
7 Democracies and the Use of Force: Suggestions from the Ecuador–Peru Dispute*

Can democracies fight against each other? Chapters 2 and 5 demonstrated that in Latin America democracies use force against one an-

* The democratic status of both countries, especially Peru, was in question in 2000. In February a coup failed in Ecuador, though President Jamil Mahuad was forced to abdicate in favor of his vice-president. In May Peruvian President Alberto Fujimori insisted on holding elections whose fairness was questioned domestically and internationally. The opposition candidate withdrew, the vote was held anyway and Fujimori was declared the winner. The U.S. government and the Organization of American States officially recognized Fujimori as the winner, despite “irregularities.” Michael McCaughan, “US accepts ‘illegitimate’ election of Fujimori” *The Irish Times* June 21, 2000, p.12; “American Nations Press Peru for More Democratic Reforms” *The Toronto Star* June 29, 2000. In September 2000, faced with a scandal involving his intelligence chief and mounting protests, Fujimori disbanded the intelligence service, called for new presidential elections, and declared that he would not be a candidate. Latin America Data Base, *NotiSur–Latin American Affairs*, “Peru: President Alberto Fujimori Announces New Elections” Volume 10, Number 34, September 22, 2000. In November 2000, during a trip to Japan, Fujimori announced his resignation from the presidency, effective immediately, and there is speculation that he will try to stay in Japan indefinitely. Sebastian Rotella, “Peruvian Congress Rejects Fujimori’s Resignation and Fires Him Instead,” *Los Angeles Times*, A:13, November 22, 2000.

Because these events happened after the 1995 war and the 1998 peace agreement, the case is still relevant for the democratic peace argument. One should also note that throughout those tumultuous first six months of 2000, there were no reports that the peace agreement was called into question in either country.

other and with increasing frequency as their numbers increase. This chapter explains the decision to use force among democracies through the framework of the militarized bargaining model. In doing so it sheds light not only on why democracies can fight, but also demonstrates that a focus on the costs of using force is a useful way of thinking about militarizing disputes even when decisionmakers are not military dictators.

The chapter begins with a brief discussion of the territorial dispute between Ecuador and Peru that produced 32 militarized disputes in the twentieth century, including two wars (1941 and 1995) and two other full mobilizations (1910 and 1981).¹ This case is particularly interesting because Peru was significantly more powerful than Ecuador during most of this period. This power disparity allows us to explore under what circumstances a smaller power will confront a larger power with military force. Following a summary of the dispute, we examine the factors affecting the costs associated with the potential use of force: the politico-military strategy chosen (S), the strategic balance (SB), and the characteristics of the force used (CF). A third section examines the costs acceptable to the leader's constituency (CC) minus the slippage in accountability produced by the domestic means of selecting a leader (A). A subsequent section considers why a democratic public can be a stimulus for the use of force even against another democracy.

Brief History of the Ecuador-Peru Dispute

The Amazon River offers access to the potentially rich Amazon basin, and a potential trade route to the Atlantic for South American countries on the Pacific coast. During the Independence wars some areas ostensibly controlled by Quito joined the Peruvian armies, rather than those fighting farther north.² Peruvian authorities claimed such acts represented self-determination to constitute part of Peru. After Independence Peru attempted to seize further areas, including the major port city of Guayaquil, but was defeated by the forces of Gran Colombia (which at the time included Colombia, Venezuela, and Ecuador). Peru renounced some territorial claims in the Pedemonte-Mosquera Protocol, but the Congress of Gran Colombia did not ratify it. Gran Colombia subsequently dissolved into three countries and Ecuador sought to make the peace treaty effective. Peru rejected the treaty and Ecuador's claim to the boundaries of a now defunct state. The dispute was papered over by the 1832 Treaty of Friend-

ship, with both sides interpreting the phrase "present limits" according to their own interests.

The area in dispute was remote, with no infrastructure and largely inhabited by indigenous peoples. In 1860 Ecuador attempted to compensate European creditors with land in the Amazon. Peru attacked, forcing one defeated leader to recognize Peruvian claims, but other Ecuadorian leaders repudiated the treaty. Interestingly, although Chile sought Ecuadorian assistance during its two wars with Peru (1837 and 1879), Ecuador maintained strict neutrality.³ Since Chile won both wars, Ecuador may have lost an important opportunity to resolve the territorial issue in its favor.

Ecuador attempted to cede land for debts again in 1887. This time Peru (recently defeated by Chile in the War of the Pacific)⁴ and Ecuador agreed to negotiate their differences, with unresolved issues submitted to the King of Spain for binding arbitration. In 1890 the Peruvian Executive granted Ecuador access to the Marañón River; the Ecuadorian Congress quickly ratified the Treaty but Peru's Congress demanded a renegotiation. Between 1900 and 1904 a series of military clashes occurred in the region due to the expansion of rubber and gold exploitation, as well as Peru's increasing integration of the region into the national economy. Diplomatic relations between Ecuador and Peru were severed for a time. In 1905 Ecuador signed a secret treaty with another of Peru's territorial rivals, Colombia, in which each guaranteed the other's territorial integrity.⁵ There was also an informal understanding in both Ecuador and Peru that Chile might help Ecuador in any conflict with Peru.⁶

In an effort to avoid war, the parties turned to the King. In 1910 rumors that the King's advisers found Peruvian legal arguments compelling produced riots in Ecuador.⁷ President General Eloy Alfaro rejected the arbitration, called for new bilateral negotiations, and declared Ecuador's willingness to fight to preserve its Amazonian character. Both countries mobilized troops and an arms buildup ensued. Argentina, Brazil, and the U.S. mediated, suggesting that the dispute be taken to the Permanent Court of Arbitration at the Hague. Peru accepted, but Ecuador called for direct negotiations.⁸

Although the King did not render his judgment, its basic outline now defined the issue. Any juridical examination would most likely reproduce the King's judgment. Peru adopted arbitration as a fallback position if direct negotiations failed, while Ecuador sought to avoid juridical settlement. Of course, Peru would have no incentive to concede anything in bilateral negotiations, preferring the status quo (in which it occupied large sections of

the disputed territory). Ecuador kept the level of tension on the border high in hopes that other Latin American states and the U.S. would insist that Peru accommodate Ecuador (in the 20 years prior to 1910 there were only 3 MIDs; for the next 8 years they were constant).

Despairing, Ecuador modified its strategy in 1916. It settled a dispute with Colombia in the Amazon to gain an ally against Peru. New attention centered on the U.S. in the wake of World War I.⁹ Both Ecuador and Peru hoped the U.S. could obtain a “just” settlement in territorial conflicts in which they were the weaker party. (In these cases a “just” settlement was defined as one that would give the weaker party a better deal than could be garnered in bilateral negotiations; i.e., Ecuador vis-à-vis Peru and Peru vis-à-vis Chile). Because the U.S. stridently advocated peaceful resolution of conflict (even to the point of using its own military might to impose it on Central America and the Caribbean!¹⁰), Peru and Ecuador avoided militarized disputes through the 1920s.

The promise of diplomacy proved ephemeral. Peru, facing a new war scare with its powerful nemesis Chile, enticed Colombia to abandon Ecuador with a better deal in 1922: sovereignty in the disputed area north of the Amazon river in exchange for the territory previously ceded by Ecuador to Colombia. Ecuador severed relations with Colombia.¹¹

But in 1932 Peru escalated a minor border incident in the Leticia region into a major conflict with Colombia.¹² Colombia’s military success encouraged Ecuadorian diplomatic and military posturing. As an “Amazonian” nation, Ecuador tried inserting itself into the Leticia cease-fire negotiations, but Peru blocked it. Military confrontations between Ecuador and Peru revived in 1932. Ecuador and Peru resumed diplomatic negotiations in 1933 but increased border clashes in 1938 ended them.

Ecuador’s internal political situation continued to be unstable in the 1930s and its military languished in domestic political struggles. In contrast, Peru began to climb out of the era of dictatorship. Peruvian officers blamed the politicization of their institution during the days of authoritarianism for the Colombian defeat. They resolved to professionalize themselves for their proper mission: the defense of national territory. This asymmetry would have dramatic consequences.¹³

In the late 1930s the Peruvian military saw an opportunity to resolve a territorial issue and end a history of defeat. Ecuador responded by establishing small frontier outposts in the disputed territory to serve as tripwires, hoping to trigger international intervention.

In 1941 Peruvian troops, tanks, and planes swept across the disputed regions, penetrating deep into Ecuador itself.¹⁴ Ecuador confronted a U.S. and Latin America preoccupied with the war in Europe and the Pacific. Peru threatened to occupy the territory until Ecuador recognized Peruvian claims in the Amazon. Bowing to pressure for inter-American solidarity, Ecuador accepted the Rio Protocol in January 1942. Argentina, Brazil, Chile, and the U.S. became guarantors of the treaty. The Protocol denied Ecuador sovereign access to the Amazon River.¹⁵

The territorial dispute between Ecuador and Peru appeared settled. The government that signed the Protocol, the military leaders of the 1944 coup and the subsequent democratic government of President José María Velasco Ibarra all accepted the Protocol.¹⁶ Border demarcation proceeded without serious controversies, with Brazilian arbitration resolving a number of issues in 1944, until 95 percent of the area had been resolved.

In 1947 a 78-kilometer section to be divided by the *divortium aquarum* between the Zamora and Santiago rivers, proved problematic. The Cenepa River was discovered to flow through the expected *divortium aquarum*, making demarcation by the letter of the Protocol impossible. Ecuador suggested in 1949 and 1950 that the Amazon issue constitute part of a renegotiation.¹⁷ Peru attempted to deter Ecuador's developing challenge to the status quo by asserting the primacy of the Rio Protocol, which denied Ecuador sovereign access. Peru proposed that a natural division existed in the Condor mountain range farther to the northwest (i.e., into Ecuador).

The bargaining challenge for Ecuador was to get Peru to move its position out toward Ecuador's. Figure 7.1 illustrates the preference curves of the two parties in 1950 by solid dark black lines. There were seven points around which agreements could be constructed, and which break into two major distinctions: those that accept the fundamental terms of the Rio Protocol and those that would take a new look at the entire controversy. Ecuador preferred the latter type situations, beginning with multilateral renegotiations because Peru's bargaining power would be decreased in a multilateral forum. Arbitration within this context would be Ecuador's next best solution, followed by bilateral negotiations with Peru, but still in the context of a discarded Rio Protocol. If the Protocol had to be accepted, multilateral negotiations were to be preferred over arbitration, followed by direct bilateral negotiations with Peru. The least acceptable outcome to Ecuador was to accept Peruvian interpretations of the Protocol.

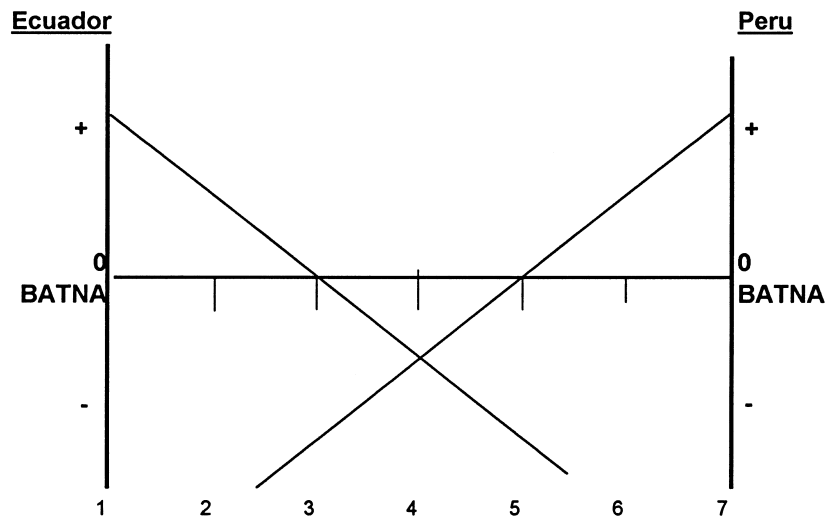


FIGURE 7.1 Bargaining Scenario Ecuador-Peru, 1950–1995

- 1 = Multilateral renegotiation outside the Rio Protocol
- 2 = Arbitrate outside the Rio Protocol
- 3 = Bilateral renegotiation outside the Rio Protocol
- 4 = Multilateral negotiation within the Rio Protocol
- 5 = Arbitration within the Rio Protocol
- 6 = Bilateral negotiation within the Rio Protocol
- 7 = Accept Peruvian interpretation of the Rio Protocol

The problem for Ecuador was that Peru had no reason to stray beyond the negotiating positions while accepting the Rio Protocol. It had already accepted Brazilian arbitration on a disputed point, as called for in the Protocol. But the internationally recognized treaty safeguarded Peru's fundamental interests in the Amazon and Peruvians saw no advantage in modifying that position. Ecuador would have to create a situation in which Peru would find it to be in its own interest to modify its position. Given Ecuador's relative weakness vis-à-vis Peru, it could not succeed alone.

Ecuador rejected Peru's proposed solution and began building its legal case for the *inapplicability* of the Protocol in the Cordillera del Condor region, as well as developing a diplomatic offensive for international support. In 1950 President Galo Plaza withdrew Ecuador from the border demar-

cation commission. At the 1951 OAS meeting to consider the hemispheric response to extracontinental aggression, Ecuador's Foreign Minister raised the issue of intracontinental aggression to no avail.¹⁸ The 1959 OAS conference of foreign ministers, scheduled for Quito, was postponed when Peru refused to attend because the host country included the dispute on the agenda. The return to international diplomacy was also accompanied by renewed border clashes.

In 1960 President-elect Velasco Ibarra responded to Ecuador's inability to create a coalition around the idea of inapplicability by raising the stakes further: he declared that, in addition to being inapplicable, the Protocol was *null* because it was the result of Peruvian military aggression. Ecuador attempted to build a coalition around this idea in both the OAS (1959, 1965, 1980, and 1981) and the UN (1976, 1980, and 1991) but failed completely. By questioning a treaty negotiated after a war, the Ecuadorians touched a sensitive nerve in the international community, which reacted by asserting the sanctity of international treaties. In response, Velasco Ibarra in his next term declared that "an honorable transaction" (i.e., sovereign access somewhere to the Amazon) could allow Ecuador to accept the Protocol.¹⁹

Despite Ecuador's push on the diplomatic front in the 1960s it joined Peru as allies in general foreign policy. They were on the same side in the "Tuna Wars" with the U.S. concerning the 200-mile jurisdiction. A dramatic shift in Peruvian foreign policy after the leftist military coup of 1968 produced a new possibility for resolution. Under General Juan Velasco Alvarado Peru sought to build a Third World oriented foreign policy, supported by a Latin American bloc of nations. The Andean Pact, created in 1969, promoted economic integration, and trade between the two countries expanded.²⁰

Although the Andean Pact began to lose momentum in 1976 Peru rejected Ecuador's contention that progress on the border could provide the impetus for renewed progress among Pact members.²¹ Brazil's initiative for Amazonian cooperation and development seemed to offer Ecuador a de facto presence in the Amazon, but Peru short-circuited this effort in the final Treaty signed in 1978.²²

International diplomacy and economic cooperation did little to resolve Ecuador's Amazon problem. This failure led to a renewal of the latest phase of militarized clashes in 1977, just as democracy was returning to both countries. The first of Ecuador's newly democratic Presidents, Jaime Roldós, proclaimed in his inaugural address that his government would continue to

pursue “recognition of the historic and inalienable Amazonian rights” of Ecuador.²³ Roldós died in 1981 as the plane in which he was traveling to inspect Ecuadorian outposts in the disputed zone crashed.

Thirteen MIDs occurred between 1981 and 1998, which represents the most intense period for the rivalry in the twentieth century (table 7.1). Two of these clashes developed into major crises. In 1981 up to 200 people died in the confrontation and Peru threatened to invade Ecuador in a repetition of 1941. Ecuador had to appeal to the guarantors of a treaty it did not recognize by the euphemism of “the four friendly countries” to halt the fighting and reportedly paid reparations to Peru.²⁴ Skirmishing among patrols almost escalated in 1991, but was papered over by a “Gentleman’s Agree-

TABLE 7.1 Militarized Interstate Conflicts: Peru-Ecuador 1910–1998*

Year	Year	Year	Year
1910	1932	1950	1977–78
1911	1934–36	1951	1981
1912–13	1937	1953	1983
1914–16	1938	1954	1984
1917–18	1939–42	1955	1985
	1942	1956	1985
	1943	1960	1988
			1989
			1991
			1993
			1994
			1995
			1995
			1998

* MID database; Loftus, *Latin American Defense Expenditures*, pp. 27–29; *Hoy* December 29, 1995, and “Peru and Ecuador Hold Fresh Talks” *Financial Times* September 8, 1998 p. 9; Scheggia Flores, *Origen del Pueblo Ecuatoriano*, p. 61; Ministry of Foreign Affairs, *Hacia la Solución*, pp. 194–195

ment.” Short of building confidence, the agreement provided more grievances as the Peruvians later refused to abandon the outpost in question.²⁵

Relations between the two countries did not deteriorate despite the MIDs. Economic cooperation accelerated after 1985. President Alberto Fujimori became the first Peruvian President to travel to Ecuador in 1991, and he offered various economic development proposals, as well as the possibility of a free port for Ecuador on the Peruvian Amazon.²⁶

For 34 days in early 1995 Ecuador and Peru sustained their most serious military confrontation since 1941, with reliable unofficial estimates putting the dead at more than 1,000. Both sides deployed sophisticated aircraft and Ecuador used modern intelligence technology. Armed forces mobilized in the jungle region of the actual fighting, and along the west coast, where the navies also gathered. Ecuador called up its reserves.²⁷ To avoid escalation, Ecuadorian President Sixto Durán Ballén abandoned the nullification thesis and publicly asked for the guarantors’ mediation.²⁸

The guarantors brokered a cease-fire, separated the two military forces, and called for negotiations. In December 1995 Peru mobilized 6,000 troops on the border in response to Ecuador’s purchase of four Kfir fighter-bombers from Israel. Although military confidence-building measures occurred in the disputed sector during January and February 1996, the Peruvian negotiator arrived in Quito with copies of his book supporting Peru’s interpretation of the 1947 negotiations.²⁹

Negotiations stalled after dealing with nonterritorial issues. After a war scare in August 1998 the two presidents agreed to allow the four guarantor countries to devise a settlement. (The shift in preference curves is represented in figure 7.2 by the dotted lines.)

The guarantors insisted that before taking up the task, both Congresses had to agree to abide by their decision. Within a week of getting such approval, the guarantors had their decision, along with a sweetener: a pledge of \$3 billion in development aid. Peru achieved a major aim as the border was determined to lie along the Cordillera del Condor. Yet Peru had to pay a high price for its victory. Ecuador was granted perpetual sovereignty over a square kilometer in Peruvian territory to build a monument to its soldiers who defended Tiwintza, the outpost that came to symbolize the 1995 war. Ecuador also gained sovereignty over port facilities in a Peruvian site on the Amazon River. (Fujimori had simply offered access to a port in 1991.) And Peru was required to pay for and build roads connecting those facilities to the Ecuadorian, rather than Peruvian, Pacific coast.

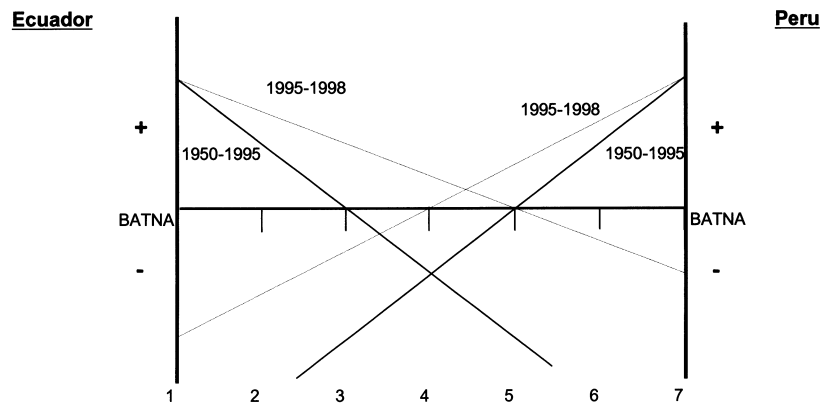


FIGURE 7.2 Bargaining Scenario Ecuador-Peru, 1950–1998

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Peruvian Foreign Minister Eduardo Ferrero Costa resigned once he suspected that these were the terms to be offered by the guarantors.³⁰ After the terms were made public riots broke out in the chief Peruvian city in the Amazon, Iquitos. But Fujimori stood his ground. In Ecuador, people accepted the trade of a sovereign outlet to the Amazon they never had for guaranteed access and the promise of development aid.

Explaining the Use of Military Force

Foreign Policy Goods

Ecuadorian Presidents since 1947 have wanted to settle the dispute with Peru, but not at the expense of the country's claim to sovereignty in the Amazon. The foreign policy good was not settlement per se, but rather a

sovereign outlet to the Amazon. Achieving this goal would enable the President to recover some of the national pride and self-respect that most Ecuadorians believed Peru had trampled on with its "aggression" in 1941. It thus constituted a "public good." Ecuadorian leaders did not pursue any private goods in this rivalry.

Peruvian Presidents had a different foreign policy goal that reflected the country's diplomatic and military advantages over Ecuador. Peru's leaders had to avoid delivering a "public bad": getting caught in a diplomatic renegotiation which would give Ecuador sovereign access to the Amazon. In essence, therefore, Peruvian leaders had to deliver the defense of the gains of the 1941 war. Since virtually all Peruvians accepted the Rio Protocol (see below) defending it was a "public good."

Once President Fujimori embarked on his neoliberal development program for Peru the creation of economic linkages with neighboring countries became an important factor in Peruvian foreign policy. These potential economic links would constitute a public good to the degree that their benefits were widely distributed. If these economic benefits were limited to groups in the border area, however, they would be private goods. Fujimori certainly saw them in the broader context, and hence, as public goods.

Expected Costs

Political-Military Strategy

Ecuador first challenged the Protocol settlement in the diplomatic arena, declaring it "inapplicable" in 1950 and null in 1960. In the mid 1970s the U.S. signaled that this strategy was appropriate when it said that Peru's position was too intransigent.³¹ The democratic governments after 1979 followed their predecessor's leads. Appeals were made in the UN (1980 and 1991) and OAS (1980 and 1981) to take up the issue and the Pope was suggested as a possible mediator in 1991.

A purely diplomatic strategy could not propel Peru to renegotiate. International actors were reluctant to reopen issues that had been legitimated in an international treaty and Ecuador did not have the capability by itself to pressure Peru into discussing the issue. In the face of Peru's rejection of third-party involvement outside the parameters of the Rio Protocol, Ecuador's democratic governments followed a strategy of using military force to

keep the issue alive and induce third parties to intervene. Ecuador did not attempt to seize and control the disputed territory.

Ecuador's strategy required not provoking Peru into escalating a conflict as long as Ecuador's armed forces could not hold out long enough for third parties to intervene diplomatically. The debacle in 1981 demonstrated the continued weakness of Ecuador's armed forces. Over the next decade they developed their military capabilities and lulled the Peruvians with confidence-building measures among military personnel in the Cordillera del Condor zone.³²

Ecuador's strategy after 1981 also monitored the Peruvian institutional context. Ecuador's military command believed that the Peruvian military became demoralized and corrupted after a decade of fighting a civil war against both guerrillas and the drug trade (during which the institution was heavily criticized for human rights abuses and in which officers succumbed to narcodollars). Fujimori's interference with the military chain of command in order to assure personal loyalty was also believed to have hurt Peru's military. Peru was expected to be surprised by Ecuadorian defensive capabilities, waste significant resources in trying to overwhelm them, and be unable to adjust its local strategy before the costs of the war forced Peru to either escalate or negotiate a cease-fire. Faced with significant losses in the Amazon, aware that Ecuador's Navy had already left port, and observing the mobilized Army in the south, Peru was expected to negotiate.³³

The Ecuadorians patiently waited for the right moment. In 1987 they discovered a new Peruvian outpost, Paquisha, in territory recognized as Ecuadorian during the demarcation which occurred in the 1940s. Rather than denounce it, they waited until 1991 to make it an issue.³⁴ During the 1991 controversy they did not back down and conflict was avoided by a gentleman's agreement establishing a security zone and the mutual withdrawal of forces from two outposts. Neither side withdrew, producing a stalemate unchanged by minor MID's in 1993 and 1994. These events suggest that Ecuador was ready to militarily contest Peru by 1991, but needed Peru to initiate the fighting.

Peru's political-military strategy, based on the sanctity of international treaties, did not change with the return of democracy in 1980. Peru argued that the Protocol called for the four guarantors to resolve any disagreement within the parameters of the treaty. Under the terms of the treaty, Ecuador had a right to transit through Peruvian waters to the Amazon, but not to a

sovereign outlet. Hence Peruvian leaders could ignore, if not explicitly reject, Ecuadorian calls for outside parties to intervene.

Within this Peruvian strategy, the use of military force was guided by two goals. The first was to keep Ecuador from effectively establishing outposts in remote disputed areas. The second was to resolve any military confrontation quickly, so as to avoid international pressure for a new basis for settling the dispute.

Diplomacy could produce economic benefits via increased cooperation. Both sides were aware that economic diplomacy might be a lever with which to induce the other side to make concessions. When the two countries were under military rule, Ecuador's attempt to tie reviving the Andean Pact to discussing the territorial issue was quickly and clearly rejected by Peru. In the early 1990s, when newly elected President Fujimori traveled to Ecuador offering economic cooperation as a means of developing a new bilateral relationship, Ecuador's democratic Presidents refused to accept any linkages with the Amazonian dispute.³⁵

Strategic Balance

The balance of capabilities became more complex after 1980 for reasons partly having to do with democratization. As long as the dispute remained bilateral and the potential for escalation great, the *military balance* appeared to favor Peru. Ecuadorian decisionmakers understood the fundamental disparity in military power.³⁶ Dramatic defeat in 1941 propelled the military to support democratization to free itself from domestic politics and professionalize. Fitch's detailed analysis of military perceptions and justifications for supporting or threatening Ecuadorian democratic governments in the period 1948 to 1966 does not uncover disagreements between civilians and military officers over the Amazonian issue.³⁷

Ecuador's leaders did not believe that the balance of *diplomatic capabilities* favored Peru. Ecuador had demonstrated good faith in accepting the delimitation of 95 percent of the border along the terms of the Protocol. Everyone could recognize that the strong trampled the weak in 1941. With World War II over, the international community could remedy the injustice suffered by Ecuador by insisting that Peru negotiate a relatively small (compared to what had been "lost") sovereign access to the Amazon. Although Peru repeatedly argued for the sanctity of international treaties, the declaration of inapplicability in 1950 did not question the treaty itself. Ecuador

argued that the failure of the Protocol to incorporate the real geographic situation made negotiations necessary.

Ecuadorian leaders recognized that “justice” would not attract sufficient international attention. Ecuador needed, therefore, to keep the issue alive in order to persuade the international community to pressure Peru. The military skirmishes, renewed in 1950, thus were directed at the international community, not Peru. The U.S. raised Ecuadorian expectations that the international community might favor a “just” solution to the conflict in the mid-1970s when it critiqued Peru’s position.³⁸ The active role of the guarantors in terminating the 1981 mini-war indicated that Ecuador was on the right track, if they could survive Peru’s initial military response.

Peru enjoyed diplomatic successes for almost fifty years, as neither the OAS, the UN, nor the Pope would mediate the dispute since the Protocol gave this task to the four guarantors of the treaty. The 1981 experience convinced the Peruvians that they continued to have the military and diplomatic advantage. The quick military victory meant that the guarantors interpreted their role simply as one of helping to evacuate the Ecuadorians safely.

The ability of Ecuador’s armed forces to resist Peruvian attacks in 1995 shifted the diplomatic balance. This time the guarantors worried that the conflict might escalate to large-scale war, especially as Peru kept committing more resources to the battleground in the Amazon. Ecuador seized upon this new opportunity, recognizing the Protocol and committing itself to work with the guarantors for a resolution of the conflict. Nevertheless, Peru maintained an advantage in that the mediators in the negotiation were the guarantors of the Rio Protocol, thereby ensuring that the negotiations would not stray far from the 1941 agreement.

Characteristics of Force Used

In the latest flare-up of the rivalry there were twelve minor MIDs (1977–78, 83, 84, 85, 85, 88, 89, 91, 93, 94, 95 and 98; see table 7.1), and two major ones (1981 and 1995). From the 1950s to the 1980s Ecuador structured its penetration of disputed territory with only small units in isolated jungle outposts. In 1981 Ecuador constructed outposts on the eastern side of the mountain range, with poor lines of communication to Ecuador in the west. This was a quick and cheap incursion into disputed territory. Any direct confrontations with Peruvian troops would produce quick retreats or at worst

a low number of casualties. Ecuador did not expect a strong response by Peru, especially not an invasion into Ecuador proper.

After the 1981 defeat, Ecuador's military redesigned the manner in which they used force.³⁹ The emphasis was still on using minimum force, only more efficiently and successfully. They chose terrain that would limit the maneuverability of aircraft (with the mountains at their back and steep mountains on each side Peruvian aircraft had to come from one direction). Triple canopy jungle made it difficult to detect Ecuadorian defenses, thereby allowing soldiers to sit hidden in trees with surface to air missiles. Planting cheap Chinese plastic anti-personnel mines made it difficult for Peruvian paratroopers to penetrate the area on foot. Weapons purchases seem to have been secret, ensuring that the Peruvian military would be unable to take effective countermeasures.⁴⁰ Effective lines of communication (a system of footpaths leading back to Ecuadorian base camps and villages) were developed. They also contracted Israeli and Chilean intelligence and communication experts to create a system to intercept Peruvian communications. Finally, they prepared national defenses in case of escalation, including getting the Navy out of port quickly.⁴¹

The characteristics of force used by Peru for confronting Ecuador did not change between 1981 and 1995. The expectation remained that Peru had military dominance both in the region and overall. Modern fighter-bombers, attack helicopters and well-trained paratroopers were expected to give Peru the ability to inflict a quick and cheap defeat on any Ecuadorian incursions. The military build-up of the 1970s in preparation for war with Chile also meant that the country had significant equipment in reserve to sustain initial losses, if they occurred.⁴²

Because Ecuadorian positions were exposed in 1981, victory came quickly and cheaply. At that time Peru had enough confidence in its military superiority to threaten an invasion of Ecuador. Its hesitation to pursue victory in 1995, however, indicates that Peru understood that the military costs of large-scale war were now significantly higher than before.

Summary of Costs

MIDs were cheap for Peru as long as it could overwhelm Ecuadorian outposts easily. War had been cheap in 1941, looked cheap in 1981, but its potential military and diplomatic costs had increased greatly by 1995, especially if the international community became involved. MIDs were cheap

for Ecuador as long as Peru did not escalate. 1981 had been an expensive defeat without advancing Ecuador's political-military strategy. By 1991 a defensive war looked possible, though still costly. If the international community intervened quickly as a result of war, they would likely pressure Peru to make some concessions to resolve the dispute.

Constituency Cost Acceptability

Ecuador

Democratic politicians after 1979 could draw on past experience to evaluate what their constituencies wanted and what costs they were inclined to accept. Ecuador remained democratic throughout the period during which its strategy to challenge was conceived and implemented, 1948–1960. The distinct constituencies of the three presidents elected in the period suggest that this represented a broad national consensus. Plaza was a moderate, with good relations with the U.S., Velasco Ibarra won the presidency in 1952 behind a conservative and populist alliance, as did Camilo Ponce in 1956 and Velasco Ibarra again in 1960. Plaza had little internal opposition when he declared the Protocol “inapplicable.” Velasco Ibarra had just been elected President with more votes than the combined total of all his opponents, when he declared the treaty “null.”

After the country's poor performance on the battlefield and in the OAS during the mini-war of 1981, Ecuador's Foreign Ministry undertook a national opinion survey on the issue to update the government's evaluation of national sentiment. The diplomatic corps perceived Ecuador's strategy as fundamentally flawed because it contested the principle of the sanctity of treaties and sacrificed national development to a vague territorial issue. But the opinion poll confirmed the popularity of the strategy of nullification and sovereign access.⁴³ In 1983 the Ecuadorian Congress reiterated the country's claim that the Protocol was null and void.⁴⁴

Another poll carried out in 1992 provided further evidence of Ecuadorian feeling on the issue. The overwhelming majority of Ecuadorians believed the border issue obstructed development (79 percent yes, 15 percent no) and a majority believed the country should engage in free trade with Peru (55 percent yes, 39 percent no). Nevertheless, since 49 percent believed Peru to be an “enemy” country, compared with only 39 percent who per-

ceived it to be friendly, Ecuadorians expected Peru to make the concession that would improve relations.⁴⁵

Following the 1995 war, public opinion seemed to demand greater concessions in order to settle. During the war an opinion poll asked "Do you believe that it is possible for Ecuador to recover all the territory lost in 1941?" In Quito 27.5 percent and in Guayaquil 32.8 percent responded yes. When provided with the statement in 1996 "There are people who say that Ecuador should recover the territory which it lost in the 1941 war and that it should be done no matter the cost," 44.3 percent of Quiteños and 56.5 percent of Guayaquileños agreed! On the issue of a sovereign access to the Amazon, a vast majority believed it was possible despite the conflict (75.3 percent in Quito, 83.5 percent in Guayaquil; 1995 poll).⁴⁶

Ecuadorians were not ignorant of the costs of continuing the conflict: 53 percent of Quiteños and 38.5 percent of Guayaquil respondents in a 1996 poll believed that Ecuador was more affected economically by the war than was Peru and a whopping 80 percent believed that armed confrontations would recur. In addition, while most believed that Ecuador had "won" in 1995 there was a dramatically increased pessimism over the country's ability to prevail in a new confrontation. In Quito 55 percent believed Ecuador had won but only 39.5 percent saw a possibility of future victories; in Guayaquil the corresponding results were 74.3 percent and 52.0 percent.⁴⁷

Polling questions that examine the border issue in isolation do not provide a sense of the importance of this issue in relation to others. A poll carried out in June 1996, just before the final round of the Presidential election, asked potential voters in both Quito and Guayaquil if the candidate for whom they planned to vote would do better than his competitor on seven issues. One of the issues was negotiating with Peru, a particularly timely item given that the two countries had been negotiating a number of issues for more than a year.

Poll results indicate that for voters likely to support Bucaram, the difference between the two candidates on negotiating with Peru was less important than controlling inflation, stabilizing the economy, decreasing poverty, combating corruption or diminishing the number of strikes. For likely Nebot voters, however, negotiating with Peru and stabilizing the economy were the two issues on which they saw the greatest difference between the two candidates. The polling responses in table 7.2 and Bucaram's landslide victory suggest that while the border dispute with Peru is an important issue, it is not the defining issue in Ecuadorian politics.

The border issue can contribute, however, to a President's political troubles. Bucaram became the first Ecuadorian President to travel to Peru, for which some groups criticized him. But when, in a speech before the Peruvian Congress, he called for both sides to apologize, the uproar at home was nearly unanimous. Ecuadorians felt that they had no need to apologize, given that it was Peruvian "aggression" which had produced the problem in the first place. This *faux pas* contributed to Bucaram's impeachment a month later.⁴⁸

Ecuadorian Presidents have military as well as civilian constituents. The military, while not interested in governing after 1976, did have an interest in the territorial issue. Civilians wanted the military to professionalize not only in order to implement the country's political-military strategy on the border but also as a means of ensuring the continuation of democracy. Since the return of democracy to Ecuador in 1979 four presidents oversaw the expansion of military capability. Thus even as the military's share of GNP declined dramatically under democracy, their capacity increased greatly.⁴⁹ Ecuador's military learned the lessons of their embarrassing defeat in 1981 and looked for the government to support its efforts to reverse the tables next time.⁵⁰

After 1995 the Ecuadorian military became more amenable to an agreement even without sovereign access. The victory of 1995, after 150 years of defeats, helped the military regain its self-respect and made them heroes in the eyes of the public. The consensus within Ecuador, however, was that Peru would not accept a low-level stalemate or defeat the next time. The Ecuadorian military was not anxious for a large-scale war, both because the outcome was uncertain at best and the economic costs to the country would be disastrous. Continuation of the border tensions thus put the Ecuadorian military's hard-won prestige and national development at risk.⁵¹ An agreement that conveyed a respect toward Ecuador could be accepted by the military as the fruits of its successful defense of Tiwintza.

Peru

Since redemocratization Peru has had three elected Presidents: Fernando Belaúnde 1980–85, Alán García (1985–90), and Alberto Fujimori (1990–present). Fujimori was also the leader during the authoritarian interlude between the dissolution of Congress in 1992 and the plebiscite in 1993 confirming the new constitution. While each leader had distinct constitu-

TABLE 7.2 Performance Expectations Among Likely Voters
(Percent)

Among Those Likely to Vote for Bucaram					
Question #18	Jaime Nebot	Abdalá Bucaram	Both	Neither	Doesn't Know/No Response
There would be fewer poor	3.2	70.3	6.0	17.6	2.9
Prices would increase less	2.2	79.7	4.1	11.1	2.9
Would negotiate better w/Peru	20.4	55.7	8.5	7.6	7.7
Economy would be more stable	7.3	74.9	4.2	9.3	4.3
There would be less corruption	5.3	71.0	8.7	11.7	3.3
There would be fewer strikes and work stoppages	6.1	68.1	7.3	11.2	7.3
Public employees would be let go	34.5	43.3	8.1	5.9	8.4
Among Those Likely to Vote for Nebot					
Question #18	Jaime Nebot	Abdalá Bucaram	Both	Neither	Doesn't Know/No Response
There would be fewer poor	63.4	5.1	3.9	24.2	3.4
Prices would increase less	65.3	8.6	6.1	15.2	4.8
Would negotiate better w/Peru	86.6	4.2	1.2	3.9	3.9
Economy would be more stable	84.3	4.3	2.0	5.6	3.7
There would be less corruption	74.9	5.3	4.0	13.4	2.4

TABLE 7.2 (continued)

Among Those Likely to Vote for Nebot

Question #18	Jaime Nebot	Abdalá Bucaram	Both	Neither	Doesn't Know/No Response
There would be fewer strikes and work stoppages	70.8	4.7	6.2	13.4	4.9
Public employees would be let go	47.0	30.0	9.2	6.3	7.4

Source: *Perfiles de Opinion* (Perfiles de Opinion, Cia. Ltda., Quito) #22, June 1996, 49–50

encies, no group expressed interest in resolving the dispute with Ecuador by renegotiating the Rio Protocol.

Belaúnde, elected by a broad national coalition, received 45 percent of the presidential vote, compared to the runner up's 27 percent. Since this was the first government in the transition to democracy, the military constituted an indirect constituency as well. Belaúnde's electoral coalition would collapse in protest over economic and social policy, as well as corruption.⁵² Yet there was no pressure to change traditional policy toward Peru. The military wanted a convincing response in 1981 to deter future incursions by Ecuador, and Belaúnde worked closely with them. There were strong expressions of public sentiment in favor of expelling Ecuador from the area.⁵³

García's populist coalition of center-left parties also controlled Congress with 105 of the 180 deputies and half of the 60 senators (the other half were distributed among 15 parties).⁵⁴ The leading constituencies in this multi-class alliance were nationally oriented business, the middle class and the urban working class. The promise of resources distributed by the state and nationalist ideology brought the alliance together. An economic crisis after 1987, partly the result of the populist program itself, split the alliance and led to García's dramatic fall in his approval ratings from more than 90% at the beginning of his term to just over 10% at the end.⁵⁵

Fujimori's electoral coalition was not based on a traditional party and did not control congress from 1990–92 but did control the Democratic Con-

stituent Congress (which also wrote the new constitution) from 1992–95 and the regular congress after the 1995 elections.⁵⁶ He won the 1990 elections in the second round with 62.4 percent of the vote, despite being outspent by runner up Mario Vargas Llosa by 60 to 1.⁵⁷ The success of his neoliberal reforms in controlling inflation and promoting growth, as well as his achievements in combating guerrilla violence made Fujimori extremely popular within Peru.⁵⁸

In general Peruvians had a positive disposition toward Ecuador. In a poll conducted in January 1994, a year before the 1995 war, 63 percent of respondents perceived Ecuador as a “friendly country” and only 23 percent as an “enemy.” (Peruvians, however, do refer derogatorily to Ecuadorians as “monos” [monkeys]. This may help explain why 49 percent of Ecuadorians saw Peru as an enemy.) In April of 1994 41 percent of Peruvians believed that “no problem” existed between the two countries because the Protocol had resolved it. Of those who saw a problem, more than half believed that the Guarantor Countries of the Protocol should arbitrate it. 73 percent believed that demarcation should proceed along the lines of the Protocol.⁵⁹

Peruvians believed that Ecuador had been progressively intruding on Peruvian territory: 65 percent believed the troops had been there before 1994, and another 16 percent that they had arrived in 1994. During the 1995 war two opinion polls found overwhelming support for the actions of the armed forces (86.5% and 88.4%) and a bare majority approving of the behavior of the guarantor countries (54% and 57%). Fujimori’s behavior during the war was supported by 59.2 percent. His chief rival Javier Pérez de Cuéllar, who advocated a more forceful response, received the approval of only 46.6 percent. Peruvians were aware that this conflict would not be a repeat of the mini-war of 1981: 34 percent thought it would take one or two months to expel the invaders and another 29 percent believed that it would take more than two months. The war was important enough that 55 percent believed that presidential elections should be postponed if the war continued.⁶⁰

Peruvian opinion polarized around the manner in which the conflict could be resolved. A small majority in the two February 1995 polls (59% and 54%) supported mutual concessions but 27 percent in one poll and 40 percent in the other were opposed to any concessions. At the end of the war, 61 percent believed that no one had won and 25 percent that Peru had won. Another war was seen as very likely by 27 percent and likely by 40 percent. Only 13 percent thought it highly unlikely (“nada probable”).⁶¹

In short, Peruvians generally supported the war effort, although they desired peace. A significant minority were unwilling to make concessions to Ecuador for peace, but the majority favored accommodation *as long as it was within the parameters of the Rio Protocol*.

Accountability of Leader to Constituencies

Ecuador

Ecuador's democratic polity is a presidential system. The president is elected every four years in national elections under a runoff system, in which a second round is held among the top two candidates if none receives at least 50 percent in the first round. The constitution was amended in the 1990s to allow reelection once, but not consecutively. The president selects his own cabinet, can propose legislation to the Congress, and can veto legislation; Congress can override his veto of nonbudgetary bills only by calling for a binding national plebiscite. The President can also go over Congress' head and propose a referendum on his proposals if Congress does not approve them.⁶² In addition, he manages a "reserve fund" which is not subject to Congressional authorization or oversight, except in the case of corruption.

The legislature consists of one chamber, with 77 deputies. They cannot be reelected to consecutive terms. Twelve deputies are elected in national elections, with four-year terms. The remaining 65 are elected at the provincial level for two-year terms. Voters choose among "closed lists," that is, they choose parties rather than candidates themselves. Seats are allocated on a proportional representation basis. The electoral system has produced a weak and fragmented party system, in which parties multiply and elected officials switch parties easily.⁶³ One result is that the President's party never has control over Congress and legislation requires a coalition among parties.

Congress has significant leverage over the Executive in that it can censure cabinet members for political as well as criminal reasons; Ministers are frequently called to defend themselves and censure is commonplace. While the Constitution is ambiguous on whether the President must dismiss the censured minister, in practice he has always done so.⁶⁴ In 1997 Congress cynically utilized Constitutional provisions to drive out controversial President Bucaram on the unsubstantiated grounds of "mental incompetence." The political nature of the action was clearly evident, especially when Con-

gress considered a constitutional amendment to bar any President removed from office for mental incompetence from ever running for office again!⁶⁵

Congress appoints the Supreme Court with parties receiving positions in proportion to their representation in the legislature. Justices are appointed for six-year terms, but are routinely replaced when a new Congress is elected.⁶⁶ The judiciary's dependence upon the Legislature further constrains the Executive in its relationship with the Legislature.

Ecuadorian civil society is well organized and willing to engage in pressure group activity independently from their representatives in Congress. In 1990 a newly organized group of indigenous communities, *Confederacion Nacionalidades Indígenas del Ecuador* (CONAIE), went on a national strike to demand attention to their economic and political plight; by 1996 they had become an important political party. Student groups, business associations, and unions went on a national strike in 1997 to protest against President Bucaram's administration. Mass demonstrations in the main plaza are a common occurrence.

The President of the Congress that impeached him succeeded Bucaram, but the new Interim President also quickly confronted strong opposition in Congress and from the public. His elected successor in 1998, Jamil Mahuad, was challenged with a national strike and demonstrations in the main plaza within six months of his landslide victory. In response to this pressure, Mahuad modified a number of the economic policies of his administration.⁶⁷

The armed forces are the most respected institution in the country, far outdistancing the Congress or the Presidency.⁶⁸ Popular support is the basis for military influence in politics. Civil-military relations in Ecuador provide the military with considerable formal and informal autonomy. The Constitution gives the military a role in the social and economic development of the country, linking these to national security. Civilian expertise on defense matters is underdeveloped, thereby making it difficult for Congress to exercise significant oversight over defense policy. The military are guaranteed a share of revenue from petroleum exports, thus further reducing civilian control of the military budget. It is a treasonable act to defame the armed forces. A dependence upon the military for expertise, the weakness of Congressional oversight of military affairs, and the lack of a civilian as Minister of Defense suggest that the civil-military relationship is best characterized as one of weak civilian domination.⁶⁹

The decision to move Ecuadorian troops into the disputed territory was at the very least known to the civilian leadership, and President Roldós even

visited the outposts in August 1980.⁷⁰ Once the fighting began it is possible that the civilian government had little control over military operations,⁷¹ but Roldós made the decision to ask the OAS and the “four friendly countries” to mediate. The military was not consulted and they did not seek to overturn the request.⁷² The one coup attempt since the return to democracy was put down quickly by the Army in 1987.⁷³ Although the military may not have entirely agreed with President Durán Ballén’s decision on how to terminate the military conflicts in 1995, they did not oppose it.⁷⁴

The military can clearly weigh into a dispute and affect the outcome, therefore, a President has to consider their views. Since the military is not interested in governing,⁷⁵ the accountability of presidents to the military is indirect and depends more on the military’s influence with sectors of civil society. Should politicians fail to resolve the political and economic crisis that confronted the country in the 1990s, public clamor for a more direct military role in governing is possible.⁷⁶

Peru

Since redemocratization Peru has had two constitutions, one in 1979 and another in 1993 after President Fujimori closed Congress in 1992 and a Constituent Assembly was elected. Under the 1979 Constitution the legislature was bicameral but the 1993 Constitution responded to popular sentiment and made it unicameral.⁷⁷ Under the new constitution, the Congress elects a Permanent Commission of the Chamber, with members distributed proportionately among the parties represented in the legislature. The Permanent Commission has the power of impeachment, with Congress functioning as the jury.

Both Constitutions strengthened presidential power because stalemates between the legislature and executive were perceived by the respective Constituent Assemblies to have produced the coups of 1968 and 1992.⁷⁸ Both constitutions also stipulate five-year terms which coincide with presidential mandates; thus there is no possibility of a midterm check on the President. Legislative constraints on the Executive, nevertheless, continue to be important in Peru. Consequently, the 1993 Constitution should be seen as building upon a trend rather than as a break with the past.

Congress can censure a Minister for noncriminal reasons and he must resign. Under the 1979 Constitution if the Congress censured three Ministers the President could close the lower chamber and call for new elections

within 30 days and under the existing electoral rules. Dissolution could not be invoked in the last year of a President's term or during a state of siege. If elections were not held within the allotted time, the dissolved Chamber reconstituted itself and the President's cabinet (Council of Ministers) was dismissed, with no member able to resume a cabinet position during the presidential tenure. The Senate could not be dissolved.⁷⁹ Since 1993 similar constraints on the Executive during the process of congressional dissolution prevail. Because there is now only one chamber in the legislature, it is the Permanent Commission of the Chamber that cannot be dissolved. The Permanent Commission, as well as the new Congress, are empowered to examine any decrees issued by the Executive during the intervening period.⁸⁰ Under both constitutions, a simple majority can overturn a presidential veto of legislation.⁸¹

The decree power of the executive was strengthened somewhat in 1993, although both Belaúnde and García utilized their decree powers extensively: they issued 2,086 and 2,290 decrees, respectively.⁸² Under both Constitutions Congress can delegate decree power to the President for specified matters and time periods and Congress can overturn a decree.⁸³ Since 1993 the Executive can decree during a state of emergency or siege, but not on those matters "the Permanent Commission cannot delegate." States of emergency (during periods of internal disorder) only require notification of Congress and may not exceed 60 days without a new decree. States of siege (during periods of foreign and civil wars) may not exceed 45 days, Congress has the right to convene and any extension of the state of siege requires the approval of Congress.⁸⁴

Electoral constraints on the President may have increased slightly under the 1993 Constitution. Previously, a president could be reelected, but only after one term held by another had transpired. Since parties are very centralized, and the President is leader of his party, presidents were unconcerned about subsequent elections. Since 1993 a president can be reelected for one immediate term, whereupon he must sit out a term before running for a new set of terms. Since Fujimori was first elected under the old constitution, he claimed that he could run for two terms under the new constitution.

Given decree powers, the structure of political parties, and the proscription against immediate re-election, Belaúnde and García may even have been under fewer institutionalized constraints than Fujimori, either from 1990–92 or under the new constitution until the electoral controversy of

June 2000. Although Belaúnde's coalition of center-right parties did not control Congress he pursued his agenda via decrees and knew that at his age (he would be over 80 at the end of his term), reelection after an intervening term was out of the question. García's party had control over Congress and he still made extensive use of his decree powers. Neither President made important changes in his governing program even after approval ratings fell precipitously. Belaúnde ended his term with a rating in the low 20 percent range and García with a rating in the teens. Fujimori had to avoid a fall in his ratings after the war, especially since his most likely rival for reelection at the time had a very high approval rating himself.

The institutional constraints proved utterly incapable of preventing Fujimori from closing Congress and purging the judiciary in 1992. His ability to override these constitutional constraints was fundamentally a result of the decline in the legitimacy of Congress and the Judiciary in the eyes of the public, the willingness of the military to support it, and the public's preoccupation with hyperinflation and Sendero Luminoso's guerrilla war. Immediately after the coup in 1992, 71 percent of those polled approved of closing Congress, 89 percent of restructuring the judiciary and 85.5 percent believed Fujimori should remain president.⁸⁵

The new constitution enhanced a president's public policy prerogatives, but at a cost. The accountability of Fujimori to the new constitution, and therefore to his constituencies, increased after 1993. The constraints were not immediately apparent because his coalition won the congressional elections in 1995, giving him a majority with which to work in Congress.

The political dynamics of Peru changed in mid-2000, but the constitution still sets the parameters within which Fujimori has to function. Unable to annul elections and govern by decree, he had to hold the vote. Fujimori also had to engage in sufficiently marginal "irregularities" that the U.S. and Latin American governments, who have threatened sanctions against Guatemala, Paraguay and Ecuador when democracy was at risk, would recognize his victory. In addition, his party did not win a majority in Congress and he is actively seeking to convince some members of other parties to join his rather than close Congress.

We can gauge some of this accountability to the people and Congress at work during the 1995 war, which coincided with the presidential campaign. Fujimori's major opponent, former UN Secretary General Javier Pérez de Cuéllar and his military advisers, publicly wondered about Fujimori's ability to defend Peruvian interests and called for more severe action against Ec-

uador. In response, Fujimori claimed that his conciliatory policies had been designed to deceive Ecuador, and increased efforts to win on the battlefield.⁸⁶ Since Fujimori was not planning on ceding a sovereign access to Ecuador and regional economic development fits in with his neoliberal outlook (he sought similar programs with Chile), one should take this claim to be defensive campaign rhetoric. In March he offered Ecuador the carrot of a possible free zone in the Amazon, but as a result of congressional opposition, he retracted it.⁸⁷ Fujimori won in a landslide in April, although his victory probably had more to do with his success in bringing down inflation and curbing the Sendero Luminoso guerrillas, than with the war.

The question of the accountability of the president to the military is complex. Peruvian civil-military relations are best characterized as one of parallel spheres of influence, not civilian dominance.⁸⁸ The President has the initiative on national security policy, but operational control is largely in the hands of the military. Belaúnde first tried to use special police forces to deal with Sendero Luminoso. After Sendero defeated them in 1982, he, with the acquiescence of Congress, declared emergency zones which afforded the military dramatically increased autonomy to deal with the guerrillas. García initially attempted to strengthen civilian control over the armed forces by creating a Ministry of Defense and developing his own paramilitary and intelligence agents operating out of the Interior Ministry. But his decision to rely on the Army to put down a prison revolt by Senderistas in 1987 and his attempt to promote APRA sympathizers within the officer corps short-circuited that effort.⁸⁹

Fujimori made a bargain with one of the competing groups of officers to garner the institution's support for his government.⁹⁰ Some analysts see the military as severely constraining Fujimori. Purported evidence for this view is that he granted amnesty to the military for human rights violations carried out in the performance of their fight against internal subversion and narco-trafficking and military courts were given jurisdiction over civilians accused of crimes against national security.⁹¹ But Argentine President Carlos Menem (whose anti-militarist credentials are widely acknowledged⁹²) also extended an amnesty to the military in an effort to end the human rights debate.⁹³ Fujimori himself prefers the bias of the military courts, and he kept General Nicolás de Bari Hermoza as chief of the Joint Command of the Armed Forces although the officer corps believed the General should have left his post upon retirement. During the war, and against military advice, Fujimori decided to go to Tiwintza, accompanied by the press.⁹⁴ Fujimori

also removed Hermoza after the General claimed credit for the successful operation against the guerrillas holding the Japanese Ambassador and others hostage, as well as opposing a diplomatic settlement with Ecuador. In short, Fujimori retains the initiative with the military, makes a clear distinction between operational and policy questions, and is willing to intervene in operational questions when it affects his political program.⁹⁵

President Fujimori made a number of public decisions that implied great domestic political risks for him⁹⁶ and his own personal authoritarian traits demonstrated his commitment to impose high costs on those who opposed his major projects. Fujimori seized upon the 1991 dispute to push for a definitive settlement, although he was criticized in the Congress for not dealing harshly with Ecuador.⁹⁷ In 1991, 92, and 93 he offered Ecuador a package linking economic development projects, a free port on the Amazon, reciprocal security measures, and arms limitations along the border in exchange for a border demarcation linked to the Protocol. His trip to Ecuador to offer details on the proposals represented the first by a Peruvian President; he would go three times.

At the same time Fujimori extended the olive branch (on Peruvian terms), he demonstrated his unwillingness to compromise on fundamental points. In early 1991 Ecuador asked privately that Peru abandon the disputed outpost. Peru's initial threats and subsequent refusal to abide by the agreement to mutually withdraw forces dramatically increased tensions and spiraled into the war in 1995. In 1992 Fujimori presented another indication of his refusal to bargain on major points in general when he responded to congressional opposition to his domestic policies by closing Congress.⁹⁸

Summary of Constituent Cost Acceptance and Decision-Maker Accountability

Constituencies in both countries were knowledgeable about the dispute and favored a resolution, but with the other side making the greatest concessions. They repeatedly demonstrated a willingness to accept the costs of war *if it were necessary to defend their interests* in the Amazon. As long as Peru refused to recognize the legitimacy of their claims for renegotiation, Ecuadorians supported the militarized bargaining strategy even at the expense of the economic benefits they expected from better relations with

Peru. For their part, Peruvians supported using military force to defend the Rio Protocol.

Redemocratization did not imply great accountability of Presidents to either the legislature or the electorate. In Ecuador, this slippage after election was largely the result of the prohibition on reelection and the weakness of the party system, especially in Congress. In Peru, Presidents were theoretically slightly more accountable because they only had to sit out one term before competing for the Presidency again. But Belaúnde had no expectations of winning another term because he was already in his 80s. And García felt little accountability to the electorate, apparently miscalculating that the APRA party could survive voter disapproval in the 1980s.

Conclusion

What does the analysis of the Ecuador and Peru enduring rivalry suggest about the utility of the militarized bargaining framework for explaining the use of military force among democracies? Ecuador's consistent use of military force to challenge the Rio Protocol made little sense in a hegemonic management, democratic peace, or balance of power analysis. But it becomes comprehensible in a militarized bargaining framework.

Ecuador's population disputed the terms of the treaty ending the 1941 war. Ecuador's leaders consistently sought the means to challenge the status quo not as a diversionary tactic, but because their constituencies wanted a favorable resolution of the Amazon issue. The geographic error in the Protocol provided Ecuador with an opportunity to devise a political-military strategy to achieve an outlet to the Amazon. But it initially had neither the diplomatic nor the military ability to persuade third parties to pressure Peru into negotiating a new settlement. Changes in the characteristics of the force used, as well as in planning its use, were implemented across four different presidencies. These changes produced a shift in the strategic balance by 1995 at a cost acceptable to the majority of the population and to the military. Seizing the diplomatic initiative as peacemaker for the first time ever in its conflict, it forced the Guarantor Countries into an active role for the first time since the 1941 war.

Peru was the defender of the post-1941 status quo that granted Ecuador no sovereign access to the Amazon. Whereas Ecuador had an appreciation for the complexity of militarized bargaining, Peru did not. Fujimori's eco-

conomic carrots were not linked to military policies that could have deterred Ecuador's strategy. Peru adopted a straightforward political-military strategy for defending the Protocol. As a defender of an internationally recognized status quo, Peru refused to reopen the question. Coercive diplomacy was promised at the local level to dissuade incursions, and another blitzkrieg into southern Ecuador was threatened if the first approach failed. While these military policies were an appropriate response in 1941 and 1981, when Peru's military capability diminished, its strategy became vulnerable to third party influence.

Because Peru did not have a dynamic sense of the strategic balance, it found itself forced to escalate the fighting. Not only did it fail to dislodge the Ecuadorians, in the eyes of many of its traditional international supporters Peru transformed itself from a defender of the status quo into a threat to the regional peace.

Ironically, the Ecuador/Peru dyad presents a case in which the transition to democracy actually increased the likelihood of violence. Popular sentiment opposed acceptance of the treaty at least since 1979 and across regime types. The Ecuadorian diplomatic corps opposed the principle of treaty abrogation at least since 1981. The key variable that changed by 1995 was the balance of military capability. In the transition to democracy, civilians supported "professionalization" of the military as a means of ensuring the continuation of democracy. No longer burdened by governing, the Ecuadorian military could focus on "professionalizing," which meant preparation to defend against its most likely foreign adversary, Peru. The resulting shift in the balance of military capabilities allowed Ecuador to pursue a strategy reminiscent of the early 1950s: diplomatic appeals to the international community underpinned by a level of military tension in the zone of conflict. In this context, Peru's resoluteness in defending its gains in the 1941 war, far from deterring Ecuador, ensured that militarization of disputes would plague the enduring rivalry until a definitive settlement could be obtained.

