agenda after the attacks of September 11, 2001. By 2004, for example, Argentina had acceded to ten conventions to counter terrorism and developed additional mechanisms to cooperate in this field (Colombo Sierra, 2004). Despite the government’s official support to the Bush’s crusade, the Argentine foreign minister made clear that the Kirchner’s administration “intended to maintain a degree of autonomy and sovereignty” when combating terrorism (Bielsa, 2003). According to Tussie (2004), the national government was aware that confronting the U.S. on issues such as terrorism was unwise, although it was not willing to compromise on other subjects that were considered a priority for Argentina’s foreign policy. In 2003, for instance, the government opposed Bush’s decision to invade Iraq, considering that Washington needed to follow a multilateral approach that respected the role of international institutions. Additional frictions included the national government’s decision to cancel the development of joint military exercises with the U.S. and the refusal to vote against Cuba within the framework of the United Nations Commission on Human Rights (U.N.C.H.R.). In general terms, however, both countries continued to maintain relatively positive relations despite President Kirchner’s soft balancing strategy and populist rhetoric against Washington’s foreign policy.

Perhaps the tensest moment in Argentina-U.S. bilateral relations came in 2005 when the Kirchner administration rejected the American proposal to conform the Free Trade Area of the Americas (F.T.A.A.). The 4th Summit of the Americas held in Mar del

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90 Argentina also participated in the Inter-American Committee against Terrorism (C.I.C.T.E.) created under the umbrella of the O.A.S. and the “Three Plus One” dialogue, a mechanism intended to serve as a forum of counterterrorism among the four countries in the Triborder Area; that is, the members of the Tripartite Command (Argentina, Brazil, and Paraguay) plus the U.S.
91 “Aguila III” was a joint military exercise to be help in the province of Mendoza in October, 2003.
Plata, Argentina, was indeed dissolved due to disagreements over the scope of the treaty, with Brazil and Argentina leading the opposition to Washington’s original proposal. Kirchner’s critical discourse against the economic policies promoted by the U.S. and the I.M.F. illustrates Argentina’s new diplomatic profile in Latin America. Alternatively, the national government sought the consolidation of a South American block, a project that gained momentum with the strengthening of MERCOSUR. As President Kirchner himself (2004) declared at the Summit held in Ouro Preto, Brazil, “the Treaty of Asunción must be rescued from the files and put it into full force.”

Underlying Argentina’s renewed vision of MERCOSUR was Kirchner’s political decision to establish a strategic alliance with Brazil. Cooperating with the Brazilian government, many scholars suggest, could help Argentina to balance the U.S. power in Latin America. In what would be later known as the “Buenos Aires Consensus,” for example, the presidents of Argentina and Brazil signed a joint declaration aimed at creating a new center of power in South America. Most important, this new approach launched by Kirchner and Lula da Silva was buttressed on different grounds than those that served to organize politically and economically the continent in the past. The headline of one of the most influential newspapers in Argentina illustrates this point: “The Buenos Aires Consensus, a way to say no to the United States” (Candelaresi, 2003).

The insecurity challenge

Kirchner’s political challenges were no limited to the country’s economic situation. Another issue ranking at the top of the public agenda was insecurity. Indeed, security concerns began to rise in Argentina by the end of the 1990s, when crime rates increased drastically, reaching historical levels during the 2001-2002 economic collapse
As official reports indicate, a total of 498,290 crimes of all types were registered in 1991, whereas in 1999 the figures were almost double, accounting for 1,062,241. In 2002, Argentina recorded a high of 1,340,529 crimes, though this trend was reversed (Dirección Nacional de Política Criminal, 2008).92

This situation gained momentum on 24 March, 2004, when media finally confirmed that Axel Blumberg, a college student kidnapped a week before, was murdered by his captors. Blumberg’s assassination, together with other violent incidents that occurred simultaneously, provoked anger among many Argentines. Not surprisingly, Axel became a symbol and his father, the engineer Juan Carlos Blumberg, the leader of a national crusade against insecurity. Blumberg capitalized citizens’ discontent with the crime wave experienced in the City and Greater Buenos Aires through a series of public protests. On April 1, 2004, for example, over 150,000 people mobilized into the National Congress, where Blumberg presented a formal petition accompanied by a dozens of projects meant to toughen sentences against crime. “We have judges who are in favor of criminals and murderers rather than society,” Bloomberg said during the first mobilization organized that year (La Nación, 2004a). As Seri (2012) contends, seguridad [security] antagonized human rights, at least in the eyes of demonstrators.

A survey developed by the consulting firm Catterberg and Associates showed that 17.9 percent of the interviewees considered that insecurity was the most important problem, only surpassed by unemployment (La Nación, 2004b). Intense public pressure led to parliamentary approval of the so-called “Blumberg Laws” in 2004. By modifying

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92 When placed in the regional context, however, Argentina still exhibits a relatively low homicide rate. According to the United Nations Development Programme (2013), the country has less than 10 homicides per 100,000 inhabitants, a low figure compared to other South American countries, including Paraguay, Brazil, Colombia, Venezuela, or Ecuador.
the country’s penal code, the new legislation stipulated the possibility of adding up to 50 years in prison for serious crimes such as rape followed by murder and kidnapping followed by death. Similarly, the city of Buenos Aires joined the national crusade and reformed its código de convivencia (civil code) in 2004. Activities such as street vending, prostitution, public demonstrations, as well as the minimum age of criminal responsibility, were modified following the prevailing hysteria over the insecurity problem. More generally, all these initiatives confirmed that the government was increasingly influenced by different interest groups, on the one hand, and that the president opted to bypass the state’s institutional channels, on the other.

Drugs and crime

In this context, many politicians began to argue that Argentina’s deteriorating security situation was somehow connected to the country’s drug problem. Perhaps one of the first leading voices behind this trend was Buenos Aires’ Peronist governor, Felipe Solá, who decreed the state of “security emergency” after Blumberg organized the first mobilization on April 1, 2004. The fight against drug-trafficking, in particular, became the centerpiece of Buenos Aires’ security policy. Along these lines, León Arslanián, Solá’s Minister of Security, claimed in a letter addressed to the residents of Vicente López, San Isidro, San Fernando, Tigre, and Pilar, that “increasing drug use and easy trafficking, as well as gangs” were the main driving-forces behind the upsurge of violence (Infobae, 2004).

The political debate acquired national status when Díaz Bencilari, the head of the Peronist block at the National Chamber of Deputies, echoed Solá’s political initiative and declared that “we have taken up the idea of seeing if we can decentralize the crime of drug-trafficking” (Sagasti, 2004). As the Peronist national senator, Diana Conti, asserted,
“crime was associated with both drugs and alcohol due to the Blumberg effect” (La Nación, 2005). On August 31, 2006, indeed, Blumberg organized a fifth mobilization at Plaza de Mayo, openly demanding the need to “combat firmly drug-trafficking.” Insecurity, Blumberg concluded, “cannot be swept under the carpet” (La Nación, 2006).

Yet the relation between insecurity and drug-trafficking was not only a straw-man used by politicians. By contrast, empirical evidence suggested that Argentina’s role within the political economy of illicit drugs was changing dramatically by the beginning of the century. Although Argentina was still considered a transit country, consumption and manufacturing of illicit drugs were growing rapidly. On the one hand, the consolidation of paco transformed the consumer market in Argentina, notably along Buenos Aires’ economically disadvantaged neighborhoods. As the 2005 High School Second National Poll shows, the prevalence of PBC among students between 13 and 17 years accounted for 1.4 percent in 2005, representing a 200 percent increase when compared to 2001. Similar trends were observed with regard to other illicit drugs: cocaine and marijuana consumption increased 120 and 67.6 percent respectively. On the other hand, a total of 80 illicit processing centers of cocaine derivate were reported between 2000 and 2006—of which only two were capable for producing ecstasy (Cutrona, 2015a).

Moreover, different reports elaborated by the U.S. Department of State (INCSR, 2005, 2006, and 2007) considered that Argentina was a major precursor chemical source for diversion to cocaine and heroin manufacture. Since the ephedrine market was practically unregulated before 2005, many organized criminal networks bought ephedrine in order to utilize this substance for drug-trafficking. This trend has been particularly visible since 2004-2005, moment when Argentina imported approximately 3.5 tons of
ephedrine in approximately 24 months. Under these circumstances, between 2006 and 2008, the overall triangulation of ephedrine proliferated dramatically. While in 2006 the providers of ephedrine brought around six tons, in 2007 Argentina imported approximately 19 tons, thereby resulting in a total of almost 41 tons of ephedrine entering the South American country between 2006 and 2008 (Cutrona, 2015a).

The national government, of course, reacted by promoting major transformations within the institutional architecture devised to confront the country’s drug problem. The first initiative came in September, 2004, when Kirchner transferred the Secretary of Security from the Justice Ministry back to the Ministry of Interior. This project was seen as an attempt to raise the profile of security related issues, particularly after public concerns began to rise by the beginnings of the 2000s. Similarly, in December, 2004, the Ministry of Interior began to develop a national security plan intended to confront drug-trafficking organizations along the country’s northern border, particularly in relation with narcotics entering from Bolivia and Paraguay. Likewise, the DEA provided logistical support throughout the implementation of the program (O’Donnell, 2011).

**The human right’s strait-jacket**

Kirchner’s alliances with progressive and human rights groups, however, left him reluctant to adopt repressive policies to combat drug-trafficking. The Peronist President, indeed, accelerated Alfonsín’s human rights crusade and different groups gained remarkable leverage on Argentina’s political landscape. Relatively free from military pressures, Kirchner decided to overturn sweeping amnesty laws that the National Congress passed amid threats of military rebellions, including Alfonsín’s 1986 Final Point Law and 1987 Due Obedience laws, as well as Menem’s 1990 pardon of top
generals. By the same token, Kirchner also annulled the decree signed by former President De la Rúa, which prohibited the extradition of Argentine officers who violated human rights records during the military dictatorship. As Diamint (2008) claims, these measures recovered, after many years, the initial idea, outlined at the beginnings of the Alfonsín administration, of applying the legality to resolve Argentina’s military issue.

Other symbolic measures aimed at placing the human rights issue at the top of the agenda were advanced at the beginning of his administration. In 2004, for example, the national government transferred the Escuela de Mecánica de la Armada (the School of Naval Mechanics or ESMA), an institution that operated as the dictatorship’s biggest concentration camp, to different human rights organizations, who ultimately transformed the building into a “Museum of Memory.” “As the President of Argentina, I come to ask forgiveness on behalf of the national state for the shame of having remained silent during 20 years of democracy for many atrocities,” Kirchner declared (Curia, 2004). Certainly, the president’s political decision to relaunch the human rights agenda was decisive for many progressive sectors of society, primarily because it radically reversed Menem’s firm intention to forget the issue of Argentina’s state terrorism.

Outside from the sphere of the civil-military relations, other political measures suggested that the national government’s bounds with human rights groups were improving considerably. Unlike prior experiences during the Menem administration, for example, Kirchner refused to use force against street blockades and other forms of civil disobedience. The President’s alliance with piqueteros (protesters) served his plans aimed at controlling the streets while avoiding a direct confrontation with relegated social sectors of Argentina’s society. Equally effective for gaining support from civil society
was Kirchner’s decision to dissolve the Menemist Supreme Court, appointing instead different judges that were known for their commitment to the defense of human rights.

**The unsolved military issue**

Not surprisingly, the country’s human rights agenda was tied together with the armed forces faith. Kirchner’s policy towards the military, indeed, was unambiguous from the beginning. Soon after he took office on May 25, 2003, the President forced three-quarters of the army command and half of the air force and navy commands, more than 50 generals and admirals in all, into early retirement (Rohter, 2006). Other symbolic measures reaffirmed Kirchner’s decision to further advance on the disarticulation of the armed forces. On the Army’s day, for example, Kirchner declared in front of 5,000 soldiers that “as the president of Argentina, I have no fear; I am not afraid of you,” before he left the ceremony without reviewing the troops that had been assembled for him. In another emblematic event unfolded during the traditional ceremony at the Military College in 2004, Kirchner ordered the Army chief, Roberto Bendini, to take down the pictures of Jorge Rafael Videla and Roberto Bignone, former de facto presidents.

In addition to overturning the main amnesty laws passed since the recovery of democracy in 1983, Kirchner also promoted different regulatory measures aimed at subordinating the military to civilian oversight. Most importantly, Kirchner signed Decree 727/2006, which finally regulated Law 23,554 sanctioned in 1988. Although José Pampurro, Kirchner’s first Defense Minister, did not reject the idea of regulating the National Defense law, it was his successor, Nilda Garré, the most prominent high-ranked government official behind this initiative (Diamint, 2008). Meant to restrict even more the armed forces’ operative capabilities, the norm prohibited the military’s domestic
intervention, further empowered the Ministry of Defense, and reinforced the national government’s commitment to reject any attempt intended to extend or widen the employment of military forces in areas other than defense, including the so-called ‘new threats.’ Securing the country against non-traditional enemies remains a strict responsibility of Argentina’s law-enforcement institutions, the norm clearly highlighted.

Argentina’s gradual erosion of the military’s prerogatives contrasted with the situation in Colombia, particularly since the approval of Plan Colombia. Between 2000 and 2013, the Andean country’s military grew from approximately 180,000 to 280,000 members (Ministerio de Defensa Nacional, 2013). Since 2000, Colombia’s defense budget almost tripled, transforming its army into the biggest in Latin America. Not surprisingly, opinion polls showed that the military was one of the most popular institutions among Colombians (Isacson, 2013). Uribe’s attempt to return judicial police power to the military and to restrict Constitutional Court oversight of states of emergency illustrates the institution’s growing influence (Ramírez Lemus, Stanton, & Walsh, 2005).

The flipside of the coin was, of course, the vast violation of human rights in Colombia. In 2012, for example, the internal conflict killed 827 members of the security forces and illegal armed groups, whereas a similar number of deaths has been registered in terms of civilians (Ministerio de Defensa Nacional, 2013). Another major form of human rights violation was forced displacement. In 2006 alone, reports indicate that more than 200,000 Colombians were displaced as a result of violence (Rosen, 2014). Although kidnapping, extortion, and other violent techniques used by criminal organizations have dropped since the peak of the conflict in the 1990s, they still remained a frequent crime in Colombia. Perhaps the most paradigmatic case was the so-called “false positive” scandal,
in which security forces killed thousands of civilians and subsequently dressed them as guerrillas’ members. As a result, an estimated 3,000 innocent civilians were murdered, according to the Office of the UN High Commissioner for Human Rights.

Unlike Argentina, however, the Andean country’s judicial system proved under-equipped for the wave of serious human rights cases occurred since Uribe launched the war on drugs. For instance, out of the 31,849 demobilized members of the AUC, only 4,237 faced human rights charges so serious that they entered the Justice and Peace process beginning in 2005 (Isacson, 2013). A similar situation occurred with most of the FARC leaders and even members of BACRIM. Broadly speaking, this trend suggests that the Colombian government, particularly since Uribe took office in 2002, did not view human rights as a political priority, focusing instead on combating internal armed actors by whatever means necessary (Rosen, 2014).

**A new approach to drugs**

It is not surprising, therefore, that Argentina’s drug policy since 2003 became increasingly anchored in the notions of social inclusion and the respect of human rights, as opposed to the prohibitionist paradigm promoted by the U.S. in Latin America and the Caribbean. From this perspective, the cornerstone of Argentina’s official strategy against narcotics became the “prevention, training, and assistance of problematic substance use; considering people as active subjects of rights, with the capacity to decide, grow, dream, and plan…” (SEDRONAR, 2015). The focus of Argentina’s policy-making, in other words, was the subject and not the use of illicit substances itself.

The national government’s approach, of course, had institutional consequences. The role of SEDRONAR, particularly under the administration of José Ramón Granero,
would be highly permeated by Kirchner’s personal imprint. Granero became SEDRONAR’s secretary in June 2004. As Kirchner’s first government official working directly in the field of narcotics, however, Granero faced the difficult challenge of confronting drug-trafficking in a moment where the country’s narcotics problem worsened dramatically while the institution’s budget remained practically frozen. Soon after he took office, indeed, Granero declared that he would “intensify the task of getting additional budgetary resources from different international organizations to combat drug-trafficking” (La Nación, 2004c). Having enough economic resources was important, the secretary further contended, because “Argentina stopped being a transit country.”

Yet SEDRONAR’s growing problems were not only limited to budgetary issues. Underlying the institution’s main difficulties was an intense confrontation between Granero and Aníbal Fernandez, by the time Kirchner’s Minister of Interior. In particular, a strong disagreement emerged over the institutional control of the fight against drug-trafficking and the decriminalization of drug possession for personal consumption. The consequences of this political dispute certainly constrained the institution’s overall performance. SEDRONAR’s collaboration with federal forces, including Policía Federal, Gendarmería Nacional, and Prefectura Naval Argentina, almost disappeared. Furthermore, traditional inter-forces official meetings were eventually suspended, training seminars were canceled, and SEDRONAR stopped receiving logistical support and information from law-enforcement institutions (Burzaco & Berensztein, 2014).

Illustrative of the institution’s malfunctioning was its incapacity to hamper the country’s growing role in the triangulation of chemical precursors. As already noted, Argentina imported approximately 3.5 tons of ephedrine between 2004 and 2005. These
figures, logically, caused worries among Washington’s different counter-narcotics agencies. It is not entirely surprising, therefore, that in 2005 Argentina was forced to pass law 26,045, giving SEDRONAR registry system the authority to maintain an updated registration of all chemical precursors. According to the new regulatory scheme, the institution became in charge of controlling the distribution of precursors and imposing fines on unregistered chemicals circulating throughout Argentina’s territory.

Decentralization

The growing social and human rights-based approach to illicit drugs did not prevent the emergence of other contradictory measures such as decentralization (desfederalización). Although Argentina’s narcotics legislation originally established that offenses falling under the 23,737 law were a competence of the Federal Justice’s magistrates, in 2005 the National Congress passed the so-called decentralization law. The alleged goal of law 26,052 was to allow the Federal Justice to focus on major drug-trafficking crimes while leaving provincial prosecutors to deal with minor drug offenses. This legal instrument, therefore, transformed the country’s jurisdictional powers, the map of relevant actors, and other institutional practices recognized by the 23,737 narcotics law. Article 2, in particular, establishes that “offenses defined and punished by this law are competence of the Federal justice except for those provinces and the Autonomous City of Buenos Aires, which by law choose to assume jurisdiction...” According to the new scheme, investigations are concentrated in the hands of judges, prosecutors, and local police. Simply put, Argentina’s new legal system stopped being exclusively federal, allowing the provinces to prosecute certain offenses such as consumption and direct sale to consumers.
The first decentralization initiative came from former Buenos Aires governor, Felipe Solá. Participating locally in the fight against drug-trafficking, Solá claimed, was of paramount importance because the Federal Justice is slow, has less personal than the provincial one, and it is only focused on pursuing major crimes (Intercambios, 2004). Despite the initial impetus, however, the initiative was not followed by the bulk of the states. By 2014, only the provinces of Buenos Aires, Córdoba, and Salta fully joined the decentralization system. Meanwhile, for different reasons, the application of law 26,052 has been delayed in Entre Ríos and La Rioja (Gallo, 2014b). Other provinces such as Santa Fe, Misiones, and Catamarca were on their way to approve this legal mechanism.

The decriminalization debate emerges again

The first National Conference on Drug Policies, celebrated in September, 2003, opened the national debate on decriminalization of drug possession during the Kirchner administration. Organized by Intercambios, the event was sponsored by the Pan American Health Organization (PAHO), UNAIDS, and the United Nations Office on Drugs and Crime (UNODC). The meeting was attended by the epistemic community in general, including Juan Gabriel Tokatlian, Graciela Touzé, and Alain Labrousse. Most important, the first National Conference on Drug Policies rejected the implementation of the punitive approach sponsored by the U.S. in Latin America and the Caribbean.

The national government also showed strong signs of flexibilization. In 2003, for example, the Minister of Health, Ginés González García, launched a regional project called “Prevention of Drug and AIDS in Southern Cone.” Sponsored by UNAIDS and UNODC, the Kirchner administration handed syringes and condoms to drug users in the Capital and Greater Buenos Aires. The project was funded by UNAIDS and implemented
by *Intercambios*, with support from the Ministry of Health and different municipalities. Many specialists working in the field of drugs labelled this campaign as an “historical event for Argentina’s harm reduction” (Kornblit, Caramotti, & Di Leo, 2010).

In the midst of the debate two different projects aimed at decriminalizing drug possession for personal use were presented at the National Congress. The first one was pushed by Senator Diana Conti, who asserted that “both law 23,737 and the war on drugs failed because in no way they diminished drug use or trafficking.” According to the legislator, the problem of addiction should be treated as a health issue and not as a criminal one, because no recovery is possible by using compulsory means and under the intervention of a criminal court (La Nación, 2005). The other project was presented by the socialist deputy, Cordova Eduardo García. Law 23,737, García noted, “transformed into criminals hundreds of thousands of people who are not criminals. In the 15 years of enforcement there were 320,000 people prosecuted or arrested for this issue: 98.5 percent of them had no criminal record when arrested and less than five grams in their possession.” From this perspective, “decriminalization does not solve the drug problem, but would help to approach it with far less prejudice and thereby help consumers to have more possibilities to approach the health system” (La Nación, 2005).

The national government’s official position, however, was not as convincing. By contrast, many high-ranked government officials, and even the president himself, were cautious when approaching the decriminalization issue. Granero (2005), for example, claimed, “the official and my personal position is to be against the decriminalization of marijuana and other drugs.” The position of SEDRONAR’s secretary, of course, was buttressed by Kirchner, who certainly preferred to avoid the cost of leading an initiative
of this kind. *La Nación* newspaper, indeed, documented a meeting where the president contended that “if the [Supreme] Court, as presently constituted, declared drug possession unconstitutional … I will not take a single step in that sense because the country already has enough problems” (La Nación, 2005). Under these circumstances, less radical positions emerged. Granero and González García, for example, agreed with the possibility of discussing the use of marijuana for medical purposes.

**U.S.-Argentina bilateral cooperation**

Despite the national government’s rhetoric attacks against the U.S. and the South American country’s soft balancing strategy at the multilateral system, Argentina’s cooperation with Washington’s counter-narcotics agencies persisted. According to U.S. official records, cooperation between both countries was particularly focused on Washington’s assistance to improve Argentina’s law enforcement capabilities. The provision of equipment and training programs, in particular, became the cornerstone of the American efforts for both federal and provincial authorities in Argentina.

After more than 10 years of negotiations, the national government and the Bureau of Narcotics and Law Enforcement Affairs (INL) signed a memorandum of understanding (LOA), paving the way for new cooperation agreements in the field of illicit drugs. It is under this framework and logic that in 2004, the DEA provided two law-enforcement tactical training courses, a money-laundering course sponsored by the Department of Homeland Security (ICE), an airport narcotics interdiction course sponsored by DEA/INL, and a prevention seminar held in conjunction with SEDRONAR supported by Public Affairs Section (PAS) and INL. In addition, the DEA backed
different task forces, including the Northern Border Task Force (NBTF), Group Condor, and the Mendoza Airport Task Force (Bureau for International Narcotics, 2005).

By 2007 the bilateral cooperation continued. The cornerstone of the American efforts in Argentina was the Northern Border Task Force (NBTF) in Salta and Jujuy respectively. Aimed at controlling Argentina’s border with Bolivia, the NBTF promoted coordination between different law-enforcement agencies in order to disrupt the flow of narcotics. An additional point of cooperation, the INCRS report further suggest, was the U.S. provision of equipment and training to Argentina’s law-enforcement personnel to counter smuggling activities in the tri-border area of Paraguay and Brazil. The U.S. government also provided training in maritime law enforcement and port security, as well as training to strengthen the South American country’s money laundering and counterterrorism financing strategy (Bureau for International Narcotics, 2007).

In Colombia, meanwhile, bilateral counter-narcotics cooperation continued to prosper. The U.S., however, decided to shift the financial burden of combating drug-trafficking to Colombia’s national government (Rosen, 2014). By 2012, when Plan Colombia was finally winding down, the U.S. allocated approximately $300 million, representing a sharp decrease compared to the past (Shifter, 2012). Cooperation did not cease, however. In October, 2009, for example, Bogota and Washington signed a controversial military agreement, granting the U.S. access to seven Colombian bases. Among other things, this legal mechanism allowed U.S. troops and contractors to carry out different anti-drug missions. As Uribe openly admitted, “luckily we signed the cooperation agreement [with the U.S.], which guarantees a continuation of the same conditions as under Plan Colombia” (Begg, 2010).
The end of his mandate

Despite the worsening of most of the country’s drug-related indicators, Kirchner managed to move the country forward, leaving the 2001-2002 economic and social crisis virtually behind. Macroeconomic indicators as poverty, employment, tax revenues, balance of payments, investment, among others, improved dramatically during the four years of the FPV. Public trust and the social environment in general were also relatively recovered. Kirchner’s decision to not run for a second term, therefore, stunned many political analysts and pundits, particularly because the Santa Cruz’ former governor had an approval rating of about 70 percent. Under these circumstances, Kirchner left office as the most popular president in modern Argentine history (Levitsky & Murillo, 2008).

The presidency of Cristina Fernández

In an unprecedented event in Argentina’s history, Néstor Kirchner’s wife, Cristina Fernández, was elected president in the October 2007 general election. As the country’s first female head of state, Fernández obtained 45 percent of the votes, defeating Elisa Carrió of the Coalición Cívica (Civic Coalition) and the UCR-backed candidate, Roberto Lavagna, with 23 and 17 percent of the votes respectively. The FPV also won more than three-quarters of Argentina’s governorships while simultaneously obtaining a vast majority in both chambers of the National Congress. By the inauguration of her first presidential mandate on 10 December, 2007, therefore, President Fernández concentrated a lot of power, leaving far behind a highly fragmented opposition.

Although Fernández took office at a time of relative prosperity, Argentina was still facing major challenges, including inflation, public security, and a faulty energy infrastructure. Despite these difficulties, the president committed to maintain the
country’s economic grow, to deepen the fight against poverty, to consolidate the emancipation of the debt, and to continue to promote the human rights agenda. Major political decisions such as the re-nationalization of Aerolíneas Argentinas (Argentine Airlines) and Austral, the expropriation of Yacimientos Petrolíferos Fiscales (Fiscal Oilfields or YPF), the nationalization of Administración Nacional de la Seguridad Social (National Social Security Administration or AFJP), the law of Audiovisual Communication Services, the inauguration of Asignación Universal por Hijo (Universal Child Allocation for Social Protection or AUH), among others structural measures, indicated that the Fernández administration was decided to deepen Kirchner’s nationalist strategy aimed at recovering the role of the state within Argentina’s domestic politics. And like the 1950s era edition, Fernández strengthened the government’s populist-left rhetoric, extolling the importance of different social welfare programs and nationalism.

**Drug policy with no direction**

The confrontation between Granero and Aníbal Fernández continued during the presidency of Fernández. Illustrative of this conflict was Fernandez’s decision to create the Comisión Nacional Coordinadora de Políticas Públicas en Materia de Prevención y Control del Tráfico Ilícito de Estupefacientes, la Delincuencia Organizada Transnacional y la Corrupción (National Coordinating Commission of Public Policy on the Prevention and Control of Drug-trafficking, Organized Crime, and Corruption), in charge of Mónica Cuñaro.93 Created by Decree 1359/2009, the Commission overlapped SEDRONAR’s main prerogatives, thereby creating a parallel institutional infrastructure

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93 Cuñaro was known for her research on drug-trafficking in the Bajo Flores neighborhood. Likewise, judges Horacio Cattani, Martín Vázquez Acuña, Patricia Llerena, among others, accompanied Cuñaro in the Commission.
in the fight against narcotics. This dichotomy came to light when the Commission elaborated a project promoting decriminalization, a policy alternative that was systematically rejected by SEDRONAR (Burzaco & Berensztein, 2014).

Similar to what happened during the Néstor Kirchner’s administration, SEDRONAR’s budget remained practically frozen since 2007, suggesting that Argentina’s drug problem was still not considered a top priority. In 2008, for example, the institution counted with approximately $34 million pesos ($9.3 million USD) to fight against drugs (CICAD, 2010). Out of the total money received by the organization, however, $19 million pesos were destined to cover operating expenditures, meaning that only $15 million pesos ($4 million USD) were effectively allocated to prevent the proliferation of narcotics (Peralta, 2008). Meanwhile, more than a half of those resources (approximately $2.3 million USD) were assigned to the treatment of drug users, reinforcing the organization’s health imprint (CICAD, 2010). According to Fabián Peralta, a GEN national congressman, “these are insignificant figures for a business that worth millions of dollars” (2008). Moreover, Peralta went further when discussing the country’s approach to narcotics and asserted that “the budget sets priorities and these numbers suggest that it is not a priority for this government to prevent, assist, control precursors, and combat drug-trafficking.”

In a context of growing economic constraints to approach the country’s drug problem, the national government launched Plan Nacional Antidrogas de Argentina, 2009-2011 (Argentina’s Anti-Drugs National Plan). Intended to strengthen and deepen the national strategy to combat drug abuse, the plan included specific goals such as demand reduction, supply reduction, control measures, international cooperation,
evaluation of programs, and a national system of information and research on narcotics consumption. Nevertheless, the Fernández administration did not assign a specific budget to accomplish its main objectives, thereby limiting the plan’s overall efficacy. Its implementation, by contrast, was in charge of different agencies and provinces that used their own funds to fight against narcotics (CICAD, 2010).

The Arriola case

The 2009 “Arriola decision” revived Argentina’s debate on decriminalization of drug possession. In an eight-page writ, the Supreme Court declared unconstitutional the second paragraph of article 14, Law 23,737. This article considered the possession of drugs for personal use a crime.94 The argument behind the Supreme Court’s most recent decision was underpinned by the Argentine constitutional right to individual privacy, particularly Article 19. Accordingly, as long as the possession of drugs does not affect third parties, it must be considered a private act and, therefore, does not constitute a crime. Supreme Court Judge Carmen Argibay, for example, contended that “drug possession for personal consumption in itself does not provide any reason to affirm that the accused have carried out anything more than a private act or that they have offended public morals or the rights of others” (Arriola, Sebastián y otros, 2009).

The Arriola decision followed the same line of thinking of some high-ranked government officials calling for a reformulation of Argentina’s drug policy. In addition to the legislative proposals and the work performed by the National Coordinating Commission led by Mónica Cuñaro, the Cabinet Chief, Aníbal Fernández, continued to publicize the virtues of decriminalization. In 2008, for instance, the Cabinet Chief

94 As already noted, the “Arriola decision” overruled the 1990 “Montalvo decision.”
defended his position before the United Nations. “We have to put an end to a system that captures the consumer and even criminalized it without giving the right to health,” said Fernández during his presentation at the special meeting of the Economic and Social Council (ECOSOC) in Vienna (Cappiello, 2008). Fernández went further and pointed out that “we need to change existing conventions because the world is another.”

Unlike prior experiences, however, the decriminalization alternative was openly supported by the president. At the presentation of a national survey on alcohol, tobacco, and psychotropic and illicit drugs held in Buenos Aires in July, 2008, Fernández declared that “I do not like addicts to be sentenced as if they were criminals. Those who must be sentenced are those who sell the substance.” Furthermore, she said “I am waiting for that project,” referring to the proposal to amend the narcotics law on which the Chief Cabinet and the National Coordinating Commission were working (Guagnini, 2008). With the president’s support, of course, Granero’s authority within the structure of SEDRONAR was strongly undermined, paving the way for a more flexible approach to illicit drugs such as the one originally promoted by Anibal Fernández.

Against the “iron fist”

The decriminalization debate unfolded in a midst of an initiative aimed at reversing Argentina’s punitive approach towards crime. In this context, social organizations, unions, and a vast multi-party coalition signed the Acuerdo para la Seguridad Democrática (Agreement for Democratic Security or ASD) in December, 2009. By rejecting authoritarian responses to insecurity, ASD proposed some basic criteria for democratic action to address the problems of crime in Argentina. In particular, the document questioned the security policies carried out in the province of Buenos Aires by
Governor Daniel Scioli and his minister of security, Carlos Stornelli. The tightening of the penal system, the police self-government, the dismantling of the civil control over the police, and the absence of long-term policies to prevent crime and violence were some of the main problems highlighted in the document sponsored by CELS (2009). More generally, the ASD represented an attempt to avoid the proliferation of “iron fist” policies such as those proposed by Blumberg since the mid-2000s (Seri, 2012).

Most important, the initiative was the consequence of a vast multi-sectorial consensus. Some of the politicians that signed the document were Agustín Rossi (FPV), Ricardo Gil Lavedra and Ricardo Alfonsin (UCR), Fernando Solanas (Proyecto Sur), Victoria Donda (Libres del Sur), Mónica Fein and Rubén Giustiniani (Socialist Party), and Margarita Stolbizer (GEN). The human rights organizations that participated were CELS, Madres de Plaza de Mayo Línea Fundadora, Abuelas de Plaza de Mayo, APDH, and Hijos. Between the union members were the signatures of Hugo Moyano (CGT) and Hugo Yasky (CTA). Juan Tokatlian (UTDT), Carlos Acuña (UdeSA), and Carolina Smulovitz (UTDT) were some of the most prestigious academics behind the initiative. Finally, other popular figures such as León Gieco, Adolfo Pérez Esquivel, and Raúl Zaffaroni accompanied the initiative. Certainly, the diverse political and social composition of the forces that participated in the project resembled the consensuses that underpinned the National Defense, Internal Security, and National Intelligence legislation sanctioned by different democratic administrations since 1983.

**Soft balancing against the U.S.**

The administration of Cristina Fernández de Kirchner (2007-2015) exacerbated Argentina’s historical soft balancing strategy against the U.S. Underpinned by increasing
levels of economic growth, the government continued to disapprove neoliberalism and the role of international financial institutions, particularly those sponsored by the U.S. This situation, of course, worsened with the outbreak of the 2008 global financial crash. As Corigliano (2011) contends, the international banking collapse served to relaunch Argentina’s attacks toward the world capitalist economy and the champions of free-trade. Under these circumstances, the consolidation of the country’s centrally planned economy emerged as the only feasible alternative to avoid the devastating consequences of the international crisis, many members of the Fernández administration claimed.

Argentina’s economic model triggered concern among many U.S. government officials, who saw how the Fernández administration moved away from the main premises of the Washington Consensus. Roberta Jacobson, the U.S. Assistant Secretary of State for Western Hemisphere Affairs, for example, acknowledged that the bilateral relationship with Argentina was “difficult” due to the South American country’s thorny relationship with the international financial community. In the words of Jacobson (2012), “Argentina has to go back to having a positive relationship with the international financial community and its creditors in the U.S. and in the world.” This situation, in turn, led President Barak Obama to temporarily suspend tariff benefits to Argentina.

It is not surprising, therefore, that the levels of economic interdependence between both countries are relatively low when compared to the rest of the region. That is, the U.S. is Argentina’s fourth most important market, accounting for only 5.2 percent of its total exports. This figure is visibly below the average in most Latin American countries, where the U.S. is either the first or second destination of each country’s
exports. In Colombia and Mexico, perhaps the two most representative countries that have followed the SSM in Latin America, for example, the U.S. ranks first with 36.6 and 78 percent of their exports going to the American market (Central Intelligence Agency, 2012). By the same token, only 15.6 percent of Argentina’s imports come from the U.S., whereas in Colombia and Mexico the total share of U.S. imports represents 24.2 and 49.9 percent respectively (Central Intelligence Agency, 2012b). As a flipside of Argentina’s economic diversification away from U.S. influence, the country has strengthened its economic ties with China—a regional phenomenon in Latin America. Between 1994 and 2014, for instance, the share of Argentina’s exports going to China rose from 1.4 to 7 percent, accounting for $5,006 million in 2014. Similarly, imports increased from 3.4 to 16.5 percent, reaching the figure of 10,795 million in 2014 (Clarín, 2015).

Away from Washington’s influence, President Fernández decided instead to develop close diplomatic ties with a group of countries that share an anti-American sentiment. In addition to Cuba, the national government progressively aligned with Venezuela and Iran, perhaps two of the most serious adversaries of the U.S. abroad. While Argentina’s warming ties with Hugo Chávez were placed in the spotlight with the so-called “suitcase scandal,” the growing bilateral relation between the Fernandez administration and Iran was illustrated by the formal agreement to work together on solving the anti-Semitic attacks to the Argentina Israelite Mutual Association.

95 This is the case, for example, of Brazil (11.1%), Chile (12.3%), Colombia (36.6%), Ecuador (37.3%), Mexico (78%), and Peru (15.7%) (CIA, 2012).

96 The ‘suitcase scandal’ was the name given to an episode involving Guido Alejandro Antonini Wilson, a businessman with Venezuelan and American citizenship that was at the center of a spy mystery and diplomatic imbroglio involving Argentina, Venezuela, and the U.S. Wilson was one of eight people aboard a private plane chartered by Argentina’s national oil company that flew from Caracas to Buenos Aires. According to different sources, Wilson was caught with cash destined for the campaign of Cristina Fernández de Kirchner. American officials portrayed the episode as a rare glimpse into President Hugo Chávez’s use of oil wealth to spread his influence. Meanwhile, this episode was considered a “garbage operation” by Argentine government officials (Romero & Barrionuevo, 2008).
Building cohesive diplomatic relations with countries that share an anti-American sentiment has also implied the expansion of economic cooperation, meaning that Argentina has entered into substantial trade agreements with Venezuela and Iran.

Argentina’s growing antagonist image of the U.S. has certainly influenced its foreign policy. While the U.S. has been traditionally perceived as an imperialist country, disrespectful of international law, Argentina’s governing elite has tended instead to sustain a Grotian worldview of international politics, arguing that conflicts have to be mediated by common rules and institutions—an image of the world that markedly diverge from the U.S. realpolitik. This rivalry understanding of international politics eventually acquired logics and tendencies that persist through time. Cultures, as Wendt (1999, p. 309) notes, “are self-fulfilling prophecies that tend to reproduce themselves.”

The aircraft incident

Fernandez’s populist profile exacerbated by the end of her first presidential mandate. A diplomatic incident occurred in February, 2011, would stir the country’s traditional antagonism towards the U.S. while reducing U.S.-Argentina counter-narcotic cooperation to virtually zero. The conflict began when the national government accused the American military of trying to bring guns, drugs, and surveillance equipment into the country under the cover of counter-narcotic training initiatives. According to the Argentine Foreign Minister, Hector Timerman, “Argentina is telling the whole truth. The charge that the plane brought was not included in the list the U.S. gave us” (La Nación, 2011b). The incident involved the diplomatic bodies of both countries, including the State Department spokesperson, Phillip Crowley; the Defense Deputy Secretary for the Hemisphere, Frank

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97 In 1994, a suicide bomber drove a van full of explosives into the AMIA, killing 85 people and wounding about 300.
Mora; the assistant secretary of state for Western Hemisphere affairs, Arturo Valenzuela; Hector Timerman; and the U.S. Ambassador to Argentina, Vilma Martínez.

As a consequence of strong domestic pressures, the Argentine Security Minister, Nilda Garré, decided to order the suspension of all security training courses taught by military personnel until all the agreements were revised. Furthermore, counter-narcotic cooperation between Argentina’s Ministry of Security and the D.E.A. was ultimately suspended for one year. Under these circumstances, the U.S. Assistant Secretary of State for Western Hemisphere Affairs, Roberta Jacobson, publicly admitted that “since last year’s incident with the military aircraft we have not been able to work in issues such as cooperation in combating the drugs trade, as we would like” (MERCOPRESS, 2012a).

Not surprisingly, the country’s antagonism toward the U.S., particularly in terms of counter-narcotic initiatives, increased over the course of the years. This situation may have been influenced, in part, by the effects of Latin America’s historical orderings. That is, the newcomers to the political economy of illicit drugs have counted with more information to evaluate the results of other countries’ drug policies. Since Argentina’s intensification of drug-related problems is relatively recent, the national government, especially the Kirchners administrations, has had more time to assess the advantages and disadvantages of each approach to combat drug-trafficking in Latin America and the Caribbean. Of paramount importance was, for example, the growing delegitimation of the “global prohibitionist regime” (Andreas & Nadelmann, 2006) due to the documented collateral damages of the war on drugs, including its negative effects in the police, the rule of law, human rights, and democracy (Youngers & Rosin, 2005; Loveman, 2006).
Simply put, timing factor became extremely relevant when understanding Argentina’s drug-policy direction vis-à-vis other Latin American countries and the Caribbean.

Fernández’s second term

The Kirchners’ popularity began to wane by the end of Fernández’s first administration. More specifically, this process began to unfold after the 2008 Argentine farm crisis. As a poll-result published by El País revealed, Fernández’s approval rating dropped dramatically from 57.8 to 23 percent, particularly as a consequence of the farming conflict (Marirrodriga, 2008). Other major problems such as insecurity and a growing inflation reinforced the president’s negative image among many Argentines. In the 2009 mid-term elections, indeed, FPV lost its absolute majority at the National Congress.

Kirchner’s sudden death in October 2010, however, reversed the president’s downward trend in the polls, leaving Fernández as the most popular figure within the Peronist ranks to compete for the 2011 general elections. In this context, the incumbent candidate was elected for a second term in office on October 23, 2011. She obtained 54 percent of the votes, followed by socialist Hermes Binner and the UCR candidate, Ricardo Alfonsin, with 17 and 11 percent of the votes respectively. It represented the biggest difference in national elections since the recovery of democracy 1983, transforming Fernández into the first woman re-elected as head of state in Latin American history. Furthermore, the FPV also won eight of the nine governor elections and increased their absolute number of senators and deputies, thereby regaining control

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98 The conflict between the national government and the entities that represented the agriculture sector began in March 2008, after a new sliding-scale taxation system for agricultural exports (Resolution 125) was passed. As a result, different organizations blocked roads to protest against the decision of Fernández. The conflict lasted for 129 days and finished only after the National Congress revoked the Resolution on July 17.
over both chambers of the National Congress. The elections’ general results would certainly improve Fernández’s governability for the upcoming four years of mandate.

**Major transformations in drug policy**

Major institutional transformations continued to develop after Fernández’s re-election. The *Comisión Nacional Coordinadora de Políticas Públicas en Materia de Prevención y Control del Tráfico Ilícito de Estupefacientes, la Delincuencia Organizada Transnacional y la Corrupción* was transferred from *Jefatura de Gabinete de Ministros* (Presidency of the Cabinet of Ministers) to SEDRONAR (La Nación, 2011b). Soon thereafter, it was confirmed that Granero would not continue as SEDRONAR’s secretary. This event was perceived as a political triumph of Aníbal Fernández, who maintained a long dispute with Granero since he took charge of Argentina’s drug policy in 2004. Granero’s firm opposition to decriminalization of drug possession for personal use, in particular, was central to understand his displacement and subsequent resignation.

Rafael Bielsa was designated as the new SEDRONAR’s secretary on December 30, 2011. Through Decree 289/2011, Kirchner’s first foreign minister accepted the difficult task of leading the country’s counter-narcotics efforts in a moment were the drug problem worsened dramatically. By 2011, indeed, the institution had a budget of 77 million while Argentina exhibited the highest prevalence of cocaine use in South America. A similar trend was present in terms of other illicit drugs such as ecstasy, cannabis, and amphetamines (UNODC, 2010a). Under these circumstances, Bielsa started a reorganization of SEDRONAR; an initiative that included, for example, the intervention of the National Register of Precursor Chemicals. Furthermore, formal
connections with agencies such as PAMI, ANSES, and AFIP were established in order to reinforce SEDRONAR’s role in the control of chemical precursors and drug-trafficking.

Another major transformation came in December, 2013, when the spheres of health and security, originally in hands of SEDRONAR, were separated into different agencies. According to the new scheme, the recently created National Security Ministry became responsible for the control of drug-trafficking, whereas SEDRONAR only continued with tasks of assistance to drug users.\textsuperscript{99} Sergio Berni and Juan Carlos Molina eventually became responsible for leading both organizations. Since the national government was giving priority to the reduction of demand, particularly because it framed the country’s drug problem from a health perspective, this initiative was widely perceived as an attempt to hamper the securitization of the Argentine drug issue.

Decriminalization

With Granero away from SEDRONAR, the incumbent party’s senator, Aníbal Fernández, presented a decriminalizing project on March 30, 2012, reinforcing the 2009 Arriola pronouncement. According to Fernández, this measure “looks at prioritizing second generation human rights: first to consider the health of narcotics users and then to counter drug-trafficking” (Infobae, 2012). The initiative was the result of the work developed by the National Coordinating Commission led by Cuñaro (Página/12, 2012). In addition to Fernández, other six proposals intended to reform Argentina’s narcotics law were presented before the National Congress between 2011 and 2012. The authors were: Vilma Ibarra; Diana Conti; Victoria Donda; Adriana Puiggros, Adela, Segarra, and

\textsuperscript{99} The Ministry of Security was created on December 10, 2010. The ministry was originally in charge of Nilda Garré and it was inaugurated as a consequence of the incidents that confronted the police and activists accused of inciting the occupation of Parque Indoamericano in Villa Soldati.
Unlike the past, however, SEDRONAR endorsed the initiative led by Aníbal Fernández and other national legislators. In his first interview since taking office, Secretary Bielsa agreed to revise the punitive paradigm while supporting the transformation of Argentina’s narcotics law in order to adjust it to the provisions raised by the Supreme Court’s *Arriola* decision (Ruchansky, 2012). “The [Supreme] Court said in the Arriola case that possession for personal use of a certain amount of marijuana is not punishable, and the executive is bound to the legal right to coordinate with the court and make changes in positive law,” Bielsa said during the presentation of the annual report of the International Narcotics Control Board (INCB) at the UN local office (Gallo, 2012). His pronouncements certainly contradicted Granero’s approach to illicit drugs, setting the stage for the decriminalization of drugs procession for personal use.

*The failure of decentralization*

Although the national government was decided to transform the country’s institutional architecture to fight against narcotics, the first results were not as expected. The decentralization proposal, in particular, failed to meet the goals defined in 2005. A rigorous study developed by *Procuraduría de Narcocriminalidad* (Office of Narco-criminality or Procunar) in 2014 showed that the 2005 decentralization law was a great failure. According to Procunar (2014), the implementation of decentralization proved to be excessively repressive to those whom the criminal system can easily reach, which are minor traffic links, while failing to solve more complex crimes. That is to say,
decentralization provoked a continuous decline in the quantity and quality of cases initiated by the violation of the more severe figures of Argentina’s current narcotics law.

The Province of Buenos Aires, for example, has a poor record in terms of complex investigations aimed at disrupting organized crime, whereas legal proceedings of minor violations of the narcotics law have increased exponentially. Illustrative of this trend is the fact that only three percent of court cases investigate drug-trafficking while the causes for possession of drugs for personal consumption increased by 200 percent. Another problem of decentralization lies, the report further contends, in the institution in charge of the legal proceedings. Out of the total cases filed in 2012, 67 percent were initiated by local police forces (Procuraduría de Narcocriminalidad, 2014). It is the police, in other words, the institution that decides who to seek, capture, and denounce to initiate a cause for drug possession. The judiciary system, therefore, becomes a second stage in the overall process of selection (Hauser, 2014).

The failure of decentralization was also highlighted by the epistemic community. In a document signed by Rut Diamint, Alberto Föhrig, Juan Gabriel Tokatlian, among others, it was argued that “the 2005 decentralization law could be subject of an examination and possible correction, as its results, according to both official and independent studies, have been poor” (Página/12, 2014). More generally, the problem of decentralization, the authors further suggest, lies in the war on drugs. According to Diamint and her colleagues, “the path towards the war on drugs that some sectors want to implement in the country has been a failure; which it has become a stimulus for an overflowing violence that mainly affects the most vulnerable sectors of society” (Página/12, 2014).
Insecurity worsens

Security began to be considered as a major concern among Argentines by the mid of Fernández’s second mandate. In a poll developed by Analogías, 51.7 percent of the interviewees mentioned insecurity as their main concern—followed by the economy with only 30.5 percent (Fioriti, 2012). By the same token, the Argentine Catholic University Social Debt Barometer poll showed that 36 percent of the country’s citizens expressed that the lack of security (and rampant criminality in some urban areas) was top concern followed by poverty and education with ratings of 16.4 and 14.8 percent respectively. Most importantly, four out of ten households claimed that in their area there were problems linked to drug-trafficking (MERCOPRESS, 2012). According to Latinobarometer (2013), meanwhile, 35 percent of the Argentines think that crime was the country’s most serious problem followed by inflation with only 11 percent. Concerns about security were accompanied by the expansion of drug-trafficking in major cities like Cordoba, Buenos Aires, and Rosario—the latter experienced by far the most critical situation in Argentina. According to the Criminal Analysis Division of the Ministry of Security of Santa Fe, in 2012, there were 182 homicides in Rosario, representing a 15 percent increase from the previous year (Lascano, 2012). The upward trend continued in 2013 when Rosario registered 217 homicides, corresponding to a homicide rate of 21 per 100,000 inhabitants (La Capital, 2014a). The escalation of violence in Santa Fe’s capital city was also illustrated by the vast array of violent tactics used by local criminal organizations, including the intimidation of high political figures, the employment of hired assassins, the proliferation of death threats issued to journalists, and the increasing engagement of poor youth in drug-trafficking. Most importantly, the
prosecution of Santa Fé’s police chief, Hugo Tognoli, who was accused of ties to local criminal gangs, suggests that drug trafficking continues to infiltrate Argentina’s politics.

**Sub-national counter-narcotics cooperation**

In a context where U.S.-Argentina bilateral relations remained practically frozen, particularly after the aircraft incident in 2011, Washington’s counter-narcotics initiatives where channeled through other means. The decentralization scheme, in particular, opened the gates for the proliferation of different cooperation agreements with subnational entities. By the beginnings of 2014, for example, seven districts have already signed agreements with Washington to fight against drug-trafficking. In fact, the decentralization law allowed Argentina’s provinces to bypass the national government.

Not surprisingly, at least five governors signed cooperation agreements with the DEA, FBI, and other agencies of the Department of State by the end of the Fernández administration. Buenos Aires, Córdoba, San Luis, Salta, Mendoza, Santa Fe, Chubut, and Buenos City were leading this trend in Argentina (Dinatale, 2014b). These agreements include exchange of information, support and training courses to security forces, and the supply of equipment needed to deal with drug-trafficking organizations. In this respect, Kevin Sullivan, Chargé d'Affaires at the U.S. Embassy in Buenos Aires, declared that “it is important to continue working with the national government and provincial authorities to see what strategies can be applied to confront drug-trafficking” (Dinatale, 2014b).

According to *La Nación* (2014a), Argentina’s Security Secretary, Sergio Berni, played a vital role in facilitating cooperation with different U.S. counter-narcotics agencies.

In the international front, therefore, the decentralization scheme gradually transformed Argentina’s cooperation logic, allowing the provinces to bypass the national
government when dealing with drug-trafficking and insecurity. Even though this legal mechanism increased the provinces’ autonomy to adopt the SSM, only eight districts have formally decided to use it. Moreover, subnational counter-narcotics cooperation is still limited and most of the provinces have chosen instead to channel their demands through the national government. As a matter of fact, by the end of the Fernández administration, Argentina and the U.S. strengthened their counter-narcotic cooperation, although they did it secretly (Dinatale, 2014b).

**Escudo Norte and Fortin**

Although the national government avoided the adoption of a full version of the SSM, it was pressured to show that it was “doing something” against drug-trafficking. In this context, the Fernández administration launched *Operativo Escudo Norte* (Northern Shield) and *Fortin II*.\(^{100}\) Aimed at controlling the smuggling of drugs along the country’s northern border, this program authorized the installation of different radars operated by the Air Force. *Operativo Escudo Norte* and *Fortin II* were complemented by the stationing of joint patrols composed by members of the Army and the National Gendarmerie. Different high-ranked government officials said that the 4,500 soldiers involved were only monitoring the border, thereby delegating the task of catching drug-traffickers or smugglers to security forces. The Defense Minister, Agustin Rossi, argued that the military’s only duties were to inform the federal police or naval police about suspicious movements (Rebossio, 2014). Yet it is hard to imagine the implementation of

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\(^{100}\) The first Argentine proposal aimed at installing radars goes back to late 1970s, when the military dictatorship tried to develop *Sistema Integrado del Control del Espacio* (Integrated Control System Airspace Plan or SICEA). High costs and lack of will made the project promoted by Argentina’s Air Force a failure. During Menem’s second mandate, the national government launched *Plan Nacional de Radarización* (National Plan of radar installation). More recently, Kirchner inaugurated in 2004 the ambitious *Sistema Nacional de Vigilancia y Control Aeroespacial* (National Aerospace Monitoring and Control System). Similar to all initiatives, however, the radars announced were not totally installed.
a mechanism of this kind in the presence of situations where soldiers could face the threat of armed criminal organizations crossing the border (Cutrona, 2013).

Similar to the decentralization law passed in 2005, however, this initiative was also perceived by many pundits and specialists as an unequivocal attempt to adopt some of the main provisions of the U.S.-led SSM. By proposing a joint responsibility between the Ministry of Defense and the Ministry of Security, the country’s new institutional engineering against drug-trafficking contradicted the National Defense and Internal Security laws passed since the recovery of democracy in 1983. Either as logistical support or as combat troops, indeed, Argentina’s Army became directly involved in the fight against drug-trafficking, blurring the traditional distinctions between internal security and external defense.

Resistance emerges

Despite the presence of certain mechanisms such as des-federalization and Operativo Escudo Norte, the Fernández administration avoided framing the country’s drug problem from a security perspective. By contrast, the designation of a new SEDRONAR’s secretary, Juan Carlos Molina, contributed to support the organization’s social and health imprint. According to Molina, the shift towards a more flexible approach to illicit drugs such as decriminalization was grounded on moral, health, and economic reasons (Buenos Aires Herald, 2014b). Not surprisingly, Molina made the “territorial” approach, as well as the prevention and recovery of addicts a mark of his administration. Along similar lines, the Security Secretary, Sergio Berni, noted that “drug-trafficking is not only a security problem” while acknowledging that “at a global level, the fight against drugs

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101 After Bielsa’s resignation in March, 2013, SEDRONAR remained without a secretary for more than eight months. Molina, indeed, took office on November 29, 2013.
has failed” (Buenos Aires Herald, 2013). The Minister of Defense himself said “I don’t think it is the solution because, on the contrary, it could turn out the other way around: we might worsen the situation” (El País, 2014). Irrespective of the politician behind the statements, the trend suggests the presence of a consensus against criminalization within the national government by the end of the Fernández administration.

Opposition to Operativo Escudo Norte and Fortin II also emerged at the National Congress. National legislators from the Radical party, including Gerardo Morales, José Cano, and Julio Martinez, questioned the initiative and accused the national government of “politicizing the armed forces.” Martínez, former head of the Defense Commission at the National Chamber of Deputies, for example, requested Rossi to present an official report before the National Congress because “the Army is returning 30 years with this measure. Rossi is leading the Army 30 years ago” (La Política Online, 2013). Along similar lines, senator Morales denounced the violation of the National Defense law, arguing that “the participation of the armed forces in internal security issues such as intelligence work confirms the new role of the Army” (La Prensa, 2013).

The epistemic community reinforced this vision while cautioning the next presidential administration about the problems of pursuing a “war” strategy against illicit drugs, an initiative that would open the gates for the militarization of Argentina’s counter-narcotics efforts. Illustrative of this trend was the presentation of a document titled “Drugs: an Initiative for Debate” (2015). In an unprecedented event, different academics, politicians, and popular figures converged on diverse aspects related to the country’s drug problem. Specifically, the document contended that the emphasis of drug policy should not be located in the substance but on the citizenship; that drugs are a
symptom of a much deeper phenomenon and improvements require addressing structural challenges; that involving the armed forces against public safety issues can only yield unfortunate results observed in other Latin American countries; that the expansion and consolidation of statehood and legality should be at the center of any strategy on drugs; and so forth. Most important, the document’s relevance lies in its intellectual and academic signatories respectively, including Alberto Föhrig, Juan Gabriel Tokatlian, Carlos Acuña, Leon Carlos Arslanian, Hermes Binner, Gaston Chillier, Khatchik Derghougassian, Ricardo Foster, Nilda Garré, Gabriel Kessler, Juan Carlos Molina, Marcelo Sain, Graciela Touzé, and Horacio Verbitsky.

The role of epistemic communities in Argentina clearly contradicts the Colombian case. Although people such as Bagley, Nathelmann, Youngers, Tokatlian, and Isacson have proposed alternative approaches to illicit drugs, including treating the problem as a health issue, they have not totally succeed in changing the national government’s main decisions. In fact, most of the dissident voices against the war on drugs appear to come from specialists living outside the Andean country rather than from the Colombian population itself. Some of the exceptions include Daniel Mejía, María Victoria Llorente, Francisco Thoumi, Ricardo Vargas Meza, and the work developed by different NGOs such as Fundación Ideas para la Paz (Ideas for Peace Foundation).

Unlike Argentina where the presence of a relatively well-organized epistemic community has been of paramount importance when making the government accountable, in Colombia opposition has gradually come from the political system itself. This was the case of former presidents Samper and Gaviria respectively. The later, for

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102 Most of the academics that published on and spoke out about the subject had little resonance with Uribe. Santos, by contrast, has been more open.
example, urged the government to “define drug use as a health problem and not as a criminal one” (BBC, 2011). Gaviria, also participated in the report published by the Latin American Commission on Drugs and Democracy, which was unambiguous when declaring that “it is imperative to rectify the “war on drugs” strategy pursued in the region over the past 30 years.” More recently, even Santos raised critics and admitted that “we have spent millions of dollars on an ineffective war that only in Mexico has left more than 60,000 dead in the last six years, millions that should have been spent on hospitals, schools, homes for the poor and employment generation (El Universal, 2014).

**The end of Kirchnerism**

Since the Argentine Constitution forbids the indefinite reelection, Fernández was unable to run as presidential candidate for a third time. In her place, however, the FPV picked Buenos Aires’ governor, Daniel Scioli. The two other candidates with real chances of winning the general elections were the Peronist dissident, Sergio Massa, and the PRO leader, Mauricio Macri. While Massa decided to conform UNA (United for a New Alternative), the Civic Coalition, the Radical party, and PRO created Cambiemos (let’s change). In the primary elections held on August 9, 2015, Macri and Massa defeated with ease their rivals, thereby allowing both candidates to contest Scioli in the October full elections. After a disputed first round, Macri won the ballotage on 22 November, beating the incumbent party candidate in a tied election. Staring on December 10, 2015, Macri became the first democratically elected non-radical or peronist president since 1916.

**Understanding rejection**

Unlike prior experiences where insecurity and drug-trafficking were not considered top priorities, the national context during the Kirchners’ administrations provided a fertile
ground for the adoption of the SSM. High crime rates and increasing drug-related
problems due to the country’s new role within the political economy of illicit drugs, in
particular, became the main driving forces behind the population’s request for *mano
dura*, thereby paving the way for the adoption of repressive policies such as the SSM.
Although the three administrations bypassed national legislation and adopted measures
that partially contributed to the militarization of the country’s internal security, neither
Kirchner nor Fernández decided to fully adopt the SSM. Endowed with a growing
concentration of power, strengthened by a nationalist rhetoric, and boosted by its
confrontation with U.S. specialized counter-narcotic agencies, resistance came from the
national government itself rather than from other political institutions within the system
of check and balances. The lack of greater horizontal accountability, particularly from the
National Congress, was also underpinned by the fragmentation of Argentina’s party
system after the 2001-2002 social and economic crisis. In other words, it was
Kirchnerism’s strong alliance with different progressive and human rights organizations,
together with the role of an increasingly consolidated and well-organized epistemic
community, the most critical forces behind Argentina’s decision to reject the SSM.
Chapter 5

The drug-problem today\textsuperscript{103}

Argentina has deviated from the modal pattern. Since the recovery of democracy in 1983, all the administrations resisted the U.S. pressure to adopt the SSM. Rejection, however, has not resulted in the development of a national plan to combat drugs. By contrast, empirical evidence suggests that Argentina has become a “full-cycle-country:” it supplies, consumes, and serves as a transit route for narcotics smuggled to Europe and West Africa. Argentina’s new role within the political economy of illicit drugs, in turn, has changed the structure of domestic organized crime, altering the dynamics of power within and among local criminal networks, the state, and civil society. The situation in Rosario, in particular, illustrates how the transformation of the drug trade, coupled with the country’s own institutional setting, characterized by the presence of weak law-enforcement, corruption, and economic instability, has fostered the upsurge of violence.

Towards a full cycle country

As noted, Argentina has traditionally played the role of transit country within the political economy of illicit drugs. Bordered by Paraguay, Bolivia, and Peru, respectively marijuana and cocaine main producers in South America, the country was traditionally

\textsuperscript{103} Most of this chapter was published in Bagley, Rosen, and Kassab eds. (2015).
used as a corridor by large foreign cartels that smuggled illicit drugs, particularly cocaine, from the Andean sub-region to Europe and, to a lesser extent, West Africa. Argentina’s domestic market during the 1980s and mid-1990s was relatively small, as only a limited amount of the narcotics passing through the country remained for local distribution. The presence of a small-scale market, together with the overarching role of foreign cartels operating in Argentina, inhibited the rise of local criminal groups which maintained a low profile, helping to limit the spread of drug-related violence across the country.

This situation, however, changed dramatically in the first decade of the 21st century—empirical evidence suggests that the consumption and manufacturing of narcotics in the country has expanded dramatically. On the one hand, growing levels of prevalence and the diversification of drug consumption have transformed Argentina into one of the region’s biggest markets of illicit drugs. On the other hand, the rapid expansion of the supply chains for chemical precursors, the proliferation of cocaine and ATS-related drugs’ clandestine laboratories, and the rise of the paco industry have nurtured the development of a thriving center for the manufacture of narcotics.\textsuperscript{104} The confluence of these factors suggests that Argentina has become a “full-cycle-country” within today’s political economy of illicit drugs: it supplies, consumes, and serves as a transit route for narcotics smuggled to Europe and, to a lesser extent, West Africa.

Similar to other sectors of the economy in which goods or services are traded among different parties, the market of illicit drugs is governed by the interaction of

\textsuperscript{104} The exact nature of paco is a matter of debate among specialists in Argentina. While some believe that paco is the most widespread version of PBC and, therefore, a product of sulfate of cocaine; others argue that paco neither includes sulfate of cocaine nor hydrocarbon since it is made of pure alkaloid cocaine, residue, and other aggregates. According to a documented published by SEDRONAR in 2007, paco should not be considered PBC—it rather resembles crack. Despite the alleged differences, in this paper I will use the terms interchangeably.
supply and demand, even though other specific factors such as the national state’s
interdiction policies and the users’ addiction levels have nonetheless a direct influence on
the market’s regular equilibrium. For the purpose of the present discussion, therefore, the
demand and supply of illicit drugs will be addressed separately. A comprehensive grasp
of each of these facets would help to understand the changing structure of domestic
organized crime in Argentina, particularly in places such as Rosario, Santa Fé, where the
levels of violence have increased considerably during the last years.

*Demand of illicit drugs in Argentina*

As previously mentioned, Argentina was traditionally considered a transit country within
the political economy of illicit drugs. From the total cocaine smuggled from the Andean
sub-region to Europe and, to a lesser extent, West Africa, only a small volume was
consumed within the domestic market during the 1960s, 1970s, and 1980s. Indeed,
Argentina’s most popular illicit drug in the 1960s and 1970s was marijuana and the vast
majority of its users were considered to be recreational rather than drug addicts. Other
illicit drugs such as heroin, cocaine, and amphetamines joined marijuana at the beginning
of the 1980s when the country entered a stage of increasing demand and multiplication of
drug types. Cocaine, in particular, was often described as the “queen” among all the illicit
drugs used in Argentina, notably after the return to democracy when it became available
to different social classes (Kornblit, Caramotti, & Di Leo, 2010).

The 1990s witnessed further transformations in the patterns of drug consumption.
The economic reforms promoted by the “Washington Consensus” that eventually drove
the country into depression accelerated the polarization of the Argentine market of illicit
drugs. While the population living in the urban margins, particularly in Buenos Aires,
began using cheap and low-quality drugs such as cocaine pasta base (PBC) and glue, the upper classes tended to use synthetic drugs, including ecstasy, popper, ketamine, and different types of amphetamines (Kornblit, Caramotti, & Di Leo, 2010). In other words, the Argentine market of illicit drugs became increasingly stratified, as social and economic factors influenced the country’s patterns of drug use and addiction.

The 2001 economic crisis represents a critical juncture in Argentina as the demand of narcotics proliferated among different sectors of society and the market of illicit drugs became widespread. Most importantly, the consolidation of paco changed dramatically the consumer market in Argentina, especially along the economically disadvantaged neighborhoods of the Gran Buenos Aires’ metropolitan area where the demand grew exponentially. As the 2005 High School Second National Poll shows, the prevalence of PBC among students between 13 and 17 years accounted for 1.4 percent in 2005, representing a 200 percent increase when compared to 2001. Similar trends were observed with regard to other illicit drugs available in the South American country. For example, cocaine and marijuana consumption increased 120 and 67.6 percent respectively. Although it is not often considered within the group of illicit drugs, glue-sniffing increased 380 percent in comparison with 2001 (SEDRONAR, 2006).

The 2010 World Drug Report echoed this tendency in Argentina. According to the UN control mechanism, the highest prevalence of cocaine use in South America’s population aged 15 to 64 was reported from Argentina with 2.7 percent, a figure comparable to the prevalence in the U.S.—the world’s largest single consumer market. Moreover, Argentina constitutes the second biggest cocaine market in South America in absolute terms, accounting for 600,000 users. However, Brazil outranks Argentina in
terms of overall users with 900,000. This figure represents a 117 percent increase since 2000. Under these circumstances, Argentines consume five times more cocaine than the global average and have one of the highest usage rates in the world (Cohen, 2012). The same trend was present in terms of other illicit drugs: Argentina exhibits the highest prevalence of ecstasy use with 0.5 percent, the highest prevalence of cannabis use with 7.2 percent, and the second highest prevalence of amphetamines with 0.6 percent, only surpassed by Brazil and Suriname (UNODC, 2010a). In short, Argentina has become a world leader in terms of drug use, according to the 2010 *World Drug Report* (Figure 1.0).

**Figure 2.0: Prevalence of use as a percentage of the population aged 15-64***

Yet, the 2012 *World Drug Report* indicates that most illicit drugs use in Argentina remained stable or decreased in 2010. This relative stagnation reflects the global stability

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105 The information presented by UNODC in its 2010 *World Drug Report* is based on data from the period 2002-2008. In other words, not all the measures were taken at the same point in time among the different countries listed in this chart.
of narcotics use and the performance of the bulk of the Latin American countries during
the last years—an exception to this trend is the “crack cocaine” market which may have
expanded in South America (UNODC, 2012). Similar figures are provided by the 2013
report developed by the United Nations Office on Drugs and Crime (UNODC), where no
major changes in the use of most illicit drugs was reported in Argentina.

Notwithstanding the high levels of prevalence of cocaine, opiates, and
amphetamine-type stimulants (ATS), the 2013 International Narcotic Control Strategy
Report (INCSR) clearly indicates that marijuana—the bulk of which is imported from
Paraguay—continues to be the most widely used illegal drug in the country. According to
a recent study developed by the Argentine Drug Observatory (OAD) in 2010, the
prevalence of marijuana for the population between 12 and 65 years-old accounted for
8.1 percent, followed by cocaine with 2.6 percent. Likewise, the use of marijuana is
particularly high among the population between 12 and 65 years-old, thereby
corresponding to a prevalence rate of approximately 17.0 percent.

As already noted, however, the most recent development in Argentina’s drug
market is the rapid expansion of paco (Bureau for International Narcotics, 2013). This
trend was observed by Ignacio O’Donnell, who was the Sub Secretary of the state agency
in charge of the fight against drug trafficking and drug addiction problems in Argentina
(SEDRONAR). According to O’Donnell, the prevalence of paco use grew from 0.2
percent in 2004 to 0.5 percent in 2010 among youth; and from 0.5 percent to 1.0 percent
among intermediate-level students in 2011 (Di Lodovico, 2012). Overall, in 2011 there
were approximately 180,000 paco addicts in the country, 85,000 of which were located in
Buenos Aires city and the Greater Buenos Aires’ metropolitan area. Although the price of
a dose is relatively cheap compared to other illicit drugs currently available, this business controlled approximately $1,300 million pesos in 2012 (Federico, 2012).

Supply of illicit drugs in Argentina

Argentina is not a producer of illicit drugs per se. Unlike other South American countries such as Colombia, Bolivia, and Peru, the climatic and geographical conditions of Argentina hamper the production of drug crops. In fact, only small quantities of illicit drugs are produced in the northern region of the country, as well as in some areas of Córdoba, Santa Fé, and Buenos Aires. Nonetheless, Argentina has played a key role in the global manufacturing industry of illicit drugs, particularly during the last ten years. The evolution of this trend stemmed from at least five specific factors.106

First, Argentina has developed an extensive chemical industry that provides the precursors necessary for the manufacturing of cocaine. Even though the traffic of these substances increased during the first decade of the twenty-first century, the market of chemical precursors was already present long before the 2001 economic crisis. The 1997 INCSR report, for example, indicated that “Argentina has a large and well-developed chemical industry that manufactures almost all the precursors necessary for the processing of cocaine.” Along with prior results, the 2012 INCSR report suggests that Argentina is currently one of the largest South American providers of chemical precursors necessary for the processing of cocaine. According to Blanco (2006), several factors fostered the expansion of the chemical precursors market in Argentina. To begin

106 The 1961 Single Convention on Narcotic Drugs distinguishes between ‘production’ and ‘manufacture’ of illicit drugs. While ‘production’ means the separation of opium, coca leaves, cannabis and cannabis resin from the plants from which they are obtained; ‘manufacture’ refers to all processes, other than production, by which drugs may be obtained and includes refining as well as the transformation of drugs into other drugs.
with, the overall capability of the domestic chemical industry is of paramount importance to understand the nature of this phenomenon. Another element contributing to this tendency is the country’s geographical condition, notably the proximity to the main production centers of illicit drugs in the hemisphere, as well as the presence of a long and dry boundary with different routes and paths that hinder the control of chemical substances. Finally, this process has been also stimulated by the socioeconomic situation in Argentina that enabled foreign organizations to purchase chemical products at a favorable currency exchange rate, as well as the consequences of the 2001 economic crisis and the resulting availability of a qualified (or not) labor force.

Second, a growing number of clandestine laboratories—often referred as “kitchens”—refine raw cocaine smuggled from Bolivia, Peru, and Colombia before shipping it to Europe and, to a lesser extent, West Africa. An evaluation presented by SEDRONAR in 2011, for example, revealed that a total of 80 illicit processing centers, associated with the production/fabrication/adulteration/fractioning of cocaine derivate, were reported between 2000 and 2006—of which only two were capable for producing ecstasy (Figure 2.0). Most of the laboratories were located in Buenos Aires province (53), other 8 were found in the capital city, six in Salta province, five in Santa Fé province, and the rest were situated along the provinces of Córdoba, Tucumán, Entre Ríos, and Jujuy. The same pattern was depicted in different World Drug Reports, where Argentina discovered 56 cocaine laboratories between 2008 and 2009 (UNODC, 2010a & 2011). Not surprisingly, some pundits have suggested that approximately 250 such laboratories were hidden around the Argentine territory in 2012 (Cohen, 2012). The recent discovery of what the national Secretary of Security called “Argentina’s largest cocaine kitchen” in
Rosario illustrate the power of drug-trafficking organizations (Fornero, 2013). This manufacturing laboratory, different reports suggest, was prepared to produce approximately 100 kilos of cocaine on a daily basis for 3 million pesos.

Figure 3.0: Discovered Laboratories 2000 - 2006

Third, the leftover cocaine, which often contains alkaloids and chemical residues, is progressively commercialized within the domestic market through different variants of PBC. Specifically, the most widespread cocaine residues are *bazuco*, *merla*, and *paco* (SEDRONAR, 2011). Reliable numbers, however, are hard to come by since most of the available data are rough estimates. As Rangugni, Rossi, and Corda pointed out, “too little is known about the arrival of PBC to Argentina, the elements that may have contributed to this trend, the specific modalities of trade and traffic of this substance, as well as the possible connections between the appearance of PBC and the general transformations of
the political economy of illicit drugs ... the sources are ambiguous, contradictory, and elusive” (Ranguni, Rossi, & Corda, 2006, p. 39). Nonetheless, the exponential rise of domestic consumption and the extensive circulation of *paco* along the Greater Buenos Aires’ metropolitan area and its capital city suggest that the supply of this low-quality narcotic has increased considerably throughout the last ten years.

Fourth, the chemical manufacturing complex in Argentina has not been restricted to the refinement of organic drugs such as cocaine. On the contrary, Argentina has recently reported the presence of different clandestine laboratories producing synthetic drugs such as ATS—notably ecstasy. In addition to the two laboratories prepared to fabricate ecstasy reported by SEDRONAR between 2000 and 2006, the 2010 and 2012 World Drug Reports indicated that Argentina informed to the United Nations’ control mechanism the existence of ATS operating laboratories within the country in 2008 and 2010 respectively. This trend was confirmed by the recent discovery of two laboratories located in the Buenos Aires province. The first kitchen was found in September 2013 in the downtown Buenos Aires and, according to the national Secretary of Security, its production capacity reached 100,000 ecstasy tablets (Fahsbender, 2013). The second laboratory was discovered in January 2014 in the coastal town of Mar de Ajó and its estimated production account for 600,000 tablets or an amount of money up to $40 million pesos (Gallo, 2014a). Not surprisingly, seizures of ecstasy tablets increase 2,900 percent between 2011 and 2013, suggesting that the domestic consumption of synthetic drugs is leading to a migration of production from Europe to Argentina (Bargent, 2014).

Finally, the manufacturing of synthetic drugs has been buttressed by the flourishing market of ephedrine. Even though a small proportion of this chemical
substance is destined to domestic clandestine laboratories manufacturing methamphetamines, several organized criminal networks operate in Argentina in order to traffic large volumes of ephedrine and pseudoephedrine through the Argentine territory toward the global market of illicit drugs. Since the market of ephedrine was unregulated before 2005, many organized criminal networks—especially Mexican cartels—bought ephedrine, particularly from India and China, at low costs (between U.S. $50 and U.S. $100) in order to utilize this substance for drug-trafficking. This trend has been visible since 2004-2005, when Argentina imported approximately 3.5 tons of ephedrine in 24 months. Indeed, between 2006 and 2008 the triangulation of ephedrine proliferated. While in 2006 the providers of ephedrine brought to the country approximately six tons, in 2007 Argentina imported approximately 19 tons, resulting in a total of almost 41 tons of ephedrine entering the country between 2006 and 2008 (Delfino, 2012). While the ephedrine business decelerated in 2009 due to counter-narcotic policies adopted after the “General Rodríguez triple crime,” where three pharmaceutical businessmen were killed in the context of the so-called mafia de los medicamentos (“medicament mafia”), in 2011 the flows reversed and bounced back to 18.6 metric tons to further stabilize in 2012. According to Douglas Farah (2013), this is 17 times more ephedrine than could be absorbed by the legal industries that are currently working in Argentina.

To sum up, although Argentina does not produce illicit drugs per se, its role in manufacturing illicit drugs has been multiple: it constitutes one of the biggest continental

107 The Government of Argentina enhanced its precursor chemical regulatory framework through the Chemical Precursor National Registrar (RENAPRE) created in 2005 by Law 26,045. Broadly speaking, the norm requires the registration of all manufacturers, importers or exporters, transporters, and distributors of chemical precursors. Moreover, in 2010 the control of chemical precursors was further restricted by the adoption of the International Narcotics Control Board’s online Pre-Export Notification (PEN) system. The three pillar precursor chemical control system requires registration, reports, and control by SEDRONAR’s Precursor Chemical Diversion Control and Prosecution Unit.
providers of the chemical precursors necessary for the production of cocaine; it has
developed a wide network of clandestine laboratories that manufacture cocaine as well as
ATS-related drugs; some of the residues of the refinement process are commercialized
within Argentina through the growing paco industry; and finally, many organized
criminal networks traffic ephedrine and pseudoephedrine through the Argentine territory
toward the global industry of illicit drugs. All these factors suggest that narcotics’
making in Argentina is robust and likely to endure.

The changing structure of organized crime: the case of Rosario

Although the empirical evidence presented suggests that Argentina has become a “full-
cycle-country” within the political economy of illicit drugs, how the demand and supply
of narcotics evolved vis-à-vis the structure of domestic organized crime was left largely
unspecified. The goal of this final section, therefore, is to provide a more comprehensive
examination of the nature of the main criminal groups operating in Argentina.

Although the expansion of drug-trafficking has become a concern in major cities
like Cordoba and Buenos Aires, the situation in Rosario is by far the most critical.
According to the Criminal Analysis Division of the Ministry of Security of Santa Fé, in
2012, there were 182 homicides in Rosario, implying a 15 percent increase from 2011
(Lascano, 2012). The upward trend continued in 2013, when Rosario registered 217
homicides, corresponding to a homicide rate of 21 per 100,000 inhabitants (La Capital,
2014a). Moreover, recent estimates suggest that by the end of 2014 there were
approximately 34 homicides per 100,000 inhabitants (Murray, 2014). The escalation of
violence in Santa Fé’s capital city is also illustrated by the vast array of violent tactics
available to local criminal organizations, including the intimidation of high political
figures, the employment of hired assassins, the proliferation of death threats issued to journalists, and the increasing engagement of poor youth who serve as their labor force (Cawley, 2014). Most importantly, the prosecution of Santa Fé’s former police chief, Hugo Tognoli, who was accused of ties to local criminal gangs, suggests that drug-trafficking continues to infiltrate many aspects of Argentina’s society.

The origins of violence

Rosario has become a prominent transit route for cocaine destined for Europe and for local consumption. Much of the product passing through the city has been historically dominated by foreign cartels, even though they are not directly involved in domestic micro-trafficking. More specifically, Mexican and Colombian cartels outsource business to partners in Argentina, establishing channels of cooperation with many local criminal groups. Since the cocaine market in Argentina was relatively small during the 1990s, most of the narcotics passing through Rosario were subsequently shipped to Europe. This factor explains, in part, why Rosario ultimately escaped the violence that accompanied the rise of drug-trafficking in other Latin American countries. Indeed, organized criminal networks operating in Rosario during the 1990s maintained a relatively low profile, although they were involved in a wide variety of illicit activities, including the smuggling of marijuana from neighboring Paraguay (Eventon, 2013).

This situation, however, changed dramatically during the 2000s. The militarization of counter-narcotic initiatives in Latin America, particularly in Colombia and Mexico, forced major cartels to move their smuggling operations to countries such as Argentina (Bagley, 2012). Large amounts of drugs began to circulate domestically both for consumption and export, increasing Rosario’s exposure to the drug trade. Between
1973 and 1988, for example, authorities in Rosario seized a total of three kilos of cocaine, whereas only in 2012 the total was 400 kilos (Larraquy, 2013). This process, of course, was facilitated by the institutional weakness that characterized the Argentine state after the neoliberal model promoted by the Washington Consensus. The result was alarmingly high consumption levels, setting the stage for domestic drug-traffickers and other criminal organizations looking to take over the growing profits of this business.

Even though many illicit activities existed prior to the point where Argentina became a “full-cycle-country” within the political economy of illicit drugs, the structure of domestic organized crime that emerged in Rosario during the 2000s was particularly distinct compared to its predecessors.108 What changed, in particular, is the enormous amount of money and power these homegrown criminals amass, together with the increasing use of violence as a means to resolve their territorial disputes. Following Lupsha (1996), these newly acquired features of domestic organized crime in Rosario coincides with the “window of opportunity” created by the growing domestic demand of narcotics and the transformation of the country into a major transit point of cocaine destined to Europe and West Africa. In other words, although many organized criminal networks were already operating during the 1990s, and even before, they only emerged as a fully-fledged organization when Argentina became a “full-cycle-country.”

The arrival of drug-related money eventually changed the nature of preexisting illicit activities in Rosario, altering the dynamics of power among organized criminal networks, the state, and civil society in general. Evidence suggests that the annual value of micro-trafficking for Rosario is estimated between 1.8 and 2 billion pesos

(approximately between 350 and 400 million dollars) (Eventon, 2013). This newly lucrative context, in turn, fostered the territorial competition for the distribution of gains by different organized criminal networks, resulting in unprecedented levels of violence. Not surprisingly, Rosario’s highest homicide rates coincide with an exponential increase in drug activity in the city (Southwick, 2013). As noted, in 2013 there were a total of 217 homicides, corresponding to a homicide rate of 21 per 100,000 inhabitants (La Capital, 2014a). This figure represents a 100 percent increase with respect to 2010, when UNODC echoed an exponential growth of drug use in Argentina (Infojus, 2013).

Despite some international-level variables have contributed to deteriorate the overall situation in Rosario, particularly the shift in the trafficking routes of illicit drugs due to different U.S.-backed law-enforcement initiatives in Latin America, the determinants of violence are nonetheless located within the domestic institutional setting, often characterized by the presence of weak institutions, corruption, and economic instability. As Varese (2011) observes, organized criminal networks emerge only when certain structural conditions are present. In other words, it is the nature of the domestic institutional setting that causes violence and permits the proliferation of organized criminal networks rather than changes in drug-trafficking routes in Latin America, even though this factor has been a significant part of the explanation.

Organized criminal networks in Rosario

There are approximately four or five principal groups controlling the distribution of illicit drugs in Rosario (Eventon, 2013). According to Del Frade (FM Activa, 2014), these criminal networks are los Monos, Los Alvarado, Los Pillines, and the gang historically led by Luis Medina. Most of them operate along the impoverished peripheries of the city,
which are commonly known as villas (slums). Unlike other countries in Latin America, particularly Mexico, in Rosario it is difficult to pin point a leader or capo that coordinates all the criminal activities in the city. Although the press has associated many transnational organized crime organizations with local gangs, the contacts remain still anonymous. In this context, what is commonly recognized as organized crime in Rosario refers to relatively fragmented structures, without much stability or hierarchical organization. The most powerful organizations are structured around family ties, even though the increasing recruitment of underprivileged teenagers has eventually distorted their original composition. The dynamics of organized crime resembles what the UNODC called “network structures,” as opposed to “mafia like hierarchical structures.” Network structures, according to the UNODC, are loosely connected networks of “specialists,” all playing a particular role in a large-scale criminal activity, without a true hierarchical ranking among them (UNODC, 2010b).

The main activity of organized crime in Rosario consists of micro-trafficking; that is, these gangs operate as retailers who sell drugs to local users while relegating the trafficking of cocaine destined to Europe and West Africa to international cartels. Certainly, these gangs are also involved in other venues. Although less frequent, domestic criminal networks have participated in the manufacturing of illicit drugs. This is the case, for example, of “delfín Zacarias” (the “dolphin” Zacarias), the leader of a gang that owned “the country's biggest cocaine factory discovered in Argentina,” according to the National Secretary of Security (Fornero, 2013). Less relevant activities include the extortion of local business, the levy of charges on other drug dealers operating in Rosario, and the reinvestment of money in local communities (Eventon, 2013).
In terms of micro-trafficking, drugs in Rosario are usually sold by poor teenagers, who are commonly known as “soldaditos” (little soldiers). They are locked inside kioscos (small bunkers), where cocaine, marijuana, tablets, and paco are sold through a little window or a small hole in a wall. According to a recent research developed by Universidad Nacional de Rosario (2013), there are more than 400 kioscos in Rosario, each of them generating an average of 25,000 Argentine pesos daily (approximately 3,000 US dollars). Soldaditos earn about 400 Argentine pesos (approximately 40 US dollars) for one day of work, unless they are minors in which case their salary is reduced a half. Other soldaditos protect the territory where kioscos are located. If these teenagers have a gun they can earn 300 pesos daily (approximately 30 dollars), whereas unarmed soldaditos are paid the half. Dealers occupy the upper positions in the hierarchy of the micro-trafficking structure. They are in charge of connecting the manufacturing and distribution centers with the users of illicit drugs, particularly those who belong to the middle and upper classes. Finally, this structure is underpinned by capitalists who operate anonymously, earning most of the profits of this illegal business. Their role, in particular, consists in laundering the money from drug-trafficking.

Rosario’s ongoing economic instability, of course, has provided fertile ground for the proliferation of drug-trafficking organizations. This process began in the 1990s, when the Washington Consensus promoted a series of economic measures that eventually contributed to the destruction of Rosario’s local industry—once part of the most powerful industrial belts in the region. Although the city also witnessed economic improvements

109 More recently, some of the gangs that were in charge of the bunkers turned to the mode of delivery as an attempt to avoid the police. In other words, the same soldadito who was locked inside Rosario’s different bunkers is now delivering a wide variety of illicit drugs on a bike along the city’s most relegated neighborhoods.
during Argentina’s economic recovery after the 2001 crisis, phenomena such as unemployment, poverty, deficient housing conditions, and increasing school dropout rates have all paved the way for the infiltration of drug-trafficking organizations in Rosario. Moreover, the city’s general degradation of living conditions has disproportionately fallen on the young (Eventon, 2013).

As already noted, the growing power of these organized criminal networks is illustrated by the recently acquired repertoires of violence, including the intimidation of high political figures, the employment of hired assassins, and the proliferation of death threats issued to journalists. Perhaps the most indicative episode was the shooting of the former governor’s house, which targeted Antonio Bonfatti, while he and his wife were at home. Moreover, following the Bonfatti attacks, the judge involved in the investigation received a text message warning they would attack the governor again. Similar episodes include the armed attack to the retired police commissioner Alejandro Franganillo, who was the head of the former Drogas Peligrosas (Dangerous Drugs) in Rosario; the car chase of the Secretary of Public Security Matías Drivet supposedly by drug-traffickers; and other threatening text messages to high public officials involved in the ongoing fight against drug-trafficking and organized crime (La Capital, 2014b). As a judge participating in the prosecution of some members of a criminal network operating in Rosario noted, these are groups dedicated to “the business of violence” (Aguilar, 2014).

Most important, the growing sophistication of these newly empowered homegrown criminal networks is based on their ability to corrupt police. According to Sain (2013), the state, through the illegal practices of powerful sectors of the police, has not only been a part of the drug trade but a prominent factor in the expansion and current
configuration of drug-trafficking. Police involvement in the drug trade, Sain further notes, is the inevitable consequence of a specific type of crime management known as “doble pacto” (double agreement), which emerged in Argentina in the 1980s. On the one hand, this double agreement implied the delegation of public security issues by government authorities to police forces (the “police-political pact”). On the other hand, the double agreement also guaranteed the control of crime by corrupt police forces, particularly in the regulation of drug-trafficking (the “police-criminal pact”).

The prosecution of 13 members of the security forces for conspiracy, bribery, weapons possession, concealment, and breach of official duties confirms the growing infiltration of state structures by drug-trafficking organizations in Rosario (Aguilar, 2014). Moreover, similar charges were filed against high rank law-enforcement officials, including the former Santa Fé police commissioner, Hugo Tognoli, and the head of the former Drogas Peligrosas division, Diego Comini. Altogether, these recent episodes support the idea that corruption is paving the way for the expansion and further consolidation of organized crime in Rosario.

The case of los Monos

The signal case of los Monos (the monkeys), perhaps the most powerful organized criminal network operating in Rosario, illustrates the general evolution of organized crime in Argentina. Los Monos were born in the neighborhood of Las Flores and Villa La Granada during the 1990s, even though they emerged as a fully-fledged organization after they defeated a rival gang known as Los Garompa in a bloody war that shocked Rosario’s population at the beginning of the 2000s. This brutal confrontation, resulting in
approximately 30 homicides, is often considered the beginning of the ongoing wave of violence the city of Rosario is experiencing (Aguilar, 2014).

Structured around family ties, the group has been historically led by the Cantero family. Although los Monos own their name to Juan Carlos Fernández, also known as “el Mono Grande” (the big monkey), the organization began to gain power only after Ariel Máximo Cantero, alias “el Ariel,” took control of los Monos in 2003 when el Mono Grande disappeared in the Paraná River. The growing power of the Cantero family, which eventually incorporated both sons of “el Ariel”—that is, Claudio “el Pájaro” Cantero (the bird) and Máximo Ariel “Guille” Cantero—led los Monos to a war against Los Garompas for the control of Rosario’s market of illicit drugs. Indeed, the Cantero family became the most powerful criminal organization after the death of Fernando Corso, also known as “el Gordo Pel” (the fat Pel), who was the leader of Los Garompa. After the elimination of los Monos’ contender in 2004, the organization led by Cantero took control of the distribution of marijuana to ultimately regulate Rosario’s cocaine market.

Los Monos operate in the Southeast of the city, particularly along the streets of La Granada neighborhood, which is commonly known as the operation center of this gang. Although the internal organization of los Monos is far from the pyramidal structure typical of some Colombian and Mexican cartels, there are certain patterns of hierarchy among los Monos—as opposed to the rest of the criminal networks in Rosario. Therefore, in addition to the leadership of the organization, which is commonly reserved to the members of the Cantero family, los Monos also includes a network of soldaditos, hired assassins, money launderers, and they operate interlinked with Rosario’s “barras bravas”
Most important, the organization’s connection with the police has contributed dramatically to their expansion. Not surprisingly, 36 members of los Monos have been detained. Out of them, 23 are civilians, 10 belong to Santa Fé police, 2 are Federal policemen, and there is 1 member of Prefectura.

Los Monos are involved in a wide variety of illicit activities, including drug manufacturing, micro-trafficking, extortion, money laundering, and private security services (Yagoub, 2014). Moreover, their businesses have expanded to further participate in the administration of a fleet of taxis and even the investment in some soccer players in Argentina. According to an investigation developed by Clarín, los Monos make around 100 thousand pesos (more than 10 thousand dollars) on a daily basis. This amount of money not only includes the drug trade but also the protection of other gangs involved in drug-trafficking in other sectors of Rosario city (Aguilar, 2014). In 2010, for example, the organization controlled one third of Rosario’s cocaine market (La Capital, 2010). This proportion, however, has expanded dramatically vis-à-vis- the growth of the domestic market of illicit drugs and the gradual elimination of los Monos’ main contenders.

Yet, los Monos lost part of their original strength after the death of its main leader, Claudio Ariel Cantero, the son of el Ariel, who was also known as “El Pájaro.” Other members of the organization were arrested, including Máximo Ariel “Guille” Cantero, the other direct descendant of the family. Moreover, Ariel Máximo Cantero, Ramón “Monchi Cantero” Machuca, and Mariano Salomón, three heads of the organization, are fugitives in the prosecution led by Juan Carlos Vienna aimed at solving the murder of Martin ‘el Fantasma’ Paz (the ghost Paz). The organization, however, regenerates

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110 According to Eventon (2013), barras bravas are in charge of selling drugs inside the stadium during soccer matches and giving gangs access to a large group of soldaditos.
constantly, according to different sources cited in the investigation developed by Clarin. Prosecutor Guillermo Camporini, for example, declared that with the detainment of many members of los Monos the police only breakup “an arm of the organization” (Aguilar, 2014). Not without good reason, and despite the organization’s transformations, los Monos have rested in power without any discussions for a decade” (La Capital, 2013).

Why Rosario?

The levels of violence in Rosario are significantly higher than the national average. While a few years ago Argentina accounted for approximately 5.5 homicides per 100,000 inhabitants, Rosario registered 21 homicides per 100,000 inhabitants, a 400 percent increase with respect to the national average. Moreover, recent estimates suggest that by the end of 2014 there were approximately 34 homicides per 100,000 inhabitants. The situation in Rosario is not even comparable to Cordoba or Buenos Aires, where there were 6.5 and 7.7 homicides per 100,000 inhabitants respectively (Murray, 2014). In this context, what factors explain the increasing levels of violence in Rosario compared to the rest of the country? Broadly speaking, four factors are of paramount importance to further understand the situation in Rosario.

First, there is a geographical reason. Santa Fé’s largest city lies at the end of the Ruta 34 highway, a major transit route for the cocaine smuggled primarily from Bolivia but also from Peru and Colombia. Beginning on the border with Bolivia, the so-called ‘ruta blanca’ (white route) connects the provinces of Salta and Santa Fé, respectively the main entry point and hub for drug-trafficking in Argentina.¹¹¹ The relevance of this corridor was highlighted, for example, by Santa Fé’s former Governor, Hermes Binner,
when he declared that “regardless of its origins, everyone knows that drugs come through
*Ruta 34*” (Clarín, 2012). Similarly, *Ruta 11* plays an analogous role with regard to
marijuana trafficking from Paraguay. Another geographical factor influencing Rosario’s
levels of violence is related to its proximity to Córdoba and Buenos Aires, the other two
largest cocaine markets. Not surprisingly, U.S. State Department experts claimed that
Rosario’s geography made it particularly vulnerable to drug-trafficking (Cawley, 2014).

Second, there is an economic factor. The presence of a large and export-oriented
market has facilitated the transformation of Rosario into a transshipment hub for large
volumes of illicit drugs. Similar to the economic growth that characterized the beginnings
of the twentieth century, where the city flourished due to grain exports, since the late-
1990s Rosario has witnessed a rapid expansion of soy exports that ultimately contributed
to the circulation of illicit drugs. Located on the western shore of the Paraná River, home
to 21 private ports and 4 public ports that are equipped to ship huge volumes of illicit
drugs to the international market, Rosario’s economy has not only favored the
economically more dynamic and politically powerful sectors producing exportable goods
but also drug-traffickers willing to place their products internationally.

Third, there is a factor related to the overall organization of law-enforcement in
Argentina. Because Rosario is not the country’s capital city, it does not have a large
number of national security forces operating on a regular basis, including the Federal
Police, the National Gendarmerie, and the Argentine Naval Prefecture. Unlike Buenos
Aires, therefore, Rosario has with limited resources to fight against well-equipped
criminal networks such as *los Monos*. This situation was observed, for example, by some
members of Santa Fé’s government when they declared that Rosario “faces certain
vulnerability to combat drug-trafficking” due to the fact that the city does not have all the national security forces (De los Santos, 2014).

Fourth, the prosecution of many members of Santa Fé’s police may indicate that the levels of corruption in Rosario are significantly higher than the rest of the country. Nevertheless, as Sain (2013) notes, this trend may suggest indeed the end of the political and social invisibility of the “police-criminal pact” rather than a situation that is only present in Rosario. In other words, the links between law-enforcement officials and organized criminal networks were present long before the city’s violence levels began to increase. What changed, indeed, was the capacity of the police to regulate crime.

A nation-wide phenomenon

Notwithstanding Rosario has been the city that most intensely felt this change, violence is likely to spread throughout Argentina’s biggest metropolitan areas. In fact, major cities such as Buenos Aires, Córdoba, Chubut, and Mendoza are already witnessing a rapid increase in their overall levels of violence. The most recent figures from the Ministry of Health reveal that in 2013 there were 3,352 homicides across the country, representing an increase of 16 percent compared to 2012. In Buenos Aires, for example, 1556 people were killed in 2013, accounting for approximately 10 homicides per 100,000 inhabitants. Similarly, other provinces such as Chubut have experienced higher levels of drug-related violence during the last years. With 81 homicides, for instance, Chubut reached a surprising average of 13.2 deaths per 100,000 inhabitants (La Nación, 2015).112

Buenos Aires’ former governor, Daniel Scioli, responded to this trend and declared a “security emergency” in April 2014, after a wave of homicides shocked the

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112 The Argentine government stopped publishing crime statistics in 2009.
province. Scioli’s Security Minister, Alejandro Granados, supported this vision and recognized that crime was a “problem” and called all mayors and political parties to coordinate efforts in the fight against drug-trafficking and crime in Argentina (Buenos Aires Herald, 2014a). Under these circumstances, key figures of the opposition signed a document, together with the Episcopal Commission, to combat drug-trafficking by the end of 2013. The document sets “basic guidelines” to promote public policies to reduce drug use. According to the president of the Episcopal Commission, Jorge Lozano, the compromise reflects a core of coincidences that came after the document of the Church, who led the initiative (Página/12, 2013). Mauricio Macri (PRO), Sergio Massa (Frente Renovador); Hermes Binner (Socialism), Ernesto Sanz (UCR), Pino Solanas (Proyecto Sur), and Margarita Stolbizer (GEN) signed the document. Although no FPV leaders participated, Scioli sent a letter of support. Underlying most of the critics, of course, was the idea that the national government lacked the commitment necessary to fight against drug-trafficking, as the church admitted (Buenos Aires Herald, 2015).

Even though most of the political parties recognized that both insecurity and drug-trafficking worsened during the last years, no consensus emerged about the alternatives to confront it. The proposals presented by different candidates during the 2015 legislative and presidential campaigns suggest that Argentina does not have a comprehensive assessment of the drug problem. As the epistemic community opportunely highlighted in the “Drugs: an Initiative for Debate” (2015), in Argentina “unfortunately prevailed presumption, intuition, and improvisation.” Yet the electoral context, the authors of the document further contend, opens the gates for NGOs, government officials in activity, representatives of the national government’s three branches, unions, scientists,
businessmen, politicians, academics, journalists, youth and citizens to discuss and present the foundations of an innovative and democratic public policy on drugs.
Conclusions

Lessons from deviance

The U.S. has waged a war on drugs both at home and abroad. For more than one hundred years, the American government internationalized its punitive approach to narcotics through different international mechanisms. In Latin America and the Caribbean, the diffusion of Washington’s moral imperatives was not only guaranteed by the consolidation of a multilateral drug control system. A foreign policy specifically designed to combat narcotics was promoted: the Standard Security Model (SSM). The training of armed and civilian police in military operation and strategies; the transfer of weapons, equipment, and services to combat drug-trafficking; the allocation of large aid grants for security purposes; and framing the drug problem as a national security threat became some of the main features of the U.S.-led strategy in Latin America and the Caribbean.

Yet Washington’s strategy did not yield expected results. Illicit drugs are cheaper, purer, and more available today than before (Nadelmann, 2009). As Bagley (2012) shows, the SSM has also negatively transformed the region’s drug trade, thereby contributing to the globalization of drug consumption, the proliferation of areas of drug cultivation and smuggling routes, and the dispersion and fragmentation of organized criminal networks within countries and across sub-regions. Negative impacts on
democracy, political instability, human rights, civil-military relations, the economy, and even the environment are also part of the SSM historical record in the Americas.

Most important, the drug trade’s transformation, coupled with the region’s own institutional deficits and socio-economic instability, has resulted in a vast deterioration of security. Contrary to Washington’s expectations, Latin America has become the world’s most violent region, registering more than 100,000 homicides per year (United Nations Development Programme, 2013). Eight out of ten of the most violent countries are located in Latin America and the Caribbean, whereas 40 of the world’s 50 most dangerous cities are also part of the region’s landscape (Muggah, 2015). Only in Mexico, the number of homicides increased by 24 percent after Felipe Calderón declared the war on drugs in 2006, accounting for approximately 70,000 deaths in six years (Proceso, 2013). Colombia, El Salvador, Honduras, Guatemala, among others, have experienced similar problems as a consequence of the U.S. counter-narcotics regional strategy.

The Colombian case, in particular, illustrates how more than ten years of militarized counter-narcotics policies has been far from successful. Although Colombia received almost $8 billion in U.S. aid over a decade, transforming the country into the world’s third largest recipient of American military aid, the drug problem continues to deteriorate the region’s overall situation. In other words, Colombia may have reduced its production capacity but Bolivia and Peru seem to be following an inverse path. A similar trend is experienced in terms of security, as many scholars suggest that Mexico’s rising violence is a direct consequence of the U.S.-sponsored policies developed in the Andean country. Furthermore, empirical evidence indicates that security in Colombia has been
achieved at the expense of its democratic institutions, respect for human rights, the population’s health, and the environment (Ramírez Lemus, Stanton, & Walsh, 2005).

Notwithstanding the growing presence of different adverse results, most Latin American countries and the Caribbean region have followed Colombia’s political trajectory to fight against drug-trafficking within their own territories, thereby succumbing to the U.S. pressure to adopt the SSM. Argentina, by contrast, has not totally complied with Washington’s security agenda in the region. Despite the South American country briefly developed a drug policy that meet the main features of the SSM in the mid-1970s, it was rapidly reversed after the recovery of democracy in 1983.

Argentina’s rejection of the SSM traces back to the democratization process. Considered economically destructive and highly repressive, the military junta that governed Argentina between 1976 and 1983 entered the transition process from a position of weakness. The absence of a political compromise between the armed forces and the emerging constitutional regime, allowed the Alfonsín administration to honor his campaign promises and launch a strong human rights agenda. In a context were the country’s drug problem was still not considered a top priority by national government officials and Argentina’s foreign policy was still marked by relatively high levels of autonomy from the U.S., civil-society actors such as epistemic communities, moral entrepreneurs, and social movements supported the democratization project, promoting the defense of human rights and the subordination of the armed forces to civilian authority. Underpinned by the emergence of watchdog journalism and a multi-party consensus within the National Congress, this process had key institutional consequences such as the National Defense law—a legal mechanism that formally divided the spheres
of internal security and external defense, limiting the role of the armed forces in the fight against drug-trafficking. Although Alfonsín’s agenda was somehow reversed by the end of his mandate, most of the institutional achievements lasted for decades.

The role of the executive changed dramatically during the 1990s. Unlike the Alfonsín administration, the adoption of the SSM was favored by high-ranked government officials, including the president, the vice-president, the minister of defense, and even members of the Army. Emboldened by a growing concentration of power in the executive and by the support of Washington’s specialized agencies, the Menem administration framed the drug problem as an existential threat in a context where the “military enemy” was practically controlled. Drug-trafficking, however, was never perceived as a political priority by Argentines since the country did not experience unprecedented levels of violence such as those present in Colombia. Additional domestic obstacles such as the role of opposition at the National Congress, particularly when dealing with the country’s civil-military relations, the voices of the epistemic community, together with other institutional reforms such as the Internal Security law, effectively constrained the national government’s alternatives to approach the drug problem. In other words, Menem’s conservative ideology and personalistic profile, together with a radical improvement in the U.S.-Argentina bilateral relations (relaciones carnales), was not sufficient to counteract neither the mechanisms of horizontal accountability nor the growing consensus around the human rights issue promoted by the epistemic community.

The Alianza government took office in the midst of a deteriorating economic and political situation. The 2001 economic and social crisis, indeed, pushed the drug problem to the background and drug-trafficking only became a top priority by the mid-2000s,
when relatively high crime rates, increasing drug-related problems, and a public opinion demanding *mano dura* paved the way for the adoption of a repressive policy such as the SSM. Unlike prior experiences, however, resistance against the U.S.-led strategy against narcotics came from the national government itself rather than from other political institutions within the system of check and balances. In a context where the executive continued to concentrate power while Argentina’s opposition became highly fragmented, the Kirchners administration strengthened its alliance with different progressive and human rights groups, including *Madres de Plaza de Mayo*, *Abuelas de Plaza de Mayo*, and *Hijos e Hijas por la Identidad y la Justicia contra el Olvido y el Silencio*. A consolidated and well-organized epistemic community became a chief component against the SSM in a moment were Argentina’s relation with the U.S. deteriorated rapidly.

More than 30 years later, the political trajectory started by Alfonsín in 1983 has consolidated a different approach to illicit drugs. That is to say, Argentina has successfully resisted the U.S. pressure to adopt the SSM, deviating from the modal pattern in Latin America and the Caribbean. Rejection, however, has not resulted in the development of a national plan to combat narcotics. As a consequence, Argentina has recently become a “full-cycle-country:” it supplies, consumes, and serves as a transit route for illicit drugs smuggled to Europe and, to a lesser extent, West Africa. The country’s new role within the political economy of illicit drugs has eventually changed the structure of domestic organized crime, altering the dynamics of power within and among local criminal networks, the state, and civil society. The situation in Rosario, in particular, illustrates how the transformation of Argentina’s drug trade, coupled with the
country’s own institutional setting, characterized by the presence of weak law-enforcement, corruption, and economic instability, has fostered the upsurge of violence.

**Weighing forces**

This dissertation demonstrates that each of the constraints analyzed has been neither individually sufficient nor mutually exclusive to understand Argentina’s decision to defect from the SSM. Although each factors is crucial to understand defection vis-à-vis other Latin American countries and the Caribbean region (first level of comparison), their relative weight varies when the deviant case is examined individually (second level of comparison). In other words, each determinant influenced differently the path towards defection during the four presidential administrations in Argentina, suggesting that we have a case of equifinality (Table 9.0).

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<th>National congress</th>
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*Source: author*

Table 10.0 demonstrates that the rejection of the SSM during the Alfonsin administration was buttressed by different forces, all displaying the same weight. It was the president, supported by a multi-party consensus within the Congress and a flourishing civil society, the main forces behind the transformation of Argentina’s repressive model against drugs characteristic of the Dirty War. Although Alfonsín’s benefited from relatively low levels of economic interdependence with the U.S., the South American
country’s experienced a sharp decrease in its national capabilities, indicating that Argentina’s balancing behavior was not totally dependent upon the international context.

Unlike the Alfonsín administration, Menem firmly attempted to adopt the SSM, implying that the executive power was not decisive when explaining defection. Other factors such as the National Congress and different civil-society actors played an important role in limiting the president’s efforts to securitize drugs. On the international front, Argentina expanded dramatically its economic ties with the U.S. while having its national capabilities stable, though without adopting the SSM. This trend demonstrates that despite relaciones carnales with the U.S., the president’s conservative ideology, and the general neoliberal turn, Argentina ultimately rejected the SSM, meaning that systemic-level variables have limited explanatory power during this period.

Major transformations occurred during the Kirchners’ administrations, as each factor’s weight changed dramatically. The consolidation of hyper-presidentialism and the opposition’s gradual fragmentation favored the role of the executive power in leading Argentina’s drug policy direction. Despite both presidents adopted some measures that contributed to the militarization of the country’s internal security, the adoption of the SSM was strongly resisted by the executive power. It was Kirchnerism’s nationalist ideology and its alliance with different progressive and human rights organizations, together with the role of an increasingly consolidated and well-organized epistemic community, the most critical mechanisms behind Argentina’s decision to reject the SSM. Similar to Alfonsín, the international context was neither determinant nor totally irrelevant when explaining defection from Washington’s main dictates to combat drugs.
More generally, therefore, table 10.0 depicts a trend towards hyper-presidentialism, where the National Congress has progressively lost its main prerogatives to design and control Argentina’s counter-narcotics policies. The consolidation of different civil society actors, in particular a strengthened and well-organized epistemic community, has been the flip-side of the regime’s transformation during the last two or three decades. The international context, by contrast, has been characterized by shifting directions, having only an indirect influence in Argentina’s drug policy-making.

**Theoretical implications**

The empirical findings presented in this dissertation suggest that domestic factors largely explain why different countries deviate from the modal pattern. The logic behind the historical narrative developed in this case study demonstrates that the international context, which is by no means irrelevant in semi-peripheral countries such as Argentina, is nonetheless influenced by the country’s internal dynamics. In broad questions of vulnerability to U.S. pressure, therefore, external factors often play a secondary role in explaining either resistance/balancing or acceptance/bandwagoning vis-à-vis the modal pattern. The central argument of this dissertation, in other words, does not neglect the relevance of the international system, but it identifies key internal actors as the most relevant sources explaining rejection of the U.S.-led SSM. In short, Argentina is different due to the presence of distinctive domestic constraints slowly developed since 1983.

Although this dissertation relies on country-specific analyses and measures, coupled with the fact that Argentina is considered to be deviant, the implications of this approach can be extended to other countries and issue areas. In this analytical model, the modes of transition, the nature of civil-military relations, the levels of societal
accountability, and the system of check and balances are chief causal mechanisms to understand resistance to adopt the SSM in Latin America and the Caribbean region.

*Democratization and civil-military relations*

The transition outcome is a decisive aspect, influencing the dynamics of future civil-military relations and consequently drug policy. As opposed to those countries that experience a “transition from above,” where the new democratically elected government has to afford a significant level of continuity with most of the authoritarian practices of the past, a “transition after regime collapse” limits the role of the armed forces in drug policy-making by shaping new democratic institutions, the legal system, and the military prerogatives. Moreover, the logic suggests that reduction in military prerogatives, together with a decline in military contestation, ultimately constrains the government’s opportunities to push for the securitization of the country’s drug policy, thereby paving the way for the adoption of a more flexible approach to illicit drugs. The consequences of the modes of transition, in other words, become “sticky” with the course of the years.

*Congressional-executive relations*

The legislative power becomes a relevant actor in the decision-making process towards a more flexible approach to illicit drugs. The National Congress in countries that reject the SSM often performs as an institutional constraint, meaning that the separation of powers certainly affects both the policy process and policy outputs. Structural changes are more likely to be slower and less dramatic in the presence of higher levels of horizontal accountability because congresses often develop distinctive institutional environments, providing both the president and the legislative power with different incentives to make policies. Although the president may recur to various ad-hoc tools to circumvent the
Congress and partially adopt the SSM, thereby avoiding an institutional gridlock, the executive still needs the support of the legislative power to transform the country’s civil-military relations. The effectiveness and durability of the mechanisms of horizontal accountability, of course, diminishes as countries move towards hyper-presidentialism.

*Societal accountability*

The relationship between state and civil society in countries that reject the SSM is mediated by social movements, moral entrepreneurs, and epistemic communities, suggesting that resistance/balancing does not come solely “from above.” By developing society-centered channels of influence, these actors are capable to amass enough power to pressure policy-makers in a direction diametrically opposed to the SSM. Even powerful actors such as presidents cannot automatically translate preferences into policy because their will is constrained by the role of different civil society actors. Significantly higher levels of civil society mobilization, however, are largely dependent upon the mode of transition and the nature of the preceding authoritarian regime. While a radical rupture with the past gives civil society a higher capacity to organize and mobilize, continuity certainly hampers their actions aimed at overseeing different political authorities.

*The international context*

Even though the levels of economic interdependence and the national material capabilities certainly influence the context in which domestic drug policy occurs, creating (or not) a more flexible international environment, systemic-level variables by themselves do not explain variation in the countries that deviate from the modal pattern. International forces, indeed, have high explanatory power when countries are placed in the regional context (first level of comparison). Nevertheless, the relevance of trade and
relative power considerations decreases when each state is analyzed individually throughout time (second level of comparison). Both the levels of economic interdependence and the national material capabilities in countries that adopt the SSM varied significantly during different time periods but the outcome nonetheless persisted. Perhaps most important, therefore, the impact of the international system is indirect and complex, as domestic factors, including the president, the opposition, social movements, or even the display of the institutional architecture, affects the strength of external forces.
Epilogue

The Macri administration

The narrow victory of the Cambiemos coalition in the 2015 presidential elections put an end to 12 years of kirchnerismo. In a context where inflation, insecurity, corruption, and social confrontation continued to prosper, Argentines welcomed Macri’s pledge for political renewal. In his first press conference, an event that marked itself a symbolic change compared to the one-way media approach of his predecessor, Macri described Argentina’s election as “the beginning of a new era that has to carry us towards the opportunities we need to grow and progress” (Buenos Aires Herald, 2015). Eliminating poverty, tackling drug-trafficking, and rebuilding the country’s democratic institutions became the government’s main priorities, according to the newly elected president.

Soon after taking office, Macri decided to reverse Fernández’s main leftist policies. Unlike the centralized economic model that prevailed during kirchnerism, the president rapidly promoted a series of measures that marked a shift to the right, including the gradual removal of the system of retenciones (export tariffs) and cebo cambiario (restriction on the purchase of foreign currency), the elimination of energy subsidies and sharp increases in tariffs, and the reduction of the number of employees working within the public administration. Other symbolic decisions such as the arrest of the social and
indigenous leader Milagro Sala and the reorganization of the National Institute of Statistics and Censuses (INDEC) confirmed that Argentina was entering a new era.

Since both houses of the National Congress were still controlled by kirchnerism and its allies, the national government opted to issue “need and urgency” decrees. The president modified taxes, annulled a decree that forced him to transfer money to the provinces, allowed the Supreme Court to perform judicial wiretaps, and suspended the application of the Código Procesal Penal (Code of Criminal Procedure) without the formal intervention of the legislative power. Perhaps most importantly, Macri recurred to need and urgency decrees to fill two Supreme Court vacancies and fire the chief of the media regulator, Martín Sabbatella. According to Morales Solá, an influential columnist and television host in Argentina, the president was trying to make opponents to think twice about any attempt to debilitate his administration, given the fate of his non-Peronist predecessors over the past half century (Washington Times, 2015).113

Yet Macri’s reform agenda was not limited to the use of decrees. Once the National Congress returned from summer recess, the president faced the difficult task of pushing structural laws without a legislative majority. Both the repeal of the cerrojo (padlock) and pago soberano (sovereign payment) laws, both of which prevented Argentina from settling with holdout creditors, were passed with the support of Peronist dissidents.114 Governors and their representatives at the National Congress embraced Macri’s legislative proposals in exchange for federal funds and permission to emit debt to

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113 Before the victory of Cambiemos, no president has ever completed a full term in office without being Peronist.
114 The national government succeeded in splitting up the Frente Para la Victoria's (Front for Victory or FPV) block. Part of their legislators, indeed, subsequently formed the Peronist block led by Deputy Diego Bossio.
cover their obligations. The president’s ability to build governability, in other words, was subjected to the management of *fondos extra coparticipables* (non tax revenue funds).

**Back to the future?**

The national government’s shift to the right opened the gates for a new foreign policy. Since the beginning of his campaign, Macri promised to end the memorandum of understanding with Iran and push Venezuela out of the trade group. The president’s international agenda, however, was tempered by pragmatism (Tokatlian, 2016a). Strengthening ties with all Latin American countries, improving relations with traditional partners like the U.S. and the European Union, and moving away from the Bolivarian axis became indeed some of the priorities set by Macri soon after being elected president (Dinatale, 2015). Rather than reediting new conflicts, Macri intended to reintegrate Argentina into the international community, saying the country “needs to be in the world” (La Razón, 2015). The appointment of Susana Malcorra as a foreign minister, a former aide to UN Secretary-General Ban Ki-moon, confirms the government’s new strategy, leaving behind the confrontational and nationalistic style characteristic of kirchnerism.

Macri’s pro-market turn was welcomed by key members of the international community. In February 2016, for example, the national government received support from the visits of Italian Prime Minister Matteo Renzi and French President Francois Hollande. Macri found similar repercussions at the World Economic Forum in Davos, where he was the first Argentine president in 12 years to speak to the world’s most powerful politicians and business executives. By the end of March, 2016, Macri’s strategy aimed at reentering to the global financial system was almost accomplished when the Argentine Senate approved a plan to end a long-running legal dispute with U.S.
hedge funds. The national government presented the agreement as the stepping stone to end the South American country’s isolation from the international credit markets.

Argentina-U.S. bilateral relations also improved dramatically with the victory of Cambiemos. Obama’s official visit to Argentina, in particular, signaled the beginning of a new era. As Candia (2016) notes, the first meeting between the two American leaders “breathed new life into a frosty relationship.” Not surprisingly, Macri described the moment as “the beginning of a new phase of mature, intelligent, constructive relations,” while calling the U.S. president an “inspiring leader” (Hirschfeld & Gilbert, 2016). Progress on concrete areas such as defense, security, human rights, and finance were advanced. Argentina-U.S. rapprochement, of course, was also favored by Washington’s decision to ease its tense relationships with Latin America. As Tokatlian (2016b) claims, this trend is part of the “Troilo Doctrine;” that is, the idea that “Washington has never left the neighborhood, always returns and tries to ensure power in Latin America.”

**The securitization of drugs**

Since the beginning of his political campaign, Macri openly declared that fighting against drug-trafficking was one of his priorities. Similar to the other two main presidential candidates competing in the 2015 general elections—that is, Scioli and Massa—the political discourse of the leader of Cambiemos aimed at subordinating practically all aspects of the country’s drug policy to the field of security, understanding that the problem was closely linked to crime and delinquency. According to Macri, “the future of Argentina’s society is at stake. We do not have room to move” (Infobae, 2014). The country’s drug problem, in other words, was presented as an existential threat, thereby relegating into a secondary role the aspects of consumption and treatment.
Not surprisingly, in January, 2016, the president rapidly declared the “security emergency” for one year, transforming drug-trafficking into the public enemy number one. The initiative pushed by the Macri administration through decree 228 aims at “reversing the situation of collective danger created by complex crime and organized crime” (La Nación, 2016). As a part of this security package, the national government also authorized the shooting down of planes suspected of carrying illegal drugs. This mechanism, which is enforced by the country’s armed forces, is intended to “identify, warn, intimidate and use force against non-identified vectors in Argentina.”

Similar to other recent counter-narcotic initiatives such as Operative Escudo Norte, the shoot-down policy is fraught with legal dilemmas. Launched without the formal intervention of the National Congress, this political measure circumvented the main provisions of the Argentine legal system, particularly the National Defense and Internal security laws. Since its implementation favors the involvement of the armed forces in counter-narcotic operations, blurring the traditional distinctions between internal security and external defense, Argentina’s traditional human rights policy has also suffered major transformations. Irrespective of the legal framework, however, the shoot-down initiative is in accordance with President Macri’s open request to “review the role played by the armed forces in the fight against drug-trafficking” (Clarín, 2014).

Yet Macri’s security policy has generated swift criticism among human right movements and the epistemic community in general. CELS, for example, released an official document repudiating the declaration of the security emergency. “To respond to legitimate social demands, ineffective and sensationalistic announcements are made,” the organization highlights. Most important, the initiative counts with the support of Horacio
Verbitsky, Beatriz Sarlo, Adolfo Pérez Esquivel, Jorge Taiana, Nilda Garré, Juan Gabriel Tokatlian, León Carlos Arslanian, Gastón Chillier, Dante Caputo, among others.

**What about the future?**

The profile of Mauricio Macri, Argentina’s new president, suggests the presence of a break with the recent past. During the first months of his mandate, indeed, the president has developed a new strategy to combat illicit drugs domestically. In particular, the redefinition of drug-trafficking as the country’s public enemy number one has increased the opportunities for the adoption of tougher policies to fight against narcotics, thereby relegating to a secondary role the defense of human rights. Perhaps not surprisingly, the national government’s new approach has been largely welcomed by the Argentine society in a context where demands for *mano dura* against the proliferation of crime have rapidly increased, particularly along the country’s main metropolitan areas.

The concentration of power in the hands of the executive, illustrated by the growing issue of decrees of necessity and urgency and the use of *fondos extra coparticipables* as a mechanism of negotiation with the provinces, suggests that Argentina’s drug policy would be primarily shaped by the president. Under these circumstances, the absence of an absolute majority in either of the houses of the National Congress may not hamper Macri’s firm decision to securitize illicit drugs in Argentina, as it happened during the Alfonsín and Menem administrations respectively. This situation, of course, could change in 2017 with the mid-term legislative elections.

More generally, the president’s pro-market and conservative ideology, together with Washington’s decision to ease its relationship with Latin America, has created a more flexible international context to adopt the SSM. Unlike the Kirchners’
administrations, where the national government’s nationalist profile hindered the consolidation of the bilateral relations, Macri’s ideology is favoring a process towards rapprochement. Simply put, this trend suggests that the influence of systemic factors may acquire more relevance as Argentina continues to move to the right.

As it happened in the past, however, the real possibilities that the adoption of the SSM finally prosper are scarce. While any increase in the country’s crime rates could strengthen the demands in favor of mano dura, the obstacles these initiatives would face in the future are by no means negligible. The legal and institutional framework, particularly the National Defense and Internal Security laws, and the opposition of different human rights organizations and the epistemic community would be critical in this respect. Domestic constraints, in other words, are likely to offset the relevance of systemic forces or even the president’s conservative ideology. Perhaps even more relevant, the empirical evidence suggesting that the military involvement has a minuscule impact on crime rates continues to be validated along many Latin American countries and the opportunities to learn from past experiences therefore increase (Cutrona, 2015c).

In this context, different ad-hoc initiatives that partially circumvent the main provisions of the National Defense and Internal Security laws may continue to appear. Nevertheless, work-arounds such as decentralization, Opertativo Escudo Norte, or the shoot-down policy passed during the Macri administration are not likely to transform the institutional architecture slowly developed since the recovery of democracy in 1983.
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