

March 15, 2005  
McShain Lounge Large  
McCarthy Hall, Southwest Quadrangle  
5:30 pm-7:00 pm

## **Democracy and Multidimensional Security: The rising need for citizen security in Latin America**

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- 1) I would like to present a few ideas about the evolution of the concept of security in Latin America, because when we talk about security sometimes we are not using the same language. Security is an area of major concern for all of us, here in the United States, in Latin America and in the world. One problem for the analysis of the concept of security –as a matter of international and domestic policy—is the difficulty to reduce it to a precise meaning. <sup>(1)</sup>
- 2) Traditionally, the concept of security has generally been addressed in the context of “national security” and “public security”. **National security** involves defence of the sovereignty both with respect to the state’s role as an independent actor in inter-state relations and the ultimate expression of legitimate coercion in internal affairs. The legitimate defence of territorial boundaries, internal order and sufficient political and economic stability to permit functioning of state institutions are also matters of national security. In the national security perspective, the primary forms of response are state centered including military, intelligence and diplomatic instruments and state-coalitions strategies. **Public Security**, rather than protect the state and institutions from external threats, focuses on the safety of persons and the protection of personal assets from actual physical aggression by others or other sources of threats like crime, violence, terrorism and public and private domestic institutions characterized by incompetence, corruption and impunity. Also, public security, includes protection of democratic institutions. The management of public security is centralized in state institutions that are responsible of public security.<sup>1</sup>
- 3) In the Inter-American system, the so called “**collective**” or “**hemispheric security**” is a concept that embraces the principle that “...*an act of aggression against one state is an act of aggression against all other American states.*” (TIAR, 1947 & OAS Charter, Art. 3, h, 1948) This shows how, originally, hemispheric security was linked to an aggression from abroad involving military defence against various forms of extra-hemispheric threats. Also, because of Latin American border disputes, it was included in the foundations of hemispheric security, the pacific settlement of disputes of inter-states conflicts. (Pact of Bogotá-1948)

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<sup>1</sup> Bailey, John. “Public Security in the Americas: New Challenges in the South-North Dialogue”, Georgetown University, 2004.

- 4) The East-West conflict transformed hemispheric security as a tool to use collective action against international communism viewed as a threat to the political independence of the American states, endangering the peace of the continent. In Latin America, during the cold war and beyond, the authoritarian's regimes developed the so called "***national security doctrines***" which explicitly included in the mission of the military forces to protect the state against internal ideological enemies. All along the civil conflicts of the 70's and 80's, national security doctrines guided the military and police actions and cost the lives of ten of thousands of citizens. The police forces under the so called "***regime policing***" had few –if any- accountability mechanisms; they engaged in indiscriminate arrests and detention, torture and killings. Moreover, intelligence gathering structures focused on enemies of the regime rather than on "criminal intelligence" and crime prevention was poorly developed. In Peru and Colombia, for example, the police have often times been "displaced" by the military as counter-insurgencies campaigns authorized military control of large areas of the territory under "states of emergency". Police actions became a complement to military operations and loose in profile and prestige.
- 5) The end of the cold war brought a change in the traditional approach to security. The strategic paradigms on which past securities policies were based are no longer appropriate for dealing with new realities. In 1991, the OAS General Assembly in Chile approved the "*Santiago Commitment with Democracy and the renewal of the Inter-American system*" and the political leaders of the Americas in the 1994 Miami Summit of the Americas agreed to a Declaration and a Plan of Action with which the region began the long journey to strengthen democratic governance and respect for basic human rights along with a switch to free trade, promotion of foreign investment and market economy.
- 6) At the beginning of 2001, the Third Summit of the Americas in Quebec City, was an opportunity to re-define security introducing some elements of the new concept of **Human Security**<sup>2</sup>. Human security has emerged as a paradigm with the potential to serve as a powerful complement to more traditional security concepts in meeting the range of new threats to people. Ultimately, it relates to the protection of the individual's personal safety and freedom from direct and indirect threats of violence. The promotion of human security and good governance, and, when necessary, the collective use of sanctions and force, are central to managing human security in a globalized world. An active commitment to the strengthening of democracy, to the protection of human rights and to the respect for the rule of law is the foundation of human security. The action of states, international organizations, non-governmental organizations and other groups of civil society in combination are vital to the prospects of human security.

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<sup>2</sup> An independent Commission for Human Security was launched at the 2000 United Nations Millennium Summit (Human Security: ".*freedom from want and freedom from fear*".)

- 7) The tragic terrorist attacks of 9/11/2001 were immediately condemned by the democratic governments of the Americas that committed themselves to collective defence to combat terrorism. They sent a clear sign that they would provide neither sanctuary nor financial opportunities to the perpetrators of terrorist acts. In June 2002, the OAS General Assembly, approved the *Inter-American Convention against Terrorisms* which reaffirmed the commitment of OAS member states to redouble efforts to collectively deal, with money laundering and terrorist financing; to improve border, ports and airport controls and to facilitate mutual legal assistance to combating terrorism. Accordingly, some of the old structures of collective security were re-introduced, although it was emphasized that the eventual military force must be used within the strict framework of respect of human rights and the principle of non-discrimination.
  
- 8) In October 2003 the OAS Special Conference was held in Mexico which adopted the "*Declaration on Security in the Americas*" that represented the culmination of a decade of discussions on new approaches concerning hemispheric security in the light of globalization and the radical changes that had taken place in the world and in the Hemisphere over the last 15 years. The Declaration considers –matching some important elements of the "human security paradigm" -- that security threats are of diverse nature and scope and that the traditional political-military approach should be expanded.

The new concept of **multidimensional security** include non-traditional threats like intra-state insurgencies; drug-trafficking; terrorism; illegal migration; health risks; natural disasters, violation of human rights; extreme poverty and inequality; smuggling of goods; trafficking of arms; trafficking in persons; among others. Many of these new menaces, concerns, and other challenges to hemispheric security are transnational in nature and may require appropriate hemispheric cooperation, for instance, through implementation of the obligations assumed by the states in international agreements.<sup>3</sup>

Responses to threats of multidimensional security should involve both state institutions and civil society. This approach places greater attention on cooperation between the state central institutions (elected government, public institutions and state agencies) with local governments and civil society

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<sup>3</sup> The *United Nations Convention on Transnational Organized Crime* and its 3 protocols; the *Inter-American Convention Against Corruption*, 1996; and the *Inter-American Convention Against Terrorism*, 2002.

9) **Why is there consensus that a multidimensional approach to security is needed?**

Because there is data that demonstrates the fact that Latin America is one of the most violent regions in the world –doubling the world average-- particularly in urban areas.<sup>4</sup>

The fear of crime and anxiety about personal security is crossing boundaries of class, political preference and ideology. In addition, the failure of the state, its public order and justice system to respond adequately and provide some protection for basic security needs is—creating a booming private security business for those that can afford to purchase security. Those in poverty-stricken corners that have not only fear, but also frustration and resentment, have opted to take justice into their hands through extra-legal means including lynching.<sup>5</sup>

This problem generates social, political and economic costs: it affects the quality of life of large sections of population; obstructs economic development and discourages investment; erodes the capabilities of government and the public credibility of institutions; affects the performance of the courts and the police; has negative effects for the promotion human rights; and prevents democratic principles from being fully realized.

10) ***What are the causes of this phenomenon?***

There are not simple explanations or acceptable generalizations to account for the rise of crime and violence in Latin America, but there are several leading hypotheses. I would like to follow the one presented by Professor John Bailey. He says that, in general, transitions to electoral democracies and liberalized markets, the so called “dual transition”, on the one hand, has weakened or destroyed the old authoritarian systems of control, but in most countries were not accompanied by reformed armed forces, police and judicial systems that could function effectively with new standards of rights and under intensive media coverage. On the other hand, to date, with few exceptions (Chile), the expected levels of economic benefits of transition have not appeared. Overall economic growth rates remain below the averages of the 60’s and 70’s, and the Latin-American societies are still characterized by profound inequality.

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<sup>4</sup> Moser, C and Winton, A. Violence in the Central American Region, ODI working paper 171, ODI: London, 2002; WHO Report, 2002.

<sup>5</sup> Rachel Neil, From National Security to Citizen Security, 1999, pgs.1,2.

As Professor Bailey states, Latin America's economies and societies are characterized by **profound inequalities** and **extensive informality**. He also considers that these are "**risks**" **factors** that along with "**accelerants**" such as an upsurge in drug-trafficking, smuggling of goods, trafficking of arms and trafficking of persons are also linked with other forms of instrumental violence, like delinquency groups (maras, pandillas, etc.), gang conflicts; kidnapping and corruption of state agencies and police. (Bailey, Public Security in the Americas, 2004).

The fact is that beyond statistics, beyond these explanations and the exact proportion of crime and violence in each country, the consequences are reflected in the way citizens perceive the state. For the majority of Latin Americans -more than 520 million people- that for the first time live in a regional community of democracies, there is evidence that the development of democratic institutions is particularly weak to deal properly with rising common crime and violence, which along with high indicators of social inequality, unemployment and extreme poverty, are cause of dissatisfaction with elected leaders, political parties, the police, the judiciary and public institutions. There is a widespread feeling among citizens that the "democratic institutions" are not protecting their lives, safeguarding their day-to-day activities or securing their property. In this sense, this perception undermines democracy, in a phenomenon that some analysts describe as "low intensity democracy".<sup>6</sup>

## 11) The new security approach: Citizen Security

Given these facts and the problems of insecurity and rising crime that are pressuring democratic governments and putting governability at risk in Latin America it is necessary to re-conceptualize public security, with a multidisciplinary focus and the participation of many actors, not only elected authorities, but also non-governmental organization, local communities and associations, and the private sector.

Even though there are several paths and strategies to develop new and more effective public security policies, we think that the one that matches well with both the *human security paradigm* and the *multidimensional security concept* is the one called "**citizen security**."

## 12) What is Citizen Security?

- Citizen security is a new approach whose primary concerns are the threats to public, social, political and economical order posed by rising common crime, transnational crime, violence and public fear of crime and insecurity.

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<sup>6</sup> Rachel Neil, From National Security to Citizen Security, 1999, pgs.1,8.

- This new approach must be applied particularly at local levels and national government, judicial and police authorities would be no more the only ones that will have assigned “security responsibilities” but also mayors and municipal leaders.

- The **local government or municipality** is the level of government closest to the people and where the projects can be designed to target specific needs of the local community. The local community is also where the day-to-day delivery services happens. These services improve people’s quality of life and build better living environments. Many of these services are also the basic elements of crime and violence prevention. This approach to security requires coordination and support of different sectors (justice, police, media, schools-education, health, social services, private sector, NGO’s, etc.)

- Citizen Security embraces **decentralization**, because policy reforms in the frame of general by flexible national policies should be applied taking into account each specific reality, needs and cultural environment. These parameters can be useful to establish broad-based “best practices”, but case-specific strategies must be designed in order to account for each city or community’s security concerns and history of community participation. In this sense security have been incorporated in the agenda of local governments in cooperation with the central government and also with civil society.<sup>7</sup>

**13) There are at least three areas where main policy shifts toward citizen security are under way:**

**\* Legal and judicial reform:**

- New criminal codes to improve the criminal justice system that is inefficient and slow, to strengthen defendant rights, replace written with oral trials (as in US) to make them quicker, fairer, more transparent and transfer control over the criminal investigation from the police to prosecutors.
- Judicial reform measures that bring justice into local communities (“Juzgados de Paz”, etc.)
- Legal and judicial cooperation between different jurisdictions for combating the various forms of transnational organized crime taking into account the research and studies of specialized NGO’s and human rights groups.

**\* Restructuring the police forces and prisons reform**

- Restructuring police forces, through de-militarization, professionalism, and job benefits, as integral component of building an effective and democratic system of governance.
- Police reform must be connected with justice system and prisons reform.

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<sup>7</sup> Martin, Gerard & Miguel Ceballos. *Bogotá Anatomía de una transformación: Políticas de Seguridad Ciudadana* 1995-2003, Editorial Pontificia Universidad Javeriana, 2004.

- Develop investigative capabilities for detecting and identifying criminal individuals and criminal organizations
- Implement strategies that address both police accountability and effectiveness
- Consider the need for continued capacity-building
- Women's police stations that facilitates gender crime claims and intra-family and sex violence.
- **Penitentiary reform:** Modify security systems to respect the rights of the prisoners, taking into account specific recommendations, for instance the ones adopted by the Ministers of Justice of the Americas in the REMJA-V held at OAS headquarters in Washington in April 2004.

**\* Civil Society participation**

Several actors such as local government leaders, non-governmental organizations, business owners, schools, neighbourhood associations should participate in diverse initiatives and activities that are a broader planned public policy:

- Support of crime prevention programs
- Community policing (crime report station; citizen's watch; foot patrols; system for police oversight and accountability; etc.)
- Local service of alternative dispute resolution (extra-judicial settlement of disputes, through mediation or conciliations).
- Ombudsman like figures at municipal level charged with receiving and investigating charges against the police
- Mechanisms to allow citizens and the police to address specific concern collaboratively to improve the trust between the community and the forces of law and order.
- Proposals connected with the role of mass media, especially TV, in citizen's perceptions of insecurity and treatment of crime and violence in the media.
- Communication campaigns emphasizing respect for the law, coexistence and reconciliation.
- School programs for rebuilding capital social.

13) **Financing Citizen Security:** Several institutions like the Inter-American Development Bank, the World Bank, the OAS, UNDP, the Woodrow Wilson Center, WOLA, FLACSO & FOCAL, to name a few entities, are working on concrete studies, analysis, programs and projects in several countries with the aim to help to design and implement the new policies of citizen security and to give also consideration to funding concerns to guarantee the sustainability of the process.

## Conclusions:

Looking forward, two general conclusions can be drawn from the above analysis.

- Criminal activities, particularly the ones related to transnational crime, are generating social violence and, at the same time, a crisis in public security.
- Public outrage over this lack of public security has weakened the support for democracy as a regime and for public institutions such as the judiciary, the police and the governmental agencies.
- This fear and distrust increase support for extra-legal suppression of crime, and also the disposition to consider or tolerate alternative regime types, weakening democratic institutions.
- Under the paradigm of Human Security and the concept of Multidimensional Security it is important to strengthen **citizen security** policies in order to change the actual pattern of ineffective law enforcement caused by weak police and judicial institutions that are not only another example of poor governance but can also result in reduced public support for democracy, diminished interpersonal trust and compromised governability.