ARTICLE

THE SOCIAL CONSTRUCTION OF EXTERNAL AGGRESSION IN LATIN AMERICA: A COMPARISON BETWEEN COSTA RICA AND ECUADOR

Marco Vinicio Méndez-Coto¹

Introduction

The study of small states is a peripheral knowledge area in international studies (Hey 2003; Murillo Zamora 2012b; Salgado Espinoza 2015). This peripheral condition is related to the domain of realist thinking which, by focusing on the great powers, relegated this States to marginality. Despite this, what is found in international relations is the predominance - by its number - of small states (Neumann and Gstöhl 2006) being the social construction of the "normality of being giant" (Baldacchino 2009) an anomaly that affects the theorization of the issues faced by a majority proportion of states.

In security studies the research agenda has been defined by traditional threats (Kacowicz and Mares 2015, 25), because of this the article seeks to understand the process by which small states construct an identity when facing an "external aggression". The argument is that being 'Small' has ideational (perception and self-perception) and material (in terms of reduced capacities) consequences, which makes them more vulnerable to threats to their sovereignty, political independence and territorial integrity, and needed of external support.

When Costa Rica and Ecuador confronted external aggressions they

I Professor and researcher at the International Relations School of the National University of Costa Rica, in the field of international politics and strategic and security studies. Doctorate in International Studies at the Latin American Faculty of Social Sciences (FLACSO) - Ecuador. E-maiL: marco.mendez.coto@gmail.com.

constituted an identity, objective and subjective interests and political responses at the domestic, bilateral, sub-regional, regional (or hemispheric) and global level. As symptomatic case studies, the crisis of Isla Portillos / Harbour Head between Costa Rica and Nicaragua (2010-2015) and the crisis of Angostura between Ecuador and Colombia (2008-2010) are compared. These crises generated discursive practices of "external aggression"; in the case of Costa Rica it involved the possibility of "reconsidering the pacifism that characterizes it ... [and] arming security forces ... [with] defense capacity against foreign armies"², while Ecuador threatened a military response against Colombia, both being situations in which regional security was at risk.

The study of this process makes it possible to understand the practices of the attacked State and the behaviors of the States interacting in the region, evidencing the security interdependencies. Since small states construct their identity in an anarchic culture, the article dialogues with the literature of the new regionalism emphasizing the security dimension in the Americas (Buzan and Wæver 2003, Kelly 2007, Battaglino 2012, Frasson-Quenoz 2014); therefore it will answer the following question: How were Costa Rica and Ecuador identity, interests, and political actions constructed when facing "external aggression"?

External aggression: uses and approaches

External aggression is a disputed analytical category. Its enunciation in the international context is associated with the threat of the founding principles of the Westphalian system: sovereignty, political independence and the territorial integrity of States, hence the sensitivity of political representatives, multilateral institutions and national societies. Despite its implications, in Latin America it is a category that is present both in the social imaginary and in the discourse of foreign policy, regardless of the ideological affiliation of governments. This is mainly due to the history of interventions, rivalry and conflict that has characterized the region. This presence is evidenced when political crises occur and has been internalized by both domestic and hemispheric norms, being a justification for the permanence of the military institution in several States (Dassel 1998, 140).

The value load of "external aggression" entails academic difficulties around its definition, since a wide and varied range of events can justify its

² Murillo, A. 2011. "Canciller Castro ve necesario reconsiderar tradición pacifista". *La Nación*. January 13th. http://wfnodeo1.nacion.com/2011-01-13/ElPais/NotasSecundarias/ElPais2649848.aspx?Page=6

enunciation; therefore it becomes imperative to understand it from the objectivist and intersubjectivist approaches. The objectivist approach is addressed, on the one hand, from the rationalist paradigm in international studies which presuming that external aggressions are objective and factual situations, offers hypotheses centered on power and institutions to understand their persistence, on the other hand the legalist paradigm analyzes the legal-norms and the moral obligations for the behavior of the States.

In contrast to the objectivist approach, the intersubjectivist approach points out that external aggressions cannot be taken for granted, being necessary to understand the shared knowledge that allows its definition, the accepted norms of behavior that enable the threat and the use of force in interstate relations, and the process of constitution of the State's identities when facing an external aggression. The process of constitution of the identity is constructed by its opposition with a pair (aggressor / attacked) and by the reproduction of practices (identity contents) which generate the expectation of stable and predictable behaviors, whose apprehension can be made through comparative studies.

This article emphasizes the intersubjectivist approach to understand the enunciation of external aggression, however, the need to complement it with the objectivist approach is recognized, considering that a necessary but not sufficient condition is that threats against sovereignty, political independence or territoriality integrity of the State, have occurred through the threat or use of armed force, and can be verified by the international community.

The objectivist approach to external aggressions

External aggressions can be analyzed as factual situations involving the threat or use of armed force in inter-State relations, and which generate the activation of defensive mechanisms by the attacked State, the international community or the international institutions. The underlying logic is that these events respond to a costs and benefits calculation for the aggressor, a situation that although constrained by international legal-norms in the dynamics of political power is presented as a reality. To understand these events the core arguments brought by the rationalist theories in international studies and the contributions of the legalist paradigm will be analyzed.

In international studies two research programs have been distinguished: the rationalist and the reflectivist (Keohane 1988, 382). The rationalist program includes realist and neoliberal institutionalism theories. These theories share a positivist philosophy of science, an empiricist epistemology and a materialist ontology; in that sense Peñas characterizes them as explana-

tory (2005) and Cox as problem solving theories (1993). The rationality refers to the presumption of the State as an unitary actor with given interests (set exogenously and pre-socially), this actors "are guided by a logic of consequences, that is, a rational act is one that will produce an outcome that maximizes the interests of the individual unit" (Fierke 2013, 190).

Realist and neoliberal institutionalism theories have divergent interpretations of the meaning of cooperation and international institutions, as well as the hierarchy of the thematic agenda (Grieco 1988), however, the centrality of the State as an egoist actor, the determinism of material capacities, the persistence of anarchy and the importance of survival in the international system are common in these theories. Therefore, external aggressions can be explained by three hypotheses: 1) to affect mainly weak States, 2) to constitute structural behaviors derived from interstate socialization and competitiveness, and 3) being the outcome of the defection in institutionalized frameworks.

Political realism has had its foundations in the thought of Thucydides for whom "the strong do what they can and the weak suffer what they must" (Dallanegra Pedraza 2009, 103). Weakness is a relational condition: a State will be more or less weak compared to others in material terms. Weaker States are more likely to face threats to their sovereignty, political independence or territorial integrity because other State actors, based on a calculation of costs and benefits, will consider appropriate to carry out the aggression if it derives political benefits. According to Rivera Vélez, to accomplish their interests the States must possess the necessary military capabilities to defend their integrity and sovereignty or "to assume the consequences of their weakness" (2012, 29), because they will never be certain of the intentions of others, much less when they will use their offensive capacities, and "there are many possible causes of aggression, and no State can be sure that another State is not motivated by one of them" (Mearsheimer 1994, 10).

In contrast to the power politics approach, neorealists explain external aggression as a behavior resulting from the competitiveness and socialization of States, privileging the actions toward survival and self-help, and conditioned by anarchy. Socialization and competitiveness takes place in the international structure, which is defined by the disposition of the units, based on three ordering principles: the decentralized and anarchic character of politics; the absence of formal subordination or differentiated functions, and the distribution of material capacities which affect the performance of State tasks, such as providing security (Waltz 1988, 111; Barreiro Santana 2014, 30). In an anarchic and competitive world, States have been socialized in a structure that privileges maximizing power (offensive realists) or security (defensive

realists); therefore a State will take advantage of an asymmetry at the expense of the others to improve its position.

From the neoliberal institutionalism point of view, realist explanations overstate the role of anarchy and do not pay attention to the cooperative efforts expressed in institutions. External aggressions occur due to the failure of institutional mechanisms in predicting State behavior: enabling the conditions of "moral hazard" in which States act against the rules considering that the institution will distribute the costs of its actions (Domínguez 2003, 29–30), or due to high levels of legalization (Goldstein et al. 2000, 401) it may be more beneficial for a State to resolve a dispute outside of the established procedures (Sterling-Folker 2013, 122–24). As noted, States threaten or use armed force because it generates a political benefit, so when there are institutionalized frameworks defection is a possible behavior.

Finally, it must be considered that the external aggression has been present in the philosophical and legal debates regarding the use of armed violence. At the international level it has been part of the philosophical thought related to the "just war" and expressed in norms of Public International Law. In Latin America, it has been apprehended in legal thinking regarding the defense of sovereignty, territorial integrity, nonintervention in internal affairs and political independence through regional doctrines. The legalist paradigm offers a theory of aggression in the work of Walzer, which is related to the idealism in international studies because of the emphasis on the deontological. This paradigm establishes a heuristic assumption through the domestic analogy, according to which aggression would be an international equivalent of "armed robbery or murder, and every comparison of home and country or of personal liberty and political independence" (Walzer 2001, 93).

The instrumental legalist use of the external aggression is expressed in three sources of law: international, hemispheric and domestic (Cfr. Méndez-Coto 2017). In international law, the Charter of the United Nations has established in Article 39 that it is the responsibility of the Security Council to determine whether or not an event qualifies as an aggression, which, in words of Vallarta, it prevents that "any incident of 'little value' is used as a pretext for invasion" (2011, 442). During the 1970s, meetings were held to reach a universal consensus on the definition of external aggression, given its disputed nature. United Nations General Assembly Resolution 3314 defined it as "the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations", establishing in its Article 3 a series of events as acts of aggression.

Despite this, a comprehensive review of the "Repertoire of the Practice

of the Security Council"³ has determined that Article 39, from 1946 to 2011, has been explicitly invoked only in 8 occasions, being the last event in 1990 with no reference to a Latin American State. In the practice of the Security Council, it is extremely difficult to take action on the basis of that article, since many communications or draft resolutions are vetoed because of its political character. This makes possible to argue that the instrumental legalist use is a path not very promising for States and that increasing the number of actors involved can diminish their bargaining capacity.

At the hemispheric level, the security system has its foundations on the American Treaty on Pacific Settlement, the Inter-American Treaty of Reciprocal Assistance and the Organization of American States (OAS). This security system establishes in the Charter of the OAS that: "every act of aggression by a State against the territorial integrity or the inviolability of the territory or against the sovereignty or political independence of an American State shall be considered an act of aggression against the other American States" (Article 28), and such affectation could occur "by an armed attack or by an act of aggression that is not an armed attack" (Article 29). This system has been designed for the maintenance of collective security and the peaceful settlement of disputes through diplomatic consultations, intervening in at least 18 occasions between 1948 and 2008 (Herz 2008, 11). Notwithstanding the above, Mares criticized that "rather than insisting on a norm of no first use of military force in a dispute..., the security architecture is designed to become active after a government has decided that militarization is a good idea" hampering its "peace-enhancing potential" (2014, 430).

Additionally, when analyzing the domestic norms, external aggression as a threat is explicitly found in 14 of 21 Latin American Constitutions; in 8 out of 10 published White Papers; and in the absence of a White Paper it was found in 4 out of 8 National Defense Policies or Plans. This is evidence that allows affirming that traditional threats continue being a matter of concern and of State interest.

In Latin America external aggressions are present in the social imaginary; this is reflected in the articulation of domestic, hemispheric and international laws. However, the instrumental-legalist use faces challenges because the Security Council hardly accepts it, and in inter-American relations the collective use of armed force is highly unlikely although formally possible. Considering the consensus reached at the international level, external aggression is conceptualized as the threat or use of armed force against the sovereignty, territorial integrity or political independence of States, it is also stressed that

³ United Nations. Repertoire of the Practice of the Security Council. 1946-2011. Available at: http://www.un.org/en/sc/repertoire/actions.shtml

in Latin America its use is mainly substantive-political being necessary the understanding of the context of enunciation.

The intersubjectivist approach to external aggression

In contrast to the objectivist approach that takes external aggression for granted, this section explains how the identity, interests, and political responses of the State that confronts the action named "external aggression" are constructed. To this end the theoretical contributions of the social constructivism are used. External aggression is a label which includes a set of practices and intersubjective meanings attributed to a particular state action. These actions express intentionality or motivational dispositions founded on identities; therefore it has been rationalized by the State considering the available information, norms of accepted behavior and anarchic culture. Considering that the action reflects motivational dispositions its interpretation is not controlled by the agent, since the social interaction is dialogic and intersubjective.

The action named external aggression does not pre-socially imply an aggressor identity because the State may have had a misperception assuming that sovereignty allowed the use of force in a situation considered legitimate, which will be accepted or rejected only by the ex post interaction. Notwith-standing the above, a State may also subjectively (ex-ante) constitute a preference for aggression and act in accordance with that understanding, eliminating misperception in the social interaction.

Identities have been subject of a wide academic debate which lack a consensual definition (Finnemore and Sikkink 2001, 399). Following Wendt (1999, 215–16) and Fearon (1999, 34) this work will refer to State identities, considering the State as an actor with a corporate agency to which identities and interests can be attributed. Steele considers that there are two bases to theorize about identity: "the collective (which engulfs or shapes the Self) or an oppositional Other against which an agent identifies" (2008, 26). In this sense Merke establishes three links between identity and state action: identity as a tool that gives meaning to the world surrounding the agent; identity by opposition with the Other, or the will to reproduce a role with its expectations of behavior (2008, 49).

Identity will be defined as

a property of intentional actors that generates motivational and behavioral dispositions. This means that identity is at base a subjective or unit-level quality, rooted in an actor's self-understandings. However, the meaning of those understandings will often depend on whether other actors represent

an actor in the same way, and to that extent identity will also have an intersubjective or systemic quality... Two kinds of ideas can enter into identity, in other words, those held by the Self and those held by the Other (Wendt 1999, 224).

For Lorenzini, identities refer "to the self-perception of governments according to the principles that guide their policies... [And also alludes] to the view of the 'Others', the way in which they are perceived by their peers" (2013, 46). Fearon considers that having "a particular identity means to assign oneself to a particular social category or perhaps just to be assigned to it by others", defining social category as "a set of people designated by a label commonly given to, or used by, a set of people. The label must be invoked often enough or in sufficiently important situations that people condition their behavior or thinking on it" (1999, 13). Social categories have two distinctive features: implicit or explicit membership rules according to which the actors are assigned to the label, and a set of characteristics, physical attributes or "behaviors expected or obliged of members in certain situations" (Fearon 1999, 14). These distinctive features are the "identity content" (Merke 2008).

Social identities can be of two kinds: the collective identity defined as "a cognitive process in which the Self-Other distinction becomes blurred and at the limit transcended altogether... extending the boundaries of the Self to include the Other" (Wendt 1999, 229); and the role identity "as self-definitions deriving from peoples' knowledge of the roles they occupy... thus people might be motivated to make behavioral decisions which are consistent with their self-concepts" (Steele, 2008, 30, citing Astrom and Rise 2001). This agents "are expected or obligated to perform some set of actions, behaviors, routines, or functions in particular situations" (Fearon 1999, 17) because "one can have these identities only by occupying a position in a social structure and following behavioral norms toward Others possessing relevant counter-identities", but "one cannot enact role identities by oneself" they depend on shared expectations many of which are institutionalized (Wendt 1999, 227).

The reproduction of a role identity implies the identification of a specific situation (as an external aggression) and the internalization of the identity contents, which means "to understand their requirements, and to act on those understandings" (Wendt 1999, 232). There operates a causal mechanism between identity, interest and actions. The internalization is accompanied by its social legitimating process, because "an actor is not even able to act as its identity until the relevant community of meaning... acknowledges the legitimacy of that action" (Hopf 1998, 178–79); if "those parameters are breached, or absent..., then role identities are contested" (Wendt 1999, 227).

As Hopf argues "the identity of a State implies its preferences and consequent actions", and the social practices "that constitute an identity cannot imply interests that are not consistent with the practices and structure that constitute that identity" (1998, 175–76). In this sense Wendt points out that interests, as the motivations that explain behavior, presuppose identities; being the objective or national interests the imperative needs or functions for an identity to reproduce, and the subjective interests or "preferences" are beliefs of the agent on how to accomplish those needs considering their experience, the norms in which they have been socialized and their position in the structure (social or material) (1999, 231–32). Political responses are the empirical evidence from which identities and interests are inferred, so could be synonymous with "actions" or "ordinary and extraordinary measures" that shape foreign policy behavior.

Small States and Foreign Policy

In international studies, Small States have been object of limited academic interest; it is related to a negative view where the "small" is synonymous of vulnerability, weakness and even irrelevance. Despite this, there is no consensus on its essential attributes (Hey 2003, 3; Salgado Espinoza 2015, 26), considering that its study reflects tensions between rationalist theories, whose contributions have been the foundation of this category, and constructivist theories that fail to transcend this legacy.

The small state is defined ontologically by its lack of resources, evidenced in the fact that the first works sought to determine the material characteristics that separated it from the most influential, being usually defined by what they are not: materially or ideationally powerful (Steinmetz and Wivel 2010). However, Neumann y Gstöhl argue that "any precise definition can only be arbitrary" (Neumann and Gstöhl 2006, 6; Baehr 1975, 459), therefore Hey considers that "no strict definition is necessary" appealing on contingency and contextualizing case studies (2003, 2).

For Baldacchino, smallness is relational (2009, 23), but fails to characterize also as systemic, without which analytical accuracy would be lost since asymmetry in a dyad does not presuppose smallness. This work considers that smallness is a systemic attribute; therefore its relational character refers to its position in the (material or social) structure. The material structure gives territorial foundation to the corporality of the State, but reinforces the problem of the 'normality' of being giant (Baldacchino 2009, 21) privileging the study of Superpowers (Cold War), Great Powers or Regional Powers (post-Cold War) despite the predominance of Small States in contemporary international rela-

tions (Neumann and Gstöhl 2006).

The social structure allows understanding smallness as intersubjective knowledge. Hey affirms that "if a State's people and institutions generally perceive themselves to be small, or if other State's peoples and institutions perceive that State as small, it shall be so considered" (2003, 3), and Salgado Espinoza defines the Small States as "the social construction of a sovereign political entity based on the shared understanding and collective recognition of the State category of small within the national and international community" (2015, 63).

The Small State must be identified by its lack of resources as an ontological, systemic and relational attribute; complemented with the perception (Self-Other) of smallness, integrating the objective-subjective and endogenous-exogenous dimensions proposed by Vayrynen (1971, 93). Its identification was made following the "Index of Powers" of Murillo Zamora (2012b), which exhibit the material potential of the States based on the main variables of mainstream theories. Regarding to the perception it could be asked "what it entails for a State to think of itself as, and be thought of by others as being, generally 'small'?" (Neumann and Gstöhl 2006, 8), a possible answer is characterizing its main regularities of foreign policy behavior: a reduced geographical projection, fundamentally to its own region and neighboring States, "low levels of participation in world affairs..., high levels of support for international legal norms, frequent use of moral and normative positions..., and avoidance of the use of force as a technique of statecraft" (East 1973; Hey 2003; Bonilla 2008; Braveboy-Wagner 2008; Murillo Zamora 2012b; Méndez-Coto 2017a).

In relation to agency, it is reductionist to assume that all its foreign policy behavior is structurally predetermined, as the rationalist theories argue, considering them as policy-takers whose options are alignment or free-riding. Some of its behaviors may be "voluntarist" (Vogel 1983, 54), derived from experiences and future expectations as base of the identity, and from the opportunities created by the power balances (Mares 2001).

External aggressions occur in a social structure in which intersubjective knowledge, and therefore culture, enables States to project armed force into their mutual relations. In Latin American the anarquic culture has been defined as Lockean considering that States ensure their right to exist by norms that restrict the use of force, and the intersubjective recognition of sovereignty (section 1.1), but there are concerns about asymmetries as motivations to threat or use of force to resolve a dispute (Buzan and Wæver 2003; Kelly 2007; Frasson-Quenoz 2014; Méndez-Coto 2017b). Taking into account the intersubjectivist approach to external aggression (section 1.2) and the expected for

eign policy behavior, it is affirmed that when facing this kind of threat, two interests are constituted: an objective or national interest in the reproduction of the State (sovereignty, political independence and territorial integrity), and a preference or subjective interest in the mobilization of external support, given its lack of resources.

Methodological considerations

This work follows a reflexive and integrative methodological approach. In that sense, a circular logic has been used where there is a constant dialogue between material and ideational dimensions, improving the relevance and academic consistency. Considering the methodological approach of Lamont (2015), the research strategy was organized in two levels: the process of data collection and data analysis. The process of data collection entailed a deep documentary research in Ecuador, Argentina, Costa Rica and Nicaragua (pending Colombia); including the systematization of 450 pieces of the main newspapers of each State and the conduction of 19 academic interviews with experts.

The process of data analysis was performed with two methods: case study research and qualitative content analysis. The case study research is multiple or collective kind, it means that: "a number of cases may be studied jointly in order to investigate a phenomenon... They are chosen because it is believed that understanding them will lead to better understanding, and perhaps better theorizing, about a still larger collection of cases" (Stake 2005, 445–46). For Yin the multiple case study research is different from the comparative method, being used in studies with more than one singular case, which evidence "is often considered more compelling, and the overall study is therefore regarded as being more robust" (2009, 53).

According with the constructivist approach privileged in this research, the positivist comparison is not sought, however as Bennett & Elman argue "just as language and concepts are inherently comparative, all single case studies, even when not explicitly comparative, are implicitly so" (2008, 505). The cases selected fulfill necessity but no sufficiency condition, given the complexity of international affairs (Lieberson 1991); the non-plausibility of deterministic studies on international security (Kacowicz 2004), and that the Latin American historical record on security and conflict does not support simple explanations (Mares 2001; Domínguez 2003; Martín 2006).

Taking into account the objectivist approach that calls for the verifiability of external aggressions, cases were selected with the following criteria: consist on Militarized Interstate Disputes; the State enunciating the external

aggression is a Small State based on the "Index of Powers" of Murillo Zamora (2012b), interacting in a Lockean anarchic culture. The crisis of Portillos Island / Harbour Head between Costa Rica and Nicaragua (2010-2015), and the bombing of Angostura in Ecuador by Colombia (2008-2010) meet these criteria; evidencing violations of borders in which the sub-regional stability was at risk (Mares 2014, 2015). Both Costa Rica and Ecuador denounced having been attacked, which highlights the political use of categories since the construction of an attacked State identity is part of a process of social interaction, and its meaning is subject of interpretation.

In relation to the qualitative content analysis, a universe of study was defined which allowed the systematization of newspaper articles to find evidence on the articulation of identity, interests and actions. This universe was analyzed with ATLAS.ti, beginning with a deductive logic but flexible to apprehend inductively emerging issues and codes.

Ecuador and Costa Rica: Small States confronting external aggressions

One main contribution of social constructivism is the "notion that State identity fundamentally shapes State preferences and actions", and in its constitution lies a causal mechanism (Finnemore and Sikkink 2001, 394; 398). These social identities enable "predictable patterns of behavior" (Hopf 1998, 174), hence "a subject's desire to interpret a role… presupposes knowing the content of the identity being 'interpreted' therefore the footprints and expectations of that role" (Merke 2008, 49).

Comparative Table 1: Ecuador and Costa Rica foreign policy behavior when confronting and external aggression

Behavior	Ecuador	Costa Rica
Domestic		
Border fortification	Yes	Yes
Alignment and domestic cohesion	Yes	Yes
Agenda setting by Aggressor State (media)	Yes	No
Judicial prosecution against responsible agents	Yes	Yes

Trade & Migratory restrictions	No	No
Bilateral		
Diplomatic relations	Suspended	Temporally Frozen
Binational Commission	Suspended	Suspended
Sub regional		
Kind of threat	Irregular armed groups	Border delimitation issues
Militarized Interstate Disputes (1992-2010)	23 (conflictive)	19 (conflictive)
Sub regional institutional mechanism (interest)	No (CAN)	No (SICA)
Regional		
Alignments/Political affiliation of governments	Socialist/Left	Liberal/Right
Inter-American Court of Human Rights	Withdrawal	No
Rio Group Meeting	Yes	No
Organization of American States	Yes	Yes
Permanent Council	Yes	Yes
Meeting Of Consultation of MFA	Yes (25 th)	Yes (26 th)
Was the fact (aggression) fully demonstrated?	Yes	No
Was the attacked State identity fully accepted?	Yes	No
Universal		
International Court of Justice	No	Yes
Was the fact (aggression) fully demonstrated?	-	Yes
Was the attacked State identity fully accepted?	-	Yes

Source: prepared by the author.

The central argument is that the identity of the attacked State consists on a set of stable behavioral expectations; this implies that the Small State interpreting that role identity assume a set of interests and actions consistent with that identity. It was pointed out that the interests are the reproduction of the State and the mobilization of external support. In the cases studied, as the Comparative Table I demonstrates, these interests were evidenced in political actions such as: domestic political alignment as expression of nationalism as an identity foundation; the fortification of frontiers and the "frozen" or suspension of bilateral diplomatic relations; a refusal to the activation of the sub-regional political mechanisms; the search for a multilateral condemnation to the aggression based on regional political alignments, and in case that it failures, to resort in the United Nations mechanisms; among others explained below.

Ecuador and Colombia: the crisis of Angostura

The attack of the Colombian armed forces to a camp of the irregular guerrilla group of the Revolutionary Armed Forces of Colombia (FARC), which was operating illegally in the Ecuadorian territory of Angostura in 2008, was one of the tensest episodes of Latin American politics in XXI century, representing a threat to sovereignty and territorial integrity. The first thing to note is that the case study represents a situation in which a Latin American State (Colombia) uses armed force in the territory of another Latin American State (Ecuador), but not against its agents⁴. This precision is critical considering that the case reflects the new political dynamics on the use of force at the international level by involving irregular armed groups as targets.

According to the new regionalism theories the security interdependencies enables to acknowledge the different threats and security concerns in a region and compare them with others that are adjacent or distant. Therefore, it is possible to understand and distinguish the patterns of conflict present in the regions and sub-regions, which are socially and historically constructed. In this sense, Angostura is a case that reflects the most pressing security problems in the Andean zone due to its porous borders allowing the regionalization of an intra-State armed conflict and its implications in terms of drugs, arms and human trafficking.

The Colombian bombing in Angostura occurred on March 1, 2008, and aimed to the "FARC camp... located 1,800 meters from the border in Ecuadorian territory... in the province of Sucumbíos" (Vallejo and López 2009,

⁴ Francisco Carrión Mena and Alejandro Suarez, interviewed in Quito, Ecuador in 2016.

21). According to Torres, this sensitive attack to the guerrilla was made possible by an "interception of calls from a satphone... used by Raúl Reyes" who served as a relevant leader of the irregular armed group. In the bombing were used "five A-29B Super Tucano... also three subsonic A37 aircraft were deployed... [which] crossed the border and from the Ecuadorian airspace began the bombing from South to North" (2009, 140). In this bombardment a report of the "Transparency and Truth Commission Angostura" (2009) indicates that "ten GBU 12 Paveway TI 500-pound bombs" were launched.

The bombing of Angostura generated suspicion on the participation of a third State, the United States, due to its accuracy and technical characteristics. In terms of human consequences, the bombing resulted in the death of approximately 26 people, the main target being Luis Édgar Devia Silva known as "Raul Reyes", a leader of the guerrilla, and therefore the attack was a severe military and political setback for the organization.

The Colombian military operation was named "Operation Phoenix"; it was endorsed and planned by high military and political authorities, including the Minister of Defense Santos as well as President Uribe. In front of the emerging information, Ecuador initially sympathized with Colombia and investigated the attack. Subsequently, the Colombian Ministry of Defense alleged that the camp was attacked "from the Colombian side, always taking into account the order to not violate Ecuadorian airspace", and Uribe expressed gratitude to Ecuador for "its understanding of the moment of determination that Colombia lives to defeat terrorism" (Torres 2009, 154–55).

Considering the above, Ecuador raised questions in terms of non-application of the procedures defined in the Security Card for Border and Military Units, established as one of the measures of mutual trust between Colombia and Ecuador, according to which these armed forces had to surrender (Bermeo and Pabón 2008, 15). A high level meeting was held at the Carondelet Palace, presidential seat, with the objective of analyzing the events reported by Colombia and the Ecuadorian intelligence, and to verify information from the on-site inspection carried out by armed forces in the Area of the bombardment.

For Larrea Cabrera, who served as Minister of Internal and External Security, it was "clear that it was not a hot pursuit, but an incursion into Ecuadorian territory by a planned action, in which... Ecuadorian sovereignty had been violated" (2009, 156). As a result of these presumptions, Ecuador adopts an "attacked State identity" being its interest the defense of its internal and external sovereignty. Heuristically this could be apprehended by its domestic and bilateral actions, as well as at the external level through the activation and denunciation of "external aggression" in multilateral forums and with rele-

vant partners in order to obtain political support.

As a result of the qualitative analysis of content, the "external aggression" in Ecuador's perspective came to represent a "war event" with the seriousness of having "violated", "outraged", "bombed" and "invaded" the "Homeland" in an "wicked", "intentional" and "planned" manner which was considered "unacceptable" and "intolerable". This "verified" "act of aggression" deserves "a severe condemnation to Colombia" that "the worthy States of the continent cannot let pass", and if this happens at the expense of "sacrificing international law", can constitute an "unforgivable" omission, hence the Organization of American States should be thrown "into the trash can". This "external aggression" was due to "the lack of communication between the delegates of the [Binational Border Commission] of Colombia to the delegates of Ecuador [which] impeded an immediate reaction" to dismantle the guerrilla camp; and the use of "lies" by President Uribe to "justify the act of aggression" and "hide its nature", which was "to impose the theory of being able to act in any State for the national security of Colombia".

The bombing of Angostura was not an isolated fact; it was the result of a chain of events (Jaramillo 2009, 15). First, there was a change in anti-drug policies on the US agenda, specifically in the perception "that Colombian guerrillas are actually drug armies so the anti-narcotics strategy became an anti-guerrilla strategy" (Bonilla 2006, 175). Second, the Plan Colombia, which was the spearhead in the war against drugs in the Andean zone and began "to attack heavily the zones administered by the guerrillas, with special emphasis on the southern territories". Third, the Uribe's democratic security strategy and 'Patriot Plan' transferred "15,000 troops to the regions occupied by the guerrillas... [the] intention was to push and beat the insurgents to the south, through mobile actions, with strong air support and intelligence" (Moreano 2005, 114). This pressure on irregular armed groups had consequences for Ecuador, which Bonilla categorizes as four: 1) the illegal armed actors began to operate from Ecuadorian soil, leading to increases in crime and armed incursions, 2) the increase in forced displacement and Colombian refugees as a result of hostilities, crime and fumigation, 3) the increase in defense concerns for bordering States regarding the substantial military spending of Colombia, and 4) the environmental damage resulting from fumigations with glyphosate on the Colombian South border (2006, 176-77).

In the Colombian perspective the bombing was a legitimate target considering that the camp was part of the dynamics of the armed conflict. There was "proportionality" since "collateral damages, if any, would have been inferior to the military gain obtained"; and the principle of distinction was kept "because it was a camp dedicated exclusively to a group of FARC combatants"

(Torrijos Rivera 2009, 180). However, conducting the bombing during the night made it unfeasible to differentiate human targets. On this logic, Nieto Navia raised a justification on the legality and legitimacy of the actions, specifically stating that they "did not violate the sovereignty of Ecuador" because "an attack against a non-State actor such as terrorist forces operating from foreign territory... not followed of occupation... does not constitute an attack on the territorial integrity or political independence of the State in question" (2011, 47).

The positions of both Ecuador and Colombia about the bombing of Angostura show divergent subjectivities on the notion and content of sovereignty. Ecuador defined its State identity based on a "classical" notion of sovereignty because it was part of the consensus in the international system and in Latin American legal tradition. Meanwhile, Colombia sought to reproduce a State identity based on a "flexible" notion of sovereignty guided by the practice of international politics that the United States was deploying in the War on Terrorism. One of the risks for the Colombian operation consisted of a military retaliation, which could have implied a confrontation of the regular forces of both States as a result of the illegal incursion. Regarding the possibility that Ecuador could have carried out an armed response, experts were consulted and unanimously considered that this was not viable as it was counterproductive for Ecuador's foreign and security policy in front of the international community (ideas), and because of the substantial military gap (material), which recursively enabled the Colombian attack.

The qualitative content analysis allowed identifying the actions developed by Ecuador in reproducing the identity of the attacked State. These actions were organized analytically between the domestic and the external level. In terms of domestic actions, the fortification of the border with Colombia was found as a first step in response to the illegal incursion of both regular and irregular Colombian forces. The second action consisted in the alignment and domestic cohesion in both Ecuador and Colombia, which responded to the political management of the crisis and its correlation with nationalism as the basis of the State identities, where public opinion and relevant political actors within the States tended to endorse the actions of their authorities.

The third action, unpredictable and emergent, allowed Colombia to move the discussion around the bombing towards the alleged Ecuadorian and Venezuelan collusion with the irregular Colombian groups. Colombia announced to the international community that it had found computers allegedly belonging to Raúl Reyes in which links were demonstrated between the FARC and the governments of Ecuador and Venezuela. This would later lose relevance when the Court of Criminal Cassation of the Supreme Court

of Justice of Colombia declared its content as "illegal" due to non-compliance with the due process in its collection. The fourth action was the judicial prosecution in Ecuador against Juan Manuel Santos, the Colombian Minister of Defense, responsible for Operation Phoenix and its material and human consequences, this issue generated tensions and would later be dismissed by the judicial authorities. Finally, there were concerns about potential trade and migration restrictions as bombardment responses, which did not succeed.

At the bilateral level, political relations between States declined. Ecuador suspended diplomatic relations with Colombia and therefore, technical mechanisms like COMBIFRON lost their validity. The reestablishment of diplomatic relations evidenced demands from both States. Ecuador requested reparations for the bombing, the transfer of the technical and military information of the case, the cessation of the media dispute about its alleged link with the FARC and the increase of the Colombian responsibility with its refugees or displaced migrants in Ecuador. While Colombia required the termination of the judicial prosecution of Juan Manuel Santos, the withdrawal of the Case in the Inter-American Court of Human Rights (Aisalla Case) and the International Court of Justice (fumigations with glyphosate), in addition to not cooperating until these relations were reestablished, until December 2010.

The Andean zone was characterized during the post-Cold War period as a highly conflictive sub-region, with 23 militarized disputes between 1990 and 2010 (Méndez-Coto 2017b). This historically constructed dynamic of conflict and mistrust is evidenced in the rivalries on the Venezuela-Colombia-Ecuador-Peru axis. For example, Ecuador when reproducing an attacked State identity, had a lack of interest in the activation of the sub-regional political mechanism due to its reduced legitimacy, considering that the Andean Community (CAN) was concentrated in economic and commercial issues and therefore Colombia as aggressor State would have more leverage if Ecuadorian regional allies did not take part in the dispute. As mentioned, the subjective interest or preference of the Small State consists in obtaining external support, so it is imperative to broaden the actors involved, especially their allies (in this case the ALBA members and regional leaders such as Brazil and Argentina).

In the regional and multilateral context, Ecuador brought the Colombian attack to the Rio Group Meeting held in the Dominican Republic, and to the Permanent Council of the Organization of American States. During the Meeting of the Rio Group, the divergent visions between Ecuador, the ALBA States (Venezuela and Nicaragua had suspended their diplomatic relations with Colombia) and Colombia were evidenced: differences regarding the notion of sovereignty as well as the border management around the operation of

irregular armed groups. This Meeting was mediated by the President of the Dominican Republic with the leadership of Brazil and Argentina, obtaining an apology from President Uribe and a promise not to repeat this type of armed incursions in the future, stated in the Final Declaration. The Meeting should have reduced the conflict, however, the personalities of the leaders and the management of the crisis continued generating political capital, therefore it remained active (Montúfar 2008).

At the regional level, the Permanent Council of the Organization of American States was activated with the objective of finding solutions to the crisis and restoring order and security. For Ecuador as an attacked State, a multilateral "condemnation" against Colombia was sought, for the breach of public international and inter-American law, especially regarding sovereignty, territorial integrity and peaceful resolution of disputes. The Permanent Council directed the Secretary-General to issue a report after an on-site inspection, and worked on the preparation of a resolution. For Ecuador, this mechanism was an opportunity to obtain external support, evidenced in the ALBA block, from the South American States and other nations concerned about the practice of flexible borders implemented by Colombia. This was the legitimating process of the identity. For Colombia the diplomatic strategy for its defense consisted in accepting the facts while denouncing the alleged involvement of Ecuador and Venezuela with the FARC, calling for greater commitments in the fight against terrorism.

The Resolution prepared by the Working Group in the Permanent Council was prevented from "condemning" Colombia because of the practice of consensus, since Colombia and allied States such as the United States or Canada would not support it. Finally, it reaffirmed "the full applicability of the principles enshrined in international law of respect for sovereignty, abstention from the threat or use of force, and noninterference in the internal affairs of other States", adopted at the Twenty Fifth Meeting Of Consultation of Ministers of Foreign Affairs.

For Ecuador as an attacked State, the multilateral resolutions were a support to its identity, considering that it was reaffirmed that Colombia broke the international law: this was the intersubjective knowledge that enabled its role identity, reinforcing the accepted norms of behavior related to the threat or use of force; and therefore creating the opportunity for the reestablishment of diplomatic relations. This case clearly shows the practices of the attacked State, the way it prioritizes its interests and the inter-American institutional capacity to deal with regional crises. From the point of view of "moral hazard", the costs for Colombia of its aggression were reduced considering that the military tactic generated domestic gains, and at the bilateral level the dispute

was contained in the political level without affecting the commercial and migratory dynamics.

Costa Rica-Nicaragua: the crisis of Portillos Island / Harbour Head

Political and diplomatic relations between Costa Rica and Nicaragua over the last decade have been explained by a "pendulum" approach (Stagno Ugarte 2013), defined by the beginning of each Costa Rican administration. During the government of Pacheco de la Espriella (2002-2006) a policy of "appeasement" and "fraternity" with Nicaragua was maintained, but resulted in a Case in the International Court of Justice (ICJ) on navigation rights of Costa Rica in the San Juan River. During the government of Arias Sánchez (2006-2010) a policy of "containment" and distancing was followed, which generated stable relations. In the Chinchilla Miranda Administration (2010-2014), a policy of "appeasement" and "good neighborly" was sought, but resulted in the questioning of Costa Rican sovereignty over one end of "Isla Portillos" (Harbour Head for Nicaragua) and three new Cases in the International Court of Justice; which required a return to the policy of "containment" and distancing during the Solís Rivera government (2014-2018).

This approach to the bilateral relations between Costa Rica and Nicaragua evidences the lack of continuity and stability, causing that the interests, experiences and images of each President shape their foreign policy. Therefore, it is important to understand bilateral relations as "strategic" or "durable" rivalries (Colaresi, Rasler, and Thompson 2008), characterized by interestate competitiveness, recurrent episodes of conflict as incompatibility of interests that can lead to enmity, which varies in a spectrum from: disagreements relative to sovereignty and territorial integrity, escalation trough "microphone" diplomacy to the militarization of disputes. These rivalries are intensified by each actor's negative perceptions of the other, worsening situations that could be solved through diplomatic consultations, or creating disagreements on peripheral issues. These negative perceptions are socially and historically constructed, so they have a foundation in nationalism, generating cohesion and domestic consensus.

The crisis between Costa Rica and Nicaragua begins in October 2010 when Managua, during a process of dredging of the San Juan River creates an artificial channel with the objective of diverting the talweg of the River to allegedly justify changes in the border, claiming the area of Isla Portillos / Harbour Head. The dredging began with the approval of the Costa Rican Minister of Foreign Affairs, who, without reviewing the environmental impact

studies, accepted the verbal explanations of the Nicaraguan Minister of Foreign Affairs indicating that Costa Rica would not be affected. The dredging of the San Juan River was fully acknowledged as a Nicaraguan right; however it should respect the principle of no significant harm to the environment of another country.

The dredging, the opening of channels by military forces in Costa Rican territory and the environmental damages in the riverbank were considered for Costa Rica as an "invasion", "occupation" and "external aggression" by Nicaragua, in which its territorial sovereignty was at risk. Therefore, Costa Rica adopts an "attacked State identity" being its interest the defense of its sovereignty through domestic, bilateral and external actions. Considering that the reproduction of a role identity implies the identification of a specific situation, the internalization of the identity contents which requires a social legitimating process, Costa Rica denounced this perceived threat to the international community and its relevant allies in order to obtain political support and intersubjective recognition.

For Costa Rica obtaining the regional support was paramount considering that due to the lack of armed forces its external defense relies on the diplomatic and legal mechanisms provided by international institutions. In the other hand, the Nicaraguan perspective on the controversy was guided by the idea that it is "the State in the region that has lost most territory throughout its history and that Costa Rica maintains the goal of appropriating the San Juan River" (Murillo Zamora 2012a, 22), embedding the problem in the field of divergent meanings and legitimacies over the territory. Also, Nicaragua's foreign policy during the Sandinistas governments was shaped by socialist and ideological principles (Close 2011) encountering support to its positions in the ALBA block.

The qualitative content analysis allowed identifying the actions developed by Costa Rica in reproducing the identity of the attacked State, in the domestic level five actions were exhibited. The first was the border fortification through the deployment of public forces; which was criticized as "militarization" due to the alleged contradiction with Costa Rican pacifism. This process had relevant moments including public statements by Minister of Foreign Affairs Castro about the possibility of creating security forces, the raising of a Costa Rican flag in the disputed area which was taken by the Nicaraguan army generating more tension, and the creation of the Border Police. The second action was the construction of Route 1856 along the San Juan River as an "extraordinary" and urgent measure, which implicated that it was not necessary to carry out or socialize environmental impact studies.

The third action consisted in the judicial persecution of Edén Pastora,

a Sandinista former leader, as responsible of environmental crimes due to the damages of the dredging and the opening of channels in Costa Rican territory. The fourth was the alignment and domestic cohesion in both Costa Rica and Nicaragua, which responded to the political management of the crisis and its correlation with nationalism as the basis of the State identities, where public opinion and relevant political actors within the States tended to endorse the actions of their authorities. Finally, tax measures to the importations of each State were proposed due to the costs of the Cases in the International Court of Justice, which were refused by the productive sectors.

At the bilateral level, political relations between Costa Rica and Nicaragua declined. Costa Rica withdrew its ambassador as a protest measure and therefore, the Binational Commission as a technical coordination mechanism was suspended. At the sub-regional level, the Central American zone was characterized during the post-Cold War period as highly conflictive, with 19 military disputes between 1992 to 2010 (Méndez-Coto 2017b). This pattern of conflictivity in this sub-region is related to border delimitation issues and armed incursions, resulting in controversies, mistrust and rivalries. Therefore, the case of Portillos Island evidences this kind of security problems in Central America.

When reproducing an attacked State identity Costa Rica had a lack of interest in the activation of the sub-regional political mechanism such as the Meeting of Presidents of the Central American Integration System (SICA) considering that Nicaragua would have had leverage. For Nicaragua, the other institutional possibility at this level was the Central American Court of Justice (CCJ); nevertheless Costa Rica does not recognizes its jurisdiction and in its view the crisis was political not juridical, as Nicaragua stated. Despite this, Nicaraguan non-governmental organizations denounced Costa Rica in CCJ by the construction of Route 1856 along the border of the San Juan River and obtained a favorable sentence in 2012, increasing the tensions and the criticism to its impartiality and non-jurisdiction.

At the regional level, the Permanent Council of the Organization of American States was activated with the objective of finding solutions to the crisis and restoring security. This Council directed the Secretary-General to issue a report after an on-site inspection and to work on a resolution, being this the opportunity of Costa Rica to obtain external support to its identity and to seek a condemnation of Nicaragua for the "invasion" of its territory and the violation of its sovereignty. Nevertheless, there was a lack of consensus regarding the contents of the resolution, in which Nicaragua made its case stating that the controversy should be processed in a juridical not political mechanism, such as the International Court of Justice due to its nature.

However, Costa Rica called the voting process, breaking the practice of consensus implemented in the precedent decades. The resolution, adopted with 21 votes in favor, 2 against and 4 abstentions, required the withdrawal of security personnel from the disputed area and endorsed the Secretary General's report. The Twenty Sixth Meeting of Ministers of Foreign Affairs recommended the implementation, simultaneously and without delay, of the provisions of the Permanent Council. Nevertheless that lack of consensus enabled the conditions of "moral hazard" when Nicaragua rejected the applicability of the resolution evidencing the weakness of the attacked State identity and its legitimating process. Hence by November 2010 Costa Rica had escalated the dispute to the International Court of Justice (ICJ), through the Case: "Certain Activities carried out by Nicaragua in the Border Area".

The security pattern in Central America regarding border delimitation problems is correlated with its judicialization (Cfr. Cascante Segura 2014, 166), which reflects the incapacity of governments to found solutions by political means. The Case studied followed this path; since the next stages would be carried out in the International Court of Justice. In 2011 Nicaragua filed the Case "Construction of a road in Costa Rica along the San Juan River" related to the Route 1856, which was joined by the Court with the first Case in 2013. At the beginning of 2014 Costa Rica initiated a third Case: "Maritime delimitation in the Caribbean Sea and the Pacific Ocean", reaffirming the judicialization of the bilateral relation.

The International Court of Justice delivered its judgment on the joined cases in November 2015, and was considered more favorable to Costa Rican position. As a prelude to the judgment Nicaragua had violated several precautionary measures relating to the suspension of activities, withdrawal of personnel and the violation of Costa Rican right of navigation over San Juan River. Regarding the first case, the Court by majority ratified Costa Rica's sovereignty over Portillos Island / Harbour Head. As a result, it was unanimously established that both the construction of artificial channels and the Nicaraguan military presence in the area consisted of illegal occupation of territory. Also Nicaragua was condemned by the violation of the Costa Rican right of free navigation on the San Juan River, and was ordered to compensate for environmental damages caused by the artificial channels. Regarding the second case, Costa Rica was found guilty for failing to carry out environmental impact studies relating to Route 1856, but it was not determined that it caused serious damage to the San Juan River.

For Costa Rica as an attacked State, the political regional mechanism did not resolve its concerns related to the sovereignty over Portillos Island, neither condemned nor forced Nicaragua to withdraw the security personnel.

The legitimating process implies shared understanding of the meaning of the identity (on whether other actors represent an actor in the same way) and the state action (illegal incursion) which did not happened at the Organization of American States. Therefore, Costa Rica which lacks armed forces, found the escalation to the International Court of Justice an imperative foreign policy decision. This course of action showed the practices of the attacked State, the way it prioritizes its interests and the international institutions responses to the crises. From the point of view of "moral hazard", the costs for Nicaragua of its incursion were reduced considering that the regional mechanisms did not condemned it, and bilaterally the dispute was contained in the political level without affecting the commercial and migratory dynamics.

Conclusion

The value load of "external aggression" entails academic difficulties around its definition, since a wide and varied range of events can justify its enunciation, therefore this paper has analyzed "external aggression" as a disputed analytical category, whose enunciation in the international context is associated with the threat of the sovereignty, political independence and the territorial integrity of States, being sensitive to political representatives, multilateral institutions and national societies. In Latin America this category is present both in the social imaginary and in the discourse of foreign policy, mainly due to the history of interventions, rivalry and conflict that has characterized the region, it is evidenced when political crises occur and is embodied by domestic, hemispheric and international norms.

The central argument was that the identity of the attacked State consists on a set of stable behavioral expectations; this implies that the Small State interpreting that role identity assumes a set of interests and actions consistent with it. The interests were the reproduction of the State (objective) and the mobilization of external support (subjective). In the cases of Ecuador and Costa Rica these interests were demonstrated in political actions such as: domestic political alignment as expression of nationalism as an identity foundation; the fortification of borders and the "frozen" or suspension of bilateral diplomatic relations; a refusal to the activation of the sub-regional political mechanisms; the search for a multilateral condemnation to the aggression based on regional political alignments, and in case that it failures, to resort in the United Nations mechanisms such as the International Court of Justice.

In comparative terms, it can be found that the cases show a sui generis Latin American culture for the processing and resolution of conflicts, which is delineated by shared norms and values in the region, that seek to reduce tensions and prevent further escalation in terms of the use and projection of armed force. Furthermore, there is an intermestic character presented in the bilateral relations that cannot be left aside, because despite the divergences that can be catalyzed from the capitals, in the border areas there are persistent social flows. In this way, it can also be interpreted that the use of the category "external aggression" hinders the possibility of dialogue at the political level because it significantly reduces trust and tends to deepen the bilateral gaps. A particularity of Latin America that stood out was the tendency to "contend" the disputes thematically, without spilling consequences in the commercial field.

Both Ecuador and Costa Rica as Small States reproduced practices, interests and identities of "attacked States" when confronting "external aggressions" from Colombia and Nicaragua, respectively. The study of each crisis was chosen considering that they exhibited different sub-regional security patterns, explained by the new regionalism in terms of interdependencies. Therefore the cases provide empirical knowledge to the social constructivist premise regarding the causal mechanism between identity-interest-actions to explain Small States foreign policies, and supporting a research agenda on comparative studies, especially across regions.

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ABSTRACT

This article analyzes the social construction of "external aggressions" by small Latin American states. A comparative study between Costa Rica and Ecuador enables to understand the regularities in their behavior when facing such kind of threat, in terms of their role identity, objective and subjective interests and consistently their foreign policy actions at the domestic, bilateral, sub-regional and regional level. It is argued that the small states are more vulnerable to the external aggressions because of their lack of material resources and their need of external support, compromising their sovereignty and territorial integrity, and requiring the activation of multilateral mechanisms such as the Organization of American States and other regional and sub-regional institutions.

KEY WORDS

External Aggression, Small States, International Security Studies.

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