



NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

**TEPID PARTNERS: THE RIO TREATY AND
COLLECTIVE INTER-AMERICAN SECURITY**

by

Alex J. O’Konski

March 2021

Thesis Advisor:
Second Reader:

Christopher N. Darnton
Cristiana Matei

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REPORT DOCUMENTATION PAGE			<i>Form Approved OMB No. 0704-0188</i>	
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington, DC, 20503.				
1. AGENCY USE ONLY (Leave blank)	2. REPORT DATE March 2021	3. REPORT TYPE AND DATES COVERED Master's thesis		
4. TITLE AND SUBTITLE TEPID PARTNERS: THE RIO TREATY AND COLLECTIVE INTER-AMERICAN SECURITY			5. FUNDING NUMBERS	
6. AUTHOR(S) Alex J. O'Konski				
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000			8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A			10. SPONSORING / MONITORING AGENCY REPORT NUMBER	
11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government.				
12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release. Distribution is unlimited.			12b. DISTRIBUTION CODE A	
13. ABSTRACT (maximum 200 words) The Inter-American Treaty of Reciprocal Assistance, also known as the Rio Treaty, is one of the OAS's founding agreements. The treaty includes language that provides for collective hemispheric defense, and it has been invoked on multiple occasions. However, Rio Treaty invocations have consistently struggled to generate salient multilateral security cooperation. This thesis hypothesizes, and finds, that the Rio Treaty has been unsuccessful at producing meaningful security cooperation because of repeated misuse by its signatories. To prove the hypothesis, this thesis examines OAS involvement in two regional crises, the 1965 Dominican Civil War and the Falklands/Malvinas War, in search of common themes. In both cases, a treaty signatory executed a fait accompli and then turned to the OAS in need of international legitimacy rather than strategic need. During the Dominican Civil War, the Rio Treaty was not invoked when it likely should have been. As a result, the Inter-American Peace Force (IAPF), which the OAS dispatched in response to the crisis, would remain forever unformalized. Argentina misused the Rio Treaty by invoking it after it had to face the military consequences of a conflict that it instigated with Great Britain. The vastly different OAS response to each case can be explained by vested U.S. interest in each conflict.				
14. SUBJECT TERMS Rio Treaty, security cooperation, alliance, Inter-American Security System, Organization of American States, OAS, Inter-American Peace Force, IAPF, Dominican Civil War, Falklands, Malvinas, Latin America, Inter-American Treaty of Reciprocal Assistance, IATRA, TIAR			15. NUMBER OF PAGES 81	
			16. PRICE CODE	
17. SECURITY CLASSIFICATION OF REPORT Unclassified	18. SECURITY CLASSIFICATION OF THIS PAGE Unclassified	19. SECURITY CLASSIFICATION OF ABSTRACT Unclassified	20. LIMITATION OF ABSTRACT UU	

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TEPID PARTNERS: THE RIO TREATY AND COLLECTIVE INTER-AMERICAN SECURITY

Alex J. O’Konski
Lieutenant, United States Navy
BS, Massachusetts Maritime Academy, 2014

Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES
(WESTERN HEMISPHERE)**

from the

**NAVAL POSTGRADUATE SCHOOL
March 2021**

Approved by: Christopher N. Darnton
Advisor

Cristiana Matei
Second Reader

Afshon P. Ostovar
Associate Chair for Research
Department of National Security Affairs

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ABSTRACT

The Inter-American Treaty of Reciprocal Assistance, also known as the Rio Treaty, is one of the Organization of American States' (OAS) founding agreements. The treaty includes language that provides for collective hemispheric defense, and it has been invoked on multiple occasions. However, Rio Treaty invocations have consistently struggled to generate salient multilateral security cooperation. This thesis hypothesizes, and finds, that the Rio Treaty has been unsuccessful at producing meaningful security cooperation because of repeated misuse by its signatories. To prove the hypothesis, this thesis examines OAS involvement in two regional crises, the 1965 Dominican Civil War and the Falklands/Malvinas War, in search of common themes. In both cases, a treaty signatory executed a *fait accompli* and then turned to the OAS in need of international legitimacy rather than strategic need. During the Dominican Civil War, the Rio Treaty was not invoked when it likely should have been. As a result, the Inter-American Peace Force (IAPF), which the OAS dispatched in response to the crisis, would remain forever unformalized. Argentina misused the Rio Treaty by invoking it after it had to face the military consequences of a conflict that it instigated with Great Britain. The vastly different OAS response to each case can be explained by vested U.S. interest in each conflict.

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LIST OF ACRONYMS AND ABBREVIATIONS

ALBA	Alianza Bolivariana para los Pueblos de Nuestra América (Bolivian Alliance for the Peoples of our America)
ARA	Armada de la República Argentina (Argentine Republic Navy)
CIA	Central Intelligence Agency
CELAC	Community of Latin American and Caribbean States
EEC	European Economic Community
FSLN	Frente Sandanista de Liberación Nacional (Sandanista National Liberation Front)
IAJC	Inter-American Juridical Committee
IAMS	Inter-American Military System
IAPF	Inter-American Peace Force
IATRA	Inter-American Treaty of Reciprocal Assistance
IMF	International Monetary Fund
MERCOSUR	Mercado Común del Sur (Common Market of the South)
UN	United Nations
UNASUR	Union of South American Nations
NATO	North Atlantic Treaty Organization
OAS	Organization of American States
RAF	Royal Air Force
TIAR	Tratado Interamericano de Asistencia Recíproca (Inter-American Treaty of Reciprocal Assistance)
SDC	Security and Defense Council

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I. INTRODUCTION

A. MAJOR RESEARCH QUESTION

By examining different instances of regional conflict this thesis will explore why the Rio Treaty has failed to produce meaningful security cooperation among its signatories. Additionally, how did those invocations affect the salience of the treaty?

The Inter-American Treaty of Reciprocal Assistance (IATRA), more commonly known as the Rio Treaty, Rio Pact, or by its Spanish acronym TIAR, is a mutual defense pact between nineteen members of the Organization of American States (OAS).¹ Signed in 1947 in Rio de Janeiro, it represents the culmination of many years of limited hemispheric cooperation dating back to the mid-19th century.² For the United States, a hemispheric collective defense treaty provided a mechanism with which to prevent the spread of communism into the Western Hemisphere. For Latin America, the treaty provided a mechanism to balance against U.S. influence in regional affairs.³

The Rio Treaty remains in effect today; however, the end of the Cold War and the emergence of alternative sub regional institutions have called the Rio Treaty's relevance into question. Despite coming into existence around the same time as other multilateral defense organizations, most notably the North Atlantic Treaty Organization (NATO), the Rio Treaty has always appeared less salient and as even seen the withdrawal of multiple states since the early 2000s including Mexico, Bolivia, Ecuador, and Venezuela.⁴

¹ Nineteen of thirty five OAS member states are party to the Rio Treaty: these include: Argentina, the Bahamas, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Panama, Paraguay, Peru, Dominican Republic, Trinidad and Tobago, United States, Uruguay, and Venezuela. Note that Uruguay denounced the treaty in 2019 and will no longer be a signatory in 2021 and that Venezuela's re-accession was initiated by Juan Guaido's interim government, not the Maduro government in Caracas. Organization of American States, *Inter-American Treaty of Reciprocal Assistance (Rio Treaty)* (Rio de Janeiro: Organization of American States, 1947), <https://www.oas.org/juridico/english/sigs/b-29.html>.

² Francisco V. Garcia-Amador, "The Rio De Janeiro Treaty: Genesis, Development, and Decline of a Regional System of Collective Security," *The University of Miami Inter-American Law Review* 17, no. 1 (1985): 32.

³ Peter Smith, "Closing Ranks," in *Talons of the Eagle*, 4th ed. (New York: Oxford University Press, 2013), 124.

⁴ Organization of American States, *Inter-American Treaty of Reciprocal Assistance*.

Since 1947, the Rio Treaty has been invoked on seven separate occasions for a variety of reasons including territorial incursions, terrorism, and foreign intervention (see Table 1).⁵ Another thirteen regional disputes prompted security related meetings at the OAS but fell short of treaty invocation. It has been successful at deescalating conflicts between member states but its more notable failures include building hemispheric support for multilateral action in the Korean War, the Falklands/Malvinas War, and the Global War on Terrorism launched following the 9/11 terrorist attacks. The Rio Treaty was most recently invoked in 2019 in response to the worsening humanitarian crisis in Venezuela resulting in targeted multilateral sanctions against the Maduro regime as well as Uruguay's withdrawal from the agreement over concerns that the use of the Rio Treaty constituted the first steps toward military intervention.⁶ This recent case seems to be an additional instance of treaty misapplication, which fits within a larger pattern that has gradually eroded its legitimacy.

Table 1. Meetings of Consultation Called in Response to Security Threats

Year	Meeting of Foreign Ministers	Rio Treaty Invocation?	Subject	Notable Results
1951	IV	No	International Communist Aggression (Korean War)	Bilateral cooperation
1959	V	No	Caribbean Unrest (Dominican Republic, Nicaragua, Honduras, Venezuela)	
1960	VI/VII	Yes	Dominican Aggression in Venezuela (Betancourt assassination attempt)	Diplomatic ties severed
1962	VIII	Yes	Cuban/Communist Aggression	Cuba excluded from OAS
1964	IX	Yes	Cuban Aggression in Venezuela	
1964	X	No	Dominican Civil War	Creation of IAPF
1967	XI	No	Alliance for Progress Expansion	
1967	XII	No	Cuban Aggression in Venezuela	
1969	XIII	No	Honduras/ El Salvador (Football War)	
1971	XIV	No	US/ Ecuador Fishing Dispute	
1974	XV	No	Cuban Relations Debate	
1975	XVI	No	Cuban Relations Partial Restoration	
1978	XVII/XVIII	Yes	Costa Rica/ Nicaragua Border Dispute	

⁵ Peter Meyer, *The Inter-American Treaty of Reciprocal Assistance and the Crisis in Venezuela*, CRS Report No. IN11116 (Washington, D.C.: Congressional Research Service, 2019), <https://fas.org/spp/crs/row/IN11116.pdf>.

⁶ Organization of American States, *Inter-American Treaty of Reciprocal Assistance*.

Year	Meeting of Foreign Ministers	Rio Treaty Invocation?	Subject	Notable Results
1981	XIX	No	Peru/ Ecuador Dispute	
1982	XX	Yes	Falklands/Malvinas Dispute	U.S. defies Rio Treaty resolutions
1989	XXI	No	Panama Intervention	
1992	XXII	No	Regional Militarism (did not meet)	
2001	XXIII/XXIV	Yes	9/11 terrorist attacks	Mexico leaves Rio Treaty
2008	XXV	No	Colombian pursuit of FARC into Ecuador	
2019	XXX	Yes	Venezuelan Crisis	Uruguay leaves Rio Treaty

B. SIGNIFICANCE OF THE RESEARCH

By examining regional conflicts that prompted OAS consultation, some of which resulted in invocations of the Rio Treaty, I hope to find common themes that could be useful in determining the Rio Treaty's future relevance. Can the U.S. count on its hemispheric treaty partners in the new era of great power competition? Conversely, can the rest of Latin America count on one another along with the United States to uphold its commitment to collective defense?

Examples from the past could shed light on how, or if, the Rio Treaty can be used to solve regional issues going forward. The crisis in Venezuela provides an especially timely example of the Rio Treaty in action. Venezuela's implosion is also interesting because Venezuela was part of the largest single exodus from the treaty in 2012 along with fellow ALBA members Bolivia, Ecuador and Nicaragua.⁷ So far, OAS sanctions against the Maduro Regime have made little progress but it will be interesting to see if Bolivia and Ecuador follow Juan Guido's lead and return to the defense pact in the wake of the Morales and Correa presidencies.⁸

Along the way, I hope to shed some light on several additional questions: what common threads exist between regional conflicts where the OAS consultations processes failed to produce multilateral action. How did those failures affect the Rio Treaty's

⁷ Organization of American States.

⁸ Meyer, *The Inter-American Treaty*.

legitimacy? Conversely, when the OAS was successful in prompting collective action, what factors contributed to finding consensus?

As China and Russia continue to build influence in the Western Hemisphere, can the United States rely on its regional allies in the event of a future world conflict? This thesis hopes to help determine whether the Rio Treaty still matters. If it does, then this thesis will hopefully help shape policy to keep the treaty relevant. If the Rio Treaty has ceased to matter, then maybe this thesis can help guide policy makers toward the construction a better agreement.

C. LITERATURE REVIEW

The Rio Treaty is one piece of a complicated institutional web that make up the Inter-American Security System. Despite some of the criticism that the Rio Treaty receives it continues to exist; however, parties to the treaty have frequently elected to approach security issues through bilateral and ad hoc mechanisms when challenges arise. Over time U.S. unilateralism has helped to undermine the system's institutions and the end of the Cold War has caused an ever-widening rift between Latin American and U.S. security interests. Newer sub-regional institutions have emerged alongside the OAS and the Rio Treaty with significant responsibility overlap.

1. Evolution of the Security System

When considering the Rio Treaty's effectiveness, it is important to discuss its historical development. John Child, for one, provides a very comprehensive analysis of hemispheric security since WWII in his book *Unequal Alliance: The Inter-American Military System, 1938–1978*. He argues that mismatched perceptions of threat and security prevented the OAS from adopting a concrete multilateral military institution. Instead, the Rio Treaty serves as multilateral cover for primarily bilateral military cooperation that seems to be preferred by all parties involved. He breaks his analysis into four eras during which the Inter-American Military System experience growth, decline, rebirth, and

fragmentation.⁹ He also makes the interesting observation that despite the military impotence of the Inter-American Military System, its symbolic value has helped it to survive for decades on end with seemingly little purpose.¹⁰ Child argues that the Inter-American Military System was conceived in the context of the Second World War and that its accidental initial impotence was later purposely prevented by its participants from developing a multilateral military component.¹¹ A competing view from Francisco Garcia-Amador traces the origins of the Rio Treaty to the Panama Congress of 1826 and the Treaty of Perpetual Union.¹² The principal of Pan-American Solidarity and explicit definitions of aggression which emerged in later 19th century treaties provided the rational for tangible cooperation against external threats.¹³ He argues that instances of misapplication, non-application, and non-compliance with provisions of the Rio Treaty have eroded its effectiveness over time.¹⁴ Garcia-Amador's argument is more convincing because treaty misapplication has likely contributed to treaty signatories lack of desire to formally militarize the OAS.

Lack of meaningful security cooperation could also be explained by the pacific nature of international relations in Western Hemisphere. In *Zones of Peace*, Arie Kacowicz provides an examination of the factors that explain the lasting peace, which has prevailed in South America since the late 1800s. Kacowicz describes peace in terms of three levels that evolve from one another. These levels include negative peace, which is the simple absence of conflict. Stable Peace is based on "reciprocal and consensual" satisfaction with socio-economic and territorial status quo among neighbors that renders armed conflict practically unthinkable. Lastly, a Pluralistic Security Community is the pinnacle of Stable Peace where interdependence and common identity provide "stable expectations for

⁹ John Child, *Unequal Alliance: The Inter-American Military System, 1938–1978*, A Westview Replica Edition (Boulder, Colo: Westview Press, 1980), 1–3.

¹⁰ Child, 234.

¹¹ Child, 235.

¹² Garcia-Amador, "The Rio De Janeiro Treaty," 2.

¹³ Garcia-Amador, 4.

¹⁴ Garcia-Amador, 42.

peaceful change.”¹⁵ Kacowicz also lays out nine factors, which contribute to the development, perpetuation, and evolution of peace. These factors include the presence of a systemic hegemon; a regional balance of power; a common threat; geographic or institutional obstacles to conflict including military impotence; democratic governments; economic prosperity; deep integration on multiple levels; a normative consensus regarding international law and conflict resolution; and territorial satisfaction.¹⁶ His analysis suggests that the confluence of these conditions has contributed to lasting peace in South America and even the emergence of a Pluralistic Security Community between some South American States. While his analysis is limited to South America his nine factors seem to exist elsewhere within the Inter-American System and the argument could be made that a condition of negative peace has emerged throughout the Western Hemisphere with the aid of institutions like the OAS, which includes the Rio Treaty.

David Mares contests the assumption that Latin America represents a zone of negative or pluralistic peace.¹⁷ Countries are not as territorially satisfied as Kacowicz argues and that the principle of *uti possidetis* should not be counted on because colonial borders are poorly drawn, poorly documented, and in some cases remain ambiguous.¹⁸ He points to multiple simmering border disputes across the region, a few of which have resulted in violent confrontation. He admits that interstate conflicts typically remain localized, but he points to a larger pattern of dispute militarization that normally stops short of war. Regional institutions have created a “moral hazard” and may contribute to this pattern by their ability to successfully deescalate disputes and lower the risks associated with militarization.¹⁹ This argument goes further in explaining Rio Treaty ineffectiveness

¹⁵ Arie M. Kacowicz, *Zones of Peace in the Third World: South America and West Africa in Comparative Perspective*, SUNY Series in Global Politics (Albany, NY: State University of New York Press, 1998), 9–10.

¹⁶ Kacowicz, 5–6.

¹⁷ David Mares, “Interstate Disputes: Militarized Coercion and ‘Peaceful Settlement,’” in *Routledge Handbook of Latin American Security*, ed. Arie M. Kacowicz and David Mares (London and New York: Routledge, 2016), 254, <https://doi.org/10.4324/9781315867908>.

¹⁸ Mares, 262.

¹⁹ Mares, 259.

because it paints a picture of an alliance structure where members present credible threats to one another preventing meaningful and lasting integration.

2. Alliance Structures and Institutional Order

When considering security agreements like the Rio Treaty it is important to examine what alliances do, why they are formed, and how they work. They are notoriously difficult to manage, are often fragile, and are yet seemingly indispensable. This section will discuss alliances from realist, liberal, and constructivist perspectives and how each school provides meaningful explanations for alliances. It will also briefly approach the topic of inter alliance dynamics.

In *Origins of Alliances*, Stephen Walt lays out a series of hypotheses for the successful creation of alliances that fit a primarily realist perspective of international competition caused by systemic anarchy. Walt theorizes that states will either form coalitions to “balance against a threatening power,” or they will bandwagon with the most threatening state within the system. He also theorizes that ideology and foreign aid provide weak motivation to form alliances.²⁰ Walt’s Balance of Threat theory fits nicely with Child’s description of the bilateral nature of Inter-American Military System described in *Unequal Alliance*. More simply, the conditions do not exist within Western Hemisphere that would facilitate the formation of a serious security pact. It therefore should be no surprise that the one that exists feels forced and has often proved ineffective.

From a liberal perspective, John Ikenberry describes the process in which victorious states design world orders in the wake of large conflicts. He argues that the institutional order that was set up and led by the United States after WWII is quite durable and has achieved wide scale participation. Significant power disparity and durable institutions, which encourage strategic restraint have amplified U.S. power over time.²¹ The Rio Treaty and the overarching Inter-American Security System provide an interesting regional

²⁰ Stephen Walt, *The Origins of Alliances* (Ithaca and London: Cornell University Press, 1990), 5, ProQuest.

²¹ John G. Ikenberry, *After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order after Major Wars, New Edition* (Oxford: Princeton University Press, 2019), xi–xvi.

example of this framework. Despite accusations of impotence, it could be argued that the institutional framework, which makes up the Inter-American Security System has helped facilitate a relatively stable condition of hemispheric peace. Excepting a few instances of U.S. unilateralism, the system has helped deescalate numerous disputes from turning to armed conflict. According to this train of thought, the system itself should be considered effective, not impotent because it has prevented the need to form a multilateral military coalition.

The OAS and its associated security elements are one of many international institutions, which the United States helped to build and has actively participated within. It provides a binding vehicle through which some Kacowicz's peace factors can manifest themselves, particularly regional integration, and the commitment to international law. As Kacowicz argues, regional democratization and a common cultural predisposition toward the adherence to international law and institutional norms seem to have developed a complicated but effective means to achieve mostly peaceful interaction between American states.²²

Kacowicz draws from the work of Karl Deutsch who explains how integration is central to the formation of security communities. Strong and competent governments that show responsiveness to the desires of neighbors, the presence of supranational institutions, and the freedom of movement between countries all greatly contribute to the development of integration.²³ He goes on to say that durable military alliances can form as a result of integration however military alliance is poor way to encourage integration.²⁴ Along these lines, a competing liberal explanation for Rio Treaty impotence could be the result of building a treaty before sufficient levels of regional integration were achieved.

Constructivism posits that alliances, or multilateral institutions, form as a mechanism through which states can transmit norms and ideas through socialized

²² Kacowicz, *Zones of Peace*, 116–24.

²³ Karl W. Deutsch, *Political Community and the North American Area* (Princeton University Press, 1957), 200–201.

²⁴ Deutsch, 202.

interaction.²⁵ It could be argued that the Rio Treaty and greater Inter-American Security system evolved out of realist, material concerns about extra hemispheric invasion via South America during WWII. With the war squarely in the rearview, collective security was institutionalized and became a mechanism with which the United States used to promote capitalist and democratic ideals to keep Latin American countries within the western sphere of influence. Conversely, the OAS became a mechanism for Latin American nations to collectively promote their beliefs in sovereignty to the United States through interaction. Results were not immediate: the U.S. engaged in unilateral interventionism until 1990 and Latin America took a few decades to re-democratize. But, from a longer-term view, the region is overwhelmingly democratic, and the U.S. is unlikely to return to its 20th century interventionist tendencies.

Alliances are an effective means to enhance material power through collective means. However, they can be cumbersome and difficult to manage especially as they grow and as threats evolve or disappear.²⁶ Wallace Thies describes how some burden sharing friction is destined to emerge as members constantly struggle to find their own appropriate guns to butter ratio in the hope of reducing their own alliance associated costs as much as possible while simultaneously trying to convince partners to do more. He also discusses the concept of substitutability, in which military assets can be effectively substituted amongst partners.²⁷ Burden sharing and substitutability both provide challenges for the Inter-American Security System as smaller, less capable Latin American militaries are unlikely to be substitutable for U.S. military assets. It makes sense that Latin American nations, which have limited resources, large social programs, and no shortage of negative historical experience with military rule would be reluctant to invest in defense. But the system sort of works because Latin American countries are willing to lend their

²⁵ Frank Schimmelfennig, "NATO Enlargement: A Constructivist Explanation," *Security Studies* 8, no. 2–3 (1998): 211, <https://doi.org/10.1080/09636419808429378>.

²⁶ Patricia Weitsman, "Introduction," in *Waging War: Alliances, Coalitions, and Institutions of Interstate Violence* (Stanford, CA: Stanford University Press, 2014), 5, <https://doi.org/10.1515/9780804788946>.

²⁷ Wallace Thies, "Introduction," in *Friendly Rivals: Bargaining and Burden-Shifting in NATO* (New York: Taylor & Francis Group, 2002), 6–15, ProQuest.

participation, which provides legitimacy²⁸ for the institution and in return they receive some level of protection under the U.S. security umbrella.

3. Evolving Perceptions of Threat and Security

Alliances form when nations team up to hedge against threats. For half a century, from about 1940–1990, hemispheric threats were relatively well defined. According to Child, the multilateral dimension of the Inter-American Security System peaked during WWII when Axis expansionism provided a very clear and credible threat of potential extra hemispheric aggression. After the war, Soviet communism replaced the Axis expansion as the prevailing external threat to the region, which would eventually manifest itself in Cuban style revolution.²⁹ Meanwhile, from the perspective of many Latin American nations, with the Nazi threat neutralized, the United States resumed its position as the most powerful and proximate threat to their sovereignty.³⁰ For the countries of Latin America, the militarization of the OAS via the Rio Treaty would create more threats than it was designed to discourage.

From an ideological perspective, the U.S. was interested in creating a coalition rooted in capitalist, or at least anti-communist, ideals. Walt points out that ideological alliances are often fragile.³¹ According to this line of thought, the ideological commitment to capitalism, or at least the commitment to anticommunism, may not provide a solid foundation for meaningful security cooperation especially when the governments involved have varied considerably in their democratic and autocratic orientations.

Walt goes on to explain that foreign aid is not a particularly effective means of gaining influence nor does it constitute a solid base for coalition building.³² Throughout the 20th century, Washington did not share Latin American views on the socio economic

²⁸ Keohane describes the concept of legitimacy as “the right to rule” coupled with the willing participation of the ruled who widely believe in that right. Robert Keohane, “Global Governance and Legitimacy,” *Review of International Political Economy* 18, no. 1 (2011): 99–109.

²⁹ Child, *Unequal Alliance*, 234.

³⁰ Child, 71.

³¹ Walt, *The Origins*, 33–40.

³² Walt, 43.

and developmental aspects of security instead focusing resources primarily toward military security. A recurring theme that Child points out over the 40-year period covered in his book is how most Latin-U.S. security cooperation was predicated on the availability of American military aid. The U.S. wanted to monopolize the supply of arms to Latin America as well as provide training to standardize hemispheric military doctrine.³³ This perpetuation of military dependence would serve multiple purposes: buy influence with Latin American governments while simultaneously preventing the emergence of European or Soviet military influence. Regional standardization would also serve to improve substitutability within the Inter-American Security System. In practice however, global and domestic context continuously prevented the U.S. from providing Latin America with the desired quantities of military aid causing them to turn to other suppliers as well as their own domestic production of arms.³⁴ It would appear that influence and cooperation obtained through military aid only lasted as long as the aid was forthcoming. In some circumstances the military dependence cultivated by the United States proved counterproductive as the conditions which it brought began to be seen as interventionist.³⁵ This fits nicely with David Mares's description of current U.S. influence on Latin American security: a state of "neo-dependency," based on volatile external stimuli in which U.S. influence is directly proportional to economic need in relation to prevailing threat environment.³⁶

Walt's framework for alliance formation provides an interesting paradox when examining the Inter-American Security System. The Rio Treaty provides a mechanism to bandwagon Latin America with the victorious United States in the wake of WWII to balance against potential extra hemispheric threats. However, in accordance with the

³³ Child, *Unequal Alliance*, 71–85.

³⁴ By domestic and global context I am referring to the demands of other overseas conflicts including WWII Lend Lease, Korea, Vietnam, as well as U.S. State Department and Congressional resistance to military diplomacy, and the eventual domestic resistance to the support of dictatorships. Child, 197.

³⁵ Child, 206.

³⁶ David Mares, "The United States' Impact on Latin America's Security Environment: The Complexity of Power Disparity," in *Routledge Handbook of Latin American Security*, ed. Arie M. Kacowicz and David Mares (London and New York: Routledge, 2016), 302–12, <https://doi.org/10.4324/9781315867908>.

Balance of Threat theory the countries of Latin America should naturally coalesce to balance against the United States. Instead, what appears to have emerged is balancing behavior within an unnaturally bandwagoned institution. Despite the unnatural and shaky foundation, it would appear that hemispheric institutions have provided a venue for Latin American nations to soft balance against overbearing U.S. influence. According to Max Friedman and Tom Long, soft balancing is a long-term diplomatic strategy, which occurs in unipolar systems in response to perceived power and the fear of its unilateral use.³⁷ Soft balancing is a viable method for smaller states to exercise agency and collectively influence outcomes within a heavily biased system.

The post Cold War era has yet to provide a credible threat alternative with the exception of Islamic extremism, which has manifested itself primarily against western Europe and the United States. Military action in the Global War on Terror has been directed primarily at Middle Eastern states, which generally maintain positive relationships with their Latin American counterparts. Meanwhile, the interventionist nature of the U.S. led Global War on Terror likely does not sit well with collective memory of Rio Treaty partners and provides a reasonable explanation for the region's opposition to, or simply verbal support of, U.S. initiatives.

Instead, threats to the region are primarily regionally and domestically based. Federico Merke suggests that Latin America's greatest perceived threats are domestic failure and international marginalization.³⁸ Cameron Thies points to persistent regional rivalries, which are central to national identities and that occasionally become militarized over tangible objectives like boundary disputes. Interestingly, Thies credits rivalry for being a state building mechanism similar to, but less effective than, war in the fashion of Charles Tilley.³⁹

³⁷ Max Friedman and Tom Long, "Soft Balancing in the Americas: Latin American Opposition to U.S. Intervention, 1898–1936," *International Security* 40, no. 1 (2015): 125–27.

³⁸ Federico Merke, "English School and Constructivism," in *Routledge Handbook of Latin American Security*, ed. Arie M. Kacowicz and David Mares (London and New York: Routledge, 2016), 88–98, <https://doi.org/10.4324/9781315867908>.

³⁹ Cameron Thies, "Traditional Security: War and Peace," in *Routledge Handbook of Latin American Security*, ed. Arie M. Kacowicz and David Mares (London and New York: Routledge, 2016), 117–19, <https://doi.org/10.4324/9781315867908>.

Several authors highlight institutional proliferation as an obstacle to Inter-American cooperation. The OAS has come to exist alongside a number of different sub regional institutions including MERCOSUR, ALBA, CELAC, and UNASUR with its own security arm, the Security and Defense Council (SDC). This preponderance of multilateral institutions serves similar purposes and often experiences responsibility overlap. Malamud and Schenoni blame U.S. unilateralism as the primary factor undermining the legitimacy of the Rio Treaty and collective hemispheric security. As a result, most security cooperation takes place bilaterally via ad hoc agreements, which sometimes evolve into their own institutions.⁴⁰ Along a similar line, Serbin and Serbin Pont account for institutional proliferation with the United States' poor reputation for minimizing military surprise through its rule breaking behavior against treaty partners,⁴¹ which explains South American disillusionment with the OAS and the Rio Treaty.⁴² They go on to say that institutional proliferation is not necessarily bad, but that it is just an effective method for conflict resolution in the region. Friedman and Long point to institutional proliferation as another method of soft balancing, in which the United States is purposely excluded from the new sub regional institutions.⁴³ Alternatively, Rodrigo Tavares argues that institutional overlap has developed from the OAS' cumbersome process of consensus decision making and its unwavering position on the sanctity of sovereignty. He says that besides democratic stability and human security the region lacks any kind of coherent security policy, which in turn exacerbates institutional overlap. This overlap is detrimental because it can be

⁴⁰ Andres Malamud and Luis Schenoni, "Neoliberal Institutionalism and Neofunctionalism in Latin American Security Studies," in *Routledge Handbook of Latin American Security*, ed. Arie M. Kacowicz and David Mares (London and New York: Routledge, 2016), 46–51, <https://doi.org/10.4324/9781315867908>.

⁴¹ According to Peripheral Realism, the U.S. exists a Rule Breaker in the international system, which allows it to break its own rules with impunity. Carlos Escude, "Who Commands, Who Obeys, and Who Rebels: Latin American Security in a Peripheral-Realist Perspective," in *Routledge Handbook of Latin American Security* (London and New York: Routledge, 2016), 56–66.

⁴² Andres Serbin and Andrei Serbin Pont, "Cooperative Security and Regional Governance," in *Routledge Handbook of Latin American Security*, ed. Arie M. Kacowicz and David Mares (London and New York: Routledge, 2016), 128–31, <https://doi.org/10.4324/9781315867908>.

⁴³ Friedman and Long, "Soft Balancing," 127.

expensive, can cause additional competition, and it inhibits accountability.⁴⁴ While smaller sub regional institutions are easier to manage, it is hard to believe that newer institutions with less participation will be able to achieve the legitimacy that the OAS has just from its own longevity and its capacity for improvement.⁴⁵

4. Conclusion

Child and Kacowicz each provide a lot of excellent information regarding the development, functionality, and decline of the Inter-American Security System but their analyses hits some limits due to age. More modern scholarship focuses on the evolution of regional security since the end of the Cold War and suggests that U.S. and Latin American security interests remain distinct from one another; with U.S. focus on terrorism and great power conflict versus Latin America's multi-dimensional focus on democratic and human security. Historically differing threat perspectives highlight the Rio Treaty's shaky foundations and U.S. unilateralism, and institutional proliferation are common themes, which help explain its gradual erosion.

D. POTENTIAL EXPLANATIONS AND HYPOTHESIS

The Rio Treaty is an integral part of an unnatural and imbalanced hemispheric security system, which has been undermined over time by misapplication, poor execution, and divergent security interests. More simply, repeated misapplication of the Rio Treaty has contributed to the region's divergent security interests and has and has inhibited meaningful security cooperation.

Alliances are difficult to manage, especially when they are exceedingly one sided, like in the case of the Rio Treaty. The United States' ability and willingness to act unilaterally invites Rio Treaty misapplication and contributes to the region's divergent security perceptions. This in turn has served to validate strong Latin American views of

⁴⁴ Rodrigo Tavares, "Organization of American States (OAS)," in *Regional Security: The Capacity of International Organizations* (Abingdon: Routledge, 2010), 69–80, <https://doi.org/10.4324/9780203874059>.

⁴⁵ Robert Keohane explains that institutions can maintain legitimacy for long periods by possessing capacity for improvement. However, persistent failure to improve can undermine this. Keohane, "Global Governance."

sovereignty and contributed to the continued divergence of threat perception. In instances where collective action occurred, poor execution may have soured future prospects for success. Other instances of nonintervention and inaction on the part of Rio Treaty signatories may suggest that the institutional transmission of norms between treaty partners has failed or remains incomplete.

Alternatively, the Rio Treaty's dearth of multilateral security cooperation may be a positive signal of its health. The conditions under which it came into existence, threat of extra hemispheric invasion, have yet to reemerge. Rio Treaty invocations may actually point to a messy but successful track record of multilateral de-escalation punctuated by occasional instances hegemonic unilateral action.

E. RESEARCH DESIGN

In order to study how misapplication and poor execution have contributed to tepid security cooperation through the Rio Treaty this thesis analyzes factors leading up to treaty invocation as well as the resulting security cooperation. The 1965 multilateral intervention in response to the Dominican Civil War as well as the lack of coordinated response to Falklands/Malvinas War provide examples of the region's inability to effectively come together against collective threats.

The 1965 intervention in the Dominican Civil War is notable because it is the only example of successful multilateral OAS security cooperation, however, that cooperation occurred without the use of the Rio Treaty.⁴⁶ While the intervention was initially unilateral in nature, it prompted the OAS to establish the Inter-American Peace Force to assist in channeling the Dominican political process back toward a democratically elected, non-communist leadership. Similarity exists between the Dominican case and the ongoing crisis in Venezuela. Interestingly, the spillover from the Venezuela crisis has softened some countries' anathema for intervention as demonstrated by the OAS' decision to conduct low level intervention in the form of sanctions against their rogue neighbor.

⁴⁶ M. Margaret Ball, *The OAS in Transition* (Durham, NC: Duke University Press, 1969), 471.

The Falklands/Malvinas War provides another interesting example of Rio Treaty breakdown. Britain's moves to forcefully remove Argentine troops from the islands set the stage for the first, and only, instance of extra hemispheric aggression against an American state since the Rio Treaty's creation. And yet, Argentina's invocation of the Rio Treaty did not prompt a meaningful collective response. Most of Latin America was sympathetic to Argentina's cause but they declined to offer much more than rhetoric on Argentina's behalf. Meanwhile, the United States took the side of Great Britain and openly defied Rio Treaty resolutions by providing significant military aid to the British. Misapplication comes into play because in this conflict the aggressor is the party that invoked the treaty. Interestingly, this breakdown of the treaty did not prompt an exodus from the treaty by Argentina or anybody else.

There are a few additional Rio Treaty invocations that, while interesting, are beyond the scope of this thesis. The VI Meeting of Consultation in 1960 provides a good example of collective diplomatic action under Rio Treaty auspices. Venezuela called the meeting following a series of events in which it accused the Dominican Republic of organizing an overthrow of the Venezuelan government. The culminating, and most dramatic, event was a failed assassination attempt against Venezuelan President Romulo Betancourt. In response, the OAS conducted an investigation, which confirmed the accusations and directed its members to sever all diplomatic ties with the Trujillo regime.⁴⁷

In December of 1978, a meeting of consultation was convened under the Rio Treaty at Costa Rica's request following a speech by Anastasio Somoza, Jr. in which he threatened to invade Costa Rica if more effective measures were not taken to inhibit the movement of Sandanista National Liberation Front (FSLN) guerillas that were operating across the Costa Rican border. The contentious relationship between Costa Rica and Nicaragua during the late 1970s is an interesting subject and one that draws many parallels to ongoing tension between Venezuela and its neighbors. But, following his speech, Somoza did not make

⁴⁷ Ball, 453–57.

good on his threat and so no further OAS action besides a resolution urging restraint was required.⁴⁸

The 9/11 terrorist attacks prompted a meeting of consultation under the Rio Treaty to discuss appropriate regional responses to an act of aggression against the United States.⁴⁹ This invocation resulted in tepid support from Latin America for the U.S. led War on Terror as well as Mexico's subsequent withdrawal from the Rio Treaty. The complex nature of the Global War on Terror and the introduction of non-state aggressors warrants its own investigation that goes beyond this thesis.

This thesis examines the causes and subsequent OAS responses to two Western Hemispheric conflicts in search of common themes that explain the lack of meaningful security cooperation under the Rio Treaty. The research shows that misapplication, among other things explain the impotence of the security pact. When viewed side by side, the 1965 Dominican Crisis and the Falklands/Malvinas War illuminate two significant commonalities that point toward misapplication. First, in both cases the conflict's aggressor retroactively turned to the Rio Treaty or the OAS Charter in search of legitimacy for a unilateral *fait accompli*. Second, collective action in response to each conflict was largely dependent on U.S. interest. Paradoxically, the 1965 Dominican Crisis, which resulted in meaningful OAS security cooperation, represented a misapplication of the Rio Treaty though its non-invocation. The circumstances under which the Inter-American Peace Force (IAPF) was born likely prevented its future formalization. Meanwhile, Argentina's invocation of the Rio Treaty during the Falklands/Malvinas War was inappropriate and insincere. Argentina's poorly executed miscalculation failed to inspire collective defense and created a situation where the United States felt compelled to side with its oldest ally and against OAS resolutions.

⁴⁸ Mitchell A Seligson and William J. III Carroll, "The Costa Rican Role in the Sandinist Victory," n.d., 335, <https://www.vanderbilt.edu/lapop/cr/1978-sandinista.pdf>.

⁴⁹ Organization of American States, "Meetings of Consultation," Organization of American States, accessed April 20, 2020, <http://www.oas.org/consejo/MEETINGS%20OF%20CONSULTATION/minutes.asp>.

These misapplications did lasting damage to the Rio Treaty because both cases established a precedent by which the OAS became a vehicle to legitimize unilateral action. Additionally, both cases also did little to mitigate notions that a militarized OAS would be anything more than a U.S. proxy. Restoring the Rio Treaty's relevance is possible, but it will take time and effort. To accomplish this, all treaty signatories should refrain from using the pact to legitimize unilateral action and should refrain from using the treaty to facilitate interventionist regime change without unanimous OAS. In the meantime, Rio Treaty partners should try to take collective action against less politically difficult hemispheric threats like Transnational Criminal Organizations (TCOs). This thesis opens the door for further study on ways in which the United States and Latin America can try to reconcile their security interests as much as possible to improve hemispheric solidarity in a new bipolar world.

II. THE TENTH MEETING OF FOREIGN MINISTERS AND THE 1965 DOMINICAN CIVIL WAR

The 10th Meeting of Foreign Ministers was convened on April 29, 1965, in response to escalating political violence in the Dominican Republic. It provides an especially interesting case study for this project because it is the only example of kinetic, multilateral security cooperation conducted under OAS auspices. The conflict brought about the creation of the Inter-American Peace Force (IAPF), a multilateral peacekeeping force, whose mission was largely a success, and yet did not result in its formalization nor the formalization of any other official security organ in the OAS. This failure can be attributed to several reasons, principally the United States' swift and overwhelming unilateral action at the beginning of the conflict, which short circuited the OAS consultation process. Instead of creating a moment for hemispheric solidarity and collective action, the OAS took on a confused role of blunting U.S. interventionism while simultaneously providing legitimacy for those same actions.

The Johnson Administration's publicized justification for the intervention was initially based on a perceived need to evacuate American citizens in Santo Domingo.⁵⁰ This justification was expanded to include the prevention of communist takeover shortly after as a significantly larger American force touched down in Santo Domingo. Despite these assertions, the Johnson Administration struggled to manage its messaging about its actions to the media creating a "credibility gap."⁵¹ This gap was exacerbated in large part by the administration's inability to provide evidence of communist influence. While the original landing force did take steps to protect American citizens, they also disrupted the momentum of the Constitutionalist revolutionaries and there was hope amongst Johnson's cabinet that the limited marine landing would help channel the conflict's outcome toward

⁵⁰ Lawrence A. Yates, *Power Pack: U.S. Intervention in the Dominican Republic, 1965–1968*, Combat Studies Institute Press Publications (Fort Leavenworth, KS: U.S. Army Command and General Staff College, 1988), 182, <https://cgsc.contentdm.oclc.org/digital/collection/p16040coll3/id/23/rec/2>.

⁵¹ Yates, 53.

a resolution that they viewed to be in U.S. interests.⁵² According to some historical accounts, the actions of U.S. diplomatic staff perpetuated the radicalization of the rebel leadership. U.S. actions came as a surprise to the international community and, for many Latin American leaders, signaled the end of President Roosevelt's Good Neighbor Era. In addition to signaling an end to the Good Neighbor Era, the Dominican intervention turned out to be first instance in a larger pattern of interventions that seemed to interrupt Latin American democratic self-corrections in places like Haiti and Honduras. Operationally, the IAPF functioned well considering its diverse nature; however, the preponderance of U.S. forces and its command structure provided the U.S. with outsized influence over it.⁵³ Significant U.S. military logistics support, which had to be provided to the Latin American contingents of the IAPF likely helped to perpetuate Department of Defense reluctance to collaborate with Latin American militaries on a more multilateral basis going forward.⁵⁴ Perhaps the most interesting part about this case is the fact that it produced a multilateral military force under the command of the OAS, but this force came into existence without the Rio Treaty.⁵⁵ Instead, the U.S. turned to a loose interpretation of Articles 39 of the OAS charter in search of international approval for its actions. The correct way to have approached the problem would have likely been through an Organ of Consultation called under the Rio Treaty. However, U.S. diplomats were savvy enough to realize that an appeal to the Rio Treaty seeking approval to intervene in the Dominican Republic would likely have been unsuccessful.⁵⁶ This is not to say that the U.S. would not have taken unilateral action without OAS approval, but in either case the incident provided stark example of how the OAS and the Rio Treaty were ineffective and constraining U.S. interventionism. For the Latin American members of the OAS, the end result of the entire affair was the one-

⁵² Yates, 182.

⁵³ Bruce Palmer, *Intervention in the Caribbean* (Lexington: The University Press of Kentucky, 1989), 73, ProQuest.

⁵⁴ Child, *Unequal Alliance*, 125.

⁵⁵ Ball, *The OAS in Transition*, 471.

⁵⁶ Jerome Slater, *Intervention and Negotiation: The United States and the Dominican Revolution*, 1st ed. (New York: Harper & Row, 1970), 78.

time creation of an OAS military arm, which only justified their past reluctance to militarize the OAS.⁵⁷

A. HISTORICAL BACKGROUND

The Dominican Republic spent thirty years under the oppressive rule of General Rafael Trujillo who enjoyed long time support of the U.S. for his strong anticommunist stance. His reign of terror ended with his assassination in 1961 and a caretaker government was eventually established to organize elections following his death. A charismatic author, Juan Bosch, who had gone into exile after condemning Trujillo's massacre of 15,000 Haitian migrants in 1937,⁵⁸ was elected on a left-of-center reform ticket in what were the Dominican Republic's first free elections in decades. Bosch enjoyed support from the Kennedy Administration as well as working class Dominicans who had been previously excluded from political participation.⁵⁹

However, the Dominican Republic's Democratic roots would prove shallow. Bosch only lasted seven months in office before he was overthrown by a praetorian military establishment frustrated by his soft stance against communism.⁶⁰ The military set up a civilian junta dominated by conservative politicians that would prove unpopular and struggle to establish its legitimacy.⁶¹ The junta, led by Donald Reid Cabral, came to power amidst an economic slump driven by low commodity prices along with a heavily indebted government. His Triumvirate attempted to implement an austerity program "to tighten credit in order to limit imports" and balance the country's payments position.⁶² These measures made life for Dominicans of all classes more difficult and made no one happy besides the International Monetary Fund (IMF) that had insisted on their imposition. His

⁵⁷ Ball, *The OAS in Transition*, 31.

⁵⁸ Thomas Leonard, "Bosch Gaviño, Juan," in *Encyclopedia of U.S.-Latin American Relations* (Washington, D.C.: CQ Press, 2012), <https://www-doi-org.libproxy.nps.edu/10.4135/9781608717613.n98>.

⁵⁹ Richard A. Haggerty, "The Post Trujillo Era," *Country Studies*, 1989, <http://countrystudies.us/dominican-republic/12.htm>.

⁶⁰ Leonard, "Bosch."

⁶¹ Yates, *Power Pack*, 20.

⁶² Abraham F. Lowenthal, *The Dominican Intervention* (Cambridge, MA: Harvard University Press, 1972), 39.

moves against military corruption eroded his support amongst senior military officers; however, this crackdown proved to be too lenient for certain sectors of more junior military personnel who felt that military reform would be impossible without a leadership reset.⁶³ These sentiments among frustrated working class Dominicans and disaffected members of the military prompted another coup in April of 1965.⁶⁴ The rebel military units arrested President Reid at the national palace and demanded the return of Bosch along with the reformed 1963 constitution.⁶⁵ These rebels, known as the “Constitutionalists” installed Jose Rafael Molina Ureña, the former Speaker of the House, as interim president until Bosch could return from exile in Puerto Rico, which would not occur until September of 1965. The next day, the military’s conservative old guard responded, moving to suppress the rebellion. Troops under the command of conservative “Loyalist” generals moved out from their stronghold, the San Isidro Air Base, and advanced toward Santo Domingo where they stopped at the outskirts of town while air force planes bombarded the Presidential Palace.⁶⁶

The Constitutionalist rebels obtained weapons from military armories and expanded their forces by distributing weapons to civilians in Santo Domingo.⁶⁷ Law and order quickly broke down in the city as a military stalemate developed with Constitutionalist rebels solidifying control of downtown Santo Domingo.⁶⁸ During the early stages of the uprising, representatives from both sides approached the U.S. Embassy

⁶³ Lowenthal, 43.

⁶⁴ Yates, *Power Pack*, 24–25.

⁶⁵ The 1963 constitution replaced the 1962 constitution, which was a slightly modified version of the Trujillo era constitution. Some of the liberal reforms enacted by the 1963 constitution included the separation of church and state, limited the military’s political activity, and it introduced new civil liberties. The 1962 constitution was reinstated by the Reid junta following Bosch’s ouster. Constitutional applicability remained a sticking point throughout the peace process. Richard A. Haggerty, “The System of Government: Constitutional Development,” *Country Studies*, 1989, <http://countrystudies.us/dominican-republic/56.htm>.

⁶⁶ John Barlow Martin, *Overtaken by Events: The Dominican Crisis from the Fall of Trujillo to the Civil War*, 1st ed. (Garden City, NY: Doubleday & Company, 1966), 648–50.

⁶⁷ Yates, *Power Pack*, 28.

⁶⁸ Lawrence M. Greenberg, *United States Army Unilateral and Coalition Operations in the 1965 Dominican Republic Intervention* (Washington, D.C.: U.S. Army Center of Military History, 1987), 53, <https://apps.dtic.mil/sti/pdfs/ADA181823.pdf>.

seeking U.S. assistance to bring an end to the conflict.⁶⁹ The U.S. embassy rebuffed these requests until the Constitutionalist began to gain the upper hand and rumors had surfaced that Castro-Communist elements were leading their movement.⁷⁰ The next call for U.S. support from the Loyalist faction, which specifically stated their inability to protect American lives and property, prompted Ambassador William Tapley Bennett to formally request U.S. military assistance from Washington. A contingent of about 500 marines were landed and they succeeded in securing the U.S. Embassy and the Hotel Embajador on the western edge of Santo Domingo that would be used as an evacuation zone.⁷¹

Back in Washington, the OAS convened an emergency Meeting of Consultation under Article 39 of the OAS Charter to address the ongoing crisis in Santo Domingo.⁷² The meeting lasted all night and resolved to call for a ceasefire, the dispatch of a fact-finding committee, and the establishment of a security zone.⁷³ As the OAS meeting progressed, Johnson administration officials were developing contingency plans based on the deteriorating reports coming from the embassy in Santo Domingo. Drawing on experience from the Bay of Pigs a few years earlier, Johnson made the decision to mobilize the 82nd Airborne and position it so that “there would be enough troops in Santo Domingo to deal with any foreseeable eventuality.”⁷⁴ During the early hours of Friday morning, minutes after the conclusion of the OAS’ meeting of consultation, some 20,000 soldiers from the 82nd Airborne landed at San Isidro to help reestablish order and prevent the Dominican Republic from falling into the hands of Castro-Communist revolutionaries.⁷⁵

Following the controversial landing of the 82nd, the OAS reconvened and within a few days resolved to create a multilateral Inter-American Peace Force to assume peace

⁶⁹ Yates, *Power Pack*, 29; William J. Fulbright, *The Arrogance of Power*, 3rd ed. (New York: Random House, 1966), 87.

⁷⁰ Greenberg, *U.S. Army Unilateral and Coalition Operations*, 17.

⁷¹ Yates, *Power Pack*, 50.

⁷² Ball, *The OAS in Transition*, 472.

⁷³ Ball, 473.

⁷⁴ Lowenthal, *The Dominican Intervention*, 106–7.

⁷⁵ Greenberg, *U.S. Army Unilateral and Coalition Operations*, 23.

keeping responsibilities in the Dominican Republic, which would permit a significant reduction of U.S. troops.⁷⁶ The 1,700-man IAPF was comprised of primarily Brazilian troops as well as token contingents from Costa Rica, El Salvador, Nicaragua, Honduras, and Paraguay.⁷⁷ The composition of the IAPF says a lot about international support for the U.S. intervention. All of the coalition's governments, with the exception of Costa Rica's, were conservative dictatorships in which the military either ruled the country or held significant power.⁷⁸ The Brazilian and Salvadorean governments had just recently come to power under similar circumstances to that of the Dominican Triumvirate, where concerned military officers wrested power from an elected president that was judged to be too soft on communists. The Brazilian military was Latin America's most capable at the time and had previous collaborative combat experience working with the U.S. during WWII. Although U.S. troops still made up the vast majority of the IAPF, a compromise was reached so that a Brazilian general, Hugo Penansco Alvim, was appointed as commander with U.S. Army General Bruce Palmer Jr. as his second-in-command.⁷⁹ Palmer would remain in charge of the force until Alvim's arrival on May 29.

The IAPF performed its peacekeeping mission well, allowing politicians and diplomats to negotiate the establishment a provisional government that could organize new elections. Negotiations had reached a stalemate between the two factions and a separate OAS "Ad Hoc Committee," led by Ellsworth Bunker helped to clear the impasse. Both sides agreed to support a provisional president whose government would oversee the organization of new elections. Free elections were held in July of 1966 that resulted in the election of Joaquin Balaguer, a conservative and former Trujillo figurehead, over the liberal Juan Bosch.⁸⁰ The IAPF was disbanded following a successful power transition between the provisional government and the Balaguer Administration.

⁷⁶ Ball, *The OAS in Transition*, 474.

⁷⁷ Child, *Unequal Alliance*, 173.

⁷⁸ Slater, *Intervention and Negotiation*, 79.

⁷⁹ Palmer, *Intervention*, 69–77.

⁸⁰ Howard B. Schaffer, *Ellsworth Bunker: Global Troubleshooter, Vietnam Hawk* (Chapel Hill and London: The University of North Carolina Press, 2003), 157–58, ProQuest.

In the end, the U.S. accomplished its objective of preventing a Castro-Communist takeover of the Dominican Republic; however, the Johnson Administration experienced significant backlash for its handling of the crisis. Following the U.S. intervention, Washington, in a manner prescient of Iraqi WMDs in 2003, struggled to demonstrate to the world that there was a legitimate communist faction pulling the strings behind the Constitutionalist camp. Washington's apparent reluctance to reinstate Bosch following the uprising drew criticism because U.S. actions appear to have interrupted what many considered a legitimate democratic self-correction. Although the IAPF enabled the OAS to exercise some control over the conflict's resolution, the manner of its establishment troubled many OAS members.

B. THE FAIT ACOMPLI

At the center of the controversial U.S. Intervention was the prospect of Castro-Communist subversives coopting the Constitutionalist revolution to turn the Dominican Republic into another communist outpost on America's "doorstep."⁸¹ Concerning messages emanating from the Ambassador Bennett in Santo Domingo about the deteriorating situation and the fear that the Dominican Republic would devolve into another Cuba prompted President Johnson to expand U.S. troop presence with the deployment of the 82nd Airborne.⁸² Unfortunately, the U.S. government struggled to substantiate these claims, which resulted in indignation from many OAS members as well as many American citizens. The concurrent escalation of U.S. military activity in Vietnam introduced additional pressure on the Johnson administration to limit intrusiveness but also demonstrate resolve against communism so close to home.⁸³

U.S. fears of communist subversion were not baseless. The Dominican Republic's socio-economic condition, ongoing political instability, and proximity to Cuba made it ripe

⁸¹ Lyndon B. Johnson, *The Vantage Point; Perspectives of the Presidency, 1963–1969* (New York: Holt, Rinehart and Winston, 1971), 198; Kyle Longley, "US Troops as an Instrument of Foreign Policy," in *The Routledge Handbook of American Military and Diplomatic History* (New York, N.Y.: Routledge, 2013), 298, <https://doi.org/10.4324/9781135070991.ch33>.

⁸² Johnson, *The Vantage Point*, 200–205.

⁸³ Yates, *Power Pack*, 1.

for social revolution, which at the time would likely have emerged as a communist movement. In his memoir, Johnson remarks that he was ‘grateful for the foresight of President Kennedy who, sensing trouble, had laid the groundwork” for U.S. military readiness in the in the Caribbean.⁸⁴ The Reid government, which had just been deposed in the 1965 crisis, had come to power because the military believed that President Bosch had been too soft on communists operating in the country and the Loyalist faction was staunchly opposed to his return. Few, besides the Loyalist generals, would actually label Bosch a communist; however, his liberal reform platform was attractive to both moderate and extreme leftists. Most concerning, small groups of communist revolutionaries were known to exploit political instability like this to obtain power. It is hardly surprising that U.S. diplomats and intelligence officers would conclude that the Constitutionalist uprising posed an urgent threat to national and hemispheric security. Acting on the advice of the country team as well as his advisors, President Johnson ordered in the troops. The initial landings were primarily meant to facilitate the evacuation of American citizens; however, there was also hope that the Marines would be able to channel the conflict’s outcome by “strengthening the will” of the Loyalists faction and encourage negotiation.⁸⁵ Fear of a communist takeover seem to have consumed President Johnson and he quickly transformed a limited and justifiable rescue operation into a full-scale intervention with the explicit purpose of communist containment.⁸⁶

Ironically, there is a good chance that the actions of Ambassador Bennet, who, acting on the best information available to him at the time, significantly increased the threat of communist takeover by rebuffing the advances of the Constitutionalist’s appointed provisional president Francisco Ureña. After being turned away Ureña resigned his position to seek political asylum, leaving control of the Constitutionalist movement in the

⁸⁴ Johnson, *The Vantage Point*, 197.

⁸⁵ Thomas C. Mann et al., “31. Memorandum of Telephone Conversation: Foreign Relations of the United States, 1964–1968, Volume XXXII” (official memorandum, Washington, DC: The White House, 1965), <https://history.state.gov/historicaldocuments/frus1964-68v32/d31>.

⁸⁶ Alan McPherson, “Misled by Himself: What the Johnson Tapes Reveal about the Dominican Intervention of 1965,” *Latin American Research Review* 38, no. 2 (2003), <https://doi.org/10.1353/lar.2003.0020>.

hands of its military commander, Colonel Juan Francisco Caamaño who was surrounded by other influential individuals, which may have included suspected communists.⁸⁷ In meetings with Caamaño, U.S. emissary and former ambassador John Barlow Martin, could not shake the feeling that Caamaño was unable to speak independently on behalf of the Constitutionalist faction, which suggested that he was not fully in control of the movement. Meanwhile Martin's conversations with other trusted sources indicated that known extreme leftists, with links to Cuba and the Soviet Union, were operating alongside Caamaño.⁸⁸ This provides the best rationalization for U.S. action: that following the departure of Ureña, communist actors were able to organize themselves, join the fight on the side of the Constitutionlists, and work their way into positions of influence. While these individuals were not the ones publicly leading the movement, their influence would have been significant enough to tilt the movement toward communist agendas. Alternatively, their advice and forces might help to solidify a Constitutionalist victory only to stage a later coup to install a communist government.

Assuming that the communist threat was real, the manner in which the U.S. conducted its intervention created significant diplomatic backlash. A small contingent of Marines was deployed to Santo Domingo on April 28, two days after the fall of the Reid government. This action, which was publicly intended to evacuate American citizens came as a surprise to the international community and was frustrating to many OAS member states. The rationale given by the U.S. for its actions were that events were moving too quickly on the ground to await an OAS resolution. Instead, the U.S. would call a Meeting of Foreign ministers to inform the council of the Marine mission the next morning. Dean Rusk noted that when Johnson made the decision to send in the Marines it was early evening and that it would have been impractical to try and round up all of the ministers in the hope of convening a meeting by midnight.⁸⁹ The initial limited intervention, while still controversial, was arguably justifiable in its humanitarian motivation. But, as some critics

⁸⁷ Fulbright, *The Arrogance of Power*, 87–89.

⁸⁸ Martin, *Overtaken by Events*, 669–73.

⁸⁹ Dean Rusk, Dean Rusk Oral Interview III, Transcript, January 2, 1970, 49, http://www.lbjlibrary.net/assets/documents/archives/oral_histories/rusk/rusk03.pdf.

have pointed out, the OAS has acted quickly in the past, like in response to the Cuban Missile crisis, when it resolved to expel Cuba from the organization in just twelve hours.⁹⁰ Prior notification of pending U.S. actions, even without formal consultation, would have likely created less diplomatic blowback.⁹¹ Instead of acting collectively to help resolve the ongoing crisis, the U.S. had acted unilaterally without any input making the OAS resolution appear to be nothing more than tacit approval of a *fait accompli*.⁹²

The existence of Constitutionalist communist leadership remains a mystery; however, recordings of President Johnson's conversations with his advisors throughout the crisis suggest that he chose to intervene in spite of scanty evidence to assuage his own fears of domestic criticism that would have emerged had he allowed "another Cuba" to occur on his watch.⁹³ Critics at the time blamed bad intelligence that was provided by an incompetent country team for precipitating the intervention, but it seems that President Johnson had also been pressing for intelligence to confirm his suspicions. It was not until military momentum had shifted in the direction of the Constitutionlists that Johnson's desire to find evidence of communist involvement "suddenly intensified."⁹⁴

The *fait accompli* catalyzed the negotiations and the resolution, which created the IAPF. For the U.S., an OAS sponsored multinational force would provide domestic and international legitimacy to the intervention. For Latin American nations, the IAPF provided a means to reduce U.S. troop numbers deployed to the Dominican Republic while simultaneously providing oversight and influence over the conflict's resolution.⁹⁵ Instead of being created to collectively defend against legitimate violent aggression, the IAPF came into existence as a means to check Yankee interventionism. The dubious nature of the OAS' vote to bail out the intervention by creating a peacekeeping force was reenforced by

⁹⁰ Although the OAS took swift diplomatic action during the Cuban Missile Crisis, it should be noted that they had taken preliminary steps earlier that year and suspended Cuba from the organization. Greenberg, *U.S. Army Unilateral and Coalition Operations*, 63.

⁹¹ Martin, *Overtaken by Events*, 706.

⁹² Yates, *Power Pack*, 74.

⁹³ Johnson, *The Vantage Point*, 198.

⁹⁴ McPherson, "Misled by Himself," 139.

⁹⁵ Ball, *The OAS in Transition*, 474–75.

the fact that the resolution's narrow passage required an affirmative vote from the Dominican Republic's delegate, whose government no longer existed.⁹⁶ From the Latin American perspective, the IAPF can be seen as a mechanism for "soft balancing," which in this circumstance came with an uncomfortable requirement to participate in an intervention. Considering that the U.S. continued to intervene frequently in Latin American affairs over the next forty years suggest that the IAPF was not very effective in this role.⁹⁷ But, in 1965 it served its purpose of diluting U.S. unilateralism despite the bad taste that it left in the mouths of many OAS members.⁹⁸

All members of the OAS could easily agree that the ongoing violence in Santo Domingo was tragic; however, violent political upheaval was not that uncommon in Latin America at the time. In fact, many of the sitting Latin American governments in 1965 had come to power through less-than-democratic and sometimes violent means. As a result, the perceived threat from the ongoing Dominican conflict was much lower than the perceived threat in the White House.⁹⁹ Critics of the intervention, including U.S. Senator Fulbright argued that by sending troops into Santo Domingo without OAS authorization, the U.S. was in direct violation of international law, specifically Articles 15 and 17 of OAS Charter, which pledge signatories to nonintervention and guarantee territorial inviolability.¹⁰⁰ The U.S. could have conducted its intervention legally by calling a Meeting of Foreign Ministers to invoke Article 6 of the Rio Treaty with which an affirmative resolution, could have authorized the intervention. Instead, the 10th Meeting of Foreign Ministers had been called by Chile under Articles 39 and 40 of the OAS Charter.¹⁰¹ Reasons for avoiding the Rio Treaty in this circumstance were based on perceived time constraints and the very real possibility that the Organ of Consultation might have resolved against desired U.S. actions.

⁹⁶ Lowenthal, Abraham F., *Partners in Conflict: The United States in Latin America in the 1990s* (Baltimore, MD: Johns Hopkins University Press, 1990), 33.

⁹⁷ Friedman and Long, "Soft Balancing."

⁹⁸ Child, *Unequal Alliance*, 175.

⁹⁹ Greenberg, *U.S. Army Unilateral and Coalition Operations*, 61.

¹⁰⁰ Fulbright, *The Arrogance of Power*, 93.

¹⁰¹ Ball, *The OAS in Transition*, 472.

The uncertain nature of communist involvement in the conflict only compounded these issues.

The U.S. came under sharp criticism at home and abroad for the unilateral actions taken in response to the Dominican crisis.¹⁰² This criticism was exacerbated by the Department of Defense and State's exceptionally poor job of managing their side of the story with the press.¹⁰³ Prior to and during the conflict, the U.S. Government could have been more explicit in its support for Bosch. Despite his faults, Ambassador Bennet and the Kennedy administration had committed to supporting his freely elected government.¹⁰⁴ Had this support been better publicized, it may have dissuaded the military from ousting him in the first place. During the conflict's early stages, the Johnson Administration failed to publicize its outreach efforts to Bosch, which while unsuccessful, contradict the account of some scholars like Draper and Lowenthal who claimed that the Johnson Administration went out of its way to exclude Bosch from the peace process.¹⁰⁵ One of the initial actions taken by Johnson, in addition to the landing of Marines, was to dispatch a fact-finding team to the Caribbean. This team made a special trip to see Bosch in Puerto Rico only to find that he was unwilling to return to the Dominican Republic nor was he able to exercise effective control of the constitutionalist movement.¹⁰⁶ Bosch's defeat by Balaguer in the 1966 elections did nothing to reverse this line of thinking.

Going against the advice of his advisors Johnson included wording in his speeches about "outside influence" before U.S. intelligence could effectively back up his

¹⁰² Yates, *Power Pack*, 171–72.

¹⁰³ Yates, 173–74.

¹⁰⁴ Martin, *Overtaken by Events*, 706.

¹⁰⁵ Theodore Draper, "The Dominican Crisis," *Commentary Magazine*, 1965, 71, <https://www.commentarymagazine.com/articles/theodore-draper/the-dominican-crisis/>.

¹⁰⁶ In an interview Rusk specifically states that the U.S. Government was "prepared for Juan Bosch to return to the presidency." Rusk, Dean Rusk Oral History, 11;

The testimony of various cabinet members also suggests that they were not particularly enthusiastic about Bosch's leadership, but there was no concerted effort to obstruct his return. Thomas C. Mann, Thomas C. Mann Oral History, Interview I, Transcript, November 4, 1968, 16, http://www.lbjlibrary.net/assets/documents/archives/oral_histories/mann-t/MANN.PDF; Abe Fortas, Abe Fortas Oral History Interview, Transcript, August 14, 1968, 22, http://www.lbjlibrary.net/assets/documents/archives/oral_histories/fortas_a/FORTAS01.PDF.

statements.¹⁰⁷ This premature admission, and the subsequent publication of inaccurate Central Intelligence Agency (CIA) lists of communist operatives served to establish a significant “credibility gap” between the press and the Johnson Administration. Other instances throughout the conflict served to widen the Johnson Administration’s credibility gap. For example, during the initial stages of the intervention, reporters on board U.S. warships were able to overhear radio communications between Ambassador Bennett and appointed Loyalist leader General Benoit during which the two explicitly discussed levels of U.S. military aid and reassurances of success, despite having been previously briefed on the Marine’s neutral evacuation-only mission.¹⁰⁸

The credibility gap along with Johnson’s seeming “demonic compulsion... to defend the island from communists”¹⁰⁹ drowned out the administration’s intent to also avoid the rise of another Trujillo style dictator.¹¹⁰ While the goal of avoiding a right-wing dictatorship might have been implied under the auspices of the ongoing Alliance for Progress, historical (and subsequent) U.S. support for conservative strong men made U.S. actions difficult to defend. Once again, the election of former Trujillo crony Joaquin Balaguer did not do any favors to counteract this line of skepticism.

C. OPERATIONAL CONCERNS

In addition to American troops already in theater, the IAPF consisted of 1,700 Latin American personnel from six different nations under the command of a Brazilian Army general.¹¹¹ The injection of multinational troops provided an avenue for the OAS to obtain some level of conflict resolution oversight while providing a cover of legitimacy for U.S. actions. Although the U.S. removed approximately half of its troops from the theater

¹⁰⁷ “48. Editorial Note: Foreign Relations of the United States, 1964–1968, Volume XXXII” (Government Printing Office, April 30, 1965), <https://history.state.gov/historicaldocuments/frus1964-68v32/d48>.

¹⁰⁸ Yates, *Power Pack*, 53.

¹⁰⁹ McGeorge Bundy, McGeorge Bundy Oral History, Interview III, interview by Paige E. Mulhollan, Transcript, March 19, 1969, 12, http://www.lbjlibrary.net/assets/documents/archives/oral_histories/mcgeorge_b/Bundy%203%20web.pdf.

¹¹⁰ Rusk, Dean Rusk Oral History, 15.

¹¹¹ Child, *Unequal Alliance*, 173.

following the arrival of the Latin troops, American soldiers still made up the preponderance of the force. This disparity allowed the U.S. to retain outsized influence over the stability operations despite having symbolically handed control to the OAS suggesting that the IAPF was little more than a multilateral screen.

During the IAPF's formative stages considerable debate took place over whether or not the force should be commanded by a U.S. or a Latin American officer. General Palmer and Ambassador Bennet, who were already operating in theater prior to the IAPF's conception were adamant that command remain with an American in order to preserve freedom of action for U.S. forces during the conflict. Palmer and Bennet were overruled by the State Department in order to placate reluctant Latin American partners during the OAS negotiation process.¹¹² Interestingly, General Palmer would later write that in his opinion, the IAPF would have likely enjoyed wider OAS support had an American remained in charge, claiming that the distasteful prospect of having troops subordinate to a Brazilian commander dissuaded some countries, particularly Argentina, from committing troops to the IAPF.¹¹³ The compromise appointed General Palmer as General Alvim's deputy, or second in command, leaving him considerable leeway in organizing the IAPF's leadership to provide himself as much autonomy as possible.¹¹⁴ Ellsworth Bunker even went as far to say that U.S. troops were never under the control of anyone except U.S. commanders and that the General Alvim's authority was just "a legalism."¹¹⁵

Despite its supposedly neutral and humanitarian pretext the initial stages of the U.S. intervention were conducted to bolster the Loyalist faction against a communist takeover. The arrival of the 82nd Airborne permitted U.S. troops to isolate the Constitutionalist revolutionaries within the city of Santo Domingo by expanding the International Security Zone, which was initially established by the Marines a few days earlier. This zone, which was sanctioned by the OAS, was specifically designed to place the Constitutionalist forces

¹¹² Yates, *Power Pack*, 149–50.

¹¹³ Palmer, *Intervention*, 73; Child, *Unequal Alliance*, 173.

¹¹⁴ Yates, *Power Pack*, 76.

¹¹⁵ Ellsworth Bunker, Ellsworth Bunker Oral History, Interview III, Transcript, October 12, 1983, 20, http://www.lbjlibrary.net/assets/documents/archives/oral_histories/bunker_e/bunker3.pdf.

at a distinct disadvantage.¹¹⁶ When the force transitioned into the IAPF, tactical realities did not change and as a result the IAPF struggled to transition its operations to accurately reflect its official position of neutrality. The IAPF's overwhelming numbers and commanding tactical position in Santo Domingo almost resulted in them destroying the Constitutionalist forces rather than maintaining "an atmosphere of peace and conciliation... in the spirit of democratic impartiality."¹¹⁷ In another instance, which ended in his replacement, General Alvim resisted orders to dislodge Loyalist officers who had seized Santo Domingo's primary radio broadcasting facility.¹¹⁸

The size of the IAPF's U.S. military contingent, as well as its command organization, ensured that U.S. interests, which were more closely aligned with those of the Loyalists, would remain paramount. General Alvim along with a number of other IAPF commanders were hardline anticommunists who viewed the entire constitutionalist camp with suspicion. The 82nd Airborne, which made up the vast majority of the IAPF, out of logistical convenience, established its headquarters at the San Isidro Air Base, the headquarters of the Loyalist faction, placing its leaders there in direct and daily contact with hardline Loyalist leaders like General Wessin y Wessin.¹¹⁹

It was not until after the Ad Hoc Committee succeed in establishing a provisional government under President Hector Garcia Godoy in September that the IAPF could end its neutrality charade. Instead of perpetuating the military stalemate, it actively helped to solidify the new government by enforcing provisions of the negotiated settlement, which included facilitating the departure of belligerent leaders, from both sides, bound for diplomatic posts overseas. Most famously, the IAPF organized an "Honor Guard" to escort a reluctant General Wessin y Wessin, to his flight out of the country.¹²⁰ However, the damage had been done: the IAPF's organization and operation confirmed to its skeptics that it was little more than a tool for American interventionism.

¹¹⁶ Yates, *Power Pack*, 76.

¹¹⁷ Palmer, *Intervention*, 82–84; Ball, *The OAS in Transition*, 475–76.

¹¹⁸ Schaffer, *Ellsworth Bunker*, 156–57.

¹¹⁹ Palmer, *Intervention*, 80.

¹²⁰ Schaffer, *Ellsworth Bunker*, 153–55.

Besides the Brazilian contingent, the other IAPF forces required significant logistical support to reach and operate in the Dominican Republic. In addition to transportation, the U.S. military was required to feed, house, arm and in some cases, even clothe IAPF soldiers.¹²¹ The U.S. military was able to meet this extra demand, however, it highlighted the logistical realities associated with coalition operations. These difficulties undoubtedly helped to perpetuate Department of Defense reluctance to expand beyond bilateral military cooperation and simultaneously called into question the effectiveness of ongoing bilateral Military Assistance Programs.¹²²

D. CONCLUSION

The Dominican crisis in 1965 resulted in the only example of kinetic, multilateral security cooperation undertaken by the OAS. The IAPF successfully contained violence during the crisis to Santo Domingo, prevented the country from falling into communist hands, and prevented the rise of another Trujillo style dictatorship. Troops from seven different OAS members operated alongside one another for over a year and yet, the experience did not lead to the formalization of any permanent OAS security institution. The Johnson Administration terrified of “another Cuba” appearing on its doorstep took overwhelming unilateral action, which was potentially in violation of the OAS Charter prior to providing notification to the OAS. The perception of U.S. actions worsened as the Johnson Administration struggled to substantiate its claims about the communist leadership within the revolutionary camp resulting in a “boy who cried wolf” scenario.¹²³ Instead of being created to conduct meaningful multilateral peace keeping operations, the IAPF became a tool “to make the best of a bad business,” and mitigate American interventionism while simultaneously legitimizing it.¹²⁴

The IAPF’s overwhelmingly American composition hampered its ability to remain truly neutral during the conflict. This was mostly an issue during the conflict’s early stages;

¹²¹ Palmer, *Intervention*, 75; Yates, *Power Pack*, 148.

¹²² Child, *Unequal Alliance*, 124.

¹²³ Draper, “The Dominican Crisis.”

¹²⁴ Ball, *The OAS in Transition*, 480.

however, it helped to confirm the notion that a formal OAS security force would inevitably become a U.S. proxy. For the U.S. military, the extra logistics burdens, which the IAPF required helped to solidify the preference of bilateral, ad hoc military collaboration with Latin partners.

Depending on the lens used to examine the conflict, the U.S. intervention in the Dominican Republic can be either a “qualified success” that saved lives, thwarted communism, and achieved lasting political stability or an illegal, distasteful act of aggression that did more harm than good. The Dominican Crisis seems like with would have been a good candidate to for the application of the Rio Treaty. Unfortunately, it seems that U.S. diplomats did not have faith that the treaty’s invocation would provide swift or affirmative outcome for U.S. policy. As a result, the IAPF was established during an appropriate crisis but for the wrong reasons. What is certain is that the manner in which the Dominican intervention took place undermined OAS influence and diminished future prospects of formalizing an OAS security institution.

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III. THE TWENTIETH MEETING OF FOREIGN MINISTERS AND THE FALKLANDS/MALVINAS CONFLICT

The war between Great Britain and Argentina over the Falklands/Malvinas provides one of the most prominent invocations of the Rio Treaty in which an American state came under attack by an extra hemispheric power. And yet, Argentina's invocation of the treaty only elicited rhetorical support from its OAS partners.¹²⁵ This invocation remains controversial to this day because it occurred in anticipation of a strong British military response to Argentina's attempted reconquest of the islands. The OAS failed to provide anything but rhetorical support for Argentina's cause because Argentina's dubious legal grounds for their invasion coupled with the order in which aggressions occurred created a situation that tasked the OAS to provide legitimacy to a unilateral fait accompli. The Argentine Junta failed to obtain bilateral support from the most powerful and regionally important OAS partner, the United States, which ended up actively supporting Great Britain and likely tempered the support of other Latin American nations.

Both Britain and Argentina made efforts to internationalize the conflict in their favor. The United States, allied to both parties, became caught in the middle and to the consternation of Argentina and most of Latin America it ended up providing significant support to the British cause against the wishes of the OAS.¹²⁶ With only enthusiastic words of encouragement from Latin America, Argentina was forced to turn to the Non-Aligned Movement and the fringes of the international system to obtain material support for its efforts. Meanwhile, Britain enjoyed significant diplomatic support from its European Economic Community (EEC) and NATO partners.

The history, timing, and nationalist feelings involved in the dispute's history made for a fabulously complex diplomatic puzzle. Legal justifications for aggression, sovereignty, and self-determination all came into play. However, closer examination of

¹²⁵ Lowell S. Gustafson, *The Sovereignty Dispute over the Falkland (Malvinas) Islands* (Oxford: Oxford University Press, 1988), 198–99, ProQuest.

¹²⁶ Chris Darnton provides an interesting analysis of rapprochement between intra-block rivals. Christopher N. Darnton, *Rivalry and Alliance Politics in Cold War Latin America* (Baltimore, MD: Johns Hopkins University Press, 2014), ProQuest.

Argentina's legal justifications for its actions struggle to pass the gut check. Had their case for aggression been clearer, it likely would have been able to secure wider international support for their cause, which would have provided more fertile conditions for meaningful security cooperation under Rio Treaty auspices or not required the treaty's invocation at all. Nonetheless, this case is of extra importance to this study because it represents an instance of the Rio Treaty's misuse. Argentina turned to the Rio Treaty, without the expectation of collaborative OAS action, to legitimize its own miscalculation. This instance of invocation caused lasting damage to the security pact because Argentina had been the first to resort to military aggression and because it highlighted the uncomfortable reality that collaborative OAS action through the Rio Treaty seemed to be dependent on U.S. support of the initiative in question.

A. HISTORICAL BACKGROUND

Ownership arguments of the Falkland Islands date back to the 16th century when they were first possibly discovered by either Spanish, English, or Dutch explorers. A subsequent visit by a British captain almost a century later put the islands on the map and give them a name. French seal hunters would establish the first settlement in 1764 and the British would establish a separate settlement shortly thereafter. Spain purchased the islands from France in 1767 and then expelled the British settlers living there after learning of their presence.¹²⁷ Spain enjoyed undisputed control of the islands for the next thirty years until they were ceded to the newly independent United Provinces of the Rio de la Plata in 1810, which would eventually coalesce into the nation of Argentina.¹²⁸ The fledgling Argentine government struggled to administer the islands and in 1833 Britain, at the height of its Victorian-Era colonial expansion, would re-annex the islands and establish a permanent colony.¹²⁹

¹²⁷ Martin Middlebrook, *Operation Corporate: The Falklands War 1982* (London: Viking, 1985), 23.

¹²⁸ Daniel K. Lewis, *The History of Argentina* (Westport, CT: Greenwood Press, 2001), 43–52, ProQuest.

¹²⁹ Middlebrook, *Operation Corporate*, 24.

Despite a generally positive relationship between the two countries the inhospitable islands just a few hundred miles off the coast of Patagonia remained an ever-present affront to Argentine national pride. Argentine children are raised on the belief that the islands are a long-lost province, held captive, destined one day to be returned to the fatherland.¹³⁰ Following WWII, European decolonization was in full swing and in the 1960s Argentina began negotiating with Britain to return the islands. Negotiations proved difficult and seemed to continuously come up short for various reasons, which included reluctant islanders and stiff parliamentary opposition to the transfer. With multiple rounds of negotiations failing to find a solution, the United Nations (UN) passed a resolution in 1965 inviting Britain and Argentina to come to an agreement.¹³¹ As negotiations dragged on both parties become frustrated with the other. The British became frustrated by Argentine unwillingness to compromise in regard to the islander's rights to self-determination while Argentine negotiators felt that Britain's perpetual domestic opposition to a final settlement along with actions that signaled continued British interest in the islands was evidence of their bad faith in the negotiation process.¹³²

Argentina's military junta, which had deposed the reigning Peronist administration in 1976, continued the negotiations with Britain but had quietly decided as early as 1981 for a hopefully bloodless military takeover if negotiations continued to sputter. Northern historical analysis of the conflict suggests multiple theories regarding the Junta's miscalculated decision to invade that range from hubris to incompetence,¹³³ oil rights,¹³⁴ and the need for a politically unifying distraction for a populace frustrated by years of

¹³⁰ Simon Winchester, *The Sun Never Sets: Travels to the Remaining Outposts of the British Empire* (New York: Prentice Hall Press, 1985), 252.

¹³¹ Middlebrook, *Operation Corporate*, 29.

¹³² Virginia Gamba-Stonehouse, "International and Inter-Agency Misperceptions in the Conflict," in *International Perspectives on the Falklands Crisis*, ed. Alex Danchev (New York: St. Martin's Press, 1992), 112–14, <https://doi.org/10.1007/978-1-349-21932-2>.

¹³³ John Arquilla and Maria Rasmussen argue that incompetence driven by imbalanced civil-military relations explain the Junta's poorly executed invasion. John Arquilla and Maria M. Rasmussen, "The Origins of the South Atlantic War," *Journal of Latin American Studies* 33, no. 4 (2001): 739–75.

¹³⁴ Emily Meierding rules out theories that the conflict was an oil dispute. Emily Meierding, "Oil Spats: The Falklands/Malvinas Islands Dispute," in *The Oil Wars Myth: Petroleum and the Causes of International Conflict* (Ithaca and London: Cornell University Press, 2020), Nook.

repressive rule and a flagging economy.¹³⁵ Argentine analysis suggests that the Junta's decision to invade was to made gain leverage and jump start the negotiating process.¹³⁶

In Britain, the late 1970s and early 1980s saw the implementation of austerity measures by the fiscally conservative Thatcher government, which involved the reduction of worldwide colonial commitments along with military reorganization designed to fit into a larger NATO-centric construct.¹³⁷ This new British mindset, along with the approaching 150th anniversary of the British annexation of the Falklands/Malvinas convinced the Junta that their opportunity to retake the islands was approaching. Then, a dustup over patriotic Argentine scrap metal collectors in South Georgia prematurely set the Junta's plans in motion and on April 2, 1982, Argentine Marines landed on the islands, accepted the surrender of the small British garrison and hoisted the Argentine flag over Government House in Port Stanley.

London scrambled to dispatch its fleet as quickly as possible in response to the crisis. Indeed, the Falklands/Malvinas and Great Britain sit at opposite ends of the Atlantic and during the month that it took British forces to arrive on the scene negotiations began in earnest between the two countries aided by the United States, which was eager to avoid violence between two important allies.¹³⁸ These negotiations, as well as subsequent ones sponsored by the Peruvian government, broke down following the sinking of the ARA *Belgrano* and Great Britain would eventually expel the Argentine invaders with the full

¹³⁵ Amy Oaks gives a convincing argument that the Argentine Junta chose to engage in a diversionary conflict for lack of viable reform options to quell domestic unrest .Amy Oaks, "Diversionary War and Argentina's Invasion of the Falkland Islands," *Security Studies* 15, no. 3 (2006), <https://doi-org.libproxy.nps.edu/10.1080/09636410601028354>.

¹³⁶ Ruben O. Moro, *The History of the South Atlantic Conflict: The War for the Malvinas*, trans. Michael Valeur (New York: Praeger Publishers, 1989), 1–2.

¹³⁷ Oliver Franks, ed., *Falkland Islands Review* (London, 1983), 76–77, <https://www.margareththatcher.org/document/109481>.

¹³⁸ Christoph Bluth, "Anglo-American Relations and the Falklands Campaign," in *International Perspectives on the Falklands Crisis*, ed. Alex Danchev (New York: St. Martin's Press, 1992), 204, <https://doi.org/10.1007/978-1-349-21932-2>.

application of its military might.¹³⁹ The United States, which had publicly maintained its neutrality during negotiations, sided with Britain once the shooting started and provided significant military assistance to the consternation of the Argentine government and much of the OAS.¹⁴⁰

As the British fleet made its way south, Argentina called a meeting of consultation at the OAS and invoked the Rio Treaty in anticipation of an impending act of extra hemispheric aggression. The OAS overwhelmingly rallied to Argentina's side, but the fiery rhetoric of many Latin American governments remained just that. The OAS made no collective moves to provide strategic aid to Argentina, because "Latins were not ready to fight Britain, the United States, or NATO over the Malvinas."¹⁴¹ In stark contrast, the United States and the EEC rallied around Britain offering substantial military assistance along with sanctions against Argentina that forced the Junta to seek support at the fringes of the international system.¹⁴²

B. INTERNATIONAL SUPPORT DURING THE CRISIS

International reaction to the crisis was mixed and support tended to fall along geographic and cultural lines. Anglophone nations, most of which had been part of the Commonwealth at one point or another, tended to back the British position while most of

¹³⁹ Following America's official "tilt" toward Britain, Peruvian President Belaunde offered to take up mediation efforts believing that he was influential in Buenos Aires. Belaunde was also eager to be as a "prominent peacemaker," which would bolster his own regime's stability vis a vis the Peruvian military. Lawrence Freedman, *The Official History of the Falklands Campaign: War and Diplomacy*, vol. II (London: Routledge, 2005), 274–75, <https://doi.org/10.4324/9780203507858>;

Peru's historical territorial rivalry with Chile also made it a more trusted broker in the eyes of Argentina. Caspar Weinberger et al., *The Falklands Roundtable*, Final Edited Transcript, interview by Stephen Knott et al., Transcript, May 15, 2003, 35, http://web1.millercenter.org/poh/falklands/transcripts/falklands_2003_0515.pdf.

¹⁴⁰ Washington adopted a public attitude of neutrality so that it could credibly act as mediator between the belligerents and avoid significant Latin American diplomatic backlash. There was also hope within the Junta that Washington would support or ignore its invasion as a quid pro quo for Argentina's ongoing military support in Central America. However, following the April 2 invasion Secretary of State Haig made it clear to both Thatcher and Galtieri that should the negotiations fail, and hostilities ensue, the United States would ultimately side with the British. When Argentina rejected Haig's last proposal on April 30, Washington made good on its promise and publicly announced its support for Britain. Alexander M. Haig Jr., *Caveat: Realism, Reagan, and Foreign Policy* (New York: MacMillan, 1984), 266–93.

¹⁴¹ Gustafson, *The Sovereignty Dispute*, 201.

¹⁴² Gustafson, 192.

Latin America and other Non-aligned nations sided with Argentina. Both countries turned to their respective regional institutions in search of support and legitimacy; however; Britain was more successful in obtaining tangible support, as previously noted. Bilateral support played a larger role in the conflict outside of the confines of supranational institutions with significant military assistance from the United States to Britain and smaller offers of material support for Argentina from various sources around the world including Israel, Cuba, and Libya.¹⁴³

In response to Britain's moves to retake the islands, Argentina turned to the OAS to obtain legitimacy and support from its hemispheric partners. The OAS met on three separate occasions throughout the crisis. The first time was on April 13 to consider Argentina's request to invoke the Rio Treaty and the subsequent meetings occurred under the auspices of the Rio Treaty's Organ of Consultation. At each of these meetings the majority of the OAS and Rio Treaty signatories expressed support for the Argentine cause but went no further than to publish "toothless" resolutions that were ineffective at preventing the escalation of hostilities.¹⁴⁴ The most notable Rio Treaty signatory to voice its opposition to these resolutions was the United States, which was doing its best to remain publicly neutral during the faltering negotiating process to maintain credibility as a mediator and abstained from each of the votes. It should be noted that Secretary of State Alexander Haig was upfront with President Galtieri and Prime Minister Thatcher about Washington's future support for Britain should negotiations break down.¹⁴⁵ Press leaks describing American assistance rendered before the official tilt, later confirmed by

¹⁴³ Israel quietly remained supportive of Argentina throughout the conflict due to Argentina's large Jewish population and possibly out of spite for "Britain's crack down on the Jewish Irgun during the British mandate of Palestine. Lawrence Freedman and Virginia Gamba-Stonehouse, *Signals of War: The Falklands Conflict of 1982* (Princeton: Princeton University Press, 1991), 138; Toi Staff, "UK Opens Files on Israeli Arms Sales to Argentina during Falklands War," *The Times of Israel*, August 25, 2016, <https://www.timesofisrael.com/uk-opens-files-on-israeli-arms-sales-to-argentina-during-falklands-war/>;

While Argentina never received any aid from Cuba, Castro helped to rally Third World support for Argentina. He also used the crisis as an opportunity to undermine U.S. influence and restore regular hemispheric relations. Stella Paresa Krepp, "Between the Cold War and the Global South: Argentina and Third World Solidarity in the Falklands/Malvinas Crisis," *Estudios Historicos* 30, no. 60 (2017): 151–54.

¹⁴⁴ The "toothless" resolutions passed in this instance are consistent with previous OAS resolutions adopted during earlier crises. Moro, *The History*, 60.

¹⁴⁵ Haig Jr., *Caveat*, 266–93.

Secretary of Defense Caspar Weinberger, undermined Haig's neutrality assertions during his rounds of shuttle diplomacy.¹⁴⁶

Some of Argentina's more enthusiastic supporters were Guatemala and Venezuela, which also have lingering territorial disputes with the Great Britain involving Belize and Guyana. Nicaragua proved to be a surprising supporter in spite of Argentina's role in ongoing U.S.-backed Central American anticommunist counterinsurgency operations.¹⁴⁷ Other territorially dissatisfied Latin American nations like Ecuador and Bolivia also sided with Argentina.

Not all of Latin America was enthusiastic about Argentina's invasion but were still willing to offer words of encouragement and affirm Argentina's rights to the island in the name of hemispheric solidarity. Some of these concerned countries included Brazil and Mexico, whose governments were worried that Argentina's example would set a bad precedent for dispute resolution among hemispheric neighbors.¹⁴⁸ Despite these concerns, these countries seemed to overcome their reservations and expressed their support, especially following the sinking of the ARA *Belgrano* outside of Britain's declared Maritime Exclusion Zone.¹⁴⁹ At one OAS meeting, the Argentine foreign minister's speech, which had called for the application of the Rio Treaty, was received with a 20-minute standing ovation compared with Alexander Haig's speech against the resolution, which was met with silence.¹⁵⁰

¹⁴⁶ Caspar Weinberger, Caspar Weinberger Oral History, interview by Stephen Knott and Russell L. Riley, Transcript, November 19, 2002, <https://millercenter.org/the-presidency/presidential-oral-histories/caspar-weinberger-oral-history>.

¹⁴⁷ Gustafson, *The Sovereignty Dispute*, 199.

¹⁴⁸ Gustafson, 200.

¹⁴⁹ The sinking of the Argentine Cruiser *Belgrano* was seen as an aggressive and unnecessary act by many and eroded some international support for Britain. Krepp, "Between the Cold War," 145;

Peru and Venezuela are believed to have provided Argentina with some munitions during the conflict and Brazil provided two surveillance planes. Gustafson, *The Sovereignty Dispute*, 192;

OAS discussion of counter sanctions against Britain came to naught resulting only in resolutions denouncing British actions and sanctions. Freedman, *The Official History*, II:95–97.

¹⁵⁰ Freedman and Gamba-Stonehouse, *Signals of War*, 228.

It should also be noted that at the time, Argentina's relations with its neighbors were less than warm.¹⁵¹ Most notably, Argentina had been on the brink of war with Chile only a few years earlier over the control of islands in the Beagle Channel. The dispute had been nearly settled with the assistance of the Pope in Chile's favor; however, suspicion between the two nations lingered and these lingering tensions diverted Argentine troops away from the Falklands/Malvinas.¹⁵² Chile's official stance on the conflict was neutrality; however, a suspicious wreck of British helicopter near Punta Arenas as well as reports of British special forces operating in Patagonia suggest otherwise.¹⁵³ Chile viewed British victory in the South Atlantic as in its interest because a victorious Argentina might very well shift its momentum back toward the Beagle Channel.¹⁵⁴

While Argentina was not on the best of terms with its neighbors, at the outbreak of the Falklands/Malvinas war its relationship with Brazil was improving.¹⁵⁵ The two military governments had made efforts to work with one another on energy and infrastructure projects, which helped to cool the centuries old rivalry between the two nations. Brazil did not exactly jump to Argentina's defense as the British task force closed in on the South Atlantic and despite its reservations regarding Argentina's use of force, it did formally acknowledge Argentina's territorial claim, it denied the British use of its airfields, it lent Argentina some military aircraft, and it quietly helped funnel embargoed goods to Argentina through some of its ports. In stark contrast with its suspicions about Chilean aggression, the Argentine Junta was confident enough in its burgeoning relationship with Brazil to use its troops normally stationed along the Brazilian border to invade the Falklands/Malvinas.

¹⁵¹ Argentina's Eurocentric self-image, military government, and abysmal human rights record caused much of Latin America to view Argentina with suspicion, especially against the ongoing backdrop of regional democratization. Freedman and Gamba-Stonehouse, 150.

¹⁵² Darnton, *Rivalry and Alliance*, 150.

¹⁵³ Felipe Sanfuentes, "The Chilean Falklands Factor," in *International Perspectives on the Falklands Crisis*, ed. Alex Danchev (New York: St. Martin's Press, 1992), 77, <https://doi.org/10.1007/978-1-349-21932-2>.

¹⁵⁴ Andrea Oelsner, *International Relations in Latin America: Peace and Security in the Southern Cone* (New York and London: Routledge, 2005), 118–19, ProQuest.

¹⁵⁵ Christopher N. Darnton, "Whig History, Periodization, and International Cooperation in the Southern Cone," *International Studies Quarterly* 58, no. 3 (2014): 583.

Although Argentina's invocation of the Rio Treaty succeeded in delivering some level of international legitimacy for its actions, the resultant resolution failed to avert further military action and failed to halt U.S. military assistance to Britain. Lowell Gustafson referred to the resolution's "lack of organized material opposition to Britain [as] ... a halfway house between collective security and simple alliance antagonism."¹⁵⁶ It is also interesting that despite having called for the Rio Treaty's invocation, Argentina made the practical decision to not press for the adoption any collective military nor economic measures in its defense, "knowing that if it had done so, regional support would have evaporated."¹⁵⁷

Toward the top of the Argentine Junta's list of miscalculations was the reaction of the United States. The staunchly anticommunist junta was on good terms with the Reagan administration and had previously conducted bilateral security cooperation with the U.S. operations in Nicaragua. Surely the Reagan administration would accept Argentina's acquisition of the islands and help talk the British of the ledge in the interest of further reducing European influence in the Western Hemisphere. After negotiations broke down, not only did the United States not remain neutral, it actively supported British military operations to retake the islands.

Rebuffed by the UN Security Council and with mostly moral support from the OAS, Argentina turned toward the Non-Aligned movement for assistance with some success. This was an interesting development, considering that Argentina's staunch anticommunist policies and Euro-centric cultural identity, which placed it at odds with the Non-aligned Movement writ large.¹⁵⁸ Fidel Castro turned out to be one of the most vocal supporters of the Argentine position despite having been previously at odds with the

¹⁵⁶ Gustafson, *The Sovereignty Dispute*, 201.

¹⁵⁷ Freedman and Gamba-Stonehouse, *Signals of War*, 229.

¹⁵⁸ Sanfuentes, "The Chilean Falklands Factor," 81.

Argentine Junta.¹⁵⁹ Meanwhile Libya stepped up to supply Argentine forces with Exocet missiles that had been embargoed by France.¹⁶⁰

In contrast to the hollow support for the Argentine cause, the British successfully obtained the support of the factions that mattered. Previous UN resolutions had encouraged Britain to gradually transfer the islands to Argentina; however, after the onset of the crisis the UN Security Council resoundingly sided with Britain's moves to retake their territory.¹⁶¹ The United States, in spite of its professed neutrality during negotiations, provided strategic assistance since the conflict's outset.¹⁶² American spy satellites had their orbits shifted to provide satellite imagery that could be passed along to British intelligence. The U.S. military augmented British communications capabilities and provided intelligence based on cracked Argentine military codes. Some estimates, "claim that 98 percent of intelligence about Argentine movements available to Britain was supplied by the U.S."¹⁶³ Washington also granted British access to the facilities on Ascension Island, which it had leased from Britain, and it made large quantities of fuel and missiles available to the Royal Air Force (RAF). It had also been quietly decided in Washington, by secretary of defense Weinberger, to make U.S. Navy aircraft carriers available to replace British carriers should they be sunk during the conflict.¹⁶⁴ Following the breakdown of Haig's mediation efforts, the State Department imposed sanctions that

¹⁵⁹ Gordon Connel-Smith, "The OAS and the Falklands Conflict," *The World Today* 38, no. 9 (1982): 342.

¹⁶⁰ During the conflict Libya established logistics routes to supply Argentina with arms following sanctions imposed by the EEC and the United States. Gustafson, *The Sovereignty Dispute*, 192;

The motivation behind Libya's support is less clear than that of Cuba and Israel but, can likely be attributed to Muammar Qadhafi's strong support for anti-imperialist movements. Muamar Qaddafi, "A Critique of the Non-Aligned Movement," *The Black Scholar* 18, no. 2 (1987): 40–47.

¹⁶¹ UN Security Council resolutions during the Falklands/Malvinas Crisis highlighted to much of the world that institution's bias toward the global north. Freedman and Gamba-Stonehouse, *Signals of War*, 80.

¹⁶² Secretary of Defense Weinberger admits that he had decided to fast track British material requests "a couple of weeks" ahead of the U.S. tilt. Weinberger, Caspar Weinberger Oral History, 23.

¹⁶³ Bluth, "Anglo-American Relations," 218.

¹⁶⁴ Bluth, 217.

barred military exports to Argentina and suspended Export-Import Bank credits.¹⁶⁵ The great irony in all of the measures taken against Argentina was that the United States remained in support of a negotiated solution to the conflict, which it knew would require the eventual transfer of the island's sovereignty to Argentina.

In addition to U.S. support, Britain was able to leverage the cooperation of its European partners to sanction Argentina through the EEC. This proved to be an especially devastating move as the EEC market accounted for around 30% of Argentine exports and halted all European arms shipments to Argentina.¹⁶⁶ Despite all of the fierce rhetoric at the OAS similar sanctions against Britain and the EEC went unreciprocated.

C. AGGRESSION AND LEGALITY

Argentina used its own interpretations of international law justify its invasion of the Falklands/Malvinas as well as its subsequent invocation of the Rio Treaty; however, these legal interpretations remain unconvincing. In essence, the Junta was asking the rest of the world to ignore its own act of aggression and instead only consider Britain's pending act of imperialist aggression disguised as self-defense. The Rio Treaty was so ineffective in dealing with this crisis because Argentina's proposed sequence of aggression was so hard to swallow. A myriad of international legal principles surrounds and complicates all aspects of this case. Of these principles *self-determination* and *sovereignty* are the most pervasive, and work at odds with one another.

Sovereignty is less straight forward than one would assume especially considering the different ways in which the territorial ownership is determined between nations. International common law methods for establishing territorial ownership hinge on "historic claims" as well as "discovery and occupation."¹⁶⁷ Discovery and occupation allows for ownership claims to legally develop over time by a claimant's ability to demonstrate

¹⁶⁵ "196. Editorial Note, Foreign Relations of the United States, 1981–1988, Volume XIII, Conflict in the South Atlantic, 1981–1984" (Government Printing Office, n.d.), <https://history.state.gov/historicaldocuments/frus1981-88v13/d196>.

¹⁶⁶ Arquilla and Rasmussen, "The Origins," 771–73.

¹⁶⁷ Clarence J. Bouchat, *Dangerous Ground: The Spratley Islands and U.S. Interests and Approaches* (Carlisle, PA: U.S. Army War College, 2013), 21, <https://apps.dtic.mil/dtic/tr/fulltext/u2/a591530.pdf>.

control over the territory through habitation, commercial use, and the continuous exercise of state control.¹⁶⁸ Claimants will occasionally adopt liberal interpretations of occupation by arguing that a region's ethnic make-up proves historical occupation.¹⁶⁹ Britain's possible discovery of the islands as well as its active maintenance of its colony on the Falklands/Malvinas legitimized its de facto claim to sovereignty over the course of 150 years.¹⁷⁰

Historic claims on the other hand rely on documentary evidence along with continuous administration to prove the validity of a territorial claim. Documentary evidence can take many forms, but treaties are particularly useful in this regard.¹⁷¹ Argentina's de jure claims were based on this principle since Spain had acquired them by treaty and then transferred their sovereignty to Argentina following independence.¹⁷² Treaties are physical objects and provide a claimant with written evidence of ownership with formal international recognition built into them. Unfortunately, paper backed territorial claims have frequently struggled to remain binding in an international system where might-makes-right.

Sovereignty negotiations between Britain and Argentina were continuously held up on the principle of *self-determination*. The islanders enjoyed a powerful political lobby in Parliament, and they were not particularly enthusiastic about becoming Argentine citizens. This "right to self-determination" was the basis Britain's counter arguments during every round of negotiation before and throughout the conflict. The UN's 1960 adoption of "A Declaration of the Granting of Independence to Colonial Countries and Peoples" catalyzed the decolonization process worldwide but was written to assist colonized peoples to

¹⁶⁸ Chinese efforts to inhabit islets in the South China Sea provide a good example of this. Bouchat, *Dangerous Ground*.

¹⁶⁹ The large population of ethnic Russians in Crimea was used in part to justify its annexation by Russia in 2014. Ethnicity and occupation are very effective methods for establishing sovereignty over territory, however, it can take a considerable amount of time, even generations, for rival claims to fade away and to achieve international recognition. "Ukraine's Sharp Divisions," *BBC News*, April 23, 2014, sec. Europe, <https://www.bbc.com/news/world-europe-26387353>.

¹⁷⁰ Middlebrook, *Operation Corporate*, 25.

¹⁷¹ Bouchat, *Dangerous Ground*.

¹⁷² Middlebrook, *Operation Corporate*, 25.

achieve independence, not force them into control of another foreign power.¹⁷³ The Argentine counters to this line of thought reflected their view that self-determination should not apply to the island's unnatural British inhabitants and that the Argentine government would respect the islanders' "interests" rather than their wishes.¹⁷⁴ Successive Argentine governments made solid efforts to build positive relations with the islanders in spite of periodic declines in Anglo-Argentine relations. Considering how dependent the islands are on the Argentine mainland, regardless of the inhabitants' heritage, it would seem that the Islanders' best "interests" did in fact lay with the restoration of Argentine sovereignty.¹⁷⁵

Arbitrated disputes and negotiated resolutions are difficult to enforce in the face of strong nationalist sentiment without well empowered supranational institutions. The Argentine Junta spent much of its diplomatic energy attempting to justify its use of force to settle its territorial dispute with Great Britain. Afterall, according to their accounts, the initial act of aggression took place in 1833 and since then multiple international institutions had ruled in Argentina's favor to settle the matter. After its invasion of the Falklands/Malvinas, the unexpected British response and failed attempts at negotiation forced the Junta to seek vindication of its fait accompli through international institutions like the United Nations, the Non-aligned movement, and the OAS via the Rio Treaty. International support on both sides of the conflict served to further inflame nationalist sentiment and closed down diplomatic off ramps on the road to war.

Argentine foreign relations have historically placed significant trust in the applicability of international law. The Falklands/Malvinas crisis, throughout all its stages, fits this pattern of excessive legalism. In the decades leading up to 1982, multiple international institutions had ruled in favor of Argentina's claims to the islands. Most notably, the Falklands/Malvinas made Britain's 1946 list of territories, which it pledged to

¹⁷³ Middlebrook, 29.

¹⁷⁴ Angel M. Oliveri Lopez, *Key to an Enigma: British Sources Disprove British Claims to the Falkland/Malvinas Islands*, trans. Paula Durbin (Boulder, CO: Lynne Rienner Publishers, 1992), 37.

¹⁷⁵ Moro, *The History*, 4.

decolonize.¹⁷⁶ Subsequent resolutions in the 1960s advanced Argentine expectations and officially called for the negotiations to begin. In 1976, the OAS's Inter-American Juridical Committee (IAJC) ruled that Argentina enjoyed, "an undeniable right of sovereignty over the Malvinas Islands."¹⁷⁷ However, as time went on, each round of negotiations seemed to fizzle out, and once the Junta decided use force to kickstart the negotiating process, Argentina was forced to resort to creative legal interpretations to fit its narrative in world forums. For example, UN Security Council Resolution 502, which was adopted immediately following the initial invasion called for the cessation of hostilities and the immediate withdrawal of all Argentine troops from the islands.¹⁷⁸ Most interpretations of this resolution recognized its heavy tilt in favor of Britain, and it should have prompted Argentina's removal of its forces. The Argentine interpretation of the resolution's wording was quite different: rather, the resolution did not explicitly label Argentina as the aggressor and it set no time requirements for the troop withdrawals. So long as the British fleet continued to steam south, Argentina felt that it was under no obligation to withdraw its forces and surrender its leverage.

In addition to truly believing that the British were bluffing, Argentina's reluctance to press for stronger Rio Treaty resolutions suggests that the Junta knew that its legal justifications were shaky. The Junta's interpretation of UN Resolution 502 is also peculiar because, although its wording is relatively vague, the use of the word "immediate" would seem to provide direct guidance regarding its intended timeframe for the removal of all troops from the area.¹⁷⁹ Even the IAJC's ruling on Argentina's rights to the islands was suspect considering that the IAJC lacked the legal authority to assess legal territorial claims.¹⁸⁰

A first glance at the application of the Rio Treaty to the conflict seems justified. An extra-hemispheric power was taking steps to use military force against an American state

¹⁷⁶ Moro, 3.

¹⁷⁷ Moro, 3–4.

¹⁷⁸ Freedman and Gamba-Stonehouse, *Signals of War*, 151.

¹⁷⁹ Freedman and Gamba-Stonehouse, 151.

¹⁸⁰ Seymour J. Rubin, "The Falklands (Malvinas), International Law, and the OAS," *The American Journal of International Law* 76, no. 3 (1982): 594–95.

that would threaten that state's territorial integrity. However, zooming out begs the question of where that 'aggression' really begins. Argentine accounts of the conflict, which shed much light on the Junta's intentions, struggle to make a convincing case that aggression began with the departure of the British task force on April 3, the sinking of the *Belgrano*, nor the recapture of South Georgia. While the British annexation in 1833 was surely an act of aggression, it predated both the Inter-American System and the Rio Treaty. Argentine sources admit that the April 2 invasion was carried out with peaceful intent to catalyze a more serious negotiation process. However, this does not change the fact that the Junta ordered the first use of force and initiated hostilities.

The OAS, acting under the Rio Treaty provided only enthusiastic words of encouragement to Argentina's cause and considering that Argentina did not request anything else suggests that the Junta was not particularly interested in material help from its neighbors. Instead, the treaty's invocation served solely to legitimize Argentine actions and conceal their strategic failure with evidence of a flagrant example of bullying by a declining great power attempting to resist the sweeping tide of decolonization. In all, the incident caused significant damage to the Rio Treaty. On one hand, it proved too much of Latin America that the United States could not be counted on to honor its commitments to the region. This realization was especially damaging considering that the United States demonstrated its willingness to entertain European interests over those of its hemispheric neighbors. U.S. assistance likely determined the outcome of the conflict in favor of the extra hemispheric actor and, "Latin Americans painfully had to see how Washington... betrayed the most sacrosanct principles of Panamericanism: collective defense, solidarity, and sovereignty."¹⁸¹ On the other hand, Argentina's decision to escalate the negotiating process made their position a difficult one to support.

D. CONCLUSION

In 1982 Argentina invoked the Rio Treaty seeking hemispheric support against an impending attack by Great Britain. Since the Rio Treaty's adoption in 1947, this has been

¹⁸¹ Joaquin Tacsan, "Searching for OAS/UN Task Sharing Opportunities in Central America and Haiti," *Third World Quarterly* 18, no. 3 (1997): 490.

the sole instance of its invocation in response to extra hemispheric armed aggression. And yet, the OAS and most of Latin America were unwilling or unable to provide more than rhetorical support for Argentina. The United States even acted against the OAS resolutions and provided significant strategic aid to the British. This chain of events occurred because the Argentine Junta had resorted to force and executed an invasion in an effort to hasten the negotiating process for obtaining control of the Falklands/Malvinas.

Over the course of the conflict both Britain and Argentina looked to allies and institutions to support and justify their respective causes. Support largely fell along regional and cultural lines; however, Britain was far more successful in obtaining meaningful strategic and diplomatic assistance from the United States and Western Europe. Meanwhile, Argentina found mostly rhetorical support from its Latin American neighbors forcing it to turn towards the fringes of the international system to obtain material support.

The complex legal arguments surrounding the conflict received vastly different interpretations from Latin American and European analysts. However, Argentine arguments struggle to justify its invasion and remain unconvincing that Britain had in fact been the conflict's real aggressor. Instead of using the Rio Treaty to rally the hemisphere in collective defense it was used to legitimize an ill-timed *fait accompli*. Argentina inappropriately invoked the Rio Treaty after having initiated a military conflict with another nation. This invocation caused lasting damage to the security pact because it was undertaken without the real expectation of collaborative action and it created a situation that forced the United States, the pact's most powerful member, to openly defy its resolutions. This defiance demonstrated that the Rio Treaty could only be counted on if collective defense was in Washington's interest.

IV. CONCLUSION

Despite having been invoked on multiple occasions, the Rio Treaty has struggled to organize meaningful security cooperation amongst its signatories in response to internal and external threats to the hemisphere. Possible explanations for this lack of collective action include divergent threat perceptions between Latin America and the United States,¹⁸² an unusually lopsided alliance structure,¹⁸³ as well as a relatively stable condition of negative peace which exists throughout the hemisphere.¹⁸⁴ This thesis and its case studies point to another explanation: that over time the Rio Treaty's salience has been eroded through misuse by its members.

The 1965 Dominican Crisis is significant because it represents the only instance of collective military action taken by the OAS. Misapplication comes into play through the Rio Treaty's non invocation. Instead, the United States turned to the OAS Charter in search of a collective response. The ad hoc IAPF which was dispatched to the Dominican Republic was conceived in order to check U.S. unilateralism and "make the best of a bad business" rather than to collectively defend against grave hemispheric threat.¹⁸⁵ A more straightforward misapplication came seventeen years later when Argentina invoked the Rio Treaty after having instigated its own military conflict with Great Britain.

A common trait that stands out between both the 1965 Dominican Crisis and the Falklands/Malvinas War was that both conflicts were initiated in the form of unilateral *faits accomplis* which the United States and Argentina then attempted to legitimize retroactively. In the Dominican Republic, the United States landed its first contingent of troops prior to informing the OAS, under the justification that American citizens were in immediate danger and that the conflict was evolving too quickly to await formal OAS

¹⁸² Merke, "English School," 92; Thies, "Traditional Security," 117–19.

¹⁸³ Friedman and Long, "Soft Balancing," 125–27.

¹⁸⁴ Kacowicz, *Zones of Peace*.

¹⁸⁵ Ball, *The OAS in Transition*, 480.

consultation.¹⁸⁶ The United States then doubled down by significantly expanding its military footprint in the name of communist containment without informing the OAS that it was going to do so.¹⁸⁷ Instead, the United States turned to the OAS to legitimize its actions once 20,000 troops had established themselves in Santo Domingo. The United States ultimately got what it wanted; the OAS stepped up and created the IAPF which provided international cover for a U.S. guided return to democracy. But, below the surface, the real purpose of the IAPF was to blunt U.S. unilateralism, not legitimize it. The way that the Dominican Crisis was handled by the United States and the OAS confirmed for many the notion that a militarized arm of the OAS would simply become a tool of U.S. foreign policy.¹⁸⁸

The Falklands/Malvinas War was the result of Argentina's attempt at conducting its own unilateral *fait accompli* in the south Atlantic. The Argentine Junta unwisely believed that its sudden invasion of the islands would go unchallenged and catalyze stalled decolonization negotiations.¹⁸⁹ As the British task force closed in on the islands, Argentina invoked the Rio Treaty in an attempt to obtain international legitimacy for its actions. While Latin America was generally supportive of Argentina and its claim to the islands, the case against Great Britain was insufficient to rally a meaningful collective defense effort through the OAS. Fully aware that its legal justifications were flimsy, Argentina did not push the OAS to take more concrete measures to stop Britain, knowing that if it had, much of its international support would have disappeared.¹⁹⁰ As the conflict's initial aggressor Argentina's invocation of the Rio Treaty feels insincere. Ironically, the Falklands/Malvinas War could have provided an opportunity to have utilized the IAPF, had the Dominican experience not precluded its formalization. During Alexander Haig's rounds of shuttle diplomacy, proposals were considered that included the use of an

¹⁸⁶ Rusk, Dean Rusk Oral History, 49.

¹⁸⁷ McPherson, "Misled by Himself."

¹⁸⁸ Child, *Unequal Alliance*, 175.

¹⁸⁹ Arquilla and Rasmussen, "The Origins," 739.

¹⁹⁰ Freedman and Gamba-Stonehouse, *Signals of War*, 140.

international peace keeping force to administer the islands and separate the belligerents so that the conflict could be deescalated, and negotiations could resume.¹⁹¹

The circumstances of each fait accompli aside, the two case studies produced drastically different results. This night and day variation in OAS response can be partially explained by vested U.S. interest in each conflict. Washington's involvement in the Dominican Republic and its desire to internationalize its response made all the difference. During the Falklands/Malvinas War, Washington had little interest in which party wound up with the disputed territory but was even less interested in taking collective diplomatic or military action against its oldest and closest European ally.

U.S. interventionism around the world during the Cold War was almost exclusively carried out in the name of anticommunism. Regardless of whether President Johnson's nightmares about a Castro-Style-Communist Dominican Republic were justified, he felt that it was in the best interest of the United States to step in and channel revolutionary forces to meet U.S. national security objectives. The United States' position as a regional hegemon gives it the ability to successfully act unilaterally in most situations. Even if the IAPF's establishment was an attempt to blunt that unilateral ability, it does not change the fact that the United States had been able to almost will the IAPF into existence.

Argentina's prerogatives on the other hand did not outweigh those of Washington's older and arguably more important ally. Washington's lack of support for the Argentine position during the conflict likely tempered the responses of many OAS members to contain their support to words instead of actions.¹⁹² Not only did the Rio Treaty's invocation fail to avert the conflict, but it also failed to prevent one of its signatories from aiding and abetting an extra hemispheric power at the expense of another treaty signatory. As the regional hegemon, the United States had the economic, and strategic wherewithal to ignore OAS resolutions with confident impunity and aid Britain's moves to reclaim the islands.

¹⁹¹ Freedman and Gamba-Stonehouse, 278–79.

¹⁹² Gustafson, *The Sovereignty Dispute*, 201.

Looking Forward

The importance of vested U.S. interest creates a dilemma for the OAS and the Rio Treaty because if the effectiveness of their conflict resolution mechanisms are largely dependent on U.S. security interests then the OAS will continue to come up short until either a large enough Latin American coalition forms that can outweigh American interests or significant security interest convergence takes place between the United States and its hemispheric partners. Divergent security issues have plagued the Inter-American Security System for a long time and these divergent interests have contributed to instances of Rio Treaty misapplication including both cases examined here. For future collective OAS security initiatives to be successful, the United States and Latin America need to reconcile more of their security interests or at least find more common ground, a need that is more urgent than ever in the new era of great power competition. Without a salient external threat this reconciliation will be difficult, and it is not clear that China presents a credible threat to Latin American security unless foreign Chinese business practices, like the One Belt One Road Initiative, turn out to be predatory in nature and destabilize governments in the region.¹⁹³ Even if Chinese investment does turn out to be predatory the threat that would pose to the United States remains questionable. Nonetheless from the American perspective, should great power competition turn violent it will be in Washington's interest to have its Latin American neighbors on its side.

The significant challenge of reconciliation should not prevent OAS members from trying to find common ground on hemispheric security. Initiatives to work together on smaller, less politically contentious security issues should take place in order to improve interoperability and increase interaction. For example, the ongoing fight against Transnational Criminal Organizations seems like a good place to start. TCOs are well funded and well-armed. Many of them operate paramilitary forces across borders and in many remote regions of the hemisphere. They pose significant threats to state control and human security in multiple countries. While no country is particularly enthusiastic about asking for assistance with its security challenges, it would seem that the pervasiveness of

¹⁹³ June T. Dreyer, *The Belt, the Road, and Latin America* (Philadelphia: Foreign Policy Research Institute, 2018), <https://www.fpri.org/article/2019/01/the-belt-the-road-and-latin-america/>.

TCOs across the region could provide an opportunity for countries to ask for help instead of having help thrust upon them. Conversely, the United States could seek assistance from its OAS partners on combatting domestic extremism. The onset of global pandemic in 2020 also seems like a promising area for collective action that could be taken under Rio Treaty auspices. OAS partners should leverage their military logistics networks to accelerate the distribution of COVID-19 vaccines.

One area that needs further clarification is whether the Rio Treaty is an appropriate vehicle to effect interventionist regime change. On one hand, efforts at effecting regime change during the 20th century did a lot of damage to OAS credibility especially considering that most sudden regime changes that took place following the adoption of the Rio Treaty occurred with significant U.S. support. This is an especially important question considering the ongoing refugee crisis in Venezuela. The sanction regime adopted by the Thirtieth Meeting of Foreign Ministers and the departure of Uruguay from the treaty suggest that Rio Treaty sponsored intervention remains unwelcome. However, what sets the Venezuelan case apart from previous cases is that real motivation to conduct that regime change lies more with Venezuela's neighbors than it does with the United States. The Venezuelan crisis is an organic Latin American predicament, and its effects are primarily localized to South America and the Caribbean. While the United States would be happy to be rid of Maduro, the perceived need to remove him in the manner of Noriega, Castro, or Allende has yet to emerge, because it is not clear that his regime represents a credible threat. Additionally, previous U.S. experience with implementing interventionist regime change may have demonstrated the limits of American coercive capabilities, especially short of full-scale military intervention.

Perhaps the correct answer is that the Rio Treaty should only be used to conduct interventionist regime change with the unanimous backing of all signatories. However, unanimous consent for intervention would raise the question of whose consent matters, especially when intervention is aimed at another signatory.¹⁹⁴ Another good area for

¹⁹⁴ Peter Meyer, *Organization of American States: Background and Issues for Congress*, CRS Report No. R42639 (Washington, D.C.: Congressional Research Service, 2018), 12–14, <https://fas.org/sgp/crs/row/R42639.pdf>.

further study would be effects on treaty salience from departures and non-participation. Following the departure of Uruguay in 2019 and the ALBA countries in 2012 only 19 of 35 OAS members remain at the Rio Treaty table.¹⁹⁵ While treaty departures may make a nice symbolic gesture, it automatically excludes these states from discussions that might seriously impact them in the future. The smaller the pact becomes, the easier it will be for consensus to be reached for Rio Treaty action, thus negating the ability of objecting states to influence outcomes.

The Rio Treaty's repeated misapplication over the second half of the 20th century has diminished its relevance by prompting signatory departures and discouraging its accession by new OAS members. One positive is that the frequency of the treaty's invocation has decreased but the lingering memories of its use as a vehicle for intervention and retroactive cover for unilateralism will continue to plague its future. The year 2022 will mark the Rio Treaty's 75th birthday; perhaps it is time for the OAS to revise the treaty to meet the changing conditions of the 21st century and hopefully broaden its membership. If revision remains out of reach, then continued restraint by all signatories and collaboration on less politically contentious threats could help rebuild the Rio Treaty's relevance over time.

¹⁹⁵ Organization of American States, *Inter-American Treaty of Reciprocal Assistance*.

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