

Democratic Governments and the Military in Latin America: Brazil in a Comparative Perspective

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The topic of the paper is part of the author's main line of research. Over the last ten years, individually or in association with other social scientists, both Brazilian and foreign, the author has been studying the political insertion of the Armed Forces in the young democracies of the Southern Cone. This means that my attention has been focused on countries that have had recent experiences with authoritarian military governments.¹ It is also part of a line of research that has been probing military memory, exploring the perceptions of ranking military officers regarding the political performance of their institutions during the military governments that ruled Brazil from 1964 to 1985.²

From 1964 to 1985, Brazil lived under successive military governments. It was Latin America's second-longest military dictatorship and the one that most sluggishly

¹ The major result of this comparative research effort was the book entitled *Democracia e Forças Armadas no Cone Sul* [Democracy and Armed Forces in the Southern Cone], edited by Maria Celina D'Araujo and Celso Castro (Rio de Janeiro, FGV, 2000). See also *Changing Military and Security Arrangements in the Mercosur: The Possible Role of the European Union* (co-authored by Celso Castro). Textos CPDOC, nº 30 (Rio de Janeiro, CPDOC, 1998).

² Among the major results of this line of research there are several books: *21 anos de regime militar: balanços e perspectivas* [21 Years of Military Regime: Assessment and Perspectives], edited by Maria Celina D'Araujo and Gláucio Soares (Rio de Janeiro, FGV, 1994); *Visões do golpe: a memória militar sobre 1964* [Perceptions of the Coup: Military Memory About 1964]; *Os anos de chumbo: a memória militar sobre a repressão* [The Dark Years: Military Memory About Repression]; *A volta aos quartéis: a memória militar sobre a abertura* [Back to the Barracks: Military Memory About Re-democratization], all edited by Maria Celina D'Araujo, Gláucio Soares and Celso Castro (Rio de Janeiro, Relume-Dumará, 1994-1995).

Maria Celina D'Araujo and Celso Castro edited two other books: one contained a long interview with the ex-president and general Ernesto Geisel (1974-1978) - *Ernesto Geisel* (Rio de Janeiro, FGV, 1997), currently in its 5th printing; and *Militares e política na Nova República* [The Military and Politics in the New Republic] (Rio de Janeiro, FGV, 2001). See also Maria Celina D'Araujo "As Forças Armadas na Nova República", in Maria Ângela D'Incao, *O Brasil não é mais aquele...* (Rio de Janeiro, Cortez Editora, 2001).

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evolved into a democracy. At least ten of the 21 years of military dictatorship were spent on the issue of “re-democratization”. In the end, a pact between the military and society created a transition in which “the past was forgotten” by means of an amnesty that included both the agents of repression and those who had been involved (or were accused of being involved) in acts of terrorism.

In 1985 civilians began to rule Brazil again, and since 1989 periodic presidential elections have been held at four-year intervals, guaranteeing the institutional and cultural improvement of the democratic regime. In 1992, we saw the impeachment of an elected president, Fernando Collor de Mello, a result of one of the most serious crises ever recorded in the country’s republican history. The crisis was resolved without military intervention, a fact that was considered by nearly all analysts to be a display of military professionalism.

This paper has two goals:

The first goal is to show that Brazil, when compared to other Latin American countries, represents a successful case of incorporating the military into the new democratic order. What is happening in Brazil is a process of subordinating the military to civilian power, to use the classic terms of Samuel Huntington (1979). As evidence of this subordination, we should stress that since 1985 there has not been a single political manifesto by the Brazilian Armed Forces, nor any news of dissenting military factions, such as those we hear about in some of the Latin American countries, like Venezuela, Paraguay and Ecuador.

The second is to show that part of this process of subordinating the military to civilian power – and the subsequent redefinition of civilian-military relations – can be credited to the manner in which Brazil conceived and negotiated political amnesty during its transition to civilian rule. In addition, it will be argued that this success is also explained by the ways in which the democratically elected governments of the 1990s dealt, in name of the State, with the persisting uncertainties about the “past scores to be settled”.³ In contrast to other Latin American countries, “national pacification” was achieved in a much more effective way.⁴ The creation of a Defense Minister in 1998 and the rules for military careers will be also considered.

Any observer of Latin American politics will notice the news stories that reflect each country’s agenda. In all cases, a social and economic crisis is evident, as is the

³ In 1995 the Brazilian government created the Committee on Missing Persons, charged with untangling the legal situation of the families of individuals considered to have disappeared during the military regime, many of whom lacked documents attesting the deaths of their relatives.

⁴ It can be argued that the dictatorships of neighboring countries – Argentina and Chile, for example – were more violent than the Brazilian dictatorship and, because of this, “pacification” in Brazil would have to be an easier matter. We will examine this point in the paper, showing that – despite the importance of the matter of more or less violent dictatorships – Brazil was more successful, from an institutional point of view, in achieving a new mode of relations between civilians and the military.

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case with declining living standards of the general population, unemployment, a loss of legitimacy by the public institutions (as recorded by public opinion surveys). Other recurrent topics are narco-trafficking, crime, corruption, the fiscal crisis of the State, inequality, injustice, inadequate public administration, deficient networks for social protection, poor public security and criticism of political elites. Throughout the continent, according to *Latinobarómetro* surveys, the population is disheartened about democratic governments. This does not mean that there is a demand for military coups or authoritarian governments, but it does indicate a certain weariness on the part of the general population with democracy's broken promises.

The perception that democracy did not entail economic development and the production of public goods genuinely available to all creates a fear that the citizenry may support charismatic or populist leaders, either from the right or from the left. In sum, the scenario of economic and social crisis is causing several areas of concern in relation to problems such as social disorder or political chaos, and a subsequent governability crisis; support for authoritarian solutions; emergence of a new form of military activism; election of populist leaders with little or no government experience; and the growing influence of organized crime over political and party institutions, among others.

With more or less intensity, in every country in the region the outlook is full of uncertainty and fear. Democracy and development do not seem to come hand in hand, and State institutions are going through a deep reliability crisis, with the exception of the military institution. Throughout Latin America, the military are an institution that continues to deserve the trust of the general population. This process of waning legitimacy is not exclusive to the region, as can be seen in recent European elections, in which voters have been uneasy in relation to traditional parties. Among Latin Americans, however, this crisis is more serious, given the gravity and intensity of our problems.

Furthermore, social and economic crisis in Latin America has always been associated with military interventions. These interventions have usually produced authoritarian solutions, with critical losses of political liberties and disrespect to human rights. Therefore, as we reflect about the dimensions of the current crisis, we notice that many observers think that we are effectively experiencing a moment of serious threats to the still emerging democratic order.

Paradoxically, however, the commitment to democracy has never been stronger in the region. Economic cooperation treaties, such as the one that created Mercosur, along with the joint decisions of member countries of *Grupo Río*, include clauses that require the maintenance of democratic institutions as a condition for regional cooperation. This stands out clearly in the Inter-American Democratic Charter (*Carta Democrática Interamericana*), signed in Lima on September 11, 2001. It recalls that the heads of state and government on the American continent, meeting in Quebec in April of the same year, had decided that any changes or disruption of the democratic order or any violation of the constitutions of member countries would signify an "insurmountable" obstacle for the participation of the respective state in the *Cumbres de las Américas* (Summits of the Americas). It also spells out that the effective existence of a representative democracy and the rule of law are the basis of the regimes for all member countries of the

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Organization of American States, and that representative democracy includes among its essential components a respect for human rights and fundamental liberties, periodic and fair elections, and access to power exclusively on the condition of respect for the rule of law. Furthermore, it stated that the constitutionally mandated subordination of all state institutions to legally constituted civilian authority is mandatory.

Article 20 of the document states categorically that if a member state suffers a change in its constitutional order that seriously affects democratic rule, any member state or the Secretary General of the OAS may request an immediate meeting of the Permanent Council in order to collectively examine the situation and propose pertinent measures to be taken.

These positions were restated in April 2002 in the “Declaration of the Rio Group about the Situation in Venezuela” (*Declaração do Grupo do Rio Sobre a Situação na Venezuela*). It reaffirmed the rights of the people to live under a democratic regime, the obligation of governments to promote and defend democracy, and recognized that representative democracy and respect for the Constitution are indispensable for peace and prosperity in the region.

In July 1998, during an attempted coup in Paraguay, member states of Mercosur, along with associate members Chile and Bolivia, also signed the Ushuaia Protocol on the Commitment to Democracy (*Protocolo de Ushuaia Sobre Compromisso Democrático*), stating that respect for constitutional order and democracy were requisite conditions for these countries to retain their membership in this regional bloc. The six countries recognized that the operation of democratic institutions was a fundamental part of the regional integration process and that any change in democratic rule would represent an insurmountable obstacle to continuity in this process. On the same occasion, a document entitled “Political Declaration of the Mercosur, Bolivia and Chile as a Peace Zone” (*Declaração Política do Mercosur, Bolívia e Chile como Zona de Paz*) was issued. The governments of the six countries vowed to stimulate processes of regional cooperation in the areas of defense and security and to maintain peace as a requirement for the existence of Mercosur. Other documents issued by international organizations within the region insist on this principle. We can find indicators that formal requirements are following the attempts in April 2002 to launch a coup in Venezuela. There was no regional support for the coup against President Chavez, although his government is not exactly of the kind that inspires a high degree of confidence among some of the American countries.

It is important also to point out that these documents – treaties, agreements, proclamations, etc. – always emphasize that poverty, low levels of human development and high levels of illiteracy have negative effects on democracy. In this sense, it is put forward that member states of the OAS must promote national or regional cooperative measures seeking to create income and jobs for the populations of their countries and to make efforts to promote development. Article 11 of the *Carta Democrática Interamericana* states that “democracy and economic and social development are interdependent and mutually reinforcing”.

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The possibility of poverty being an obstacle to democracy has been strongly emphasized. This concern shows up clearly in the Brazilian government's guidelines for its defense policies. The document entitled "National Defense Policy" (*Política de Defesa Nacional*) states that "the implementation of a sustainable defense policy, aimed at the progressive modernization of the capability of self-protection, depends on the construction of a developmental model that reinforces democracy, reduces social inequalities and regional imbalances, and combines political, social, economic and military priorities with the requirements of defense and diplomatic action".

Economic crisis, therefore, is seen as one possible agent for the disruption of the democratic political order, and development is seen as a condition for peace and for successful democratic rule. At the same time that peace is reinforced, defense and security policies are discussed in the region with an explicit concern regarding the roles of those institutions - the military and the police - that are charged with forceful coercion.

Besides all this, all Latin American countries lack a deeper and more encompassing discussion and more studies about the subject of national defense. This leads to a paradox: while democracy became a rule and, consequently, the military subordinated themselves to democratic civilian control, there has been no substantial increase - either in academia or among civilians in general - in interest about the matter of defense and security. It remains a military topic, and this reinforces the tradition of hegemonic military reflection about what should be the interest and the goals of a country's national security.

The Military and Politics

The importance of military topics or of the military itself to society can be easily gauged by examining news reports published during the years 2002 and 2003. If we limit our observations to the abstracts produced by the *Observatorio Cono Sur de Defensa y Fuerzas Armadas* (Southern Cone Defense and Armed Forces Observatory), the situation is clear. News reports are collected there about military and defense matters in four countries - Argentina, Brazil, Chile and Uruguay. The differences among the contents of the news are symptomatic of the differences among the countries and among the weight given to the Armed Forces in each country - or the weight they may actually have.

The most glaring difference is shown in the issue of missing persons and crimes committed during dictatorships. While this topic is recurrent and abundant in Argentina, Chile and Uruguay, it is practically absent in Brazil. On the other hand, in Brazil the topic of internal security and violence is highly debated and visible, in contrast to the other three countries.

During 2002, news stories in Argentina about defense and security suggested the possibility of a military coup as a solution to the nation's crisis. Military authorities have dismissed this hypothesis, but the fact that the issue was brought up at all indicates that the concern is genuine. Besides, there are frequent news stories about the judicial status of investigations and trials involving prominent people involved in Argentina's "dirty war".

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News stories about the “cases” of Mahamed Ali Seineldin, leader of the *Carapintada* rebellion in 1990, about Adolfo Schilingo, one of the leading torturers during the dictatorship, among others, are quite frequent.⁵ More recently the debate has turned to two other issues:⁶ (1) the deployment of the Armed Forces in police operations and (2) the decision of President Néstor Kirchner to turn the ill-famed ESMA (Escuela de Mecánica de la Armada) military installations into a “Memorial Museum”.

Just as in the two other countries, a “review of the past” still engages public opinion in Uruguay, where promotions of new generals are prime issues for the press. The date of the coup that established the dictatorship (in 1973) is widely remembered, as are the findings of the *Comisión para la Paz* (Peace Committee), which investigates cases of human rights violations during the dictatorship. The press also closely follows the work of forensic anthropologists who search for the remains of people who were killed during the dictatorship. As is the case with Argentina, an issue that is still hot in Uruguay is the abducted children of political prisoners. Mobilization over the issue of missing persons remains strong. The sorting out of the perverse side of the dictatorship is far from completed and continues, with a great impact on society and the mass media.

In the case of Chile, the Pinochet affair remains unresolved, and some military officers are still being tried for crimes committed during the dictatorship. In Chile the press also pays much attention to relations with Peru, with whom Chile had serious border problems in the late 19th Century, culminating in the Pacific War. In this case, underlining the intention to build peace in the region, an agreement was made to study common methodologies for evaluating the defense spending of both countries.

In contrast to Brazil, these three countries are still experiencing a set of unresolved issues connected to their respective dictatorships. In this sense, the military is more often seen to be at political center stage in Chile, Argentina and Uruguay, sometimes as defendants, at other times defending their institutions. As far as press coverage is concerned, past crimes in Brazil do not have the same dimension. Military authorities, high-level commanders, and ranking officers are practically absent from the news and remain unknown to the general reading public. There is, however a remarkable number of stories about police violence and abuse. In recent times the police have been the most widely criticized actor in the field of security issues. Several arbitrary actions have caused the Brazilian police to become news all over the world. Some examples of this are the killing of street children in Rio de Janeiro in July 1993 and the massacre of landless rural workers in April 1996 in Eldorado do Carajás, in the Amazonian state of Pará.

Along with coverage of police actions, the violence appears as a topic in the Brazilian press in several contexts, such as common crimes that are impressive due to their very high rates of occurrence. For example, there are the 9,000 homicides per year in Rio de Janeiro, a situation that is getting worse and for which the police are far from

⁵ About military uprisings in Argentina, see Catela, 1998 and 1999; and Sain, 2000.

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giving a satisfactory answer. Other prominent topics are the participation of former soldiers (discharged from elite corps) in the training of organized crime forces, a lack of preparation of inadequate action by civilian and military intelligence units, the inability of the police to face the challenge of organized crime in Rio de Janeiro's slum areas, and the concern of the Brazilian military with drug trafficking and border conflicts, particularly in the case of Colombia and the "triple border" (with Paraguay and Argentina) region, an area that became famous after the events of September 11, 2001, in the US, as suspicion emerged regarding financial and tactical support given in the area to terrorism networks, including Hezbollah and Hamas.

The contrast between Brazil and the other three countries is shocking. On the one hand, we can conclude that Brazil has a more successful trajectory in terms of controlling its economic crisis, of political institutionalization, of maintaining a standard of financial stability. On the other hand, the topics of domestic violence and corruption clearly show the seriousness of the problems that may jeopardize institutional security and the continuity of the democratic rule of law that can guarantee everybody's right to life and liberty. The situation experienced in Colombia and Venezuela also contrasts with Southern Cone countries. None of the Southern Cone countries is affected by guerrilla warfare or by paramilitary groups, as Colombia is, and none is living under the tension of a situation in which traditional party structures are undergoing a legitimacy crisis, such as Venezuela is experiencing under Chavez. In other words, these crises have different characteristics, although the outcomes are quite similar to each other when one looks at the social and economic issues. The outcomes are different also in terms of the military point of view.

It can be said that Brazil is going through an enormous internal security problem, combined with serious economic and financial difficulties, but it does not have a military problem. There are no antagonistic "debts" or scores to be settled in relation to past events. Two reasons for this, as will be discussed later on, are the way in which political amnesty was negotiated and the approach adopted in the matter of missing persons.

Several factors explain the distance created between the military and internal politics in Brazil and the refusal by the military to engage deeply in the struggle against organized crime. This situation is even surprising if we take into account the militarist traditions of Brazilian society and the interventionist disposition of Brazilian Armed Forces. When the military elite examines the impeachment of president Collor in 1992, it stresses that military intervention was not required at that time because the political system was working and, mainly, because Brazilian society did not demand such an intervention. Public opinion was against the president, and the military decided to side with the people.⁷

Considering what has been argued above, it seems very clear that there is a lesser military presence on the Brazilian political scene during the New Republic,

⁷ On this topic, see Castro e D'Araujo (orgs.), 2001. The information related to the changes in current military thinking is taken from this book.

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beginning in 1985, and an increasing acceptance by the military of a new standard of civil-military relations. With Hunter (1997) and Oliveira and Soares (2000), we believe that the military actually lost a significant share of their strength and influence in the new Brazilian political order.

Two remarks should be made, however. First, it is necessary to distinguish the first years of the political transition from those that followed. In those first years, during the tenure of José Sarney (1985-1990), the military still exerted significant political power.⁸ Second, even when agreeing with Hunter that military influence has decreased since 1985 and that it may continue to decline as the democratic regime becomes stronger, we should take care before stating that the Brazilian military is a “paper tiger”.

Keeping these points in mind, we should really ask how and why changes in military behavior were possible to begin with. First, as emphasized by Hunter, one of the major factors in the decline of the military’s political influence was the operation of democracy itself – and the military’s perception of the new situation. Other factors, such as external influences derived from the international scene, should also be mentioned. The end of the Cold War and the ensuing new international order that emerged after the end of ideological bi-polarization, associated with stronger regional integration through Mercosur, put a check on strategic scenarios and adherence to ideology that had prevailed for 40 years. In addition, there were the effects of the “defeat” that the military suffered in historical memory of the military regime and the subsequent lack of support and political credibility. Consensus about democracy is much stronger today than in the past. Finally, we should mention that the passing of time causes a natural substitution of the generation that experienced military rule by a new one, emotionally detached from the military dictatorship.

The Armed Forces gradually adapted themselves to the democratic rules, and it is not trivial that since 1985, they have not spawned a single **political** crisis, nor have they made any pronouncements about the crises that the country went through. However, the persistent problem remains that matters related to defense and military institutions have little importance to most civilians. In this sense, Oliveira and Samuel (2000) emphasize the importance of stronger **political control** over the Armed Forces in order to make them adequate to democracy. This seems to be an important concept in understanding this new phase of their behavior. These analysts also insist on the existence of problems, such as the timid stance of Congress in defense and military matters, or the scant involvement of university-based academics in matters related to defense and strategy.

For these reasons, most of the topics that could and should be on the agenda of national debates end up being discussed only among the military, which thus retains a stronger opinion about some matters. This is what we can see today, for example, in the discussion about the possibility – imaginary or not – of the “internationalization” of

⁸ Oliveira (1994) presents a competent analysis of the military in politics during the Sarney administration.

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Amazonia. Another important point to be made is that the Brazilian military is changing its perception about its relations with society. No longer is there a discourse that argues an antagonism with society, nor are civilians seen as a different and opposite **other**, whom which the Armed Forces should protect themselves. Another remarkable innovation is the ease with which internal divergence can be expressed inside military institutions.

While old guard officers refrained from – or censured – internal criticism for the sake of the unity of a strong military institution that should be able to guide a weak society, today we find a creative discussion about the definition of the nature of the military regime. Here we see both differences and the realization that all military officers were forced to carry the burden of an experiment in power in which a single branch, the Army, was hegemonic.⁹ In the name of the dichotomy between **society** (prone to fall under the influence of Communism) and **military** (better prepared to govern), all military institutions were forced to assume joint responsibility for the actions of those in the top positions of power (the generals).¹⁰

It is still not commonly agreed that civilian and democratic control occurs in Brazil. Jorge Zaverucha (1994 and 2000) argues that there still are military “prerogatives” in Brazil. He defines them as areas in which military institutions presume “to have achieved a right or privilege, formal or informal, of governing such areas, of having a role in extra-military areas inside the state apparatus, or even of structuring the relationship between the state and political or civil society” (Zaverucha, 1994:93). He calls this situation a “tutored democracy” or “friendly tutelage” marked by the institutional and political autonomy of the military, which thus is the “guardian” of democracy. In this situation, the military, by means of threats of coups, explicit or not, would impose limits on the range of action of politicians. Zaverucha notes the almost unchanged permanence of a list of 15 military prerogatives throughout all governments of the New Republic – Sarney, Collor, Franco and Cardoso’s first term (1995 1998).¹¹

⁹ All presidents during the military regime were army generals.

¹⁰ For more information about this matter, see Castro e D’Araujo, orgs, (2001).

¹¹ Namely, the prerogatives are: 1) the Armed Forces warrant constitutional powers, law and order; 2) the military has the potential of becoming an independent executive force during internal interventions; 3) military control over major intelligence agencies; 4) Military Police corps and Firefighter Corps are under partial control of the military; 5) the strong possibility of civilians bring tried by military courts, even if they commit common or political crimes; 6) the lesser possibility of active federal military personnel being tried by civilian courts; 7) absence of legislative routines and of detailed hearings about domestic military issues and national defense; 8) lack of intervention by the Congress in the promotions of generals; 9) the Armed Forces have the main responsibility for the security of the president and vice-president; 10) the presence of military personnel in civilian economic activities (space industry, aviation, etc.); 11) active or reserve military officers occupy posts in the presidential staff; 12) absence of a Defense Ministry (only created in 1998); 13) the Armed Forces may sell military properties without full accountability to the National Treasury; 14) a military payment system similar to the one that prevailed during the military regime; 15) the military retains the right to arrest civilians or other military members without a warrant in cases of military

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Other analysts have either supported or disagreed with these arguments. Tollefson (1995), for example, decidedly defends Hunter's theses, criticizing Zaverucha and what he calls the "myth of tutored democracy". Martins Filho, on the other hand, reaches conclusions that are opposite to those of Hunter, stating that the political maneuvering space of the military was not reduced and even pointing to the birth of a new kind of military influence.¹²

Our own point of view is that Brazil is in fact experiencing a deeper process of democratic control over the Armed Forces, in comparison with other Latin American countries.¹³ The explanation for this – besides the measures linked to amnesty and "national pacification", to be discussed below – lies in the 1967 military professionalization law, written by the military governments, and the creation in 1998 of the Ministry of Defense, a political decision of president Fernando Henrique Cardoso.

The 1967 law outlining military careers introduced significant changes in military institutions. The law makes it impossible for any officer to remain in the highest posts for more than 12 years. This preempts the possibility of long periods in prestigious posts being translated into loyalty and clientele networks that compromise professionalism. In more simple terms, this was an attempt to preclude the Armed Forces from producing their own brand of **caudilhos**. It was even easier for this type of leadership to emerge when we know that officers were able to combine political careers and military careers. Several Brazilian officers spent more than 20 or 30 years as generals, while occupying important political positions such as state governors, ministers and legislators. Internal leadership was associated with groups and loyalties in the field of civilian politics, and several times this caused serious disciplinary problems for the military institutions. By forbidding military officers from pursuing parallel political careers, the law was trying to keep politics outside the barracks. Another important detail about this law was a more intense circulation between the several posts of the higher military elite, avoiding a demand concentrated in the middle-ranked officers, who were thus limited in their ability to move up in the ranks. The law strengthened the concept of merit and opportunity and forced officers to dedicate themselves entirely to their military careers. Those who chose to pursue political careers had to hang up their uniforms. The generation of military officers that occupied and still occupies all important command positions in Brazil since the 1985 re-democratization was formed when this law was already in place. This is reflected in their new ways of thinking, which are much less interventionist. It is important to record that the change in the attitude of these new military leaders is not a mere generational matter. It was a product of institutional change.

transgressions or military crimes (Zaverucha, 2000:37).

¹² Oliveira and Soares (2000) emphasize that society has shown little capacity to deal with the topic of defense. In other words, these authors have a more negative evaluation of civilians than of the military with respect to the initiatives for effective democratic control over Brazilian Armed Forces.

¹³ We do not deny that the military still manage to differentiate between treatment in different matters, such as, for example, retirement plans and social benefits.

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The other important measure that helps explain the greater distance now kept by the Brazilian military from politics is the creation of the Ministry of Defense in 1998. This was a decision made by president Cardoso (1995-2002), who had announced it as part of his platform during the 1994 electoral campaign. It took a rather long time to materialize, because the matter was not a priority for any of the branches of the Armed Forces, although the Army displayed a stronger acceptance of the initiative than the Navy and the Air Force.¹⁴

Why did it take four years to create the new Ministry? On the one hand, there was a lack of consensus among the members of the three Armed Forces about the wisdom of the decision because it would bring changes to consolidated structures. On the other hand, although it was a campaign topic, the president only gave it priority status in 1997, closer to the end of his first term in office (1995-1998). Therefore, the decision was not delayed by any differences between civilians and military. In reality, the important factor was the differences of opinion **within the military itself**. Each branch had a different point of view about the institutional design of the new ministry. Tensions were particularly strong between the Navy on one side, and the Army and the Air Force on the other. Technical questions and specific traits of each branch played a stronger role in the delay than ideological or political conflicts.

Concluding this topic, the Ministry of Defense is introducing a new institutional model to the Brazilian Armed Forces. Although it is still an emerging institution, the Ministry can become a crucial support mechanism for the consolidation of the new military culture that is developing in Brazil.

Amnesty and the “Review of the Past”

Most Latin American countries living under military dictatorships during the second half of the 20th Century used economic growth indicators – even though this growth was not sustained – as a basis for the legitimacy of arbitrary politics. In the words of Amartya Sen (2000), what happened in the region was a growth model “built on blood, sweat and tears”, a strategy that is typical of authoritarian governments.

These dictatorships followed the logic of the Cold War, and as such their goal was to defeat “internal enemies” - leftist groups, armed or not, and opposition parties. In the name of the war against Communism, they generated a series of exceptional pieces of legislation that authorized persecution, arbitrary imprisonment, and banishment. In many cases, they gave implicit authorization to kill members of the opposition. This climate of ideological terror produced several types of victims: politicians of the opposition, innocent by-standers, and thousands of families.

As these countries moved towards re-democratization, there came a need to either grant amnesty or review these authoritarian measures, and this brought about a

¹⁴ The Brazilian Army is responsible for practically two thirds of the men and woman in arms – a total of about 300,000 people.

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serious competition over the memory of these governments. On the one side, the supporters of authoritarian regimes tried to reconcile themselves with the past by having society forget what happened, while on the other side, social groups linked to the protection of human rights fought for truth, justice and the judicial prosecution of those responsible for exceptional measures and acts.

This section has two goals: first, to examine how Brazilian military officers argue in favor of the strategy of forgetting, and second, to show that recent Brazilian democratic governments have taken positive steps, in the form of policies aimed at recognizing the crimes committed by the Brazilian state during the military dictatorship. If we look at what is happening in most Latin American countries, it is easy to see that Brazil was more successful in its politics of revising the past.

Most Brazilian military leaders believe that remembering human rights violations, acts of torture, and the “dirty war” does not help the country’s history. There is an almost unanimous opinion among them that “exceptional facts” and “excesses” did occur during the confrontation between the military and the left, armed or unarmed, but they also agree that it is not relevant to insist on these points. Much to the contrary, to insist on the recollection of such facts means moving backwards, looking into the past, not to the future.

The insistence on overlooking these facts, many times described as an act of “turning the pages of history”, was central to the definition of the political agreement that put an end to the military dictatorship (a transition commanded from above), and that remains a central tenet of Brazilian politics. Despite this, Brazil, among all Southern Cone countries,¹⁵ is the one in which the policy of compensation for the families of the victims of political repression has advanced the most.

The military dictatorships of the Southern Cone countries began to take root in the 1950s and lasted until the 1980s. Paraguay went through the first and most long-lasting dictatorial experiment (1954-1989), followed by Bolivia (1964-1982), Brazil (1964-1985), Uruguay (1973-1985), Chile (1973-1990), and Argentina (1976-1982). Although the effectiveness of violence does not depend on numbers, as Arendt (1970) wisely reminds us, the aftermath of these regimes is nothing less than terrifying. Besides the thousands of people who were imprisoned, there were around 1,000 dead in Paraguay, close to 300 killed or missing in Bolivia, 213 dead and 152 missing in Brazil, about 310 dead or missing in Uruguay, around 2,300 in Chile, and between 10 to 30 thousand missing in Argentina. In the aftermath of the traumas caused by these facts, the move towards re-democratization of these countries was coupled with strong pleas for justice.¹⁶

15 We refer to the following countries: Brazil, Argentina, Chile, Uruguay, Paraguay and Bolivia.

16 For a comparative analysis of the processes by which these countries decreed amnesty, see Catela, 2000. Information used here about people who were arrested or considered missing was taken from that article.

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Each country found its own way of reconciling with the past and all of them – except Paraguay and Bolivia – passed a law granting amnesty. It is relevant to recall that all such acts of amnesty, although with different colorings, were dictated by the military, which was stepping down from power. This process became known as self-amnesty. In all countries demands for reforms in these laws continued, and the search for truth and justice became a common aspect of their post-dictatorship political processes. More recently, the international prosecution of two former dictators - Augusto Pinochet of Chile, and Jorge Rafael Videla of Argentina – introduced the novelty of extra-territorial judicial processes. Apparently, this precedent may expand to include both dictators from these countries and those from other countries. Within or outside their borders, we see that the pleas for justice remain strong in Southern Cone countries, while the forces linked to the *ancient regimes* insist that such facts should be forgotten.

This competition between remembering and forgetting leads us to the question of which memory each society wants (or is able) to build about itself. Regarding this matter, Jacques Le Goff has stated that there are “the owners of memory and forgetting”, when he explains that collective memory can be understood as an instrument and a goal of power. According to him, “the act of forgetting and the silences regarding history reveal the mechanisms by which collective memory is manipulated” (Le Goff 1984).

The acts of political amnesty that resulted from the processes of the transition to democracy in some of the aforementioned countries are illustrative of this discussion between forgetting and remembering. Indeed, the word and the concept of amnesty have been interpreted in several ways, and there are those who believe that it is possible to erase the past. From the judicial point of view, amnesty is a legal act dictated by public authorities, “erasing” the criminal character of certain acts. As a consequence, the relevant crimes cease to exist, and those who practiced them are no longer criminals. An important detail is that amnesty is something that cannot be refused. Those who receive amnesty cannot refuse it, nor can they demand a review.

In the field of politics, amnesty has been a convenient solution or tool for the state. When the conditions that created punishments and excesses change, the State has been able to use the strategy of forgetting. The usual allegation is that societies victimized by political violence must heal themselves (Elias, 1997). In this sense, the concept of forgetting is joined to the concept of forgiveness. The state plays the role of using a political instrument to redeem balance and peace between social segments or social actors that had been antagonists.

Societies choose how to manage their dramas and traumas. It is legitimate to suppose that a society, due to a spur-of-the-moment, strategic decision, may choose to throw a blanket of silence over its past, as was the case with Uruguay, when a national plebiscite in 1989 decided to maintain the amnesty granted by the military. This amounted to a decision not to engage in a more detailed reexamination of victims and acts of persecution. It is also legitimate that a society chooses to exhaust the matter from the factual and legal viewpoints and to keep it on the political agenda for an extended time as a means to exorcise the ghosts of arbitrary rule. This is what happened in Argentina and, to a large extent, in Brazil. Brazil, despite the fact that the military insisted

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on the virtues of forgetting, adopted over the last few years a strategy that is closer to a reconciliation with the past – it does not directly incriminate those responsible for crimes, but it keeps the flame of memory alive and acknowledges the perils of arbitrary rule.

Amnesty in Brazil was granted in 1979 and included people punished for political activities between 1961 and 1979. It was “broad, general and unrestricted”, meaning that winners and losers were equally protected. More specifically, the main goal was to guarantee that there would be no reprisals, that crimes committed during the dictatorship would not be prosecuted in courts –as later occurred in Argentina – and that the military personnel directly in charge of political repression, together with their commanders, would not be tried under any circumstances.

This law was strongly influenced by the limitations of a political transition to democracy controlled from above. One of its goals was to ensure legal protection for the military institutions responsible for the “dirty war”. It responded to the demands of the moderate political opposition and at the same time created limitations on any pleas for expanded civil and political rights and on any attempts to seek justice through the judicial system. Precisely because of this, it did not consider the situation of missing persons, most of them killed as a consequence of the repression of guerilla warfare in the Amazon region. This topic was extensively discussed until December 4, 1995, when the Fernando Henrique Cardoso administration approved Law number 9140. This law created a commission, linked to the Department of Justice, responsible for reviewing and making determinations about the situation of missing persons whose disappearance might be linked to participation, or alleged participation, in political activities deemed illegal by the military dictatorship. The law was valid for those persons missing between 1961 and 1979, the same period covered by the 1979 amnesty law.

This issue of missing persons was the most delicate one for the military, as most of them had been killed while fighting the repression of the Armed Forces. For the military, what happened was an armed conflict in which those who were killed were simply enemies. It was alleged also that the bodies of the deceased had not been formally identified and buried because of the exceptionally adverse circumstances of the war in the tropical jungle. The deceased were considered to be enemies of the country, and there was nothing to be corrected.

The topic was indeed sensitive, because any investigations would lead to military personnel being held responsible, an outcome that was unacceptable to the Armed Forces. The government found a way out: it would recognize that there were missing persons, but it would not recognize any specific military government, institution or personnel as being responsible. The responsibility would fall to the state. The Brazilian state would recognize that citizens had been killed as a consequence of political conflict and that their bodies had been hidden, and that it was willing to clarify their legal situation and give support to their families.

These were the circumstances under which the Commission on Persons Missing for Political Causes, composed of representatives of several social sectors and institutions, including the Armed Forces, was formed. It fell under the jurisdiction of the

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Ministry of Justice. The Commission examined 366 cases, recognized 280 and denied 86. Between 1995 and 1998, the value of individual monetary reparations varied between 100 to 150 thousand reais.¹⁷

The first practical result of the Commission's work occurred in January of 1996. It issued a death certificate for Rubens Paiva, a former legislator who had been arrested at his home in 1971 and had been "disappeared" ever since. During the ceremony for the issuance of this certificate, held in the presidential Planalto Palace, the Chief Military Aide to President Cardoso, General Alberto Cardoso, hugged the widow of Rubens Paiva. The scene was captured by cameras and published on the first page of the leading newspapers the next day. It was interpreted as a new attitude taken by the military in relation to the past – although some reserve officers voiced their criticism of the scene. President Cardoso thought that the indemnification of the families of missing persons was the cornerstone of a true transition to full democratic order in Brazil.

The most controversial decision emanating from the Commission was to recognize Carlos Lamarka, a military officer who had deserted the Army to join the guerrillas, as missing for political reasons. Lamarka, in the words of the military, had "betrayed his superiors" because he used his standing as a young officer to smuggle arms belonging to the Brazilian Army to a leftist organization, having joined the group in order to personally command a guerrilla warfare front. The Commission decided that the state was responsible for his death, because he was killed by police forces after he had been captured.

This finding by the Commission was harshly criticized by several military organizations representing reserve officers. Active duty military officers, however, did not address the issue publicly, although most of those interviewed by us considered this decision to be disrespectful of the institution. However, the institution did not take an official stand and publicly accepted the decisions of the Commission, approved by the presidency.

This episode was, of course, an important landmark in the process of democratic consolidation in Brazil. By accepting this decision without a scratch to discipline, the corporate military signaled its acceptance of civilian rule, a basic tenet of military institutions in all stable democracies. More than this, even if it did not investigate individual responsibility, the Brazilian state proved that it wished to reconcile itself with civil society by acknowledging acts of injustice committed in the past. The President himself symbolically received several family members of missing persons in his office, adding a public dimension to the acts of reconciliation. The federal government also proposed to extend the period for filing new petitions by those victimized by terrorism or discretionary political behavior of state agents to 1990. The search for bodies and burial sites is still going on, and military personnel have even helped in these efforts, side by

¹⁷ During this period, the value of the Brazilian currency "real" varied from one US dollar to 50 cents.

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side with medical doctors, anthropologists and coroners who try to identify the remains that have been located.

In 2001 an Amnesty Commission was created in Brazil. Its mission was to evaluate compensation requests made by citizens who, between September 1946 and October 1988, had been barred from engaging in professional activities for purely political reasons. In November 2002, Congress approved an amnesty law, the fourth since 1979. It included more extensive forms of financial compensation for people punished for political reasons during the same period.¹⁸ By mid-2004, the Commission had assessed approximately 14,500 cases. 5,540 had been given a positive ruling. Of these, about 3,900 were filed by military personnel.¹⁹

In any case, groups that stand for human rights still believe the Brazilian government has a weak stance on this issue, since it chose to pay reparations and not to request forgiveness from the victims' families or to open judicial proceedings against those responsible for undue behaviors.

One may think that the idea of forgetting such episodes appeals only to the officers who held command positions during the military regime or who attended military academies during the harshest years of the dictatorship. However, this is not true. More than a generational expression, those who are in favor of forgetting actually take an institutional stance. Thus, the idea that society must be generous and dismiss the memory of past maladies is even shared by military officers who had no involvement at all with the military dictatorship. As the institution seemed to be threatened, the bulk of the officer corps chose to defend the institution.

In our oral history research projects, we divided our interviewees into two groups: those who held high-ranking positions in the repressive apparatus and in government during the dictatorship, and those who commanded the institution after 1985, when the democratic period called the New Republic was born. This second group consisted of generals who were still very young in 1964 (year of the military coup) and who built their careers independently of the military groups that shared political power during the dictatorship. They were closer to being what has been called "professional soldiers", to use a term coined in the military sociology literature (Huntington, 1979).

The feeling that predominates among them, however, is that forgetting is preferable to the building of a memory that factors in these traumatic episodes. Besides, they all feel exposed when human rights groups denounce an officer appointed to a public post as a torturer. Over the last 10 years, the position of the federal government, faced with such accusations, has been to cancel those appointments.

The Brazilian state, therefore, has pursued an agenda of reconciling the past and the present, recognizing the existence of crimes and abuses committed by political authorities in relation to political opponents. This policy of reviewing arbitrary acts is still

¹⁸ See Law n. 10,559, November 13, 2003.

¹⁹ *O Globo*, August 8, 2004.

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going on. In all cases, responsibility is being placed upon the State, not upon governments or individuals.

New Threats, New Missions? The Future of the Armed Forces

Given the serious problems derived from social and political violence and from the actions of armed groups located along the borders of some countries, some nations, particularly the U.S., have demanded that Latin American military institutions take a more direct and active role in matters of internal security. It can be argued that the seriousness of these problems gives them the status national security matters, considering that in several countries organized crime has been operating as a parallel state, as a sovereign entity that competes with the state based on the rule of law.

Narco-trafficking, associated with insurgency, guerillas and terrorism, is a concrete threat to the democratic stability of some countries. Furthermore, in practice, they obscure the limits between organized crime and political violence. These organizations represent a challenge to any police or military force in Latin America: they have financial autonomy, technological capabilities, and they operate with the organizational framework of international networks.²⁰ That is precisely why many people argue that, given the seriousness of the situation in some countries, including Brazil, it would be irrational not to employ a professional corps that has the training to deal with it.

The U.S. has been emphatic in its requests for the collaboration of the Armed Forces of Latin American countries in the campaign against guerilla warfare in Colombia. Brazil, for example, has rejected this request, stating that the Armed Forces cannot engage themselves as ancillary forces to **American** police institutions. Chile has stated the same position.²¹

As **American** pressure grows, there are also increasing reservations about the U.S. involvement in this campaign and its true goals. This could be an indirect way to keep **American** soldiers trained and prepared to intervene in the continent. It could also be an equally indirect way of preserving the military presence of the U.S. in the entire region.

The involvement of the military with narco-trafficking or the demands that they participate in related combat operations have raised the issue of the possibility of a new form of military activism in Latin America. Therefore, a number of analysts and governments have come out against this type of involvement, arguing that it would produce or reinforce the political engagement of the Armed Forces, making them more prone to interfere in domestic political matters.

²⁰ Ortiz (2001) presents an excellent analysis of the repercussions of these organizations, which he analyzes as non-state organizations endowed with a violent nature.

²¹ About the participation of the Armed Forces in the fight against narco-trafficking, see "Narcotráfico y Seguridad em América Latina y el Caribe", in *Paz e Seguridad em las Américas*, Informe Especial, n. 15, dezembro de 1997.

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The September 11, 2001 attacks in the U.S. provided a new meaning to the topics of defense and security. There was an immediate and legitimate concern about protection, but on the other hand the issue that anti-terrorist fears could open the gates to new opportunities for the militarization of Latin American politics emerged. This concern becomes more evident when we take into account the precarious intelligence services existing in most of these countries and the lack of technically prepared civilians to take on this role. In many cases, there is the risk of the continuity of military monopoly on intelligence activities, something that would give military institutions exceptionally strong resources to intervene in domestic affairs.

The current debate about the mission of the Armed Forces has focused on the following topics: the protection of national sovereignty; the state of preparedness for this protection; and the ability to deter threats. Most Latin American countries share this last view. It is understood that, on account of the emergence of regional agreements such as the Mercosur, which became more of a political than an economic reality, there are new spaces open for understanding and measures based on mutual trust. Historical tensions in the region have been defused, particularly those between Brazil and Argentina. Therefore, there is no perspective of conventional military aggression in the form of border wars. The armies must be ready, trained, and technologically capacitated, in order to discourage any threat of intervention.

Besides these options, there are several other activities suggested for the Armed Forces, all of them linked to internal security. Given their good standing among the general population, the Armed Forces are constantly cited as a solution for many problems involving security, development and social welfare.

There are several distinct realities and several paradoxical situations to be considered. At the same time that there are formal measures to strengthen democracy, from the constitutional and diplomatic points of view, the situation of public insecurity and the advance of organized crime suggest a more intensive use of the military and their installed capabilities. While many people are concerned with the subordination of the military to democratic civilian power, there are constant demands to hand over more power and autonomy to the Armed Forces.²²

We are aware that the situation in each country is different and that there are no easy generalizations. But we also know that the reputation of the military is socially constructed. The Armed Forces would not have a good reputation if they were not positively evaluated by their respective societies. Civil-military relations are a two-way street. There is the projection of power that the military wishes to build in relation to society, and then there is the respect and autonomy that society offers the military.

²² Besides humanitarian assistance situations, in Brazil the Armed Forces, on several occasions, have been requested to act in several internal matters, particularly in the city of Rio de Janeiro. In June 1992, they were deeply involved in the security of the Rio-92 environmental summit, and in August and October 1994 and January and April 1995, they occupied several slum neighborhoods in search of arms.

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In the midst of all this, the Brazilian military believes that military interference in politics is characteristic of undeveloped countries. Such interference would occupy empty spaces generated by the inability of the civilian society to maintain political stability. The Brazilian military believes that military professionalization is a product of the development of each country and that, therefore, leaving a distance between itself and domestic politics is an indication of the political maturity attained by each country. In general, they accept the current definition of the Armed Forces as a health insurance plan: you pay dearly for it, but you pray you never have to use it.

Nevertheless, the growth in violence in some of Brazil's major cities has generated strong demands for the use of the Armed Forces in internal defense operations. The current leftist government that was inaugurated in January 2003 has come out in favor of the increased participation of the military in internal security matters. In August 2004, therefore, Congress approved a new law authorizing the Armed Forces to participate in the repression of domestic infractions having national and international consequences, by means of logistical, intelligence and communications support, in addition to training. The law also stated that the Army may participate in preventive and repressive operations against environmental violations and crimes that occur on international borders. The Army may patrol borders and search persons, land vehicles, watercraft and aircraft. It may also arrest people caught at the scene of a crime. Besides creating police functions for the Armed Forces in exceptional situations – such as when state governors declare that they are not able to guarantee law and order – the same law states that military personnel involved in these activities may receive temporary permission to carry their weapons outside their normal work schedules. The new law also states that every time that the Armed Forces engage themselves in internal security operations, the local coordination of the entire security system will fall under military command.

Can this law be interpreted as the beginning of a new phase of military intervention in politics in Brazil? The evidence points towards the intention of creating a more unified security system by means of a closer cooperation between national and local intelligence gathering services. The Armed Forces may well participate in these operations without any indication that they will assume a leadership role in the enforcement of security policies. On the other hand, their use in police functions tends to remain limited, as it is only rarely that state governors will publicly admit that they are unable to govern.

Conclusions

In the Brazilian case, we see that the Armed Forces have displayed a significant capacity to adapt to democracy, as opposed to its recent past of political hegemony and autonomy.

We stand behind the proposition that Brazil, in the context of Latin America, is the country that currently deals best with the military question. The military has returned to the barracks, and the state has engaged in the difficult task of reviewing past crimes past without the Armed Forces feeling publicly targeted. This text has also pointed to an

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unstable context in Latin America, in which democratic guarantees are still doubtful and in which the military resists the directives of civilian governments, which in turn have proven to be incapable of providing acceptable solutions to the myriad of problems that plague the region. From all that has been discussed herein, we can also conclude that in general, a military intervention in any country would have such high internal and external costs that it has become a remote possibility. Even if such an intervention were to occur, everything points toward the trend of the government born from such an action failing to gain international recognition, thus leading to further instability.

The position defended here, as we have seen, has been questioned by a number of analysts who insist on emphasizing the central role played by the military. Some go as far as to state that Brazil remains under military tutelage to this day. The fact that the new Department of Defense has had, since its inception, the third largest budget among all departments, is often cited as evidence of this tutelage. Only the Departments of Education and Health have larger budgets. However, the budget for the Department of Defense has been declining, such as has been happening in several other countries in Latin America.

Cutting expenses would imply, for example, a downsizing of the Armed Forces. This is an unlikely event, not so much because the military resists it, but because of new social and political demands. The new, leftist government in power since January 2003 has given enhanced value to the Armed Forces as a cradle of citizenship. An illustration of this is the federal government program called "Soldier-Citizen", started in mid-2004, by which the number of conscripted soldiers will be increased by 100 percent. The goal is to reach a total of 100,000 conscripts. The rationale behind it is to assist these youths – to take them off the streets, provide them with occupations, and train them for some sort of trade. What we see here is the Armed Forces being used in a campaign against marginalization. Supplementary budgetary resources were transferred to the Department of Defense for this purpose. It is interesting to note that over the last few years the Department had been going in the opposite direction - it had been forced to discharge a large percentage of the recruits prior to the completion of before their training, due to of lack of resources to keep them in the barracks.

It is important to remember, however, that in this case the new role given to the Armed Forces was not demanded by the military – on the contrary, it resulted from an order given by a civilian government – a leftist one. It was the government that called for the Armed Forces to take on new functions in the areas of social and security policy.

A distinct point should be made in order to allow the understanding of what is happening to the military in the context of Brazilian democracy. It refers to **corporatism**, frequently understood as evidence of a military project of taking over political power. Brazilian military personnel have been aggressive in the defense of their institution's interests and of their salaries, but this does not allow one to conclude that they are hatching new forms of political intervention, nor that they continue to play the role that they held during the dictatorship. They have been effective in the defense of their interests. Among other things, their retirement and pension systems have been excluded from the extensive reforms aimed at the equivalent civilian system since the 1990s.

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I will conclude by calling attention to the last two points. On the one hand, Brazilian society has tended to give a positive evaluation to the roles of the Armed Forces in new areas. This has entailed increased prestige, but it is not the same as a military project seeking political hegemony. On the other hand, this means that the limits between **corporatism** and political action must be better understood. When it defends institutional interests, this does not necessarily mean that the military become a major player in the political scene or even an institution with governmental functions parallel to formal governmental institutions.

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