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Explaining Military Responses to Protests in Latin American Democracies

David Pion-Berlin and Igor Acácio

Keywords: civil-military relations, military missions, social protests, Latin America.

Protests are a recurring feature of democratic life. In an effort to subdue uprisings, political leaders may call on the police or other security forces tailored to deal with such circumstances. When law enforcement proves inadequate for the job, governments may ask the armed forces to step in. They may assist the police in joint operations, or they may operate on their own.

The norm is for armies to obey whatever orders are handed down to them from legitimate authorities. Failure to do so violates principles of civilian control. Nonetheless, militaries can be motivated to dissent when doing so protects their institution, its officers, and rank and file from potential harm. In particular, orders to deploy to suppress dissent place soldiers in delicate situations. Battlefield training conditions them to respond with maximum force, resulting predictably in civilian casualties and charges of flagrant human rights abuses. Unless legal systems thoroughly immunize them from prosecution, armies will fret about the judicial risks of such deployments. Moreover, crowd control—usually associated with police duties—often conflicts with soldiers’ preferences for missions, their notion of what it means to be a military professional, and is an assignment they would rather avoid. Thus, while militaries are supposed to obey, they have incentives to resist orders that could either embroil them in human rights inquiries or call into question their professional standards.

Instead of fully obeying on the one hand or refusing to deploy on the other, they could hedge their bets by complying conditionally, either altering the terms of their engagement beforehand or, as will be analyzed here, adjusting tactically after deployment. This third path has received scant attention in the literature,¹ and is the one fully examined here. What choices will militaries make, and what factors might motivate those decisions?

This study reviews the institutional risks, preferences, and identities that influence military behavior. It will then turn to the menu of options available to militaries once they receive orders to deploy in public counter-protest operations. Case studies of Bolivia, Peru, and Ecuador reveal the circumstances surrounding protest and military reactions, the deployment choices that were made, and the likely explanations for those choices. No single variable sufficiently accounts for all the episodes of protest and response. In the end, we contend that combinations of judicial risks, mission preferences, and social identity provide the most compelling explanations.

Explanations for Military Deployment to Confront Mass Protests

Particularly since the Arab Spring, numerous studies have analyzed how and why militaries respond to government requests for support in the face of protests.² Though the bulk of research on military deployment in case of mass protests has centered on authoritarian regimes, a few have considered democracies as well.³ Under "normal" conditions, with principles of civilian control in mind, the military's decision would be a simple one: stay in the barracks if ordered, suppress protests if mandated, but do what the democratically elected government demands. Depending on circumstances, however, some militaries have the motivation to dissent—even during serious crises when the political survival of a leader is at stake. The motivations to do so vary, as follows.

Judicial Risk Officers contemplate what must be done to advance their military careers, avoiding behaviors that could jeopardize their professional futures.⁴ That raises the all-important matter of judicial risk over human rights violations. What degree of legal jeopardy are soldiers exposing themselves to when facing down protesters? Because soldiers are trained to apply maximum force, and often lack police-like training or instincts, they are bound to overreact to dissent, causing civilian casualties for which they are blamed. Where there has been a history of impunity, the risk of prosecution is lower. If, however, the justice system has shown itself willing and able to prosecute military rights abusers, then soldiers will be at greater legal risk, and more reticent to crack down on protesters.⁵

Mission Preferences Militaries have mission preferences that define what their priorities should be so that they are ready to meet those challenges. It helps them answer the question, what is soldiering about? Naturally, defense of sovereign territory against foreign attacks is paramount and is written into constitutions, but not all armies are adequately equipped for fighting wars, let alone being called upon in a region like Latin America where inter-state war has been exceedingly rare. Many turn toward other missions that could justify budget allotments and where governments need them to fill gaps left by others. For example, there are internal, public order operations where soldiers are asked to assist or substitute for police forces that are no longer capable of subduing civilian demonstrations. Not all militaries take to police-like work kindly, nor

do they consider it appropriate. Missions that are, in the military mind, professionally degrading or otherwise incompatible with the military's *raison d'être* are ones they prefer not undertaking, even when national laws enable them to do so.⁶ Militaries that have been long-accustomed to filling those roles, do so without objections. Mission preferences, in other words, will often vary from country to country.

Social Identity Militaries with stronger links to protesters may think twice about using coercion against them.⁷ Those links can be forged in numerous ways, whether it be a common language, culture, or social class background. A particularly powerful linkage occurs when militaries and civilians share the same ethnic identities, since these can induce a deeply felt sense of belonging to a group whose ties are thought of as primordial and whose traits are unalterable.⁸ If shared ethnic identities bring the military and civilian protesters together, divergent identities can pull them apart. Studies show that officers who affiliate with one group and who view those outside of it with disdain, will often treat protesters affiliated with those outsiders more harshly.⁹ That is especially so when the identity gap is pronounced between the military leadership and the bulk of protesters, resulting in animosity towards each other.

Military Decisions in Response to Government Orders

A military under civilian control will comply with government orders to restore public order that has been shaken by sustained mass protests. While police are normally the first responders, they may find themselves overwhelmed and incapable of containing the unrest. Presidents then turn to their armed forces to assist, which places the armed forces in a quandary. How can they comply with a mission in a manner that avoids civilian casualties while upholding professional norms and standards?

Those at the front line of protests will have on-the-spot decisions to make as they grapple with how to handle largely peaceful but persistent demonstrators bent on challenging an incumbent. Most Latin American militaries are not suitably trained to exhibit restraint in non-combat situations.¹⁰ They are usually hard-wired to utilize maximum force to defeat an "enemy." Studies on Latin American military doctrine show that military modernization in those countries, by a considerable measure, has created armed forces that are trained and prepared for conventional combat, due to military emulation of the armed forces of western industrialized countries.¹¹ In heated moments, soldiers are bound to overreact, reaching for their firearms. The results are predictable and deadly, resulting in human rights violations with soldiers held culpable. Soldiers feel hand-tied in following rules of graduated force and proportionality instead of preparing for armed combat. Crowd control is not what they signed up for and could be viewed as a costly diversion from normal duties.

Then again, orders are orders. Civilian control is a cherished principle of any democratic state. There is widespread agreement that democracies must assure that their military falls into line with the decisions made by its executive overseers, whether it

wants to or not, and whether it agrees with policies or not.¹² If, however the military chooses not to fulfill those orders to avoid doing harm, it will have shirked its obligations, undermined the president's authority, and risked reprisals. This is the difficult balancing act that must be negotiated.

In between obedience and defiance there is a third path. Militaries could hedge their bets by neither fully complying with nor fully defying political orders. These alternatives are conceived here as forms of conditional compliance. Militaries can adjust their tactics after deploying to minimize risks to soldiers and protesters alike.¹³ Post deployment adjustments may take the form of shirking when precise orders are ignored, as soldiers limit their exposure to potential harm. Militaries are known to drag their heels, engaging in slow rolling or other delaying tactics,¹⁴ but there are other options. If a president, through his defense minister, orders troops to use any and all means to quell an uprising (to move in "*con todo*") and a commander instead orders troops to hold their fire, allowing police to do the "dirty work," this is a form of conditional compliance that would constitute shirking of duties. However, should the government issue vaguely worded proclamations, then the military can, within reason, interpret the mission to suit interests, fulfilling the intent or spirit of the command without strictly violating it. It could severely limit its own use of coercion, choosing not to move to the front lines of confrontation by falling back to rearguard positions, forming the perimeter surrounding the site of contestation, and limiting its role to protecting vital infrastructure and military bases. Each of these would avoid entanglements with the demonstrators. Since it may not have enough clout to reverse the governments' decision to deploy, the military instead affects the implementation of governmental directives. This could be considered a win-win strategy for the military, by avoiding the *Charybdis* of insubordination and the *Scylla* of human rights violations and prosecution.

Methodological Approach and Case Selection Strategy

Methodologically, this study employs a small-n design that combines cross-country analysis using a diverse case selection technique and within-country analyses that allows us to perform exploratory process-tracing.¹⁵ First, employing a diverse case selection strategy exemplifies variance of both the independent variables of interest and especially the dependent variable, military behavior in the face of protests. By seeing how various outcomes are associated with different causal configurations, the goal is to, with a small number of cases, enhance its representativeness with respect to a larger population.¹⁶ Second, this study captures within-country variation in outcomes and investigates how causal factors operate in the case narratives. It allows for substantial leverage to explore potential paths linking cause and effect, while adding internal validity to our study. Third, the choice of countries within a single geographical area helps improve the comparability of the cases.¹⁷ The article draws on evidence from three countries—Bolivia, Peru, and Ecuador—from the Andean sub-region of Latin America that share context and history. They have substantial indigenous populations,

low institutionalization of civilian control over the military, and previous periods of military rule, followed by democratic transitions where the armed forces retained considerable leverage. They are countries in which there were multiple instances where the military was or could have been deployed to counter social unrest. Lastly, selecting these three countries is also timely, as all these militaries occupied front-page news during large-scale protests in 2019.

As with any multifaceted political situation, there are few occasions upon which a single explanation will suffice. Alone, none of the principal variables is adequate to fully account for the patterns observed, but together can comprise a more complete explanation. Hence, we seek to uncover those combinations of variables that are jointly sufficient to explain why in some countries and moments militaries repress protesters while in others they do not.¹⁸ In an effort to assess which variables exert more explanatory leverage (or less), numerical weights are assigned to each country and case. Therefore, while the variables best work in tandem, they are not of equal strengths.

This article draws on qualitative evidence from local and international newspapers, triangulated with official government documents, human rights NGO reports, and academic secondary sources. The appendix also displays a compilation of casualties caused by the police or the military in these countries under scrutiny, which, to the best of our knowledge, has not been done by previous scholarship.¹⁹

Case Descriptions

Bolivia: Social Protests and Military Responses Social conflict and repression in Bolivia indicate a pattern of major eruptions followed by periods of relative calm. One of the largest social protests and killings in recent memory occurred in September 2003 when the government of President Sánchez de Lozada announced plans to export unprocessed natural gas through Chilean ports.²⁰ Aside from aversions to dependence on the port facilities of an historic adversary, critics also argued the nation would get the short end of the gas pipeline deal because it would receive less revenue for exporting unrefined gas. Protesters included a mix of mainly indigenous *campesinos*, coca growers, miners, and urban trade unionists. At first, demonstrators called for policy change, but after military and police units opened fire killing several, protesters hardened their position, demanding the ouster of the incumbent. In response, the administration dug in its heels, ordering the military to suppress the uprising. When the dust settled, eighty civilians lay dead with hundreds more wounded.

Five years later, in 2008, President Evo Morales faced an acute crisis in the eastern provinces. Political leaders there orchestrated violent protests, demanding that royalties generated from gas and oil production in their region stay in the provincial coffers rather than be turned over to the central government. In Santa Cruz Province, protesters ransacked some thirty governmental buildings. The president called on the military to respond. The armed forces demonstrated great restraint, indeed passivity, limiting their response to defending themselves with protective shields. But they could not hold off

the demonstrators, and General Bracamonte, who was in command, ordered the withdrawal of his troops to avoid further confrontation. The general said that "if he were unconscious, a non-professional military man, he would have carried out the order but surely there would be deaths."²¹

This was a case of post-deployment conditioning. The president had issued a general order to do what was necessary to defend government property, but did not declare a state of siege, or issue any specific instructions. Given the fact that the military did not even use graduated force against protesters who they could have easily subdued suggests that it had used its own discretion in choosing non-violent tactics.²²

In 2019, protests erupted again, this time over suspect election results. Early returns on October 20th suggested the race between Evo Morales and his challenger, Carlos Mesa, was close enough to force a runoff. Then, the electoral tribunal—whose members were hand-picked by Morales loyalists—shut the unofficial quick vote count down for twenty-four hours, only to reopen it by announcing that the president had a commanding lead. The Organization of American States found irregularities in the computing of some 350,000 votes, enough to throw doubt on the validity of the results.²³

Protesters filled the streets of La Paz and other cities. Participants cut across ethnic and socio-economic lines, representing the urban middle class, workers, students, indigenous peoples, even members of the president's party MAS (*Movimiento al Socialismo*). At first, protesters demanded a recount, but that shifted towards a call for the president to step down and for new elections to be called in which Morales would not run.²⁴ When President Morales asked the military to step in to quell the uprising, it refused. In a letter signed by thousands of officers and addressed to Morales and his senior commanders, the dissenters said they would "never take up arms against the people," but rather only to "defend our constitution and our laws."²⁵ When Morales suggested he might be a candidate in new elections, the military advised him to step aside.

Morales' removal from office set off a new round of protests. Allies of the president, mostly indigenous Bolivians, were blocking a hydrocarbon plant from which trucks carrying gas canisters were trying to get to La Paz. When protesters refused to yield, security forces moved in with lethal force. In an abrupt about face from its previous refusal to deploy against protesters, this time the military—under a decree order issued by interim President Jeanine Añez in November of 2019—violently intervened. The decree in question established that military personnel "will be exempt from criminal responsibility when, in compliance with their constitutional functions, they act in legitimate defense or state of necessity, in compliance with the principles of legality, absolute necessity and proportionality."²⁶ In the end some nine people were killed and 122 more injured between November 15th and 30th. While this was a joint military-police operation, eyewitness observers in Senkata identified those firing live ammunition as mostly soldiers.²⁷

In sum, the Bolivian armed forces responded in three distinct manners in response to government orders to deploy. In 2003, and again in November 2019, they fully complied with orders to crush the protests, resulting in numerous fatalities. In 2008,

they deployed in the Santa Cruz province, but chose to exhibit self-restraint by not using any coercive measures against protesters. Finally, in October 2019, they defied presidential orders when asked to quell the protests.

Peru: Social Protests and Military Responses Social conflict in Peru became more prevalent following the end of the Fujimori period, and were mostly aimed at mining and hydrocarbon industries, focusing on quality-of-life issues and the damaging environmental impact these industries had on indigenous communities. For example, opposition developed in the Apurímac region over the construction of a mineral treatment plant at *Las Bambas* copper pits. Protesters alleged that there would be risks of contamination from surface mineral transport.²⁸ Other protests erupted at the *Tía María* open pit mining project in the Tambo Valley of Arequipa because farmers there worried about copper extraction contaminating river waters they used to irrigate their crops.²⁹ These kinds of conflicts increased exponentially from 73 in 2005 to 259 in 2016 (See Table A2 in the appendix). On average, two thirds of all social conflicts were socio-environmental in nature. Of those, 60–75 percent were in the mining sector, and 12–18 percent in the hydrocarbon sector. Beyond socio-environmental issues, protesters also took aim at local, regional, and national governments and often had conflicts over labor rights. These protests tended to be small in volume, but they were frequent, numbering in the hundreds annually.

The Peruvian armed forces have been called out in response to these and similar protests on numerous occasions over the course of many years. In the case of the *Tía María* confrontation, some 500 soldiers were deployed by President Ollanta to support 2,000 police to maintain public order. In this instance, as in many others, reports of civilian casualties at the hands of security forces were numerous, but evidence directly linking soldiers to repression of demonstrators is noticeably absent (see Table A2 in the appendix).

The Peruvian military has repeatedly practiced post-deployment conditioning. During the first few years of the twenty-first century, while the military participated in counter-protest missions, it largely avoided head on collisions with the demonstrators, leaving that to the police.³⁰ The army repeatedly exercised great restraint, going so far as to ignore orders from President Toledo to take more aggressive measures. Army commanders instead ordered their troops not to fire on protesters and in fact avoid any physical contact at all with demonstrators.³¹ Commanders enjoyed discretion, choosing at times to limit deployment to the protection of army bases and infrastructure only.

In more recent times, the trend continues. Between 2011 and 2016, there were reportedly at least fifteen military interventions arising out of social conflict, during the presidencies of Alan García and Ollanta Humalla.³² And yet, there is no record of civilian fatalities or injuries owing to the use of military force, a trend that continued through 2018 under the Presidency of Pedro Pablo Kuczynski. As shown in Table A2 in the appendix, the largest percentage of deaths were at the hands of police who used firearms in clashes with protesters. Other causes of death related to civilian-on-civilian confrontations, worker clashes with mining companies, and unknown assailants.

Despite the fact that under constitutional state of emergency provisions, the military were placed in charge of the affected zones, they resisted confrontation. In fact, Peruvian laws have given a wide berth to military interventions for internal security reasons.³³ If the armed forces had repeatedly deployed, as the reports suggest, and had legal, commanding authority over the affected regions, the strong inference is that they had chosen to keep their distance, avoiding harmful collisions with the protesters.

Ecuador: Social Protests and Military Responses Anti-protest deployments in Ecuador mostly happen in joint operations with the police forces under a state of exception.³⁴ Overall the interactions of the Ecuadorian military with indigenous protesters are marked by restraint and are considerably less lethal when compared to the Ecuadorian police forces and other national armies. From 1998 to 2019, six civilians died in anti-protest military deployments, while thirty civilians died in joint operations. Another evidence of restraint is that least 276 military personnel were injured in anti-protest operations (see Table A3 in the appendix). At the expense of their own physical safety, service members trained to kill often leave themselves vulnerable to attacks from protesters.

Frequently, the military deploys to quell indigenous-based protests. A substantial amount of the population identifies as indigenous,³⁵ and Ecuador is home to one of the most powerful indigenous movements in Latin America, the CONAIE.³⁶ Mass protests against incumbents and street clashes have triggered the demise of Presidents Bucaram (1997), Mahuad (2000), and Gutiérrez (2005). Then, the military withdrew its support for each president, refused to repress, and brokered an institutional solution that removed the chief executive.³⁷

This defiant behavior contrasts with Rafael Correa's tenure (2007–2017), when soldiers complied with frequent deployments to quell indigenous protests while securing plants for extractive sector companies. Correa declared or modified states of exception eighty-nine times, authorizing deployments.³⁸ Nonetheless, when massive indigenous protests erupted in 2015, the military adjusted its deployment when ordered to use excessive force. Summoned under a state of exception with presidential orders to use "all means at their disposal," 200 civilians were injured. However, the fact that 116 servicemembers sustained injuries, forty-four were captured by protesters, and no civilians died at the hands of servicemembers is evidence of considerable restraint.³⁹

President Lenín Moreno (2017–2021) declared or extended states of exception fourteen times,⁴⁰ maintaining Correa's strategy of anti-protest deployments. In October 2019, massive indigenous protests erupted against austerity measures and the cancellation of governmental fuel subsidies. Just like in 1997, 2000, and 2005, thousands called for the president's resignation. In response, Moreno declared a state of exception and a curfew in major cities, ordering security forces to reestablish order, and transferred the capital to Guayaquil. Defense minister, retired General Oswaldo Jarrín, interpreted the president's mandate to license the military to use all means necessary,⁴¹ reminding the protesters they would be facing warfighting troops.⁴² These orders required the military to act beyond their human rights training and traditional restraint.

In a clear case of post-deployment conditioning, the military deployed but revised its tactics, adopting a strict interpretation of the existing protocols found in the 2013 human rights defense ministry manual.⁴³ They limited themselves to supporting roles, leaving the bulk of the repression to the police. They provided public transportation to citizens, secured the perimeter in commercial areas and roads, and only used non-lethal weapons. Troops even clashed with police to guard the protesters.⁴⁴ Finally, on several occasions they faced protesters unarmed, avoiding confrontation even at the expense of destruction of military equipment, the injury of eighty servicemembers, and the capture of 255 troops by protesters.⁴⁵

In sum, Ecuador saw patterns of military defiance prior to 2007, full compliance under most of the Correa administration when it came to extractive industries protests (2007–2017) and post-deployment conditional compliance during the August 2015 and October 2019 mass protests.

What explains these patterns of deployment? What accounts for patterns across all three of the countries? In the next section, we turn to plausible, causal explanations, assessing the impact of each variable on each of the cases of protest. We rely on within country, process-tracing methods to discern how each variable influences military responses.

Causal Explanations

Judicial Risk If military responses to protesters are related to changes in judicial risks, we would expect soldiers to exhibit more caution when they are more vulnerable to human rights prosecution, either opting not to deploy, bargaining for better terms, or adjusting tactics in the field to avoid direct contact with demonstrators. When protected in varying degrees from prosecution, they would be more apt to be coercive, clashing head on with protesters. Is this trend borne out?

In Bolivia, legal liability had been historically low for soldiers, owing to the jurisdiction of military tribunals and dereliction of duty on the part of judges and politicians. According to the organic law of the armed forces, the military tribunals are part of the military system and, with respect to ordinary courts, are "independent and autonomous" in the administration of justice.⁴⁶ Hence, civilian judges and courts had no sway over the deliberations of military courts, nor could they order those tribunals to hand over cases to them. Past efforts to investigate human rights crimes were routinely stalled. The military would drop charges against soldiers, close files, and refuse to cooperate fully with prosecutors.⁴⁷ These problems were compounded by weak efforts on the part of judges and other officials responsible for investigating crimes to collect evidence.⁴⁸ This helps explain the military's compliance with orders to repress in 2003. Between 1985 and 2002, hundreds of protesters lost their lives at the hands of security forces. Not one police officer or soldier was ever convicted for those incidents.⁴⁹ The military could easily have calculated it was unlikely to be prosecuted for human rights abuses.

Then, the judicial situation began to change. Challenges were made to the idea that the military courts were autonomous. The turning point was reached when in 2011, the Supreme Court found five top officers and two ministers guilty in the killings of sixty-four people during the 2003 gas protests. That marked the first time since the democratic transition that any high-ranking officers were convicted by a Bolivian civilian court for human rights abuses.⁵⁰ The following year the Constitutional Tribunal ruled that human rights cases from then on must be tried in ordinary courts. Soldiers now had some reason to be fearful of prosecution should they tangle with protesters, helping to explain why they dissented from President Morales' orders to subdue the protests of October 2019. However, the military were not hesitant to use force under the Interim President Jeanine Añez, precisely because she agreed to issue the decree that immunized soldiers from prosecution.⁵¹

In Peru, in years past, the armed forces shied away from confrontations in order to avoid charges of human rights violations and criminal liability. In response to the long wars with Sendero Luminoso (1980–2000), eighty-four cases of possible military culpability for disappeared persons were prosecuted by September 2019. Of those, forty-four soldiers were convicted, or 52 percent.⁵² The conviction rate was impressive when compared to other countries, giving Peruvian soldiers some pause should they contemplate using excessive force against demonstrators. In the first few years of the twenty-first century, officers—especially senior officers—expressed qualms about conducting assigned missions, fearing they would be blamed for human rights abuses, as they were before.⁵³ As expected, the military adjusted its tactics, occupying mostly rearward position while allowing the police to clash with protesters.

Military assessments of judicial risks likely changed in later years, especially beginning in 2013. The military and the defense ministry have put up effective roadblocks against judicial inquiries and prosecution. Human rights attorneys have reported persistent problems with gaining cooperation from the defense ministry which denies that records existed of officers being present at military bases at the time alleged violations occurred. Second, there are huge disparities in legal services between military officers and victims. The former hire private attorneys whose fees are covered by the State, while victims depend on poorly paid public defenders who are burdened with an overload of cases.⁵⁴ Finally, a law (30151) passed in 2013 modified article 20, paragraph 11 of the penal code, by exonerating police and military from criminal responsibility for causing injuries and deaths in the exercise of their functions.⁵⁵ In short, in later years, soldiers have been fairly well shielded from prosecution. And yet, the military routinely avoids direct confrontations with protesters, when called upon to restore public order. Clearly, judicial risks alone cannot adequately explain this behavior.

In Ecuador, prior to 2008, the military enjoyed institutional autonomy, with a history of impunity for extrajudicial executions.⁵⁶ Between 1984 and 2008, the Truth Commission identified 118 cases of abuses, 26.3 percent with military perpetrators. Fourteen (10.2 percent) cases rendered criminal convictions. This represented a low judicial risk for military perpetrators.

A comparative analysis of military justice reform classified Ecuador's post-2008 efforts as successful compared to Argentina's.⁵⁷ The 2008 constitution abolished separate courts for security forces, determining that civilian courts be adapted to hear cases involving the military. In March 2009, the *Consejo de Judicatura* ruled that cases should be sent to civilian courts in ninety days.⁵⁸ A referendum in 2011 gave the government the mandate to boost judicial reform, enlisting the help of NGOs and human rights experts. After military intelligence investigates abuses, civilian prosecutors follow up with investigations of their own. After the 2008–2010 truth commission, courts tried officers for abuses committed before 2008, signaling an increase in judicial risks. In 2015, 200 high-ranking officers, including the chairman of the joint chiefs, walked into the National Court of Justice to watch the proceedings in one of these trials. This show of "institutional support"⁵⁹ was a failed attempt to intimidate the court and is evidence of an increase in perceived judicial risks.

The institutional reforms rendered results. From 2008 to 2017, security forces killed forty-five individuals, but only eleven of these deaths were caused by the military. Ten cases made it to the courts (91 percent) and three rendered convictions (33 percent), while the remaining cases are being tried. Deaths and other abuses are scrutinized by civilian *fiscalías*, with high conviction and prosecution rates.

Institutional changes lowering impunity help explain the restraint exhibited in 2015 (under Correa) and the post-deployment conditional compliance in 2019. Retired high-ranking military officers voiced concerns regarding the justice system. Former chairman of the joint chiefs General González and Retired Admiral Estupiñán stated that the vagueness of the rules of engagement have a deterrent effect on the troops, given potential lawsuits.⁶⁰ The Moreno administration had similar concerns. The Army Chief of staff, General Lara, argued for reforms to offer legal support to the military.⁶¹ Speaking to Congress, Defense Minister Jarrín stated that the military showed restraint, fearing the negative consequences of their actions.⁶²

In sum, there were substantial changes in judicial risks, from impunity to vulnerability, a perception that the military could be held accountable for human rights abuses, requiring them to behave with restraint. The military lobbied for changes in the rules of engagement so in the face of potential new protests it would have legal coverage to use lethal weapons without facing a judicial system with high rates of conviction.

Mission Preferences Militaries that have historically focused on preparing themselves for external defense would be reluctant to take on public order maintenance duties, including those related to control of social protests. Other militaries, long accustomed to internal security functions, might be more willing to deploy that way. How militaries prioritize missions may have a bearing on their handling of protests, but not always, as will be shown.

In Bolivia, mission preferences constituted a weak explanation for changes in military responses to protests. It is true that the Bolivian military has long emphasized internal over external missions, but this alone is insufficient, because the "internal" encompasses a very wide range of operations.⁶³ The military has undertaken an eclectic

assortment of domestic missions, among them participating in national development projects, enforcing public order (when other legal forces prove insufficient), protecting natural resources and the environment, securing sources of production and public services during national emergencies, executing social projects for the poor, and combatting drug trafficking. Certainly, prideful nationalism figures into these military preferences, but that is an influence that has remained steady for many decades.

If there is a pattern here, it is that the military has been exceedingly pragmatic rather than consistent, shifting emphasis depending upon the priorities of the government in power, and so long as it is adequately compensated for its services.⁶⁴ The armed forces abided by President Sanchez de Lozada's desire to coercively enforce public order against mostly poor demonstrators and then pivoted to carry out social projects designed to help poor families under President Morales. Certainly, they could rationalize some of these missions by referring back to their Organic Law, written in 1992, which helps to clarify roles and priorities.⁶⁵ But this does not explain the changes in emphasis, in responses to protests over the sixteen-year period (2003–2019). There were no corresponding changes in law or core doctrines that could account for the varied responses. To the contrary, the military high command refused to allow any alterations to the Organic Law of the Armed Forces that could have steered the military away from domestic, repressive operations.⁶⁶

In Peru, for decades, defending sovereign borders and fighting insurgents have been the Peruvian military's mission priorities, not policing. Peru built up its conventional external defense capabilities and a huge stockpile of weapons in the 1970s, with the threat of war with Chile looming.⁶⁷ It prided itself on having modernized its fighting capabilities, only to have its pride shaken with its defeat at the hands of Ecuador in the 1995 Cenepa War. That defeat renewed an effort to build its capabilities back up, but by the 1980s, the military's emphasis had also shifted to the counterinsurgency struggle against the Maoist revolutionary group, *Sendero Luminoso*, and that tendency only deepened during the Fujimori administration.⁶⁸

This impression is consistent with results of extensive interviews of Peruvian officers conducted by Maiah Jaskoski. Army officers repeatedly tied their professional mission to waging the counter-insurgency war.⁶⁹ By contrast, they expressed dissatisfaction and resentment over doing police work, stating that such missions "did not belong to the army" and were contrary to their professional training.⁷⁰ In particular, the army said they were an institution inherently equipped to use lethal force, not restraint, as required in protest control. Thus, even though their legal risks have declined, the armed forces continue to have a strong aversion to policing social protests because it is not in keeping with their mission preferences, accounting for their lower profile when deployed. Mission preferences then contribute strongly to an overall explanation for military responses to protest in Peru.

In Ecuador, the army has complex mission preferences. Dating back to the 1970s, when they supported the democratic transition in order to achieve military modernization, the army has strongly identified with classic defense roles.⁷¹ Contrary to most Latin American counterparts, they successfully fought an interstate conflict in

the 1990s against Peru. Following the 1995 Cenepa War, the army experienced an identity crisis. Based on interviews conducted in 2005 and 2006, Jaskoski identifies that the response was to routinize policing operations to remain relevant to justify resources. In lieu of fighting the heavily armed FARC at the northern border, one of the army's preferred missions involved quelling protests while providing security for companies in the extractive sector, in return for receiving base improvements, communications equipment, food, fuel, lodging, and vehicles.⁷² More recently, the army adopted new human rights protocols,⁷³ training thousands of troops in gradual use of force, using non-lethal weapons, and avoiding conflict with civilians. These human rights protocols have been embedded into their mission orientation, per the current armed forces strategic plan.⁷⁴

The army has repressed indigenous protests over the activities of mining and oil companies. Before adopting human rights protocols in 2013, their actions resulted in several dead and injured. After 2013, when working for extractive-industry companies, their actions did not result in deaths, and very few were injured, demonstrating a compliant restraint pattern consistent with their human rights training. When confronting mass protests in 2019, Ecuadorian troops deployed reluctantly, adjusting tactically in the field to avoid inflicting casualties on protesters. In the aftermath of these protests, outgoing Army Commandant General Perez stated that the military's actions showed prudence and tolerance, are a feature of professionalism, and that if the military had used the lethal weapons against protesters, "they would be recovering body bags, and that is not their mission."⁷⁵

In terms of mission preferences, what accounts for the military's unfaltering pursuit of the extractive-industries anti-protest deployments, and its aversion to repressing mass protests? When working on behalf of these companies, they receive clear-cut and manageable orders to keep small numbers of protesters away, securing the perimeter around the facilities. However, being ordered to repress massive street protests using whatever means necessary put the army in a bind, as orders greatly conflicted with the then new human rights protocols that guided training and mission orientation. In sum, the congruence of orders with the mission preferences—warfighting and policing according to human rights protocols—partially explains the compliance seen in small-scale protests in the extractive sector and the conditioned compliance against the large-scale protests.

Social Identity Does social identity help account for the varied military reactions to social protests? If salient, then militaries would be making choices based on their identities as members of an ethnic, racial, or religious grouping. Then two outcomes are possible. First, where the composition of the military command closely matches that of the protesters, there should be a kind of kinship between the two, and a greater desire to avoid violent clashes. If, on the other hand, there is a wide identity gulf that separates soldier and civilian, then the military may view protesters as "the other," looking down upon them. That would lessen its hesitation to use force. The focus here is on ethnic-racial similarities and differences.

The Bolivian military leadership shares little identity with protesters of indigenous origins and darker skin colors.⁷⁶ While the military became more multi-cultural and racially diverse under Morales, discrimination still persisted.⁷⁷ There is little likelihood that the higher ranks were filled with all but a tiny minority of indigenous officers, if any, during the periods of protest and repression covered in this study (2003–2019). The armed forces do not divulge information on officer ethnicity; but good estimates were made, referring to available ethnic data on military academy graduates, and the minimum time necessary to advance through the ranks to General or Colonel, which was twenty-seven and twenty-two years, respectively.⁷⁸ For example, to reach the rank of General by the time protests occurred in 2008, an officer would have had to graduate no later than 1981 when only 3 percent of the cohort was indigenous. To reach the same rank by the 2019 protests, the officer would have to have graduated no later than 1992—a year in which only 2 percent of the cohort was indigenous. For additional data and sources, see Table A4 in the appendix.

Further proof can be found with the protest of NCOs and sergeants in 2014—eight years into the Morales presidency. That protest aimed to end discriminatory practices which had blocked those of lowest ranks (who were predominately indigenous) from advancing upwards. President Morales sided with the military leadership in resisting change, refusing to negotiate with protest leaders, and making no revisions to the military's Organic Law.⁷⁹

The non-indigenous profile of more senior officers contributes to an explanation of military-perpetrated violence in October of 2003 under President Sanchez de Losada, and in November 2019 under interim President Añez. In both instances, protesters were overwhelmingly indigenous in ethnicity.⁸⁰ Social identity helps fill the gap in accounting for the great passivity exhibited by the military during the Eastern Province rebellions of 2008. Here, many who rose up against the government came from the city and province of Santa Cruz. That province has the largest European (white) immigrant population and one of the lowest indigenous populations in the country.⁸¹ So in this case, the non-indigenous characteristics of the military command brought them closer to the protesters, accounting for their unwillingness to use any degree of force. Finally, it also helps to account for the military's refusal to suppress large-scale protests aimed at President Morales between October 21 and November 8, 2019. Those demonstrators represented a wide spectrum of citizens that cut across ethnic/racial lines; many were non-indigenous.⁸²

In Ecuador, shared identity between the military and the indigenous population is a contributing factor to explain restraint, though evidence regarding the precise ethnic makeup of the Ecuadorian society and its military is noticeably scarce. Shared identity between the indigenous movements and the military has been important in critical moments in Ecuadorian history. Several of the indigenous demands resonate with sectors of the military.⁸³ Before 2008, the military and the indigenous peoples formed defiant political coalitions that led to the fall of three presidents,⁸⁴ in the absence of strong judicial risks.

Having been elected with ample support from the indigenous movements, the Correa administration pursued efforts to recruit soldiers from indigenous communities. It changed the admission requirements to military schools to increase the numbers of indigenous officers and multiplied indigenous-only units. In 2017, a military source estimated that 25 percent of the military was indigenous.⁸⁵ Former Congresswoman and indigenous leader Lourdes Tibán, an eyewitness to the military's actions, stated that during the 2019 protests, the troops deployed to indigenous communities were themselves of indigenous origin, spoke the language, and lived in those communities.⁸⁶ Therefore, through the lens of identity, the restraint and conditional compliance exhibited by the military in dealing with indigenous communities in 2019 becomes even more evident.

Meanwhile in Peru, a large proportion (two thirds) of the social conflicts shown in Table A2 involved socio-environmental issues, and specifically the problem of mining and oil companies polluting indigenous habitats, as well as labor disputes. The largest number of these social conflicts occurred in the provinces of Ancash, Apurímac, Cajamarca, Ayacucho, and Cusco. On average, 56 percent of the total populations were native in origins, and 65 percent in rural areas, where many of the conflicts occurred.⁸⁷ The question is whether the military viewed these native communities with favor or disdain? There are no data that categorize soldiers according to ethnic groups. Based on what can best be determined, the enlisted do have significant indigenous representation, but that does not extend up through the officer corps. At the same time, there has been, since the 1970s, a shift downward in socio-economic standing among most army officers, who are no longer members of the middle class.⁸⁸ Hence, officers may have a greater affinity with poor, indigenous citizens, including those who protest. Lacking hard data, this cannot be fully corroborated.

Combination of Variables

As Table 1 indicates, all three variables contributed to an explanation of military responses, though not equally. Overall, judicial risk was the strongest, as indicated by the numerical scores; but in some instances it performed poorly, as did mission preferences and social identity. Each of the variables made some contribution to an overall account of military reactions to protest, but none was strong enough to stand alone. However, in combination, they were jointly sufficient, producing a more comprehensive explanation for the outcomes.⁸⁹ Variables either balanced each other, filling explanatory gaps the others could not, or they had a cumulative impact on outcomes, reinforcing the strength of each.

For example, judicial risk proved to be a persuasive account for three of the four cases analyzed in Bolivia. For the fourth (2008), it could not because the risk of prosecution was still low at the time, and yet soldiers were passive in the face of protesters. However, the fact that senior officers identified with protesters as being from non-indigenous ethnic groups could better explain their reluctance to crack down. In

Table 1 Causes of Military Responses to Mass Protests in Bolivia, Peru, and Ecuador

	Protest Episodes	Military response to protests	Judicial risks of being punished if abuses are committed	Mission preferences towards anti-protest deployments	Social identity towards protesters
Bolivia	2003	Compliance	3 - risks low	1	2
	2008	Post-Deployment Conditional Compliance	1- risks low	1	3
	2019	Defiance	3 - risks high	1	2
Peru	2019	Compliance	3 - risks low	1	2
	2003–2012	Post-Deployment Conditional Compliance	3 - risks high	3	1
	2013–2018	Post-Deployment Conditional Compliance	1 - risks low	3	1
Ecuador	1997, 2000, and 2005	Compliance	1 - risks low	3	1
	1998–2013 Extractive industries-protests	Defiance	1 - risks low	1	2
	2013–2019	Compliance	3 - risks low	3	2
	Extractive industries-protests	Compliance	2 - risks high	3	2
	2015 and 2019, mass protests	Post-Deployment Conditional Compliance	3 - risks high	2	2

Scale on strength of effect: 3-strong; 2-moderate; 1-weak.

Peru, it made sense that the army would comply conditionally to avoid clashes with protesters from 2003 to 2012, when the risk of prosecution for human rights abuses was high. The choice of conditionality was also reinforced by its mission preference: a strong historic aversion to engaging in police work. That preference persisted post-2012, helping to account for the fact that when the threat of prosecution had declined, the army nevertheless refused to use coercion against the protesters.

Finally, in Ecuador, ethnic identifications, which did create a certain empathy with indigenous peoples among the military leadership, remained constant during the 1997–2019 period. What changed and reinforced each other were mission preferences, which, after 2013, incorporated human rights protocols and increased judicial risks. Combined, they explain why soldiers complied with restraint during the extractive industry protests of 2013–2019 period, and then complied conditionally to avoid mass casualties during large protests in 2015 and 2019.

Alternative Explanations

It is possible that other plausible causes of military protest responses have been overlooked. No small case study can ever completely rule out all potentially competitive confounding explanations. What follows is the reasoning behind the exclusion of three variables that seem plausible at face value, but could not withstand empirical scrutiny.

Ideology Soldiers do have political viewpoints, often shaped by ideology. Those ideologies could influence military priorities and goals. But there are two principal problems with the ideology explanation. The first is that most militaries are not ideologically monolithic. There are factions within militaries that often cut across ranks, not between them. That is, there will be senior, mid-rank, and junior officers who together affiliate with one political faction or the other, making an ideologically unified command difficult to achieve. In the case of Bolivia, for example, a leading scholar argues that even when the military has tilted to the right under conservative rule, more revolutionary, nationalistic currents persisted.⁹⁰ To this day in the Peruvian armed forces, there are conflicting security concepts that coexist side by side corresponding to either more progressive or more conservative points of view.⁹¹

Secondly, it is quite difficult to distinguish between opportunistic adaptations to one government and the next as opposed to genuine ideological convergences. In the case of Bolivia, leading civil-military scholars still have trouble confirming one theory over the other.⁹² Deborah Norden is probably correct that the Bolivian military had more difficult adjustments to make than those of Peru or Ecuador, with the arrival of a socialist president.⁹³ Behaviorally they did adjust, following Morales' lead in cutting ties with the U.S., seizing foreign-owned oil and gas companies slated for partial nationalization, and lending a hand with various social action projects to aid poor families.⁹⁴ But were the armed forces' political beliefs also fundamentally altered under the influence of Evo Morales? Notwithstanding rhetorical pronouncements in favor of

socialism and anti-imperialism by some military leaders, it is also likely that these were opportunistic gestures in order to remain in the president's good graces, as opposed to genuine ideological conversions. Those gestures paid off in the form of increased defense budgets; however, there was also great resistance within the military to undertaking normative and institutional reforms that were consistent with the government's radical ideas—ones that might have given more credence and grounding to the changes in discourse.⁹⁵

Size of Protests Arguably, a military's willingness to use coercion to subdue demonstrators may be related to the size of protests. If army reactions are consistent with their traditional training, namely to apply maximum force, then doing so against tens if not hundreds of thousands of civilians would predictably result in a larger number of casualties. Soldiers on the front lines could be held culpable for gross violations of human rights. Obviously using the same tactics against small-scale protests would have a less destructive impact. However, our research could not establish any solid relation between coercion and protest size. In Bolivia, coercion was used in some of the largest scale protests of the period (in 2003 and 2019) and not used at all against large and very often violent uprisings in the Eastern Provinces in 2008. Meanwhile in Ecuador, the military refrained from violence in the face of huge demonstrations in October 2019 but resorted to force against small-scale anti-mining/oil protests prior to its human rights training. Other variables, already mentioned, did a better job at explaining these trends.

Military Budgets Military budgets are arguably an important driver of military behavior. Upward trends in expenditures should be associated with more compliance and downward trends should be associated with defiance or conditional compliance. In the context of our analysis, the variation on military budgets can be reasonably rejected as an explanation because they do not co-vary with the outcomes. Per Figure A1 in the appendix, there is a long downward trend in the share of military expenditures in central government budgets; meanwhile, there was substantial variation in the outcomes and not in the expected direction. Military budgets varied in Peru, where the outcome of post-deployment conditional compliance remained constant. When the military opted for defiance in Ecuador, the expenditures slightly decreased in 2000, but then rose in 1997 and 2005. As for compliance, in 2003 Bolivia, there had been a slight increase in military budgets but then a sharp decline the following year.

Conclusion

This study has highlighted the various options available to militaries when ordered to curb protests, and what causes one choice to be preferred over another. In addition to complying or defying, the case studies demonstrate that militaries can also opt to conditionally comply, adjusting tactics once deployed. We found that combinations of

judicial risk, mission preferences, and social identities best account for the various patterns of military behavior observed across time within the three Andean countries under review.

The findings suggest that the military not be viewed facilely as politically aggressive but rather institutionally protective. It was harder to see where, if anywhere, the military gained politically. Perhaps it did, but what seemed more transparent was that the varied responses to protests were consistent with the organization's professional purpose, social identity, as well as its assessments of legal risk. In keeping these priorities in mind, the military realizes it does not always pay to play its strongest hand by being coercive, if doing so could jeopardize careers or tarnish institutional reputations. Nor does it always pay to blindly follow orders. Instead, at times, depending on context, it makes more sense to find a middle ground, adjusting tactics to fulfill the spirit of an order, but not its letter.

Future research ought to investigate other forms of mission conditionality that we could not, given the limits of time and space. There are pre-deployment maneuvers the armed forces could choose, whether it be pressuring, lobbying, or bargaining for better conditions in exchange for compliance. They may attempt to revise the rules of engagement, giving soldiers more certainty about what they can and cannot do, seek new legislation or informal assurances that reduce the prospects of prosecution for malfeasance, or seek side payments such as larger defense budgets and professional perks as rewards for taking on onerous assignments.

Finally, this research should prompt scholars to take our three cases as an incentive to explore similar phenomenon elsewhere. Indeed, the claims made about military behavior here should have application beyond the Andean region to countries within and outside of Latin America. The scope of comparability should include democracies that have imperfect systems of civilian control along with the need and legal ability to call on the armed forces to deal with protests or other public disturbances.

NOTES

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