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Rethinking Latin American and Caribbean Security: A Transtate Security Approach

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Introduction

Over a decade after the end of the Cold War, the debate continues over the proper security paradigm for Latin American and Caribbean security forces. The latest trend in the region hails from the globalist approach to security which argues for the expansion of the definition of regional security threats to include not only threats from traditional military and non-state actors (drug traffickers, terrorists, insurgents) but also those societal threats related to economic and social development problems such as the environment, poverty, income inequalities, and HIV/Aids (Buzan et al. 1998, Griffith 2004, OAS 2003). The globalist approach can be seen in the Organization of American State's (OAS) 2003 *Declaration of Security in the Americas* which added to the region's traditional threat list items such as extreme poverty and social exclusion, natural and man-made disasters, HIV/AIDS and other diseases, other health risks, and environmental degradation.

There remain security practitioners and scholars who disagree with recent attempts to broaden the definition of security. Many traditional international security specialists are still steeped in Cold War theories and procedures that see security issues through a lens where states are the only key players and where security threats are limited to traditional inter-state conflicts. More progressive international security thinkers have recognized the threat posed by non-state actors, but argue that security forces (military and law enforcement) should only be employed in

those areas where a state's response may include the threat or actual use of armed force (Kincaid and Gamarra 1996). Where both the globalist and more progressive international approaches agree is in their call for cooperation among domestic and regional security forces to address the growing security threats. For example, the OAS 2003 *Declaration of Security in the Americas* highlights that “[b]ilateral and subregional agreements and cooperation mechanisms in the area of security and defense are essential to strengthening security in the hemisphere” (OAS 2003).

This paper advances a transtate security paradigm as the recommended approach for the contemporary Latin American and Caribbean security environment where bilateral and subregional approaches are needed. This paradigm draws from both the globalist and progressive international schools. From the globalists it recognizes non-state security threats and the important role of the lack of economic and social development as the causes of much of today's regional conflict. From the progressive international security side, the transtate paradigm offers that security forces should be limited to missions where the threat or use of armed force is possible.¹ This paper also takes the literature on contemporary security strategies a step further by discussing the major barriers that must be overcome to facilitate cooperative joint military, inter-agency, and international (combined) security operations.

The Transtate Security Paradigm

The transtate security paradigm is best defined by one of its early advocates. Godson (1997, 81) describes how the paradigm:

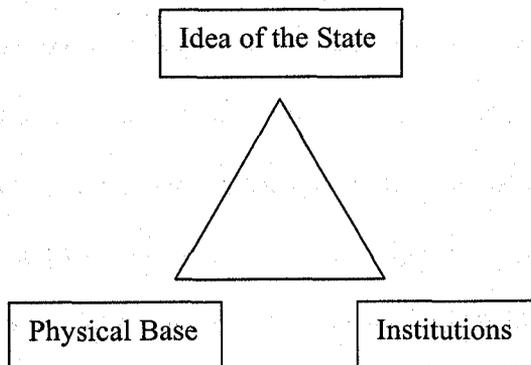
offers a perspective that reflects the significant roles non-state actors play in the global security environment. It provides a complementary new structure...to explain contemporary (post-Cold War) world politics, particularly the phenomenon of emerging ungovernability. Transtate security is defined here as a paradigm for understanding the ways in which governments and non-state actors—functioning within and across borders—interact and affect the defense of states and their citizens.

¹ This should not be considered as an argument against using military and police forces for building basic infrastructure (roads, dams, etc.) and performing community development work as secondary missions.

Non-state actors may be either substate or transtate. Substate actors are those who generally confine their activities to the territory of one state and may include groups organized for political, financial, ethnic or religious reasons (Godson 1997, 87). Transtate actors are groups which operate across state borders and affect the security of governments and individuals. In particular, transtate groups display an “increasing capacity to challenge directly the right and ability of governments to govern” (Godson 1997, 88). Such transtate threats include terrorists, organized crime groups, militant religious movements, and corrupted financial networks.

The definition of a “state” used in framing the transtate security paradigm is taken from Buzan (1991, 63-67) who offers that the abstract model of a “state” consists of a triangular structure with the “idea of the state” at the apex and the “physical base of the state” (territory, natural resources, population) and the “institutions of the state” (political, economic, social) as the remaining two corners (see figure 1). Sovereignty provides the concept that separates states from other social units and makes states the highest form of human collective (Buzan 1991, 67). Transtate security threats generally ignore state sovereignty as both they and substate actors threaten the figure 1 ideological, physical, and institutional basis of the state.

Figure 1 Conceptualizing the State



Source: Adapted from Buzan (1991)

The term “transtate” is used in conceptualizing this security paradigm rather than the more commonly employed “transnational” in order to clear up confusion over the common misuse of the terms “state” and “nation.” Global politics have suffered from ambiguities in the definitions of these two terms. Connor (1972) offers that “[t]he most fundamental error involved in scholarly approaches to nationalism has been the tendency to equate nationalism with a feeling of loyalty to the state rather than with loyalty to the nation.” The improper use of “state” and “nation” by security studies specialists was often ignored or given slight significance until the violent flare-up of ethnonationalism led to the 1990s’ disintegration of Yugoslavia (Godson 1997, 120). Thus, in the transtate security paradigm the threats against which security forces are targeted consist of threats to the “state” and not to a “nation.”²

The transtate security paradigm, which includes international and domestic components, most accurately depicts how transtate and substate actors, along with security practitioners and scholars, approach security issues (Shultz et al. 1997, 2-3). The transtate security paradigm provides an analytic framework for those involved in: (1) understanding and explaining the causes of threats to the state, (2) the use and management of security forces, and (3) closely related issues. From an academic standpoint, transtate security remains multidisciplinary in scope, encompassing aspects of criminal justice, history, international relations, law, philosophy, political science, and psychology. While far from constituting an epistemic community, the transtate security paradigm is one that provides an acceptable academic disciplinary rigor that most security specialists demand.

Where the transtate security paradigm differs from the globalist approach is in its view toward the study of and responses to economic and societal transtate and substate threats and on how to address these threats when the use of security forces is not appropriate. Transtate

² The reasoning in this paragraph is also why the terms “national security” are not widely used in this article.

security specialists are interested in understanding and explaining the causes of all security threats, recognizing that security forces usually address the symptoms (violence, crime, etc.) of security problems and not their real causes. Transtate security practitioners and scholars recognize that conditions of abject poverty, lack of economic development, environmental degradation, and health epidemics are the root causes of many transtate and substate security threats. However, the scholars who study the causes of these economic and societal threats and the practitioners who take action against them come from the international development community, a community of scholars and practitioners separate if not physically at least ideologically from the security community. With joint military service and interagency cooperation so hard to establish among a single state's military services and law enforcement agencies, problems increase exponentially in achieving cooperation where a state's economic and social agencies and development specialists would become part of a larger security community. Add the problems of inter-state cooperation of military and law enforcement agencies, and the challenge of combining security and development communities becomes further magnified. The globalists assume that such domestic and international cooperation is a given, but as Schultz et al. (1997, 3) highlight, "...there is little to suggest ...the kinds of mutual cooperation, adoption of universal values, and repudiation of military force envisaged by the proponents of the global security approach." Assistant Secretary of Defense Roger Pardo Maurer (2004) offers that one of the biggest problems that U.S. defense agencies have in working with Latin American and Caribbean security forces is the confusion over matching U.S. institutional structures with those in Latin American and Caribbean states, and thus trying to determine which state agencies to engage in which areas. This problem would be increased by

widening the security agenda as the globalist security paradigm proposes, in particular the OAS 2003 *Declaration of Security in the Americas*.

To understand transtate and substate threats, and the use and management of security forces under the transtate security paradigm, first requires the identification and categorization of the threat and responses to the threat. Table 1 outlines three categories of transtate security threats, including: (1) international, (2) public, and (3) citizen. These categories are a revision of a public security model previously offered by Kincaid and Gamarra (1996). As can be seen by reviewing table 1, these three categories differ as to the nature of the threat, security forces assigned to address the threat, and how these security forces are used—whether in a lead or support role.

Table 1 Transtate Security Model

Categories	International Security	Public Security	Citizen Security
		International Organized Crime	Assault/Murder
	Nuclear Exchange	(drug, arms, people smuggling)	Assault/Rape
	External Invasion	Terrorism/WMDs	Robbery/Theft/Financial Crimes
	Border Disputes	Guerillas/Insurgencies*	Kidnapping/Extortion
Threats	Coalition War	Illegal Migration	Political Instability (normal)
	Peace-Making	Disasters, Natural and Man-Made	Border Violations (normal)
	Peace-Keeping	Political Instability (abnormal)	Corruption/Fraud
		Border Violations (abnormal)	Cyber Attacks
Responses	Military	Law Enforcement Lead with Military Support	Law Enforcement

* Response: Military Lead with Law Enforcement Support

Source: Adapted from Kincaid and Gamarra (1996, 212-214)

The table 1 international security category captures the traditional realist's view of security. Threats ranging from nuclear weapons exchange to multilateral peace-keeping missions are included in this category. Except for the bordering United States, Latin America and the Caribbean remains a nuclear weapons free zone, so the fear of a regional nuclear conflict is minimal. Additionally, there is general consensus across the region that invasion by a neighboring state is unlikely (Hill 2004). There has not been a major war among regional states

since the 1932-1935 Chaco War between Bolivia and Paraguay which cost over 100,000 lives. Numerous border disputes still exist across the region—most having been either resolved or tensions lessened through diplomatic action. The chances of a regional border dispute flaring into armed conflict remains a possibility; however, especially if an authoritarian government was to take control of one of the region's weak democracies. The 1995 Ecuador-Peru conflict is the most recent example of how local border tensions can quickly flare into violent conflict.

In addition to focusing on their own defense, many states in the region desire to be players in the international security arena. This is demonstrated by the number of Latin American and Caribbean forces that participated in either the initial invasions or peace-making operations by coalition forces in Kuwait (1991) and Iraq (2003), and to the speed with which Argentina, Brazil, Chile, and other regional forces, agreed to take over the peace-keeping mission in Haiti (2004). Latin American and Caribbean militaries have a long and distinguished record as participants in United Nations peace-keeping operations. Thus, as long as maintaining an international security presence is a mission objective of Latin American and Caribbean states, there may be occasion for coalition war participation and likely will be peace-making and peace-keeping missions for their security force employment. Under the table 1 international security category, the security community takes the lead in explaining the causes of the conflicts and the region's militaries take the lead in armed action to counter the respective threats.

The table 1 public security category is the core of the transtate security paradigm as it reflects the highest priority threats now facing most states in Latin America and the Caribbean. Public security threats include attacks on a state's public either directly or indirectly through undermining the state's ideology, physical base, or institutions. These threats range from Weapons of Mass Destruction (WMD) being employed by terrorist groups, to cases where there

exist large numbers of illegal border penetrations which state's law enforcement agencies cannot adequately address. With the exception of only one threat area, guerilla/insurgent threats, law enforcement is the lead or initial response with the military in a support role for public security threats. The threats under the public security category reflect those where law enforcement can quickly be overcome by the enormity of the threat. With law enforcement lacking the capabilities to address public security threats, the military is then called into a support role to provide assistance within their physical and legal frameworks to include: surveillance, reconnaissance, intelligence, transportation, medical, extra personnel, or other logistic activities. Under the table 1 public security category, the security community shares responsibilities for understanding and explaining the causes of the threats with the development community, while law enforcement takes the lead in armed action to counter the respective threats with military support applied where appropriate.

The table 1 citizen security category reflects those criminal activities that break a society's laws and may threaten a state's individual citizens directly or indirectly—without being a major threat to the larger public. These threats include criminal activities such as assault, murder, rape, theft, robbery, kidnapping, and extortion. Financial crimes (money-laundering) and corruption, which provide a support structure for public security threats such as organized crime and terrorists, are included as citizen security threats as these are areas where militaries have no particular expertise or capabilities to support law enforcement. Also included are political instability (demonstrations, etc.) and border control activities where law enforcement does not need military support to protect individual citizens. Under the table 1 citizen security category, criminal justice specialists within the larger security community are responsible for understanding and explaining the causes of the threats with the development community in a

support role, and law enforcement takes the lead in action to counter the respective citizen security threats.

Whether it is politically correct to admit it or not, both the U.S. and many Latin American and Caribbean security forces now operate under a transtate security model similar to the one depicted in table 1. Arrival at this model has been the result of gradual changes over the last 20-25 years where military forces have been called on repeatedly to assist law enforcement in the public security arena. For example, in today's El Salvador, elements of the Army and National Police have joined forces in several joint task forces to better address transtate criminal youth gangs which have become that state's top security problem (Aguilar 2004). In the Eastern Caribbean, the Regional Security System, which includes police and defense forces from states in the Organization of Eastern Caribbean States and Barbados, was originally formed in 1983 as a counter to external insurgent threats, but has now transitioned to train and prepare for public security threats almost identical to those in table 1 (RSS 2005). One of the most successful transtate security organizations is the U.S. Joint Interagency Task Force South headquartered in Key West, Florida, which has the leading role in coordinating U.S. and foreign military and law enforcement responses to the threat of international drug trafficking (JIATF South 2004).

Regional states still resisting transition to the transtate security model are influenced by a number of factors. Some Latin American and Caribbean military leaders maintain traditional state-centric views of security and remain loath to embrace public security missions. This traditional stance though is often a facade for militaries who are motivated more by personal corruption where officials benefit financially from existing security arrangements (i.e., they are not interested in changing entrenched opportunity structures that lead to their personal enrichment). Other regional leaders are often hesitant to assign the military civilian law

enforcement responsibilities as they remember the authoritarian period in the 1960s to 1980s when militaries governed many Latin American and Caribbean states. This same concern causes many nongovernmental organizations such as the Washington Office on Latin America to not fully support the OAS 2003 *Declaration of Security in the Americas*, as they are afraid that by strengthening militaries and involving them more in law enforcement missions that they will become more likely to again seize government power (WOLA 2004). Additionally, many regional leaders support the need for strict separation of military and law enforcement duties and point to this as a tenet of liberal-democratic philosophy. Supporters of this last factor often raise the U.S. *posse comitatus* law as justification for their stance of separating military and law enforcement responsibilities.

Posse comitatus is one of the most misunderstood and misinterpreted U.S. statutes ever enacted. The original *posse comitatus* act was passed in 1878 during the U.S. post-Civil War Reconstruction Era to prevent the U.S. Army from violating the political and civil rights of U.S. Southern citizens. In fact, no one has ever been prosecuted under this statute. The current version of the statute reads:

Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or Air Force as a *posse comitatus* or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both. (18 USC 1385)

Misinterpretation of *posse comitatus* is usually related to the political objectives of the interpreter. For example, after President Regan declared drug trafficking a U.S. national security problem in 1988, it was common to hear Department of Defense and its military service officials cite *posse comitatus* whenever they wanted to stonewall cooperating or providing assets to assist law enforcement. Civil libertarians still cite *posse comitatus* as the definitive law that prohibits

military involvement in law enforcement (Kellogg & Kellogg 2004). Neither of these interpretations is correct. Those misinterpreting the statute miss the important point in the statute where *posse comitatus* does not apply "...under circumstances expressly authorized by the Constitution or Act of Congress....(18 USC 1385)" There are numerous instances where the U.S. Congress has authorized the use of military forces to support law enforcement including: the Insurrection Act (10 USC 331-334), crimes involving nuclear materials (18 USC 831), emergency situations involving chemical or biological weapons of mass destruction (10 USC 382), counterdrug assistance (10 USC 371-382), and to provide investigative assistance on FBI request (18 USC 351). One researcher even admits that rather than prohibiting the use of military forces in law enforcement activities, "[i]t could be argued that the Act has only served to legitimize the military role of a *posse comitatus* by providing Congress with the ability to create its own exceptions whenever the need arises" (Young 2005).

Confusion in the United States over the exact meaning of *posse comitatus* highlights the need for clear jurisdictional directions for table 1 public security missions where both law enforcement and military forces work together. The lack of such clear guidance caused unnecessary confusion for U.S. security forces over the past 20-25 years as the United States moved toward the transtate security paradigm. The definition of "military support to law enforcement" must also be clear. In the United States, this has come to mean that the military can provide reconnaissance, surveillance, intelligence and investigation, command and control, communication, transportation, medical, personnel, and other logistic support to law enforcement agencies both within and outside the United States. However, except on U.S. military property, U.S. military support to law enforcement has avoided military personnel conducting search, seizure, and arrest activities which remain the prerogative of law enforcement personnel. With

transtate threats as the most serious problem for many Latin American and Caribbean states, and considering that separation of the military from law enforcement activities has been a component of liberal-democratic philosophy since the Magna Carta, the current United States procedures of allowing U.S. military support to law enforcement only on the authorization of the Constitution (meaning by executive directive) or legislature, and to limit that support to prohibit military personnel from conducting search, seizure and arrest activities, appears a reasonable doctrine for regional states to use in implementing transtate security models.

Besides clear jurisdictional guidance for military support to law enforcement in the public security arena, there are a number of other organizational issues that must be addressed in facilitating a transtate security model. Organizational cultures and standard operating procedures are two key areas that must be considered (Allison & Zelikow 1999). By nature of their missions, sizes, capabilities, and training, military and law enforcement organizations have completely different cultures that can lead to severe interagency tensions and conflicts over how to achieve objectives. Wilson (1989) offers:

Every organization has a culture, that is, a persistent, patterned way of thinking about the central tasks of and human relationships within an organization. Culture is to an organization what personality is to an individual. Like human culture generally, it is passed on from one generation to the next. It changes slowly, if at all (Wilson 1989, 91).

Military cultures, including those in Latin America and the Caribbean, tend to be hierarchical with almost religious-like devotion to the rank structure and chain of command. Military personnel are trained to receive and comply with orders and to look toward their chain of command for support. Military personnel generally work in organizations where formal and informal rules limit their discretion while allowing for accountability and successful mission outcomes. Military officials measure their outputs in a variety of ways, but achieving combat

readiness levels is normally the primary goal. Their normal daily activities seldom bring military personnel in contact with citizens in need of their professional assistance. Military personnel tend to have a strong community ethos with the protection of a state's citizens, territories, and institutions as their highest priority.

There are a number of factors that generate different military cultures. Many Latin American and Caribbean militaries have been organized and trained similar to U.S. military services and thus tend to take on similar cultures to the U.S. services. For example, Latin American and Caribbean navies tend to be small, but like the U.S. Navy they tend to have a culture marked by a strong sense of independence from other government organizations (Builder 1989). Regional navies, many actually established by the British Royal Navy, see themselves as the heirs to a glorious tradition dating back to the Royal Navy where they place themselves on an institutional level equal with their governments (Builder 1989, 31). Navies tend to be the least cooperative in joint military operations, as after all most have their own fleet of ships, own air force, and own army (marine corps). Air Force service cultures, both in the United States and in Latin America and the Caribbean, revolve around their member's love of flight and flying machines. Like their U.S. counterparts, regional Air Forces, even though also small in size, see themselves as an "independent and decisive instrument of warfare... a concept of warfare, a strategy made possible and sustained by modern technology" (Builder 1989, 32). Army cultures across the region follow the dominate vision of the service as the protectors of the state and the "the essential artisans of war" (Builder 1989, 33). If asked, Army personnel from across Latin America and the Caribbean will recite how "protecting state sovereignty" is their service's primary mission.

Law enforcement agencies in Latin America and the Caribbean have completely different cultures from military services. Law enforcement agencies consist of both uniformed police agencies and specialized civilian agencies (customs, immigration, etc.) with the authority to conduct investigations and to enforce local and state laws—including possessing the power of search, seizure, and arrest. Wilson (1989) describes law enforcement agencies as having “street-level” operators who possess maximum discretion to act without constant supervisory intervention. Most law enforcement organizations measure their outputs through activities such as number of calls answered, tickets written, crimes or accidents investigated, arrests made, and crimes solved. In the United States, the most important measure of law enforcement success is the number of successful prosecutions resulting from their investigative and enforcement work. In Latin America and the Caribbean, the number of successful prosecutions is less important as once law enforcement turns the arrestee over to the state’s judicial system, the arresting official has little to do with the future outcome of the case. Their daily activities bring law enforcement personnel into constant contact with the seedier and criminal elements in society, generating a strong cynicism in their ranks. Law enforcement personnel learn to “cope” with their environment, which includes an array of physical and legal threats to them and their professional careers as they execute their “street-level” discretion. In professional settings, law enforcement personnel are usually suspicious of members from outside their immediate group, preferring to work with outsiders who are also police officers and who display a similar professional ethos. Even still, there is normally extreme competition among different law enforcement agencies.

The above general descriptions of military and law enforcement cultures exist in most security forces worldwide. In Latin America and the Caribbean, these cultures must be placed within a context of the widespread abuse of power and high levels of corruption present in

security forces across the region. This is the “elephant in the living room” that is generally ignored by U.S. and European Union state military assistance programs as they interact with regional security organizations. This abuse of power and corruption is rampant in both senior and junior security officials—the main difference being the amount of the “take” by each respective group. As one Colombian official explained to the author:

The system makes us corrupt. Selection as a Colombian military or police officer is a ticket to a middle class lifestyle. The salary is not that great, but the social standing that comes with being an officer, plus benefits such as subsidized housing, commissaries, and officer clubs makes for a good life. Unfortunately, the military retirement system does not allow you to continue in this middle class existence after you leave the service. Therefore, to live well after retirement most military and police officers have three options: (1) marry money, (2) work yourself into several foreign assignments and save the inflated per diem [*viaticos*] that officers living outside Colombia are paid, or (3) be corrupt. (quoted in Collier 2005)

The nature of the abuse of power and political corruption differs from state to state. For example, recently the Dominican Republic military and police have been implicated as central actors in that state’s drug trafficking. This linkage to the international drug trade is just one of many abuses alleged with Dominican security involvement. One observer offers that 15 percent is the Dominican military’s magic number. Dominican military officials reportedly skim 15 percent off the top of all contracts under their control and even demand their troops provide 15 percent of their salaries earned from off-duty employment. This abuse of power has been going on for so long that Dominican military officials are not considered corrupt unless they ask for more than 15 percent (confidential interview 2004). With the possible exceptions of Barbados, Chile, and Costa Rica, security forces across Latin America and the Caribbean are known for such corruption and abuse of power—conditions that serve to increase mistrust and undermine cooperation across the region.

A major challenge of combining law enforcement and military personnel in public security missions is to accommodate their many cultural differences and to overcome the severe distrust of organizations other than their own. Throughout Latin America and the Caribbean there exist historical animosities between military and police personnel. An extreme example of this mistrust can be seen in February 2003 in Bolivia where outside the government palace the Army and National Police squared off in a firefight resulting in 30 dead and nearly 200 injured, included military, police, and civilians. This firefight was the result of police protests over government inaction on previous benefit agreements, and as one observer offered it "brought to the fore 177 years of institutional conflict which democracy failed to solve" (de la Quintana 2004). Similar tensions between military and police forces across the region highlight the extreme problem in building trust among security forces that must work together against table 1 public security threats. A first step in establishing inter-agency trust is to develop mission-specific standard operating instructions that do not conflict with either military or law enforcement cultures. These procedures must also not create competition for either resources or prestige between the military services and law enforcement agencies. The basic formula for building inter-agency trust for public security operations thus includes issuing clear jurisdictions over mission responsibilities, developing well-crafted standard operating procedures, and allowing for experience working together to develop over time. Gaining this experience should include inter-agency personnel exchanges that facilitate a better understanding of all partner agencies.

Standard operating procedures for planning, logistics, communications, and command and control are crucial to effective security operations. Mission planning, logistic, and communication are areas where militaries are especially competent and where law enforcement

agencies often most need support. Unlike the professional training of most law enforcement officials, military officials attend staff and war colleges which focus on the complexities of mission planning and logistics and communications support. Military personnel are also experienced in the organization of staffs dedicated to these support activities. The staff organizations required to support table 1 public security missions will vary according to specific threats, but will cover two general scenarios: (1) long-term missions where permanent joint and inter-agency organizations are required such as for anti-smuggling (drugs, arms, people), illegal immigration, and border control operations, and (2) crisis response missions where the combination of law enforcement and military forces may work together for only a short time, such as in a disaster response, WMD attack, or cases of large-scale political instability. Most states will require a combination of long-term and crisis response capabilities. Additionally, states must plan for inter-state security cooperation against the transtate threats. This inter-state challenge adds even more complexity to transtate security planning.

Unity of command is a long standing security principle dating back to even before the time of the much studied security philosopher Sun Tzu (500 BC). Command authority must be clear in both long-term and crisis response security missions. When jurisdictional directives and standard operating procedures are not clear on command authorities, bureaucratic conflict and confusion quickly result. Where command authority should reside in table 1 public security missions is another area of potential tension. Military leaders will argue they should have command of public security missions due to the large numbers of personnel and other capabilities they bring to the mission. Military leaders will also offer their experience in the control of such large forces over expansive land and sea areas as another reason for their being in control. Law enforcement officials will argue that since they are responsible for the "end game"

or final action in the missions, normally consisting of search, seizure, and arrest activities, that they must be the overall in charge. All of these arguments are valid. Thus, it is the responsibility of legislatures and executive branches to make clear in their jurisdictional directives where command and control authorities reside.

For crisis response command and control, the Incident Command System (ICS) is finding widespread acceptance among both public security and public safety forces in the United States and provides a model useful across Latin America and the Caribbean. ICS is an innovative management template that enables organizations that respond to a disaster—be it an earthquake, a fire, hurricane, hazardous material spill, or terrorist attack—to organize quickly to execute complex tasks. The ICS structural grid lets everyone know what their role is, who is in charge, and how to communicate with other agencies (Buntin 2001).

ICS brings structure and order to disaster site chaos. A good ICS plan has a number of characteristics that permit different organizations to work together safely and effectively (Hildebrand 1991). Its key elements are common terminology, modular organization, pre-designated incident facilities, integrated communications, unified command structure, and a consolidated plan of action. What makes ICS unusual is that it offers emergency responders a structure for coordinating their efforts in dealing with any kind of disaster. An important strength of ICS is its unified command component. “Historically, so many of us rolled to emergency scenes and set up our little command post with no regard to where fire was or where highway patrol was. Then we wondered why we had coordination and communication problems,” reported one U.S. public official (Collier & Vincent 2005). Another strength of ICS is its flexibility to change on-scene commanders. For example, the on-scene commander at a disaster site may be a fire department official during the fire-fighting or rescue phase of the

disaster. A police official may take on that role for the crime scene investigation phase. Finally, for the decontamination and security phase, a military official may be the designated on-scene commander. Thus, for table 1 crisis response mission planning, ICS provides a proven command and control model.

Under the umbrella of command and control activities, one of the most sensitive and conflictive areas for table 1 public security missions is the sharing of intelligence among joint military and inter-agency law enforcement forces. Information is power—especially in the corrupt security and political systems found in most Latin American and Caribbean states. Military intelligence organizations and law enforcement agencies tend to build nearly impenetrable “stovepipes” to protect their information. Adding to the unwillingness to share information in most regional states is usually a misunderstood and misinterpreted web of constitutional articles, legal statutes, executive directives, and service/agency regulations establishing intelligence sharing rules. Seldom does one service or agency understand the intelligence sharing rules of other services of agencies. Thus, it is easy for those unwilling to share information to stonewall other services and agencies and thus protect their “stovepipes.” The overall result is to severely undermine public security missions which feeds the mistrust among security forces.

When table 1 public security missions must be conducted on an inter-state or international scale, challenges relating to jurisdictional directives, service and agency cultures—including corruption, standard operating procedures, and especially intelligence sharing also abound. However, making public security missions even more challenging on an international scale is the issue of state sovereignty. Latin American and Caribbean states treat sovereignty as

the equivalent of a natural resource to be protected at all costs. Unfortunately, there is wide disagreement among states over exactly what the concept of sovereignty entails.

International rules concerning state sovereignty have changed dramatically over the last 60-70 years. The 1945 formation of the United Nations and the end of colonialism after World War II were watershed events in the evolution of state sovereignty. Before World War II a state had to earn its sovereignty and right to non-intervention by showing it could be a responsible member of the international community by maintaining internal stability, following international norms, and providing public goods. After World War II and with the formation of the United Nations, a period characterized by the frenzy to decolonize the world, the status of sovereignty and non-intervention were simply bestowed upon states by the international system. This new concept of sovereignty did not require any particular substantive condition in the new state, only the observance and forbearance of other members of the international community (Jackson, 1990, 1, 11). Many states, including those in Latin America and the Caribbean, used their new independent status of sovereignty as a shield to keep the international community from looking closely at illicit internal behaviors like corruption and abuse of human rights. Sovereignty issues became a favored excuse for states that lacked the political will or political capacity to comply with otherwise valid international requirements. Armed with the new rules of sovereignty and non-intervention, and combined with Cold War superpower protection in their spheres of influence, many corrupt and tyrannical rulers felt doubly protected, by both sovereignty and superpower force, as their predatory governments depleted national treasuries and diverted state resources for their own private use (Collier 2005).

Now in the post-Cold War, the rules of sovereignty are beginning to change again—back more to the pre-World War II concept where states have to earn their sovereignty and right to

non-intervention. States now cannot just claim sovereignty—it now must be bestowed upon them by the international community. As the lone remaining superpower (hegemon), the United States has taken the lead in redefining sovereignty. “Effective sovereignty” is a new interpretation meaning a state is expected to maintain control of their entire territory through the rule of law and/or security force presence (Pardo Maurer 2004). The United States is actively engaged in helping Latin American and Caribbean states in maintaining effective sovereignty, as evidenced by the hundreds of millions of dollars dedicated to Plan Colombia and other regional security issues. U.S. security strategy also now stresses the doctrine of “preemption” which states the U.S. reserves the right to intervene in any state where do to the lack of effective sovereignty, or in collusion with host governments, international or public security threats as detailed in table 1 threaten the United States or its public. This preemption doctrine is seen clearly in the U.S. attacks on Afghanistan (2001) and Iraq (2003) in search of Al Qaeda terrorists and WMDs, respectively. It is not just the United States, however, that is redefining the concept of sovereignty in the public security arena. The Organization of Economic Cooperation and Development (OECD), made up of the world’s 29 most industrialized states, recently threatened economic sanctions against states that did not comply with international banking standards to prevent money-laundering. Several states in Latin America and the Caribbean screamed the OECD violated their sovereignty with these threats—as they reluctantly brought their banking systems into compliance and avoided sanctions. Thus, it is easy to understand how sovereignty issues make coordinating international public security missions difficult—but not impossible—to achieve.

Conclusion

This paper develops the table 1 transtate security model as a recommended framework for addressing current Latin American and Caribbean security threats. It is shown that implementing a transtate security model where law enforcement and military forces must work together requires states to pay close attention to jurisdictional, cultural, organizational, and procedural issues. The greatest challenges to implementing such a model, however, may be overcoming obstacles to military and law enforcement intelligence sharing and in dampening sensitivities over issues of state sovereignty. Such challenges are not impossible as shown by the successful operations of the Eastern Caribbean Regional Security System and the U.S.-based Joint Interagency Task Force South.

This paper is not a call for Latin American and Caribbean states to disband their militaries as relics of the Cold War. Instead, it offers that Latin American and Caribbean States should assess their overall state objectives in light of their table 1 security status and then properly organize and equip their militaries and police forces to counter the highest threats to their international, public, and citizen security. Transitioning security forces to counter contemporary threats will not be easy. Military forces are generally adept at addressing the table 1 international security threats. Law enforcement agencies are also equally adept at addressing the table 1 citizen security threats. Where confusion reigns is in combining law enforcement and military forces to address the table 1 public security forces. Public security threats must be countered if states ever hope to have a chance to develop and improve the standard of living and quality of life of its citizens. Getting public security right must thus be a priority issue for regional governments. This paper provides a conceptual framework—one acceptable to both globalists and progressive internationalists—for getting it right.

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